AQUA-CHEM, INC.
3001 EAST GOVERNOR JOHN SEVIER HIGHWAY
PO BOX 14824
KNOXVILLE, TN 37914
PHONE: 865-544-2065
FAX: 865-766-8360

TENNESSEE STORMWATER MULTI-SECTOR GENERAL PERMIT FOR INDUSTRIAL ACTIVITIES

PERMIT NO. TNR050000

Effective: April 14, 2015
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Prepared by: Wood Environment & Infrastructure Solutions
2030 Falling Waters Rd Suite 300
Knoxville, TN 37922
Phone: 865-671-6774

Project No. 3031142002

January 2019

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CERTIFICATION AND SIGNATURE

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.

_____ _____

Gary Edwards, President and CEO Date

1.0 STORMWATER POLLUTION PREVENTION TEAM

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The Stormwater Pollution Prevention Team shall assist the facility/plant manager in the development, implementation, maintenance, and revision of the Stormwater Pollution Prevention Plan (SWPPP).

The Pollution Prevention Team was formed to provide employees of Aqua-Chem with a mechanism to report any pollution or potential pollution in a timely manner (Table 1-1). The team members shall be familiar with the SWPPP in order to accurately address employee reported problems relating to stormwater pollution.

Table 1-1 Aqua-Chem, Inc. Stormwater Pollution Prevention Team

Title	Personnel	Extension Numbers
Manufacturing Engineer	Mr. David O'Brien	Ext. 5433
Vice President, Operations	Mr. Frank Keefer	Ext. 5933
Test Manager	Mr. Craig Mellen	Ext. 5401

1.1 Responsibilities

Manufacturing Engineer

Responsibilities: Overall facility compliance with the stormwater pollution control regulations, SWPPP and spill prevention control and countermeasure (SPCC) training, document maintenance, oversight of direct spill response.

- Assists plant personnel and management with implementation of the SWPPP through ensuring the adequacy of stormwater pollution prevention and spill prevention techniques and providing relevant training;
- Schedules stormwater sampling;
- Schedules quarterly and annual inspections;
- Supervises the maintenance of all files pertaining to stormwater;
- Prepares and submits all spill records to the Vice President, Operartions for approval and submission to Tennessee Department of Environment and Conservation (TDEC) and Environmental Protection Agency (EPA) Region IV; and
- Performs duties of the Onsite Emergency Coordinator (see Section 1.2).
- Provides personnel to perform stormwater sampling;
- Assists Onsite Environmental Coordinator with training sessions;

- Maintains the inventory of spill control equipment and materials, ensuring that all items are available and in good condition;

- Conducts preventive maintenance, inspections, and inspection recordkeeping described herein; and

- Performs duties as Alternative Emergency Coordinator (see Section 1.2).

VP,Operations

Responsibilities: Manufacturing area compliance with the stormwater pollution control regulations.

- Informs the Onsite Environmental Coordinator (Facilities Supervisor) of any changes within the plant, or manufacturing processes, that may affect the SWPPP;

- Review deliverables associated with the stormwater permit prior to submission to the State of Tennessee; and

- Implements modifications, if needed, to aid in stormwater pollution prevention.

1.2 Onsite Emergency Coordinator

It is the responsibility of the designated Onsite Emergency Coordinator and Alternate(s) to:

- Have detailed knowledge of contingency procedures outlined in the Spill Plan in order to be able to direct the spill response team in controlling and responding to release events.

- Participate in all stormwater pollution prevention, spill prevention and contingency planning training sessions at regularly scheduled intervals described herein.

- Solicit constructive criticism from emergency response team members to improve the overall effectiveness of the stormwater pollution prevention, spill prevention, and contingency planning programs.

- Assure that all plant personnel who are to be called upon to participate in emergency situations are acquainted with the Spill Plan and the activities that they may be called on to perform.

- In the event of an incident, provide paramedics, fire department, and other response personnel with Material Safety Data Sheets (MSDSs) and all other information which may be required to provide prompt and effective attention to any injuries sustained by plant or emergency response personnel.

- Provide SPCC training.

- Contact Knoxville Fire Department in the case of any fire or release that is beyond plant response capabilities to safely and effectively respond to the incident. In the event of an incident, provide fire department personnel with MSDSs and other relevant information needed to promptly and safely respond to the situation.

1.3 Designated Spill Response Team

The persons assigned as spill response team members will respond to emergency situations as directed by the Emergency Coordinator or Alternate. Spill response team members will conduct spill containment, recovery, cleanup, disposal, and remedial activities as required. These persons will attend training (required under Occupational Safety and Health Administration as First Responders) annually at a minimum, the end of January, on activities they may be called upon to perform.

Mr. David O'Brien, Manufacturing Engineer, Ext. 5433
Mr. Frank Keefer, VP, Operations, Ext. 5933
Mr. Craig Mellen, Alternate Emergency Coordinator, Ext. 5401

1.4 Security

Security at the Knoxville facility consists of a monitored burglar alarm system provided by ADT Security Systems (ADT). ADT personnel will engage in proactive efforts to control access to areas containing hazardous materials by unauthorized personnel via electronic detection devices and will be responsible for assisting in efforts to notify the Emergency Coordinator of any incident that requires the implementation of the Spill Plan. ADT personnel shall maintain a copy of this plan and all telephone numbers for designated individuals and outside assistance. In the event of a break-in, spill, fire, or explosion, ADT will initiate the proper alarm.

The facility is monitored by closed circuit television (CCTV) on a 24-hour basis.

The chain link fence surrounding the facility is also wired for alarm and monitored by ADT.

2.0 POTENTIAL POLLUTANT SOURCES

2.0 POTENTIAL POLLUTANT SOURCES

Aqua-Chem, Inc. , Knoxville facility (Aqua-Chem; Figure 1, Appendix A) is regulated under the Tennessee Stormwater Multi-Sector General Permit for Industrial Activities (TMSP), Sector AA, and manufactures water pollution abatement equipment in the form of water process systems and evaporatory desalination equipment (EDE). Day-to-day operation and maintenance involves the use of various types of handling, transportation, and manufacturing equipment.

This section provides an inventory of exposed materials and the potential pollution sources at Aqua-Chem to assess the risks of potential stormwater pollutants associated with the materials or regulated areas. Materials and/or areas include: (1) raw materials storage and handling areas; (2) intermediate product handling areas; (3) finished product storage and handling areas; (4) recycling and process waste handling areas; (5) equipment storage and maintenance areas, and (6) roofs of manufacturing buildings and (7) shipping/receiving areas.

2.1 Site Drainage

Figure 2 (Appendix A) shows Aqua-Chem's drainage flow patterns for all the identified stormwater outfalls. Figure 3 (Appendix A) indicates potential sources of stormwater contamination by locating materials storage, materials handling, and equipment storage areas.

Roof drains from manufacturing buildings, waste handling areas, raw material and product storage areas, and loading/unloading areas are sources of regulated stormwater. This includes roof drains from manufacturing buildings shown in Figure 2 to SWOF-001, SWOF-002, and SWOF-003; loading docks to SWOF-002 and SWOF-003; paint, sandblast, parts storage, hazardous waste accumulation to SWOF-005; and recycle storage areas to SWOF-001. Run-off entering SWOF-004 comingles with stormwater entering SWOF-003 just upstream of the discharge point of SWOF-003 and, therefore, SWOF-004 was deleted.

2.2 Inventory of Exposed Materials

Table 2-1 provides an inventory of materials at the facility and identifies those that are exposed to rainfall. Average inventoried quantities and inventory duration for materials exposed to the elements are contained in Table 2-2.

Table 2-1 Materials Inventory

Reviewed and Completed by: Mr. David O'Brien			Title: Manufacturing Engineer Date: October 26, 2018	
Description	**Exposed to Stormwater (Y/N) (Figure 2)**	**Cumulative Annual Quantity**	**Cumulative 3-Year Exposed Quantity**	**Units**
Raw Materials:				
Plate Metals	N	500	NA	Tons
Misc Mechanical Parts	Y	480	600	Tons
Finished Products (Temporary Storage):				
Water Process System	N	100	NA	Tons
Process Wastes:				
Coolant/Cutting Fluids	N	990	NA	Gallons
Abrasives	N	<12	NA	Tons
Solvents	N	720	NA	Gallons
Paint Wastes/Overspray	N	330	NA	Gallons
Spent Tramp Oils and Lubricants	N	220	NA	Gallons
Scrap Raw Carbon Steel	Y	120	360	Tons
Wood Pallets	Y	500	1,500	Each

Table 2-2 Materials Exposure Assessment

Reviewed and Completed by: Mr. David O'Brien	Title: Manufacturing Engineer Date: October 26, 2018	
Description	Average Inventory Quantity (Tons)	Average Inventory Duration (Weeks)
Raw Materials:		
Miscellaneous Mechanical Parts	120	12
Process Wastes:		
Scrap Raw Carbon Steel	20	8

2.2.1 Raw Materials Storage and Handling Areas

There are a wide variety of raw materials used in the production of the Water Process Systems. However, raw materials handled outside (uncovered) consist solely of miscellaneous mechanical parts. Potential stormwater quality degrading constituents associated with the mechanical parts include heavy metals such as 1) chromium, 2) copper, 3) nickel, 4) zinc, 5) aluminum, 6) iron, 7) arsenic, 8) lead, and 9) silver. Concentrations of each constituent are directly dependent on variations in workloads. Aluminum, iron, and zinc are monitored annually through analytical stormwater samples as required of Sector AA by TDEC. Oil coated raw materials are covered.

2.2.2 Intermediate Product Handling Areas

Once production begins, the system will remain under roof until it is ready for shipment to the customer. Grinding or sand blasting is performed indoors. Prior to leaving the manufacturing flow, the products are plastic wrapped and placed in wooden shipping crates. Subsequently, no intermediate product handling creates a potential for stormwater contamination. Some paint and sandblast media (potential source of metals, volatile organic compounds, and semivolatile organic compounds) are released to the exterior of

the sandblasting building because the doors are open during summer. Paint chips and blast media that are released to outdoors under these circumstances are cleaned up at the end of each day.

2.2.3 Finished Product Storage and Handling Areas

The completed systems, appropriately packaged for shipment, are occasionally stored in the exterior storage yard prior to shipment to the customer. The majority of the systems are packaged inside the facility where they remain until shipment. Units too large to be plastic wrapped are covered with tarpaulins. Finished product storage and handling areas are not a potential source of contamination of stormwater runoff because they are covered.

2.2.4 Process Waste Handling Areas

Aqua-Chem is designated as a conditionally exempt small quantity generator (CESQG) under the Resource Conservation and Recovery Act (RCRA). Various process wastes accumulated throughout the facility represent a wide variety of characteristics. Ultimately, the wastes are placed in either the solid waste disposal bins, scrap metals recycling bins, or the Hazardous Waste Accumulation Area (located outside the facility; see Figure 2). The hazardous waste accumulation area, solid waste disposal bins, and scrap metal bins are covered. Waste cardboard is placed in a fully contained compactor. The solid waste disposal bins are used for the disposal of 1) office waste, 2) raw material shipping wastes, and 3) miscellaneous scrap solid wastes. Swarf and other scrap metals that can be recycled are collected in the scrap metal bins. Scrap metal bins have with secondary containment and are covered. Scrap metals commonly recycled include: 1) aluminum, 2) brass, 3) copper, 4) nickel, 5) stainless steel, 6) carbon steel, and 7) titanium.

2.2.4.1 Solid Waste

Solid waste is generated and handled plant-wide and consists mostly of paper, cardboard, shrink wrap, wood, and other packaging materials. Materials that are not recycled are compacted in the fully contained trash compactor at the southwest corner of the Machine Shop and disposed of at a landfill. Some paint waste is non-hazardous and is generated under cover in the Paint Shop. Special wastes (such as paints) are disposed of based on generators knowledge from MSDSs/SDSs, product data sheets, and analytical data.

2.2.4.2 Recycled Metals

Metal waste is generated and handled in the Machine Shop and Manufacturing Area. Scrap metals (including swarf) are stored separately in large, covered, metal bins with secondary containment in the scrap metals recycling area. Secondary containment is cleaned out as required by an offsite vendor, with the used oils transported offsite and recycled. The scrap metals are transported offsite by a vendor and recycled.

2.2.4.3 Hazardous Waste

The only Hazardous Waste Stream currently generated by Aqua-Chem is “Waste Flammable Liquids”, that results from paint and equipment clean up in the Paint Shop. This waste is containerized, covered, and properly transported and disposed of by licensed vendors. This waste is kept to a minimum in order for Aqua-Chem to maintain their CESQG (conditionally exempt small quantity generator) status. Occasionally Aqua-Chem conducts maintenance on process equipment and disposes of off-spec/out-of-date materials. This creates a situation where they are elevated to SQG (small quantity generator).

2.2.5 Erosion

The majority of the site is under roof or is impervious (concrete or asphalt) with the remainder having good vegetative cover. No erosion associated with stormwater runoff has been observed.

2.2.6 Equipment Storage and Maintenance Area

Equipment storage and maintenance areas are indoors in the Manufacturing Area. These processes routinely use materials or create wastes that consist of: 1) solvents, 2) waste engine fluids, 3) oils and greases, and 4) used batteries. Also, damaged or scrap equipment can be a source of soil, groundwater, and stormwater pollution during parts salvaging operations. Damaged or scrap equipment is cleaned, stored, and handled with scrap metals in covered bins with secondary containment. Used batteries are removed from the fork trucks when new ones are installed and recycled by the distributer.

2.2.7 Shipping/Receiving

Shipping/receiving has a potential for spills and leaks of materials during handling operations. Another common potential source of a release is oil and grease leaking from vehicles. Spill kits are kept and maintained in the vicinity of handling areas. Leaks will be cleaned as needed.

2.2.8 Roof Drains

Roofs are a white elastomeric material, and runoff flows to roof drains. Limited amounts of metals may be released to the roof from processes such as grinding, machining, and welding. Some of the drains flow to underground drain systems and subsequently to SWOF-002 and SWOF-003. Other roof drains are directed to the surface of the parking lots and subsequently to SWOF-001, SWOF-002, and SWOF-003 where light stains may be occasionally observed. Process exhausts from sandblasting and painting may contribute limited quantities of VOCs, SVOCs, and metals.

2.3 Spills and Leaks

The 3-Year Spill History (see Appendix B for blank form) is a list of spills that have occurred at Aqua-Chem's Knoxville facility in the past 3 years. This list was prepared by VP Operations, Frank Keeker, and is, to the best of Mr. Keefer's recollection, following reasonable inquiry, complete and accurate. A blank form indicates that no spill has occurred to the environment in reportable quantities of hazardous materials, as defined by 40 CFR 302 and 40 CFR 110 for oils. In the event that the VP, Operations becomes aware of a spill to the environment that falls within the reportable quantities definition or other significant spills, the VP, Operations will modify and distribute the 3-Year Spill History. Small spills that are immediately cleaned up do not need to be recorded.

2.4 Risk Identification and Summary of Potential Pollutant Sources

2.4.1 Risk Assessment Summary

There are various opportunities for abatement of stormwater pollution at Aqua-Chem. In particular, materials of concern coming in contact with stormwater are miscellaneous mechanical parts, scrap metals, and some paint exhausted by fans and sandblast media. Table 2-3 lists potential pollutant sources.

Table 2-3 Risk Identification and Summary of Potential Pollutant Sources

Potential Pollution Source	Exposed Material	Pollutant	Exposed/Covered
Loading/Unloading:			
Paints/ Solvents/Thinners	Pallets, 5-Gallon Plastic containers	Flammables, VOCs/SVOCs	Covered, Manufacturing Building
Paints/ Solvents/Thinners	Pallets, 5-Gallon Plastic Containers	Flammables, VOCs/SVOCs	Covered, Paint Storage Building
Raw Materials	Metal Sheets, Metal Rods, Metal Pipe	Metals (Aluminum, Copper, Zinc, Iron, Nickel, Chromium, Titanium), Oil	Covered, Temporary Storage
Batteries	Fork Trucks	Sulfuric Acid	Covered, Fork Trucks
Outdoor Storage Activities:			
Mechanical Parts	Miscellaneous	Oil, Metals	Exposed
Raw Materials	Metal Sheets, Metal Rods, Metal Pipe	Oil, Metals (Aluminum, Copper, Nickel, Chromium, Iron, Zinc)	Covered, Temporary Storage
Containers	Cardboard	Cardboard	Temporary Storage
Chemicals	None	None	Covered, in Buildings
Outdoor Manufacturing/Processing Activities:			
None	N/A	N/A	N/A
Significant Dust/Particulate Generating Processes:			
Paints	Overspray	Zinc, VOCs/SVOCs	Exhausts are Filtered to Reduce Emissions; Floor is Covered with Filter Fabric to Prevent Trackout; Paper will Cover Pavement Outside Roll-Up Door to Prevent Overspray Trackout
Sandblasting	Sandblast Media	Zinc	Covered, Potential for Trackout
Grinding	Fines	Leachate Metals	Covered, Potential for Trackout
Onsite Waste Disposal Practices:			
Spent Paints/Solvents	Accumulation Drum	Flammables, VOCs/SVOCs	Covered, Hazardous Waste Accumulation Area
Compactor	Machinery, Oil	None	Self-Contained
Scrap Metals	Fine Metals, Oil	Oil, Metals (Aluminum, Copper, Zinc, Iron, Nickel, Chromium, Titanium)	Covered, Temporary Storage with Secondary Containment

2.4.2 Accidental Spill Prevention and Contingency Planning Program

The spill program was designed as a prudent addition to Aqua-Chem's stormwater pollution prevention program. Aqua-Chem realized, while formulating its approach for the spill prevention and contingency planning portion of the SWPPP, that there are two types of spills that could take place at the Knoxville facility: 1) a direct spill to the stormwater drainage system and ultimately to Sand Branch, or 2) a direct release to the publicly owned treatment works (POTW). Aqua-Chem added the POTW spill contingency planning portion as a prevention measure. The Spill Plan has been prepared to meet the spill prevention and contingency planning requirements contained in 40 CFR 403 of the national pretreatment program regulations; is an effort to protect the health and safety of plant and public works personnel in addition to enhancing Aqua-Chem's national pretreatment program compliance efforts; and addresses sudden releases that could damage the POTWs' collection system, interfere with the operation of the treatment plant, and indirectly impact water quality and/or sludge utilization. Spill response equipment is staged where there is a potential for spills of oils and corrosives.

The outside facility spill contingency portion of the Spill Plan is designed to minimize any unplanned sudden or non-sudden release of hazardous constituents to air, soil, or surface water which could threaten public health or the environment. Aqua-Chem has added filters to the Paint Shop fans to prevent overspray from being exhausted and placed filter fabric over the Paint Shop floor to prevent trackout. Paper covering has been placed over the pavement outside the Paint Shop roll-up door to prevent trackout of fresh overspray. Paint equipment consists of airless pumps and HVLP (high volume, low pressure) paint guns. The Paint Shop structure consists of a fully-enclosed building with high efficiency filters on the exhaust. Doors are kept closed during painting operations. The Spill Plan requirements follow guidance outlined in Section 311 of the CWA (40 CFR 112).

The Spill Plan has also been specifically modified to include additional spill prevention and contingency planning requirements for Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313 chemicals. The Spill Plan also addresses relevant requirements of 40 CFR 265 Subpart C and D (*Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities* - Preparedness and Prevention - Contingency Plan and Emergency Procedures).

2.5 Threatened and Endangered Species Protection

I certify that the stormwater discharges, and the construction of Best Management Practices (BMPs) to control stormwater runoff, are not likely to adversely affect legally protected listed or proposed threatened or endangered aquatic fauna or species proposed for such protection.

Signed: _____ Date: _____

Name/Title: Gary Edwards/President and CEO

3.0 MEASURES AND CONTROLS

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As required by TDEC's and Aqua-Chem's TMSP compliance strategy, the minimum BMPs to be employed at the facility include: 1) good housekeeping, 2) preventive maintenance, 3) visual inspections, 4) spill prevention and response, 5) erosion prevention and sediment control, 6) management of runoff, 7) employee training (Appendix C), and 8) recordkeeping and reporting. These BMPs are specifically designed to augment Aqua-Chem's product loss prevention, accident and fire prevention, employee health and safety, as well as other environmental compliance programs in place at the facility.

3.1 Good Housekeeping

Aqua-Chem recognizes that poor housekeeping practices can not only lead to unsafe work condition, but also result in excessive waste generation and an increased potential for stormwater contamination. Good housekeeping procedures are an integral part of the stormwater planning program. Specifically addressed in the following sections are Aqua-Chem's procedures on: 1) outside raw materials storage and handling, 2) outside finished product storage and handling, 3) recycling and process waste handling, and 4) equipment storage and maintenance areas.

3.1.1 Outside Raw Materials Storage

Outside raw materials storage consists of mechanical parts. It is Aqua-Chem's policy to maintain adequate aisle space to facilitate materials transfer, easy access for inspections, and employee safety for all outside materials storage. If reported levels for constituents of concern are exceeded, conventional management practices will be employed to reduce and/or eliminate the waterborne constituents. Routine policing of the area is performed to ensure materials are properly stored and materials that do not belong will be removed. Parts with oil films are covered.

3.1.2 Outside Finished Product Storage

Occasionally, finished products will be stored outside on a temporary basis. As with the raw materials storage, it is Aqua-Chem's policy to maintain adequate aisle space to facilitate material transfer, easy access for inspections, and employee safety. Finished products are wrapped in plastic or covered with tarpaulins and are not exposed. Therefore, no special handling requirements have been adopted other than shipping the finished products as soon as practicable.

3.1.3 Recycling and Process Waste Handling

Metal scraps are collected, segregated, and stored in bins that have secondary containment and covers. These bins are located at the southwest corner of the facility. An outside vendor picks up the bins and transports them for offsite recycling (See below for handling of cutting/lubricating oils). The scrap areas are routinely inspected for any evidence of oil leakage or spill. Secondary containment is inspected for overflow or releases after any rainfall. Oil drained to secondary containment is removed and disposed of as needed by an offsite vendor.

Process waste generated at Aqua-Chem consists of hazardous and nonhazardous liquid wastes, as well as nonhazardous solid wastes. The highest risk for stormwater degradation occurs in the outside handling of oils and hazardous process wastes. Subsequently, it is the policy of Aqua-Chem that only persons trained in the proper handling of hazardous materials will be allowed to transfer hazardous materials to the covered accumulation area. The area is regularly policed to ensure that materials are not outside bins,

there are no releases of oils or solvents, and containerized nonhazardous wastes (paper, wood, plastic wrap, etc.) are segregated from regulated wastes.

3.1.4 Used Oils

Used oil is removed from secondary containment, on a periodic basis as required, prior to scrap metals being removed for recycling. Upon removal, the oil is collected and transported for recycling by an offsite vendor or is burned in the waste oil boiler.

3.1.5 Equipment Storage and Maintenance Areas

It is Aqua-Chem's policy to perform all routine and preventive maintenance inside the plant building. All steam cleaning takes place within a specially designed area where liquid wastes and sludges are not exposed or discharged into the stormwater drainage system. All equipment maintenance materials and wastes are stored inside or under covered areas until used, disposed of, and/or recycled. Fork trucks are stored indoors. Used batteries are removed from the facility when new batteries are installed. Two trucks used for hauling and delivering are staged in the southeast lot near the boiler house. These areas are inspected routinely for oil leakage.

3.2 Preventative Maintenance

The preventative maintenance program at Aqua-Chem involves inspection and testing of equipment and systems to identify conditions that could cause breakdowns or failure that may be prevented by adjustment, repair, or replacement of items. Aqua-Chem's preventative maintenance program includes: 1) identification of equipment and systems that require preventive maintenance; (2) periodic testing and inspection; (3) appropriate adjustment, repair, or replacement of items; and (4) preventive maintenance records.

Equipment described in the Spill Plan is inspected in accordance with procedures outlined in the plan to ensure the proper function of all container storage equipment and other ancillary equipment associated with the container storage. Aqua-Chem maintenance procedures include maintenance of detection equipment designed specifically to pinpoint structural defects and leaks before they become spills or releases.

Equipment life-spans for fixed facilities have been estimated based on vendor data for all equipment containing oils and hazardous substances. As a part of the preventive maintenance program, one-time emergency response supplies are inventoried and restocked as necessary to ensure adequate supplies in accordance with the Spill Plan.

3.2.1 Equipment Maintenance Areas

Consistent with Aqua-Chem's spill prevention and response procedures and stormwater pollution prevention program, outdoor parts salvaging operations are forbidden at all Aqua-Chem plants. Furthermore, equipment maintenance (including vehicles, fork trucks, and lifts) that could involve spillage of engine and/or hydraulic fluids will take place only at designated indoor maintenance areas. Engine and/or hydraulic fluids spilled during equipment maintenance operations will be cleaned up in accordance with spill response procedures outlined in the facility Spill Plan. Equipment will be inspected regularly for leaks and maintenance, when appropriate, to stop or prevent equipment leaks.

3.2.2 Equipment Washing Area

Pressure washing of equipment occurs in a specially designated area within the cover of the building. Liquid (residual coolant and soap) from pressure washing is discharged to the sanitary sewer. At no time does equipment washing take place in areas where wash water or residuals can be discharged to the stormwater drainage system.

3.2.3 Materials Loading and Unloading

It is Aqua-Chem's policy, whenever practicable, to load and unload hazardous materials under cover to minimize contact of spilled material with stormwater. Bulk oils and hazardous materials are unloaded and handled in strict compliance with spill policies and procedures. The Spill Plan details specific procedures for those materials to minimize or eliminate the possibility of stormwater degradation. All other nonhazardous materials are unloaded in specifically designated areas to provide production personnel the maximum convenience.

3.2.4 Manufacturing Exhausts

Overspray is prevented from exiting the Paint Shop by placing a double layer of felt mat on the floor and paper on the pavement outside the Paint Shop roll-up door to prevent trackout. Felt mat and paper are replaced every 2 weeks and the used felt and paper are placed in a covered container and disposed of at a proper (non-hazardous) landfill. Airborne overspray is captured by filters on the exhaust system that are changed on a periodic basis (every 2 weeks). Used filters (non-hazardous) are handled and disposed of as the felt and paper, above. Paper sheeting is placed outside of the paint and sandblast shops to prevent tracking from these facilities. The paper or fabric is inspected daily, and sand will be vacuumed or swept-up from the area periodically as needed but at a minimum on a daily /weekly basis. Exterior drainage inlets are maintained and kept clean and drain to SWOF-005. Drain filters will be inspected daily and changed as needed. The current filter frame or housing was modified to simplify change-outs. Although releases have not occurred from the paint shaker, it was provided with secondary containment.

Fines and fumes from grinding and welding are vented to ambient air. Fines are swept up and recycled with the other scrap metals. Fumes disperse and dissipate. Fines that settle in the immediate vicinity would discharge to SWOF-001, SWOF-002, and SWOF-003.

3.3 Visual Inspections

As a part of security and pollution prevention, Aqua-Chem employees are trained to observe and monitor their surroundings on a daily basis and report to their supervisors as needed.

Formal Quarterly and Annual Inspections and Reports are conducted and maintained by the Pollution Prevention Team (or their designee) using the forms in Appendix B.

3.4 Spill Prevention and Response Procedures

In accordance with 40 CFR 112 of the national pretreatment program, Aqua-Chem has prepared a Spill Plan for the Knoxville facility. Detailed corporate procedures on spill prevention and response are articulated in the Spill Plan. Please refer to the Spill Plan for details on the spill prevention and response procedures employed at Aqua-Chem.

3.5 Erosion Prevention and Sediment Control

Erosion prevention and sediment control does not represent an immediate concern. All manufacturing and materials handling are accomplished on a heavy duty asphaltic concrete surface. Overall facility layout is not conducive to producing sediment and erosion due to well-established vegetative covers and minimal traffic on the vegetated areas. Stormwater conveyances are well vegetated to filter and settle-out sediment during normal rainfall events. Stormwater drains are periodically inspected and maintained.

3.6 Management of Runoff

Facility-specific industrial stormwater management practices are practices that encompass the full gamut of activities at the Knoxville facility. These BMPs include (1) flow diversion practices; (2) exposure minimization practices; (3) mitigative practices; and (4) various other preventative practices employed at Aqua-Chem. The following sections discuss in detail various industrial stormwater management practices specific to the facility.

3.6.1 Flow Diversion Practices

Flow diversion practices are BMPs specifically designed to keep stormwater runon from coming in contact with regulated materials. Runon is prevented from coming in contact with regulated materials via storm drainage ditches encompassing the site. These drainage ditches also serve the surrounding area. The additional service area of select outfalls may serve to either dilute the stormwater samples collected during compliance monitoring or increase monitored constituent loadings due to waterborne pollution runon. No oil sheens or high solids content has been observed during visual evaluations, with the exception of occasional grass clippings from lawn maintenance.

3.6.2 Exposure Minimization Practices

Highly water soluble materials processed on the site are the most likely candidates for these types of management practices. The highly water soluble materials are: (l) coolant/cutting fluids; (2) alkaline wastes; (3) abrasives; (4) solvents; (5) paint wastes/overspray; and (6) used oils and lubricants. Exposure minimization practices employed at Aqua-Chem include covering and vehicle positioning.

3.6.2.1 Covering

Covering is one of the most effective stormwater management practices employed at Aqua-Chem. Raw materials and finished products are stored under roof or covered when stored outdoors on a temporary basis. Activities that are performed under roof include: 1) equipment maintenance operations, 2) steam cleaning operations, and 3) most loading and unloading operations. Materials typically covered include: 1) coolant/cutting fluids, 2) alkaline wastes, 3) abrasives, 4) solvents, 5) paint wastes, 6) used oils and lubricants, and 7) recycled metals and hazardous waste.

3.6.2.2 Vehicle Positioning

Vehicle positioning is the practice of locating delivery vehicles while transferring materials to prevent spillage of material. For potentially hazardous materials, vehicle positioning is an effective method of preventing material spillage. It is Aqua-Chem's policy to unload materials that represent significant risk to stormwater quality as close to the covered storage bins as practicable or to handle the materials under cover. Observations during the annual detailed facility inspections will include focusing on improvements in vehicle positioning as an exposure minimization practice.

3.6.3 Mitigative Practices

Contingent on discharge monitoring results, sweeping may be employed to minimize heavy metals concentrations in stormwater outfall discharges. Solids removal rates vary in sweeping operations as a function of the following factors: 1) sweeper efficiency, 2) cleaning frequency, 3) number of passes, 4) equipment speed, 5) pavement conditions, 6) equipment type, and 7) skill of the operator. Based on initial observations, any measurements in excess of report levels would most likely be due to solids loading on paved surfaces. A well structured sweeping program may prove to be the most cost-effective way to achieving stormwater quality goals.

Roof drains at sand blasting and painting drain to area inlets flowing to the southwest. The most westerly of the drains is surrounded by wire mesh to prevent solids from entering. These inlets have been fitted with filter fabric and are inspected daily and filters changed as needed.

3.6.4 Other Preventative Practices

Other preventative practices consist of a security system and access control. Both are an integral part of the Spill and SWPPP programs. Additional details on security and access control are provided in the Spill Plan.

3.6.4.1 Security

Aqua-Chem's security system was designed to prevent accidental or unintentional entry to the facility that may result in vandalism, theft, sabotage, or other improper or illegal uses of the plant facilities that could result in releases of hazardous constituents. Elements of Aqua-Chem's security system include: 1) general employee awareness, 2) fencing, 3) 24-hour lighting, 4) 24-hour controlled access at all entrances, 5) locks on all drain valves and pump starters, and 6) CCTV covering the entire facility.

3.6.4.2 Access Control

Twenty-four hour access control is maintained at Aqua-Chem by means of 1) fencing, 2) general employee awareness, 3) locked/guarded entrances, and 4) CCTV. The fence is a 6-foot-high chain-link fence, wired for alarm, with three strands of barbed-wire across the top. Locked entrance includes all rail-car entrances and grounds maintenance entrances. The main entrance to the plant is monitored 24 hours a day by either plant or ADT monitoring station personnel. All persons wishing to gain access to the facility are: 1) signed in at the front desk, 2) verified by plant personnel with whom they will conduct business, 3) issued a visitors badge, and 4) signed out at the front desk. All plant personnel display a general awareness and any unrecognized individual is immediately reported to a supervisor/manager for verification and/or possible removal.

4.0 INSPECTIONS RELATING TO STORMWATER

4.0 INSPECTIONS RELATING TO STORMWATER

USE THE FORM IN APPENDIX B FOR THE ANNUAL COMPLIANCE INSPECTION

Inspections will be conducted annually, at a minimum, for the following areas:

- Raw Metal Storage
- Finished Product Storage
- Chemical Storage
- Recycling
- Loading and Unloading
- Equipment Storage
- Paint/Sandblast
- Maintenance
- Waste Management
- Roof Drains draining to paved parking lots
- Roof Drains draining to SWOF-002 and SWOF-003

Inspection shall be documented on the Form in Appendix B and documentation kept for a minimum of 3 years. Based on the results of the inspections, any inadequate control measures or control measures in disrepair shall be replaced, modified, or repaired as necessary, before the next rain event if possible. 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 inspections, 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 inspections. Modifications to the SWPPP, based on the Annual or Quarterly Inspections, shall be implemented in a timely manner but in no case later than 21 calendar days following the inspection.

4.1 Visual Inspections and Documentation

Overall facility inspections are conducted on a quarterly basis (see Appendix B for Form). The facility inspections include a site review for: 1) pavement stains from leaking equipment and vehicles, 2) evidence of stormwater contamination at stormwater outfalls, 3) evidence of oil leakage at mechanical parts, scrap bins, and vehicle staging areas, and 4) general evidence of poor maintenance or waste disposal practices.

4.2 Inspections of Structural and Non-Structural Control Measures

On a quarterly basis, Aqua-Chem will inspect structural and non-structural control measures and outfall points and whether or not all planned and designed pollution prevention control measures are installed and in working order (see Appendix B). The Stormwater Quarterly Inspection and Report Form (Appendix B) will be completed by the Manufacturing Engineer (or designee) and should be maintained electronically with a hardcopy backup with the SWPPP. It will be submitted to the Knoxville Environmental Field Office (EFO) upon request.

4.3 Annual Site Compliance Evaluation

Annual site compliance evaluations (see Appendix B for Annual Inspection Form) are comprehensive inspections performed under the direct supervision of the VP, Operations (Mr. Frank Keefer). The annual site evaluation will be completed prior to annual employee training (Appendix C) and will be used to enhance training and discharge monitoring. The evaluation will include: 1) an inspection of the stormwater drainage areas for evidence of pollutants entering the drainage system; 2) an evaluation of the effectiveness of measures to reduce pollutant loadings and need, if any, for additional measures; 3) observation of management practices to ensure proper operation; 4) inspection of spill response equipment; 5) revision of the Plan as needed, within 2 weeks of inspection; 6) implementation of approved changes, where practicable, within a 12-week period; 7) preparation of a report summarizing inspection results and follow-up actions, the date of the inspection, and identification of areas of noncompliance or certification that the facility is in compliance with the Plan; and 8) certification by the plant management that the report accurately represents Aqua-Chem's operation.

5.0 IDENTIFICATION OF NON-STORMWATER DISCHARGES WITH CERTIFICATION

5.0 IDENTIFICATION OF NON-STORMWATER DISCHARGES WITH CERTIFICATION

A thorough investigation of the Knoxville facility's stormwater outfalls was conducted. The original investigation included a closed circuit television (CCTV) search for outfalls potentially containing illicit stormwater connections. The storm sewer on the western side of the facility was shown as being collapsed near its discharge point due to materials handling operations at the adjacent rail line construction yard. However, the CCTV investigation on the eastern side of the facility supported the engineer's conclusion that there is no illicit or improper connection to the storm sewer system. The storm sewer system was in very good condition, indicative of no contact with process wastewater, and dry except for air conditioner condensate.

No changes have been made or observed since the original investigation.

I certify under penalty of law that based on my inquiry of the person or persons who manage the site, or those persons directly responsible for gathering the information, the submitted above 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 for knowing violations.

_____ _____

Gary Edwards, President and CEO Date

6.0 STORMWATER SAMPLING

6.0 STORMWATER SAMPLING

6.1 Outfalls

Outfalls SWOF-001, SWOF-002, SWOF-003, and SWOF-005 (shown on Figure 2, Appendix A) shall be sampled quarterly for visual evaluation and at least once annually for Sector AA pollutants (Appendix D). Because SWOF-004 connects to SWOF-003 and flows comingle prior to discharge, it (SWOF-004) was deleted in 2011.

Runoff will begin first at Outfalls 001 and 002 since the contributing areas are impervious. SWOF-003 and SWOF-005 may not have runoff except during a high intensity rainfall event or one of long duration. Several rainfall events during which samples were collected did not result in runoff at either SWOF-001 or SWOF-003, which are grassed swales and require longer times to produce runoff and have been relocated to more easily obtain samples.

Roof drains contribute to contaminant loads of storm drains. Their contributions are included in the sampling of stormwater runoff and have been minimal.

Sampling events during which runoff does not occur at SWOF-003 and SWOF-005 will be noted. Analytical data will be reviewed and contaminants exceeding Benchmark Values (TMSP Permit) will be identified with an attempt made to determine the cause of exceedance and a method to eliminate the exceedance during future events.

Sampling data will be maintained electronically and backed up with a disk kept with the SWPPP.

6.2 Sampling

Quarterly and annual analytical evaluation shall sample from a specific rainfall type:

- Greater than 0.1 inch at least 72 hours after the previously measurable (greater than 0.1 inch) storm event
- The grab sample shall be collected during the first 30 minutes of runoff
- If sampling during the first 30 minutes of runoff is impracticable, the sample will be collected during the first hour of runoff, with a documented reason as to why the sample could not be collected during the first 30 minutes
- If the sample is associated with industrial activity, then, where practicable, the sample should be collected prior to mixing with non-stormwater discharge
- For quarterly visual evaluation, the examination must be made during daylight hours, in a well-lit area
- Where practicable, the same individual should carry out the collection and evaluation of discharges for the entire permit period

Visual (quarterly) examination parameters shall consist of observations of the following (Form in Appendix B):

- Color
- Odor
- Clarity
- Floating Solids
- Settled Solids
- Suspended Solids
- Foam
- Oil Sheen
- Other Obvious Indicators

Annual sampling will be conducted for the following parameters (and corresponding benchmarks). Samples will be collected during a rainfall event as described above:

Pollutant of Concern	Benchmark (milligrams per liter)
• Total Recoverable Aluminum	0.75
• Total Recoverable Iron	5.0
• Total Recoverable Zinc	0.395
• Nitrate plus Nitrite Nitrogen	0.68

6.3 Sampling Data

6.3.1 Quarterly Visual Sampling

Stormwater sampling consists of quarterly stormwater visual evaluations at each of four outfalls (see Site Map, Figure 2, Appendix A) during daylight hours, within the first 30 minutes of runoff, for a rainfall event meeting the criteria of the TMSP. Samples are examined for: 1) color, 2) odor, 3) clarity, 4) floating solids, 5) settled solids, 6) suspended solids, 7) foam, 8) oil sheen, and 9) other obvious indicators of stormwater pollution.

If a quarterly visual evaluation cannot be collected, the reason is documented and maintained with the report. Visual evaluation reports are maintained onsite with the SWPPP and/or electronically.

6.3.2 Annual Analytical Sampling

TMSP Number TNR050328 covers stormwater SWOF-001, SWOF-002, SWOF-003, and SWOF-005. The required analytes are Total Recoverable Aluminum, Iron, and Zinc, and Nitrate plus Nitrite Nitrogen, and the outfalls are sampled once per year. Outfall 004 flows through Outfall 003 and has been deleted. SWOF-001 was relocated in 2012 (Appendix A, Figure 2) to facilitate sample collection.

TMSP Number TN0078361, which covered SWOF-004, has been closed.

Historically, zinc and nitrogen have been slightly above the benchmark value at SWOF-002 and SWOF-005. Zinc may have been tracked by fork truck or exhausted as overspray from the paint shop. Felt is now applied to the floor to trap the overspray and allowed to dry before using a fork truck. Exhaust fans are covered with a high efficiency filter to trap overspray. When the felt is nearly full, it is placed in a covered container and disposed of (non-hazardous) in a landfill. Exhaust filters are changed every 2

weeks. The drainage pipe from paint and sandblast operations is reported to flow through a stone-lined sump prior to reaching SWOF-005. Some potential exists for standing water to leach zinc from the stone. Both pipe inlets are maintained and kept clean. In 2012, filter fabric was fitted around the pipe inlet at the Paint Department. During the same time period, filter fabric and stone were installed at the inlet at Sandblasting. These efforts were to filter particulates containing zinc and appear to have reduced zinc levels.

The 2013 sample analysis for SWOF-002, from April, indicated that Total Recoverable Iron was above the Benchmark Value of 5.0 mg/L at 16.8 m/L. SWOF-002 was resampled in June with a more typical result of 0.588 mg/L. The cause of the initial spike is unknown. A railroad siding is adjacent to the Outfall but no metal handling occurs in the vicinity and has not been a problem in the past. The area draining to SWOF-002 at the northwestern corner of the manufacturing facility is undergoing ground water remediation for a condition that could cause elevated Total Iron levels in the perched water table (very near the ground surface). The major difference in the two sampling events was rainfall. The April sampling event was conducted 2 days after a 1.3 inch storm event. Averaged rainfall per month in the preceding 3 months was 8.03 inches. The June re-sample event was conducted 8 days after a 0.3 inch storm event. The average rainfall per month in the preceding 5 months was 7.10 inches. Therefore, the ground water table should have been deeper for the re-sample event with drier soil conditions, which, in turn, should have contributed to a lower content of Total Iron.

The 2014 sample analysis for SWOF-001, -002, and -005, from May, indicated that Nitrate and Nitrite as Nitrogen exceeded the Benchmark Value of 0.68 mg/L at 1.07, 0.856, and 1.41 mg/L, respectively. Total Recoverable Zinc for SWOF-005 exceeded the Benchmark Value of 0.395 mg/L at 3.25 mg/L. The nitrogen exceedance was determined to be due to fertilization during lawn maintenance. The zinc exceedance was determined to be fresh overspray trackout by fork truck moving freshly painted parts to the exterior of the Paint Shop. Aqua-Chem began placing paper outside the Paint Shop rollup door to capture trackout. The paper will be changed periodically, at a minimum every 2 weeks during use of zinc containing coatings, or when it tears, whichever is more often. The used paper will be disposed of as the filters and felt, above.

Annual stormwater sampling was conducted on July 28, 2018. At outfall SWOF-003, the concentration of zinc was 0.075 mg/L exceeding the benchmark concentration of 0.395 mg/L. At outfall SWOF-005, zinc (1.33 mg/L) and aluminum (0.926 mg/L) exceeded their benchmarks. Both outfalls 003 and 005 receive run-off from the vicinity of the sandblast and paint booths. A root cause investigation determined that the exceedances potentially resulted from paint and sandblast tracking in the area and plugging of drain filters in the inverts in the area. Based on the investigation, Aqua-Chem has incorporated the following operational changes and BMPs to address these exceedances:

- Drain filters, which have been changed out on a weekly basis, will be inspected daily and changed as needed. The current filter frame or housing will be modified to simplify change-outs.
- A single layer of fabric has been used on the floor and outside of the paint booth to prevent track out. The revised BMP will use a double layer of fabric to further reduce the potential for track out.
- Fabric or paper will be placed outside the sand blast area to capture disbursement or overspray of sand from sand blasting operations. The paper or fabric inspected daily, and sand will be vacuumed or swept-up from the area periodically as needed but at a minimum on a daily /weekly basis.
- Although releases have not occurred from the paint shaker, it will be provided with secondary containment.

Outfalls SWOF-003 and SWOF-005 were re-sampled on November 09, 2018. Regulated pollutants were below benchmarks.

7.0 TRAINING, RECORDKEEPING, AND REPORTING PROCEDURES

7.0 TRAINING, RECORDKEEPING, AND REPORTING PROCEDURES

The majority of the documentation generated through Aqua-Chem's stormwater permit compliance program is associated with the Spill Plan. The Spill Plan contains: 1) spill response and reporting checklists; 2) spill reports; 3) fire/explosion/release reports; 4) spill kit checklists; 5) fire extinguisher checklists; 6) first-aid kit/eye wash station checklists; and 7) employee training logs.

Any training performed by employees of Aqua-Chem pertaining to stormwater pollution shall be documented and maintained electronically with a hardcopy backup in the SWPPP, Appendix C.

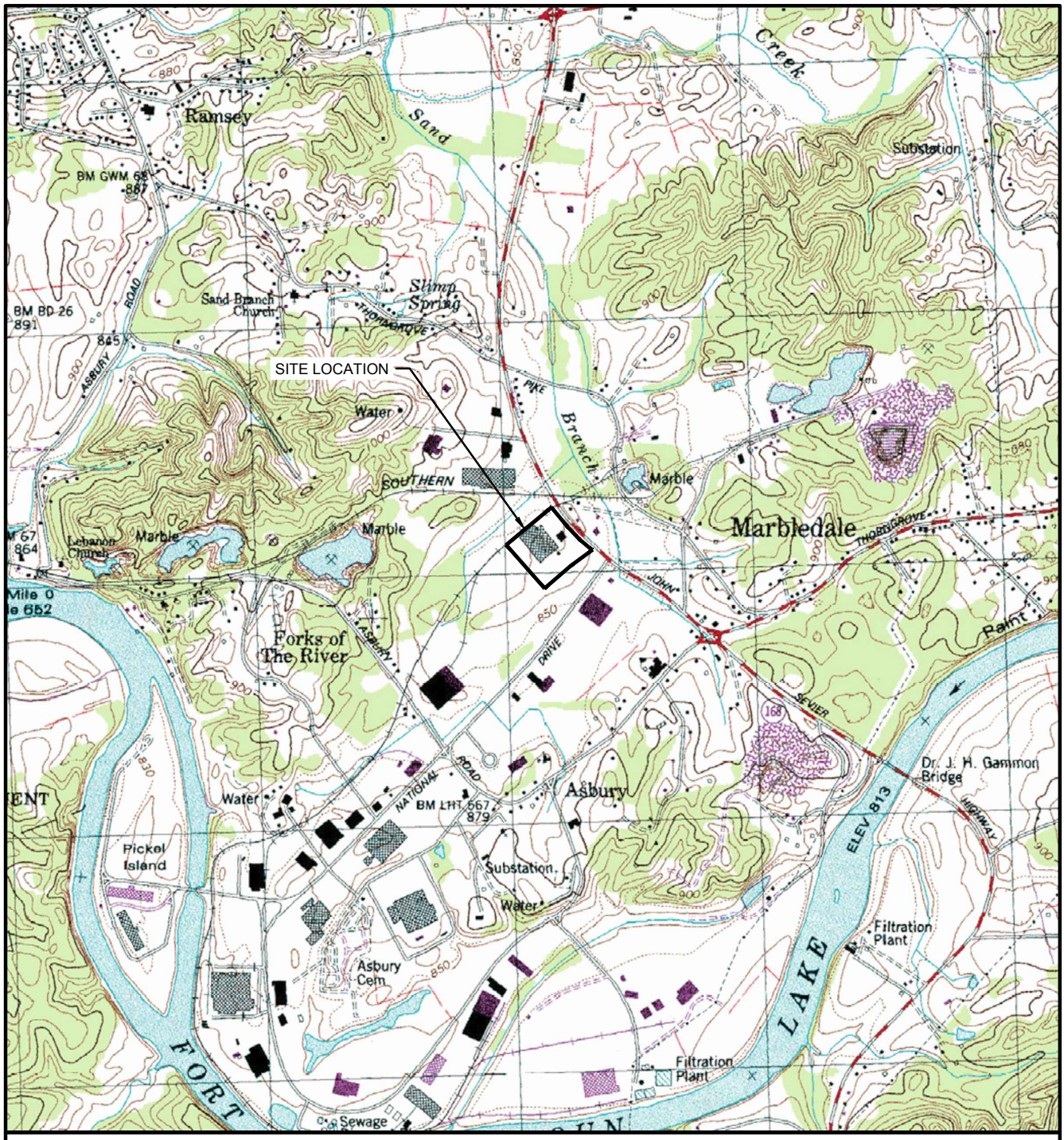
All employees will be trained on stormwater pollution prevention and the SWPPP a minimum of at least once annually, the end of January, and new employees before they begin their work.

Sign-in sheets (Appendix B) will be maintained electronically with the original hardcopy in the SWPPP as backup. All required stormwater documentation (i.e., Quarterly Runoff Visual Evaluations, Annual Runoff Analysis, Quarterly Inspections, Annual Inspections, Training, etc.) will be maintained for a minimum of 3 years.

Required reports will be maintained electronically with most backed up with hardcopies maintained with the SWPPP. Annual analytical reports will be submitted to the local EFO as soon as possible after the analytical results are known. Documents will be submitted to the Director or local EFO as requested and/or required.

APPENDIX A

FIGURES



NOTE:

BASE MAP TAKEN FROM USGS 7.5 MIN. SHOOKS GAP, TN QUADRANGLE.

wood.

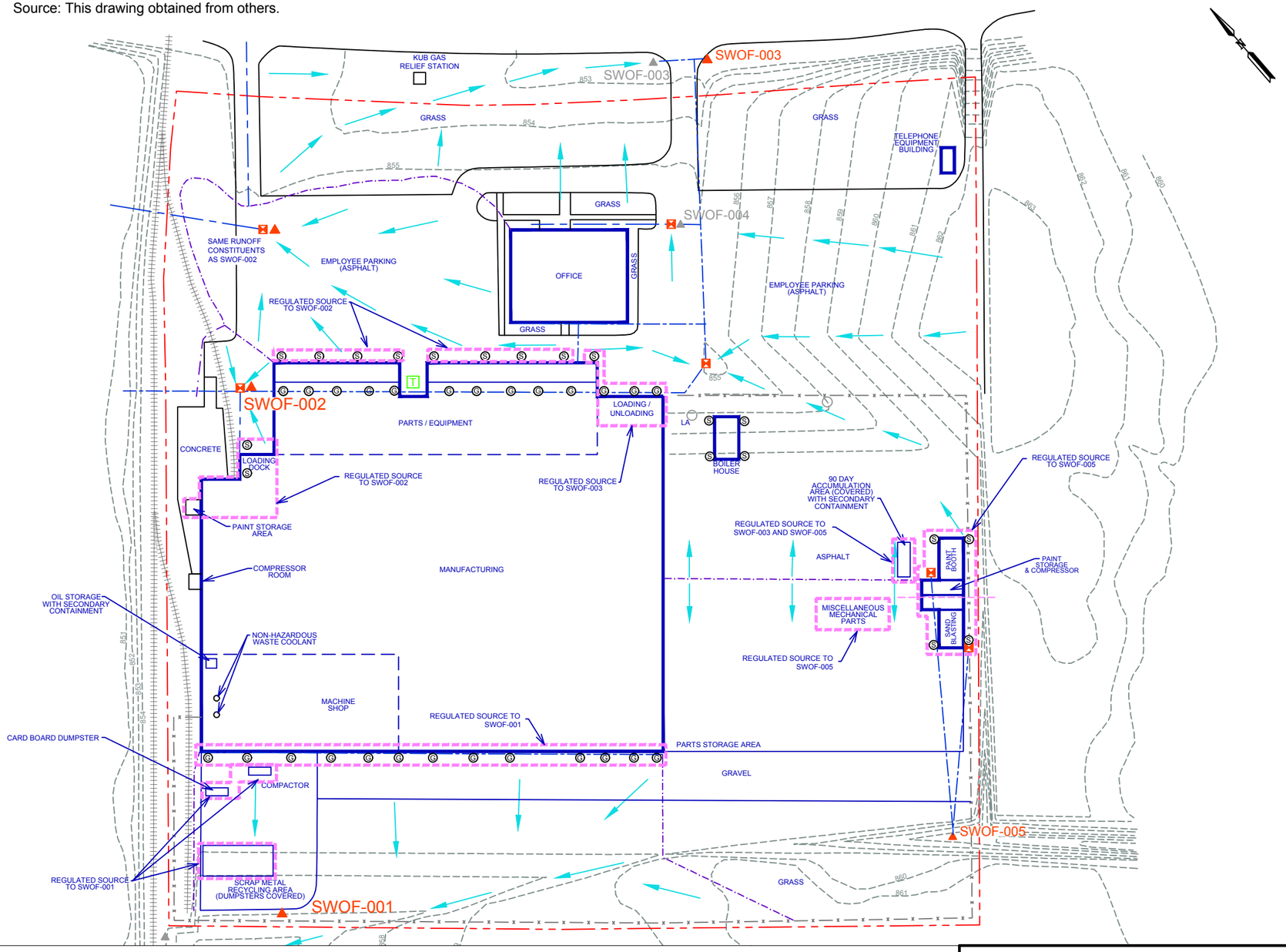
Environment & Infrastructure Solutions
2030 FALLING WATERS ROAD, SUITE 300
KNOXVILLE, TN. 37922
TEL: (865) 671-6774

CLIENT:
Aqua-Chem, Inc.
3001 East Governor John Sevier Highway
Knoxville,TN

TITLE:
Site Location Map
Aqua-Chem, Inc.
Knoxville, TN

DRAW:	REVIEW:	SCALE:
MJP	WPT	AS SHOWN
CHECK::	DATE:	FIGURE:
WPT	10/29/2018	1
PROJ. NO.:		
3031142004.02		

Source: This drawing obtained from others.



LEGEND

- FENCE (WIRED FOR INTRUSION)
- PROPERTY LINE
- CONTOUR ELEVATION
- DRAINAGE BOUNDARY
- CULVERT
- RAIL LINE
- AREA INLET
- REGULATED AREAS
- FLOW DIRECTION
- SWOF-001 CURRENT STORM WATER OUTFALL
- SWOF-001 FORMER STORM WATER OUTFALL
- T TRANSFORMER ON GROUND
- Ⓢ *ROOF DRAINS TO GROUND SURFACE
- Ⓒ *ROOF DRAINS TO UNDERGROUND SYSTEM
- LA 12,000 GALLON LIQUID ARGON

* NOTE:
ROOF DRAINS FROM MANUFACTURING BUILDINGS, AREAS OF REFUSE HANDLING, AND LOADING/UNLOADING AREAS ARE SOURCES OF REGULATED STORMWATER.

NOTES:

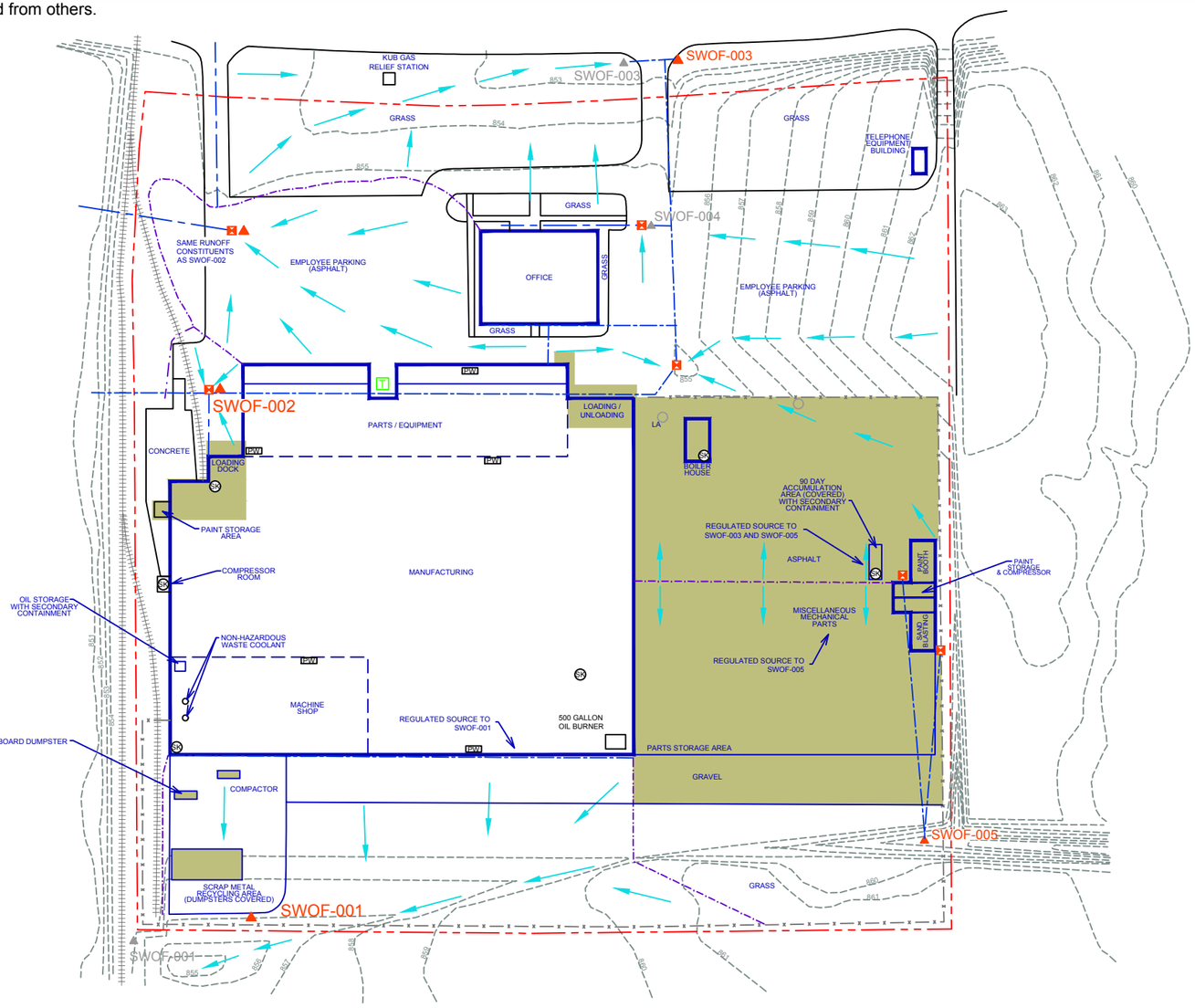
wood.
Environment & Infrastructure Solutions
2030 FALLING WATERS ROAD, SUITE 300
KNOXVILLE, TN. 37922
TEL: (865) 671-6774

CLIENT:
Aqua-Chem,Inc.
3001 East Governor John Sevier Highway
Knoxville,TN

TITLE:
Storm Water Drainage
Aqua-Chem, Inc.
Knoxville,TN

DRAW:	REVIEW:	SCALE:
MJP	MJP	AS SHOWN
CHECK::	DATE:	FIGURE:
WPT	10/29/2018	2
PROJ. NO.:		
3031142004		

Source: This drawing obtained from others.



LEGEND

- FENCE (WIRED FOR INTRUSION)
- PROPERTY LINE
- CONTOUR ELEVATION
- DRAINAGE BOUNDARY
- CULVERT
- RAIL ROAD LINE
- AREA INLET BASIN
- FLOW DIRECTION
- SWOF-001 CURRENT STORM WATER OUTFALL
- SWOF-001 FORMER STORM WATER OUTFALL
- T TRANSFORMER ON GROUND
- SK SPILL KIT
- LA 12, 000 GALLON LIQUID ARGON
- PW PARTS WASHER (NON-HAZARDOUS)

NOTE:
SHADED AREA INDICATES RAW MATERIAL, FINISHED PRODUCT, AND/OR SCRAP MATERIALS STORAGE AND HANDLING AREAS.

NOTES:

wood.

Environment & Infrastructure Solutions
2030 FALLING WATERS ROAD, SUITE 300
KNOXVILLE, TN. 37922
TEL: (865) 671-6774

TITLE:
Potential Storm Water Pollution
Aqua-Chem, Inc.
Knoxville, TN

CLIENT:
Aqua-Chem, Inc.
3001 East Governor John Sevier Highway
Knoxville,TN

DRAW:	REVIEW:	SCALE:
MJP	WPT	AS SHOWN
CHECK::	DATE:	FIGURE:
WPT	10/30/18	3
PROJ. NO.:		
3031142004		

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APPENDIX B

FORMS

3-YEAR SPILL HISTORY

Company Name: **Aqua-Chem, Inc.** **Date:** _____

Material Name	Amount of Spill	Estimated Amount Reaching Soil/Receiving Stream	Amount Recovered	Code

LBs = Pounds Gals = Gallons

Reason/Cause of Spill:
Corrective Measures Taken/Plans for Preventing Reoccurrences:

Material Name	Amount of Spill	Estimated Amount Reaching Soil/Receiving Stream	Amount Recovered	Code

LBs = Pounds Gals = Gallons

Reason/Cause of Spill:
Corrective Measures Taken/Plans for Preventing Reoccurrences:

Approved: _____ **Date:** _____
Manufacturing Manager

STORMWATER ANNUAL SITE COMPLIANCE INSPECTION AND REPORT

Date: _____

Inspector(s) _____

_____

_____

_____

AREAS	POTENTIAL POLLUTANTS*	EXISTING OR PROPOSED POLLUTION CONTROL MEASURES	COMMENTS
Raw material storage			
Finished product storage			
Chemical storage			
Recycling area			
Loading dock			
Equipment storage			
Pain/sandblast areas			
Maintenance			
Waste management			
Roof drainage			
Observation/evaluation of management practices			
Spill response equipment			
Revision of SWPPP, as needed			
Implementation of SWPPP revisions			

* Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, MEK, steel, and other related materials.

Report Summarizing Inspection Results and Follow-Up Actions, Date of Inspection, Identification of Areas of Non-Compliance or Certification that Facility is in Compliance with SWPPP:

Inspector(s) Signature

Plant Manager Signature

STORMWATER QUARTERLY COMPLIANCE INSPECTION AND REPORT

Date: _____

Inspector(s) _____

_____

_____

_____

AREAS	POTENTIAL POLLUTANTS*	EXISTING OR PROPOSED POLLUTION CONTROL MEASURES	COMMENTS
Pavement Stains from Leaking Equipment			
Pavement Stains from Leaking Vehicles			
Evidence of Contamination at Outfalls			
Spills at Bulk Oil Storage Areas			
Evidence of Poor Maintenance Practices			
Evidence of Poor Waste Disposal Practices			

* Potential pollutants include oil and grease, metal fines, solids, and other related materials.

SUMMARY REPORT:

_____ _____

Inspector(s) Signature Plant Manager Signature

Quarterly Structural/Non-Structural Control Measures Inspection

I certify that the Quarterly inspection of structural and non-structural control measures has been conducted and that all planned ad designed pollution prevention control measures are installed and in working order. 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.

Signed: _____ Date: _____

Name/Title: _____

All reports and documentation required by the TMSP Permit shall be signed as follows:

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 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 the environmental laws and regulations; the manager can ensure that the necessary systems are established or action s 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, or

3. The authorization is made in writing by a person described in items 1 or 2;

4. The authorization specifies whether 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; and

5. The written authorization is submitted to the Director.

QUARTERLY VISUAL EXAMINATION

Project Number: _____ Client: _____

Date: _____ Examiner (Print) _____

Rainfall Event: Time Started _____ Time Ended _____

Duration: _____Minutes; Magnitude _____Inches

Time since last measurable (>0.1 inch) rainfall event: >72_____ Hours

Type precipitation: Rainfall_____

Runoff: Time Started _____ Flow _____

Sample: Outfall _____ Time Collected _____

Does the sample have evidence of:

- Color Yes ____ No ____ Describe _____
- Odor Yes ____ No ____ Describe _____
- Clarity Yes ____ No ____ Describe _____
- Floating Solids Yes ____ No ____ Describe _____
- Suspended Solids Yes ____ No ____ Describe _____
- Settled Solids Yes ____ No ____ Describe _____
- Foam Yes ____ No ____ Describe _____
- Oil Sheen Yes ____ No ____ Describe _____
- Other Yes ____ No ____ Describe _____

Examiner (Signature): _____

HR Training Sign-Up Sheet

Topic: _____

Conducted By: _____

Date: _____

Please sign in Below:

	Employee Name (Print)	Employee Signature	Department	Shift
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				

Hours per employee _____

Total Hours this Page _____

APPENDIX C

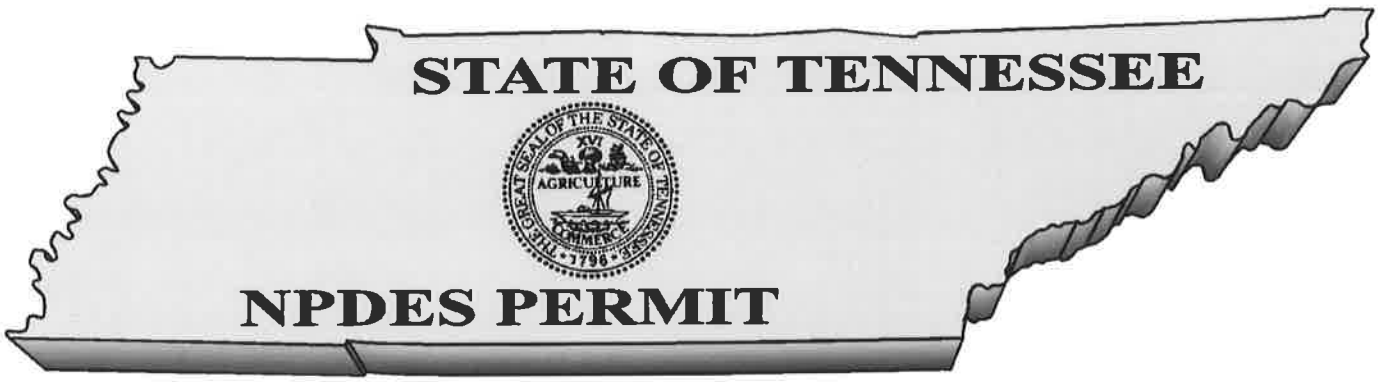
TRAINING LOGS

PLACE TRAINING LOGS HERE

(AFTER SCANNING)

APPENDIX D

TENNESSEE STORMWATER MULTI-SECTOR GENERAL PERMIT, SECTOR AA, AND NOC



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: **April 14, 2015**

This permit is effective on: **April 15, 2015**

This permit expires on: **April 14, 2020**

Tisha Calabrese Benton
Director

CN-0759

RDA 2366

NPDES GENERAL PERMIT
FOR
STORM WATER DISCHARGES FROM INDUSTRIAL ACTIVITIES

TABLE OF CONTENTS

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;
- 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

Sector AA - Stormwater Discharges Associated With Industrial Activity From Fabricated Metal Products Industry

1. Discharges Covered Under This Section

The requirements listed under this section shall apply to stormwater discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC codes shown below:

SIC Code	Sector AA: Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware	Sampling Required?	Table Number
3411	Metal Cans	Yes	AA-1
3412	Metal Shipping Barrels, Drums, Kegs, and Pails	Yes	AA-1
3421	Cutlery	Yes	AA-1
3423	Hand and Edge Tools, Except Machine Tools and Handsaws	Yes	AA-1
3425	Saw Blades and Handsaws	Yes	AA-1
3429	Hardware, NEC	Yes	AA-1
3431	Enameled Iron and Metal Sanitary Ware	Yes	AA-1
3432	Plumbing Fixture Fittings and Trim	Yes	AA-1
3433	Heating Equipment, Except Electric and Warm Air Furnaces	Yes	AA-1
3441	Fabricated Structural Metal	Yes	AA-1
3442	Metal Doors, Sash, Frames, Molding, and Trim Manufacturing	Yes	AA-1
3443	Fabricated Plate Work (Boiler Shops)	Yes	AA-1
3444	Sheet Metal Work	Yes	AA-1
3446	Architectural and Ornamental Metal Work	Yes	AA-1
3448	Prefabricated Metal Buildings and Components	Yes	AA-1
3449	Miscellaneous Structural Metal Work	Yes	AA-1
3451	Screw Machine Products	Yes	AA-1
3452	Bolts, Nuts, Screws, Rivets, and Washers	Yes	AA-1
3462	Iron and Steel Forgings	Yes	AA-1
3463	Nonferrous Forgings	Yes	AA-1
3465	Automotive Stamping	Yes	AA-1
3469	Metal Stamping, NEC	Yes	AA-1
3471	Electroplating, Plating, Polishing, Anodizing, and Coloring	Yes	AA-2
3479	Coating, Engraving, and Allied Services, NEC	Yes	AA-2
3484	Small Arms	Yes	AA-1
3489	Ordnance and Accessories, NEC	Yes	AA-1
3491	Industrial Valves	Yes	AA-1
3494	Valves and Pipe Fittings, NEC	Yes	AA-1
3495	Wire Springs	Yes	AA-1
3496	Miscellaneous Fabricated Wire Products	Yes	AA-1
3498	Fabricated Pipe and Pipe Fittings	Yes	AA-1
3499	Fabricated Metal Products, NEC	Yes	AA-1
3911	Jewelry, Precious Metal	Yes	AA-1
3914	Silverware, Plated Ware, and Stainless Steel Ware	Yes	AA-1
3915	Jewelers' Findings and Materials, and Lapidary Work	Yes	AA-1

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

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

3.2 Contents of Plan. The plan shall include, at a minimum, the following items:

3.2.1 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.

3.2.2 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 industrial activities and significant materials which may potentially be significant pollutant sources. Each plan shall specifically identify the physical features of the facility that may contribute to stormwater runoff. Each plan shall include, at a minimum:

3.2.2.1 Drainage. A site map indicating the outfall locations and 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, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part 11.AA.3.2.2.3 (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: raw metal storage areas, finished metal storage areas, scrap disposal collection sites, equipment storage areas, retention and detention basins, temporary diversion dikes or berms, permanent diversion dikes or berms, right-of-way or perimeter diversion devices, any sediment traps or barriers, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas including outside painting areas, wood preparation, recycling and raw material storage.

For each area of the facilities 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 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. In addition, flows with a significant potential for causing erosion shall be identified such as heavy equipment use areas, drainage from roofs, parking lots, etc.

3.2.2.2 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 between the time of 3 years prior to the date of the submission of an NOI to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with stormwater runoff between the time of 3 years prior to the date of the submission of an NOI to be covered under this permit and the present; 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.

3.2.2.3 Spills and Leaks - A list of significant spills and significant 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 that should be considered for the fabricated metals industry include, but are not limited to, chromium, toluene, pickle liquor, sulfuric acid, zinc and other water priority chemicals and hazardous chemicals and wastes. Such list shall be updated as appropriate during the term of the permit.

3.2.2.4 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.

3.2.2.5 Risk Identification and Summary of Potential Pollutant Sources - A narrative description of the potential pollutant sources from the following activities: loading and unloading operations for paints, chemicals and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cob, chemicals, scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, brazing, etc.; significant dust or particulate generating processes; and onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingots pieces, refuse and waste piles. 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., biochemical or chemical oxygen demand, chromium, total suspended solids, oil and grease, etc.) of concern shall be identified.

3.2.3 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 shall address the following minimum components, including a schedule for implementing such controls:

3.2.3.1 Good Housekeeping - Good housekeeping requires the maintenance of areas which may contribute pollutants to stormwater discharges in a clean, orderly manner. Permittees should address the following areas in the manner described.

3.2.3.1.1 Raw Steel Handling Storage-Include measures controlling or recovering scrap metals, fines, and iron dust, including measures for containing materials within storage handling areas.

3.2.3.1.2 Paints and Painting Equipment-Consider control measures to prevent or minimize exposure of paint and painting equipment from exposure to stormwater.

3.2.3.2 Preventive Maintenance - Preventive maintenance measures shall include timely inspection and maintenance of stormwater management devices (e.g., cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.

3.2.3.3 Spill Prevention and Response Procedures - Areas where potential spills which could contribute pollutants to stormwater discharges may occur, and their accompanying drainage points shall be identified clearly in the stormwater pollution prevention plan. The plan should be considered where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean-up should be available to personnel. The following areas should be addressed:

3.2.3.3.1 Metal Fabricating Areas-Include measures for maintaining clean, dry, orderly conditions in these areas. Use of dry clean-up techniques should be considered in the plan.

3.2.3.3.2 Storage Areas for Raw Metal-Include measures to keep these areas free of conditions that could cause spills or leakage of materials. Storage areas should be maintained for easy access in case spill clean-up is necessary. Stored materials should be able to be identified correctly and quickly.

3.2.3.3.3 Receiving, Unloading, and Storage Areas-Include measures to prevent spills and leaks; plan for quick remedial clean-up and instruct employees on clean-up techniques and procedures.

3.2.3.3.4 Storage of Equipment-Include measures for preparing equipment for storage and the proper method to store equipment including protecting with covers, storing indoors. The plan should include clean-up measures for equipment that will be stored outdoors to remove potential pollutants.

3.2.3.3.5 Metal Working Fluid Storage Areas-The plan should include measures that identify controls particularly for storage of metal working fluids.

3.2.3.3.6 Cleaners and Rinse Water-The plan should include measures to control and cleanup spills of solvents and other liquid cleaners; control sand buildup and disbursement from sand-blasting

operations, prevent exposure of recyclable wastes; and employ substitute cleaners when possible.

3.2.3.3.7 Lubricating Oil and Hydraulic Fluid Operations-Consider using devices or monitoring equipment to detect and control leaks and overflows, including the installation of perimeter controls such as dikes, curbs, grass filter strips, or other equivalent measures.

3.2.3.3.8 Chemical Storage Areas-Identify proper storage that prevents stormwater contamination and prevents accidental spillage. The plan should include a program to inspect containers, and identify proper disposal and spill controls.

3.2.3.4 Inspections - Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the SWPPP. Metal fabricators shall at a minimum include the following areas for inspection: raw metal storage areas, finished product storage areas, material and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, fueling and maintenance areas, and waste management areas. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained as part of the SWPPP. The use of a checklist developed by the facility is encouraged.

Note that additional Stormwater Pollution Prevention Plan (SWPPP) requirements for discharges into waters with unavailable parameters or Exceptional Tennessee waters, as described in the subpart 4.6 of this permit may be applicable to your facility.

3.2.3.5 Employee Training - Employee training programs shall inform personnel responsible for implementing activities identified in the stormwater pollution prevention plan or otherwise responsible for stormwater management at all levels of responsibility of the components and goals of the stormwater pollution prevention plan. Training should address topics such as spill response, good housekeeping, and material management practices. The pollution prevention plan shall identify periodic dates for such training.

3.2.3.6 Recordkeeping and Internal Reporting Procedures - A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of stormwater discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

3.2.3.7 Non-stormwater Discharges

3.2.3.7.1 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 Part VII.G. 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).

3.2.3.7.2 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 authorized under this permit or another NPDES permit should be brought to the attention of the division's local Environmental Field Office (see list of EFOs on page 14).

3.2.3.7.3 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 by not later than 180 days after submitting a notice of intent 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.

3.2.3.7.4 Sediment and Erosion Control - The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion. The plan shall identify structural, vegetative, and/or stabilization measures to be used to limit erosion. These shall include but not be limited to grass swales, filter strips, treatment works, or other equivalent measures. Metal fabricators must include in their plan measures to minimize erosion related to the high volume of traffic from heavy equipment for delivery to and from the facility and for equipment operating at the facility on a daily basis such as forklifts, cranes, etc.

3.2.3.7.5 Management of Runoff - The plan shall contain a narrative consideration of the appropriateness of traditional stormwater management practices (practices other than those which control the generation or source(s) of pollutant(s) used to divert, infiltrate, reuse, or otherwise manage stormwater runoff in a manner that reduces pollutants in stormwater discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to stormwater discharges associated with industrial activities under the SIC codes identified under paragraph 11.AA.1. of this section shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected stormwater (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

3.2.4 Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:

3.2.4.1 Visual inspection of areas contributing to a stormwater discharge for evidence of, or the potential for, pollutants entering the drainage system (and potentially waters of the state). Inspection shall address areas associated with the storage of raw metals, storage of spent solvents and chemicals, outdoor paint areas, drainage from roof, unloading and loading areas, equipment storage areas, recycling areas, and retention ponds (sludge). Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and other related materials. 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, such as detention basins and channels, gutters or drains to direct discharge flow, oil/water separators in storm drains, containment structures, concrete pads, 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 and containment drums, shall be made to determine if the equipment is functioning properly and that drums are not in a corrosive or deteriorating state.

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 11.AA.3.2.2 of this section (Description of Potential Pollutant Sources) and pollution prevention measures and controls identified in the plan in accordance with paragraph 11.AA.3.2.3 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 the permit shall be made and retained as part of the stormwater pollution prevention plan for at least 3 years from the date of the inspection. 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.

3.2.4.4 Where compliance evaluation schedules overlap with inspections required under 11.AA.3.2.3.4, the compliance evaluation may be conducted in place of one such inspection.

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 Tables AA-1 and AA-2 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 AA-1. Benchmark Monitoring Requirements for Fabricated Metal Products Except SIC 3471-3479

Pollutants of Concern	Benchmark [mg/L]
Total Recoverable Aluminum	0.75
Total Recoverable Iron	5.0
Total Recoverable Zinc	0.395
Nitrate plus Nitrite Nitrogen	0.68

Table AA-2.Benchmark Monitoring Requirements for Fabricated Metal Coating and Engraving (SIC 3471-3479)

Pollutants of Concern	Benchmark [mg/L]
Total Recoverable Zinc	0.395
Nitrate plus Nitrite Nitrogen	0.68

5.1.1 Monitoring Periods. Metal fabricating facilities 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 nonprocess 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 (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 areas 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 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 stormwater discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each designated period [described in paragraph (1) below] during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

5.3.1 Examinations shall be conducted in each of the following periods for the purposes of visually inspecting stormwater quality associated with stormwater runoff or snowmelt: January through March; April through June; July through September; and October through December.

5.3.2 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.

5.3.3 Visual examination reports must be maintained onsite in the pollution prevention plan 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.

5.3.4 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.

5.3.5 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 this documentation onsite 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.).

5.3.6 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.

- 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