

# Storm Water Regulations

## Background

In November 1990, the Environmental Protection Agency (EPA) adopted regulations requiring National Pollutant Discharge Elimination System (NPDES) permits for storm water discharges from certain industrial sites. In Oregon, the Department of Environmental Quality (DEQ) is responsible for administering the storm water permit program. The following questions and answers are meant to give the reader an overview of the requirements. Since the regulations are very complex, please contact your local DEQ office for information specific to your situation.

## Who needs a permit?

The EPA storm water regulations state that certain storm water discharges "associated with industrial activity" need permits. This definition is complex and sometimes confusing. In general, you may need an NPDES permit if:

- Your industry is listed by EPA. (Please see the accompanying list of categories and Standard Industrial Classification (SIC) codes at the end of this fact sheet); and
- Storm water from rain or snow melt leaves your site through a "point source" and reaches surface waters either directly or through storm drainage. A point source discharge refers to a natural or human-made conveyance of water through such things as pipes, culverts, ditches, catch basins, or any other type of channel.
- In addition, you may need a permit if you are involved in construction activities; including clearing, grading and excavation activities that disturb five or more acres of land.

## What permits are required?

DEQ has developed a series of four permits to address the particular industrial activities specified by EPA. These permits are grouped by activities:

- 1200-C for construction activities that disturb five or more acres
- 1200-CA for public agencies that are involved in construction activities that disturb five or more acres
- 1200-A for non-mineral mining activities, and
- 1200-Z covers the remaining industrial activities.

A permit was not developed for wood treating businesses. These facilities will have to obtain an individual permit.

## What does a permit require?

All the general permits, except for construction activities, have the same basic requirements. You must:

- Submit and implement a Storm Water Pollution Control Plan for your site within 90 days of receiving your permit. For more information on how to develop a plan and what management practices to consider, see DEQ's *Guidance Document for Preparation of the NPDES Storm Water Pollution Control Plan and Recommended Best Management Practices for Storm Water Discharges*.
- Monitor storm water by taking "grab" samples twice a year for contaminants specified in the permit.
- Strive to meet storm water discharge benchmarks in the permit.
- Review and update your Storm Water Pollution Control Plan when benchmarks are exceeded.

Construction projects must have a DEQ approved erosion control plan prior to any on-site activities.

## How much does a permit cost?

As of May 1, 1999, the application fee for the storm water general permits is \$560. You will also be billed an annual compliance fee of \$275 for each subsequent year to maintain the permit.

## What is the application procedure?

All industries requiring a storm water permit must apply immediately. Contact your local DEQ office to obtain an application, <http://www.deq.state.or.us/hub/regions/regions.htm>. If you have specific questions, the Portland, Salem, Medford, Pendleton and Bend offices have storm water staff that can better assist you.

The application for industrial activities will ask for the following:

- Latitude and longitude of your site
- Description of site activities
- Evaluation of your site for discharges other than storm water
- Site drainage map
- Land use compatibility statement (LUCS) signed by the local land use authority.



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The application and instructions for construction activities that disturb five or more acres can be found in the DEQ's NPDES Storm Water Regulations for Construction Projects.

### Regulated industries

The following list of industries is meant to guide you in determining if you must apply for an NPDES storm water permit. If you are unsure or cannot locate your SIC code, please check with your insurance company or accountant. SIC codes are typically used on their forms. You may also contact your local DEQ office. We will be glad to assist you.

- Facilities subject to EPA promulgated storm water effluent limitations, new source performance standards, or toxic pollutant effluent standards. These include fertilizer and pesticide manufacturers, petroleum refining operations, etc. A more complete list is available from DEQ.
- Facilities under codes 24, 26, 28, 29, 311, 32, 33, 3441, and 373 with a few exceptions. These codes generally include: pulp and paper mills; timber products; chemical manufacturing; petroleum refining; rubber products; leather products; stone, clay, and concrete products; fabricated structural metal; and ship and boat building and repair.
- SIC codes 10 through 14 that generally include mining and mineral extraction.
- Hazardous waste treatment, storage, or disposal facilities.
- Landfills, land application sites, and open dumps.
- SIC codes 5015 and 5093 that include facilities involved in recycling of material including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards.
- Steam electric power generating facilities, including coal handling sites.
- Transportation facilities with SIC codes 40, 41, 42, 43, 44, 45 and 5171 (except 4221-4225) that have vehicle maintenance activities, equipment cleaning operations, or airport de-icing operations.
- Sewage treatment plants with a design flow of one million gallons per day, or plants that require an approved pre-treatment program.
- Construction activities including clearing, grading, and excavation activities that disturb five acres or more of land.
- Facilities under SIC codes 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, and 4221-25, only if storm water is exposed to material handling equipment or activities, raw materials, intermediate products, final products, waste

materials, by-products, or industrial machinery. These categories generally include: food products; tobacco products; textiles; furniture; drugs, paper/paperboard products; miscellaneous plastic products; printing; leather products; fabricated metal products and equipment; electronic equipment; and certain warehousing and storage facilities.

### SIC code short title

10	Metal Mining
12	Coal Mining
13	Oil and Gas Extraction
14	Nonmetallic Minerals, Except Fuels
20	Food and Kindred Products
21	Tobacco Products
22	Textile Mill Products
23	Apparel and Other Textile Products
24	Lumber and Wood Products
25	Furniture and Fixtures
26	Paper and Allied Products
27	Printing and Publishing
28	Chemicals and Allied Products
29	Petroleum and Coal Products
30	Rubber and Miscellaneous Plastics Products
31	Leather and Leather Products
32	Stone, Clay, and Glass Products
33	Primary Metal Industries
34	Fabricated Metal Products
35	Industrial Machinery and Equipment
37	Transportation Equipment
38	Instruments and Related Products
39	Miscellaneous Manufacturing Industries
40	Railroad Transportation
41	Local and Interurban Passenger Transit
42	Trucking and Warehousing
43	U.S. Postal Service
45	Transportation by Air
5015	Motor Vehicle Parts, Used
5093	Scrap and Waste Materials
5171	Petroleum Bulk Stations & Terminals

### For Further Assistance

*To obtain further information on storm water permits, please contact the DEQ regional office nearest you. Locations and phone numbers can be found at <http://www.deq.state.or.us/hub/regions/regions.htm>. If you have specific questions, the Portland, Salem, Medford, Pendleton and Bend offices have storm water staff that can better assist you. If you need help determining what office you should contact, please call DEQ headquarters toll-free, inside Oregon, at 1-800-452-4011, or (503) 229-5630. People with hearing impairments may call DEQ's TTY at (503) 229-6993.*

**Accessibility information**

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