From: tcarlin@scsenv.com
To: Water Permits
Cc: Johen Bowling; Tricia Swaney; spool@scsenv.com; "Will Ownby"
Subject: [EXTERNAL] SWP3 for Gerdau Ameristeel U.S. Inc, Union City TN
Date: Monday, January 29, 2024 10:54:28 AM
Attachments: image001.png

Please find attached the SW3P for Gerdau Ameristeel U.S. Inc, Union City. Thanks Teresa

Teresa Carlin
Administrative Assistant
SCS Environmental Group
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STORM WATER
POLLUTION PREVENTION PLAN

GERDAU AMERISTEEL U.S. INC.
1324 Highway 51 South
UNION CITY, OBION COUNTY, TENNESSEE 38261

STATE OF TENNESSEE
MULTI-SECTOR PERMIT NO. TNR050000

PREPARED FOR:

GERDAU AMERISTEEL U.S. INC.
1324 HIGHWAY 51 SOUTH
MEMPHIS, TENNESSEE 38107

Plan Date
NOVEMBER 2023

STORM WATER POLLUTION PREVENTION PLAN
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CORPORATE CERTIFICATION PAGE

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with the system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manages 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.

Signature: _____ **Date:** 12-14-23

Allen Hurst, Gerdau, Site Manager

1.0 INTRODUCTION / ORGANIZATION

Gerdau Ameristeel U.S. Inc. is a scrap processing and recycling facility located in Union City, Tennessee. Gerdau Ameristeel U.S. Inc. (Gerdau) plans to operate under a National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges associated with industrial activity as issued by the Tennessee Department of Environment & Conservation (TDEC).

This plan was prepared in accordance with the requirements of the Tennessee Multi-Sector Permit (TMSP) for Storm Water at Industrial Activities.

In accepting Storm Water General Permit coverage, Gerdau acknowledges its intention to develop and implement the Storm Water Pollution Prevention Plan (SWPPP) for the purpose of minimizing and/or eliminating the release of storm water impacting materials. To achieve these objectives, the responsibilities of Gerdau include the following:

- Implementing the policies and procedures presented in the TMSP;
- Implementing the policies and procedures presented in the SWPPP;
- Conducting periodic reviews of the policies and procedures to evaluate the effectiveness of the currently established SWPPP;
- Conducting periodic qualitative and/or quantitative storm water sampling events in accordance with the Permit requirements; and

Updating the SWPPP and related materials as listed annually and whenever there is a significant physical change in the operations conducted at the facility that may include the introduction of additional discharges of pollutants to storm water systems. The facility does stores diesel fuel at quantities requiring Emergency planning. Otherwise, the facility does not utilize, store, or manufacture any Section 313 Water Priority Chemicals listed in the Title III of the Superfund Amendments and Reauthorization Action (SARA).

Gerdau will be regulated under Sector N, Scrap and Waste Recycling facilities (non-source separated, non-liquid recyclable materials) engaged in process, reclaiming, and distribution of scrap and waste materials, such as ferrous and nonferrous metals.

2.0 OBECTIVES

The EPA published regulations in November 1990 to control storm water discharges under the National Pollutant Discharge Elimination System (NPDES) Permit program. The goal of the storm water permit program is to improve water quality by reducing the amount of pollutants contained in storm water runoff from industrial facilities. The Multi-Sector Permit requires industrial facilities which discharge storm water to prepare and implement a SWPPP.

One of the specific Sector N discharge requirements is to "minimize surface runoff from coming in contact with scrap processing equipment." The objectives of this SWPPP are to (1) identify potential sources of pollution which may affect the quality of storm water discharges (2) to identify practices to be implemented to reduce pollutants in storm water discharges, and (3) to ultimately assure compliance with the terms and conditions of the Multi-Sector Permit and implementation of this SWPPP.

3.0 SWPPP ELEMENTS

In order to meet the objectives of the Multi-Sector Permit, this SWPPP contains the following elements:

Storm Water Pollution Prevention Team: Individuals familiar with the operations at Gerdau are identified who are responsible for implementing, maintaining, and revising this Plan.

Inventory and Description of Potential Pollutant Sources: Existing industrial activities and significant materials exposed to storm water are identified and described as well as specific pollutants which may be present in the storm water runoff. Existing management practices and control measures employed at the facility to minimize storm water pollutants are also identified.

Best Management Practices (BMPs): BMPs are identified which address the conditions and operations present at the facility and are designed to reduce pollutants in storm water runoff.

Evaluation of Non-Storm Water Discharges: Non-storm water discharges are identified.

Annual Comprehensive Site Compliance Evaluation: Procedures for the annual facility inspection and required report are outlined.

Certification: This SWPPP and all related reports will be signed by a responsible corporate officer or duly authorized representative.

4.0 NARRATIVE DESCRIPTION

Gerdau operates a public and commercial metal recycling facility in Union City, Tennessee. The facility is a feed operation that obtains raw material that are sorted for shipment to alternate Gerdau manufacturing operations worldwide. Gerdau receives both ferrous and non-ferrous metals at this facility. Gerdau is committed to operating with keen attention to safety and environmental concerns while at the same time focusing on increasing recycling rates and producing goods to the highest of standards.

Ferrous and non-ferrous metals are processed by segregation, dismantling, sheers, and bailers. The non-ferrous metals will be sorted into internationally recognized grades. The final recovered goods will be loaded on Gerdau transportation and shipped to mills and processors worldwide. Ferrous and non-ferrous metals will be stored in stockpiles on the north and the east sides of the facility (see Figure 4). The materials are weighed and screened for radiation on check-in at the scale house, then are offloaded by forklift, grappler, loader, skid steer, and/or magnets. The outdoor operational areas are either paved or covered by gravel aggregate. Recovered small items such as copper and aluminum components will be combined, bailed, containerized, and stored under cove in the onsite warehouse. Larger recovered raw steel, stainless steel, galvanized metals, along with painted metals, will segregated into containers by type for shipment.

Waste materials are deposited into several dumpsters that will be located along the north side of the facility. Waste materials (plastic, wood, non-metal) will be transported from the property to the local solid waste landfill on a weekly basis. Scrap metal roll-offs may be used in the segregation process depending on the sources identified as operations expand. These containers will be located to the east of the main warehouse building.

Gerdau has heavy equipment, forklifts, skid steers, a long arm grappler, and a bailer on site. Equipment and vehicle maintenance will be handled by service contracts, which are companies that perform maintenance on site and will take all waste fluids, filters, etc., with them upon completion of maintenance activities. In addition, automobile parts, motors, tires, batteries will be segregated and handled according to waste stream. Regulated waste streams will be handled in accordance to regulatory waste requirements and accumulated for proper disposal by licensed vendors.

As part of the automobile and process equipment breakdown operations, there will be fuel and fluid recovery tanks and drums on the north side of the warehouse structure. There will be one 4,000 gallon off-road diesel above ground storage tank (AST), along with a 2,000 gallon clear diesel tank that will be used to fuel onsite equipment and vehicles in a containment area that abuts the east side of the warehouse building. An authorized disposal company will empty the tanks and drums, along with regulated waste streams mentioned above, and transport the materials offsite.

The characteristics of storm water drainage at the Subject Site is as follows:

Drainage Area	Storm Water Flow Description	Total Site (Acres)	Impervious Surface Area	Runoff Coefficient	Drainage Discharge Point
SW-01	Automobile storage/salvage area, Driveway, Scales, Roll-off Area, De-Pollution Area, Breakdown Area: Overland flow across gravel drive; wooded area produces less run-off, controlled by a 36 inch pipe, to an open drainage ditch to the northeast of the warehouse.	7.53 Acres	3.24 Acres	Medium	Drainage Ditch Flows South and North - Central Northern Property Boundary
SW-02	Vacant Field, Minor Equipment Storage	3.47 Acres	---	Low	Ditch at Northwest Corner of Property
SW-03	Vacant Field, Equipment storage and Staging Area, Nexair Storage Pad (with gravel drive)	5.0 Acres	1.0 Acre	Low	Ditch at Southeast Corner of Property

5.0 FACILITY INFORMATION

TN Multi-Sector General Permit:	TNR054012
Owner:	Gerdau Ameristeel U.S. Inc.
Address:	1324 Highway 51 South, Union City, Tennessee 38261
County:	Obion County
Latitude and Longitude:	36.375763 / 89.115036
Telephone:	731.504.1131
Site Contact :	Allen Hurst
SWPPP Technical Contact:	Shawn S. Pool, SCS Environmental Group, LLC (SCS)
Telephone:	662.893.6700
Mobile:	901.619.9158
Alternate Emergency Contact:	Tom Prosser
Mobile:	423.414.8261
Permit Effectiveness Dates:	November 2023 to June 2025
Number of Outfalls:	3
Number of Employees:	10
Hours of Operation:	Monday to Friday: 7 am to 4 pm
Total Size of Facility:	16.16 acres
SIC Number:	5093
TMSP Sector:	N

The Gerdau operation is a new operation. The facility is scheduled to begin operations December 1, 2023. The facility previously operated as A&J Salvage, and was primarily used only as a storage facility for the operations that are conducted to the west across Highway 51. Prior to occupancy, A&J Salvage performed decommissioning activities to remove onsite storage prior to renovations being performed by Gerdau. The A&J Salvage operation was not permitted at this address (site location).

As part of expanded operations, the warehouse building was refurbished and improved, a scale house and office building were constructed, scales and radiation sensors were installed, the gravel cover in operational areas was expanded, and the de-pollution area was constructed, along with the establishment of fueling operations for onsite equipment.

6.0 EVALUATION OF NON-STORM WATER DISCHARGES

The Multi-Sector Permit requires identification of all sources of water discharges to the storm drainage system. The facility is required to certify that non-storm water discharges have been evaluated. Any un-authorized non-storm water discharge must be eliminated. Typical sources of non-storm water discharges that are not authorized by the Multi- Sector Permit include:

- Floor drains, sinks and other waste discharged to the ground surface,
- Boiler blow down,
- Vehicle and equipment wash water,
- Steam cleaning wastes,
- Contact or non-contact cooling water,
- Process wastewater, and
- Spills or leaks.

Non-storm water discharges authorized by the Multi-Sector Permit include:

- Discharges from firefighting activities,
- Fire hydrant flushings,
- Potable waterline sources,
- Irrigation drainage,
- Lawn watering,
- Routine external building wash down without detergents or other compounds,
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred and where detergents are not used,
- Air conditioning condensate,
- Discharge from springs or uncontaminated groundwater, and
- Foundation or footing drains where flows are not contaminated with process materials.

As part of site renovation activities, all onsite drains inside the warehouse were completely sealed. Currently, the facility has been upgraded with a new onsite septic system for sanitary wastes only. There will be no industrial wastewater generated as part of new operations. Regulated wastes recovered during recycling operations will be accumulated and handled by properly licensed vendors. There will be no onsite treatment operations.

7.0 PRESENCE OF NON-STORM WATER DISCHARGES AND CERTIFICATIONS

The facility will be inspected initially, then annually thereafter, for the presence of non-storm water discharges. The inspections will occur during dry weather periods to allow for the detection of these discharges. Areas with water flow, damp areas, and piping found to extend from the interior of the building to the exterior should be examined and the sources determined. The inspection will be documented on the annual inspection and certification for non-stormwater discharges forms, provided in Appendix B.

Illicit connections of process wastes or other pollutants to stormwater collection systems can be a significant source of stormwater pollution. Non-stormwater discharges are those discharges that do not originate from storm events (for example, discharges of process water, air conditioner condensate, non-contact cooling water, pavement wash water, external building washdown, irrigation water, or uncontaminated ground water or spring water). With few exceptions, these non-stormwater discharges are prohibited under the Permit unless specified in Section 6.0.

8.0 POLLUTION PREVENTION TEAM

The Storm Water Pollution Prevention Team is responsible for developing, implementing, maintaining, and revising the SWPPP. The members of the team are familiar with the management and operations of the facility. The members of the team and their principal responsibilities are listed below.

Member: Allen Hurst
Title: Site Manager

Responsibilities: Serves as the Team Leader and is responsible for oversight of SWPPP. Duties include implementing a Storm Water Prevention Awareness Program, including employee training, conducting, or delegating periodic overview inspections, ensuring prompt repair of any noted deficiencies. Authorizes the implementation of emergency action and contingency and plans. He will also conduct discharge monitoring, testing, record keeping, annual inspections, and SWPPP revisions. Duties will also include documenting compliance with provisions outlined in the General Permit as well as tasks relating to the pollution prevention and suggestions for BMPs.

As this is a new facility, the pollution team may be expanded at a later date. Operations are expected to begin December 1, 2023.

9.0 SITE MAPS

A general Site Location Map is included as **Figure 1**. A tax map of the facility is included as **Figure 2**. A topographic map of the facility is included as **Figure 3** and a Site Diagram of Gerdau is included as **Figure 4**. The Site Diagram (**Figure 4**) shows the following features required by the Multi-Sector Permit:

- The facility property,
- The storm water outfall & monitoring location,
- An outline of the storm water drainage area for the outfall and the drainage flow patterns and prediction of the direction of flow,
- Existing structural control measures to reduce pollutants in storm water runoff,
- Surface water bodies (none on site),
- Locations where significant materials are exposed to precipitation including scrap materials and outdoor scrap processing equipment,
- Locations where major spills or leaks have occurred that have been identified according to the terms and conditions of the Permit (none to date),
- Locations where the following activities are exposed to precipitation:
    - Fueling station,
    - Dismantling areas,
    - Vehicle & Equipment maintenance and/or cleaning areas (conducted indoors),
    - Loading/unloading areas,
    - Areas used for storage of wastes,
    - Material storage areas including tanks & other vessels used for liquid or waste storage,
    - Containment areas,
    - Flows with a significant potential for causing erosion (none on site).

The storm water outfall from the facility flows from the adjoining southern property onto the Subject Site, then flows north through the center of the property to a drainage basin along the northern property boundary. This drainage ditch at the northwest corner of the property flows south to the Obion River. Gerdau has one (1) main outfall (Outfall SW-01) that channels storm water flow to the center of the property boundary, then north into an open ditch located slightly northeast of the warehouse building. The site is graded to allow for rainwater flows (runoff) to flow inward to the center of the property. Potential pollutants associated with this outfall include Total Suspended Solids (TSS) and metals from the unpaved areas, raw material stockpiles, roof runoff, and small amounts of oil and grease from the paved areas. All metal containers, unloading/loading areas, de-pollution activities, scales, fueling, and storage operations are located in the drainage area for Outfall SW-01.

10.0 RISK IDENTIFICATION & SUMMARY OF POTENTIAL POLLUTANTS

Vehicle Storage and Dismantling Area: Automobiles received by the facility are unloaded in the storage area awaiting disassembly. Oil, anti-freeze, heavy metals, batteries, gasoline, diesel fuel, hydraulic oil, lubricants, ethanol, alcohols, and electrical switches. Spills of oil, degreasers, hydraulic fluids, transmission fluids, radiator fluids, degreasers.

Equipment and Vehicle Fueling Area: The diesel fuel above ground storage tanks (ASTs) will be located inside a bermed containment area located on the east end of the warehouse. The ASTs will be provided with pumps and dispensing equipment. A spill kit will be located in this fueling area. Dry cleanup methods will be used in the event of spillage. Employees will be trained to avoid "topping off" fuel tanks. Fueling offloads will be conducted under the direct supervision of Gerdau employees at timeframes when lighting is sufficient to detect any leakage or spills.

Waste Disposal Areas: Greasy rags, plastic, glass, rubber, gaskets, oil filters, air filters, batteries, hydraulic fluids, transmissions fluids, radiator fluids, fuels. All waste is segregated by type and immediately placed in the trash dumpster or containers located on pavement near the load out area. Dumpsters will be emptied weekly by an authorized waste disposal company.

Parts and Motor Storage: Batteries, chrome bumpers, wheel balance weights, tires, rims, filters, radiators, catalytic converters, engine blocks, hub caps, doors, drivelines, galvanized metals, and mufflers.

Outdoor Vehicle and Equipment Storage: Leaking engines, chipping/corroding bumpers, chipping paint, galvanized and stainless steel metal.

Loading and Unloading Areas: Debris (plastic, glass, rust) mingled with scrap to be recycled, small pieces of scrap, aluminum cans, paper, and oil drippings from vehicles and equipment. There are rollup bay doors on the south side of the warehouse building, fueling operations on the east side of the warehouse, and de-pollution activities on the north. Offloading of incoming scrap will be performed on gravel cover and be conducted by Gerdau employees. Offloaded equipment and scrap will be sorted, staged, and then dismantled or placed inside segregated containers.

Outdoor Storage Activities: Scrap aluminum, copper, galvanized, raw steel, painted parts, both bailed and un-bailed are stored outside and exposed to storm water. Stainless steel scrap, large and small process equipment, and small motors are also stored outside. Gerdau will attempt to use covered roll-offs or tarps when feasible.

Outdoor Processing Activities: Unloading and loading is conducted primarily outside, along with the dismantling operation. Automobiles and equipment being dismantled will be located inside the de-pollution area on the north side of the warehouse. All fluids will be collected from vehicles and equipment prior to disassembly.

Significant Dust or Particulate Generating Processes: Traffic, unloading and loading, and dismantling. Dust control practices can reduce the activities and air movement that cause dust to be generated from disturbed soil surfaces. Airborne particles pose a dual threat to the environment and human health. Dust can be carried offsite, thereby increasing soil loss from disturbed areas, and increasing the likelihood of sedimentation and water pollution. Control measures to minimize the generation of dust include:

- Sprinkling/Irrigation: Moistening the ground surface with water is an effective dust control method for haul roads and other traffic routes.

- Vegetative Cover: By establishing a vegetative cover on areas that will not see vehicle traffic, exposed soil is stabilized and wind velocity at ground level can be reduced, thus reducing the potential for dust to become airborne.

  • Mulch: Mulch is a quick and effective, but not permanent, means of dust control for newly disturbed areas.

  • Wind Breaks: Wind breaks can be trees or shrubs left in place during site clearing or constructed barriers such as a wind fence, snow fence, tarp curtain, hay bale, crate wall or sediment wall. The break reduces wind velocity, minimizing airborne transfer of soil off site.

  • Tillage: Deep tillage in large open areas brings soil clods to the surface where they rest on top of dust, preventing it from becoming airborne.

- Stone: Stone can be an effective dust deterrent for construction roads and entrances or as a mulch in areas where vegetation cannot be established. Currently, the entire area surrounding the warehouse, scale, house, vehicle roads, and loading/unloading areas are being provided with lime rock.

- Spray-on Chemical Soil Treatments (Palliatives): Examples of chemical adhesives include anionic asphalt emulsion, latex emulsion, resin-water emulsions, and calcium chloride. Chemical palliatives should be used only on mineral soils. When considering chemical application to suppress dust, determine whether the chemical is biodegradable or water-soluble and what effect its application could have on the surrounding environment, including waterbodies and wildlife.

11.0 INVENTORY OF EXPOSED SIGNIFICANT MATERIALS

The Multi-Sector Permit requires a general inventory of significant materials handled at the facility that may potentially be exposed to storm water. Included are different types of scrap, processing equipment and other materials that are located outside. The inventory also includes all materials handled, treated, stored, or disposed in a manner to allow exposure to storm water.

Name of Material	Chemical/Physical Description	Storm Water Pollutants
Lubricants	Black/brown oily liquid hydrocarbon	Oil & grease, lead, cadmium
Hydraulic Oil	Brown oily petroleum hydrocarbon	Mineral oil
Brake Fluid	Ethylene glycol based syrupy liquid	Ethylene glycol
Antifreeze/Coolant	Clear green/yellow liquid	Ethylene glycol, propylene glycol, heavy metals (copy, lead, zinc)
Windshield washer fluid	Clear of blue liquid	Ammonia, methanol
Gasoline	Colorless, amber, pale brown, pink petroleum hydrocarbon	Benzene, ethyl benzene, toluene, xylene, MTBE, ethanol
Diesel	Yellow or amber petroleum hydrocarbon	Ethyl benzene, naphthalene, ethanol, oil & grease
Battery acid	White translucent liquid or gel	Sulfuric acid (non-aerosol)
Transmission fluid	Red liquid	Mineral oil, glycols, heavy metals, petroleum distillates
Motor oil/oil	Clear, amber, black/brown liquid petroleum hydrocarbon	Mineral oil, petroleum distillates
Car Batteries & tire weights	Clear, slightly yellow liquid	Lead and lead sulfate
Chrome parts	Silver metallic	Chromium III and IV, zinc, cadmium
Rust	Reddish solid	Iron oxides
Switches	Viscous silver metallic liquid	Mercury
Copper Scrap	Green, amber, metallic	Copper, copper sulfates
Galvanized Metals	Whitish Grey, metallic	Zinc, chromate coatings
White and Brown Goods	White, Silver, Black,	Refrigerants, asbestos, mercury, capacitors (PCBs)
Used Wooden Pallets	Brown, wood cellulose	Residues from storage on pallets

Particulate Control: There are no processes associated with the facility requiring particulate air emission control equipment. The majority of particulates will be Total Suspended Solids (TSS) associated with asphalt and gravel parking lots, particulate matter from crushed plastics and foam, unloading/loading area, roof runoff, and dismantling activities.

Waste Disposal: The facility will maintain one (1) to three (3) dumpster containers. Trash is periodically removed by an authorized contractor and taken to a landfill for disposal.

Soil Erosion: No areas on the property of Gerdau appear to have signs of soil erosion. Neither the topography nor the activities taking place on site contribute to significant soil erosion. There is an area along the northwest corner of the property, at Outfall SW-02, which Gerdau is upgrading by sloping, the installation of filter fabric, then the addition of rip-rap.

12.0 EXISTING BEST MANAGEMENT PRACTICES

- Regular testing & inspection of equipment and vehicles for any fluid leaks, malfunctioning parts, and work eroded equipment.
- Maintenance and lubrication activities are conducted indoors.
- Storage of some aluminum and all copper indoors.
- Using covered or tarps storage containers for metal sorting.
- Inbound scrap inspection program for identifying materials that, if improperly managed, could pose a threat to human health or the environment.
- Proper labeling of all tanks, drums & containers.
- Identification of illicit storm water sources (vehicle wash waters, radiator flushing wastewater, unloading, and loading of fuel and fluid recovery tanks).
- Development of a Spill Pollution Prevention program.
- Use of dry cleanup methods for leaks and spills.
- Drip pans placed under equipment and vehicles to captures leaks.
- Pavement sweeping.
- Maintenance of grassed swales & vegetative buffer strips.
- Routine inspections for erosion areas.
- Containment berms or sloping around the fuel handling areas.
- Locate truck loading/unloading areas under a canopy roof as feasible. Spills in this area can be prevented from exiting the loading/unloading areas by prompt personnel response and the passive containment systems.
- A training program is being developed that addresses proper storm water pollution prevention measures to reduce the threat of storm water exposure.
- Routine quarterly inspections and a thorough annual inspection will be conducted to help determine if BMPs are effective.
- Inspection Reports and any subsequent maintenance activities performed as a result of the inspection shall be documented and included in Appendix B of this SWPPP.

13.0 SECONDARY BMPS THAT MAY BE INSTITUTED IF NECESSARY

- Permanent or semi-permanent covers or equivalent over scrap storage areas.
- Sedimentation traps, vegetated swales, and strips to facilitate settling or filtering of pollutants.
- Diverting runoff away from storage areas using dikes, berms, containment trenches, culverts and/or surface grading.
- Media filtration such as catch basin filters and sand filters.
- Installation of silt fencing.
- Oil/water separators, sumps, and dry absorbents in areas that are potential sources of residual liquids.
- Good housekeeping measures including use of dry absorbents or wet vacuum to collect, handle, store and dispose or recycle residual liquids from scrap materials
- Disconnect or seal all existing floor drains connected to the storm water drainage system.
- Prevent contact between storm water and shredder fluff by placing under cover.
- Diversions such as dikes, berms, culverts, containment trenches or elevated pads may be constructed to minimize storm water runoff that has had contact with raw materials or processing equipment.
- Retention or detention basins, catch basins, sand filters, sediment traps or vegetated swales and strips may be installed to filter pollutants from processing areas.

14.0 GOOD HOUSEKEEPING PROCEDURES

Gerdau is committed to maintaining a clean and safe work environment for its employees. Housekeeping issues will be addressed in regularly scheduled safety meetings. In addition, management and employees are responsible for maintaining a clean and orderly workplace in order to improve safety, reduce the chance of spills, and reduce the possible contamination of storm water.

Other good housekeeping procedures (BMPs) at the facility include:

- Establishing protocols to reduce the possibility of mishandling materials or equipment.
- Establishing schedules for regulator pickups of wastes and metals to reduce storage timeframes.
- Minimizing exposure of potential pollutant sources to precipitation.
- Reduce excess debris and refuse at the source to prevent being picked up by storm water and carried into drainage areas.
- Provide cover on stationary storage areas or move to interior storage areas.
- Maintain dry and clean floors and ground surfaces by using brooms, shovels, vacuum cleaners, or cleaning machines.
- Regularly pick up and dispose of garbage, waste material, and excessive debris.
- Inspections to determine if production equipment is working properly.
- Routinely inspect for leaks or conditions that could lead to discharges of chemicals.
- Training to verify that employees understand spill cleanup procedures.
- Provide adequate space to facilitate material transfer and easy access for inspections.
- Store containers, drums, and bags away from direct traffic routes to prevent accidental spills, and underneath cover to prevent exposure to storm water.
- Store products to be shipped in secure containers according to manufacturer's instructions to avoid damaging the containers from improper weight distribution.
- Identify chemical substances present in the workplace.
- Label containers to show the name and type of substance, expiration date, health hazards and suggestions for handling and first aid information.

15.0 SIGNIFICANT SPILLS OR LEAKS

The permit requires a listing of significant spills or leaks of toxic or hazardous pollutants that have occurred in areas exposed to storm water within three years prior to the effective date of the Permit. The term "Significant Spill" is defined in the General Parmit as including, but not limited to "releases of oil or Hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (Reference: 40 CFR 110 and CFR 117.21) or Section 102 of CERCLA (Reference: 40 CFR 302.4)."

There has never been a significant spill or leak at the facility. Operations at the Gerdau facility are expected to begin December 1, 2023.

16.0 RECORD KEEPING AND REPORTING PROCEDURES

All quarterly inspection reports, annual comprehensive site compliance evaluation reports and records of maintenance activities will be retained in Appendix B of this SWPPP for a least one (1) year after coverage by the Permit expires.

Copies of Annual Reports with laboratory data and chain-of-custody will be kept in Appendix C of this SWPPP for at least one (1) year after coverage of the Permit expires.

A description of any incident such as a spill or other reportable discharge will be retained in Appendix D of this SWPPP for at five (5) years after coverage by the Permit expires.

The SWPPP and records retained with the SWPPP will be made available, upon request, to EPA and/or TDEC authorized representatives.

17.0 FACILITY INSPECTION

The Gerdau facility will conduct quarterly and annual inspections. The inspections will be performed as discussed below:

Annual Inspections: The objective of this inspection is to assess the overall effectiveness of the SWPPP and to modify or improve the SWPPP where appropriate. The annual inspection will include the following elements:

1. Evaluate BMPs that have been implemented to ensure that they are being maintained and are adequate for controlling storm water pollution.
2. Visually inspect potential areas for evidence of, or the potential for pollutants entering the drainage system.
3. Observe structural storm water management measures, sediment, and erosion control measures to ensure they are operating properly
4. Visually inspect equipment needed to implement plan such as spill response and cleaning equipment.
5. Determine if improvements or additional BMPs are needed to improve the effectiveness of the SWPPP.

Quarterly Inspections (Wet and Dry): The second component of an effective stormwater inspection program is periodic visual assessments of the stormwater discharging from the facility. Visual assessments are conducted on samples taken during a storm event, and require physical observations of the stormwater sample in order to qualitatively assess the nature of the discharge based on several visual parameters. The inspections will be conducted as follows:

- Collect stormwater samples within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, collect the sample as soon as possible after the first 30 minutes. The inspections will be conducted on each outfall and documented on the form included in Appendix B. If the sample can't be collected within the first 30 minutes, the reason must be documented on the form. In the case of snowmelt, samples must only be taken during a period with a measurable discharge from the site.

- Collect the sample in a clean, colorless glass, or plastic container.
- Examine the sample in a well-lit area or, if necessary, illuminate with a strong flashlight.
- Collect the samples from discharges that happen at least 72 hours (three days) from the previous discharge event.
- A description of safety considerations, future requirements, and any equipment needed for collecting samples during wet weather events.

Dry weather inspections will also be conducted on a quarterly basis. Typically, the inspections will be conducted ahead of scheduled or projected wet weather inspections to determine any obvious issues prior to the storm water event (wet weather). These inspections will be recorded on the same Quarterly Inspection form as the wet weather inspections. A dry weather period is a time interval during which less than 0.1 inch of rain is observed across a minimum of 72 hours. Unlike wet weather sampling, dry weather inspections are not intended to capture a "first flush" of stormwater discharge, rather the inspections are intended to identify any/all discharges from a stormwater outfall during a period without recorded rainfall.

The objective of inspections during a dry weather period is to characterize observed discharges and facilitate detection of illicit discharges. For any visual observation of pollution in a stormwater outfall discharge, an investigation into the pollution source should occur, but the following items will be considered:

- Foam: indicator of upstream vehicle washing activities, or an illicit discharge.
- Oil sheen: result of a leak or spill.
- Cloudiness: indicator of suspended solids such as dust, ash, powdered chemicals and ground up materials.
- Color or odor: Indicator of raw materials, chemicals, or sewage.
- Excessive sediment: indicator or disturbed earth of other unpaved areas lacking adequate erosion control measures.
- Sanitary waste and optical enhancers (fluorescent dyes added to laundry detergent and some toilet paper): indicators of illicit discharge.
- Orange staining: indicator of high mineral concentrations.

18.0 SWPPP UPDATE

This SWPPP should be updated to include potential sources of storm water contamination during inspection that are not already included in the plan plus any additional BMPs or control measures needed to control new or existing sources. The update should be made within two (2) weeks of the evaluation and at least annually. Implementation of any changes should be completed within 12 weeks of the evaluation. In accordance with Part IV.C. of the Permit, Gerdau will amend this SWPPP as follows:

1. When there is a change in design, construction, operation, or maintenance of the facility, which has a significant effect on the potential for the discharge of the pollutants to the water of the State of Tennessee.
2. If the Plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified in this Plan.
3. If the Plan proves to be ineffective in achieving the general objectives of the controlling pollutants in the storm water discharges associated with industrial activity, or
4. If the Direction of the Division of Water Pollution Control notifies the facility that the Plan does not meet one (1) or more of the minimum permit requirements.
5. A change in the composition of the stormwater pollution prevention team or new responsible official.
6. An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit) occurs at your facility.
7. A discharge violates a numeric effluent limit.
8. Gerdau becomes aware, or EPA determines, that control measures are not stringent enough for the discharge to meet applicable water quality standards;
9. An inspection or evaluation of the facility by an EPA official, or local, state, territorial, or tribal entity, determines that modifications to the control measures are necessary to meet the non-numeric effluent limits in this permit.
10. Construction or a change in design, operation, or maintenance at your facility significantly changes the nature of pollutants discharged in stormwater from your facility, or significantly increases the quantity of pollutants discharged.
11. The average of four (4) sampling results exceeds an applicable benchmark. If less than four (4) benchmark samples have been taken, but the results are such that an exceedance of the four (4) quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than 4 times the benchmark level) this is considered a benchmark exceedance, triggering AIM and possible SWPPP modification.

Revisions to the SWPPP to document corrective actions and or AIM responses requires a new signed and dated certification statement by the responsible official. All other changes must be signed and dated by the person preparing the change.

A record of all amendments or revisions to this Plan is maintained in Appendix A of this Plan.

19.0 STORM WATER SAMPLING DATA

According to the Tennessee Multi-Sector Permit (TMSP), Sector N (Discharges Associated with Industrial Activity from Scrap Recycling and Waste Facilities), Gerdau is required to collect one (1) storm water sample per year from the designated outfall location (SW-01). The sample must be taken during the first 30 minutes to one hour of discharge from a qualifying rainfall event (0.1 inches of rain or more after a minimum of 72 hours of non-discharge). The sample will be analyzed by a certified laboratory using applicable CFR methodology for the constituents listed in the table below.

Constituents	Cut-Off Concentration (mg/L)
Chemical Oxygen Demand (COD)	120
Total Suspended Solids (TSS)	150
Total Aluminum	0.75
Total Copper	0.018
Total Iron	5.0
Total Lead	0.15
Total Zinc	0.395

mg/L = milligrams per liter

Annual storm water reports and laboratory results with chain-of-custody are included in Appendix C of this SWPPP. A blank Annual Reporting form is included in Appendix C.

20.0 SPILL PREVENTION AND RESPONSE PROCEDURES

Leaks and spills will be contained and cleaned up as soon as possible. If malfunctioning equipment is at the source, repairs will be conducted as soon as possible. Clean up procedures include use of dry absorbents and vacuum if necessary. An adequate supply of absorbent is stored on site and properly disposed of after use.

Drip pans are installed beneath stationary leaking equipment until repairs can be conducted. The drip pans will be frequently inspected for leakage and/or overflow. All accumulated liquids will be disposed of in accordance with State and local requirements.

Should a significant spill occur resulting in a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established by either 40 CFR 117 or 40 CFR 302 the facility is required by the Permit to take the following steps:

1. Assess the hazards of the spill, immediately call the Pollution Prevention Team Leader or the plant operator. The information provided at the time of the spill will allow the Team Leader to contact the appropriate response personnel. The facility must notify the National Response Center, (800) 424-8802 as soon as the Team Leader becomes aware of the discharge. Be prepared to provide the following orally and in writing:

    - Description of the event including cause,
    - Material spilled,
    - Estimated amount
    - Location of spill
    - Date and time of spill
    - Injuries
    - Proximity to drains
    - Action currently taken or underway
    - Steps taken or planned to reduce, eliminate, and prevent a recurrence must be submitted to the Atlanta EPA field office within 14 days of the release.
    - The SWPPP must be amended within 14 days of the release describing the release and to add new BMPs to minimize the potential of a recurrence.

2. Trained personnel must make every effort to safely prevent the spill from reaching the storm sewer drains, or other waterways. Locate the nearest supply of absorbent, or

other materials to isolate and contain the spilled material.

3. Locate the source of the spill.

4. Limit the spill, if safely possible, by closing discharge valves, shutting off power supplies to pumps, or diverting the discharge to a contained location.

21.0 EMPLOYEE TRAINING

Effective management of storm water pollution requires that facility staff be aware of those conditions that may cause pollution. Proper use of BMPs by employees is essential for the success of the SWPPP. Employee training will be conducted annually for long term employees and during the first 90 days for new employees.

The following subjects will be included in the training program:

- Best management practices and other requirements for SWPPP,
- Proper scrap inspection,
- Handling and storage procedures,
- Procedures to follow in the event of a release or spill from a structural BMP,
- Good housekeeping procedures.

22.0 SCHEDULES

The following is the implementation schedule for action items.

Storm Water Pollution Prevention Action Items	Implementation Dates
Implementation of Employee Training	Immediately
Non-Storm Water Discharge Assessment	Immediately
Quarterly Visual Monitoring (Dry and Wet)	September, December, March, June
Implementation of BMPs	See below
Annual Facility Site Compliance Inspection	End of Year 2023

The BMP Implementation Schedule is as follows:

Drainage Area	Best Management Practices	Implementation Date
SW-01	Vehicles and equipment will be inspected when delivered to facility.	Immediately
	Automobiles or auto salvage will not be stored more than 90 days awaiting disassembly.	Immediately
	Drip pans will be placed under leaking equipment	Within 30 days
SW-01	Oil catches (e.g. absorbent socks) will be placed.	Within 30 days
	All fluids, refrigerants, oil filters, and airbag cartridges will be removed from vehicles on the paved area. Any spilled fluids will be immediately cleaned using dry absorbent.	Within 30 days
SW-01	The scrap yard will be inspected weekly for evidence of spills or leaks. Spills or leaks will be cleaned up immediately using oil absorbent material	Within 30 days.
	Scrap metal will be shipped offsite within 90 days of entering the scrap yard to prevent excessive rust generation.	Immediately
SW-01	The tank farm, breakdown area, and scales will be installed.	Within 60 days.
	Establish inspection procedures and protocols for operations involving these areas. In addition, develop a storage plan layout for operations	Within 30 days.
SW-02	Install filter fabric and rip-rap along erosion areas.	Within 30 days.

FIGURES

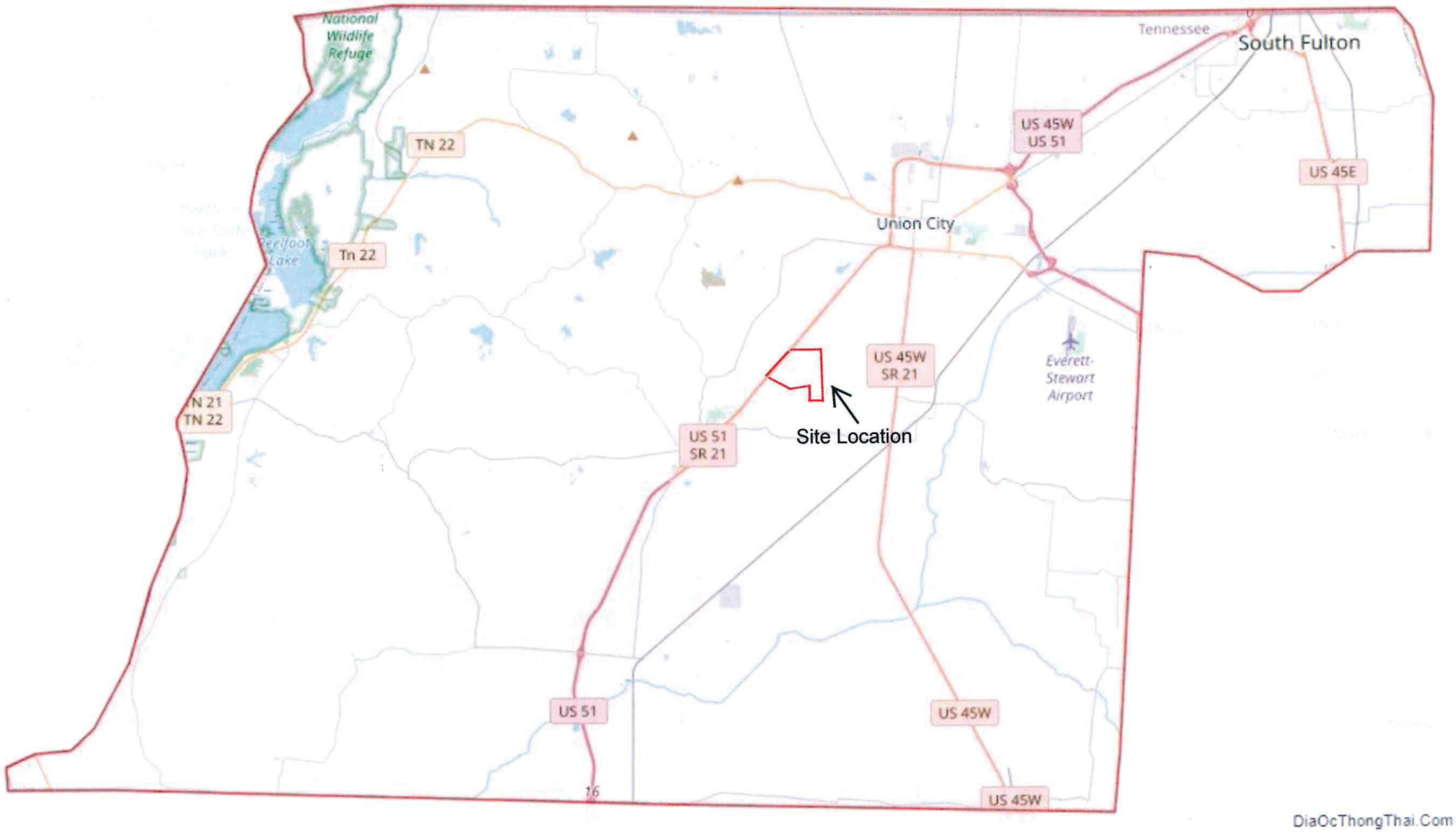


FIGURE 1
SITE LOCATION MAP
GERDAU AMERISTEEL U.S. INC.
1324 HIGHWAY 51 SOUTH
UNION CITY, OBION COUNTY, TENNESSEE

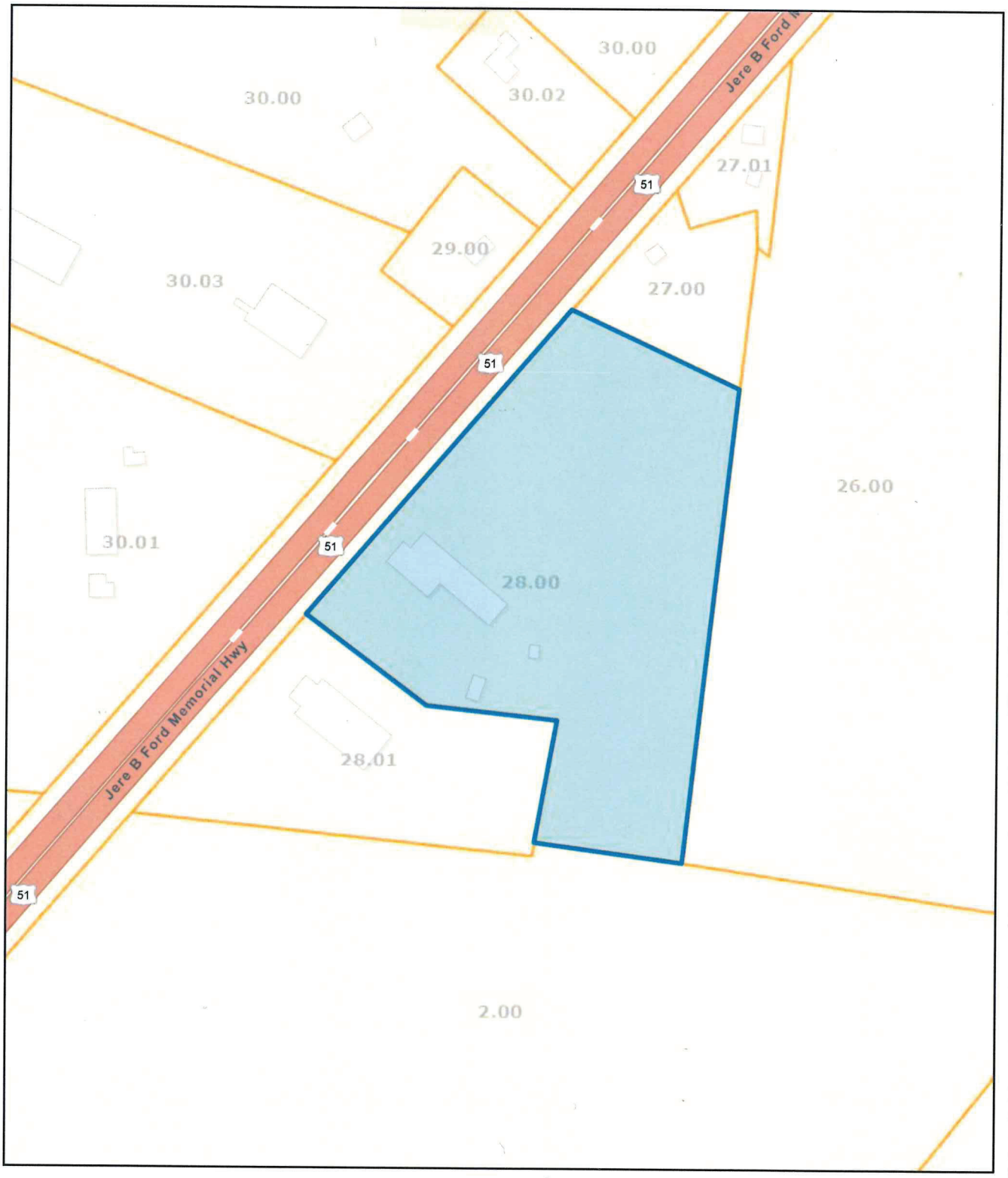


FIGURE 2
ASSESSOR PARCEL MAP
GERDAU AMERISTEEL U.S. INC.
1324 HIGHWAY 51 SOUTH
UNION CITY, OBION COUNTY, TENNESSEE

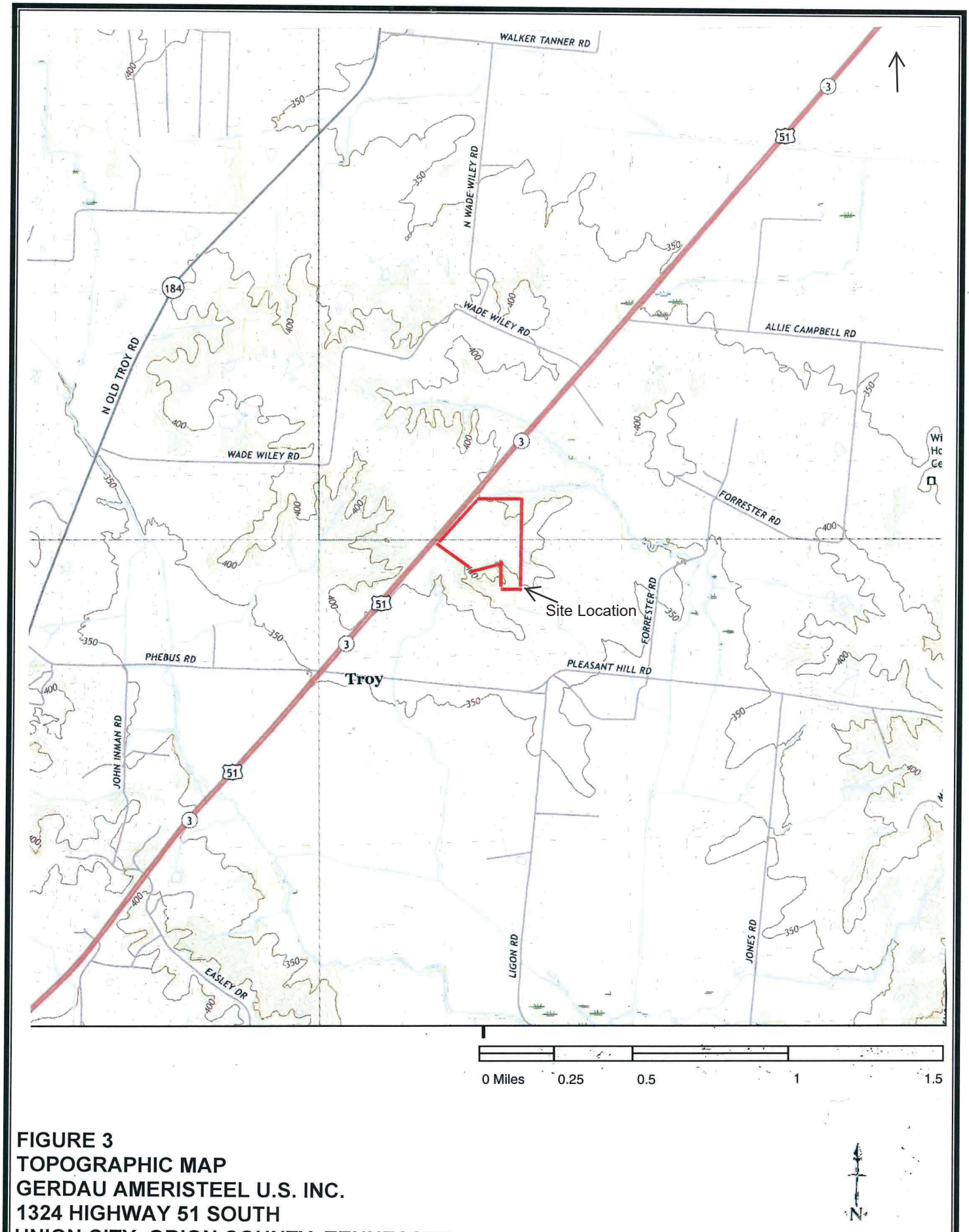


FIGURE 3
TOPOGRAPHIC MAP
GERDAU AMERISTEEL U.S. INC.
1324 HIGHWAY 51 SOUTH
UNION CITY, OBION COUNTY, TENNESSEE

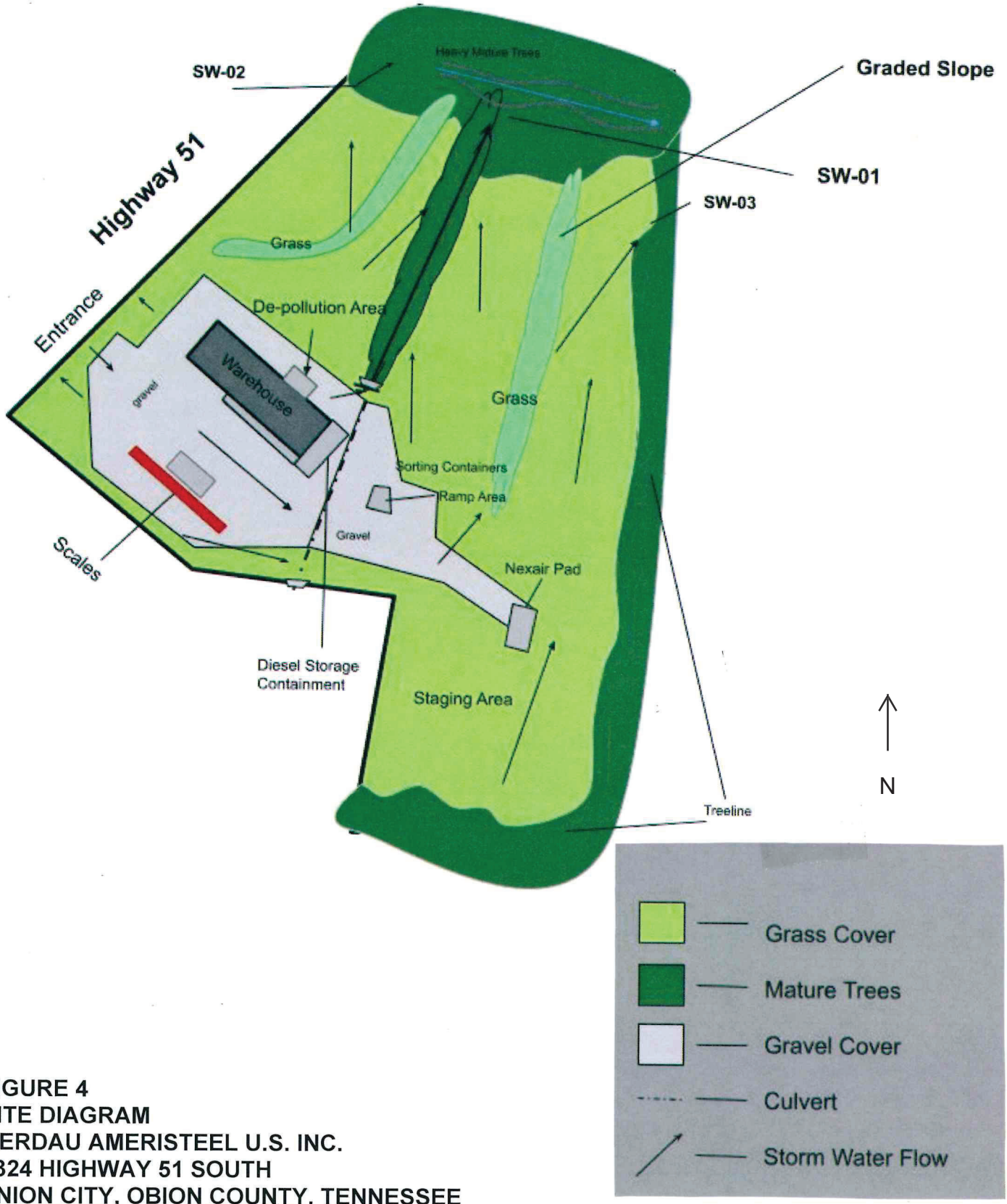


FIGURE 4
SITE DIAGRAM
GERDAU AMERISTEEL U.S. INC.
1324 HIGHWAY 51 SOUTH
UNION CITY, OBION COUNTY, TENNESSEE

Appendix A

NOI, NOC, and Tennessee Multi-Sector Permit, Sector N

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Water Resources
William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243
1-888-891-8332 (TDEC)

Notice of Intent (NOI) for General NPDES Multi-Sector Permit for Stormwater Discharges from Industrial Activities

Type of application: ☒ New ☐ Reissuance ☐ Modification

(If this NOI is submitted for Permit Modification provide the existing permit tracking number: TNR05_____)

Facility Name: Gerdau Ameristeel US , Inc.	County: Obion
Street Address or Location: 1324 Highway 51 South, Union City, TN	Latitude (DD.DDD): 36.375763
	Longitude (-DD.DDD): -89.115036
Attach a copy of a topo map, a city map, or a county map, identifying the location of this facility and each outfall	☒ Map Attached
Has a Storm Water Pollution Prevention Plan (SWPPP) been developed?	☒ Yes ☐ No

Owner or Operator: (the person or legal entity which controls facility's operation; this may or may not be the same as the facility name or the official contact name)

1	Official Contact Person Name: (Individual Responsible for a Facility) Allen Hurst	Title or Position: Site Manager, Gerdau		
	Mailing Address: 1324 Highway 51 South	City: Union CIty	State: TN	Zip: 38261
	Phone: (731)504-1131	E-mail: allen.hurst@gerdau.com		

2	Local Contact Person Name: (if appropriate, write "same as #1") Allen Hurst	Title or Position: Site Manager, Gerdau		
	Facility Address: (this may or may not be the same as street address) 1324 Highway 51 South	Facility City: Union City	State: TN	Zip: 38261
	Phone: (731)504-1131	E-mail: Allen.hurst@gerdau.com		

Write in the box (to the right) or circle the number (above) to indicate where to send correspondence and invoices: 1

Stormwater runoff enters following stream(s) and/or lake(s): (for each outfall, give names and latitude/longitude) Unnamed Tributary of Mill Creek to Obion River	Number of storm water outfalls: 2
Nature of business: Salvage Yard	SIC code(s): (primary code listed as No.1, secondary, if applicable, as No.2, etc.) 1. 5093 2. 3. 4. 5. 6.
Area of property associated with industrial activity: 16 Acres (area of facility property should not include recreation areas, landscaping, lawns, greenfields, forest, office buildings, employee parking lots, etc.)	Permit Sectors (STATE USE ONLY)

Activities at facility: Check all that apply.

01. ☐ Manufacturing	05. ☐ Vehicle Maintenance	09. ☐ Wastewater treatment	13. ☐ Coal Pile
02. ☐ Storage/Distribution	06. ☐ Hazardous waste TSD	10. ☐ Land application	14. ☐ Borrow Pit or Soil Harvesting
03. ☒ Vehicle Storage	07. ☐ Outside waste disposal	11. ☐ Landfill	99. ☒ Other: Salvage Yard
04. ☐ Trucking Terminal	08. ☒ Recycling	12. ☐ Mining operation	

CERTIFICATION AND SIGNATURE (Make all entries in ink, not with a pencil. This NOI must be signed by a responsible corporate officer for a corporation, a general partner for a partnership, the proprietor for a sole proprietorship, or a principal executive officer or ranking elected official for a public agency.)

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. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

Allen Hurst	Gerdau, Site Manager		10-3-2023
Printed Name	Official Title	Signature	Date

STATE USE ONLY

Received Date	Fee(s)	Reviewer	EFO	Tracking No. TNR05
	T & E Aquatic Fauna	Exceptional TN Water?	Unavailable Conditions	NOC Date

INDUSTRIAL ACTIVITY – STORM WATER DISCHARGES
NOTICE OF INTENT (NOI) - INSTRUCTIONS

Complete the form Type or print clearly, using black or blue ink; not markers or pencil. Answer each item or enter "N/A," for not applicable. If you need additional space, attach a separate piece of paper to the TMSP NOI (Notice of Intent). **Requesting coverage under this permit means that an applicant has obtained and examined a copy of this permit, and thereby acknowledges applicant's ability to be in compliance with permit terms and conditions.** This permit is required for discharges of industrial storm water. This form should be submitted at least 30 days prior to the commencement of storm water discharges from an industrial facility.

Permittee Identification/Facility Identification Describe and locate the project, use the legal or official name of the facility or site. Provide the latitude and longitude (expressed in decimal degrees) of the center of the site, which can be located on USGS quadrangle maps as well as latitude and longitude of each outfall. Attach a copy of a portion of a 7.5 minute quad map, showing location of site, with boundaries at least one mile outside the site boundaries.

Give the name(s) of receiving waters Trace the route of storm water runoff from the site and determine the name of the river(s), stream(s), creek(s), wetland(s), lake(s) or any other water course(s) into which the storm water drains. Note that the receiving water course may or may not be located on the site. If the first water body receiving test water discharge is unnamed ("unnamed tributary"), determine the name of the water body which the unnamed tributary enters.

Submitting the form Note that this form must be signed by the company President, Vice-President, or a ranking elected official in the case of a municipality, for details see subpart 7.7 of the general permit. Submit the completed NOI form (keep a copy for your records) to the appropriate address listed below, based on the type of facility.

Submit the original of the completed and signed form to:
Stormwater NOI Processing
Tennessee Division of Water Resources
312 Rosa L. Parks Avenue, 11th Floor
Nashville, TN 37243-1534

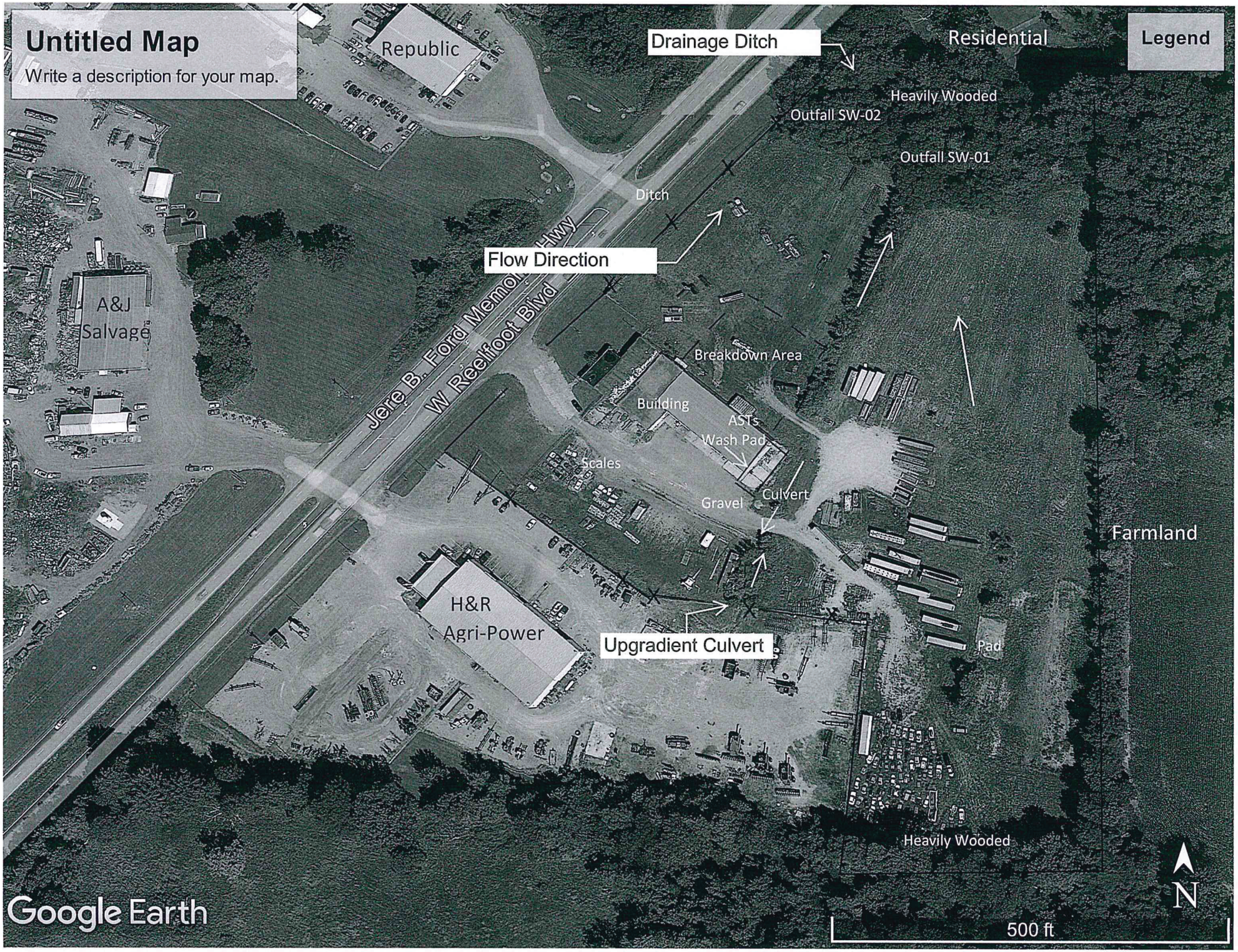
Mining and Quarrying facilities only (Sectors J and H):
Storm Water NOI Processing – Mining Section
Tennessee Division of Water Resources
3711 Middlebrook Pike
Knoxville, TN 37921

Signed and scanned PDF copy of the form can be submitted to: Water.Permits@tn.gov. We accept and encourage electronic document submittals.

Notice of Coverage The division will review the NOI for completeness and accuracy and transmit to the permittee a Notice of Coverage (NOC).

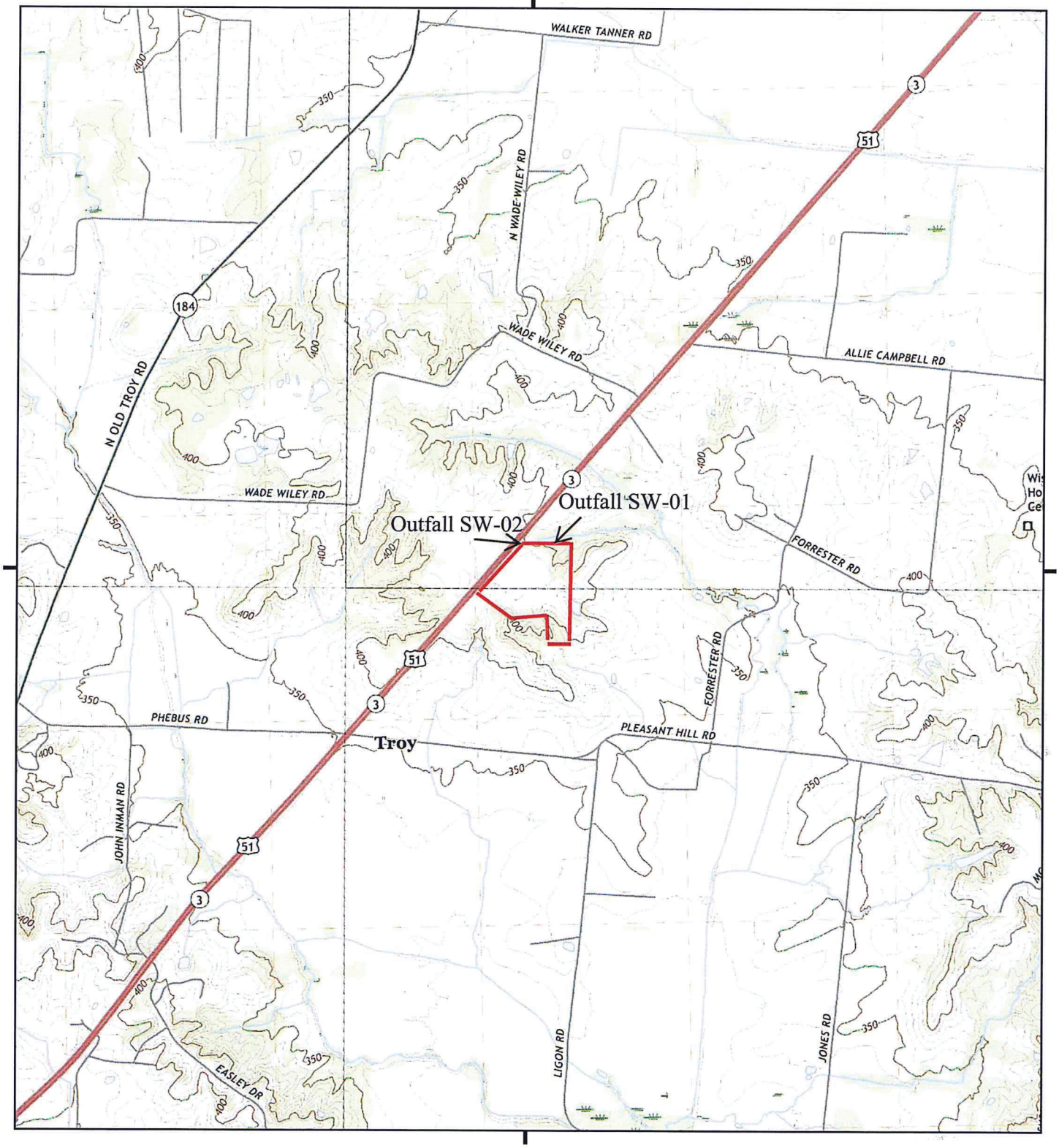
Obtaining more information/assistance For more information or assistance, contact your local Environmental Field Office (EFO), toll-free, at 1-888-891-8332 (TDEC) or at the number listed below.

EFO	Street Address	City	Zip Code	Telephone
Chattanooga	1301 Riverfront Parkway, Suite 206	Chattanooga	37402	(423) 634-5745
Columbia	1421 Hampshire Pike	Columbia	38401	(931) 380-3371
Cookeville	1221 South Willow Ave.	Cookeville	38506	(931) 432-4015
Jackson	1625 Hollywood Drive	Jackson	38305	(731) 512-1300
Johnson City	2305 Silverdale Road	Johnson City	37601	(423) 854-5400
Knoxville	3711 Middlebrook Pike	Knoxville	37921	(865) 594-6035
Memphis	8383 Wolf Lake Drive	Bartlett	38113	(901) 368-7939
Nashville	711 R S Gass Boulevard	Nashville	37216	(615) 687-7000


Untitled Map
Write a description for your map.
Republic
Drainage Ditch
Residential
Legend
Heavily Wooded
Outfall SW-02
Outfall SW-01
Ditch
Flow Direction
A&J Salvage
Jere B. Ford Memorial Hwy
W Reelfoot Blvd
Breakdown Area
Building
ASTs
Wash Pad
Scales
Gravel
Culvert
Farmland
H&R Agri-Power
Upgradient Culvert
Pad
Heavily Wooded
N
Google Earth
500 ft

Historical Topo Map

2019



This report includes information from the following map sheet(s).

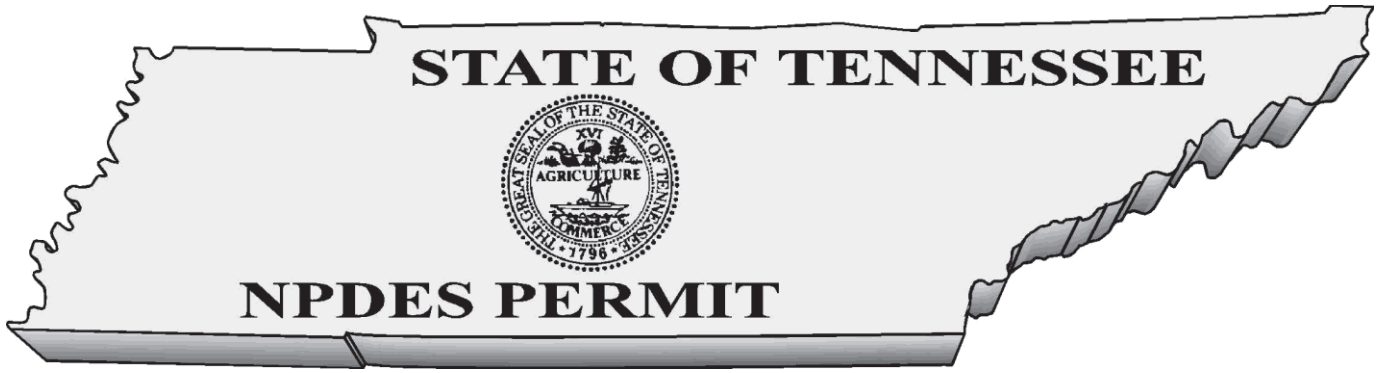
0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Union City, 2019, 7.5-minute
SE, Rives, 2019, 7.5-minute
SW, Obion, 2019, 7.5-minute
NW, Clayton, 2019, 7.5-minute

SITE NAME: A&J Salvage
ADDRESS: 1297 N. Hwy 51 S.
UNION CITY, TN 38261
CLIENT: SCS Environmental Group, LLC

N



TENNESSEE STORM WATER MULTI-SECTOR GENERAL PERMIT FOR INDUSTRIAL ACTIVITIES

PERMIT NO. TNR050000

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.) and the Water Quality Act of 1987, P.L. 100-4, except as provided in section 1.2.3 below of this stormwater multi-sector general permit, operators of point source discharges of stormwater associated with industrial activity that discharge into waters of the state of Tennessee, represented by the industry sectors identified in part 11 of this permit, are authorized to discharge stormwater runoff associated with industrial activity in accordance with the following stormwater pollution prevention plan requirements, effluent limitations, monitoring and reporting requirements and other provisions as set forth in parts 1 through 11 herein, from the subject facility to waters of the state of Tennessee.

This permit is issued on: **June 27, 2022**

This permit is effective on: **July 1, 2022**

This permit expires on: **June 30, 2025**

for Jennifer Dodd
Director

NPDES GENERAL PERMIT
FOR
STORM WATER DISCHARGES FROM INDUSTRIAL ACTIVITIES

TABLE OF CONTENTS

Tennessee Storm Water Multi-Sector General Permit for Industrial Activities
(TMSP)

1. COVERAGE UNDER THIS PERMIT

1.1. Permit Area

The permit is being issued for the State of Tennessee.

1.2. Eligibility

1.2.1. Discharges Covered

Except for stormwater discharges identified under section 1.2.3 below, this permit may cover all new and existing point source discharges of stormwater to waters of the state of Tennessee that are associated with industrial activity identified under the coverage sections contained in part 11. (see Table 1). Military installations must comply with the permit and monitoring requirements for all sectors that describe industrial activities that such installations perform. Similarly, facilities that have "co-located" activities, see subpart 3.4 below, that are described in more than one sector need to comply with applicable conditions of each sector.

Table 1

Stormwater Discharges From:	SIC Codes:	Are Listed in Part:
Timber Products Facilities	2411, 2421, 2426, 2429, 2431- 2439 (except 2434), 2441-2449, 2451, 2452, 2491- 2499	11.A.1.
Paper and Allied Products Manufacturing Facilities	2611, 2621, 2631, 2652 - 2657, 2671, 2672- 2679	11.B.1.
Chemical and Allied Products Manufacturing Facilities	2812- 2819, 2821- 2824, 2841, 2833- 2836, 2842- 2844, 2851, 2861- 2869, 2873- 2879, 2891- 2899. 2911, 3952	11.C.1.
Asphalt Paving, Roofing Materials, and Lubricant Manufacturing Facilities	2951, 2952, 2992	11.D.1.
Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing Facilities	3211, 3221, 3229, 3231, 3241, 3251, 3252, 3255, 3259, 3261, 3262, 3263, 3264, 3269, 3271, 3272, 3273, 3274, 3275, 3281, 3285, 3291, 3292, 3295, 3296, 3297, 3299	11.E.1.
Primary Metals Facilities	3312- 3317, 3321-3325, 3331, 3334, 3339, 3341, 3351-3357, 3363 - 3369, 3398, 3399	11.F.1.
Metal Mines (Ore Mining and Dressing) (RESERVED)	(RESERVED)	11.G.1.
Inactive Coal Mines and Inactive Coal Mining-Related Facilities	1221, 1222, 1231, 1241	11.H.1.

Stormwater Discharges From:	SIC Codes:	Are Listed in Part:
Oil or Gas Extraction Facilities	1311, 1321, 1381, 1382, 1389	11.I.1.
Construction Sand and Gravel Mining and Processing and Dimension Stone Mining and Quarrying Facilities	1411, 1422, 1423, 1429, 1442, 1446, 1455, 1459, 1474- 1479, 1481, 1499	11.J.1.
Hazardous Waste Treatment Storage or Disposal Facilities	4953, however, may use main facility's SIC code	11.K.1.
Landfills and Land Application Sites	4953, except for hazardous waste TSD facilities	11.L.1.
Automobile Salvage Yards	5015	11.M.1.
Scrap Recycling and Waste and Recycling Facilities	5093	11.N.1.
Steam Electric Power Generating Facilities	4911	11.O.1.
Vehicle Maintenance or Equipment Cleaning areas at Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, the United States Postal Service, or Railroad Transportation Facilities	4011, 4013, 4111, 4119, 4121, 4131, 4141, 4142, 4151, 4173, 4212, 4213, 4214, 4215, 4221, 4222, 4225, 4226, 4231, 4311, 5171	11.P.1.
Vehicle Maintenance Areas and Equipment Cleaning Areas of Water Transportation Facilities	4412, 4424, 4432, 4449, 4481, 4482, 4489, 4491, 4492, 4493, 4499	11.Q.1.
Ship or Boat Building and Repair Yards	3731, 3732	11.R.1.
Vehicle Maintenance Areas, Equipment Cleaning Areas or From Airport Deicing Operations located at Air Transportation Facilities	4512, 4513, 4522, 4581	11.S.1.
Wastewater Treatment Works	4952	11.T.1.
Food and Kindred Products Facilities	2011, 2013, 2015, 2021, 2022, 2023, 2024, 2026, 2032, 2033, 2034, 2035, 2037, 2038, 2041, 2043, 2044, 2045, 2046, 2047, 2048, 2051, 2052, 2053, 2061, 2062, 2063, 2064, 2066, 2067, 2068, 2074, 2075, 2076, 2077, 2079, 2082, 2083, 2084, 2085, 2086, 2087, 2091, 2092, 2095, 2096, 2097, 2098, 2099, 2111, 2121, 2131, 2141	11.U.1.

Stormwater Discharges From:	SIC Codes:	Are Listed in Part:
Textile Mills, Apparel and other Fabric Product Manufacturing Facilities	2211, 2221, 2231, 2241, 2251, 2252, 2253, 2254, 2257, 2258, 2259, 2261, 2262, 2269, 2273, 2281, 2282, 2284, 2295, 2296, 2297, 2298, 2299, 2311, 2321, 2322, 2323, 2325, 2326, 2329, 2331, 2335, 2337, 2339, 2341, 2342, 2353, 2361, 2369, 2371, 2381, 2384, 2385, 2386, 2387, 2389, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2399, 3131, 3141, 3143, 3144, 3149, 3151, 3161, 3171, 3172, 3199	11.V.1.
Furniture and Fixture Manufacturing Facilities	2434, 2511, 2512, 2514, 2515, 2517, 2519, 2521, 2522, 2531, 2541, 2542, 2591, 2599	11.W.1.
Printing and Platemaking Facilities	2721, 2732, 2741, 2752, 2754, 2759, 2761, 2771, 2782, 2789, 2791, 2796	11.X.1.
Rubber and Miscellaneous Plastic Product Manufacturing Facilities	3011, 3021, 3052, 3053, 3061, 3069, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3931, 3942, 3944, 3949, 3951, 3952, 3953, 3955, 3961, 3965, 3991, 3993, 3995, 3996, 3999	11.Y.1.
Leather Tanning and Finishing Facilities	3111, 3143	11.Z.1.
Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware	3441, 3412, 3421, 3423, 3425, 3429, 3431, 3432, 3433, 3441, 3442, 3443, 3444, 3446, 3448, 3449, 3451, 3452, 3463, 3465, 3466, 3469, 3471, 3479, 3482, 3483, 3484, 3489, 3491, 3492, 3493, 3494, 3495, 3496, 3497, 3498, 3499, 3911, 3914, 3915	11.AA.1.

Stormwater Discharges From:	SIC Codes:	Are Listed in Part:
Facilities That Manufacture Transportation Equipment, Industrial or Commercial Machinery	3511, 3519, 3523, 3524, 3531, 3532, 3533, 3534, 3535, 3536, 3537, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, 3552, 3553, 3554, 3555, 3556, 3559, 3561, 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3581, 3582, 3585, 3586, 3589, 3592, 3593, 3594, 3596, 3599, 3711, 3713, 3714, 3715, 3716, 3721, 3724, 3728, 3743, 3751, 3761, 3764, 3769, 3792, 3795, 3799	11.AB.1.
Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods	3571, 3572, 3575, 3577, 3578, 3579, 3612, 3613, 3621, 3624, 3625, 3629, 3631, 3632, 3633, 3634, 3635, 3639, 3641, 3643, 3644, 3645, 3646, 3647, 3648, 3651, 3652, 3661, 3663, 3669, 3671, 3672, 3674, 3675, 3677, 3678, 3679, 3691, 3692, 3694, 3695, 3699, 3812, 3813, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3829, 3841, 3842, 3843, 3844, 3851, 3861, 3873	11.AC.1.
Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring Required)	Varies, may include 9999	11.AD.1.
Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring **Not** Required)	Varies, may include 9999	11.AE.1.
Stormwater Discharges Associated With Industrial Activity From Borrow Pits, Soil Harvesting Sites and Spoil Piles	Varies, may include 9999	11.AF.1.

Although the Office of Management and Budget's North American Industry Classification System is intended to replace the 1987 Standard Industrial Classification (SIC) Code, the EPA decided to continue using the 1987 SIC code system as the primary classification system under this permit because the stormwater regulations (40 CFR 122.26(b) (14)) refer to these codes and because this code system adequately identifies the facilities.

1.2.2. Construction

This permit may authorize stormwater discharges associated with industrial activity that are mixed with stormwater discharges associated with industrial activity from construction

activities, provided that the stormwater discharge from the construction activity is authorized by and in compliance with the terms of a different NPDES (National Pollutant Discharge Elimination System) general permit or individual permit authorizing such discharges.

1.2.3. Limitations on Coverage

The following stormwater discharges associated with industrial activity are not authorized by this permit:

- Storm water discharges associated with industrial activities that are not listed under the coverage sections contained in part 11 (see Table 1 above).
- Storm water discharges associated with industrial activity that are mixed with sources of non-stormwater other than non-stormwater discharges that are:
  - In compliance with a different NPDES permit; or
  - Identified by and in compliance with subpart 3.1 (Prohibition of Non-stormwater Discharges) of this permit.
- Storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit.
- Are located at a facility where an NPDES permit has been issued in accordance with subpart 7.11 (Requiring an Individual Permit or an Alternative General Permit) of this permit.
- Storm water discharges associated with industrial activity that the Division of Water Resources (the division) has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard.
- Discharges subject to stormwater effluent guidelines, not described under part 11.
- Storm water discharges associated with industrial activity from inactive mining, inactive landfills, or inactive oil and gas operations occurring on Federal lands where an operator cannot be identified.
- Discharges Negatively Affecting a Property on the National Historic Register – Industrial stormwater discharges that would negatively affect a property that is listed or is eligible for listing in the National Historic Register maintained by the Secretary of Interior.
- Discharges into Outstanding National Resource Waters – The director shall not grant coverage under this permit for discharges into waters that are designated by the Water Quality Control Board as Outstanding National Resource Waters (ONRWs) Designation of ONRWs are made according to TDEC Rules, Chapter 0400-40-3-.06.
- Discharges into Exceptional Tennessee Waters – The director shall not grant coverage under this permit for potential discharges of pollutants, which would cause degradation to waters designated by TDEC as Exceptional Tennessee waters. Identification of Exceptional Tennessee waters is made according to TDEC Rules, Chapter 0400-40-3-.06.
- Discharges to waters with unavailable parameters:

  Any operator who intends to obtain authorization under the TMSP for all new and existing stormwater discharges to waters with unavailable parameters, or discharges upstream of waters impaired by the same parameter, that may affect the waters with unavailable parameters, from facilities where there is a reasonable potential to contain pollutants for which the receiving water is impaired, must satisfy the following conditions prior to the authorization:

1 Requirements for New Discharges or Existing Discharges Proposing an Increase of Pollutant Loading

Prior to the division's granting coverage under the TMSP, the operator shall provide an estimate of pollutant loads in stormwater discharges from the facility to the division. This estimate shall include the documentation upon which the estimate is based (e.g., sampling data from the facility, sampling data from substantially identical outfalls at similar facilities, modeling, etc.). Existing facilities should base this estimate on actual analytical data, if available. This information shall be submitted in writing to the division (see subpart 2.3: Where to Submit) at least 90 days prior to commencement of proposed industrial activities at the site.

If a Total Maximum Daily Load (TMDL) has been approved, permit coverage is available only if the operator has received notice from the division confirming eligibility.

Following receipt of the information regarding an estimate of pollutant loads, the division anticipates using the following process in making eligibility determinations for new discharges into waters that do not meet their designated classified use where a TMDL has been developed:

- The division will notify the facility operator that the estimated pollutant load is consistent with the TMDL and that the proposed stormwater discharges meet the eligibility requirements of the TMSP and may be authorized under this permit; or
- The division will notify the facility operator and EPA that the estimated pollutant load is not consistent with the TMDL and that the proposed stormwater discharges do not meet the eligibility requirements of the TMSP and cannot be authorized under this NPDES permit.

If a Total Maximum Daily Load (TMDL) has not been approved, permit coverage for new discharges or existing discharges proposing an increase of pollutant loading is not available under this permit for discharges to waters with unavailable parameters and the operator must seek coverage under a separate (individual) permit.

2 Requirements for Existing Discharges

If a Total Maximum Daily Load (TMDL) has been approved, permit coverage is available only if the operator has received notice from the division confirming eligibility.

If a TMDL has been approved, the division will require the operator to provide an estimate of pollutant loads in stormwater discharges from the facility. This estimate must include the documentation upon which the estimate is based (e.g., sampling data from the facility, sampling data from substantially identical outfalls at similar facilities, modeling, etc.). Facilities with existing discharges must base this estimate on actual analytical data, if available.

The division anticipates using the following process in making eligibility determinations for existing discharges into waters with unavailable parameters where a TMDL has been approved:

- the division will notify the facility operator that the estimated pollutant load is consistent with the TMDL and that the proposed stormwater discharges meet the eligibility requirements of the TMSP and may be authorized under this NPDES permit; or
- the division will notify the facility operator that the estimated pollutant load is not consistent with the TMDL and that the proposed stormwater discharges do not meet the eligibility requirements of the TMSP and cannot be authorized under this NPDES permit.

If a Total Maximum Daily Load (TMDL) has not been approved at the time of permit authorization, coverage under this permit is available only if the pollutant loading from existing facilities remains unchanged or is reduced as a result of additional pollution prevention measures as identified in the facility's Stormwater Pollution Prevention Plan (SWPPP).

If a TMDL is approved during the term of this permit and identifies existing permitted discharges as having a reasonable potential to contain pollutants for which the receiving water has unavailable parameters, these discharges shall no longer be authorized by this permit unless, following notification by the division:

- The operator completes revisions to the Stormwater Pollution Prevention Plan (SWPPP) to include additional and/or modified Best Management Practices (BMPs) designed to comply with any applicable Waste Load Allocation (WLA) established for facility discharges within 30 calendar days following notification by the division; and
- The operator implements the additional and/or modified BMPs not requiring construction within 60 days;
- In cases where construction is necessary, the SWPPP shall contain a schedule that provides compliance with the SWPPP as expeditiously as practicable, but no later than 1 years following notification by the division; and
- A report is submitted to the division, which documents actions taken to comply with this condition, including estimated pollutant loads, within 90 calendar days following implementation of the additional and/or modified BMPs.

Additional Monitoring for Existing Discharges to Waters with Unavailable Parameters

The permittee shall perform analytical monitoring for each outfall at least quarterly for any pollutant(s) for which the water has unavailable parameters where there is a reasonable potential for discharges to contain any or all of these pollutants (i.e. the pollutant is listed in the Monitoring and Reporting Requirements part of the applicable sector or the facility has knowledge that a pollutant of concern is present at the facility and exposed to stormwater). Monitoring results should be submitted to the division using the stormwater

monitoring report (see Reporting: Where to Submit) within 45 calendar days following sample collection. These monitoring requirements are not eligible for any waivers listed elsewhere in the permit.

1.2.4. Stormwater Not Associated With Industrial Activity

Storm water discharges associated with industrial activity that are authorized by this permit may be combined with other sources of stormwater that are not classified as associated with industrial activity pursuant to 40 CFR 122.26(b)(14).

1.2.5. Threatened and Endangered Species Protection

a) Issuance of a Notice of Coverage (NOC) under this permit will constitute confirmation of the division's finding that, with properly developed and implemented SWPPP, the discharges authorized hereunder are not likely to result in the taking of threatened and endangered species.

b) Should the division later determine that the discharges covered by this permit would result in the taking of threatened or endangered species, or are otherwise not in compliance with the Endangered Species Act, the director, after written notification to the permittee, shall either:

i. Notify the permittee that it is no longer eligible for coverage under this permit and require coverage under an individual NPDES permit. The permittee will continue to be covered under this permit until the division issues an individual NPDES permit, provided a timely application for an individual permit is made. A timely application is defined as submitting to the division a complete permit application, including sampling, within 90 days of the notice from the director requiring the application. A permittee may request a later date for the timely submission of an individual NPDES permit application for just cause; or

ii. Notify the permittee that it must modify its SWPPP such that as a consequence, the discharges authorized by this permit will not result in the taking of threatened and endangered species and otherwise be in compliance with the Endangered Species Act. The permittee shall have 60 days after such notice to make such modifications to the SWPPP, and then 12 weeks to implement these modifications, unless the permittee justifies to the division that a longer time is necessary for their implementation. Should a longer time be required, the permittee shall submit to the division's local Environmental Field Office (see list of EFOs under subpart 3.3 on page 14 of this permit) a brief summary of the proposed modifications of SWPPP, including a timetable for implementation.

1.3. Authorization

Dischargers of stormwater associated with industrial activity must submit a complete Notice of Intent (NOI) in accordance with the requirements of part 2 of this permit, using a NOI form as found in **Addendum B** (or a copy thereof), to be authorized to discharge under this general permit. The division will send to the permittee a written Notice of Coverage (NOC), informing the permittee that the NOI was received and stormwater discharges from the industrial activity have been approved under this general permit. The operator is authorized to discharge stormwater associated with the industrial activity as of the effective date on the division

prepared NOC. A copy of the NOC shall be kept on site. The division may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

Assigning a permit tracking number by the division to a proposed stormwater discharge does not confirm or imply an authorization to discharge under this permit. Correspondence with the permittee is maintained through the primary contact person listed on the NOI.

1.4. Permit Eligibility Regarding Protection of Water Quality Standards and Compliance with State Anti-degradation Requirements

Pursuant to the Rules of the Tennessee Department of Environment and Conservation (the department), Chapter 0400-40-3-.06, titled “Tennessee Antidegradation Statement,” and in consideration of the department’s directive in attaining the greatest degree of effluent reduction achievable in municipal, industrial, and other wastes, the permittee shall further be required, pursuant to the terms and conditions of this permit, to comply with any applicable Waste Load Allocations (WLA), effluent limitations, and schedules of compliance, required to implement applicable water quality standards, to comply with a State Water Quality Plan or other State or Federal laws or regulations, or where practicable, to comply with a standard permitting no discharge of pollutants. Additional Stormwater Pollution Prevention Plan (SWPPP) requirements, as described in subpart 4.6, are applicable to new discharges and discharges which constitute an increase of pollutant loading for discharges to waters identified by the department as Exceptional Tennessee waters, or discharges upstream of Exceptional Tennessee waters, that may affect the Exceptional Tennessee waters.

1.5. Overview of the Multi-Sector General Permit

Parts 1 through 10 of this general permit apply to all industrial facilities. Parts 1 and 2 describe eligibility requirements and the process for obtaining permit coverage. Parts 3 through 10 contain "basic" permit requirements.

part 11 provides additional requirements for particular sectors of industrial activity. For example, primary metal facilities adds subpart 11.F. to the "universal" parts 1 through 10 requirements.

Some facilities may have "co-located" activities that are described in more than one sector and need to comply with applicable conditions of each sector. For example, a chemical manufacturing facility could have a land application site and be subject to subpart 11.C. - Chemical and Allied products Manufacturing sector (primary activity), with runoff from the land application site (co-located activity) also subject to conditions in subpart 11.L. - Landfills and Land Application Sites.

2. NOTIFICATION REQUIREMENTS

2.1. Deadlines for Notification

2.1.1. Existing Facility

Except as provided in sections 2.1.4 (New Operator), and 2.1.5 (Late Notification), individuals who intend to obtain coverage for an existing stormwater discharge associated with industrial

activity under this general permit shall submit an NOI in accordance with the requirements of this part not more than 30 days following the effective date of this permit.

2.1.2. New Facility

For a new facility, an NOI shall be submitted at least 7 days prior to the commencement of any industrial activity, except as provided in sections 2.1.3 (Oil and Gas Operations), 2.1.4 (New Operator), and 2.1.5 (Late Notification).

2.1.3. Oil and Gas Operations

Operators of oil and gas exploration, production, processing, or treatment operations or transmission facilities, that were not required to submit a permit application as of May 31, 1997 in accordance with 40 CFR 122.26(c)(1)(iii), but that after May 31, 1997 have a discharge of a reportable quantity of oil or a hazardous substance for which notification is required pursuant to either 40 CFR 110.6, 40 CFR 117.21, or 40 CFR 302.6, must submit an NOI in accordance with the requirements of this permit within 14 calendar days of the first knowledge of such release.

2.1.4. New Operator

Where the operator of a facility with a stormwater discharge associated with industrial activity that is covered by this permit changes, the new operator of the facility must submit an NOI in accordance with the requirements of this part at least 5 days prior to the change.

2.1.5. Late Notification

An operator of a stormwater discharge associated with industrial activity is not precluded from submitting an NOI in accordance with the requirements of this part after the dates provided in sections 2.1.1, 2.1.2, 2.1.3, or 2.1.4 of this permit.

2.2. Contents of Notice of Intent

The NOI shall be signed in accordance with subpart 7.7 (Signatory Requirements) of this permit and shall include the following information:

2.2.1. Change of Operator

Whether this NOI is being submitted due to a change in the operator or to update facility information (such as a name of facility, new contact, E-mail address, etc.) of a facility which is currently covered under the Tennessee Stormwater Multi-Sector General Permit for Industrial Activities, the former or the current operator’s permit tracking number;

2.2.2. Facility Identification and Location Information

The legal and official name of the facility, and the address or description of location of the facility, the name of county the facility is located, facility latitude and longitude, as well as a copy of a U.S.G.S. topographical map, a city map, or a county map, identifying the location of the facility;

2.2.3. Facility Operator

The name of the person, firm, organization, or other entity, which owns and/or operates the subject facility; the name, title or position, mailing address and E-mail of an official contact person, as well as the facility contact person (i.e. local contact, if applicable) and an indication of the mailing address where correspondence should be sent;

2.2.4. Receiving Water and Outfall Information

Number of stormwater outfalls at the facility; for each outfall, names and stream miles or location(s) of the receiving stream(s) and/or lake(s);

2.2.5. Industrial Information

The SIC (Standard Industrial Classification) code(s) for the facility (primary, secondary-if applicable-etc.), a brief description of the nature of the business at the facility, and an indication of which activities are occurring at the facility; area of property associated with industrial activity in acres (Please note that area of facility property should not include recreation areas, landscaping, lawns, greenfields, forest, office buildings, employee parking lots, etc.);

2.2.6. Certification and Signature

The following certification shall be signed in accordance with subpart 7.7:

> *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 site, 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. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.*

2.2.7. Pollution Prevention Plan Preparation and Implementation

All new and existing facilities that request coverage under this permit must have a stormwater pollution prevention plan (SWPPP) prepared and implemented in accordance with part 4 of this permit, prior to NOI submittal. For those permittees switching coverage from the expiring TMSP, existing SWPPPs will satisfy the requirement to have a plan developed before the NOI is signed, when modified as necessary in accordance with section 4.1.4. Do not include a copy of the SWPPP with the NOI submission, except as required by subpart 4.6 of this permit.

2.3. Where to Submit

Facilities that discharge stormwater associated with industrial activity must use an NOI form provided by the division (or a copy thereof). NOIs must be signed in accordance with subpart

7.7 below (Signatory Requirements) of this permit. NOIs are to be submitted to the division at the following address:

Stormwater NOI Processing
Division of Water Resources
William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243

2.4. Electronic Submission of NOIs

The division supports and encourages submission of electronic documents (e.g., scanned NOIs submitted as PDF files) by using a dedicated email address:

Water.Permits@tn.gov

If the division notifies dischargers (directly by mail or E-mail, by public notice, or by making information available on the Internet) of other NOI form options that become available at a later date (e.g., direct online submission of forms), the permittees may take advantage of those options to satisfy the NOI notification requirements.

3. SPECIAL CONDITIONS

3.1. Prohibition of Non-stormwater Discharges

3.1.1. Stormwater Discharges

All discharges covered by this permit shall be composed entirely of stormwater except as allowed in section 3.1.2 below.

3.1.2. Allowable Non-Stormwater Discharges

Discharges of material other than stormwater must be in compliance with an NPDES permit (other than this permit and as listed below) issued for the discharge. This permit authorizes the following non-stormwater discharges:

- Fire hydrant flushings;
- Potable water including water line flushings and demineralized water;
- Uncontaminated air conditioning or compressor condensate;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's instructions;
- Washing of sidewalks, buildings, etc. to which no detergents have been added; wash water should also be free of any other pollutants such as sediment, debris, etc.
- Uncontaminated ground water or spring water;
- Foundation or footing drains where flows are not contaminated with process materials such as solvents;
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

- Discharges from wet deck storage areas, which are authorized only if no chemical additives are used in the spray water or applied to the logs.

The facility's SWPPP shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with subpart 7.7. of this permit.

3.2. Releases in Excess of Reportable Quantities

3.2.1. Hazardous Substances or Oil

The discharge of hazardous substances or oil in the stormwater discharge(s) from a facility shall be prevented or minimized in accordance with the applicable SWPPP for the facility. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. Except as provided in section 3.2.2 (Multiple Anticipated Discharges) of this permit, where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR Part 117 or 40 CFR Part 302, occurs during a 24-hour period:

- The discharger is required to notify the National Response Center (NRC) at 1-800-424-8802, the Tennessee Emergency Management Agency (TEMA) at 1-800-262-3300 or (615) 741-0001, and the appropriate division's Environmental Field Office (see list of EFOs under subpart 3.3 on page 14 of this permit), in accordance with the requirements of 40 CFR Part 117 and 40 CFR Part 302, as soon as he or she has knowledge of the discharge;

- The SWPPP required under part 4 (Stormwater Pollution Prevention Plans) of this permit must be modified within 14 calendar days of knowledge of the release to provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the SWPPP must be reviewed by the permittee to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the SWPPP must be modified where appropriate; and

- The permittee shall submit within 14 calendar days of knowledge of the release a written description of the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and steps to be taken in accordance with this section (3.2.1 above) of this permit to the appropriate division's Environmental Field Offices (see list of EFOs under subpart 3.3 on page 14 of this permit).

3.2.2. Multiple Anticipated Discharges

Facilities that have more than one anticipated discharge per year containing the same hazardous substance in an amount equal to or in excess of a reportable quantity established under either

40 CFR Part 117 or 40 CFR Part 302, that occurs during a 24-hour period, where the discharge is caused by events occurring within the scope of the relevant operating system shall:

- Submit notifications in accordance with section (3.2.1 above) of this permit for the first such release that occurs during a calendar year (or for the first year of this permit, after submittal of an NOI); and

- Shall provide in the SWPPP required under part 4 (Stormwater Pollution Prevention Plans) a written description of the dates on which all such releases occurred, the type and estimate of the amount of material released, and the circumstances leading to the releases. In addition, the SWPPP must be reviewed to identify measures to prevent or minimize such releases and the SWPPP must be modified where appropriate.

3.2.3. Spills

This permit does not authorize the discharge of hazardous substances or oil resulting from an onsite spill.

3.3. List of the Division's Environmental Field Offices (EFOs) and Counties

EFO Name	EFO Address	List of Counties
Chattanooga	Division of Water Resources 1301 Riverfront Parkway, Suite #206 Chattanooga, TN 37402 (423) 634-5745	Bledsoe, Bradley, Grundy, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, Sequatchie
Columbia	Division of Water Resources 1421 Hampshire Pike Columbia, TN 38401 (931) 380-3371	Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne
Cookeville	Division of Water Resources 1221 South Willow Ave Cookeville, TN 38506 (931) 432-4015	Cannon, Clay, DeKalb, Fentress, Grundy, Jackson, Macon, Overton, Pickett, Putnam, Smith, Trousdale, Van Buren, Warren, White
Jackson	Division of Water Resources 1625 Hollywood Dr Jackson, TN 38305 (731) 512-1300	Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Weakly
Johnson City	Division of Water Resources 2305 Silverdale Rd Johnson City, TN 37601 (423) 854-5400	Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington Counties
Knoxville	Division of Water Resources 3711 Middlebrook Pike Knoxville, TN 37921 (865) 594-6035	Anderson, Blount, Campbell, Claiborne, Cocke, Cumberland, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, Union
Memphis	Division of Water Resources 8383 Wolf Lake Drive Bartlett, TN 38133 (901) 371-3000	Fayette, Shelby, Tipton

EFO Name	EFO Address	List of Counties
Nashville	Division of Water Resources 711 R.S. Gass Boulevard Nashville, TN 37206 (615) 681-7000	Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Williamson, Wilson

All Environmental Field Offices (EFOs) may be reached by telephone at the toll-free number 1-888-891-8332 (TDEC).

3.4. Co-located Industrial Activity

In the case where a facility has industrial activities occurring onsite which are described by any of the activities in other sections of part 11 of this permit, those industrial activities are considered to be co-located industrial activities. A facility with a primary industrial activity that is required to obtain coverage under TMSP is also required to comply with requirements that apply to other activities at the facility if those additional activities would require coverage if considered on their own. There may be specific monitoring and SWPPP requirements associated with each industrial sector. Permittees must comply with all requirements related to each activity. The operator of the facility shall determine which additional pollution prevention plan and monitoring requirements are applicable to the co-located industrial activity by examining the narrative descriptions of each coverage section (Discharges Covered Under This Section) in part 11 of this permit. Provisions under this part are applicable on an outfall-specific basis.

4. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A stormwater pollution prevention plan (SWPPP) shall be developed for each facility covered by this permit. SWPPPs shall be prepared in accordance with good engineering practices and in accordance with the factors outlined in 40 CFR 125.3(d)(2) or (3) as appropriate. The SWPPP shall identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. In addition, the SWPPP shall describe and ensure the implementation of practices that are to be used to minimize the pollutants in stormwater discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. The 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. Facilities must implement the provisions of the SWPPP required under this part as a condition of this permit. For additional information to assist permittees in complying with these permit conditions and in the preparation of the SWPPP, see Addendum C (List of Applicable References).

4.1. Deadlines for Plan Preparation and Compliance

4.1.1. Existing Facilities

Except as provided in sections 4.1.3, 4.1.4 and 4.1.5 (below), all facilities seeking coverage under the new TMSP who were previously covered by the expiring TMSP shall continue to implement the SWPPP developed under the expiring permit. The SWPPP shall be modified to address additional requirements in the new permit no later than 60 days following the effective date of this permit. The revisions made to the SWPPP shall be implemented within 180 days following the effective date of this permit, except where new construction is required, in which

case the construction must be completed within 1 year following the effective date of this permit.

4.1.2. New Facilities

Except as provided in sections 4.1.3, 4.1.4 and 4.1.5 (below), all new facilities shall prepare and implement their SWPPP prior to submitting the Notice of Intent. A copy of the SWPPP shall be submitted with the Notice of Intent, preferably in electronic format (PDF).

4.1.3. Oil and Gas Operations

Oil and gas exploration, production, processing or treatment operations or transmission facilities that are not required to submit a permit application on or before May 31, 1997, in accordance with 40 CFR 122.26(c)(1)(iii), but after May 31, 1997, have a discharge of a reportable quantity of oil or a hazardous substance for which notification is required pursuant to either 40 CFR 110.6, 40 CFR 117.21 or 40 CFR 302.6, shall prepare and implement the SWPPP on or before the date 60 calendar days after first knowledge of such release.

4.1.4. Facilities Switching from Coverage Under an Individual NPDES permit to this General Permit

Facilities previously subject to an individual NPDES permit that switch to coverage under this permit shall continue to implement the SWPPP required by that permit. The SWPPP shall be revised as necessary to address requirements under part 11 of this permit no later than 180 days following the switch to this general permit. The revisions made to the SWPPP shall be implemented on or before 1 year following the date of the switch. The antibacksliding provisions, as contained in Section 402(o) of the Clean Water Act and codified in the NPDES regulations at 40 CFR §122.44 (l) - *Reissued permits*, shall apply to the facilities previously subject to an individual NPDES permit that switch to coverage under this permit.

4.1.5. Measures That Require Construction

In cases where construction is necessary, the SWPPP shall contain a schedule that provides compliance with the SWPPP as expeditiously as practicable, but no later than 2 years following the effective date of this permit. Where a construction compliance schedule is included in the SWPPP, the schedule shall include appropriate non-structural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

Operators of construction sites involving clearing, grading or excavation that results in an area of disturbance of one or more acres, and activities that result in the disturbance of less than one acre if it is part of a larger common plan of development or sale must obtain coverage under the Construction General Permit.

4.1.6. Extensions

Upon a showing of good cause, the division may establish a later date in writing for preparing and compliance with a SWPPP for a stormwater discharge associated with industrial activity.

4.2. Signature and Plan Review

4.2.1. Signature/Location

The SWPPP shall be signed in accordance with subpart 7.7 (Signatory Requirements), and be retained onsite at the facility that generates the stormwater discharge in accordance with section 7.14.2 (Retention of Records) of this permit. For inactive facilities, the SWPPP may be kept at the nearest office of the permittee.

4.2.2. Availability

Except as provided in section 4.1.2 – New Facilities (above), the permittee shall make the NOC, SWPPP, annual site compliance inspection report, or other information available upon request to the division; the EPA; the U.S. Fisheries and Wildlife Service Regional Director; the Tennessee Wildlife Resources Agency; or authorized representatives of these officials. A copy of these documents shall be located at the facility.

4.2.3. Required Modifications

The director of the Division of Water Resources, or authorized representative, may notify the permittee at any time that the SWPPP does not meet one or more of the minimum requirements of this part. Such notification shall identify those provisions of the permit that are not being met by the SWPPP, and identify which provisions of the SWPPP require modification in order to meet the minimum requirements of this part. Within 60 days of such notification from the director, (or as otherwise provided by the division), or authorized representative, the permittee shall make the required changes to the SWPPP and shall submit to the division a written certification that the requested changes have been made.

4.3. Keeping Plans Current

The permittee shall amend the stormwater pollution prevention plan (SWPPP) annually or as follows:

- Whenever there is a change in design, construction, operation, or maintenance, that has a significant effect on the potential for the discharge of pollutants to the waters of the state;
- If the SWPPP proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under subpart 4.4 (Contents of the Plan) of this permit; or
- If the SWPPP proves to be ineffective in otherwise achieving the general objectives of controlling pollutants in stormwater discharges associated with industrial activity.

In addition, the permittee shall evaluate the results obtained from sampling and monitoring pursuant to the Monitoring and Reporting Requirements applicable to each sector of this permit. The evaluation should be done following the required annual sampling events to determine whether the facility is below, meets, or exceeds the monitoring benchmarks as shown in part 11 for that particular industry. If the results of annual stormwater runoff monitoring demonstrate that the facility has exceeded the benchmark(s), the permittee must inform the division's local Environmental Field Office (EFO) in writing, within 30 days from the time stormwater monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time stormwater monitoring results were received, the facility must:

- Review its SWPPP, make any modifications or additions to the SWPPP which would assist in reducing specific effluent concentrations which are equal to less than the monitoring benchmarks for that facility, and
- Submit to the division's local EFO a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

In the event of a repeated benchmark exceedance, the permittee can, in consultation with the division, make a determination that no further pollutant reduction is technologically available, economically practicable and achievable in light of best industry practices. The permittee must document the rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with the SWPPP.

New owners shall review the existing SWPPP and make appropriate changes using the same timetable as described above. Amendments and modifications to the SWPPP may be reviewed by the division in the same manner as in subpart 4.2.

4.4. Contents of the Plan

The contents of the SWPPP shall comply with the requirements listed in the appropriate subpart (sector) of part 11 (Specific Requirements for Industrial Activities). These requirements are cumulative. If a facility has co-located activities that are covered in more than one subpart (sector) of part 11, that facility's SWPPP must comply with the requirements listed in all applicable subparts (sectors) of this permit.

4.5. Additional Pollution Prevention Plan Requirements

In addition to the minimum standards listed in part 11 of this permit (Specific Requirements for Industrial Activities), the SWPPP shall include a complete discussion of measures taken to conform with the following applicable guidelines, other effective stormwater pollution prevention procedures, and applicable State rules, regulations and guidelines:

4.5.1. Additional Requirements for Stormwater Discharges Associated With Industrial Activity that Discharge Into or Through Permitted Municipal Separate Storm Sewer Systems (MS4)

In addition to the applicable requirements of this permit, facilities covered by this permit must comply with applicable requirements in municipal stormwater management programs developed under NPDES permits issued for the discharge of the municipal separate storm sewer system (MS4) that receives the facility's discharge, provided the discharger has been notified of such conditions.

Permittees that discharge stormwater associated with industrial activity through a MS4, or a municipal system designated by the division, shall make SWPPPs available to the municipal operator of the system upon request.

Coverage under the TMSP does not serve to waive any required/applicable local floodplain protection permitting requirements.

Off-site vehicle tracking of significant materials and the generation of dust shall be minimized. A stabilized site access (a point of entrance/exit to a facility) shall be described and implemented, as needed, to reduce the tracking of significant materials onto public roads by

construction vehicles. Facilities cannot use the public roadways/right-of-ways or MS4 as their primary, ongoing site exit control.

4.5.2. Additional Requirements for Stormwater Discharges Associated With Industrial Activity from Facilities Subject to Emergency Planning and Community Right to Know Act (EPCRA) Section 313 Requirements

Potential pollutant sources for which you have reporting requirements under EPCRA 313 must be identified in your risk identification and summary of potential pollutant sources determination as required under each industrial sector in this permit. Note this requirement only applies to you if you are subject to reporting requirements under EPCRA 313.

4.5.3. Additional Requirements for Salt Storage

Storage piles of salt used for deicing or other commercial or industrial purposes and that generate a stormwater discharge associated with industrial activity that is discharged to waters of the state shall be enclosed or covered to prevent exposure to precipitation, except for exposure resulting from adding or removing materials from the pile. Dischargers shall be compliant with this provision upon submittal of the NOI. Piles do not need to be enclosed or covered where stormwater from the pile is not discharged to waters of the state.

4.5.4. Consistency with Other Plans

SWPPPs may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) plans developed for the facility under Section 311 of the CWA or Best Management Practices (BMP) Programs otherwise required by an NPDES permit for the facility as long as such requirement is incorporated into the SWPPP.

4.5.5. Use of Pavement Sealant Products

Use of asphalt-based instead of tar-based pavement sealant products is encouraged to minimize discharge of PAHs from industrial facilities. Additionally, painting is not recommended under wet weather conditions.

4.6. Additional Stormwater Pollution Prevention Plan (SWPPP) requirements for discharges into waters with unavailable parameters or Exceptional Tennessee waters

If the division has notified the facility operator that the estimated pollutant load is consistent with the TMDL and that the proposed stormwater discharges meet the eligibility requirements of the TMSP and may be authorized under this permit, additional SWPPP requirements shall apply. Additional SWPPP requirements for discharges into waters with unavailable parameters for a parameter present in the facility's stormwater runoff, or discharges upstream of waters impaired by the same parameter, that may affect the waters with unavailable parameters; and for discharges to waters identified by the department as Exceptional Tennessee waters, or discharges upstream of Exceptional Tennessee waters, that may affect the Exceptional Tennessee waters, are as follows:

The SWPPP shall be submitted to the appropriate division's Environmental Field Office (see list of EFOs under subpart 3.3 on page 14). This SWPPP may be submitted with the NOI, but must be submitted prior to commencement of new industrial activities, or a change of industrial activity that would cause an increase of pollutant loading from the site into waters with unavailable parameters or Exceptional Tennessee waters.

The permittee shall perform, at a minimum, monthly inspections.

The monthly inspection shall be conducted by the qualified personnel who shall inspect the areas of facility used for storage of significant materials that are exposed to precipitation, as well as structural and non-structural control measures at the site. Areas used for storage of significant materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system (and potentially waters of the state). Outfall points (where discharges from the site enter into the waters with unavailable parameters or Exceptional Tennessee waters) shall be inspected (including, but not limited to, visual observations) to determine whether structural and non-structural control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations shall be inspected if possible.

Based on the results of the inspection, any inadequate control measures or control measures in disrepair shall be replaced or modified, or repaired as necessary, before the next rain event if possible, but in no case more than seven days after the need is identified. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable.

Based on the results of the inspection, the facility description and pollution prevention measures identified in the SWPPP shall be revised as appropriate, but in no case later than 14 calendar days following the inspection. Such modifications shall provide for timely implementation of any changes to the SWPPP in no case later than 60 calendar days following the inspection.

Inspections shall be documented and include the scope of the inspection, name(s) and title or qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the stormwater pollution prevention plan (including the location(s) of discharges of pollutants from the site and of any control device that failed to operate as designed or proved inadequate for a particular location), and actions taken to prevent further discharge of pollutants from the site.

The permittee must certify on a quarterly basis that inspections of structural and non-structural control measures and of outfall points were performed and whether or not all planned and designed pollution prevention controls measures are installed and in working order. The certification must be done by a person who meets the signatory requirements of this permit. The certification should be kept with the facility's SWPPP, shall be signed in accordance with subpart 7.7 (Signatory Requirements) of this permit and has to be submitted to the local Environmental Field Office upon request.

If the division finds that a discharge is causing a violation of water quality standards or causing or contributing to the impairment of a known water with unavailable parameters or any water, and finds that the discharger is complying with SWPPP requirements of this permit, the discharger will be notified by the director in writing that the discharge is no longer eligible for coverage under the general permit and that continued discharges must be covered by an

individual permit. To obtain the individual permit, the operator must file an individual NPDES permit application.

5. NUMERIC EFFLUENT LIMITATIONS

5.1. Discharges Associated With Specific Industrial Activity

Numeric effluent limitations for stormwater discharges associated with a specific industrial activity are described in part 11 of this permit.

5.2. Coal Pile Runoff

Any stormwater discharge composed of coal pile runoff shall not exceed a maximum concentration for any time of 50 mg/L total suspended solids (TSS). Coal pile runoff shall not be diluted with stormwater or other flows in order to meet this limitation. The pH of such discharges shall be within the range of 6.0 to 9.0. Runoff from coal piles shall be compliant with this provision upon submittal of the NOI. Any untreated overflow from facilities designed, constructed and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event shall not be subject to the 50 mg/L limitation for total suspended solids.

6. MONITORING AND REPORTING REQUIREMENTS

6.1. Monitoring Requirements

6.1.1. Limitations on Monitoring Requirements

Those facilities with discharges or activities identified in subpart 6.4 and part 11 are required to conduct sampling of their stormwater discharges associated with industrial activity. Monitoring requirements under subpart 6.4 and part 11 are additive. Facilities with discharges or activities described in more than one monitoring section are subject to all applicable monitoring requirements from each section.

The director can provide written notice to any facility otherwise exempt from the sampling requirements of subpart 6.4 and part 11 that it shall conduct discharge sampling for a specific monitoring frequency for specific parameters.

6.1.2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant required to be monitored by this permit more frequently than required in subpart 6.4 and part 11, using approved analytical methods as specified herein, the results of such monitoring shall be included in the calculation and reporting of the values required in the TMSP Stormwater Monitoring Report form. Such increased frequency shall also be indicated on the form.

6.2. Reporting: Where to Submit

One signed copy of the Annual Stormwater Monitoring Report (see Addendum D) for the benchmark results or the Discharge Monitoring Report (DMR) (see Addendum E) for effluent numeric limitations results required under parts 11 and all other stormwater

monitoring reports required herein, shall be submitted to the division at the appropriate EFO for the county where the facility is located. A list of EFOs and their addresses are available in subpart 3.3 above.

Mining and Quarrying facilities only (Sectors J and H of part 11) should submit one signed copy of Annual Stormwater Monitoring Report (see Addendum D) required under part 11, and all other reports required herein, to the division's Mining Unit at the following address:

Tennessee Division of Water Resources
Mining Unit
3711 Middlebrook Pike
Knoxville, TN 37921

For each outfall, one Annual Stormwater Monitoring Report (see Addendum D) form must be submitted.

6.3. Electronic Submission of Reports

The division supports and encourages submission of electronic documents (e.g., scanned reports submitted as PDF files) by using a dedicated email address:

Water.Permits@tn.gov

If the division notifies dischargers (directly by mail or E-mail, by public notice, or by making information available on the Internet) of other Annual Stormwater Monitoring Reports (see Addendum D) required under part 11, and all other stormwater monitoring reports options that become available at a later date (e.g., electronic submission of forms or letters), the permittees may take advantage of those options to satisfy the reporting requirements.

6.4. Special Monitoring Requirements for Coal Pile Runoff

During the period beginning on the effective date and lasting through the expiration date of this permit, permittees with stormwater discharges containing coal pile runoff shall monitor such stormwater for pH and TSS (mg/L) at least annually (1 time per year). Permittees with discharges containing coal pile runoff must report in accordance with subpart 5.2 (Coal Pile Runoff - Numeric Effluent Limitations) and subpart 6.2 (Reporting: Where to Submit). In addition to the parameters listed above, the permittee shall maintain a record of the date and duration (in hours) of the storm event(s) samples; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event samples and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge samples.

6.4.1. Sample Type

For discharges containing coal pile runoff, data shall be reported for a grab sample. All samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents

that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

6.4.2. Sampling Waiver

When a discharger is unable to collect samples of coal pile runoff due to adverse climatic conditions, the discharger shall collect a substitute sample from a separate subsequent qualifying storm event. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

6.4.3. Representative Discharge

When a facility has two or more outfalls containing coal pile runoff that, based on a consideration of the other industrial activity, and significant materials, and upon management practices and activities within the area drained by the outfall, and the permittee reasonably believes substantially identical effluents are discharged, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfalls provided that the permittee includes in the stormwater pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (e.g., low (under 40 percent), medium (40 to 65 percent) or high (above 65 percent)) shall be provided in the SWPPP. Permittees required to submit monitoring information under part 8 of this permit shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the Annual Stormwater Monitoring Report (see Addendum D). This representative discharge provision is not applicable to stormwater discharges from coal piles regulated under the national effluent limitations guidelines.

6.4.4. Alternative Certification

Facilities with stormwater discharges containing coal pile runoff may not submit alternative certification in lieu of the required monitoring data.

6.4.5. When to Submit

Permittees with discharges containing coal pile runoff shall submit monitoring results annually no later than the 31st day of January.

7. STANDARD PERMIT CONDITIONS

7.1. Duty to Comply

7.1.1. Permittee's Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and/or the Tennessee Water Quality Control Act (TWQCA) is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

7.1.2. Penalties for Violations of Permit Conditions

Pursuant to T.C.A. 69-3-115 of The Tennessee Water Quality Control Act of 1977, as amended:

Any person who violates an effluent standard or limitation or a water quality standard established under this part (T.C.A. 69-3-101, et.seq.); violates the terms or conditions of this permit; fails to complete a filing requirement; fails to allow or perform an entry, inspection, monitoring or reporting requirement; violates a final determination or order of the board, panel or commissioner; or violates any other provision of this part or any rule or regulation promulgated by the board, is subject to a civil penalty of up to ten thousand dollars ($10,000) per day for each day during which the act or omission continues or occurs;

Any person unlawfully polluting the waters of the state or violating or failing, neglecting, or refusing to comply with any of the provisions of this part (T.C.A. 69-3-101, et.seq.) commits a Class C misdemeanor. Each day upon which such violation occurs constitutes a separate offense;

Any person who willfully and knowingly falsifies any records, information, plans, specifications, or other data required by the board or the commissioner, or who willfully and knowingly pollutes the waters of the state, or willfully fails, neglects or refuses to comply with any of the provisions of this part (T.C.A. 69-3-101, et.seq.) commits a Class E felony and shall be punished by a fine of not more than twenty-five thousand dollars ($25,000) or incarceration, or both.

Nothing in this permit shall be construed to relieve the discharger from civil or criminal penalties for noncompliance. Notwithstanding this permit, the discharger shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of stormwater to any surface or subsurface waters. Additionally, notwithstanding this permit, it shall be the responsibility of the discharger to conduct its stormwater treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created. Furthermore, nothing in this permit shall be construed to preclude the State of Tennessee from any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or the Federal Water Resources Act.

7.2. Continuation of the Expired General Permit

An expired general permit continues in force and effect until a new general permit is issued. Permittees that choose, or are required, to obtain an individual permit must submit an

application (Forms 1 and 2F and any other applicable forms) 180 days prior to expiration of this permit. Permittees that are eligible and choose to be covered by a new general permit must submit an NOI by the date specified in that permit.

7.3. Need to Halt or Reduce Activity Not a Defense

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

7.4. Duty to Mitigate

The 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.

7.5. Duty to Provide Information

The permittee shall furnish to the division, within a time specified by the division, any information that the division may request to determine compliance with this permit. The permittee shall also furnish to the division upon request, copies of records required to be kept by this permit.

7.6. Other Information

When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the division, he or she shall promptly (or within the specified time frame as identified by the division) submit such facts or information.

7.7. Signatory Requirements

All Notices of Intent (NOI), requests for termination of permit coverage, stormwater pollution prevention plans, reports, certifications or information either submitted to the division (and/or the operator of a permitted municipal separate storm sewer system), or that this permit requires be maintained by the permittee, shall be signed.

7.7.1. Signatory Requirements for a Notice of Intent

The Notice of Intent shall be signed as follows:

For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or

(2) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern

the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: The division does not require specific assignments or delegations of authority to responsible corporate officers. The division will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or

For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

7.7.2. Signatory Requirements for Reports

All reports required by the permit and other information requested by the division shall be signed as follows:

All reports required by permits, and other information requested by the Director shall be signed by a person described in section 7.7.1 (Signatory Requirements for a Notice of Intent) of this part, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in section 7.7.1 (Signatory Requirements for a Notice of Intent) of this part;
(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
(3) The written authorization is submitted to the director.

7.7.3. Changes to authorization

If an authorization under paragraph 7.7.2 (2) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph 7.7.2 (2) of this section must be

submitted to the director prior to or together with any reports, information, or applications to be signed by an authorized representative.

7.7.4. Certification

Any person signing a document under paragraph 7.7.2 (1) or (2) of this section shall make the following 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. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury."*

7.7.5. Penalties for Falsification of Reports

Section 309c(4) of the Clean Water Act (CWA) provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two years, or by both.

7.8. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act (CWA) or Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

7.9. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

7.10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

7.11. Requiring an Individual Permit or an Alternative General Permit

7.11.1. Division of Water Resources Designation

The division may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the division to take action under this section. The division may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Individual permit applications shall be submitted to the address shown in the list of EFOs under subpart 3.3 on page 14 of this permit for the division's Environmental Field Office responsible for the county where the facility is located. The division may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the division, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.

7.11.2. Individual Permit Application

Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual NPDES permit. The owner or operator shall submit an individual application (Form 1 and Form 2F) with reasons supporting the request to the division. Individual permit applications shall be submitted to the address of the appropriate division's Environmental Field Office (see list of EFOs under subpart 3.3 on page 14 of this permit). The request may be granted by the issuance of any individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.

7.11.3. Individual/Alternative General Permit Issuance

When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the division.

7.12. State/Environmental Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Tennessee law or regulation under authority preserved by Section 510 of the Act.

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

7.13. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related equipment) that are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of SWPPPs. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

7.14. Monitoring and Records

7.14.1. Representative Samples/Measurements

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

7.14.2. Retention of Records

The permittee shall retain records of all monitoring information, copies of all reports required by this permit, and records of all data used to complete the application of this permit for a period of at least three (3) years from the date of sample, measurement, evaluation or inspection, report, or application. This period may be extended by request of the division at any time. Permittees must submit any such records to the division upon request.

The permittee shall retain the SWPPP developed in accordance with parts 4 and 11 of this permit until a date 3 years after the last modification or amendment is made to the SWPPP, and at least 1 year after coverage under this permit terminates.

7.14.3. Records Contents

Records of monitoring information shall include:

- The date, exact place, and time of sampling or measurements;
- The initials or name(s) of the individual(s) who performed the sampling or measurements;
- The date(s) analyses were performed;
- The time(s) analyses were initiated;
- The initials or name(s) of the individual(s) who performed the analyses;
- References and written procedures, when available, for the analytical techniques or methods used; and
- The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

7.14.4. Approved Monitoring Methods

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

7.15. Inspection and Entry

The permittee shall allow the division or an authorized representative of the division, or, in the case of a facility that discharges through a municipal separate storm sewer, an authorized representative of the municipal operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to: enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit; have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

7.16. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7.17. Bypass of Treatment Facility

7.17.1. Notice

Anticipated Bypass. If a permittee subject to the numeric effluent limitations of parts 5 and 11 of this permit knows in advance of the need for a bypass, he or she shall submit prior notice, if possible, at least 10 days before the date of the bypass; including an evaluation of the anticipated quality and effect of the bypass.

Unanticipated Bypass. The permittee subject to the numeric effluent limitations of parts 5 and 11 of this permit shall submit notice of an unanticipated bypass. Any information regarding the unanticipated bypass shall be provided orally within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee became aware of the circumstances. The written submission shall contain a description of the bypass and its cause; the period of the bypass; including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

7.17.2. Prohibition of Bypass

Bypass is prohibited and the division may take enforcement action against a permittee for a bypass. Unless:

(1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
(3) The permittee notified the division in accordance with section 7.17.1.

The division may approve an anticipated bypass after considering its adverse effects, if the division determines that it will meet the three conditions listed in paragraph 7.17.2.a) (above).

7.18. Upset Conditions

7.18.1. Affirmative Defense

An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based numeric effluent limitations in parts 5 and 11 of this permit if the requirements of section 7.18.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

7.18.2. Required Defense

A permittee who wishes to establish the affirmative defense of an upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

An upset occurred and that the permittee can identify the specific cause(s) of the upset:

The permitted facility was at the time being properly operated; and

The permittee provided oral notice of the upset to the division within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee became aware of the circumstances. The written submission shall contain a description of the upset and its cause; the period of the upset; including exact dates and times, and if the upset has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the upset.

7.18.3. Burden of Proof

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

8. REOPENER CLAUSE

8.1. Potential or Realized Impacts on Water Quality

If there is evidence indicating potential or realized impacts on water quality or on a listed endangered species due to any stormwater discharge associated with industrial activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual

permit or an alternative general permit in accordance with subpart 7.11 (Requiring an Individual Permit or an Alternative General Permit) of this permit or the permit may be modified to include different limitations and/or requirements.

8.2. Applicable Regulations

Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64, and 124.5.

9. TERMINATION OF COVERAGE

9.1. Notice of Termination

Where all stormwater discharges associated with industrial activity that are authorized by this permit are eliminated, or where the operator of stormwater discharges associated with industrial activity at a facility changes, the operator of the facility shall submit a written request for such termination that is signed in accordance with part 7.7 (Signatory Requirements) of this permit. The written notice shall include the following information:

- Facility Information
  Name, mailing address, and location of the facility for which the notification is submitted;

- Operator Information
  The name, address, and telephone number of the operator addressed by the notice;

- Permit Tracking Number
  The NPDES permit tracking number (i.e. TNR05XXXX) for the stormwater discharge associated with industrial activity identified by the notice;

- Reason for Termination
  An indication of whether the stormwater discharges associated with industrial activity have been eliminated or the operator of the discharges has changed; and

- Certification
  The following certification signed in accordance with subpart 7.7 (Signatory Requirements) of this permit:

  > *"I certify under penalty of law that all stormwater discharges associated with industrial activity from the identified facility that are authorized by an NPDES general permit have been eliminated or that I am no longer the operator of the industrial activity. I understand that by submitting this notice of termination, that I am no longer authorized to discharge stormwater associated with industrial activity under this general permit, and that discharging pollutants in stormwater associated with industrial activity to waters of the state is unlawful under the Clean Water Act where the discharge is not authorized by an NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act."*

9.2. Addresses

All written notices of termination are to be sent to the division's Environmental Field Office responsible for the county where the facility is located (see list of EFOs under subpart 3.3 on page 14 of this permit).

9.3. Electronic Submission of Notice of Termination

The division supports and encourages submission of electronic documents (e.g., scanned notices of termination submitted as PDF files) by using a dedicated email address:

Water.Permits@tn.gov

If the division notifies dischargers (directly by mail or E-mail, by public notice, or by making information available on the Internet) of other Notice of Termination options that become available at a later date (e.g., electronic submission of forms or letters), the permittees may take advantage of those options to satisfy the Notice of Termination notification requirements.

9.4. No Exposure Certification

The facility may discontinue permit coverage under the TMSP if it is eligible for the "no exposure" permit exemption. The "no exposure" permit exemption is a conditional exclusion applicable to all categories of industrial activity (except construction activity) with no exposure of industrial materials and activities to stormwater. All facilities with point source discharges of stormwater associated with industrial activity that satisfy criteria of no exposure and complete a no exposure certification form will be able to obtain exclusion from NPDES stormwater permitting under TMSP.

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 stormwater discharges (e.g., rock salt).

A no exposure certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion.

No exposure certification renewals must be submitted five years from the time they are first submitted (assuming the facility still qualifies for the exemption). If conditions change at a facility such that renewed TMSP coverage is needed, the facility must submit an NOI requesting coverage.

Facilities that qualify for and submit a "no exposure" certification are no longer authorized by nor required to comply with this permit. Furthermore, facilities that are no longer required to have permit coverage due to a "no exposure" exclusion, are not required to submit a Notice of Termination.

A copy of no exposure certification form can be obtained by requesting a copy of the form at the address listed below, from the division's Environmental Field Office responsible for the county where the facility is located (see list of EFOs under subpart 3.3 on page 14 of this permit), or at the department's web page for the TMSP (http://state.tn.us/environment/permits/strmh2o.shtml). The division supports and encourages submission of electronic documents (e.g., scanned NOIs submitted as PDF files) by using a dedicated email address:

Water.Permits@tn.gov

Alternatively, the no exposure certification form shall be submitted to the division at the following address:

Stormwater NOI Processing
Division of Water Resources
William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243

10. DEFINITIONS AND LIST OF ACRONYMS

10.1. Definitions

Benchmarks: A guideline for facilities to measure their storm water monitoring results, so that if their sample results are above the established (benchmark values) they will know to implement BMPs and modify their SWPPP to bring the results back below the established value.

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

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

Coal pile runoff means the rainfall runoff from or through any coal storage pile.

Co-located industrial activity means when a facility has industrial activities being conducted onsite that are described under more than one of the coverage sections of part 11 in this permit (Discharges Covered Under This Section). Facilities with co-located industrial activities shall comply with all applicable monitoring and pollution prevention plan requirements of each section in which a co-located industrial activity is described. Provisions under applicable co-located facilities sections should be applied on an outfall-specific basis.

CWA means Clean Water Act (formerly referred to as the Federal Water Resources Act or Federal Water Resources Act Amendments of 1972).

Commercial Treatment and Disposal Facilities means facilities that receive, on a commercial basis, any produced hazardous waste (not their own) and treat or dispose of those wastes as a service to the generators. Such facilities treating and/or disposing exclusively residential hazardous wastes are not included in this definition.

Director means the Director of the Division of Water Resources, or an authorized representative.

Exceptional Tennessee Waters are surface waters of the state of Tennessee that are identified by the department as Exceptional Tennessee waters in the Tennessee Rule 0400-40-3. Characteristics of Exceptional Tennessee waters are listed at Rule 0400-40-3-.06 of the official compilation - rules and regulations of the State of Tennessee. Characteristics include waters designated by the Water Quality Control Board as **Outstanding National Resource Waters** (ONRW); waters that provide habitat for ecologically significant populations of certain aquatic or semi-aquatic plants or animals; waters that provide specialized recreational opportunities; waters that possess outstanding scenic or geologic values; or waters where existing conditions are better than water quality standards. Exceptional Tennessee waters are sometimes referred to as Exceptional TN Waters or ONRW waters. A list of known Exceptional Tennessee Waters is available on the web at:
http://environment-online.state.tn.us:7654/pls/enf_reports/f?p=9034:34304

Flow-weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

Grab Sample is a single stormwater runoff sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes, collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The sample shall be collected at the period most representative of the total discharge, recognizing that a “first flush” sample would be the most accurate representation for various pollutants in the stormwater runoff.

Inactive Landfill is considered inactive when, on a permanent basis, it will no longer receive waste and has completed closure in accordance with any applicable Federal, State, and/or local requirements.

Land application unit means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal and that is not a land application unit, surface impoundment, injection well, or waste pile.

Landfill wastewater as defined in 40 CFR Part 445 (Landfills Point Source Category) is all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, 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 stormwater and contact wash water from washing truck, equipment, and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility. Non-contaminated stormwater runoff from landfill is stormwater which does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in 40 CFR 445.2. Non-contaminated stormwater includes stormwater which flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

Leachate is a liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

Large and medium municipal separate storm sewer system (MS4) means all municipal separate storm sewers that are either:

1. Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or
2, Located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or
3. Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the division as part of the large or medium municipal separate storm sewer system.

Lists of Phase I (large and Median size MS4s), and Phase II (small MS4s), can be found on the division's MS4 webpage: Tennessee MS4 and by using the division's Dataviewer application (http://tn.gov/environment/dataviewers.shtml)

Load Allocation (LA): The portion of a receiving water's loading capacity that is attributed either to one of its existing or future nonpoint sources of pollution or to natural background (40 CFR 130.2(g)).

Margin of Safety (MOS): The "MOS" accounts for uncertainty in the loading calculation. The MOS may not be the same for different water bodies due to differences in the availability and strength of data used in the calculations.

No exposure certification is a conditional exclusion applicable to all categories of industrial activity (except construction activity) with no exposure of industrial materials and activities to stormwater. All facilities with point source discharges of stormwater associated with industrial activity that satisfy criteria of no exposure and complete a no exposure certification form will be able to obtain exclusion from NPDES stormwater permitting under TMSP.

Nonpoint Source: A nonpoint source is essentially any source of pollutant(s) that is not a point source. Examples are sheet flow from pastures and runoff from paved areas.

Point source means 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 stormwater runoff.

Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at your facility, and who can also evaluate the effectiveness of control measures.

Section 313 water priority chemical means a chemical or chemical categories that: 1) are listed at 40 CFR 372.65 pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986); 2) are present at or above threshold levels at a facility subject to EPCRA Section 313 reporting requirements; and 3) meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR Part 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to Section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria. See Addendum A of this permit. This addendum is based on the final rulemaking EPA published in the Federal Register November 30, 1994.

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 EPCRA Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

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

Storm water means stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater runoff associated with industrial activity means the discharge from any conveyance that is used for collecting and conveying stormwater 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. For the categories of industries identified in paragraphs (i) through (x) of this definition, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR Part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials

remain and are exposed to stormwater. For the categories of industries identified in paragraph (xi) of this definition, the term includes only stormwater discharges from all areas (except access roads and rail lines) listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to stormwater. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in paragraphs (i) to (xi) of this definition) include those facilities designated under 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection:

1. Facilities subject to stormwater effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards that are exempted under category (xi) of this definition);
2. Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283 and 285), 29, 311, 32 (except 323), 33, 3441, 373;
3. Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(l) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of noncoal mining operations that have been released from applicable State or Federal reclamation requirements after December 12, 1990) and oil and gas exploration, production, processing or treatment operations or transmission facilities that discharge stormwater contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operation; inactive mining operations are mining sites that are not being actively mined, but that have an identifiable owner/operator;
4. Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;
5. Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;
6. Facilities involved in the recycling of materials, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;
7. Steam electric power generating facilities, including coal handling sites;
8. Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45 and 5171 that have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or that are otherwise identified

under paragraphs (i) to (vii) or (ix) to (xi) of this subsection are associated with industrial activity;

9. 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 that are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR Part 503;
10. Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than 5 acres of total land area that are not part of a larger common plan of development or sale;
11. Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and that are not otherwise included within categories (i) to (x)).

TMDL (Total Maximum Daily Load) The sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background (40 CFR 130.2(I)). TMDL is a study that: 1.quantifies the amount of a pollutant in a stream, 2.identifies the sources of the pollutant, 3.and recommends regulatory or other actions that may need to be taken in order for the stream to no longer be polluted. Following are actions that might be recommended: Re-allocate limits on the sources of pollutants documented as impacting streams. It might be necessary to lower the amount of pollutants being discharged under NPDES permits or to require the installation of other control measures, if necessary, to insure that standards will be met. For sources the division does not have regulatory authority over, such as ordinary non-point source agricultural and forestry activities, provide information and technical assistance to other state and federal agencies that work directly with these groups to install appropriate Best Management Practices. Even for the impacted streams, TMDL development is not considered appropriate for all bodies of water: if enforcement has already been taken and a compliance schedule has been developed; or if best management practices have already been installed for non-regulated activities, the TMDL is considered not applicable. In cases involving pollution sources in other states, the recommendation may be that another state or EPA perform the TMDL. TMDL's can also be described by the following equation:

TMDL = sum of non-point sources (LA)+ sum of point sources (WLA)+ margin of safety

Uncontrolled sanitary landfill means a landfill or open dump, whether in operation or closed, that does not meet the requirements for run-on or runoff controls established pursuant to subtitle D of the Solid Waste Disposal Act.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with the numeric effluent limitations of parts 5 and 11 of this permit because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

Wasteload allocation (WLA): The portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. WLAs constitute the type of water quality-based effluent limitation. (40 CFR 130.2(h)).

Waste pile means any noncontainerized accumulation of solid, nonflowing waste that is used for treatment or storage.

Water quality-limited segments: Those water segments that do not or are not expected to meet applicable water quality standards even after the application of technology.

Waters of the State or simply **Waters** is defined in the Tennessee Water Quality Control Act and means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine to effect a junction with natural surface or underground waters.

Wet weather conveyance is defined in the Tennessee Water Quality Control Act and means, notwithstanding any other law or rule to the contrary, man-made or natural watercourses, including natural watercourses that have been modified by channelization:

(A) That flow only in direct response to precipitation runoff in their immediate locality;

(B) Whose channels are at all times above the groundwater table;

(C) That are not suitable for drinking water supplies; and

(D) In which hydrological and biological analyses indicate that, under normal weather conditions, due to naturally occurring ephemeral or low flow there is not sufficient water to support fish, or multiple populations of obligate lotic aquatic organisms whose life cycle includes an aquatic phase of at least two (2) months.

10.2. List of Acronyms

ARAP	Aquatic Resource Alteration Permit
BMP	Best Management Practice
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CGP	Construction General Permit
CWA	Clean Water Act
EFO	Environmental Field Office
EPA	(U.S.) Environmental Protection Agency
EPSC	Erosion Prevention and Sediment Control
MS4	Municipal Separate Storm Sewer System
NOC	Notice of Coverage
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
ONRW	Outstanding National Resource Waters
POTW	Publicly Owned Treatment Works
SIC	Standard Industrial Classification
SWPPP	Stormwater Pollution Prevention Plan

TDEC	Tennessee Department of Environment and Conservation
TDOT	Tennessee Department of Transportation
TMDL	Total Maximum Daily Load
TMSP	Tennessee Multi-Sector General Permit for the Discharge of Stormwater from an Industrial Activity
TVA	Tennessee Valley Authority
TWQCA	Tennessee Water Quality Control Act
UIC	Underground Injection Control
USGS	United States Geological Survey
WLA	Waste Load Allocation

Sector N - Stormwater Discharges Associated With Industrial Activity From Scrap Recycling and Waste Recycling Facilities

1. Discharges Covered Under This Section

The requirements listed under this section shall apply to stormwater discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC codes shown below. Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (e.g., common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF).

SIC Code	Sector N: Scrap Recycling and Waste and Recycling Facilities	Sampling Required?	Table Number
5093	Scrap and Waste Materials	Yes	N-1

Note: Recycling facilities that are material recovery facilities are not required to sample.

When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility (co-located industrial activities). The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

2. Special Conditions

Prohibition of Non-stormwater Discharges. Except for those allowable non-stormwater discharges included in Part 3.1.2 (Allowable Non-Stormwater Discharges) of this permit, there are no other non-stormwater discharges authorized in this Sector.

3. Stormwater Pollution Prevention Plan Requirements

Deadlines for Plan Preparation and Compliance. There are no additional deadlines for plan preparation and compliance, other than those stated in subpart 4.1.

3.1 Contents of Plan. The following general requirements for the stormwater pollution prevention plan are applicable to activities which reclaim and recycle either recyclable no liquid and liquid waste materials. In addition to the general requirements, Paragraph N.3.2 (below) identifies special requirements for scrap recycling and waste recycling facilities (nonsource-separated facilities) that handle no liquid wastes. The recycling facilities, including MRFs (material recovery facilities), that receive only source-separated recyclable materials primarily from non-industrial and residential sources. The plan shall include, at a minimum, the following items:

3.1.1 Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a stormwater Pollution Prevention Team that are

responsible for developing the stormwater pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's stormwater pollution prevention plan.

3.1.2 Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to stormwater discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources or, during periods of dry weather, result in dry weather flows. Each plan shall include, at a minimum:

3.1.3 Drainage. A site map indicating the outfall locations and the types of discharges contained in the drainage areas of the outfalls, an outline of the portions of the drainage area of each stormwater outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in stormwater runoff, surface water bodies (including wetlands), locations where significant materials are exposed to precipitation including scrap and waste material storage and outdoor scrap and waste processing equipment, locations where major spills or leaks identified in this section have occurred, and the 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, material storage (including tanks or other vessels used for liquid or waste storage). Scrap recycling facilities that handle turnings that have been previously exposed to cutting fluids will delineate these containment areas. The site map must also identify monitoring locations.

For each area of the facility that generates stormwater discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, the plan should include a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in stormwater discharges associated with industrial activity. Factors to consider include the toxicity of a chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

3.1.4 Inventory of Exposed Materials - An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to stormwater; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with stormwater runoff; the location and a description of existing structural and nonstructural control measures to reduce pollutants in stormwater runoff; and a description of any treatment the stormwater receives.

3.1.5 Spills and Leaks - A list of significant spills and leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a stormwater conveyance at the facility after the date of 3 years prior to the date of the submission of an NOI to be covered under this permit. Significant spills include, but are not limited to, releases of oil

or hazardous substances in excess of quantities that are reportable under Section 311 of the Clean Water Act (CWA) (see 40 CFR 110.10 and 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (see 40 CFR 302.4). Such a list shall be updated as appropriate during the term of the permit.

3.1.6 Sampling Data - A summary of existing discharge sampling data describing pollutants in stormwater discharges from the facility, including a summary of sampling data collected during the term of this permit.

3.1.7 Risk Identification and Summary of Potential Pollutant Sources - A narrative description of potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities, outdoor processing activities; significant dust or particulate generating processes and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., Chemical Oxygen Demand (COD), oil and grease, Total Suspended Solids (TSS), zinc, lead, copper, etc.) of concern shall be identified.

3.1.8 Measures and Controls. Each facility covered by this permit shall develop a description of stormwater management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of stormwater management controls for scrap recycling and waste recycling facilities (nonsource-separated, no liquid recyclable materials), waste recycling facilities (recyclable liquid wastes), and recycling facilities (source-separated materials) are identified below. At a minimum, the description shall also include a schedule for implementing such controls:

3.2. Scrap and Waste Recycling Facilities (nonsource-separated, no liquid recyclable wastes) - The following special conditions have been established for the pollution prevention plan for those scrap and waste recycling facilities that receive, process and provide wholesale distribution of no liquid recyclable wastes, (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). This section of the permit is intended to distinguish waste recycling facilities that receive both nonrecyclable and recyclable materials from those recycling facilities that only accept recyclable materials primarily from non-industrial and residential sources. Under the description of measures and controls in the stormwater pollution prevention plan, the plan will address all areas that have a reasonable potential to contribute pollutants to stormwater discharges and will be maintained in a clean and orderly manner. At a minimum, the plan will address the following activities and areas within the plan:

a.) Inbound Recyclable and Waste Material Control Program - The plan shall include a recyclable and waste material inspection program to minimize the likelihood of receiving materials that may be significant pollutant sources to stormwater discharges. At a minimum, the plan shall address the following:

- Provision of information/education (flyers, brochures and pamphlets) to encourage suppliers of scrap and recyclable waste materials to drain residual fluids, whenever applicable, prior to its arrival at the facility. This includes vehicles and equipment engines, radiators, and transmissions, oil-filled transformers, and individual containers or drums;

- Activities which accept scrap and materials that may contain residual fluids, e.g., automotive engines containing used oil, transmission fluids, etc., shall describe procedures to minimize the potential for these fluids from coming in contact with either precipitation or runoff. The description shall also identify measures or procedures to properly store, handle and dispose of these residual fluids;

- Procedures pertaining to the acceptance of scrap lead-acid batteries. Additional requirements for the handling, storage and disposal or recycling of batteries shall be in conformance with conditions for a scrap lead-acid battery program, see below;

- A description of training requirements for those personnel engaged in the inspection and acceptance of inbound recyclable materials.

b.) Liquid wastes, including used oil, shall be stored in materially compatible and nonleaking containers and disposed or recycled in accordance with all requirements under the Resource Recovery and Conservation Act (RCRA), and other State or local requirements.

c.) Scrap and Waste Material Stockpiles/Storage (outdoors) - The plan shall address areas where significant materials are exposed to either stormwater runoff or precipitation. The plan must describe those measures and controls used to minimize contact of stormwater runoff with stockpiled materials, processed materials and nonrecyclable wastes. The plan should include measures to minimize the extent of stormwater contamination from these areas. The operator may consider the use of permanent or semipermanent covers, or other similar forms of protection over stockpiled materials where the operator determines that such measures are reasonable and appropriate. The operator may consider the use of sediment traps, vegetated swales and strips, to facilitate settling or filtering out of pollutants. The operator shall consider within the plan the use of the following BMPs (either individually or in combination) or their equivalent to minimize contact with stormwater runoff:

- Promoting the diversion of runoff away from these areas through such practices as dikes, berms, containment trenches, culverts and/or surface grading;

- Media filtration such as catch basin filters and sand filters; and,

- silt fencing; and,

- Oil/water separators, sumps and dry adsorbents in stockpile areas that are potential sources of residual fluids, e.g., automotive engine storage areas.

d.) Stockpiling of Turnings Previously Exposed to Cutting Fluids (outdoors) - The plan shall address all areas where stockpiling of industrial turnings previously exposed to cutting fluids occurs. The plan shall implement those measures necessary to minimize contact of surface runoff with residual cutting fluids. The operator shall consider implementation of either of the following two alternatives or a combination of both or equivalent measures:

- Alternative 1: Storage of all turnings previously exposed to cutting fluids under some form of permanent or semi-permanent cover. Discharges of residual fluids from these areas to the storm sewer system in the absence of a storm event are prohibited. Discharges to the storm sewer system as a consequence of a storm event are permitted provided the discharge is first directed through an oil/water separator or its equivalent. Procedures to collect, handle, and dispose or recycle residual fluids that may be present shall be identified in the plan, or,

- Alternative 2: Establish dedicated containment areas for all turnings that have been exposed to cutting fluids where runoff from these areas is directed to a storm sewer system, providing the following:

  i) Containment areas constructed of either concrete, asphalt or other equivalent type of impermeable material;

  ii) a perimeter around containment areas to prevent runoff from moving across these areas. This would include the use of shallow berms, curbing, or constructing an elevated pad or other equivalent measure;

  iii) a suitable drainage collection system to collect all runoff generated from within containment areas. At a minimum, the drainage system shall include a plate-type oil/water separator or its equivalent. The oil/water separator or its equivalent shall be installed according to the manufacturer's recommended specifications, whenever available; specifications will be kept with the plan.

  iv) a schedule to maintain the oil/water separator (or its equivalent) to prevent the accumulation of appreciable amounts of fluids. In the absence of a storm event, no discharge from containment areas to the storm sewer system is prohibited unless covered by a separate NPDES permit;

  v) Identify procedures for the proper disposal or recycling of collected residual fluids.

e.) Scrap and Waste Material Stockpiles/Storage (covered or indoor storage) - The plan shall address measures and controls to minimize residual liquids and accumulated particulate matter, originating from scrap and recyclable waste materials stored indoors or under cover, from coming in contact with surface runoff. The operator shall consider including in the plan the following or equivalent measures:

- Good housekeeping measures, including the use of dry absorbent or wet vacuum clean-up methods, to collect, handle, store and dispose or recycle residual liquids originating from recyclable containers, e.g., beverage containers, paint cans, household cleaning products containers, etc.;

- Prohibiting the practice of allowing wash water from tipping floors or other processing areas from discharging to any portion of a storm sewer system;

- Disconnecting or sealing off all existing floor drains connected to any portion of the storm sewer system.

f.) Scrap and Recyclable Waste Processing Areas - The plan shall address areas where scrap and waste processing equipment are sited. This includes measures and controls to minimize surface runoff from coming in contact with scrap processing equipment. In the case of processing equipment that generate visible amounts of particulate residue, e.g., shredding facilities, the plan shall describe good housekeeping and preventive maintenance measures to minimize contact of runoff with residual fluids and accumulated particulate matter. At a minimum, the operator shall consider including in the plan the following or other equivalent measures:

- A schedule of periodic inspections of equipment for leaks, spills, malfunctioning, worn or corroded parts or equipment;
- Preventive maintenance program to repair and/or maintain processing equipment;
- Measures to minimize shredder fluff from coming in contact with surface runoff;
- Use of dry-absorbents or other cleanup practices to collect and to dispose or recycle spilled or leaking fluids;
- Installation of low-level alarms or other equivalent protection devices on unattended hydraulic reservoirs over 150 gallons in capacity. Alternatively, provide secondary containment with sufficient volume to contain the entire volume of the reservoir.

The operator shall consider employing the following additional BMPs or equivalent measures: diversion structures such as dikes, berms, culverts, containment trenches, elevated concrete pads, grading to minimize contact of stormwater runoff with outdoor processing equipment; oil/water separators, sumps or equivalent, in processing areas that are potential sources of residual fluids and grease; permanent or semipermanent covers, or other similar measures; retention and detention basins or ponds, sediment traps or vegetated swales and strips, to facilitate settling or filtering out of pollutants in runoff from processing areas; or media filtration such as catch basin filters and sand filters.

g.) Scrap Lead-Acid Battery Program - The plan shall address measures and controls for the proper handling, storage and disposition of scrap lead-acid batteries (note. this permit does apply to the reclaiming of scrap lead-acid batteries, i.e., breaking up battery casings to recover lead). The operator shall consider including in the plan the following or equivalent measures:

- Segregating all scrap lead-acid batteries from other scrap materials;
- A description of procedures and/or measures for the handling, storage and proper disposal of cracked or broken batteries;
- A description of measures to collect and dispose of leaking battery fluid (lead-acid);
- A description of measures to minimize and, whenever possible, eliminate exposure of scrap lead-acid batteries to precipitation or runoff; and

- A description of employee training for the management of scrap batteries.

3.2.3.2 Erosion and Sediment Control - The plan shall identify all areas associated with industrial activity that have a high potential for soil erosion and suspended solids loadings, i.e., areas that tend to accumulate significant particulate matter. Appropriate source control, stabilization measures, nonstructural, structural controls or an equivalent shall be provided in these areas. The plan shall also contain a narrative discussion of the reason(s) for selected erosion and sediment controls. At a minimum, the operator shall consider in the plan, either individually or in combination, the following erosion and sediment control measures:

- Filtering or diversion practices, such as filter fabric fence, sediment filter boom, earthen or gravel berms, curbing or other equivalent measure,

- Catch basin filters, filter fabric fence, or equivalent measure, place in or around inlets or catch basins that receive runoff from scrap and waste storage areas, and processing equipment; or

- Sediment traps, vegetative buffer strips, or equivalent, to remove sediment prior to discharge through an inlet or catch basin.

a.) Structural Controls for Sediment and Erosion Control - In instances where significant erosion and suspended solids loadings continue after installation of one or more of the BMPs, the operator shall consider providing in the plan for a detention or retention basin or other equivalent structural control. All structural controls shall be designed using good engineering practice. All structural controls and outlets that are likely to receive discharges containing oil and grease must include appropriate measures to minimize the discharge of oil and grease through the outlet. This may include the use of an absorbent boom or other equivalent measures.

b.) Where space limitations (e.g., obstructions caused by permanent structures such as buildings and permanently-sited processing equipment and limitations caused by a restrictive property boundary) prevent the siting of a structural control, i.e., retention basin, such a determination will be noted in the plan. The operator will identify in the plan what existing practices shall be modified or additional measures shall be undertaken to minimize erosion and suspended sediment loadings in lieu of a structural BMP.

3.2.3.3 Spill Prevention and Response Procedures - To prevent or minimize stormwater contamination at loading and unloading areas, and from equipment or container failures, the operator shall consider including in the plan the following practices:

- Description of spill prevention and response measures to address areas that are potential sources of leaks or spills of fluids;

- Leaks and spills should be contained and cleaned up as soon as practicable. If malfunctioning equipment is responsible for the spill or leak, repairs should also be conducted as soon as practicable;

- Cleanup procedures should be identified in the plan, including the use of dry absorbent materials or other cleanup methods. Where dry absorbent cleanup methods are used, an adequate supply of dry absorbent material should be maintained onsite. Used absorbent material should be disposed of properly;

- Drums containing liquids, including oil and lubricants, should be stored indoors; or in a bermed area; or in overpack containers or spill pallets; or in similar containment devices;

- Overfill prevention devices should be installed on all fuel pumps or tanks;

- Drip pans or equivalent measures should be placed under any leaking piece of stationary equipment until the leak is repaired. The drip pans should be inspected for leaks and checked for potential overflow and emptied regularly to prevent overflow and all liquids will be disposed of in accordance with all requirements under RCRA.

An alarm and/or pump shut off system should be installed and maintained on all outside equipment with hydraulic reservoirs exceeding 150 gallons (only those reservoirs not directly visible by the operator of the equipment) in order to prevent draining the tank contents in the event of a line break. Alternatively, the equipment may have a secondary containment system capable of containing the contents of the hydraulic reservoir plus adequate freeboard for precipitation. Leaking hydraulic fluids should be disposed of in accordance with all requirements under RCRA.

Quarterly Inspection Program - A quarterly inspection shall include all designated areas of the facility and equipment identified in the plan. The inspection shall include a means of tracking and conducting follow up actions based on the results of the inspection. The inspections shall be conducted by members of the Stormwater Pollution Prevention team. At a minimum, quarterly inspections shall include the following areas: all outdoor scrap processing areas; all material unloading and loading areas (including rail sidings) that are exposed to either precipitation or stormwater runoff; areas where structural BMPs have been installed; all erosion and sediment BMPs; outdoor vehicle and equipment maintenance areas; vehicle and equipment fueling areas; and all areas where waste is generated, received, stored, treated, or disposed and which are exposed to either precipitation or stormwater runoff.

The objective of the inspection shall be identify any corroded or leaking containers, corroded or leaking pipes, leaking or improperly closed valves and valve fittings, leaking pumps and/or hose connections, and deterioration in diversionary or containment structures that are exposed to precipitation or stormwater runoff.

Spills or leaks identified shall be immediately addressed using the procedures identified in Spill Prevention and Response Procedures. Structural BMPs shall be visually inspected for signs of washout, breakage, deterioration, damage, or overflowing and breaks shall be repaired or replaced as expeditiously as possible.

Employee Training - At a minimum, stormwater control training appropriate to their job function shall be provided for truck drivers, scale operators, supervisors, buyers and other operating personnel. The plan shall include a proposed schedule for the training. The employee

training program shall address at a minimum: BMPs and other requirements of the plan; proper scrap inspection, handling and storage procedures; procedures to follow in the event of a spill, leak, or break in any structural BMP. A training and education program shall be developed for employees and for suppliers for implementing appropriate activities identified in the stormwater pollution prevention plan.

Supplier Notification - The plan shall include a supplier notification program that will be applicable to major suppliers and shall include: description of scrap materials that will not be accepted at the facility or that are accepted only under certain conditions.

3.2.3 Recycling Facilities for liquid only recyclable waste - The following special conditions have been established for the pollution prevention plan for recycling facilities, including MRFs (material recovery facilities), that receive only source-separated recyclable materials primarily from non-industrial and residential sources.

Inbound Recyclable Material Control Program. The plan shall include a recyclable material inspection program to minimize the likelihood of receiving non-recyclable materials (e.g., hazardous materials) that may be a significant source of pollutants in surface runoff. At a minimum, the operator shall consider addressing in the plan the following:

- A description of information and education measures to educate the appropriate suppliers of recyclable materials on the types of recyclable materials that are acceptable and those that are not acceptable, e.g., household hazardous wastes;
- A description of training requirements for drivers responsible for pickup of recyclable materials;
- Clearly mark public drop-off containers as to what materials can be accepted;
- Rejecting non-recyclable wastes or household hazardous wastes at the source; and
- A description of procedures for the handling and disposal of non-recyclable materials.

Outdoor Storage. The plan shall include BMPs to minimize or reduce the exposure of recyclable materials to surface runoff and precipitation. The plan, at a minimum, shall include good housekeeping measures to prevent the accumulation of visible quantities of residual particulate matter and fluids, particularly in high traffic areas. The plan shall consider tarpaulins or their equivalent to be used to cover exposed bales of recyclable waste paper. The operator shall consider within the plan the use of the following types of BMPs (individually or in combination) or their equivalent, where practicable:

- Provide totally-enclosed drop-off containers for public.
- Provide a sump and sump pump with each containment pit. Discharge collected fluids to sanitary sewer system. Prevent discharging to the storm sewer system;
- Provide dikes and curbs for secondary containment, i.e., around bales of recyclable waste paper;

- Divert surface runoff away from outside material storage areas; and/or
- Provide covers over containment bins, dumpsters, roll-off boxes; and,
- Store the equivalent one day's volume of recyclable materials indoors.

3.2.3.8 Indoor Storage and Material Processing. The plan shall address BMPs to minimize the release of pollutants from indoor storage and processing areas to the storm sewer system. The plan shall establish specific measures to ensure that all floor drains do not discharge to the storm sewer system. The following BMPs shall be considered for inclusion in the plan:

- Schedule routine good housekeeping measures for all storage and processing areas;
- Prohibit a practice of allowing tipping floor washwaters from draining to any portion of the storm sewer system;
- Provide employee training on pollution prevention practices.

3.2.3.9 Vehicle and Equipment Maintenance. The plan shall also provide for BMPs in those areas where vehicle and equipment maintenance is occurring outdoors. At a minimum, the following BMPs or equivalent measures shall be considered for inclusion in the plan:

- Prohibit vehicle and equipment wash water from discharging to the storm sewer system;
- Minimize or eliminate outdoor maintenance areas, wherever possible;
- Establish spill prevention and clean-up procedures in fueling areas;
- Provide employee training on avoiding topping off fuel tanks;
- Divert runoff from fueling areas;
- Store lubricants and hydraulic fluids indoors;
- Provide employee training on proper, handling, storage of hydraulic fluids and lubricants.

3.2.3.10 Recordkeeping and Internal Reporting Procedures - The following record and internal reporting procedures are applicable to all discharges seeking coverage under this permit. The plan shall include a description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of stormwater discharges. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. The plan must address spills, monitoring, and BMP inspection and maintenance activities. BMPs which are ineffective must be reported and the date of their corrective action noted. Employees must report incidents of leaking fluids to facility management and these reports must be incorporated into the plan.

3.2.3.11 Non-stormwater Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-stormwater discharges. The certification shall include the identification of potential significant sources of non-stormwater at the site, a description of the results of any test and/or evaluation for the presence of non-stormwater discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with subpart 7.7 of this permit. Such certification may not be feasible if the facility operating the stormwater discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the stormwater pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-stormwater at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Division of Water Resources in accordance with paragraph "Failure to Certify" (below).

Sources of non-stormwater that are combined with stormwater discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge. Any non-stormwater discharges that are not permitted under an individual NPDES permit should be brought to the attention of the division's local Environmental Field Office (see list of EFOs on page 14).

Failure to Certify - Any facility that is unable to provide the certification required (testing for non-stormwater discharges), must notify the Division of Water Resources not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-stormwater discharges; the results of such test or other relevant observations; potential sources of non-stormwater discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-stormwater discharges to waters of the state which are not authorized by an NPDES permit are unlawful, and must be terminated.

3.2.4 Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the SWPPP, but in no case less than once a year. Such evaluations shall provide:

3.2.4.1 Areas contributing to a stormwater discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system (and potentially waters of the state). Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural stormwater management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

3.2.4.2 Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with paragraph XI.N.3.a.(2) of this section (Description of Potential Pollutant Sources) and pollution prevention measures and controls identified in the plan in accordance with paragraph XI.N.3.a.(3) of this section (Measures and Controls) shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

3.2.4.3 A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the stormwater pollution prevention plan, and actions taken in accordance with paragraph N.3.a. (4)(b) (above) of the permit shall be made and retained as part of the stormwater pollution prevention plan for at least 3 years after the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the stormwater pollution prevention plan and this permit. The report shall be signed in accordance with subpart 7.7 (Signatory Requirements) of this permit.

3.2.4.3 The stormwater pollution prevention plan must describe the scope and content of comprehensive site evaluations that qualified personnel shall conduct to 1) confirm the accuracy of the description of potential pollution sources contained in the plan, 2) determine the effectiveness of the plan, and 3) assess compliance with the terms and conditions of the permit. The individual or individuals who shall conduct the evaluation must be identified in the plan and should be members of the pollution prevention team.

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in subpart 5.2 (Coal Pile Runoff) of the TMSP.

5. Monitoring and Reporting Requirements

Permittees subject to Numeric Effluent Limitations described in subpart 5.2 above (Coal Pile Runoff) must submit to the division monitoring results annually on a signed copy of the Discharge Monitoring Report (DMR, see Addendum E).

Permittees subject to Analytical Monitoring Requirements as described in subpart 5.1 of this sector (see below) must submit the benchmark results using an Annual Stormwater Monitoring Report (see Addendum D) to the division.

5.1 Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their stormwater discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.1.3 (Sampling Waiver), 5.1.4 (Representative Discharge), and 5.1.5 (Alternative Certification). For SIC-specific breakdown of monitoring requirements and applicable Monitoring Requirements (listed below), see Table in Part 1 of

this industrial sector (1. Discharges Covered Under This Section). Facilities must report in accordance with 5.2 (Reporting). In addition to the parameters listed in Table N-1 below, the permittee shall maintain a record of the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled.

Table N-1. Benchmark Monitoring Requirements for Scrap Recycling and Waste Recycling Facilities (SIC 5093)

Pollutants of Concern	Benchmark [mg/L]
Chemical Oxygen Demand (COD)	120
Total Suspended Solids (TSS)	150
PCBs, total [1]	Report
Total Recoverable Aluminum	0.75
Total Recoverable Copper	0.018
Total Recoverable Iron	5
Total Recoverable Lead	0.156
Total Recoverable Zinc	0.395

1) Several congeners of PCBs (PCB-1016, -1221, -1242, -1248, -1260) were above established benchmarks; however, EPA believes that these constituents will readily bound up with sediment and particulate matter. Therefore, EPA believes that BMPs will effectively address sources of PCBs and that monitoring for TSS will serve as an adequate indicator of the control of PCBs. However, if concentration of TSS exceeds the benchmark of 150 mg/L, PCB sampling must be conducted within 30 days of receiving the TSS sampling results. PCB monitoring applies only to scrap and waste metal recycling facilities (not paper, newspaper, glass, cardboard, plastic containers, aluminum and tin cans recycling, or at facilities engaged in dismantling or wrecking used motor vehicles for parts recycling or resale).

5.1.1 Monitoring Periods. Scrap recycling and waste recycling facilities (non-source separated only) shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the stormwater runoff being discharged from the facility.

5.1.2 Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab

sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If stormwater discharges associated with industrial activity commingle with process or non-process water, then where practicable, permittees must attempt to sample the stormwater discharge before it mixes with the non-stormwater discharge.

In addition, the permittee shall evaluate the results obtained from sampling and monitoring following the required annual sampling events to determine whether the facility is below, meets, or exceeds the monitoring benchmarks as shown in the table above. If the results of annual stormwater runoff monitoring demonstrate that the facility has exceeded the benchmark(s), the permittee must inform the division's local Environmental Field Office in writing within 30 days from the time stormwater monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time stormwater monitoring results were received, the facility must review its stormwater pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring benchmarks for that facility, and submit to the division's local Environmental Field Office a brief summary of the proposed SWPPP modifications (including a timetable for implementation). The modification or additions to the SWPPP should be implemented as soon as practicable.

In the event of a repeated benchmark exceedance, the permittee can, in consultation with the division, make a determination that no further pollutant reduction is technologically available, economically practicable and achievable in light of best industry practices. The permittee must document the rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with the SWPPP.

5.1.3 Sampling Waiver

5.1.3.1 Adverse Conditions - When a discharger is unable to collect samples within a specified sampling period due to adverse climatic conditions, the discharger shall collect a substitute sample from a separate qualifying event in the next period and submit the data along with data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (e.g., drought, extended frozen conditions, etc.).

5.1.3.2 Low Concentration Waiver - When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Benchmark); a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Resources, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in the area of the facility which drains to the outfall for which sampling was waived.

5.1.3.3 When a discharger is unable to conduct annual chemical stormwater sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to

the Division of Water Resources, in lieu of monitoring data, a certification statement on the TMSP Stormwater Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

5.1.4 Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the stormwater pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Stormwater Monitoring Report.

5.1.5 Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of the monitoring reports required under paragraph b below, under penalty of law, signed in accordance with subpart 7.7 (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity, that are located in areas of the facility within the drainage area of the outfall are not presently exposed to stormwater and are not expected to be exposed to stormwater for the certification period. Such certification must be retained in the stormwater pollution prevention plan, and submitted to the Division of Water Resources in accordance with subpart 6.2 of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph b. below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

5.2 Reporting

Permittees with analytical monitoring requirements shall submit monitoring results for each outfall associated with industrial activity [or a certification in accordance with Sections (3), (4), or (5) above] obtained during the annual reporting period on TMSP Stormwater Monitoring Report Form(s). **The form(s) shall be submitted 30 days after the sampling results are obtained, but no later than the March 31st of the following calendar year, whichever comes first.** For each outfall, one signed TMSP Stormwater Monitoring Report form must be submitted to the Division of Water Resources. Signed copies of TMSP Stormwater Monitoring Reports, or said certifications, shall be submitted to the division at the appropriate EFO for the county where the facility is located. A list of EFOs and their addresses are available in subpart 3.3 above.

5.3 Quarterly Visual Examination of Stormwater Quality. Facilities shall perform and document a visual examination of a representative stormwater discharge associated with industrial activity exposed to stormwater. The examination must be made at least once each quarter during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event. Examinations must be conducted at least once in each of the following periods: January through March; April through June; July through September; and October through December.

5.3.1 Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. The examination must be conducted in a well-lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

5.3.2 Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records or with other compliance records. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the stormwater discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution), and probable sources of any observed stormwater contamination.

5.3.3 When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfall(s) provided that the permittee includes in the stormwater pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.

5.3.4 When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain the documentation on-site with the records of the visual examinations. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

5.3.5 When a discharger is unable to conduct visual stormwater examinations at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirement

as long as the facility remains inactive and unstaffed. The facility must maintain a certification with the pollution prevention plan stating that the site is inactive and unstaffed so that performing visual examinations during a qualifying event is not feasible.

Appendix B

Inspection Reports and Certifications

SWPPP Annual Log Review
Gerdau Ameristeel US

Date of Review		Any Changes to Property		Name of Inspector

Quarterly Inspection Report Form

(PLEASE PRINT)

Owner and/or Operator: Allen Hurst / Gerdau Ameristeel U.S. Inc.

Facility Name: Gerdau Ameristeel U.S. Inc.

Facility Location: 1324 Highway 51 South, Union City, Tennessee 38261

Inspector(s):

Quarter of Inspection: First Second Third Fourth (Circle One) Year: _____

Date of Rainfall Event: _____ **Estimated Amount**: _____

Duration of Rainfall: _____

General Observations (Prepare Form for Each Outfall**)**

Outfall Number Outfall 1 2 3 (Circle) **Sample Collection Time**_____

Indicate if any of the following items are present in the grab sample (Please indicate None or Yes; and provide a general description, including amount:

Color _____ Floating solids _____ Odor _____

Settled Solids _____ Suspended Solids _____

Clarity _____ Foam _____ Oil Sheen _____

Other Observations _____

Corrective Action Needed (attach additional sheets if necessary)

_____

_____

Corrective Action Compliance Schedule:

_____

Check if applicable: No Discharge this Monitoring Period

Monitoring Result Comments: _____

_____

_____

_____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision is 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 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 fines and imprisonment for knowing violations.

_____	_____	_____
Authorized Name (Print)	**Signature**	**Date**

CERTIFICATION OF NON-STORM WATER DISCHARGES

(This form must be completed annually or on change of operation or condition)

Non-Storm Water Discharge Observed	Yes ☐ If yes, provide details below	No ☐	Comments

Date of Test	Outfall No.	Method Used to Evaluate Discharge (Lab, Visual, Other)	Test Results (if not exempt)	Source or Potential Source	Individual Conducting Test

CERTIFICATION

I _____ (responsible corporate official) certify under penalty of law that this document an all attachments were prepared under my direction or supervision in accordance with a system designed to assure that a qualified person properly gathers and evaluates the information provided. This information is accurate and complete to the best of my knowledge and belief.

Name and Official Title	*Area Code and Telephone No.*
Signature	*Date Signed*

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Water Resources

William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243

1-888-891-8332 (TDEC)

Notice of Intent (NOI) for General NPDES Multi-Sector Permit for Stormwater Discharges from Industrial Activities

Type of application: ☐ New ☐ Reissuance ☐ Modification

(If this NOI is submitted for Permit Modification provide the existing permit tracking number: **TNR05____**)

Facility Name:	County:	
Street Address or Location:	Latitude (DD.DDD):	
	Longitude (-DD.DDD):	
Attach a copy of a topo map, a city map, or a county map, identifying the location of this facility and each outfall	☐ Map Attached	
Has a Storm Water Pollution Prevention Plan (SWPPP) been developed?	☐ Yes	☐ No

Owner or Operator: (the person or legal entity which controls facility's operation; this may or may not be the same as the facility name or the official contact name)

1	Official Contact Person Name: (Individual Responsible for a Facility)	Title or Position:		
	Mailing Address:	City:	State:	Zip:
	Phone: ( )	E-mail:		

2	Local Contact Person Name: (if appropriate, write "same as #1")	Title or Position:		
	Facility Address: (this may or may not be the same as street address)	Facility City:	State: **TN**	Zip:
	Phone: ( )	E-mail:		

Write in the box (to the right) or circle the number (above) to indicate where to send correspondence and invoices:

Stormwater runoff enters following stream(s) and/or lake(s): (for each outfall, give names and latitude/longitude)					Number of storm water outfalls:	
Nature of business:	SIC code(s): (primary code listed as No.1, secondary, if applicable, as No.2, etc.)					
	1.	2.	3.	4.	5.	6.
Area of property associated with industrial activity: _____ **Acres** (area of facility property should not include recreation areas, landscaping, lawns, greenfields, forest, office buildings, employee parking lots, etc.)	Permit Sectors (STATE USE ONLY)					

Activities at facility: Check all that apply.

01. ☐ Manufacturing	05. ☐ Vehicle Maintenance	09. ☐ Wastewater treatment	13. ☐ Coal Pile
02. ☐ Storage/Distribution	06. ☐ Hazardous waste TSD	10. ☐ Land application	14. ☐ Borrow Pit or Soil Harvesting
03. ☐ Vehicle Storage	07. ☐ Outside waste disposal	11. ☐ Landfill	99. ☐ Other: _____
04. ☐ Trucking Terminal	08. ☐ Recycling	12. ☐ Mining operation	

CERTIFICATION AND SIGNATURE (Make all entries in ink, not with a pencil. This NOI must be signed by a responsible corporate officer for a corporation, a general partner for a partnership, the proprietor for a sole proprietorship, or a principal executive officer or ranking elected official for a public agency.)

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. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

Printed Name	Official Title	Signature	Date

STATE USE ONLY

Received Date	Fee(s)	Reviewer	EFO	Tracking No. **TNR05**
	T & E Aquatic Fauna	Exceptional TN Water?	Unavailable Conditions	NOC Date

INDUSTRIAL ACTIVITY – STORM WATER DISCHARGES
NOTICE OF INTENT (NOI) - INSTRUCTIONS

Complete the form Type or print clearly, using black or blue ink; not markers or pencil. Answer each item or enter "N/A," for not applicable. If you need additional space, attach a separate piece of paper to the TMSP NOI (Notice of Intent). **Requesting coverage under this permit means that an applicant has obtained and examined a copy of this permit, and thereby acknowledges applicant's ability to be in compliance with permit terms and conditions.** This permit is required for discharges of industrial storm water. This form should be submitted at least 30 days prior to the commencement of storm water discharges from an industrial facility.

Permittee Identification/Facility Identification Describe and locate the project, use the legal or official name of the facility or site. Provide the latitude and longitude (expressed in decimal degrees) of the center of the site, which can be located on USGS quadrangle maps as well as latitude and longitude of each outfall. Attach a copy of a portion of a 7.5 minute quad map, showing location of site, with boundaries at least one mile outside the site boundaries.

Give the name(s) of receiving waters Trace the route of storm water runoff from the site and determine the name of the river(s), stream(s), creek(s), wetland(s), lake(s) or any other water course(s) into which the storm water drains. Note that the receiving water course may or may not be located on the site. If the first water body receiving test water discharge is unnamed ("unnamed tributary"), determine the name of the water body which the unnamed tributary enters.

Submitting the form Note that this form must be signed by the company President, Vice-President, or a ranking elected official in the case of a municipality, for details see subpart 7.7 of the general permit. Submit the completed NOI form (keep a copy for your records) to the appropriate address listed below, based on the type of facility.

Submit the original of the completed and signed form to:
Stormwater NOI Processing
Tennessee Division of Water Resources
312 Rosa L. Parks Avenue, 11th Floor
Nashville, TN 37243-1534

Mining and Quarrying facilities only (Sectors J and H):
Storm Water NOI Processing – Mining Section
Tennessee Division of Water Resources
3711 Middlebrook Pike
Knoxville, TN 37921

Signed and scanned PDF copy of the form can be submitted to: Water.Permits@tn.gov. We accept and encourage electronic document submittals.

Notice of Coverage The division will review the NOI for completeness and accuracy and transmit to the permittee a Notice of Coverage (NOC).

Obtaining more information/assistance For more information or assistance, contact your local Environmental Field Office (EFO), toll-free, at 1-888-891-8332 (TDEC) or at the number listed below.

EFO	Street Address	City	Zip Code	Telephone
Chattanooga	1301 Riverfront Parkway, Suite 206	Chattanooga	37402	(423) 634-5745
Columbia	1421 Hampshire Pike	Columbia	38401	(931) 380-3371
Cookeville	1221 South Willow Ave.	Cookeville	38506	(931) 432-4015
Jackson	1625 Hollywood Drive	Jackson	38305	(731) 512-1300
Johnson City	2305 Silverdale Road	Johnson City	37601	(423) 854-5400
Knoxville	3711 Middlebrook Pike	Knoxville	37921	(865) 594-6035
Memphis	8383 Wolf Lake Drive	Bartlett	38113	(901) 368-7939
Nashville	711 R S Gass Boulevard	Nashville	37216	(615) 687-7000

Tennessee Department of Environment and Conservation
Division of Water Resources
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243

ANNUAL STORMWATER MONITORING REPORT

for Stormwater Discharges Associated with Industrial Activity under the
TENNESSEE MULTI-SECTOR GENERAL PERMIT (TMSP)

Facility Name:	TMSP Number:
Contact Person:	Phone Number:
This report is submitted for the following calendar year (e.g. 2015):	Outfall Number:
List all TMSP sectors which apply to discharge from this outfall:	Sample Date:
Low Concentration Waiver (Note 3): list all parameters for which the facility is certifying that there has not been a significant change in industrial activity or the pollution prevention measures in the area of the facility that drains to the outfall for which sampling was waived:	

DIRECTIONS: In the spaces below, provide the results of stormwater monitoring for the designated outfall. For each outfall, one Annual Stormwater Monitoring Report must be submitted. The parameters for which monitoring must be conducted depend on which industry sector(s) of the TMSP applies to the discharge. Look up your sector(s) in the TMSP and analyze for the parameters that apply. If parameter is not listed below, submit additional sheets. All samples should be grab.

Parameter	Cut-off Conc. (mg/L)	Annual Sample Result (mg/L)
Aluminum, Total	0.75	
Ammonia	4.0	
Arsenic, Total	0.16854	
BOD, 5-Day	30	
Cadmium, Total	0.0159	
COD	120	
Copper, Total	0.018	
Cyanide, Total	0.064	
Fluoride	1.8	
Iron, Total	5.0	
Lead, Total	0.15	

Parameter (continued)	Cut-off Conc. (mg/L)	Annual Sample Result (mg/L)
Magnesium, Total	0.0636	
Mercury, Total	0.0024	
Nickel, Total	0.875	
Nitrate + Nitrite Nitrogen	0.68	
Oil and Grease	15	
pH	5.0-9.0	
Phosphorus, Total (as P)	2.0	
Selenium, Total	0.2385	
Silver, Total	0.032	
Total Suspended Solids	150	
Zinc, Total	0.395	

CERTIFICATION AND SIGNATURE: (Make all entries in ink, not with a pencil. This report must be signed by a responsible corporate officer for a corporation, a general partner for a partnership, the proprietor for a sole proprietorship, or a principal executive officer or ranking elected official for a public agency.)

I certify under penalty of law that this document and all of its attachments were prepared under my direction or my supervision in accordance with a system designed to assure 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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

_____	_____	_____	_____
Printed Name	Official Title	Signature	Date

Tennessee Multi-Sector General Permit (TMSP)
Annual Stormwater Monitoring Report – Instructions

1. The purpose of this form is to report stormwater (SW) monitoring results under the TMSP. **Only 1 sample per calendar year is required** (except Sectors J and H). **For each outfall, one Annual Stormwater Monitoring Report form must be submitted**. Grab samples should be collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of when the runoff or snowmelt begins discharging. A separate form must be submitted for each outfall. If more than one pH sample is collected for any outfall, report all individual pH monitoring results for a given outfall on the corresponding form or in a separate, referenced attachment if necessary. If more than 1 sample for other parameters is collected at any outfall, submit the average results of all monitoring data (for calculating average, use the numerical method detection limit (MDL) if a parameter was not detected). If all monitoring results for a given parameter were non-detect, report the parameter as below detection limit (BDL) and provide the applicable numerical MDL value in parentheses (e.g., BDL (<0.001 mg/L)). New facilities must conduct sampling in the year during which permit coverage was obtained and during each following year. The form(s) shall be submitted 30 days after the sampling results are obtained, but no later than the March 31st of the following calendar year, whichever comes first.
2. If the results of annual SW runoff monitoring demonstrates that the facility has exceeded the cut-off concentration(s), the permittee must inform the division's local Environmental Field Office (EFO) in writing within 30 days from the time SW monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time SW monitoring results were received, the facility must review its stormwater pollution prevention plan (SWPPP), make any modifications or additions to the plan which would assist in reducing runoff concentrations to less than the monitoring cut-off concentrations for that parameter, and submit to the local EFO a summary of the proposed SWPPP modifications (including a timetable for implementation).
3. Low Concentration Waiver – When the average concentration for a pollutant calculated from monitoring data collected from 4 consecutive calendar years of monitoring is less than the cut-off concentration, a facility may waive monitoring requirements in the following annual monitoring period. This form should be used for certification of low concentration waiver provision.

Complete, sign and date this form before it is submitted. Keep a copy of the completed form for your records. The division supports and encourages submission of electronic documents (e.g., scanned reports submitted as PDF files) by using the following dedicated email address: Water.Permits@tn.gov. You may also submit the original completed and signed form to the appropriate Environmental Field Office using the addresses below.

EFO	Street Address	City	Zip	Telephone
Chattanooga	1301 Riverfront Parkway, Suite #206	Chattanooga	37402	(423) 634-5745
Columbia	1421 Hampshire Pike	Columbia	38401	(931) 380-3371
Cookeville	1221 South Willow Ave.	Cookeville	38506	(931) 432-4015
Jackson	1625 Hollywood Drive	Jackson	38305	(731) 512-1300
Johnson City	2305 Silverdale Road	Johnson City	37601	(423) 854-5400
Knoxville	3711 Middlebrook Pike	Knoxville	37921	(865) 594-6035
Memphis	8383 Wolf Lake Drive	Bartlett	38133	(901) 371-3000
Nashville	711 RS Gass Boulevard	Nashville	37216	(615) 687-7000

Mining and quarrying facilities only (Sectors J and H) should submit one signed copy of Annual Stormwater Monitoring Report to the division's Mining Section at the following address:

Tennessee Division of Water Resources
Mining Section
3711 Middlebrook Pike
Knoxville, TN 37921

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC)
Division of Water Resources
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243
1-888-891-TDEC (8332)

Notice of Termination (NOT) for General NPDES Permit

This form is required to be submitted when requesting termination of coverage from any General NPDES Permit, other than the General NPDES Permit for Stormwater Discharges from Construction Activities (termination requests for the CGP should be submitted using Form CN-1175), issued by TDEC. The purpose of this form is to notify TDEC that either all previously authorized discharges from the facility have ceased or have been eliminated; or you are no longer an operator at the permitted site. Submission of this form shall in no way relieve the permittee of permit obligations required prior to submission of this form. Please submit this form to Water.Permits@tn.gov. For more information, contact your local EFO at the toll-free number 1-888-891-8332 (TDEC).

Type or print clearly, using ink.

Site or Project Name:	**NPDES Tracking Number:**
Street Address or Location:	County(ies):

Name of Permittee Requesting Termination of Coverage:			
Permittee Contact Name:	Title or Position:		
Mailing Address:	City:	State:	Zip:
Phone: ( )	E-mail:		

Check the reason(s) for termination of permit coverage:

☐	Discharge associated with permitted activity is no longer occurring.
☐	You are no longer the operator at the permitted site.

Certification and Signature: (must be signed by president, vice-president or equivalent ranking elected official)

I certify under penalty of law that either: (a) all discharges associated with permitted activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge pollutants under this general permit, and that discharging pollutants to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

For the purposes of this certification, elimination of discharges means that all stormwater discharges associated with activities from the identified site that are authorized by a NPDES general permit have been eliminated from the portion of the site where the operator had control.

I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information 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. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

Permittee name (print or type):	Signature:	Date:

Appendix C

Annual Monitoring Reports

Appendix D

Emergency Incident Report Forms