Washington State Department of Ecology
Water Quality Program

Industrial Stormwater General Permit
Frequently Asked Questions

These answers were developed in response to inquiries received by the Washington State Department of Ecology – Water Quality Program. They are organized by permit conditions, e.g., questions related to sampling stormwater are located in "Special Condition S4 – Monitoring".

This document is intended as guidance only, and does not modify or otherwise change the permit requirements in the Industrial Stormwater General Permit. If there is any discrepancy between this guidance and the Industrial Stormwater General Permit, the permit requirements supersede this guidance.

If you have questions about this document, please contact Travis Porter, Permit Writer, at travis.porter@ecy.wa.gov or (360) 407-6127.

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Industrial Stormwater General Permit
Frequently Asked Questions

Special Condition S1 – Permit Coverage

Q1 **We own/operate an industrial facility that is entirely self-contained and has no run-off to "surface waters of the state". If our facility has no stormwater run-off, do we need to get permit coverage?**

A1 No. Condition S1.A of the Industrial Stormwater General Permit (permit/ISGP) states, "Facilities engaged in any industrial activities in Table 1 shall apply for coverage ***if stormwater from the facility discharges to a surface waterbody, or to a storm sewer system that discharges to a surface waterbody***." Therefore, industrial facilities that discharge stormwater only to sanitary sewer or to groundwater (e.g., on-site infiltration), ***with no discharge to surface waters***, do not require coverage under the permit. In other words, facilities that have soil, climate and drainage conditions that prevent stormwater discharges to surface waters (year-round) are exempt from the permit. These exempt facilities do not need to apply for an exemption or get site-specific approval from the Department of Ecology (Ecology).

> **Note**: Federal regulations allow state permitting authorities, including Ecology, to require ***any facility*** (regardless of SIC code or discharge characteristics) to apply for the Permit if they are determined to be a "significant contributor of pollutants" (defined in permit), on a case-by-case basis. This determination is a tool used by Ecology to address discharges from facilities that pose an unacceptable risk to surface water or ground water quality.

Q2 **What is the definition of "surface waters of the state"? Is a ditch or other man-made waterway considered "surface waters of the state"?**

A2 ***Surface Waters of the State*** includes lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington, including wetlands. Ditches, irrigation returns, storm drains and other man-made waterways are also considered "surface waters of the state".

Q3 **What if I only discharge stormwater during very large storm events? For example, only during the 100-year storm event?**

A3 The potential for any discharge to surface waters of the state should be carefully evaluated and documented by the facility operator. Even if a discharge to surface waters of the state occurs only rarely, as with a 100-year storm event, permit coverage for that discharge is required.

Q4 **What if my stormwater discharge is "sheet flow", rather than through a pipe or discrete conveyance channel? Do I still need permit coverage?**

A4 Yes, sheet flow from an industrial facility into waters of the state would be considered a discharge and therefore requires permit coverage.

Q5 **Does an industrial facility discharging to a storm drain (municipal separate storm sewer system or MS4) in a city or county with a Phase I or Phase II Municipal Stormwater Permit need permit coverage?**

A5 Yes, discharges of stormwater associated with industrial activity through a municipal separate storm sewer system (MS4) do need permit coverage. By definition, a municipal separate storm sewer system (MS4) is not connected to an operable treatment works (treatment plant) and effluent conveyed through the MS4 discharges to surface waters of the state; therefore, industrial stormwater discharges into a MS4 require permit coverage.

Q6 **My city (or county, school district, etc.) is permitted under Ecology's Municipal Stormwater Permit. The city conducts industrial activity (e.g., bus maintenance, waste management) at several locations. Do these industrial facilities also need coverage under the Industrial Stormwater General Permit?**

A6 Possibly, depending on the site-specific industrial activity and discharge scenario. Certain types of industrial facilities operated by a city or other jurisdiction under a Municipal Stormwater Permit also require coverage under the ISGP, if stormwater from the facility drains to surface waters or a stormwater conveyance system that discharges to surface waters.

Q7 **Does an industrial facility discharging all their stormwater to sanitary sewer or combined sewer (e.g., King County Metro) need permit coverage?**

A7 No, discharges to sanitary sewer, including combined sewer systems, are connected to an operable treatment works and is not considered a discharge to "waters of the state". Therefore, discharges to sanitary sewers or combined sewers do not require permit coverage. However, these discharges do require specific approval from the local sewer agency. (http://www.kingcounty.gov/environment/wtd/About/SewerAgencies.aspx)

Q8 **Do transportation facilities require permit coverage?**

A8 Certain categories of transportation facilities (listed below) require permit coverage if they have vehicle maintenance activity, equipment cleaning operations, or airport deicing operations:

- Railroad Transportation (SIC 40xx)
- Local and Suburban Transit and Interurban Highway Passenger Transportation (SIC 41xx)
- Motor Freight Transportation (SIC 42xx, except SIC 4221–25)
- United States Postal Service (SIC 43xx)
- Water Transportation (SIC 44xx)
- Air Transportation (SIC 45xx)
- Petroleum Bulk Stations and Terminals (SIC 5171)

Definition:
"Vehicle Maintenance" means the rehabilitation, mechanical repairing, painting, fueling, and/or lubricating of a motor-driven conveyance that transports people or freight, such as an automobile, truck, train, or airplane.

Q9 **Does "mobile" fueling at a "transportation" facility require permit coverage?**

A9 Yes, mobile fueling is "vehicle maintenance activity" and therefore a transportation facility with mobile fueling requires permit coverage (see previous Q&A).

Q10 **My transportation facility has vehicle maintenance activity and therefore requires permit coverage. Does the permit apply to the entire footprint of the facility, or just to the area where we conduct vehicle maintenance activity?**

A10 The entire footprint of the industrial facility. Once a transportation facility has permit coverage, the permit conditions for sampling, inspection and stormwater management practices are required in all areas of industrial activity, rather than only those areas where vehicle maintenance, equipment cleaning and airport de-icing occur.

Q11 **What is a Conditional No Exposure (CNE) exemption? How do I know if my facility qualifies for a CNE exemption?**

A11 The permit has an exemption for industrial facilities that do not have industrial materials and activities exposed to stormwater. Facilities with "no exposure" can apply for an exemption from coverage under the permit; this is called a Conditional No Exposure (CNE) exemption.

Ecology's CNE focus sheet lists the 11 criteria used to determine if a facility qualifies: https://ecology.wa.gov/Asset-Collections/Doc-Assets/Water-quality/Water-Quality-Permits/Industrial-Stormwater/CNE-Focus-Sheet.

Q12 **My facility discharges entirely to sanitary sewer, with no discharge to surface waters. Does this mean I qualify for a Conditional No Exposure (CNE) exemption?**

A12 No, "no discharge" is different from "no exposure". If your facility does not discharge stormwater to surface waters of the state (or a storm drain connected to surface waters of the state), your facility is exempt from the permit, and no form or written exemption is required.

Q13 **My facility discharges all stormwater to ground (via infiltration basins and dry wells), with no discharge to surface waters. Does this mean I qualify for a Conditional No Exposure (CNE) exemption?**

A13 No, "no discharge" is different from "no exposure". If your facility does not discharge stormwater to *surface waters* of the state (or a storm drain connected to *surface waters* of the state), your facility is exempt from the permit, and no form or written exemption is required.

Note: Certain discharges to ground (e.g., drain fields, dry wells) require the owner to register through the Underground Injection Control (UIC) program.

Click for more information on the UIC Program.

Q14 **Can a portion of a facility within a larger industrial facility make use of the Conditional No Exposure (CNE) exemption?**

A14 No, the Conditional No Exposure (CNE) exemption applies to the ***entire*** facility. If some activities are not exposed to stormwater, then it should be noted in the SWPPP that those areas are not exposed (it is a permit requirement to *minimize* exposure). However, once a facility is covered under the permit, the permittee must inspect those areas that are not exposed to stormwater during the monthly site inspection to ensure that those areas continue to have no exposure to stormwater, and that there is no tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas.

Q15 **Our facility pressure washes equipment and vehicles at an outdoor (closed-loop) wash rack. Does this activity mean we do not qualify for the Conditional No Exposure (CNE) exemption?**

A15 Yes, cleaning of "industrial machinery or equipment" in an area that is exposed to rain or snow constitutes "exposure" (see CNE Question #1), and your facility would not qualify for the Conditional No Exposure (CNE) exemption.

> Excerpt from CNE Application - Checklist Question #1:
> Is anyone using, storing or cleaning industrial machinery or equipment in an area that is exposed to stormwater, or are there areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater?

Q16 **Our cold storage warehouse has refrigeration units and ducting on the roof. We also have outdoor conveyor belts to bring products and materials into the facility. Does this mean we do not qualify for the Conditional No Exposure (CNE) exemption?**

A16 Yes, if equipment associated with industrial activity (e.g., refrigeration units, conveyors) is exposed to stormwater, the facility would not qualify for the Conditional No Exposure (CNE) exemption.

> Excerpt from CNE Application - Checklist Question #1:
> Is anyone using, storing or cleaning industrial machinery or equipment in an area that is exposed to stormwater, or are there areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater?

Special Condition S2 – Application for Coverage

Q17 **How do I apply for coverage under Ecology's Industrial Stormwater General Permit?**

A17 The owner/operator of the facility must fill out and submit an online application (called "Notice of Intent" or "NOI") to Ecology. The information and link to the online application is available on Ecology's website. (https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance)

- Facilities that began operations on or after January 2, 2015 are "new facilities" and must publish a public notice for two consecutive weeks (two separate notices), at least seven days apart, in a newspaper of general circulation within the county in which the discharge from the facility is proposed. The applicant must submit the application form to Ecology on or before the date of the first public notice. The application form has instructions and a template that will help you run your public notice. For additional information, contact your Permit Administrator.

Facilities that began operations prior to January 2, 2015 are "existing facilities", and not required to publish a public notice.

Permit Coverage Timeline:

- If the applicant does not receive notification from Ecology, permit coverage automatically commences on whichever of the following dates occurs last:
  - The 31st day following receipt by Ecology of a completed application
  - The 31st day following the end of a 30-day public comment period.
- Ecology may need additional time to review the application:
  - If the application is incomplete.
  - If it requires additional site-specific information.
  - If the public requests a public hearing.
  - If members of the public file comments.
  - When more information is necessary to determine whether coverage under the general permit is appropriate.
- When Ecology needs additional time:
  - Ecology will notify the applicant in writing within 30 days and identify the issues that the applicant must resolve before a decision can be reached.
  - Ecology will submit the final decision to the applicant in writing. If Ecology approves the application for coverage/modification, coverage begins the 31st day following approval, or the date the approval letter is issued, whichever is later.

Applicants can also check the status of their application in Ecology's online database (PARIS): https://fortress.wa.gov/ecy/paris/PermitLookup.aspx.

Special Condition S3 – Stormwater Pollution Prevention Plan (SWPPP)

Q18 **Does Ecology have any guidance on how to develop a SWPPP?**

A18 Yes, Ecology's website has a SWPPP Template that can be used by permittees and consultants to prepare a SWPPP that meets the requirements of the permit.

Download SWPPP template
Download Monthly Site Inspection Form

Q19 **Are permittees *required* to use Ecology's SWPPP template?**

A19 No, as long as the permittee's SWPPP meets the requirement of the permit.

Q20 **Is it a violation of the permit if we do not have an adequate SWPPP even though our sample numbers are below the benchmarks?**

A20 Yes, the SWPPP requirements (Condition S3) apply to all permitted facilities, including those with stormwater discharges below the benchmarks.

Q21 **Does the SWPPP Certification form need to be resigned each time the SWPPP is changed?**

A21 Yes. But if more than one revision is made during a quarter (3 month reporting period), the permittee only needs to recertify the SWPPP one time that quarter.

Q22 **Can part of my SWPPP be stored electronically? For example, can I use a spreadsheet used to keep track of my inspections or corrective actions?**

A22 Yes, as long as 1) site personnel have access to the SWPPP during hours of operation, 2) Ecology inspectors are able to review the electronic records onsite during an inspection, and 3) the SWPPP (hard copy + electronic portions) is complete, accurate and covers all the requirements of Condition S3.

Q23 **Is it required that fueling trucks have spill kits on them? Fleet fueling, etc.**

A23 The permit requires that spill kits be located "within 25 feet of all fueling stations, transfer stations, and *mobile fueling units*." In a practical sense, that means fueling trucks will likely need to be equipped with spill kits.

Q24 **The permit requires chemical liquids, fluids and petroleum products to be stored on an impervious surface that is surrounded with a "secondary containment berm or dike". My above ground fuel tanks are "double-walled" and located on concrete pad. Does this satisfy the permit requirement, or do I also need an additional containment structure around the tank?**

A24 A double-walled tank on an impervious surface, such as concrete, is considered "secondary containment" and is in compliance; no additional containment berm or dike is required.

Q25 **Do my tanks of wastewater need to be provided with a secondary containment structure?**

A25 Yes.

Q26 **Do all outdoor dumpsters and waste containers need to have lids?**

A26 Yes. Condition S3.B4.b.i.2).d) on page 14 states, "Keep all dumpsters under cover or fit with a lid that must remain closed when not in use."

> **Note**: Ecology does not consider tarps to be acceptable cover since they tend to weather, blow away, and/or fail to keep water out of the dumpster.

Q27 **I am planning to install a chemical treatment system. Do I need to get Ecology's approval to use chemical treatment?**

A27 Yes, the permit requires approval for chemical treatment systems. See Condition S3.B.4.b.iii.3 on Page 18: "Obtain Ecology approval before beginning construction/installation of all treatment BMPs that include the addition of chemicals to provide treatment."

If the proposal involves either 1) chitosan-enhanced sand filtration or 2) electro-coagulation, submit a Request for Chemical Treatment form to Ecology Headquarters.

For proposals involving other types of treatment systems, the permittee must submit an engineering report, plans and specifications (WAC 173-240-110) to the appropriate Ecology regional office if the treatment system requires site-specific design or sizing of structures, equipment or processes to collect, convey, treat, reclaim, or dispose of industrial stormwater.

Q28 **If I have coverage under the industrial permit, and I hire a contractor to do a project > 1 acre and they get a construction stormwater permit, how is my permit affected? Does the contractor need to follow my BMPs or can they just follow those listed in the construction permit? How does this affect my SWPPP?**

A28 Facilities covered under the industrial permit that perform construction activity 1 acre or larger require (separate) coverage under the Construction Stormwater General Permit (CSWGP).

The CSWGP has different BMPs and monitoring requirements than an Individual NPDES permit, or the Industrial Stormwater General Permit, and those must be followed on the area undergoing construction activity.

If appropriate, the Industrial SWPPP can be modified to state that one or more of the mandatory BMPs in the Industrial Stormwater General Permit may be omitted if site conditions (during the period of construction) render the BMP unnecessary, infeasible, or the Permittee provides alternative or equally effective BMPs; if the Permittee clearly justifies each BMP omission in the SWPPP (see p.13, S3.B.4.b).

The CSWGP requires weekly turbidity sampling, and the Industrial Stormwater General Permit requires quarterly turbidity sampling.

Discharge points that drain areas where industrial activity and construction is co-located, need to be sampled for turbidity weekly (if discharging); and DMRs submitted for both permits. If multiple turbidity samples were collected, those sample results need to be reported on the Industrial Stormwater DMR, as well as the Construction Stormwater DMR.

Special Condition S4 – General Sampling Requirements

Q29 **How do I change, add, or delete sampling locations or locations where my discharge enters surface waters of the state?**

A29 Ecology's website has a form that permittees use to add or remove, or change discharge and/or sample points at a facility. The ISGP Discharge/Sample Point Update form can be downloaded from: https://fortress.wa.gov/ecy/publications/SummaryPages/ecy070373.html.

Q30 **Averaging visible sheen? Can it be done?**

A30 No, the permit states pH and visible oil sheen cannot be averaged.

Specifically p.21, S4.B.6.c states:

> "Permittees monitoring more than once per quarter shall average all of the monitoring results for each parameter (***except pH and "visible oil sheen***") and compare the average value to the benchmark value."

Also p.22, S5.A.3 states:

> "If a Permittee's discharge exceeds a benchmark listed in Table 2, the Permittee shall take the actions specified in Condition S8. Permittees sampling more than once per quarter shall average the sample results for each parameter (***except pH and "visible oil sheen***") and compare the average value to the benchmark to determine if the discharge has exceeded a benchmark value."

Q31 **For purposes of "consistent attainment", is it OK to use sampling data collected prior to the effective date of the 2015 permit?**

A31 Yes.

Q32 **We would like to clarify the new changes in Consistent Attainment (CA) in ISGP S4.B.6.**

It is that clear sampling for a parameter can be suspended for 12 quarters based on consistent attainment for benchmark values. This would mean that now in 2015, if a parameter has CA for several quarters, that can continue for 12 quarters after CA was achieved.

Our question is whether this also applies for parameters working towards consistent attainment – for example, if zinc has been below the benchmark for 4 quarters – is CA achieved after 4 more quarters – or did the clock reset in 2015 and 8 quarters below the benchmark is required?

A32 Yes, the same concept applies for parameters working towards consistent attainment. In your example, the 4 samples your client has already achieved would carry forward into the new permit cycle, and then, once they meet the benchmark for 4 more quarters (for a total of 8 consecutive), they can then suspend sampling for 12 quarters. In other words, the clock does not automatically reset in 2015.

Q33 **Based on the sampling results we just received, one of our facilities has achieved consistent attainment for all but one parameter, zinc. Can we re-sample and use an average of several zinc samples collected during the quarter to still achieve consistent attainment for zinc at this facility based on Permit Condition S4.B.6.c.?**

A33 Yes, you can continue to sample stormwater at the facility and analyze the samples for zinc (only). The average of those analyses would be calculated and then compared to the benchmark to determine if consistent attainment has been achieved.

Q34 **My facility had exceedances for Copper and Zinc, but met the benchmarks for all the other parameters. We believe that we have isolated the source of the high Copper and Zinc, and are hoping to do additional sampling to average the results over the quarter in order to mitigate the exceedances. Can I do additional sampling for Cu & Zn only? Or do we have to resample all?**

A34 Facilities are allowed to sample only the parameters they are interested in averaging over the quarter, and are not required to re-sample the parameters that met the benchmark.

Q35 **One of my two discharge points consistently meets the benchmarks, but I have trouble meeting the benchmarks at the other. Can I claim consistent attainment at one discharge point, but not the other?**

A35 Yes, "consistent attainment" status applies to specific discharge points, so a facility may be able to achieve it at one discharge point, but not at others.

Q36 **When a facility changes their sampling location, does it re-set their consistent attainment tally?**

A36 It depends on the nature of the change in location. "Consistent attainment" is parameter-specific and ***discharge point-specific***. For example, a facility with two discharge points may reach consistent attainment for zinc at Location 1, but not at Location 2.

If a facility changes sample locations to a point that still represents the same discharge point and drainage area of the facility (e.g., moving to a different manhole or sampling port within the drainage system that is safer and/or more convenient), it would be viewed as representative of the same discharge point and drainage area. As such, it would not reset the consistent attainment tally.

However, if the facility changes sample points and the new point represents a different discharge point or drainage area - that would reset the consistent attainment tally. Such changes in sample location would require a "Sample Point Update Form", which effectively inactivates the old sample point in Ecology's PARIS database, and activates the new sample point. The DMR data for these two points would be tracked separately in PARIS, and interfere with the ability to track consistent attainment eligibility or status.

Q37 **If a facility meets the consistent attainment criteria, but opts to continue sampling for an additional 4 quarters, does the 3 years begin after the non-required sampling stops (after the 4 extra quarters were sampled)?**

A37 No, when they choose to collect 4 more quarters of samples after they reached consistent attainment, they basically used up their first year (of three) and then should only be allowed to take 2 more years off from sampling.

Q38 **If the October "first flush" storm event occurs during off-hours (e.g., weekend), are permittees required to sample during the very next "on-hours" event, or are we now just trying to get a sample during the 4th quarter?**

A38 The permittee is required to sample the next stormwater discharge event that occurs during normal business hours, rather than any time during the 4th quarter.

Q39 **The permit says to sample the "first flush" event after October 1st. Can we also take additional samples during that quarter (4th quarter) and compare the average to the benchmark?**

A39 Yes, permittees must sample the first discharge after October 1st, but they may also collect additional (multiple) samples during the 4th quarter. If multiple samples are collected, the *average* of sample results collected during the quarter must be determined, and the average is then compared to the benchmark to see if corrective actions are required.

Q40 **The permit says that stormwater sampling is not required outside of "regular business hours". For businesses with multiple shifts, please clarify how to determine what is considered regular business hours vs O&M, janitorial, etc.**

A40 Facilities are not exempt from sampling stormwater discharges (per S4.B.1.e) during periods of time or shifts when a facility is engaged in its primary production process.

The permit (p.55) has the following definition:

"Regular Business Hours" means those time frames when the facility is engaged in its primary production process, but does not include additional shifts or weekends when partial staffing is at the site primarily for maintenance and incidental production activities. Regular business hours do not include periods of time that the facility is inactive and unstaffed.

Q41 **For businesses that operate 24/7, clarify that we need to be prepared to sample at all times unless safety issues interfere.**

A41 Facilities that operate 24/7 need to be prepared to sample at all times. Sampling is not required outside regular business hours or during unsafe conditions.

Q42 **I want to prove that my client's stormwater samples are being affected by air deposition or from comingled or run-on sources. They employ additional sampling within their property and outside (upstream, downstream, air deposition, etc.) and the results reveal a large contribution of pollutants not contributed by the permittee or their business practice. How can a permittee demonstrate the difference in their reporting?**

A42 Permittees need to sample and report the quality of stormwater being discharged from their industrial activity; typically, this is at the property boundary or the most down gradient manhole/catch basin.

Relevant laws, rules and court cases hold individual facilities responsible for their discharge quality. If the facility's industrial stormwater is being contaminated by air deposition or an adjacent property/discharge (that cannot be diverted or segregated from the facility's contribution), they should still sample where stormwater is discharged from their facility, and report their results on the DMR. In some cases, the sampling location can be moved to better reflect only the facility's stormwater quality (and exclude run-on from off-site sources). Check with the regional Ecology inspector to see if adjustments to the sampling plan would better reflect stormwater quality of the facility.

In some cases, where the off-site impact can be traced to a specific source, the permitted facility may want to contact the party causing the off-site impact to see if there is a practical solution.

Special Condition S5 – Benchmarks, Effluent Limits and Specific Sampling Requirements

Q43 **My Discharge Monitoring Report (DMR) form specifies that pH sampling requires a pH meter, but the permit allows permittees to use a pH meter *or* paper. Can we still use paper?**

A43 Yes*, facilities have the option of using either a calibrated pH meter or pH paper (i.e., narrow-range pH indicator paper with a resolution not greater than ± 0.5 SU pH) to analyze their stormwater for pH and compare their results to the ***pH benchmark***.

> ***Note**: The only exception applies to discharges subject to a ***numeric effluent limit for pH*** (because they discharge to a waterbody on the 303(d)-list for high pH); these operators need to use a calibrated pH meter to assess compliance with their numeric effluent limit for pH.

Q44 **My first sample this quarter was above the benchmark. Can I take more than one sample during the quarter and compare the average to the benchmark?**

A44 Yes, permittees may sample (one or more parameters) multiple times during the quarter. If multiple samples are collected the *average* of sample results collected during the quarter must be determined, and the average is then compared to the benchmark to see if corrective actions are required.

Q45 **The *initial* 4th Quarter sampling results for a parameter would trigger a Level 2 or a Level 3. We sampled several more times during the 4th Quarter and the *average* of all of the 4th Quarter results is below the benchmark.**

Based on Permit Condition S5.A.3, does this eliminate triggering the Level 2 or Level 3? In other words, is it the average of the samples collected during the quarter that you use to determine if a Level 1, 2 or 3 is triggered, not a single result?

A45 Yes, the *average* of samples collected during the quarter are compared to the benchmark to determine if corrective actions are required.

Q46 **Why is additional petroleum monitoring now required at transportation facilities?**

A46 Studies suggest petroleum runoff is the most significant impact to the water quality of Puget Sound. In order to protect our water quality, the 2015 ISGP requires additional testing for petroleum at industrial transportation facilities. These sectors include rail, transit, motor freight, water transportation, and bulk petroleum tank farms. The 2010 ISGP only required auto wrecking, scrap recycling and metals industries to monitor petroleum using the Northwest Total Petroleum Hydrocarbons – Diesel range (NW-TPH-Dx). All other industrial sectors looked for presence/absence of a visible oil sheen. This was intended to provide awareness during monthly visual inspections. While the 2015 ISGP sustains this requirement for most sectors, transportation facilities where diesel, motor oil, jet fuel, and hydraulic fluid may drip, leak, or spill into the storm drains, the quantitative method NW-TPH-Dx is now required for this higher risk category.

Special Condition S6 – Discharges to Impaired Waters

Q47 **How do I know if I discharge to a 303(d)-listed waterbody?**

A47 Ecology has identified facilities that discharge to a 303(d)-listed waterbody with additional sampling requirements and effluent limits. These facilities were informed of additional impaired waterbody requirements at the time of permit coverage. Ecology also maintains a list (Appendix 4) of facilities with effluent limits due to 303(d)-listed waterbodies: Appendix 4 (link to PARIS database report of facilities with 303(d) limits).

Q48 **What effluent limits and monitoring requirements apply if my discharge goes to a Puget Sound Sediment Cleanup Site?**

A48 If the waterbody is 303(d)-listed (Category 5) for any sediment quality parameter at the time of permit coverage, sampling and reporting for Total Suspended Solids (TSS) is a permit requirement. The discharge is also subject to a 30 mg/L TSS effluent limit. The TSS effluent limit becomes effective January 1, 2107 for discharge points that were not subject to an effluent limit under the previous (2010) permit. TSS sampling and reporting becomes effective on January 2, 2105, or the effective date of permit coverage.

Q49 **What is a Puget Sound Sediment Cleanup Site?**

A49 Category 4B (Sediment) portions of Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer), Dalco Passage and East Passage, Duwamish Waterway (including East and West Waterway), Eagle Harbor, Elliot Bay, Hood Canal (North), Liberty Bay, Rosario Strait, Sinclair Inlet, and Thea Foss Waterway; Category 5 (Sediment) portions of the Duwamish Waterway (including East and West Waterway), and Port Gardner and Inner Everett Harbor; and the Port Angeles Harbor sediment cleanup area, as mapped on Ecology's Industrial Stormwater General Permit website.

Q50 **What are the maintenance requirements for collection systems for dischargers to a Puget Sound Sediment Cleanup Site?**

A50 At least once prior to October 1, 2016, remove all accumulated solids from storm drain lines (including inlets, catch basins, sumps, conveyance lines, and oil/water separators) that are owned or controlled by the Permittee. Use appropriate best management practices to prevent discharges of storm drain solids to surface waters of the state. Dispose all solids and liquids in compliance with applicable laws and regulations, document this in the SWPPP.

Q51 **Is testing required for solids that are removed from the stormwater system?**

A51 Yes, at least once prior to October 1, 2016, for parameters listed in Table 8 of the permit (page 36).

Q52 **Does the permit allow waivers or extensions for line cleaning?**

A52 Yes, if the permittee can:

- Demonstrate that line cleaning is not feasible by October 1, 2016, Ecology may approve a time extension through a modification of permit coverage.
- Show through a video inspection that line cleaning is not necessary to prevent downstream sediment contamination or recontamination, Ecology may approve a time extension through a modification of permit coverage.

Requests for line cleaning waivers or time extensions are due May 15, 2016, and must be accompanied by a modification of coverage form, and the technical basis to support the request.

Q53 **Does the permit allow waivers or extensions for solids sampling analysis?**

A53 Yes, if the permittee can:

- Demonstrate that storm drain solids sampling and analysis is not feasible by October 1, 2016, Ecology may approve a time extension through a modification of permit coverage.
- Show that storm drain solids sampling and analysis is not feasible or not necessary, Ecology may approve a time extension through a modification of permit coverage.

Requests for storm drain solids sampling and analysis waivers or time extensions are due May 15, 2016, and must be accompanied by a modification of coverage form, and the technical basis to support the request.

Q54 **Is the sampling for TSS in this section (Condition S6.C) similar to our traditional benchmarks where we exclude non-industrial outfalls? Or should I be including all outfalls in this determination?**

A54 In general, TSS would only need to be sampled at the locations where benchmark parameters are sampled. Condition S4.B.2 should be used to guide decisions related to sampling locations. The ISGP does not have a definition for "industrial outfalls" or "non-industrial outfalls", but Condition S1.C.4 is clear that "Office buildings and/or administrative parking lots from which stormwater does not commingle with stormwater from areas associated with industrial activity" are not under the ISGP (and its sampling requirements), unless determined by Ecology to be a "significant contributor of pollutants".

If you have other types of areas/outfalls that you consider "non-industrial" (from which stormwater does not commingle with industrial stormwater), it may be possible to omit them from sampling – but Ecology recommends running these types of site-specific issues by your regional inspector to verify concurrence. Ecology has observed a number of instances where facilities and consultants omit important discharge points from their sampling plans.

Q55 **Do we also limit/include the non-industrial outfalls for the sampling /cleaning of storm system solids (Condition S6.C)?**

A55 For line cleaning, the ISGP says "remove accumulated solids from storm drain lines (including inlets, catch basins, sumps, conveyance lines, and oil/water separators) owned or controlled by the Permittee". We intended that to mean the drainage system for the entire footprint of the permitted industrial facility would be cleaned, with the "office building /admin parking lot" exclusion in S1.C.4 allowing certain drainage to be omitted from sampling, as long as there is no commingling. Site-specific issues could affect the extent of line cleaning. Ecology recommends seeking guidance from your Ecology inspector.

For solids sampling, the most straightforward language is: "Storm drain solids must be collected / sampled from a representative catch basin, sump, pipe, or other feature within the storm drain system that corresponds to the discharge point where Total Suspended Solids (TSS) samples are collected per Condition S6.C." The intent is to have a 1:1 relationship between your TSS sample locations and solids sampling locations – recognizing that, in some cases, the solids may not come from the exact same location where TSS samples are collected. It may be necessary or more practical to collect the solids samples elsewhere in the drainage system.

Q56 **If a site has two or more discharge points to a sediment impaired water body (Puget Sound Sediment Cleanup Site), but one or more of these are substantially equivalent to the sample point, is sediment sampling required in the substantially equivalent drainage basins?**

A56 No, if the Permittee consolidates their TSS sampling locations (based on the ISGP substantially identical criteria), they would also consolidate their storm drain solids sampling locations. This is based on S6.C.2.e:

> Storm drain solids must be collected/sampled from a representative catch basin, sump, pipe, or other feature within the storm drain system that corresponds to the *discharge point* where Total Suspended Solids (TSS) samples are collected per Condition S6.C.

If a facility is only sampling TSS at one of two discharge points, they would only sample the storm drain solids from the one discharge point/drainage basin with TSS sampling.

Special Condition S7 – Inspections

Q57 **Do I need to conduct my inspections during wet weather, or when there is a discharge?**

A57 The permit requires facilities to perform an inspection of the facility at least once each month. Monthly inspections during discharges are encouraged. If there is a discharge during the monthly inspection, the discharge must be visually examined for the presence of floating materials, visible oil sheen, discoloration, turbidity, odor, etc.

Ecology inspectors recommend facilities perform a monthly inspection at the same time they collect stormwater samples, because it may help identify stormwater issues and make more informed pollution prevention decisions.

Q58 **Does Ecology have any guidance or checklists to help me conduct monthly inspections at my facility?**

A58 Yes, Ecology's website has an (optional) inspection checklist that covers all the required elements for inspections at your facility. The checklist is generic and editable, so you can modify the checklist to meet the conditions at your facility, but your inspections must cover the minimum inspection requirements in Condition S7 of the permit.

Download inspection checklist:
Monthly Site Inspection Form

Q59 **Do I have to fill out Ecology's Monthly Inspection Report form or can I use one of my own?**

A59 You are not required to use Ecology's Monthly Site Inspection Form, but you must ensure that your form covers the minimum inspection requirements in Condition S7 of the permit.

Special Condition S8 – Corrective Actions

Q60 **Do I need to do a Level 1 corrective action each time I exceed a benchmark? Even when I am doing a Level 2 or 3 corrective action?**

A60 Yes, a Level 1 corrective action (operational source control BMP) is required each time a benchmark is exceeded, including when a Level 2 or 3 corrective actions is required.

Q61 **Corrective Action Level 2 or 3 Waiver or Time Extension: How difficult is it? Is it a formal process?**

A61 The difficulty depends on the nature and complexity of the request, which is site-specific. As part of the waiver request, the permittee is required to submit the technical basis for requesting the wavier/time extension. The technical basis would be based on a permittee's explanation that is 1) *not feasible* or 2) *not necessary to prevent discharges that cause or contribute to violations of water quality standards*. Ecology expects a range of scenarios to be presented for consideration.

The process is formal, and includes an opportunity for public notice and comment, as well as an opportunity to appeal Ecology's decision to grant a time-extension or waiver.

To request a waiver, the permittee will need to submit a "Modification of Permit Coverage" form and publish two public notices in a newspaper of local circulation, which is followed by a 30-day public comment period. Once a permittee submits a complete application package, Ecology has 60 days to approve or deny the request. Modifications of coverage are subject to appeal and administrative review by the Pollution Control Hearings Board (PCHB).

Q62 **What happens if a permittee exceeds a benchmark for the third time during the permittee's implementation of a Level 2 Corrective Action?**

A62 If a facility exceeds an applicable benchmark value (for a single parameter) for any three quarters during a calendar year, they need to implement a Level 3 corrective action, instead of a Level 2, even if the permittee has already initiated a Level 2 Corrective Action.

> **Note**: In cases where a permittee believes that a Level 2 corrective action (source control) has solved (or will solve) the problem causing the benchmark exceedances, they can request a waiver from installing additional treatment BMPs and completing the Level 3 corrective action.

Q63 **Clarify the Corrective Action Level 2 deadline; do businesses get until Sept 30 of the following year if they exceed the same parameter twice during the same calendar year? Do they go straight to level 3 while still trying to implement Level 2?**

A63 The deadline for completing Level 2 corrective actions is August 31th of the following year in which a permittee exceeded an applicable benchmark value (for a single parameter) for any two quarters during a calendar year[1]. However, if a facility exceeds an applicable benchmark value (for a single parameter) for any three quarters during a calendar year, they need to implement a Level 3 corrective action, instead of a Level 2.

> **Note**: In cases where a permittee believes that a Level 2 (source control) corrective action has solved (or will solve) the problem causing the benchmark exceedances, they can request a waiver from installing additional treatment BMPs and completing the Level 3 corrective action.

Q64 **With multiple discharge locations (separate outfalls or even separate water bodies), can I be at different Corrective Action levels by exceeding different benchmarks for the separate drainage areas of my site?**

A64 No, corrective actions are "parameter-specific", but not "outfall-specific." Example: if a facility exceeds the zinc benchmark at outfall 1 during the 1st quarter, exceeds the zinc benchmark at outfall 2 during the 2nd quarter, and then exceed the zinc benchmark at outfall 3 during the 3rd quarter; they are required to complete a Level 3 corrective action for the entire facility.

Q65 **I have triggered a Level 2 Corrective Action for zinc, and my metal roof is believed to be the source of the zinc. Would painting or sealing a metal (zinc) roof be considered an appropriate Level 2 "Structural Source Control" BMP?**

A65 Yes. Structural source control BMPs includes physical, structural, or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. Since the role of painting or coating metal surfaces is to physically prevent the underlying zinc from entering (i.e., contaminating, leaching into) stormwater, painting or coating a zinc roof could be considered an appropriate Level 2 Corrective Action.

[1] In some cases, treatment BMPs are more practical or cost effective than structural source control BMPs. The permit *allows* permittees to do a Level 3 instead of a Level 2 (even though they only exceeded a benchmark 2 quarters/year). Some people consider this "skipping Level 2". In cases where a permittee chooses to do a Level 3, instead of a Level 2, the permittee has until Sept 30th the following year to complete the Level 3 corrective action.

Q66 **I need to do a Level 3 Corrective Action, and I want to use a BMP treatment system that is not in Ecology's Stormwater Management Manual (or Ecology's TAPE (Technology Assessment Protocol – Ecology) review process), what can I do?**

A66 The permit allows facilities to use innovative products or technologies, including those not listed in Ecology's Stormwater Management Manuals (or not yet approved through Ecology's TAPE process), as long as they document that the BMP is "demonstrably equivalent" to practices in stormwater manuals approved by Ecology (see p.11, S3.A.3.d).

- (Permit p.55) *Demonstrably Equivalent* means that the technical basis for the selection of all stormwater best management practices are documented within a stormwater pollution prevention plan.

  The stormwater pollution prevention plan must document:
  1) The method and reasons for choosing the stormwater best management practices selected;
  2) The pollutant removal performance expected from the practices selected;
  3) The technical basis supporting the performance claims for the practices selected, including any available existing data concerning field performance of the practices selected;
  4) An assessment of how the selected practices will comply with state water quality standards; ***and***
  5) An assessment of how the selected practices will satisfy both applicable federal technology-based treatment requirements and state requirements to use all known, available, and reasonable methods of prevention, control, and treatment.

Q67 **What kind of documentation is required if I install a treatment system at my facility?**

A67 "The Permittee must modify the SWPPP whenever there is a change in design, construction, operation, or maintenance at the *facility* that significantly changes the nature of *pollutant*s discharged in *stormwater* from the *facility"*; this includes any time a permittee installs a treatment system (Condition S3.A.4.b).

When treatment BMPs deviate from Ecology's Stormwater Management Manuals (or approved equivalent manuals), the SWPPP must contain documentation that the BMPs are "demonstrably equivalent"; *Demonstrably Equivalent* means that the technical basis for the selection of all stormwater *best management practices* are documented within a stormwater *pollution* prevention plan. (See A66 for details of the SWPPP)

Note: Each time the SWPPP is updated or modified, the Permittee must sign a new SWPPP Certification Form. The SWPPP Certification Form is contained in Appendix 3 of the permit and on Ecology's Industrial Stormwater website.

***The following additional documentation is required for Treatment BMPs related to a Level 3 Corrective Action:**

- The Permittee must make appropriate revisions to the SWPPP to include additional Treatment BMPs with the goal of achieving benchmark value(s) in future discharges. Revisions must include additional operational and/or structural source control BMPs if necessary for proper performance and maintenance of Treatment BMPs.
- A Qualified Industrial Stormwater Professional shall review the revised SWPPP, sign the SWPPP Certification Form, and certify that it is reasonably expected to meet the ISGP benchmarks upon implementation. Upon written request Ecology may, one time during the permit cycle, waive this requirement on a case-by-case basis if a Permittee demonstrates to Ecology's satisfaction that the proposed Level 3 treatment BMPs are reasonably expected to meet ISGP benchmarks upon implementation.
- For stormwater treatment systems that require the site-specific design or sizing of structures, equipment, or processes to collect, convey, treat, reclaim, or dispose of industrial stormwater, the permittee must submit an engineering report to Ecology for review and approval. Engineering reports must include:
  - Brief summary of the treatment alternatives considered and why the proposed option was selected. Include cost estimates of ongoing operation and maintenance, including disposal of any spent media;
  - The basic design data, including characterization of stormwater influent, and sizing calculations of the treatment units;
  - A description of the treatment process and operation, including a flow diagram;
  - The amount and kind of chemicals used in accordance with Chapter 173-240 WAC the treatment process, if any.

    Note: Use of stormwater treatment chemicals requires submittal of Request for Chemical Treatment form.
  - Results to be expected from the treatment process including the predicted stormwater discharge characteristics;
  - A statement, expressing sound engineering justification through the use of pilot plant data, results from similar installations, and/or scientific evidence that the proposed treatment is reasonably expected to meet the permit benchmarks; and
  - Certification by a licensed professional engineer.
- The Permittee must also submit an Operation and Maintenance (O&M) Manual to Ecology no later than 30 days after construction/installation, is complete.

Special Condition S9 – Reporting and Recordkeeping

Q68 **What reports do we need to submit to Ecology?**

A68 Please see Condition S9 of the Permit www.ecology.wa.gov/industrialstormwaterpermit, pages 39-43.

Q69 **My facility did not discharge stormwater (during normal working hours) this quarter. Do I still need to submit a Discharge Monitoring Report (DMR)?**

A69 Yes, permittees must submit a DMR every quarter, regardless of discharges or sampling. There are checkboxes to indicate that there was not a discharge during normal working hours, or if sampling was not conducted for another reason.

Q70 **Can I submit my sampling data online?**

A70 Yes, the permit requires electronic reporting using of Ecology's online WQWebDMR program. You can find more info here: https://fortress.wa.gov/ecy/publications/documents/1110036.pdf

Q71 **My facility did not require any Level 1, 2 or 3 corrective actions last year. Do I still need to submit an Annual Report?**

A71 Yes, beginning in 2011, all permittees must submit an annual report to Ecology each year; the deadline is May 15th. Ecology's Industrial Stormwater website has the Annual Report form, and it accommodates facilities that do not have any corrective actions to report.

Q72 **Where do I get a copy of the Annual Report Form?**

A72 The form may be downloaded from Ecology's Industrial Stormwater website, the direct link is here: https://fortress.wa.gov/ecy/publications/summarypages/ecy070382.html.

Q73 **What is a reportable spill? Is there a minimum reportable quantity? Should every pint/quart /gallon be documented on spill log, even if not released from site?**

A73 The Permit does not use the terms "reportable spill" or define the quantity that needs to be reported to comply with state spill laws administered by Ecology's Spills Program.

Ecology's Spills Program Website contains information on how to report spills. (https://ecology.wa.gov/Spills-Cleanup/Spills.) It includes the following statement: "If you have spilled oil or other hazardous materials to state waters, the ground or the air, you must report it — regardless of the size of the spill. The definition of "oil" includes plant-based oils like vegetable, corn and soybean oils."

The ISGP requires facilities to document chemical and petroleum spills in the spill log (p.15 & 16). No minimum quantity is identified, so all spills should be recorded in the log book, regardless of size. In some cases, the spill log may help the permittee identify spill trends, recurring problems, spill-prone areas, etc., which can be used to improve best management practices.

Q74 **Condition S9.C requires permittees to maintain a long list of documents and records onsite for at least 5 years. Do all these records need to be in the SWPPP, or can some of these records be stored separately if they are too voluminous to be with SWPPP?**

A74 As the operator conducts inspections, monitoring, corrective actions, and other permit implementation activities, he/she will generate additional records, such as inspection reports and monitoring results. Keep this additional documentation on-site with the SWPPP, and ensure these records are accessible, complete, and up-to-date so that they demonstrate your full compliance with the conditions of your permit. As a general matter, any compliance records required to be kept pursuant to Condition S9.C, are not necessarily intended to be incorporated into your SWPPP, but instead need to be kept on-site in the same general area as the SWPPP so any inspector may easily access them. These records are intended to be stored separately from the SWPPP; however, all records must be kept on-site.

Special Condition S13 – Notice of Termination

Q75 **We are moving to another location, how do I cancel my permit coverage?**

A75 Please submit a Notice of Termination form to:

Department of Ecology
Industrial Stormwater Unit
PO Box 47696
Olympia, WA 98504-7696

General Conditions

Q76 **The ownership of the facility is changing, how do we transfer permit coverage?**

A76 The previous permittee and the new owner complete and submit a Transfer of Coverage form to:

Department of Ecology
Industrial Stormwater Unit
PO Box 47696
Olympia, WA 98504-7696

Q77 **We have obtained coverage from a former permittee (via transfer of coverage) and they had some outstanding Level 2 and 3 corrective actions to complete. As the new permittee, are we now required to complete these corrective actions?**

A77 Yes, unless you or the former permittee have timely requested and obtained a waiver from Ecology, per Condition S8.C and/or S8.D.

Addendum

Q78 **Do wharf drains need to be sampled for the Industrial Stormwater General Permit (ISGP)?**

A78 Facilities covered under the ISGP who have wharf drains at their facility need to sample those discharges. The ISGP states in S4.B.2.c: "The Permittee shall sample each distinct point of discharge off-site except as otherwise exempt from monitoring as a substantially identical discharge point per S3.B.5.b."

Q79 **Can wharf drains be considered substantially identical?**

A79 Permittees can claim wharf drains are substantially identical to each other, or to other monitoring points on the facility, if they meet the definition of substantially identical in the permit (S3.B.5.b.i). Permittees can contact Travis Porter at (360) 407-6127 or at travis.porter@ecy.wa.gov for guidance.

Q80 **How do I sample a drain that is underneath the wharf with no access?**

A80 Sampling the sheet flow as it flows into the drain is one option to sample without needing to go under the wharf. Permittees should look at Ecology's Stormwater Sampling Manual and the ISGP website for additional sampling guidance.

Q81 **Do corrective actions apply to wharf drains?**

A81 Yes. If a wharf drain is considered substantially identical to another monitoring point on the facility, all current and future corrective actions required at that monitoring point are also required in the wharf drainage area. Please see the Corrective Action section in this FAQ.