

PERMIT No. WAG-50-_____

Coverage Date:

Issuance Date: June 25, 1999

Effective Date: August 6, 1999

Expiration Date: August 6, 2004

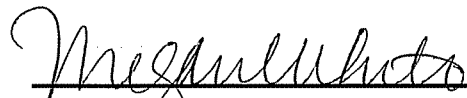
THE SAND AND GRAVEL GENERAL PERMIT

A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND STATE WASTE DISCHARGE GENERAL PERMIT FOR PROCESS
WATER, STORMWATER, AND MINE DEWATERING WATER DISCHARGES
ASSOCIATED WITH SAND AND GRAVEL OPERATIONS, ROCK
QUARRIES, AND SIMILAR MINING FACILITIES, INCLUDING STOCKPILES
OF MINED MATERIALS, CONCRETE BATCH OPERATIONS AND HOT MIX
ASPHALT OPERATIONS

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions which follow.



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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

| Permit Section | Submittal | Frequency | First Submittal Date |
|-------------------|--|----------------|----------------------|
| S6.A | Discharge Monitoring Report | Quarterly | October 15, 1999 |
| S6.E | Noncompliance Notification | As necessary | |
| G4. | Notification of Spill, Overflow, or Bypass | As necessary | |
| G6. | Permit Application for Coverage for Substantive Changes to the Discharge | As necessary | |
| G9. | Notice of Change in Activities | As necessary | |
| G17. | Notice of Permit Transfer | As necessary | |
| G18. | Application for permit renewal | 1/permit cycle | February 3, 2004 |

SPECIAL CONDITIONS

S1. PERMIT COVERAGE

A. What Facility Activities Are Covered

This *general permit*¹ issued by the Department of Ecology (Ecology) will cover all new and existing facilities, *active sites* and *inactive sites* that:

1. Conduct activities designated by one or more of the following *Standard Industrial Classification (SIC)* codes (see Appendix A for a more complete description of activities covered):

0811 Timber Tracts (sand and gravel point source activities)
1411 Dimension Stone
1422 Crushed and Broken Limestone
1423 Crushed and Broken Granite
1429 Crushed and Broken Stone, Not Elsewhere Classified
1442 Construction Sand and Gravel
1446 Industrial Sand
1455 Kaolin and Ball Clay
1459 Clay, Ceramic, and Refractory Minerals, Not Otherwise Classified
1499 Miscellaneous Nonmetallic Minerals, Except Fuels
2411 Logging (sand and gravel point source activities)
2951 Asphalt Paving Mixtures and Blocks
3273 Ready-Mixed Concrete

In addition to the activities designated by the above SIC codes, related activities (e.g. SIC 3272 - Concrete Products, Except Concrete Blocks and Brick) may be considered for coverage under this general permit when Ecology determines that discharge characteristics are similar and the permit conditions satisfy applicable state and federal requirements.

2. Are owned or operated by private entities, state government or *local government*, or, if the discharge is to *ground water*, by the federal government, **and**
3. Have one or more of the following characteristics:
 - a. Any facility that ditches, routes, collects, contains, or impounds *process water, mine dewatering water, or Type 3 stormwater*; or

¹ Definitions are provided in Appendix C for many of the terms used in this permit. The first occurrence of words with a definition will be in italics.

- b. Any facility that discharges *stormwater*, mine dewatering water, or process water to *surface waters of the State*; or
- c. Any facility that discharges to a municipal *storm sewer*; or
- d. Any facility with a discharge to surface water or ground water that operates a concrete batch plant or a *hot mix asphalt plant* that uses a wet scrubber for air emissions control; or
- e. Any facility located inside a designated *wellhead protection area*; or
- f. Any *silvicultural point source*.

B. What Facility Activities Are Not Covered

The sand and gravel general permit only provides coverage for those activities that fall within the SIC codes listed in S1.A.1. above. No other activities that may result in a discharge to surface water or ground water or have the potential to contaminate stormwater are covered under this permit.

C. Who May Apply For Coverage

Any party that has the legal authority to manage a *site* under the terms and conditions of this permit may apply for coverage. This can include a site where the owner of site is not the operator for all activities at a site (see S2.E.) and where the facility is a portable operation (see S2.F.)

D. Facilities EXCLUDED From Coverage Under This Permit

- 1. *Ecology* will not provide coverage under this general permit for activities that fall under SIC codes listed in S1.A.1. above when:
 - a. The facility has a pit design that will intercept more than one aquifer; or
 - b. The facility discharges to a water body with control plans¹ that the general permit does not adequately address; or
 - c. Any facility that discharges to a water body listed pursuant to Section 303(d) of the Clean Water Act where the pollutant is present at levels of concern and the requirements of the permit are inadequate to provide sufficient reduction of the listed pollutant; or
 - d. Any facility that uses materials that are not *inert* for reclamation or backfill and also is not covered by a DNR reclamation permit; or

¹ Control plans may be total maximum daily load (TMDL) determinations, restrictions for the protection of endangered species, ground water management plans, or other legally binding limitations.

- e. Any facility that conducts mining operations below the ordinary high water mark in a river or stream channel; or
- f. Any facility that would impair adjacent water rights as a result of pit operations lowering the water table.

Any facility excluded from coverage under this condition shall apply to Ecology for an individual discharge permit unless the activity is regulated under permit requirements of another section of the Federal Clean Water Act.

- 2. Any facility covered under a *National Pollutant Discharge Elimination System (NPDES)* permit or state waste discharge individual permit that includes requirements for process water or stormwater management, treatment, or monitoring that are more stringent than the requirements in this general permit.

E. Change of Permit Status

Any facility that changes permit status from active to inactive, or inactive to active, shall notify Ecology in writing. Notification must be received by Ecology as follows: If the change is inactive to active, notice shall be given no less than ten (10) days before the change. If the change is active to inactive, notice shall be given no more than ten (10) days after the change. The letter shall be directed to the Water Quality Permit Coordinator at the regional office that issued the permit and shall contain the following information:

- 1. The permit number;
- 2. The name of the site owner and operator (if different);
- 3. The site location;
- 4. The Standard Industrial Classification Code(s) appropriate to the industrial activity at the site; and
- 5. If activating an inactive site, the amount and type of raw material or finished product to be produced.

F. Terminating Coverage

A permittee may request termination of coverage for a *closed site*. In addition to discontinuing all activities at the site, restoration of the site must be completed.

- 1. A mining site will be considered restored when DNR has completely released the reclamation bond or if not subject to DNR reclamation, the site has been reclaimed to the satisfaction of the Ecology permit manager.

2. Processing sites (includes concrete and asphalt batch operations) will be considered restored when processing equipment has been removed and the Ecology permit manager determines site conditions have been returned to a state appropriate for the location.

S2. COVERAGE REQUIREMENTS

A. How Do I Obtain Coverage Under the General Permit?

1. All facilities that had coverage under the previous sand and gravel general permit and who reapplied for coverage as required by General Condition G24. of that permit, continue coverage under this permit unless otherwise notified by Ecology. Their coverage date under this permit begins August 6, 1999.
2. All new facilities shall submit to Ecology a completed and signed Sand & Gravel General Permit *Application for Coverage*. The application for coverage shall be submitted no less than one hundred and eighty (180) days before beginning any activity that may result in the discharge of any *pollutant*. No discharge is authorized until the effective date of permit coverage as provided in Special Condition S2.E.
 - a. Any facility (except as noted in b. below) is considered a new facility if not in operation before the effective date of the original sand and gravel general permit, August 6, 1994.
 - b. Portable asphalt batch plants, portable concrete batch plants and portable rock crushing operations are considered new facilities if the portable unit was not in operation in Washington State before the effective date of this permit, August 6, 1999.
3. Any existing facilities that do not have permit coverage and are subject to the permit coverage provisions of S.1.A., shall submit to Ecology a completed and signed Sand & Gravel General Permit application for coverage. No discharge is authorized until the effective date of permit coverage as provided in Special Condition S2.E. Existing facilities are:
 - a. Portable asphalt batch plants, portable concrete batch plants, and portable rock crushers that operated before the effective date of this permit, August 6, 1999.
 - b. Any other facilities that were operating before August 6, 1994 and do not meet the requirements of S2.A.1. above.

4. Any facility with coverage under this general permit that intends to implement a significant process change¹ shall submit an application for coverage that reflects the proposed process change.

B. Do I Go Through Public Notice?

1. All existing facilities under S2.A.3. and all facilities that meet the requirements of S2.A.1. above (had coverage and reapplied for coverage in a timely fashion) do not require public notice unless they are planning a significant process change.
2. All new facilities and any existing facility planning a significant process change shall satisfy public notice requirements. Ecology will provide instructions for complying with public notice.

C. Is SEPA Required?

All new facilities and any existing facility planning a significant process change shall submit to Ecology, along with the application for coverage, proof that the facility has complied with *SEPA*.

D. Does Coverage Preempt Local Government Requirements?

The permittee shall comply with local government requirements. Where the permit and local government requirements overlap, the most restrictive requirements should be followed.

Facilities with stormwater discharge to a storm sewer operated by any of the following municipalities shall send a copy of their application for coverage to the appropriate *municipality*:

Seattle, King County, Snohomish County, Tacoma, Pierce County, Clark County.

E. When Does Coverage Under the General Permit Become Effective?

1. Unless Ecology notifies the applicant in writing to the contrary, coverage under this general permit will begin on the later of the following:
 - a. The thirty-first (31st) day following receipt by Ecology of a completed application for coverage;

¹ Significant process change for this industry group will be any modification of the facility that would change the characteristics of the discharge or include for coverage a new activity (SIC) that was not previously covered.

- b. The thirty-first (31st) day following the end of a thirty (30) day public comment period; or
 - c. The effective date of the general permit.
 2. If the application is incomplete, an appeal or public comments has been filed, or more information is necessary to determine whether a facility requires coverage under the general permit, additional time may be required to review the application. When additional time is required:
 - a. Ecology will notify the applicant in writing and identify the issues that must be resolved before a decision can be reached.
 - b. Ecology will submit the final decision to the applicant in writing. If the application for coverage is approved, coverage begins the thirty-first (31st) day following approval.
 3. If the applicant has an individual permit but applies for coverage under the general permit, the individual permit will remain in effect until terminated in writing by Ecology. However, an expired individual permit, pursuant to WAC 173-220-180(5), will terminate upon coverage by the general permit.

F. When Site Permittee Is Different From Operator of Industrial Activity

A permittee may include in the application for coverage, activities that are, or could be performed by an operator(s) other than the permittee. These activities may be ongoing or intermittent. As the permit holder, the site permittee is responsible for compliance with all conditions of the permit. Except when the activity will be conducted by a portable facility with permit coverage (see S2.G. below), the site permittee shall notify Ecology when an activity changes from inactive to active and active to inactive.

1. The site permittee shall notify Ecology according to the requirements listed in Special Condition S1.E., Change of Permit Status.
2. The site permittee will inform the operator of all permit conditions that are applicable to the operation and assure that the activity complies with these conditions.

G. Portable Facilities

An owner and/or operator of a portable concrete batch plant, portable asphalt batch plant, or portable rock crusher may apply for coverage under this general permit for the portable facility. Coverage will apply only to the specific portable facility identified in the application for coverage. Permit coverage is provided for the portable facility at sites throughout the state subject to the following requirements:

1. Coverage of the portable facility at a site is for a limited time, not to exceed one (1) year. However, when related to a specific project, one six-month extension may be requested. The request must be submitted to Ecology in writing, at least 30 days before the facility will exceed one year at a site and explain why a six-month extension is warranted.
2. Ecology shall receive written notification no less than ten (10) days before beginning each operation. The letter shall be sent to the Water Quality Permit Coordinator at the regional office appropriate for the site at which the operation will be located. Notification on a form approved by Ecology, shall include:
 - a. The permit number;
 - b. The name of the site owner and operator;
 - c. The site location;
 - d. The approximate date that the operation will begin and end at this site
 - e. A site evaluation demonstrating ability to comply with permit conditions and documentation that applicable SEPA, air quality, and local government requirements have been satisfied; and
 - f. A brief description of the actions that will be taken to restore the site after the operation has been completed.
3. For each site where it operates, a portable rock crushing operation shall also comply with one of the following:
 - a. Provide Ecology with documentation that there is no mining or other activity at the site subject to coverage under this permit, or
 - b. Provide Ecology with documentation that the site has coverage, or
 - c. Notify Ecology and the land owner in writing that the site appears to require coverage under the sand and gravel general permit, or
 - d. When operation of the portable is completed, return overburden, reseed, and stabilize the site to minimize soil *erosion* and encourage natural vegetation.

S3. DISCHARGE LIMITATIONS**A. All Discharges to Surface Water**

Beginning on the effective date of this permit and lasting through its expiration date, the Permittee is authorized to discharge process water, mine dewatering water, and stormwater to surface waters of the State at the permitted location subject to the following limitations (see Appendix B - Monitoring Requirements Matrix):

1. The following operations are not allowed to discharge process water to surface waters of the State:
 - SIC 2951, Asphalt batch plants
 - SIC 1411, Dimension Stone
 - SIC 1455, Kaolin and Ball Clay
 - SIC 1459, Clay, Ceramic, & Refractory Mineral Not Elsewhere Classified
 - SIC 1499, Miscellaneous Nonmetallic Minerals, Except Fuels
2. For industrial sand facilities, SIC 1446, process water and mine dewatering water discharges to surface water shall not exceed the following limits:

| Process/Mine Dewatering Water | Discharge Limits | |
|--|------------------------------|----------------------------|
| | Average Monthly ^a | Maximum Daily ^b |
| <i>Total Suspended Solids (TSS)</i> | 25 mg/liter | 45 mg/liter |
| <i>Turbidity</i> | 50 NTU | 50 NTU |
| | Discharge Limits | |
| | Minimum | Maximum |
| <i>pH</i> | 6.0 | 9.0 |
| ^a the average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month (e.g. measurements of 20, 33, and 10 would be: $63 \div 3 = 21$). | | |
| ^b the maximum daily effluent limitation is defined as the highest allowable daily discharge. | | |

3. For the following operations: SIC 0811 (Timber Tracts), SIC 1422 (Crushed and Broken Limestone), SIC 1423 (Crushed and Broken Granite), SIC 1429 (Crushed and Broken Stone, Not Elsewhere Classified), SIC 1442 (Construction Sand and Gravel, SIC 2411 (Logging), and SIC 3273 (Ready-Mixed Concrete); process water and mine dewatering water discharges to surface water shall not exceed the following limitations:

| Process/Mine Dewatering Water | Discharge Limits | |
|--|------------------------------|----------------------------|
| Parameter | Average Monthly ^a | Maximum Daily ^b |
| Total Suspended Solids | 40 mg/liter | 80 mg/liter |
| Turbidity | 50 NTU | 50 NTU |
| | Discharge Limits | |
| | Minimum | Maximum |
| pH | 6.0 | 9.0 |
| ^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. | | |
| ^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. | | |

4. All facilities covered under this permit that discharge stormwater to surface water shall not exceed the following limitations:

| Stormwater | Discharge Limits | |
|--|------------------------------|----------------------------|
| Parameter | Average Monthly ^a | Maximum Daily ^b |
| Turbidity | 50 NTU | 50 NTU |
| | Discharge Limits | |
| | Minimum | Maximum |
| pH | 6.0 | 9.0 |
| ^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. | | |
| ^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. | | |

5. If a facility is not able to meet state water quality standards based on the characteristics of their discharge, the available dilution, and the background turbidity in the receiving water as determined by the receiving water study of condition S4.C., coverage under this general permit will be revoked and an individual NPDES permit will be required.
6. Discharges shall not cause a visible change in turbidity or color; or cause a visible oil sheen in the receiving water.
7. The mixing zone allowed in this general permit will be no larger than the maximum allowed in Chapter 173-201A WAC.

B. All Discharges to Ground Water

1. Beginning on the effective date of this permit and lasting through its expiration date, the Permittee is authorized to discharge process water, mine dewatering water, and stormwater to ground waters of the State subject to the following limitations:

| Process Water, Mine Dewatering Water and Stormwater | Discharge Limits | |
|--|------------------|---------|
| | Minimum | Maximum |
| pH | 6.5 | 8.5 |

2. There shall be no visible oil sheen at any points of *discharge to ground water*.

C. Discharge To Sanitary Sewers

Discharge of stormwater to *sanitary sewers* is prohibited pursuant to WAC 173-216-060(b)(vii).

S4. DISCHARGE MONITORING

A. All Authorized Discharges to Surface Water

1. Except as noted in S4.E. below all authorized discharges of process water, mine dewatering water, and stormwater that discharge to surface water, including those that discharge to a storm sewer that discharges to surface water, shall be monitored according to the following schedule:

| Category | Parameter | Units | Minimum Sampling Frequency | Sample Type |
|--|-------------|----------------|----------------------------|-------------|
| Process, dewatering, and stormwater | Turbidity | NTU | Twice monthly ¹ | Grab |
| " " | pH | Standard Units | Monthly | Measurement |
| " " | Temperature | ° Fahrenheit | Weekly ² | Measurement |
| Process and dewatering water | TSS | mg/l | Quarterly | Grab |
| ¹ There must be at least 24 hours between sampling. | | | | |
| ² During the months of July, August, and September | | | | |

2. The following additional monitoring schedule applies to SIC Code 3273 Ready-Mixed Concrete:

| Category | Parameter | Units | Minimum Sampling Frequency | Sample Type |
|---------------|-----------|-------|----------------------------|-------------|
| Process water | TDS | mg/l | Monthly | Grab |

3. Sampling shall be conducted as close to the point where the discharge comes into contact with the receiving water as is reasonably achievable.
4. The Permittee shall conduct a visual inspection of the point of discharge to a receiving water at least monthly when discharges occur. The date of the inspection and any visible change in turbidity or color in the receiving water caused by the discharge shall be recorded and filed with the Permittee's monitoring plan.
5. Facilities may receive a reduction in the frequency of monitoring for turbidity subject to the following conditions:
- The facility has demonstrated continuous compliance with permit terms and conditions for a period of 18 or more consecutive months;
 - The facility submits a written request for reduced monitoring to Ecology;
 - A review of the facility's site conditions and turbidity data by Ecology support the likelihood of continued compliance; and
 - Ecology submits written approval to the facility.

Upon receipt of written approval from Ecology, monitoring will be reduced from twice monthly to four times annually. The sampling and reporting schedule for reduced monitoring will accompany written approval. Ecology

may restore twice monthly monitoring when a facility implements a significant process change or there is a violation of the turbidity limit.

6. In addition to other enforcement mechanisms available to Ecology to secure compliance, the monitoring frequency for turbidity may be increased for facilities which have demonstrated two or more violations of the turbidity limit in any three month period, or there is evidence to indicate the discharge has a reasonable potential to exceed water quality standards. Any increased monitoring requirements beyond the twice monthly monitoring required in this permit will be imposed through the issuance of an Administrative Order¹ issued to an individual facility by Ecology.

B. All Discharges to Ground Water

1. Except as noted in S4.E. below, the permittee is required to provide *representative sampling* of all discharges to ground. Representative sampling shall include all discharges of process water and mine dewatering water to unlined ponds, infiltration trenches, or land. Representative sampling of type 3 stormwater requires sufficient sample sites to represent differences in the characteristics between places where stormwater collects.

| Category | Parameter | Units | Minimum Sampling Frequency | Sample Type |
|---------------|-----------|----------------|----------------------------|-------------|
| Process water | pH | Standard Units | Monthly | Grab |
| Stormwater | pH | Standard Units | Quarterly | Grab |

2. The following additional monitoring schedule applies to SIC Code 3273 Ready-Mixed Concrete and to SIC Code 2951 Asphalt Paving when there is a process water discharge:

| Category | Parameter | Units | Minimum Sampling Frequency | Sample Type |
|---------------|-----------|-------|----------------------------|-------------|
| Process water | TDS | mg/l | Monthly | Grab |

C. Receiving Water Study

If Ecology determines that the facility's surface water discharge may be causing a violation of state surface water quality standards, Ecology will require a receiving water study to evaluate the receiving water body characteristics and available

¹ Ecology's determination to issue an Order to increase monitoring frequency is an appealable action under RCW 43.21B.310.

dilution. The requirement for a receiving water study will be made on a case-by-case basis and will be imposed through the issuance of an Administrative Order¹.

D. Ground Water Impact Study

Facilities that typically exceed 500 mg/l *total dissolved solids (TDS)* in a discharge to ground water may be required to conduct a ground water impact study. The study would be conducted in accordance with the implementation guidance for the ground water quality standards (Ecology publication #96-02) and would consider the point of compliance, the quantity of discharge, and the vulnerability of ground water. The requirement for the study will be made on a case-by-case basis and will be imposed through the issuance of an Administrative Order².

E. Stormwater Discharges at Inactive Sites

Monitoring for compliance with stormwater discharge limits is not required for the following operations during the time they are inactive and they have notified Ecology in writing that the site is inactive. They are still subject to the discharge limits for stormwater and shall maintain control measures necessary to assure compliance.

SIC Code 0811 Timber Tracts

SIC Code 1422 Crushed and Broken Limestone

SIC Code 1423 Crushed and Broken Granite

SIC Code 1429 Crushed and Broken Stone, Not Elsewhere Classified

SIC Code 1442 Construction Sand and Gravel

SIC Code 1446 Industrial Sand

SIC Code 2411 Logging

SIC Code 1411 Dimension Stone

SIC Code 1455 Kaolin and Ball Clay

SIC Code 1459 Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified

SIC Code 1499 Miscellaneous Nonmetallic Minerals, Except Fuels

F. Monitoring for Oil Sheen

All places at an active site where water collects shall be monitored visually for oil sheen. When water is present, monitoring should be each day of operation for most locations on site and never less than monthly. If a sheen is present, cleanup shall occur and the incident documented, identifying the probable source of petroleum and actions taken to prevent further petroleum contamination. Documentation shall be kept with the monitoring plan.

¹ Ecology's determination to issue an Order to conduct a receiving water study is an appealable action under RCW 43.21B.310.

² Ecology's determination to issue an Order to conduct a ground water impact study is an appealable action under RCW 43.21B.310.

G. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including *bypasses*, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology.

H. Laboratory Accreditation

All monitoring data required by Ecology shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. When an accredited laboratory prepares the conductivity and pH data, the laboratory shall be accredited for conductivity and pH. Crops, soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by Ecology.

S5. MONITORING PLAN

Permittees shall maintain and comply with a monitoring plan developed for active sites in accordance with the monitoring requirements of Special Condition S4. and the requirements of this Special Condition.

A. Monitoring Plan Requirements

The monitoring plan will identify the required parameters for monitoring, the frequency of sampling, the location(s) for sampling, and the procedures for sampling.

1. The plan will list all the industrial activities at the site.
2. The permittee will review the monitoring requirements of Special Condition S4. and identify in the plan those parameters that require monitoring and the frequency of monitoring.
 - a. Where a discharge combines two or more industrial activities and each activity requires the same monitoring parameter and frequency, only one sample and analysis for that parameter will be required.

- b. No sampling is required of water held in a lined impoundment that is designed, constructed, and maintained in accordance with Special Condition S7.B. Any discharges from a lined impoundment to *waters of the state* must be sampled in accordance with the monitoring plan.
- 3. The plan will identify the location of all sampling points, the types (e.g. process water, mine dewatering water, stormwater) of discharge that occur at each point and whether the discharge is to surface water or ground water. The plan shall identify enough sample points to provide representative sampling of all *point source* discharges to surface water or ground water.
- 4. The plan will assign a unique label (e.g. name or number) to the sampling points and the permittee will use these location names when reporting monitoring results to Ecology. If facility conditions require the addition or deletion of a sampling point, the permittee will inform Ecology of the addition/deletion when filing a monitoring report that contains the new information.
- 5. The plan will list the standard procedures used at the facility for collecting samples for laboratory analysis.
 - a. The *USEPA* NPDES Stormwater Sampling Guidance Document (EPA 833-B-92-001, July 1992), or equivalent sampling methods, will be used as guidance for both stormwater, mine dewatering water, and process water sampling procedures.
 - b. Samples taken to meet the requirements of this general permit shall be collected during the facility's normal working hours and while processing is at normal levels, except as may be necessary to capture a representative sample of a stormwater event.

B. Maintaining Monitoring Plan

- 1. The permittee(s) will retain the monitoring plan on-site or within reasonable access to the site and make it immediately available upon request by Ecology. The monitoring plan and all of its modifications shall be signed in accordance with General Condition G20.
- 2. The monitoring plan shall be updated as necessary to adequately represent facility changes. The plan will be reviewed on no less than an annual basis. Employees will receive training on what is included in the plan and how facility activities relate to monitoring requirements.

S6. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to Ecology shall constitute a violation of the terms and conditions of this permit.

A. Reporting

Discharge Monitoring Report forms shall be submitted quarterly for all active sites whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

The first monitoring period begins on the effective date of the permit. Monitoring results obtained during the previous three (3) months shall be reported on the quarterly reporting forms as provided, or otherwise approved, by Ecology. The reports shall be sent to the Water Quality Permit Coordinator at the Department of Ecology regional office that issued coverage under this general permit. Reports shall be received by Ecology on or by January 15 (October, November, December), April 15 (January, February, March), July 15 (April, May, June), and October 15 (July, August, September), for each reporting period or partial reporting period of coverage under this general permit.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the *Director*.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S4. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately;
2. Immediately notify Ecology of the failure to comply; and
3. Submit a detailed written report to the Ecology within thirty days (5 days for upsets and bypasses), unless requested earlier by the Ecology. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information. Data from resampling shall not be substituted for ongoing permit monitoring required under Special Condition S4 and shall not be reported on the discharge monitoring report form (DMR).

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S7. DISCHARGE WATER MANAGEMENT

A. Most Stringent Limits Apply

The limits on discharge water are stated in Special Condition S3. If the discharges from two or more industrial activities are combined, the most stringent limits will apply.

B. Lined Impoundment Required

This permit prohibits the direct discharge of process water from concrete batch plants (SIC 3273) and asphalt batch plants (SIC 2951), including any wastewater from truck washout areas, except to a lined impoundment. The lined impoundment shall have adequate structural load-bearing design to support any mechanical method used for sludge removal and shall be maintained to prevent any discharge to ground. After treatment the wastewater may be discharged subject to the limits of S3. At a minimum, the impoundment shall be constructed of:

1. Synthetic or flexible membrane material not less than 30 mils thick that shall not react with the discharge; or
2. Concrete with a minimum thickness of 6 inches; or
3. Asphalt with a minimum thickness of 6 inches; or

4. Steel-walled containment tank; or
5. Any other impoundment structure or technique approved by Ecology to meet the intention of this section.

C. Impoundment Hydraulic Loading Capacity

Any impoundment shall have adequate hydraulic loading capacity to provide treatment of wastewater for all conditions except when all known available and reasonable methods of prevention control and treatment have been applied to the wastewater and precipitation exceeds the *design storm*.

D. Maintenance Shop Zero Discharge

No wastewater shall be discharged to surface water or ground water from a maintenance shop unless the permittee requests and Ecology grants an exception. An exception will only be considered if it is from existing equipment, a discharge to sanitary sewer is not available, treatment before discharge is provided, and the discharge will comply with applicable surface water quality standards and ground water quality standards.

E. Mined Pit Pond

A permittee is not required to comply with suspended solid limits and turbidity limits when discharging to a mined pit pond if the addition of suspended solids is consistent with the goals of the reclamation plan for that site. When pit reclamation is complete, any discharge to the pit pond shall fully comply with surface water quality standards.

F. Use of Discharge Treatment Additives

The Permittee shall document the use of any additives in the treatment of discharge water. Documentation shall identify the additives used, their commercial source, the material safety data sheet, and the appropriate application rate. The Permittee shall retain this information on-site or within reasonable access to the site and make it immediately available, upon request, to Ecology.

Additives to enhance solids settling before discharge to surface water must be applied according to the manufacturer's recommended dose. In addition, only additives of low toxicity to aquatic organisms, an LC_{50} equal to or greater than 100 mg/l, shall be used. The use of additives to enhance settling before discharge to surface water will not be allowed if the toxicity to aquatic organisms is not known.

G. Soil Stabilization Polymers

Polymers may only be applied to soils at the site for soil stabilization if stormwater from the application area is captured and treated by a stormwater detention pond.

The Permittee shall keep a record of the polymer used, the commercial source, the material safety data sheet, and the application rate. The Permittee shall retain this information with their stormwater management plan. In addition, only polymers of low toxicity to aquatic organisms, an LC_{50} equal to or greater than 100 mg/L, will be allowed. The use of polymers for soil stabilization shall not be allowed if the toxicity to aquatic organisms is not known.

H. Ligninsulfonate Use Prohibited

Any facility requiring dust suppression shall not utilize ligninsulfonate in excavated areas.

I. Physical Coverage of Toxic Materials

Any facility that stores or uses toxic materials, petroleum contaminated soils (PCS) that fail to meet the most protective MTCA Method 'A' treatment levels (WAC 173-340-740(2)), chemicals, cement, admixtures, fuels, lubricants, asphalt concrete that has not been used for construction, tar, or other petroleum products shall provide physical coverage and containment for such materials.

J. Conveyance BMPs

Any diversion ditch or channel, or other BMP constructed at the site for routing of process water or stormwater shall be designed, constructed, and maintained to contain all flows except when precipitation exceeds the design storm.

K. Asphalt/Concrete Stormwater Control

No type 3 stormwater shall be discharged from a hot mix asphalt plant, a concrete batch plant, asphalt release agent application area, or concrete truck washout area into a pit or excavation that penetrates the water table.

S8. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Lined Impoundment Inspections

The structural integrity of a lined impoundment shall be inspected whenever sludge removal occurs. Necessary repairs shall be made before refilling.

B. Unauthorized Use of Site

The permittee shall maintain inactive sites to prevent misuse of the site during the inactive state. The permittee shall manage the site to prevent such activities as

illegal dumping, spilling, or other misuse of the site. Site management may include but is not limited to, visual inspections, signage, and physical security measures.

S9. STORMWATER POLLUTION PREVENTION PLAN

Permittees shall prepare, maintain, and comply with their *stormwater pollution prevention plan (SWPPP)*. The SWPPP shall document the *best management practices (BMPs)*, location of structures and drainages, personnel training, and inspection procedures for the control of Type 3 stormwater. *Capital improvements* will be in place as necessary to comply with the conditions of this permit.

A. General Requirements

The permittee(s) shall retain the SWPPP on-site or within reasonable access to the site and make it immediately available, upon request, to Ecology. If discharge is to a municipal storm sewer system, the municipal operator of the storm sewer system will also have access to the SWPPP. The responsible party as identified in General Condition G20., Signatory Requirements, shall sign the SWPPP and all of its modifications.

1. The SWPPP shall include measures to prevent the addition of process water or mine dewatering water into type 3 stormwater and to verify that non-stormwater discharges do not enter the stormwater treatment system. Stormwater that commingles with process water is considered process water and subject to the requirements for process water.
2. Modifications
 - a. The permittee shall review and update the SWPPP whenever there is a failure to comply with stormwater discharge limits. Changes shall be implemented to address future compliance with the discharge limits.
 - b. Ecology may require a modification of the SWPPP if it does not comply with the minimum requirements of this section. Within 30 days of such notice, the permittee shall modify the SWPPP and submit to Ecology a schedule for implementing the modification(s).
 - c. The permittee shall modify the SWPPP whenever there is a change in design, construction, operation, or maintenance at the site that necessitates a change to maintain control of stormwater. Implementation of the SWPPP revision(s) shall occur in a timely fashion.

- d. The permittee shall modify the SWPPP as necessary to correct for any observed inadequacies in the description of potential pollutant sources or the *pollution* prevention measures and controls identified in the SWPPP. The SWPPP shall be revised to reflect the observed inadequacies within two weeks of their identification. Implementation of the SWPPP revision(s) shall occur in a timely fashion.
3. The Permittee may include in the SWPPP by reference, applicable portions of plans prepared for other purposes. The referenced plans shall be available on-site or within reasonable access to the site and become enforceable requirements of the SWPPP. (A Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70.95C RCW, is an example of such a plan.)

B. SWPPP Contents and Requirements

The SWPPP shall contain, at a minimum, the following:

1. Site Map

The site map will locate and document the stormwater drainage and discharge structures, an outline of the stormwater drainage areas for each stormwater discharge point (including discharges to ground water). The site map shall also identify nearby and onsite surface water bodies and any known underlying aquifers.

The site map shall also identify all areas associated with industrial activities including, but not limited to, the following:

- a. Loading and unloading of dry bulk materials or liquids,
- b. Outdoor storage of materials or products,
- c. Outdoor processing,
- d. Processes that generate dust and particles,
- e. Roofs or other surfaces exposed to air emissions from a process area,
- f. On-site waste treatment, storage, or disposal,
- g. Vehicle and equipment maintenance and/or cleaning.
- h. Paved areas and buildings
- i. Underground storage of materials or products

Lands adjacent to the site shall also be depicted where helpful in identifying discharge points or drainage routes.

2. Inventory of Materials

The inventory of materials will list all of the types of materials handled at the site (for example: cement and cement admixtures, petroleum products, gravel piles, recycle storage) that can be exposed to precipitation or run-off.

3. Operational BMPs

The SWPPP shall include site operation BMPs that reduce the potential for the discharge of *significant amounts* of pollutants. At a minimum these BMPs will include:

- a. Pollution Prevention Team: The Permittee will identify specific individuals and their positions within the organization who are responsible for developing the SWPPP and assisting the responsible official in its implementation, maintenance, and modification. The activities and responsibilities of the team should address all aspects of the facility's SWPPP.
- b. Good Housekeeping: The permittee will conduct ongoing maintenance and cleanup, as appropriate, of areas that may contribute pollutants to stormwater discharges. The SWPPP will document cleaning and maintenance schedules.
- c. Preventive Maintenance: The permittee will inspect and maintain the stormwater drainage and treatment systems and the equipment and systems that could fail, resulting in contamination of stormwater.
- d. Employee Training: The permittee will provide annual training of employees on the SWPPP that emphasizes spill response, good housekeeping, and material management practices.
- e. Inspection and Recordkeeping: The Permittee will identify plant personnel who will inspect designated equipment and plant areas as required in Special Condition S11. The Permittee shall also provide a tracking or follow-up procedure to ensure that appropriate action has been taken in response to the inspection. There will be documentation of inspection reporting and recordkeeping procedures and schedules as required in Special Condition S11. and S6. of this permit.

4. Source Control BMPs

The SWPPP shall include *source control BMPs* that prevent the pollution of stormwater. For the industrial activities listed below, the permittee shall implement the BMPs described in Volume IV of Ecology's *Stormwater Management Manual (SWMM)* for the *Puget Sound Basin*, or equivalent

BMPs. For industrial activities not listed below, such as release agent application at asphalt batch plants, BMPs that prevent the pollution of stormwater shall be employed.

- a. Fueling Stations - SWMM BMP S1.10¹
- b. Vehicle/Equipment Washing and Steam Cleaning - SWMM BMP S1.20
- c. Loading and Unloading Liquid Materials - SWMM BMP S1.30
- d. Liquid Storage in Above-Ground Tanks - SWMM BMP S1.40
- e. Container Storage of Liquids, Food Wastes or Dangerous Wastes - SWMM BMP S1.50
- f. Outside Storage of Raw Materials, By-Products or Finished Products - SWMM BMP S1.60

Consistent with RCW 46.61.655(4), vehicles shall be cleaned of mud, rock, and other material before entering a paved public highway so that tracking onto the highway does not occur.

5. Treatment BMPs

The SWPPP shall include *treatment BMPs* as necessary to achieve compliance with the stormwater discharge limits. Treatment BMPs may include but are not limited to: oil/water separators, biofiltration, infiltration basins, detention facilities, and *constructed wetlands*.

It is the Permittee's responsibility to identify and comply with any construction requirements. Implementation of structural BMPs may require the Permittee to comply with additional requirements (e.g. county permit or US Army Corps of Engineers' regulations). Impoundment structures of 10 acre-feet or more of water above natural ground must comply with the Dam Safety Regulations, Chapters 173-175 WAC.

6. Innovative BMPs

Innovative treatment, source control, reduction or recycling, or operational BMPs beyond those identified in Ecology's SWMM are encouraged if they help achieve the objectives listed in this Special Condition.

S10. EROSION AND SEDIMENT CONTROL PLAN

Permittees of active sites and inactive sites shall prepare, maintain, and comply with an *erosion and sediment control plan (ESCP)* for *Type 2 stormwater*. The ESCP shall identify the *erosion and sediment control BMPs*, including *stabilization* and structural practices, implemented to minimize erosion and the transport of *sediments* during the operation of

¹ SWMM BMP S1.10 does not address mobile fueling. BMPs must be established for mobile fueling to prevent pollution of storm water for this activity.

the facility. The permittee is responsible for ensuring the coordination of the ESCP with any other site activities that regulate maintenance of the site (e.g. reclamation plans).

A. General Requirements

1. Compliance with local or state requirements

This general permit does not relieve the permittee of compliance with any more stringent requirements of local agencies or other state agencies with jurisdiction.

2. Retention and Availability

The permittee shall retain the ESCP, inspection reports, and all other reports required by this Special Condition for at least three years after the date of *final stabilization* of the site. The permittee shall make these documents available immediately upon request to Ecology and to local agencies or other state agencies that have jurisdiction. The ESCP and all of its modifications shall be signed in accordance with General Condition G20.

B. ESCP Contents and Requirements

1. Stabilization Practices

The ESCP shall include a description of stabilization BMPs, including site-specific scheduling of implementation of the practices. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, decreasing slope angles or lengths, and other appropriate measures. Stabilization measures shall be initiated as soon as practicable in portions of the site where mining activities have temporarily or permanently ceased. The plan shall ensure that the following requirements are satisfied:

- a. All soils shall be stabilized by suitable and timely application of BMPs.
- b. Existing vegetation should be preserved where feasible. In the field, areas that are not to be disturbed shall be permanently marked; these include setbacks, sensitive/critical areas and their buffers, trees, and drainage courses.
- c. Cut slopes and fill slopes shall be designed and constructed in a manner that will minimize erosion.
- d. Stabilization adequate to prevent erosion of outlets and adjacent stream banks shall be provided at the outlets of all conveyance systems.

2. Structural Practices

In addition to stabilization practices, the ESCP shall include a description of structural BMPs to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and sediment basins. The installation of these devices may be subject to Section 404 of the Federal *Clean Water Act*. The plan shall ensure that the following requirements are satisfied:

- a. Properties adjacent to the project site shall be protected from sediment deposition caused by activities at the site.
- b. Sediment ponds and traps, perimeter dikes, sediment barriers, and other BMPs intended to trap sediment on-site shall be constructed as a first step. These BMPs shall be functional before land is disturbed. Slopes of earthen structures used for sediment control such as dams, dikes, and diversions shall be stabilized immediately after construction.
- c. Any BMP constructed at an active site should be designed to maintain separation of Type 2 stormwater from Type 3 stormwater and *Type 1 stormwater* for the peak flow from the design storm. If any commingling of Type 1, Type 2, or Type 3 stormwater occurs, the most restrictive requirements shall be met.

Implementation of structural BMPs may require the Permittee to comply with additional requirements (e.g. county permit or US Army Corps of Engineers' regulations). Impoundment structures of 10 acre-feet or more of water above natural ground must comply with the Dam Safety Regulations, Chapters 173-175 WAC. It is the Permittee's responsibility to identify and comply with any construction requirements.

3. Selection of Stabilization and Structural BMPs

Permittees shall select from BMPs described in Volume II of Ecology's SWMM, adapted as necessary for local conditions, or other equivalent and appropriate BMPs.

4. Maintenance

All structural and stabilization practices shall be inspected, maintained, and repaired as needed to assure continued performance of their intended function.

5. Inspections

For active sites, all on-site erosion and sediment control measures shall be inspected at least once every seven days, and within 24 hours after any storm event of greater than 0.5 inches of rain per 24 hour period. A file containing a log of observations shall be maintained.

For inactive sites, a Registered Professional Engineer or equivalent (e.g. Certified Professional Erosion and Sediment Control Specialist) shall certify every three years that the facility is in compliance with this general permit.

S11. STORMWATER INSPECTIONS

An assessment of the SWPPP BMPs is required by this permit. As a minimum, the Permittee shall conduct two inspections each year of all active sites covered under this permit. At least one inspection will be conducted during the wet season (October 1 - April 30) and at least one inspection will be conducted during the dry season (May 1 - September 30).

A. Wet Season Inspection

The wet season inspection will be conducted by personnel named in the SWPPP and will include observations for the presence of floating materials, suspended solids, oil and grease, discoloration, turbidity, odor, etc. in the stormwater discharge(s).

It will be conducted during a rainfall event adequate in intensity and duration to verify that:

1. The description of potential pollutant sources required under this permit is accurate;
2. The site map as required in the SWPPP (Special Condition S7.) has been updated or otherwise modified to reflect current conditions; and
3. The controls to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP are being implemented and are adequate.

B. Dry Season Inspection

The dry season inspection shall be conducted by personnel named in the SWPPP and after at least seven (7) consecutive days of no precipitation. It shall determine the presence of non-stormwater discharges such as process water to the *stormwater drainage system*. If a discharge related directly or indirectly to process water is discovered, the permittee shall comply with non-compliance notification

requirements of Special Condition S6.E. and shall eliminate the discharge within ten days. If the discharge cannot be eliminated within ten days, the discharge shall be considered process water and subject to all process water conditions of this general permit.

C. Inspection Report

A report on each inspection will be prepared and retained as part of the SWPPP. The report will summarize the scope of the inspection, the personnel conducting the inspection, the date(s) of the inspection, major observations relating to the implementation of the SWPPP, and any actions taken. The report shall be signed in accordance with General Condition 20 and shall certify that the discharge of stormwater has been investigated for the presence of non-stormwater discharge.

S12. SPILL PLAN

A. Emergency Cleanup

BMP S1.80 in Volume IV of Ecology's *Stormwater Management Manual (SWMM)* should be used for emergency cleanup guidance.

B. Materials of Concern

The Permittee shall maintain and comply with a spill control plan for the prevention, containment, control and cleanup of spills or unplanned discharges of:

1. Oil and petroleum products including accidental release from equipment,
2. Materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, and
3. Other materials which may become pollutants or cause pollution upon reaching waters of the state.

C. Spill Plan Contents

The Permittee will review and update the Spill Plan, as needed, but at least annually. The spill control plan will include the following:

1. A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill,
2. A list of equipment and materials onsite that have the potential to leak and spill,

3. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials, and
4. Specific handling procedures and storage requirements for materials kept onsite.

D. Spill Response

The permittee shall have the necessary cleanup materials available and respond to all spills in a timely fashion, preventing their discharge to waters of the state. All employees shall receive appropriate training to assure that spills are reported and responded to appropriately.

S13. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material, including material from cleaning catch basins and any sludge generated by impounding process water or Type 3 stormwater, in such a manner as to prevent its entry into state ground or surface water. Disposal shall comply with all applicable local, state, and federal regulations.

B. Leachate

The Permittee shall not allow *leachate* from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

S14. COMPLIANCE WITH STANDARDS

Violation of ground water quality standards (Chapter 173-200 WAC), surface water quality standards (Chapter 173-201A WAC), or sediment management standards (Chapter 173-204 WAC) of the state of Washington is a violation of this permit.

A. Discharge to Ground Water

Any discharge to a pond, lagoon, or other type of impoundment or storage facility that is unlined is considered a discharge to ground water and is subject to the ground water standards (Chapter 173-200 WAC). Industrial discharges below the surface of the ground, such as to a dry well, drainfield, or injection well, are subject

to the ground water standards and are also regulated by the Underground Injection Control Program (Chapter 173-218 WAC).

B. Ground Water Monitoring Wells

Ecology may require installation of ground water monitoring wells at any facility that has the potential to pollute ground water as demonstrated by discharge of process water that is not in compliance with the ground water standards to an unlined pond or other point of discharge.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit shall be consistent with the terms and conditions of this general permit. The discharge of any pollutant more frequently than, or at a concentration in excess of, that authorized by this general permit shall constitute a violation of the terms and conditions of this general permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

G3. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its general permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G4. BYPASS PROCEDURES

The Permittee shall immediately notify Ecology of any spill, overflow, or bypass from any portion of the wastewater collection or treatment system.

The bypass of wastes from any portion of the wastewater treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify Ecology in accordance with Special Condition S6.E. "Noncompliance Notification."

2. Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions -- Bypass is authorized by an administrative order¹ issued by Ecology. The Permittee shall apply to Ecology for the administrative order at least thirty (30) days before the planned date of bypass. The written submission shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for a *water quality* modification, as provided for in WAC 173-201A-110, and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Ecology will consider the following prior to authorizing a bypass:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under RCW 90.48.120.

¹ Ecology's determination to issue an Order to increase monitoring frequency is an appealable action under RCW 43.21B.310.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by Ecology prior to the bypass.

G5. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records shall be kept under the terms and conditions of this permit;
- B. To have access to and copy at reasonable times any records that shall be kept under the terms of this permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in this permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G6. NOTIFICATION OF CHANGE IN COVERED ACTIVITIES

The Permittee shall submit a new application for coverage whenever facility expansions, production increases, or process modifications are anticipated that will (1) result in new or substantially changed discharges of pollutants¹; or (2) violate the terms and conditions of this permit. This new application for coverage shall be submitted at least 60 days prior to the proposed changes. Submission of the application for coverage does not relieve the Permittee of the duty to comply with the existing permit.

G7. PERMIT COVERAGE REVOKED

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the Director may require any *discharger* authorized by this permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

- A. Violation of any term or condition of this permit;
- B. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;

¹ Substantial change of discharge for this industry group will be any modification of the facility that would change the characteristics of the discharge or include for coverage a new activity (SIC) that was not previously covered.

- C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- D. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;
- E. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;
- F. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;
- G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or
- H. Incorporation of an approved local pretreatment program into a municipality's permit.

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G8. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

- A. When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of dischargers covered under this permit;
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G9. REPORTING A CAUSE FOR MODIFICATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G6. above, or 40 CFR 122.62 shall report such plans, or such information, to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this permit will be required. Ecology may then require submission of a new application for coverage under this, or another general permit, or an application for an individual permit. Submission of a new

application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new application for coverage has been approved and corresponding permit has been issued.

G10. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in this general permit, Ecology shall institute proceedings to modify or revoke and reissue this permit to conform to the new toxic effluent standard or prohibition.

G11. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G12. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G13. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order¹ or permit modification.

G14. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

G15. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to State waters.

G16. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this permit may request to be excluded from coverage under the sand and gravel general permit by applying for an individual permit. The discharger shall submit to the Director an application as described in WAC 173-220-040 or WAC

¹ Ecology's determination to issue an Order to increase monitoring frequency is an appealable action under RCW 43.21B.310.

173-216-070, whichever is applicable, with reasons supporting the request. The Director shall either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to the sand and gravel general permit, the applicability of the sand and gravel general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G17. PERMIT TRANSFER

Coverage under this permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to Ecology;
- B. A copy of this permit is provided to the new owner; and
- C. Ecology does not notify the Permittee of the need to submit a new application for coverage under the general permit or for an individual permit pursuant to Chapters 173-216, 173-220, and 173-226 WAC.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by Ecology.

G18. DUTY TO REAPPLY

The Permittee shall reapply for coverage under this permit, at least, one hundred and eighty (180) days prior to the specified expiration date of this permit. An expired permit continues in force and effect until a new permit is issued or until Ecology cancels it. Only those facilities which have reapplied for coverage under this permit are covered under the continued permit.

G19. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.

G20. SIGNATORY REQUIREMENTS

All applications for coverage and termination, plans (including the SWPPP and the ESCP), reports, certifications, or information either submitted to Ecology or to the operator of a municipal storm sewer system or that this permit requires be maintained by the permittee, shall be signed as follows:

- A. In the case of corporations, by a responsible corporate officer or a duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates;
- B. In the case of a partnership, by a general partner;
- C. In the case of a sole proprietorship, by the proprietor; or
- D. In the case of a municipal, state, or other public agency, by either a principal executive officer, ranking elected official, or other duly authorized employee.

G21. APPEALS

The terms and conditions of the sand and gravel general permit:

- A. As they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of the sand and gravel general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC; and
- B. As they apply to an individual discharger are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of the sand and gravel general permit coverage of an individual discharger is limited to the applicability or non-applicability of the sand and gravel general permit to that same discharger. Appeal of this permit coverage of an individual discharger will not affect any other individual dischargers. If the terms and conditions of the sand and gravel general permit are found to be inapplicable to any discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

G22. SEVERABILITY:

The provisions of this permit are severable, and if any provision of this general permit or application of any provision of this general permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.

APPENDIX A

FACILITIES REQUIRED TO APPLY

The coverage provided in this general permit is limited to the specific facilities identified within the following Standard Industrial Classification (SIC) Codes, the cited Subparts of 40 CFR Part 436, Mineral Mining and Processing Point Source Category or 40 CFR Part 443, Effluent Limitations Guidelines For Existing Sources And Standards Of Performance And Pretreatment Standards For New Sources For The Paving And Roofing Materials (Tars And Asphalt) Point Source Category:

SIC Code 811 Timber Tracts

SIC Code 2411 Logging

Coverage for timber tracts and logging activities is limited to those mining activities associated with the forestry industry that classify as silvicultural point source. A silvicultural point source applies only to the production of materials for use in forest management. For this industry, covered activities are limited to rock crushing or gravel washing facilities that use a discernible, confined and discrete conveyance to discharge pollutants to waters of the state.

SIC Code 1411 Dimension Stone

40 CFR Part 436 Subpart A--Dimension Stone Subcategory

Coverage is provided for mining and quarrying of dimension stone, including rough blocks and slabs. The types of mines or quarries covered in this general permit are: basalt, diabase, diorite, dolomite, dolomitic marble, flagstone, gabbro, gneiss, granite, limestone, marble, quartzite, sandstone, serpentine, slate, and volcanic rock.

SIC Code 1422 Crushed and Broken Limestone

SIC Code 1423 Crushed and Broken Granite

SIC Code 1429 Crushed and Broken Stone, Not Elsewhere Classified

40 CFR Part 436 Subpart B--Crushed Stone Subcategory

Coverage is provided for mining, quarrying, and onsite processing of crushed and broken stone or riprap. The types of mines or quarries included in this category for this permit are: basalt, dolomite, dolomitic marble, granite, limestone, marble, quartzite sandstone, traprock, and volcanic rock. Processing means washing, screening, crushing, or otherwise preparing rock material for use.

SIC Code 1442 Construction Sand and Gravel

40 CFR Part 436 Subpart C--Construction Sand and Gravel Subcategory

Coverage is provided for mining and onsite processing of sand and gravel for construction or fill purposes. Processing means washing, screening, crushing, or otherwise preparing sand and gravel for construction uses.

SIC Code 1446 Industrial Sand
40 CFR Part 436 Subpart D--Industrial Sand Subcategory

Coverage is provided for mining and onsite processing of sand for uses other than construction, including but not limited to glassmaking, molding, filtration, refractories, refractory bonding, and abrasives. Processing employing a HF flotation method is not covered by this general permit.

SIC Code 1499 Miscellaneous Nonmetallic Minerals, Except Fuels
40 CFR Part 436 Subpart H Lightweight Aggregates Subcategory

Coverage is provided for mining, quarrying, and onsite processing of perlite, pumice, or vermiculite.

SIC Code 1459 Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified
40 CFR Part 436 Subpart V--Bentonite Subcategory

Coverage is provided for the mining and onsite processing of bentonite.

SIC Code 1499 Miscellaneous Nonmetallic Minerals, Except Fuels
40 CFR Part 436 Subpart X--Diatomite Subcategory

Coverage is provided for mining and onsite processing of diatomite or diatomaceous earth.

SIC Code 1459 Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified
40 CFR Part 436 Subpart AD--Shale and Common Clay Subcategory

Coverage is provided for the mining and onsite processing of clays and refractory minerals. Mines operated in conjunction with plants manufacturing cement, brick, or other structural clay products are included in this industry. Establishments engaged in grinding, pulverizing, or otherwise treating clay, ceramic, and refractory minerals not in conjunction with mining or quarrying operations are not included in this general permit.

SIC Code 1455 Kaolin and Ball Clay
40 CFR Part 436 Subpart AH--Ball Clay Subcategory

Coverage is provided for the mining and onsite processing of kaolin, ball clay, china clay, paper clay, and slip clay.

SIC Code 2951 Asphalt Paving Mixtures and Blocks
40 CFR Part 443 Subpart B--Asphalt Concrete Subcategory

Coverage is provided for hot mix asphalt plants.

SIC Code 3273 Ready-Mixed Concrete

Coverage is provided for facilities engaged in manufacturing portland concrete delivered to a purchaser in a plastic and unhardened state. This includes production and sale of central-mixed concrete and portable ready-mixed concrete.

APPENDIX B - MONITORING REQUIREMENTS

Monitoring Requirements & Effluent Limits Matrix

| Discharge Type | SIC | Discharge To: | pH | | Turbidity | | Total Suspended Solids | | Temp | TDS ¹ |
|------------------------------------|--|---------------|---------------------------------------|---------|-----------------|-----------|------------------------|-----------|---------------------|----------------------|
| | | | Min | Max | Monthly Ave | Max Daily | Monthly Ave | Max Daily | | |
| | | | Surface Water Discharge Not Permitted | | | | | | | |
| Process Water, Dewatering Water | 0811, 1422, 1423, 1429, 1442, 2411 | Surface | Monthly | | 2 Times Monthly | | Quarterly | | Weekly (Jul-Sep) | ---- |
| | | | 6.0 | 9.0 | 50 NTU | 50 NTU | 40 mg/l | 80 mg/l | | ---- |
| | | Ground | Monthly | | ----- | | ----- | | ----- | ----- |
| | 1411, 1455, 1459, 1499 | Surface | ----- | | ----- | | ----- | | ----- | ----- |
| | | | Monthly | | ----- | | ----- | | ----- | ----- |
| | | Ground | 6.5 | 8.5 | ----- | ----- | ----- | ----- | ----- | ----- |
| | 1446 | Surface | Monthly | | 2 Times Monthly | | Quarterly | | Weekly (Jul-Sep) | ---- |
| | | | 6.0 | 9.0 | 50 NTU | 50 NTU | 25 mg/l | 45 mg/l | | ----- |
| | | Ground | Monthly | | ----- | | ----- | | ----- | ----- |
| | 2951 | Surface | ----- | | ----- | | ----- | | ----- | ----- |
| | | | Monthly | | ----- | | ----- | | ----- | Monthly |
| | | Ground | 6.5 | 8.5 | ----- | ----- | ----- | ----- | ----- | 500mg/l ² |
| | 3273 | Surface | Monthly | | 2 Times Monthly | | Quarterly | | Weekly (Jul-Sep) | ---- |
| | | | 6.0 | 9.0 | 50 NTU | 50 NTU | 40 mg/l | 80 mg/l | | ----- |
| | | Ground | Monthly | | ----- | | ----- | | ----- | Monthly |
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¹TDS = Total Dissolved Solids²Not a true limit. However, if 500 mg/l is typically exceeded, a groundwater impact study may be required

APPENDIX C

DEFINITIONS

These definitions pertain to terms indicated in italics in this permit. The term has been indicated in italics only the first time it is used.

Active Site means a location where current mining or processing operations (including, but not limited to, crushing, classifying, or operating a concrete or hot mix asphalt plant) or stockpiles associated with current mining or processing operations, are located. Also see definitions for Inactive Site and Closed Site.

Application for Coverage means the application for, or a request for, coverage under this General Permit pursuant to WAC 173-226-200. An application for coverage is also known as a "Notice of Intent (NOI)".

Best Management Practices (BMPs - general definition) means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices used to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage. In this permit BMPs are further categorized as operational, source control, erosion and sediment control, and treatment.

Bypass means the diversion of waste streams from any portion of a treatment facility.

Capital Improvements means the following improvements that will require capital expenditures:

1. Treatment BMPs, including but not limited to: biofiltration systems including constructed wetlands, settling basins, oil separation equipment, impoundments, and detention and retention basins.
2. Manufacturing modifications, including process changes for source reduction, if capital expenditures for such modifications are incurred.
3. Concrete pads and dikes and appropriate pumping for collection of stormwater, process water or mine dewatering water and transfer to control systems from manufacturing areas such as loading, unloading, outside processing, fueling and storage of chemicals and equipment and wastes.
4. Roofs and appropriate covers for storage and handling areas.

Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; USC 1251 et seq.

Closed Site means a location where all activities associated with permit coverage have been terminated with no intent to return to operation in the future. Also see definitions for Inactive Site and Active Site.

Constructed Wetland means wetlands intentionally created for the primary purpose of wastewater or stormwater treatment and managed as such. Constructed wetlands are normally considered as part of the stormwater collection and treatment system. Wetlands constructed for treatment of stormwater shall not be eligible for use as compensatory mitigation for authorized impacts to regulated wetland systems.

Design Storm means the maximum volume of water resulting from the 10 year, 24 hour precipitation event. The term "10 year 24 hour precipitation event" is the maximum 24 hour precipitation event with a probable reoccurrence interval of once in 10 years. The maximum volume of water is the total from all areas contributing runoff to the individual treatment facility without consideration of loss of water from processes such as infiltration.

Director means the Director of the Washington Department of Ecology or his/her authorized representative.

Discharge to Ground Water means the discharge of water into an unlined impoundment or onto the surface of the ground that allows the discharged water to percolate, or potentially percolate, to ground water. Discharge to ground water, discharge to land, and discharge to ground all have the same meaning.

Discharger means an owner or operator of any facility or activity subject to regulation under Chapter 90.48 RCW or the Federal Clean Water Act.

Ecology means the Washington State Department of Ecology.

Erosion means the wearing away of the land surface by running water, ice, or other geological agents, including such processes as gravitational creep.

Erosion and Sediment Control BMPs means BMPs intended to prevent erosion and sedimentation, such as preserving natural vegetation, seeding, mulching and matting, plastic covering, filter fences, and sediment traps and ponds. Erosion and sediment control BMPs are synonymous with stabilization and structural BMPs.

Erosion and Sediment Control Plan(ESCP) means a document that describes the potential for erosion and sedimentation problems and explains and illustrates the measures to be taken to control those problems.

Final Stabilization means completion of all soil disturbing activities at the site and establishment of a permanent vegetative cover, or installation of equivalent permanent stabilization measures (such as riprap, gabions or geotextiles) that will prevent erosion.

"40 CFR" means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government.

General Permit means a permit that covers multiple dischargers of a point source category within a designated geographical area, in place of individual permits being issued to each discharger.

Ground Water means water in a saturated zone or stratum beneath the land surface or a surface water body.

Hot Mix Asphalt Plant means a plant that blends together aggregate and asphalt cement to produce a hot, homogeneous asphalt paving mixture. The term includes batch plants, continuous mix plants, and drum mix plants.

Inactive Site means a location where previous mining or processing operations (including, but not limited to, crushing, classifying, or operating a concrete or hot mix asphalt plant) has occurred; has not been closed and restored; and has no current mining or processing operations but may include stockpiles of raw materials or finished products. The permittee may add or withdraw raw materials or finished products from the stockpiles for transportation offsite for processing, use, or sale and still be considered an inactive site. Also see definitions for Active Site and Closed Site.

Inert means nonreactive, nondangerous solid materials that are likely to retain their physical and chemical structure under expected conditions of use or disposal.

LC₅₀ means the concentration of test material estimated to cause 50% mortality of the test organisms. The aquatic toxicity tests should include both an invertebrate and a fish species as test organisms.

Leachate means water or other liquid that has percolated through raw material, product, or waste and contains substances in solution or suspension as a result of the contact with these materials.

Local Government means any county, city, or town having its own government for local affairs.

Mine Dewatering Water means any water that is impounded or that collects in the mine and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. This term shall also include wet pit overflows caused solely by direct rainfall and ground water seepage. However, if a mine is used for treatment of process generated waste water, discharges of commingled water from the mine shall be deemed discharges of process generated water.

Municipality means a political unit such as a city, town, or county, incorporated for local self-government.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the State from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

NTU means Nephelometric Turbidity Units, a measure of turbidity.

Operational BMPs means schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial practices to prevent or reduce the pollution of waters of the state. Not included are BMPs that require construction of pollution control devices.

pH--The pH of a liquid measures its acidity or alkalinity. A pH of 7 is defined as neutral, and large variations above or below this value are harmful to most aquatic life.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, and container from which pollutants are or may be discharged to waters of the State. This term does not include return flows from irrigated agriculture.

Pollutant means the discharge of any of the following to waters of the state: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA, nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

Process Water means any water that comes into direct contact or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. The term shall also mean any waste water used in the slurry transport of mined material, air emissions control, or processing exclusive of mining.

Puget Sound Basin means the Puget Sound south of Admiralty Inlet (including Hood Canal and Saratoga Passage); the waters north to the Canadian border, including portions of the Strait of Georgia; the Strait of Juan de Fuca south of the Canadian border; and all the lands draining into these waters as mapped in Water Resources Inventory Areas numbers 1 through 19, set forth in WAC 173-500-040.

Representative Sampling means taking sufficient samples to accurately represent the nature of the discharge for parameters of concern. Many factors contribute to variability of pollutants in a discharge including quantity of water, time and date of sampling, and physical events and location of discharge.

Ground Water Discharges: If water puddles/collects and discharges to ground at multiple locations onsite it is unlikely that all puddles must be sampled. Consider the source of the water. If all the water is coming from a gravel stockpile area it is likely

that just one sampling point is required. However, if some puddles are from a gravel stockpile area and others are receiving water from a concrete batch area, two sample points are likely. It may be helpful to test multiple puddles for pH. Those with essentially the same pH value can probably be represented by one sample.

Surface Water Discharges: Discharges of process water should be timed to occur when the facility is running at full capacity. Discharges of stormwater may be taken at any time a stormwater discharge occurs. For all parameters required by this permit, a grab sample of instantaneous measurement will be considered representative. The intensity of a storm event and the number of dry days preceding a storm can have dramatic effects on the characteristics of a stormwater discharge. Frequency of sampling must be sufficiently frequent to represent this variability. Since weather can not be readily predicted far in advance, sampling on short notice is likely.

Sanitary Sewer means a sewer designed to convey domestic wastewater.

Sediment means the fragmented material that originates from the weathering and erosion of rocks or unconsolidated deposits and is transported by, suspended in, or deposited by water.

SEPA (State Environmental Policy Act) means the Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment.

Significant Amounts means those amounts of pollutants that are amenable to treatment or prevention or that have the potential to cause or contribute to a violation of standards for surface or ground water quality or sediment management.

Significant Materials includes, but is not limited to: raw materials; fuels; materials such as solvents and detergents; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater or process water discharges.

Silvicultural Point Sources are timber tract and logging activities (SIC codes 0811 and 2411) that produce mined materials for use in forest management. Additionally, silvicultural point source activities are limited to rock crushing or gravel washing operations that use a discernible, confined and discrete conveyance to discharge pollutants to surface waters of the state.

Site means the land or water area where any "facility or activity" is physically located or conducted.

Source Control BMPs means physical, structural, or mechanical devices or facilities intended to prevent pollutants from entering stormwater. A few examples of source control BMPs are erosion control practices, maintenance of stormwater facilities, construction of roofs over storage and working areas, and direction of wash water and similar discharges to the sanitary sewer or a dead end sump.

Stabilization means the application of appropriate BMPs to prevent the erosion of soils, such as temporary and permanent seeding, vegetative covers, mulching and matting, plastic covering, and sodding. See also the definition of Erosion and Sediment Control BMPs.

Standard Industrial Classification (SIC) is the statistical classification standard underlying all establishment-based federal economic statistics classified by industry as reported in the 1987 SIC Manual by the Office of Management and Budget.

Storm Sewer means a sewer that is designed to carry stormwater. Also called a storm drain.

Stormwater means rainfall and snowmelt runoff.

Stormwater Drainage System means constructed and natural features that function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate, or divert stormwater.

Stormwater Management Manual (SWMM) means the technical manual prepared by Ecology for use by local governments that contains BMPs to prevent, control, or treat pollution in stormwater.

Stormwater Pollution Prevention Plan (SWPPP) means a documented plan to implement measures to identify, prevent, and control the contamination of point source discharges of stormwater.

Surface Waters of the State includes lakes, rivers, ponds, streams, wetlands, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

10 year, 24 hour precipitation event means the maximum 24 hour precipitation event with a probable reoccurrence interval of once in 10 years.

Total Dissolved Solids (TDS) means those solids that are capable of passing through a glass fiber filter (1.0 - 1.5 μm) and dried to a constant weight at 180 degrees centigrade.

Total Suspended Solids (TSS) is the particulate material in an effluent that does not pass through a glass fiber filter. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

Treatment BMPs means BMPs intended to remove pollutants from stormwater. A few examples of treatment BMPs are detention ponds, oil/water separators, biofiltration, and constructed wetlands.

Turbidity means the clarity of water as expressed by nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

Type 1 Stormwater means stormwater from portions of a site where no industrial activities have occurred or from a site or area within a site that has been reclaimed and the reclamation bond portion thereof (if any) has been released. If type 1 stormwater enters areas associated with type 2 stormwater, it becomes type 2 stormwater. Likewise, if it enters areas associated with type 3 stormwater, it becomes type 3 stormwater.

Type 2 Stormwater means stormwater from: 1) portions of a site where mining has temporarily or permanently ceased; 2) storage areas for stockpiles of raw materials or finished products; 3) or, from portions of a site with exposed soils in areas cleared in preparation for mining or other industrial activity. If type 2 stormwater enters areas associated with type 3 stormwater, it becomes type 3 stormwater.

Type 3 Stormwater means stormwater discharges from 1) industrial plant yards; 2) immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; 3) material handling sites; 4) sites used for the storage and maintenance of material handling equipment; 5) sites used for residual treatment, storage, or disposal; 6) shipping and receiving areas; 7) storage areas for raw materials or intermediate and finished products at active sites; 8) and, areas where industrial activity has taken place in the past and *significant materials* remain and are exposed to stormwater.

USEPA means the United States Environmental Protection Agency.

Water Quality means the chemical, physical, and biological characteristics of water, normally with respect to its suitability for a particular purpose.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter 90.48 RCW. This includes ground water, lakes, rivers, ponds, streams, wetlands, inland waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.

Wellhead Protection Area (WHPA) means the portion of a well's, well field's, or spring's zone of contribution defined as such using WHPA criteria established by the Washington Department of Health.

