

Marina Stormwater Discharge Permit Work Session

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Step 1 –Determining Permit Eligibility

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www.epa.gov/NE/npdes/stormwater/index.html



What do I have to do?

Step 1: Determine eligibility of activities that fall under this permit, if any.

Step 2: Develop a Stormwater Pollution Prevention Plan (SWPPP)

Step 3: File a Notice of Intent (NOI)

Step 4: Monitor activities and report annually.

Step 1: Determining Eligibility

- Standard Industrial Classification (SIC)
- Eligible Activities
- Ineligible Activities
- No Exposure Form

Does my facility need a permit?

- Facility's primary industrial activity is described in a regulated SIC Code
 - The industrial activity is exposed to stormwater that discharges to a Waters of the U.S. (*either directly or indirectly*)
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Regulated SIC Codes

General Permit

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code ¹	Activity Represented
	5171	Petroleum Bulk Stations and Terminals
SECTOR Q: WATER TRANSPORTATION		
Q1	4412-4499	Water Transportation Facilities
SECTOR R: SHIP AND BOAT BUILDING AND REPAIRING YARDS		
R1	3731, 3732	Ship and Boat Building or Repairing Yards
SECTOR S: AIR TRANSPORTATION FACILITIES		
S1	4512-4581	Air Transportation Facilities
SECTOR T: TREATMENT WORKS		
T1	TW	Treatment Works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the CWA

What's My Primary Industrial Activity and SIC Code?

Use OSHA Standard Industrial Classification (SIC)

www.osha.gov/pls/imis/sicsearch.html

Some Typical Marine-Sector SIC Codes:

- 3731 Ship Building and Repairing
- 3732 Boat Building and Repairing
- 4493 Marinas
- 5551 Boat Dealers (not regulated)
- 5541 Gasoline Service Stations (not regulated)

What's My Primary Industrial Activity and SIC Code? (cont...)

For facilities engaged in activities covered by multiple SIC codes, determination based on:

- the value of receipts or revenues for each operation, or if this information is not available, the operation that employs the most personnel.

(If the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.)

Permit Eligibility

My SIC Code is Regulated, ...

- Can I apply for the 2008 MSGP, or do I need to apply for a different permit?
- Which of my discharges can be covered by the 2008 MSGP and which can not?

Limitations on Coverage

(Can't use 2008 MSGP)

- The following stormwater discharges are ineligible:
 - Mixed with unauthorized non-stormwater discharges
 - Associated with construction disturbing >1-acre
 - Authorized by a current or previous permit, unless EPA approves in writing
 - Adversely affect endangered species or related habitat, or historic properties
 - To a water designated as Tier 3 (Outstanding Natural Resource Water) by a State or Tribe

Allowable Non-Stormwater Discharges

(Allowed under 2008 MSGP)

- Potable water (including line flushings), uncontaminated ground or spring water, and uncontaminated water from foundation/footing drains
- Uncontaminated condensate
- Irrigation drainage and landscape watering (if all related chemicals applied in accordance with labeling)
- Pavement and building wash waters (if no detergents used and no spills/leaks of toxic or hazardous materials have occurred)
- Discharges from fire-fighting activities

All Other Non-Stormwater Discharges (e.g., boat washwaters)

➤ Prior to NOI submission:

- Must be eliminated or covered under an alternative permit
- Identify in its SWPPP actions taken to eliminate unauthorized discharges

Other Non-Stormwater Discharges

For example, must eliminate or seek alternate permit coverage for:

- Floor/Sink Drains - seal or route to sanitary sewer
- Bilge and Test Tank Water - collect for offsite treatment and disposal, or onsite treatment covered by a separate individual NPDES permit
- Boat Washwaters (e.g., collect in holding tank for reuse or disposal, discharge/infiltrate to ground, route to sanitary sewer, or apply for individual NPDES permit)

Can I Avoid the Need for Permit Coverage?



No Exposure Certification for Exclusions from Stormwater Permitting

A NPDES permit authorization is not required where an Operator certifies to a condition of no exposure, i.e.,:

- All industrial materials or activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff
- Available on a facility-wide basis only (not by individual discharges)
- New certification due every five years
- Must file an NOI if exposure conditions change



Submission of this No Exposure Certification constitutes notice that the entity identified in Section A does not require permit authorization for its stormwater discharges associated with industrial activity in the State identified in Section B under EPA's Stormwater Multi Sector General Permit due to the existence of a condition of no exposure.

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. A storm resistant shelter is not required for the following industrial materials and activities:

- drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. "Sealed" means banded or otherwise secured and without operational taps or valves;
- adequately maintained vehicles used in material handling; and
- final products, other than products that would be mobilized in stormwater discharges (e.g., rock salt).

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion.

By signing and submitting this No Exposure Certification form, the entity in Section A is certifying that a condition of no exposure exists at its facility or site, and is obligated to comply with the terms and conditions of 40 CFR 122.26(g).

ALL INFORMATION MUST BE PROVIDED ON THIS FORM.

Detailed instructions for completing this form and obtaining the no exposure exclusion are provided on pages 3 and 4.

A. Facility Operator Information

1. Name: 2. Phone: - -

3. Email:

4. Mailing Address: Street

No Exposure Certification

C. Exposure Checklist

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future?
(Please check either "Yes" or "No" in the appropriate box.) **If you answer "Yes" to any of these questions (1) through (11), you are not eligible for the no exposure exclusion.**

	Yes	No
1. Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater	<input type="checkbox"/>	<input type="checkbox"/>
2. Materials or residuals on the ground or in stormwater inlets from spills/leaks	<input type="checkbox"/>	<input type="checkbox"/>
3. Materials or products from past industrial activity	<input type="checkbox"/>	<input type="checkbox"/>
4. Material handling equipment (except adequately maintained vehicles)	<input type="checkbox"/>	<input type="checkbox"/>
5. Materials or products during loading/unloading or transporting activities	<input type="checkbox"/>	<input type="checkbox"/>
6. Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants)	<input type="checkbox"/>	<input type="checkbox"/>
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers	<input type="checkbox"/>	<input type="checkbox"/>
8. Materials or products handled/stored on roads or railways owned or maintained by the discharger	<input type="checkbox"/>	<input type="checkbox"/>
9. Waste material (except waste in covered, non leaking containers [e.g., dumpsters])	<input type="checkbox"/>	<input type="checkbox"/>
10. Application or disposal of process wastewater (unless otherwise permitted)	<input type="checkbox"/>	<input type="checkbox"/>
11. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater outflow	<input type="checkbox"/>	<input type="checkbox"/>

Storm Resistant Shelter

Not required for:

- Non-industrial areas (e.g., parking lot)
- Adequately maintain vehicles (e.g., fork lift)
- Sealed drums or tanks without taps or valves
- Certain above ground storage tanks (ASTs)
- Certain materials or activities that pose little threat of stormwater pollution (e.g., boat storage)
- Dumpsters with lids that cannot leak

Storm Resistant Shelter

May be acceptable to use:

- Shelters with roofs only, but runoff must be prevented
- Temporary covers (e.g., tarps) - may require case-by-case determination by EPA