



**Re-issuance of 1200-Z and 1200-COLS  
Industrial Stormwater General Permits**

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## Changes to Industrial Stormwater Permits

- Overview of What We will Cover today:
  - Who is affected by new requirements
  - Background and summary of new requirements
  - Overview of elements of Stormwater Pollution Control Plan
  - Technical Assistance Tools
- Question and Answer session at the end



## Changes to Industrial Stormwater Permits

- Why is stormwater regulated?
  - Rain run-off transports pollutants to nearby streams, rivers
  - Oregon's streams and rivers are a shared resource
  - Potential Water Quality and Quantity Problems
    - Quality = pollutants degrade beneficial uses like fish habitat and can affect public recreation
    - Quantity = disrupts natural flows (i.e., flooding) and can create scouring of stream channel





## Columbia Slough Success

- Past: Oregon's most polluted waterways
- Present: Innovative Stormwater and Restoration work leading to downward trend in pollutant levels
  - Total Maximum Daily Loads & Cleanup activity spur restoration
  - Facilities installing advanced treatment and low impact development systems such as swales
  - City stopped Combined Sewer Overflows and installed “big pipe”





## Changes to Industrial Stormwater Permits

- Local Municipalities act as Agents
  - Agreement with Agents to implement the permit on DEQ's behalf
    - Process applications, review plans, conduct inspections, provide technical assistance to local operators and document violations
  - DEQ retains enforcement authority for issuing civil penalties. Agents also have enforcement authority under local ordinances





## Changes to Industrial Stormwater Permits

- Who is covered by permits?
  - Over 900 facilities statewide operating under the 1200-Z and 1200-COLS permits





## Changes to Industrial Stormwater Permits

- Need to apply for permit if answer YES to both questions:
  1. Industrial activities identified in permit, based on primary SIC code
  2. Point source discharge of stormwater to surface waters or conveyance systems that discharge to surface waters
- May opt out of permit if meet No Exposure Certificate



## Changes to Industrial Stormwater Permits

- Application Process
  - New Application
    - Submit following materials to DEQ, unless facility located in Agent jurisdiction:
      - Application Form, Stormwater Pollution Control Plan (SWPCP) and Checklist, Land Use Compatibility Statement and Fees
  - Renewal Application
    - Submit Application form, SWPCP and checklist to DEQ. Also submit copy of SWPCP to Agent
    - Deadline: December 31, 2011
      - If 4<sup>th</sup> year geometric mean facility (see next slide), March 31, 2012



## Changes to Industrial Stormwater Permits

- **Renewal Applications:**
  - If exceeded benchmarks in current permit based on 4<sup>th</sup> year geometric mean evaluation:
    - Submit updated SWPCP by March 31, 2012 stamped by Professional Engineer or Certified Engineering Geologist
      - Identify treatment BMPs with goal of achieving benchmark(s) in future discharges
    - Install treatment BMPs within two years of obtaining permit coverage
  - Exemptions
    - Exceedance due to background natural conditions
    - Implement volume reduction measures that reduce mass load of pollutants below benchmarks



## Changes to Industrial Stormwater Permits

- Issued new permits on Oct. 1, 2011
- Changes stem from:
  - New federal stormwater requirements
  - Settlement agreement with Northwest Environmental Defense Center and Columbia Riverkeeper
  - Feedback from public, advisory committee and DEQ staff





## Changes to Industrial Stormwater Permits

- Timeline
  - Changes effective Oct. 1<sup>st</sup> for new facilities or existing facilities without permits
    - Use 1200-ZN permit Oct. '11 to June '12
  - Renewals
    - Sent letters to existing facilities about steps to renew coverage under new permits, including updating stormwater plan
    - Begin granting coverage under new 1200-COLS permit est. winter '12





## Changes to Industrial Stormwater Permits

- Major Changes
  - Impaired waters requirements
  - More pollutants to monitor
  - Tiered corrective actions
  - Retain certain reports on site rather than submitting to DEQ





## Changes to Industrial Stormwater Permits

- Stormwater Pollution Control Plans (SWPCP)
  - Plan elements:
    - Site Description
    - Maps (General Site Location Map and Site Drawing Map)
    - Stormwater Best Management Practices
    - Procedures and Schedules
  - Fill out checklist to ensure plan contains required information



## Changes to Industrial Stormwater Permits

- Changes to SWPCP
  - Plan must contain site specific BMPs used to meet the broader mandatory BMPs, called narrative effluent limits, in Schedule A
  - Certain facilities will need to include additional information in plan or site map to meet the sector specific requirements in Schedule E





## Changes to Industrial Stormwater Permits

- **SWPCP Revisions**
  - No longer requiring Action Plans
  - Only requiring you to submit certain SWPCP revisions:
    - Changes to site contact
    - Changes based on a corrective action or inspection
    - Changes to monitoring locations or outfalls
    - Changes to the site or control measures that significantly change nature or levels of pollutants in discharge or significantly increase discharge frequency, volume or flow rate.





## Changes to Industrial Stormwater Permits

- Discharge to Impaired Waters
  - Eligibility requirements for new dischargers
  - Existing facilities must monitor impairment pollutants on 303(d) list without a Total Daily Maximum Load (TMDL)
    - DEQ will notify facilities of impairment pollutants and reference concentrations in permit assignment letter
    - Monitor two times per year for five years, unless waiver applies





## Changes to Industrial Stormwater Permits

- Corrective Action requirements (pollutant specific)
  - Tier 1- applies to benchmarks and impairment pollutants
    - Traditional adaptive management approach
    - Conduct investigation within 30 days of receiving monitoring results
    - Retain report on site and submit upon request



## Changes to Industrial Stormwater Permits

- Corrective Action requirements (pollutant specific)
  - Tier 2- applies statewide benchmarks only
    - Exceed benchmarks based geometric mean calculation of monitoring data from 2<sup>nd</sup> year of permit coverage
    - Submit updated plan stamped by PE or CEG by Dec. 31<sup>st</sup> of 3<sup>rd</sup> year of permit coverage
    - Install treatment BMPs within two years
  - Exemptions
    - Exceedance due to background natural conditions
    - Implement volume reduction measures that reduce mass load of pollutants below benchmarks



## Changes to Industrial Stormwater Permits

- Tier I Corrective Actions
  - Operations, Structural Source Control or Treatment BMPs
  - Examples of Operational BMPs
    - Increase Sweeping
    - Employee Education





## Changes to Industrial Stormwater Permits

- Tier I Corrective Actions
  - Examples of Structural Source Control BMPs
    - Physical cover to prevent stormwater contamination
    - Painting or resealing metal roof





## Changes to Industrial Stormwater Permits

- Tier II Corrective Actions
  - Treatment BMPs that remove pollutants
  - Examples
    - Catch Basin Inserts
    - Amended Sand Filters
    - Bioswales





## Changes to Industrial Stormwater Permits

- Monitoring Requirements
  - Sample 4 times per year- 2 samples before Dec.31<sup>st</sup> and 2 samples before June 30<sup>th</sup>
  - DMR submitted by July 31<sup>st</sup>
  - Variance allowed if official drought or infrequent or insufficient storm events to produce runoff
  - Waiver limited to 1 permit term





## Changes to Industrial Stormwater Permits

- More pollutant monitoring:
    - Additional pollutants
      - All facilities must monitor for cadmium, nickel and chromium for first two years
      - Certain facilities will monitor for PCBs and mercury for first year
    - If sector specific benchmarks, monitor benchmarks in Sch. E of permit all five years\*
    - If discharge to impaired water, monitor impairment pollutants all five years\*
- \* Eligible for monitoring waiver





## Changes to Industrial Stormwater Permits

	<b>OLD</b>	<b>NEW</b>
<b>Sample Timing</b>	No requirements	Sample within first 12 hours of measurable storm event that results in discharge from site
<b>Sampling Frequency</b>	4 times per year	No change
<b>Parameters sampled</b>	7 statewide benchmark parameters	<ol style="list-style-type: none"><li>1. In addition to benchmark parameters, certain facilities will monitor sector specific benchmarks</li><li>2. Additional pollutants</li><li>3. Impairment pollutants, if applicable</li></ol>



## Changes to Industrial Stormwater Permits

- Inspections
  - Conduct monthly inspections
    - Inspect areas where industrial materials or activities are exposed to stormwater and areas where BMPs are located
    - Visual observations of stormwater discharge may occur during monthly inspections
  - Required to document observations in report





## Changes to Industrial Stormwater Permits

- Next Steps
  - Technical Assistance
    - Mid Dec. '11: Update guidance on applying for permit and developing stormwater plan
    - Winter '12: Develop Questions and Answer form based on questions/comments from statewide trainings
  - Spring '12
    - Develop new Discharge Monitoring Report form
    - Update guidance on background natural conditions
  - Materials will be available on DEQ's website at:  
<http://www.deq.state.or.us/wq/stormwater/industrial.htm>





## Changes to Industrial Stormwater Permits

- For more information:
  - Permits, summary of changes, permit evaluation report and response to comments on DEQ's website at: <http://www.deq.state.or.us/wq/stormwater/industrial.htm>
  - Please contact Jenine Camilleri, # 503-229-6775, [Camilleri.Jenine@deq.state.or.us](mailto:Camilleri.Jenine@deq.state.or.us)
- For assistance with application process and permit implementation:
  - If within City of Portland's jurisdiction, please contact Michael Pronold, # 503-823-7584
  - If within DEQ's jurisdiction, please contact Dennis Jurries, # 503-229-5937