

## **STORMWATER DISCHARGE PERMITS**

On November 16, 1990, the EPA issued permit application requirements for stormwater discharges associated with industrial activity. Previous permit requirements under the Clean Water Act (CWA) did not affect most polyester resin users because the industry is primarily “dry”. But the conditions under this particular NPDES (National Pollutant Discharge Elimination System) permit are so broad that each facility should determine whether it is affected by it. The EPA web-site at <http://cfpub1.epa.gov/npdes/stormwater/indust.cfm> provides more detailed information.

### **Coverage determination:**

1. Does storm water discharge by a point source?

If “Yes”, proceed to 2. If “No”, facility is not covered.

Stormwater is defined as “stormwater runoff, snow melt runoff and surface runoff and drainage”. Point source is defined as “any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well...”

Detention and retention basins used to collect stormwater, which do NOT then discharge into waters of the US, are NOT covered by the rule.

2. Does stormwater discharge directly to waters of the U.S. or through a separate storm sewer system?

If “Yes”, proceed to 3. If “No”, facility is not covered.

3. Is there stormwater discharge associated with industrial activity?

If “Yes”, proceed to 4. If “No”, facility is not covered.

Industrial activity includes all areas where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products or industrial machinery are exposed to stormwater (yes, empty drums and molds count!!!).

4. Can industrial materials and/or activities be completely protected from rain, snow, snow melt or runoff by a storm-resistant shelter?

If “Yes”, you can claim relief under the “No Exposure” provision. A “No Exposure Certification Form” must be submitted to the appropriate NPDES permitting authority once every 5 years. If “No”, a permit is required.

To claim this exemption, storm-resistant shelters are NOT needed for:

- Drums, tanks and other similar containers that are tightly sealed and don't leak
- Adequately maintained vehicles used in material handling
- Final products, other than products that would be mobilized in stormwater discharge

### **Permitting:**

If it is determined that a facility should apply for a permit, contact the permitting authority within your state.

All permit applications were due in 1992. If your facility does not have a needed permit, you should inquire whether your state has a Multi-Sector General Permit for Industrial Activities or whether an individual permit application will be necessary.

### **Stormwater Pollution Prevention Plans (SWP3):**

If your facility already has a permit, there are obligations and conditions held within that permit. One of them is to develop a stormwater pollution prevention plan. In most cases, the plan was to be completed within 270 days of the permit finalization. An SWP3 is required to be developed and implemented prior to operation for new facilities. Most states do not require a copy of the plan to be submitted, but it must be available upon request.

Key elements of the plan:

- preparation of a site map
- identification of potential sources of stormwater at facility and evaluation of their significance
- a Best Management Plan (BMP) implementing measures and controls for significant pollution sources. There are at least eight parts to the plan:
  - good housekeeping
  - preventive maintenance
  - visual inspections
  - spill prevention and response
  - sediment and erosion control
  - traditional stormwater management practices
  - employee training
  - recordkeeping and reporting
- review physical site, operations and plan on a regular basis - at least annually - to ensure that the management controls are still effective and that the plan is up to date.

### **Stormwater Discharge Monitoring Requirements:**

These requirements vary from state-to-state from absolutely no monitoring at all to semi-annual monitoring requirements.

***If you need more information on your state's requirements or a sample SWP3, please contact Composites One's Department of Health, Safety & Environment at 800/621-8003.***