

Ohio Environmental Protection Agency

Fact Sheet for

National Pollutant Discharge Elimination System (NPDES) General Permit
for Storm Water Discharges Associated with Industrial Activity from Marinas
“Marina Storm Water General Permit”

I. Background

In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act (CWA)) was enacted. It provides that the discharge of pollutants to waters of the United States from any point source is unlawful, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The 1987 amendments to the CWA added section 402(p) which establishes a framework for regulating municipal and industrial storm water discharges under the NPDES program. On November 16, 1990 and on December 8, 1999, EPA published final regulations that establish requirements as to which storm water dischargers are required to obtain NPDES permits. Federal storm water regulations identify marinas as an industrial category subject to such permitting. Ohio, being a delegated NPDES State, is required to administer the storm water regulations.

II. Description of General Permit Coverage and Type of Discharges

This permit would cover the entire State of Ohio. Marinas (standard industrial classification (SIC) code 4493) involved in boat maintenance activities (including boat rehabilitation, mechanical repairs, painting, fueling and lubrication) or equipment cleaning operations are defined in the federal storm water regulations (40 CFR 122.26(b)(14)) as engaged in “industrial activity” and subject to the regulations. Activities covered by the permit includes all new and existing point source discharges of storm water associated with industrial activity from marinas to surface waters of the state. This permit would also authorize discharges associated with boat washing provided that only water or high pressure steam is used and no detergents or other chemical cleaning agents are used.

III. Application and Termination Procedures

Notice of Intent: To obtain marina general permit coverage, each discharger submits a Notice of Intent (NOI) application form. A discharge covered by a general permit does not need to be authorized by an individual NPDES permit. The NOI requirements of the draft general permit are intended to establish a mechanism that provides a clear accounting of the number of entities covered by the permit, the nature of operations at the facility generating the discharge, and

their identities and locations. To obtain or continue coverage, a discharger needs to complete and submit the Notice of Intent (NOI) application form that will be available from Ohio EPA along with the appropriate fee to the following address:

Ohio Environmental Protection Agency
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

Coverage will commence when written approval of coverage is received from the Director authorizing the discharge in accordance with the requirements of OHRM00002.

Marinas that had coverage under general permit number OHRM00001 and intend to continue coverage under the renewed general permit shall submit a new NOI application form within 90 days of the date of Ohio EPA's written instructions to re-notify. New facilities that plan to initiate a storm water discharge are required to submit an NOI application form 180 days prior to commencing discharge.

Marinas requiring permit authorization to discharge who fail to obtain coverage under this general permit, or are not otherwise covered by an individual NPDES permit, will be in violation of ORC Chapter 6111.

Permit Expiration: The general permit renewal will expire five years after the effective date.

Notice of Termination: Each marina covered under the general permit must submit a Notice of Termination (NOT) form to terminate coverage under this permit. Once all storm water discharges covered by this permit are eliminated, the permittee must submit an NOT. Failure to submit an NOT form constitutes a violation of the permit.

IV. Description of Permit Conditions

Storm Water Pollution Prevention Plans (SWP3s): The draft general permit requires the development and implementation of a storm water pollution prevention plan (SWP3). The draft general permit requires that the SWP3 address common operations and activities that typically occur at a marina. The purpose of implementing a SWP3 is to minimize or eliminate the potential for contamination of storm water by industrial activities. The SWP3 is to address physical changes that could be made at the facility to minimize or eliminate the potential for the contamination of storm water. Also, the plan requires the permittee to (1) investigate sources of potential contamination, (2) develop on-going practices/procedures for minimizing/eliminating storm water pollution, and (3) implement those practices/procedures.

Monitoring Requirements: The draft general permit requires quarterly visual monitoring of storm water discharges including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and other obvious indicators of storm water pollution. Marinas which have 200 or more boat slips (total boat capacity including wet and dry) will, in addition to quarterly visual monitoring, be required to perform annual analytical monitoring for the following parameters: total recoverable aluminum, total recoverable iron, total recoverable lead, total recoverable zinc and total suspended solids (TSS).

In comparison to OHRM00001, this draft general permit renewal contains one change. Language has been modified which simplifies what a “measurable storm event” is for the visual and analytical monitoring requirements. OHRM00001 defines a “measurable storm event” as an event resulting in at least 0.1 inches and at least 72 hours after the last measurable event. This general permit renewal’s definition of a “measurable storm event” requires only that a storm event result in a discharge from the permitted facility, and that it is at least 72 hours after the last storm water discharge. This new definition will reduce the burden on permittees from having to resample if a storm event doesn’t result in 0.1 inches.

V. Procedures for the Formulation of Final Determinations

This general permit shall be issued as a final action unless the director revises the draft after consideration of the record of a public hearing or written comments, or upon disapproval by the Administrator of the U.S. Environmental Protection Agency.

Interested persons are invited to submit written comments upon the general permit. Comments should be submitted in person or by mail no later than 45 days after the date of the Public Notice. Deliver or mail all comments to the following address:

Ohio Environmental Protection Agency
Division of Surface Water - Permits Processing Unit
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

The NPDES permit number (OHRM00002) should appear next to the above address on the envelope and on each page of any submitted comments. All comments received no later than 45 days after the date of the Public Notice will be considered.

VI. Additional Information

For additional information regarding this draft general permit, please see the following web page:

http://www.epa.state.oh.us/dsw/permits/GP_Marinas.aspx

Or, you can contact:

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