

Ohio Environmental Protection Agency

Fact Sheet for

National Pollutant Discharge Elimination System (NPDES)

General Permit for Storm Water Discharges Associated with Industrial Activity

“Multi-Sector 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 Nov. 16, 1990 and on Dec. 8, 1999, U.S. EPA published final regulations that establish requirements as to which storm water dischargers are required to obtain NPDES permits. Ohio, being a delegated NPDES State, is required to administer the storm water regulations.

Ohio EPA initially issued a general permit for storm water discharges associated with industrial activity (referred to as the industrial general permit) on Oct. 26, 1992. That general permit expired on April 26, 1994. This fact sheet addresses the sixth generation of the industrial storm water general permit (Permit No. OHR000006).

II. Description of General Permit Coverage and Type of Discharges

This general permit covers new and existing point source discharges of storm water associated with industrial activity to surface waters of the State. Unlike OHR000005, this permit will allow coverage for storm water discharges from marinas (SIC code 4493). This permit does not cover the following:

- Storm water discharges currently addressed by an individual NPDES permit.
- Storm water discharges associated with construction activity. Ohio EPA has specific general permits for this type of discharge.
- Storm water discharges that the Director of Ohio EPA has determined to be contributing to a violation of a water quality standard.
- Storm water discharges from petroleum bulk stations and terminals (SIC code 5171). Ohio EPA has a specific general permit for this type of discharge.
- Active landfills.
- Metal mining (SIC code 10xx).
- Coal surface mining (SIC code 1221). Ohio EPA has a specific general permit for this type of discharge.
- Phosphatic fertilizer manufacturers (SIC code 2874).

- The following storm water discharges subject to effluent limitation guidelines under 40 CFR, Subchapter N are not eligible for coverage and shall obtain authorization under an individual NPDES permit:
 - Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874) (40 CFR Section – Part 418, Subpart A).
 - Runoff from hazardous waste and non-hazardous waste landfills (40 CFR Section – Part 445, Subparts A and B).
 - Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures (40 CFR Section – Part 449).

Discharges to the surface water categories Superior High Quality Waters, Outstanding State Waters, and Outstanding National Resource Waters, excluding Lake Erie, must have had continuous general permit coverage for storm water associated with industrial activity since Feb. 10, 1996 in order to be eligible for coverage under OHR000006. These restrictions are the result of Ohio Administrative Code 3745-1-05, Antidegradation Rule.

Facilities with industrial storm water discharges not eligible for coverage under this renewal permit will have to apply for an individual NPDES permit or seek coverage under an alternative NPDES general permit that does apply.

III. **Application and Termination Procedures**

Notice of Intent: To obtain industrial general permit coverage, each discharger submits a Notice of Intent (NOI) application. A discharge covered by a general permit does not need to be authorized by an individual NPDES permit. The NOI requirements of the 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.

Dischargers in Ohio that are required by federal regulations to obtain a permit for storm water associated with industrial activity, unless exempted from eligibility, can be regulated by the industrial general permit. To obtain or continue coverage, a discharger needs to complete and submit the Notice of Intent (NOI) application using the NOI electronic application form available through the Ohio EPA eBusiness Center at: ***<https://ebiz.epa.ohio.gov/>***.

Submission through the Ohio EPA eBusiness Center will require establishing an Ohio EPA eBusiness Center account and obtaining a unique Personal Identification Number (PIN) for final submission of the NOI. Existing eBusiness Center account holders can access the NOI form through their existing account and submit using their existing PIN. Please see the following link for guidance: ***[http://epa.ohio.gov/portals/35/edmr/doc/STREAMSGuide\(Dashboard\).pdf](http://epa.ohio.gov/portals/35/edmr/doc/STREAMSGuide(Dashboard).pdf)***

Coverage will commence when written approval of coverage is received from the Director authorizing the discharge in accordance with the requirements of OHR000006.

Entities that had coverage under general permit number OHR000005 and intend to continue coverage for a storm water discharge associated with industrial activity under the renewed general permit, shall submit a new NOI application through the Ohio EPA eBusiness Center 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 through the Ohio EPA eBusiness Center within 180 days prior to commencing discharge.

Industrial storm water dischargers required to obtain permit authorization to discharge who fail to obtain coverage under this general permit, or are not otherwise covered by an NPDES permit for storm water discharges associated with industrial activity, 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 individual site covered under the general permit must submit a Notice of Termination (NOT) to terminate coverage under this permit. Once storm water discharges associated with regulated industrial activity covered by this permit are eliminated, the permittee must submit an NOT. Failure to submit an NOT constitutes a violation of the permit. To terminate coverage, a discharger needs to complete and submit the NOT application using the NOT electronic application form available through the Ohio EPA eBusiness Center at: <https://ebiz.epa.ohio.gov/>. Please see the following link for guidance:

[http://epa.ohio.gov/portals/35/edmr/doc/STREAMSGuide\(Dashboard\).pdf](http://epa.ohio.gov/portals/35/edmr/doc/STREAMSGuide(Dashboard).pdf)

IV. Description of Permit Conditions

The general permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The purpose of implementing an SWPPP is to minimize or eliminate the potential for contamination of storm water by industrial activities. The MSGP's framework consists of general requirements and SWPPP conditions applicable to all regulated facilities (Parts 1-5 of permit) and, in addition, sector specific requirements depending on the type of industry (Part 8 of permit). Part 6 of the permit includes monitoring procedures for facilities subject to quarterly benchmark and/or annual effluent limitation guideline monitoring requirements. Part 7 is applicable to all facilities and includes the Reporting and Recordkeeping requirements.

Facilities should look at Appendix D of the general permit to determine which sector(s) requirements (Part 8) apply to their operations. Appendix D identifies the sectors of industrial activity, by Standard Industrial Classification (SIC) Codes and Industrial Activity Codes, to determine a facility's sector. A complete list of SIC Codes [(and conversions from the newer North American Industry Classification System (NAICS)] can be obtained from the Internet at www.census.gov/epcd/www/naics.html.

U.S. EPA's MSGP guidance is relevant to this general permit renewal. For additional guidance and templates, interested parties should review the following U.S. EPA federal MSGP documents:

- Federal MSGP Fact Sheet
- Industrial Sector Fact Sheets

- Industrial SWP3 Guidance
- Sample SWP3 Template
- Sample Recordkeeping Templates
- Industrial Storm Water Monitoring and Sampling Guide

The above documents can be viewed on the Internet at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#factsheets>

In comparison to the previous general permit (OHR000005), OHR000006 contains the following noteworthy changes (identified by permit part):

1. Part 1.1.3. More specific language has been added for conditions when pavement wash waters and routine external building washdown are an allowable non-storm water discharge authorized by the permit. This language is consistent with U.S. EPA's current 2015 MSGP.
2. Part 1.1.4.4. There is no change to this part of the permit; however, language was added which clearly lists the storm water discharges subject to effluent limitation guidelines under 40 CFR, Subchapter N that are not eligible for coverage under this general permit and would require authorization to discharge under an individual NPDES permit. OHR000005 did not specifically list these discharges and U.S. EPA requested that Ohio EPA clearly list these discharges as not eligible for coverage with this permit renewal.
3. Part 1.3.1, Part 1.4.1 and Part 1.5. This general permit renewal will require Notice of Intent (NOI), Notice of Termination (NOT) and No Exposure Certifications to be submitted electronically using Ohio EPA's electronic application forms which are available through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>.

Submission through the Ohio EPA eBusiness Center will require establishing an Ohio EPA eBusiness Center account and obtaining a unique Personal Identification Number (PIN) for final submission of the applications. Existing eBusiness Center account holders can access the applications through their existing account and submit using their existing PIN. Please see the following link for guidance: [http://epa.ohio.gov/portals/35/edmr/doc/STREAMSGuide\(Dashboard\).pdf](http://epa.ohio.gov/portals/35/edmr/doc/STREAMSGuide(Dashboard).pdf)

The general permit does provide that an entity which is unable to access the forms through the agency eBusiness Center; due to a demonstrated hardship, may submit the applications via paper applications provided by Ohio EPA.

4. Part 4.1.3 and Part 4.2.3. Language has been added which allows the reduction of the required frequency for routine facility inspections and quarterly visual assessments for facilities that are recognized under the Gold and Platinum levels by Ohio EPA's Encouraging Environmental Excellence (E3) Program. For additional information on Ohio EPA's E3 Program, please see the following link: <http://epa.ohio.gov/ocapp/ohioe3.aspx>.
5. Part 4.3. U.S. EPA's 2015 federal MSGP consolidated the comprehensive site inspection and routine facility inspection procedures into one set of procedures to eliminate redundancies and reduce burden. This general permit has mirrored this

approach and Part 4.3 (Comprehensive Site Inspections) has been removed from the general permit.

6. Part 5.1.5.1. Any documents which the SWPPP references for incorporation into the SWPPP must be available on site. This could be in either hard copy format or electronically. Language was added to Part 5.1.5.1 to clarify that an electronic version is acceptable.
7. Part 5.3. Language has been added requiring permittees to make available to the public their SWPPP when requested, excluding any confidential business information (CBI) or restricted information.
8. Part 6.1.1. Language was added to clarify that for monitoring purposes, an outfall can include a discrete conveyance (i.e., pipe, ditch, channel, tunnel or conduit) or a location where sheet flow leaves a facility's property.
9. Part 6.2.1.2. The general permit provides permittees the first 3 years of their permit coverage under the general permit to complete the benchmark monitoring requirements which is consistent with OHR000005. Language has been added to clarify that permittees obtaining coverage in years 4 and 5 of the general permit must complete benchmark monitoring requirements to the extent of remaining monitoring periods available before the general permit expires.
10. Part 6.2.1.2. Language was added to provide permittees that may be exceeding a benchmark; due to, a neighboring facility's storm water run-on a procedure to document and account for this situation. Such sampling results are to be documented within eDMR's comment section.
11. Part 6.2.1.2. Language was added to allow a facility to default to a different benchmark value if a parameter's water quality standard is less restrictive than the permit's benchmark value.
12. Part 6.2.1.2. Language was added that, in accordance with Part 2, determined pollutant concentrations from your facility's structures (roofs, walls, fencing, etc.) may be considered to determine if it is technologically available and economically practical and achievable in light of best industry practice to implement additional control measures or not, when a benchmark has been exceeded.
13. Part 7.2 and Appendix I. The annual report has been modified to be consistent with U.S. EPA's current federal MSGP Annual Report. Consistent with OHR000005, the annual report is to be completed on an annual basis and maintained with the permittee's SWPPP.
14. Part 8.C.2.1. Language was added to more clearly identify that the discharge of leachate, as defined by Ohio Administrative Code (OAC) 3745-27-01(L)(1), is not authorized by this general permit.
15. Table 8.C-1 and Appendix D, Sector C. Compost facilities (SIC 2875) were originally located in Subsector C1. Compost facilities have been removed from Subsector C1 and located in a newly created Subsector C6 which provides more appropriate benchmark monitoring parameters for this industry. As such, Table 8.C-1 and

Appendix D, Sector C has been revised to specify that SIC 2875 (non-composting) will be subject to Subsector C1 and SIC 2875 (composting) will be subject to Subsector C6.

16. Part 8.N.3.1.7. Language was added to clarify that secondary containment under this permit part is referencing stationary outdoor equipment and not mobile equipment (i.e., loaders).
17. Part 8, Subpart Q – Sector Q – Water Transportation. Marinas have been added to Sector Q of the general permit. Currently, Ohio EPA has a specific general permit for marinas (OHRM00002) which expires on January 21, 2018. Ohio EPA will not be renewing the Marina Storm Water general permit when it expires. Marinas with coverage under OHRM00002 will remain covered under that general permit until it expires. Once the Marina Storm Water general permit expires on January 21, 2018, these currently permitted marinas will be instructed to renew their coverage under this general permit and be subject to this general permit's conditions at that time.

The current Marina Storm Water general permit authorizes the discharge of boat wash water if no detergents or other chemical cleaning agents are used. This general permit does not authorize boat wash water. Such discharges would require proper collection and disposal (i.e., sanitary sewer) or be permitted by a separate NPDES permit.

18. Appendix B. Standard Permit Conditions. Appendix B has been updated to reflect the "Standard Permit Conditions" language found within Ohio EPA general permits. OHR000005's "Standard Permit Conditions" language was from U.S. EPA's federal MSGP and required updating to be consistent with Ohio's other NPDES general permits.

The final general permit and associated documents can be viewed on the Internet at:
http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx

V. Additional Information

For additional information regarding this general permit, please contact one of the following:

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