

Ohio Environmental Protection Agency

Fact Sheet for

National Pollutant Discharge Elimination System (NPDES)

General Permit for Stormwater 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 stormwater discharges under the NPDES program. On November 16, 1990, and on December 8, 1999, EPA published final regulations that establish requirements as to which stormwater dischargers are required to obtain NPDES permits. Ohio, being a delegated NPDES State, is required to administer the stormwater regulations.

Ohio EPA initially issued a general permit for stormwater discharges associated with industrial activity on October 26, 1992. This fact sheet addresses the seventh generation of the industrial stormwater general permit (Permit No. OHR000007).

II. Description of General Permit Coverage and Type of Discharges

This general permit covers new and existing point source discharges of stormwater associated with industrial activity to surface waters of the State. This permit does not cover the following:

- Stormwater discharges currently addressed by an individual NPDES permit
- Stormwater discharges associated with construction activity. Ohio EPA has a specific general permit for this type of discharge
- Stormwater discharges that the Director of Ohio EPA has determined to be contributing to a violation of a water quality standard
- Stormwater 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 stormwater 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 stormwater associated with industrial activity since February 10, 1996, to be eligible for coverage under OHR000007. These restrictions are the result of Ohio Administrative Code 3745-1-05, Antidegradation Rule.

Facilities with industrial stormwater 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 stormwater 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 stormwater associated with industrial activity, unless exempted from eligibility, can be regulated by the industrial stormwater 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 OH|ID account and obtaining a unique Personal Identification Number (PIN) for final submission of the NOI. Existing OH|ID 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: ***<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services>***

Coverage will commence when written approval of coverage is received from the Director authorizing the discharge in accordance with the requirements of OHR000007.

Entities that had coverage under general permit number OHR000006 and intend to continue coverage for a stormwater discharge associated with industrial activity under this general permit, shall submit a renewal NOI application through the Ohio EPA eBusiness Center within 90 days of the effective date of OHR000007. New facilities that plan to initiate a stormwater discharge are required to submit an NOI application through the Ohio EPA eBusiness Center within 180 days prior to commencing discharge.

Industrial stormwater 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 stormwater discharges associated with industrial activity, will be in violation of ORC Chapter 6111.

Permit Expiration: This general permit 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 stormwater 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: <https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services>

IV. Description of Permit Conditions

This general permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The purpose of implementing an SWPPP is to minimize or eliminate the potential for contamination of stormwater 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 this 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 <https://www.census.gov/naics/>

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

1. The word "storm water" has been changed to "stormwater" throughout the permit to be consistent with Ohio EPA's current Style Manual.
2. Typos and Error Corrections:
 - Part 2.1.2.5 and 2.1.2.6. Updated the name and website for Ohio's Rainwater and Land Development manual.
 - Part 1.4.2. Removed the sentence regarding that a permittee shall submit a Notice of Termination (NOT) when a new owner or operator has taken over responsibility for the facility. This situation would require a NPDES Transfer Application to be submitted.

- Part 1.6.2. Updated language regarding how to submit an individual NPDES permit application.
 - Part 3.4. Corrected “questions 3-5” to “question 4” and corrected “questions 7-11” to “question 4”.
 - Part 5.4. The next to last bullet referenced Part 6.2.4.2 which does not exist. The final permit has been updated to correctly reference Part 6.2.1.2
 - Appendix B.12.C. Updated language that NPDES general permit coverage can be transferred in accordance with Ohio Administrative Code (OAC) 3745-38-02(K).
 - Parameter reporting units. The permit’s parameter reporting units have been updated to be consistent with the reporting units in eDMR. Units for the following parameters have been updated from mg/L to ug/L for Arsenic, Copper, Zinc, Aluminum, Lead, Selenium, Silver and Cadmium. Mercury has been updated from mg/L to ng/L.
3. Part 1.3.1 (Table 1-2). This permit clarifies that existing permitted facilities need to submit a renewal Notice of Intent (NOI) within 90 days after the effective date of OHR000007 to renew coverage under this general permit. Ohio EPA will still send out renewal notifications.
 4. Part 6.2.1.2. The previous permit provides the first 12 quarters (3-years) to select and take the 4 quarterly benchmark samples. This permit requires these 4 quarterly benchmark samples to be taken within the first 8 quarters (2-years) of permit coverage.
 5. Part 6.2.1.2. This permit maintains the previous permit language regarding corrective actions (Part 3 of permit) when a benchmark value is exceeded. However, this permit requires that for facilities that exceed a benchmark value (taken during first 2-years of permit coverage) that the facility make the necessary modifications and then take 4 more quarterly samples (during years 3 and 4 of permit) to determine if corrective action(s) were effective in reducing the pollutant discharge. This permit does not specify what corrective action(s) to implement consistent with the previous general permit.
 6. Appendix I – Annual Reporting Form. This permit has added the following Yes/No question to the Annual Report which is to be completed and maintained onsite:

“Has your facility used coal-tar sealcoat to seal paved surfaces where industrial activities are located during this reporting year? Note: Substitutes for coal-tar sealcoats are available, such as asphalt emulsion sealants and acrylic sealants.”

This approach would provide information on the usage of coal-tar sealcoats in Ohio.
 7. Appendix J. Beryllium and Nickel have been removed from Table 1 of Appendix J. These two parameters were applicable to Sectors that were previously removed from the permit so are not needed and have been removed.

8. Appendix L – NPDES General Permit Transfer Form. Added Appendix L to the permit to identify that the general permit is transferrable, and instructions provided on how to do so.

V. Additional Information

This general permit and associated documents can be viewed at
<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/industrial-storm-water--general-permit>

For additional information regarding this general permit, please contact:

Anthony Robinson
(614) 728-3392
Anthony.Robinson@epa.ohio.gov