



PAG-03
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR DISCHARGES OF
STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY

NPDES PERMIT NO: PAG038444

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.*, and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*,

Specialty Tires of American Inc.
1600 Washington Street
Indiana, PA 15701-2893

(permittee) is authorized to discharge from a facility known as **Specialty Tires of American Inc. Indiana Plant** (facility), located in **Indiana Borough, Indiana County**, to **Stoney Run (CWF)** in Watershed(s) **18-D** in accordance with the effluent limitations, monitoring and reporting requirements, best management practices (BMPs) and other conditions set forth in Parts A, B, and C and Appendix **S** herein.

APPROVAL OF COVERAGE TO DISCHARGE UNDER THIS GENERAL NPDES PERMIT IS AUTHORIZED BEGINNING ON MAY 22, 2024 AND WILL EXPIRE ON MARCH 23, 2028. WHEN THE GENERAL PERMIT IS RENEWED, REISSUED OR MODIFIED, THE FACILITY OR ACTIVITY COVERED BY THE APPROVAL FOR COVERAGE MUST COMPLY WITH THE FINAL RENEWED, REISSUED OR MODIFIED GENERAL PERMIT.

Coverage and authorization to discharge under the PAG-03 NPDES General Permit ("General Permit") is subject to the following conditions:

1. The permittee shall comply with the terms and conditions of the PAG-03 NPDES General Permit, including the monitoring and reporting requirements contained in Part A, the standard conditions in Part B, the special conditions in Part C, and the applicable appendix or appendices for all discharges of stormwater from the facility.
2. If the permittee believes a conflict exists between the requirements in the NOI or its supporting documents and the terms and conditions of the PAG-03 NPDES General Permit, the permittee shall comply with the terms and conditions of the General Permit.
3. The permittee's failure to comply with the terms, conditions, or effluent limitations of the PAG-03 NPDES General Permit is grounds for DEP to take an enforcement action, or to terminate or revoke coverage under this General Permit.
4. This PAG-03 NPDES General Permit does not authorize construction or modification of treatment facilities necessary to meet the terms and conditions of this General Permit.

The aforementioned approval is authorized by:

Justin C. Dickey
Justin C. Dickey, P.E.
Clean Water Program Manager
Northwest Regional Office Department of Environmental Protection



PAG-03

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*, the Department of Environmental Protection (DEP) hereby authorizes, subject to the terms and conditions contained in this General Permit, the discharge of stormwater associated with industrial activity to surface waters of the Commonwealth. This General Permit authorizes discharges to surface waters in accordance with monitoring and reporting requirements, BMPs and other conditions set forth in Parts A, B and C and the applicable appendix or appendices herein.

An eligible discharger may not commence a new discharge under this General Permit until the all of the following conditions have been met:

1. The discharger has submitted a complete NOI in accordance with the requirements of this General Permit, using the NOI form provided by DEP (3800-PM-BCW0083b); and
2. The discharger has received a signed copy of this General Permit from DEP authorizing coverage under this General Permit.

DEP may deny coverage under this General Permit and require submission of an application for an individual permit based on a review of the NOI or other relevant information, including monitoring data. DEP will notify applicants of this denial and requirement to submit an application for an individual permit in writing.

SCOPE

This PAG-03 General Permit is intended to provide NPDES permit coverage for discharges of stormwater associated with industrial activity, as defined at 40 CFR § 122.26(b)(14) (excluding §§ 122.26(b)(14)(iii) for mineral industry, 122.26(b)(14)(ix) for sewage treatment works and 122.26(b)(14)(x) for stormwater associated with construction activity), and other industrial stormwater discharges that may be required to obtain a permit under Pennsylvania's Clean Streams Law. An industrial facility that already has or is required to obtain an individual NPDES permit for non-stormwater discharges may not use the PAG-03 General Permit for coverage of its stormwater discharges, as the stormwater discharges are incorporated into the individual permit. An industrial facility whose non-stormwater discharges are not already covered by an individual permit may be eligible for General Permit coverage if the non-stormwater discharges are limited to those listed in Part C I.B. of this General Permit and the sector-specific non-stormwater discharges identified in the applicable appendix.

This PAG-03 General Permit contains Parts A, B and C, which apply to all facilities, and appendices that are sector-specific. Table 1 of the NOI Instructions (3800-PM-BCW0083a) identifies the PAG-03 appendices, the standard industrial classification (SIC) codes and industrial activities that are subject to the requirements in those appendices, and the source of the requirement for NPDES permit coverage (or otherwise No Exposure Certification). Facilities whose primary industrial activities do not fall within the SIC codes of a given appendix, but the activities are nonetheless similar, may be specified by DEP as needing to comply with that appendix.

NOI REQUIREMENTS

Deadlines for NOI

A facility seeking coverage under this PAG-03 NPDES General Permit shall submit an administratively complete and acceptable NOI at least 60 days prior to the planned date for commencing any new discharge. Regardless of the planned commencement date, a facility may not commence any new discharge until it has received a signed copy of this General Permit from DEP authorizing coverage under this General Permit. A facility authorized to discharge stormwater under an individual NPDES permit and seeking coverage under this General Permit may continue to discharge in accordance with the individual permit while DEP reviews the NOI and associated documents for coverage under this General Permit.

For facilities with existing coverage under the PAG-03 General Permit (effective September 24, 2016), an NOI to remain covered under the reissued PAG-03 (effective March 24, 2023) must be received by March 23, 2023.

Contents of the NOI

The discharger shall submit the information and attachments required by this General Permit and the NOI form provided by DEP and shall sign the NOI in accordance with the requirements of 25 Pa. Code § 92a.22 (relating to signatories to permit applications and reports) and 40 CFR § 122.22.

Where to Submit the NOI

The NOI shall be submitted to the DEP regional office that has jurisdiction over the county where the facility is located (visit www.dep.pa.gov and select "Regional Resources").

DISCHARGES NOT AUTHORIZED BY THIS GENERAL PERMIT

The following discharges are not authorized under this General Permit, and DEP will deny coverage under this General Permit when one or more of the following conditions exist:

1. Stormwater discharges that, individually or in combination with other similar discharges, are or have the potential to be a contributor of pollution, as defined in the Pennsylvania Clean Streams Law, which are more appropriately controlled under an individual permit. (25 Pa. Code § 92a.54(e)(1))
2. The discharger is not, or will not be, in compliance with any one or more of the conditions of the General Permit. (25 Pa. Code § 92a.54(e)(2))
3. Stormwater discharges proposed by a person responsible for other activities regulated by DEP who has failed and continues to fail to comply or has shown a lack of ability or intention to comply with a regulation, permit, schedule of compliance or order issued by DEP. (25 Pa. Code § 92a.54(e)(3))
4. Stormwater discharges that contain pollutants for which a change has occurred in the availability of demonstrated technology or practices for the control or abatement of the pollutants. (25 Pa. Code § 92a.54(e)(4))
5. Stormwater discharges for which categorical point source effluent limitations are promulgated by the U.S. Environmental Protection Agency (EPA) and other sector-specific prohibited discharges identified in the appendices to this General Permit. (25 Pa. Code § 92a.54(e)(5))
6. Stormwater discharges that are not in compliance or will not result in compliance with an applicable effluent limitation or water quality standard. (25 Pa. Code § 92a.54(e)(6))
7. Stormwater discharges from a facility for which an individual permit is required for other point source discharges, and issuance of both an individual permit and authorization for coverage under a General Permit for the facility would constitute an undue administrative burden on DEP. (25 Pa. Code § 92a.54(e)(7))
8. Stormwater discharges that DEP determines require an individual NPDES permit to ensure compliance with the Federal Clean Water Act, the Pennsylvania Clean Streams Law or DEP regulations. (25 Pa. Code § 92a.54(e)(8))

9. Stormwater discharges directly to surface waters classified as High Quality Waters (HQ) or Exceptional Value Waters (EV) under 25 Pa. Code Chapter 93 (relating to Water Quality Standards). (25 Pa. Code § 92a.54(e)(9))
10. Stormwater discharges containing toxic or hazardous pollutants as defined in sections 307 and 311 of the Clean Water Act (33 U.S.C. §§ 1317 and 1321), or any other substance which, because of its quantity, concentration or physical, chemical or infectious characteristics, may cause or contribute to an increase in mortality or morbidity in either an individual or the total population, or pose a substantial present or future hazard to human health or the environment when discharged into surface waters. (25 Pa. Code § 92a.54(a)(5))
11. Stormwater discharges that individually or cumulatively have the potential to cause or contribute to a violation of an applicable water quality standard established under 25 Pa. Code Chapter 93 (relating to water quality standards) or cause significant adverse environmental impact. (25 Pa. Code § 92a.54(a)(7))
12. Stormwater discharges to impaired waters (with or without an approved Total Maximum Daily Load (TMDL)) where the discharges contain or are expected to contain pollutants at concentrations that have the potential to cause or contribute to the impairment, stormwater discharges that are subject to a Wasteload Allocation (WLA) in a TMDL, and discharges that are inconsistent with the assumptions and requirements of a TMDL.
13. Stormwater discharges that would adversely affect a listed endangered or threatened species or its critical habitat. (25 Pa. Code § 92a.12(c))
14. Stormwater discharges from a facility covered by an individual permit when coverage under the General Permit would result in less stringent effluent limitations or terms and conditions.
15. Non-stormwater discharges and stormwater discharges containing pollutants that are intentionally introduced by the permittee, unless specifically authorized by DEP in writing.
16. Stormwater discharges associated with construction activity as defined in 40 CFR § 122.26(b)(14)(x) or 40 CFR § 122.26(b)(15); stormwater discharges associated with mineral extraction activity as defined in 40 CFR § 122.26(b)(14)(iii); and stormwater discharges associated with treatment works treating domestic sewage as defined in 40 CFR § 122.26(b)(14)(ix).
17. Stormwater discharges that occur at new or existing facilities with cooling water intake structures as defined in 40 CFR §§ 125.81 and 125.91, respectively.
18. Stormwater discharges where one or more of the sector-specific discharge prohibitions apply, as identified in the appendices to the General Permit.

THE AUTHORITY GRANTED BY THIS GENERAL PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. DEP may require a permittee with a discharge or discharges authorized by this General Permit to apply for and obtain an individual NPDES permit by notifying the permittee in writing that an individual NPDES permit application is required. Any interested person may petition DEP to require an individual NPDES permit for a discharge authorized under this General Permit.

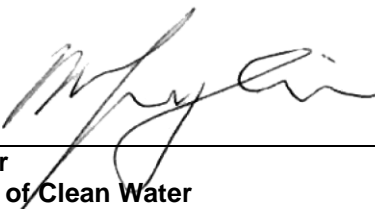
DEP's notice that an individual permit application is required will include the following:

- A brief statement of the reason(s) for this decision;
- An individual NPDES permit application form;
- A deadline for the owner or operator to submit the application;
- A statement that the permittee's failure to submit an individual NPDES permit application by the required deadline will result in termination of the permittee's authorization to discharge under this General Permit; and
- A statement that on the effective date of the individual permit, coverage under this General Permit shall automatically terminate.

2. Any person authorized to discharge by this General Permit may request to be excluded from the coverage of this General Permit by applying for an individual NPDES permit.
3. This General Permit does not authorize the discharge of any waste streams other than stormwater associated with industrial activity and authorized non-stormwater discharges listed in Part C I.B.
4. When DEP issues an individual NPDES permit for a discharge or discharges covered by this General Permit, the applicability of this General Permit is automatically terminated on the effective date of the individual permit. If DEP denies an individual permit for a discharge or discharges covered by this General Permit, DEP will advise in writing as to whether the discharger is authorized or is not authorized to continue discharging under this General Permit.
5. This General Permit is effective for a term not to exceed five years and will expire on the date specified below. If DEP modifies this General Permit during its current term, a permittee with approved coverage under this General Permit may, upon submission of an NOI, continue to discharge in accordance with the terms and conditions of the modified General Permit. If DEP reissues this General Permit, a permittee with approved coverage under this General Permit shall submit an NOI to continue coverage under the reissued General Permit.
6. To modify or reissue this General Permit, DEP will publish a notice in the *Pennsylvania Bulletin* of a draft General Permit and provide a 30-day public comment period. After the comment period, DEP will publish notice of the final modified or reissued General Permit in the *Pennsylvania Bulletin*. The permittee shall submit an NOI to continue discharging under this General Permit and shall comply with the final modified or reissued General Permit. If the permittee is unable to comply with the modified or reissued General Permit, the permittee shall submit an application for an individual permit within 90 days of publication of the final General Permit. (25 Pa. Code § 92a.84)
7. If a discharge approved for coverage under this General Permit subsequently exhibits a condition that renders the discharge ineligible for coverage (see "Discharges Not Authorized by this General Permit", above), the permittee promptly shall take action to restore eligibility, to notify DEP in writing of the condition, and, if eligibility cannot be restored, to submit an individual NPDES permit application to DEP. DEP will terminate coverage under this General Permit if potential or actual adverse impacts to water quality occur as a result of the permittee's discharge(s).
8. No condition of this General Permit releases the permittee from any responsibility or requirements under other federal or Pennsylvania environmental statutes or regulations or local ordinances.

General Permit
(PAG-03) Issued

By



Director
Bureau of Clean Water

Effective March 24, 2023

Expires March 23, 2028

PART A

EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. EFFLUENT LIMITATIONS

- A. This General Permit establishes effluent limitations through the implementation of best management practices (BMPs), as specified in Part C II and the sector-specific appendices of this General Permit, to reduce the discharge of pollutants in stormwater discharges associated with industrial activity.
- B. All stormwater discharges must comply with all applicable requirements established in accordance with 25 Pa. Code Chapters 91-96, 102, and 105 of DEP's rules and regulations. For all permittees covered under this General Permit, DEP may, upon written notice, require additional BMPs or other control measures to ensure that the water quality standards of the receiving waters are attained.
- C. The permittee may not discharge:
1. Floating solids, scum, sheen, or substances that result in observed deposits in the receiving water. (25 Pa. Code § 92a.41(c))
 2. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline. (25 Pa. Code §§ 92a.48(a)(2), 95.2(2))
 3. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant, or aquatic life. (25 Pa. Code § 93.6(a))
 4. Foam or substances that produce an observable change in the color, taste, odor or turbidity of the receiving water. (25 Pa. Code § 92a.41(c))

II. DEFINITIONS

Benchmark Value means the concentration of a pollutant that serves as the threshold for the determination of whether existing site best management practices are effective in controlling stormwater pollution. Benchmark values are not effluent limitations. Two or more consecutive monitoring period exceedances of benchmark values triggers the requirement to develop and submit a corrective action plan, implement additional controls, or apply for an individual permit if notified in writing by DEP.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollutant loading to surface waters of the Commonwealth. The term also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The term includes activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters within this Commonwealth before, during and after earth disturbance activities. (25 Pa. Code § 92a.2)

Clean Water Act means the Federal Water Pollution Control Act, as amended. (33 U.S.C. §§ 1251–1387)

Chemical Additive means a chemical product (including products of disassociation and degradation, collectively "products") introduced into a waste stream that is used for cleaning, disinfecting, or maintenance and which may be detected in effluent discharged to waters of the Commonwealth. The term generally excludes chemicals used for neutralization of waste streams, the production of goods, and treatment of wastewater.

Composite Sample means the sample collected by combining individual samples for chemical analysis. For all analyses except gas chromatography / mass spectroscopy (GC/MS) volatile organic analysis, a composite sample consists of a combination of individual samples (at least eight for a 24-hour period or four for an 8-hour period) of at least 100 milliliters (mL) each obtained at spaced time intervals during the compositing period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval is proportional to the flow rates over the time period used to produce the composite.

For GC/MS volatile organic analysis, a composite sample consists of at least four aliquots or grab samples collected during the sampling event (not necessarily flow proportioned). A separate analysis should be performed for each sample and the results averaged.

Corrective Action Plan means a document or correspondence submitted to DEP that identifies additional pollutant control measures or BMPs that will be implemented by the permittee in order to reduce the concentration of pollutants in stormwater discharges to levels at or below benchmark values specified in sector-specific appendices of the PAG-03 General Permit, along with an implementation schedule.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. (25 Pa. Code §§ 92a.2, 92a.3(b)(1) and 40 CFR § 122.2)

Dike Area means the area included within the protective dike around tank storage areas.

Discharge Monitoring Report (DMR) means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. (25 Pa. Code §§ 92a.2, 92a.3(b)(1) and 40 CFR § 122.2)

Feasible means technologically possible and economically practicable and achievable in light of best industry practices.

Grab Sample means an individual sample of at least 100 mL collected at a time as described in Part C.V of this PAG-03 General Permit over a period not to exceed 15 minutes. (EPA Form 2C)

Hazardous Substance means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. (25 Pa. Code § 92a.3(b)(1) and 40 CFR § 122.2)

Hazardous Waste means a solid waste, as defined in 40 CFR § 261.2, if it meets any of the criteria in 40 CFR § 261.3, except 40 CFR § 261.3(c)(2)(ii)(C). (25 Pa. Code § 261.3)

Impaired Waters means surface waters that fail to attain one or more of their designated uses under 25 Pa. Code Chapter 93 and as listed in Categories 4 and 5 of Pennsylvania's Integrated Water Quality Monitoring and Assessment Report.

Industrial Waste means a liquid, gaseous, radioactive, solid or other substance, not sewage, resulting from manufacturing or industry, or from an establishment, and mine drainage, refuse, silt, coal mine solids, rock, debris, dirt and clay from coal mines, coal collieries, breakers or other coal processing operations (the term includes all of these substances whether or not generally characterized as a waste). (25 Pa. Code § 92a.2)

Infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices.

Monitoring Period (Reporting Period) means the period of time in which activities occur that are subject to reporting to DEP, based on the calendar year; for example, where samples must be collected and analyzed for stormwater pollutant concentrations every six months, the monitoring periods are the semiannual periods of January 1-June 30 and July 1 – December 31.

No Exposure means a condition where industrial materials and activities are protected by a storm-resistant shelter to prevent exposure to stormwater. Industrial materials and activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, or waste product. (25 Pa. Code § 92a.2)

Non-Stormwater Discharges means discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, pavement wash water, external building washdown, irrigation water, or uncontaminated ground water or spring water.

Notice of Intent or NOI means a complete form submitted for NPDES general permit coverage which contains information required by the terms of the permit and by § 92a.54 (relating to general permits). (25 Pa. Code § 92a.2)

Oil and Grease means the parameter that is quantified using EPA Test Method 1664, Revision A: N-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated N-Hexane Extractable Material (SGT-HEM; Non-polar Material) by Extraction and Gravimetric.

Person means any individual, public or private corporation, partnership, association, municipality or political subdivision of this Commonwealth, institution, authority, firm, trust, estate, receiver, guardian, personal representative, successor, joint venture, joint stock company, fiduciary; department, agency or instrumentality of State, Federal or local government, or an agent or employee thereof; or any other legal entity. (25 Pa. Code § 92a.2)

Petroleum Products means gasoline, diesel fuel, aviation fuel, fuel oils, additives, petroleum lubricants, solvents, asphalts, and related materials which are stored, used, or handled on-site.

Point Source (Outfall) means a discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, Concentrated Aquatic Animal Production (CAAP) facility, Concentrated Animal Feeding Operation (CAFO), landfill leachate collection system, or vessel or other floating craft, from which pollutants are or may be discharged. (25 Pa. Code §§ 92a.2, 92a.3(b)(1) and 40 CFR § 122.2)

Pollutant means a contaminant or other alteration of the physical, chemical, biological or radiological integrity of surface water that causes or has the potential to cause pollution as defined in Section 1 of Pennsylvania's Clean Streams Law (35 P.S. § 691.1) or at 40 CFR § 122.2. (25 Pa. Code §§ 92a.2, 92a.3(b)(1) and 40 CFR § 122.2)

Representative Outfall means a point source selected by the permittee or DEP to represent the quality of stormwater for pollutant monitoring purposes because its drainage area characteristics are substantially identical in nature to the drainage area(s) of other point source(s) at the facility or site.

Stormwater means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. (25 Pa. Code § 92a.2 and 40 CFR § 122.26(b)(13))

Stormwater Associated With Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant, and as defined at 40 CFR §§ 122.26(b)(14) (i) - (ix) and (xi). (25 Pa. Code § 92a.2)

Surface Waters means perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps and estuaries, excluding water at facilities approved for wastewater treatment such as wastewater treatment impoundments, cooling water ponds and constructed wetlands used as part of a wastewater treatment process. (25 Pa. Code § 92a.2)

Tank Bottom Water means water that accumulates at the bottom of petroleum product storage tanks as a result of either condensate from the stored product or precipitation/infiltration around the roof cover perimeter seals and roof drains of storage tanks.

Total Dissolved Solids means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR Part 136.

Total Maximum Daily Load (TMDL) means the sum of individual waste load allocations for point sources, load allocations for nonpoint sources and natural quality and a margin of safety expressed in terms of mass per time, toxicity, or other appropriate measures. (25 Pa. Code § 96.1)

Toxic Pollutant means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code § 92a.2)

Wasteload Allocation (WLA) means the portion of a surface water's loading capacity that is allocated to existing and future point source discharges. (25 Pa. Code § 96.1)

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling and Recordkeeping

1. The permittee shall take representative samples and measurements to monitor compliance with this permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(e) and 40 CFR § 122.41(j)(1))
2. Records Retention (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(f)(2) and 40 CFR § 122.41(j)(2))

The permittee shall retain all records of monitoring activities and results, copies of all reports required by this permit, and records of all data used to complete the application for this permit for three years from the date of the sample measurement, report or application, unless a longer retention period is required elsewhere in this permit or in writing by DEP. The permittee shall retain records beyond the three-year period as requested by DEP or the EPA Regional Administrator.

3. Recording of Results (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(f)(1) and 40 CFR § 122.41(j)(3))

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date and time of sampling or measurements.
- b. The person(s) who performed the sampling or measurements.
- c. The date(s) the analyses were performed.
- d. The person(s) who performed the analyses.
- e. The analytical techniques or methods used and the associated detection level.
- f. The results of such analyses.

4. Test Procedures

- a. The permittee shall use facilities in compliance with laboratory accreditation requirements of The Environmental Laboratory Accreditation Act (27 Pa. C.S. §§ 4101-4113) and 25 Pa. Code Chapter 252 (relating to environmental laboratory accreditation) to test or analyze samples used to demonstrate compliance with this permit. (25 Pa. Code § 92a.61(b))
- b. Test procedures (methods) for the analysis of pollutants shall be those approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, unless the method is specified in this permit or has been otherwise approved in writing by DEP. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.44 and 40 CFR §§ 122.41(j)(4), 122.44(i)(1)(iv))
- c. Test procedures (methods) for the analysis of pollutants shall be sufficiently sensitive. A method is sufficiently sensitive when: 1) the method minimum level is at or below the level of the benchmark value established in the permit for the measured pollutant; or 2) the method has the lowest minimum level of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, for the measured pollutant; or 3) in the case of pollutants or parameters for which there are no approved methods under 40 CFR Part 136 or methods are not otherwise required under 40 CFR Chapter I, Subchapters N or O, the method is specified in this permit or has been otherwise approved in writing by DEP for the measured pollutant. Permittees have the option of providing matrix or sample-specific minimum levels rather than the published levels. (25 Pa. Code §§ 92a.3(c), 92a.44 and 40 CFR § 122.44(i)(1)(iv))

5. Quality/Assurance/Control

In an effort to assure accurate self-monitoring analyses results:

- a. The permittee shall participate in, or shall use a laboratory that agrees to participate in, periodic scheduled quality assurance inspections conducted by DEP or EPA. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(i) and 40 CFR §§ 122.41(e), 122.41(i)(3))
- b. The permittee shall develop and implement or shall use a laboratory that has developed and implemented, a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(i) and 40 CFR § 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all treatment and control facilities, as applicable, and the quantity and quality of the discharge(s) as specified in this permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.44, 92a.61(i) and 40 CFR §§ 122.41(e), 122.44(i)(1))
2. The permittee shall use DEP's electronic Discharge Monitoring Report (eDMR) system to report the results of compliance monitoring. Permittees that are not using the eDMR system shall submit the necessary registration and trading partner agreement forms to DEP's Bureau of Clean Water (BCW) within 30 days following approval of coverage under this General Permit and begin using the eDMR system when notified by DEP BCW to do so. Submission of a physical (paper) copy of a Discharge Monitoring Report (DMR) is acceptable under the following circumstances: (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4))
 - a. For a permittee that is not yet using the eDMR system, the permittee shall submit a physical copy of a DMR to the DEP regional office that issued the permit during the interim period between the submission of registration and trading partner agreement forms to DEP and DEP's notification to begin using the eDMR system.
 - b. For any permittee, as a contingency a physical DMR may be mailed to the DEP regional office that issued the permit if there are technological malfunction(s) that prevent the successful submission of a DMR through the eDMR system. In such situations, the permittee shall submit the DMR through the eDMR system within five days following remedy of the malfunction(s).
3. DMRs must be completed in accordance with DEP's published DMR instructions (3800-FM-BCW0463). DMRs must be received by DEP no later than 28 days following the end of the monitoring period. A separate DMR is required for each representative outfall. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) attached to or referenced in this permit, or an approved equivalent, and submit the signed, completed forms as attachments to the DMR, through DEP's eDMR system. DEP's Supplemental Laboratory Accreditation Form (3800-FM-BCW0189) must be completed and submitted to DEP with the first DMR following approval of coverage under this General Permit, and anytime thereafter when changes to laboratories or methods occur. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4))
4. DMRs are based on calendar reporting periods and must be received by the DEP office that approved coverage under this General Permit in accordance with the following schedule:
 - Semiannual DMRs must be received within 28 days following the end of each calendar semiannual period, i.e., January 28 for the period July 1 - December 31 and July 28 for the period January 1 - June 30, unless otherwise stated in the applicable sector-specific appendix.

5. Completed DMRs and all other reports, applications, and information submitted to DEP shall be signed and certified by the following person, as applicable:

- For a corporation – By a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
- For a partnership or sole proprietorship - By a general partner or the proprietor, respectively.
- For a municipality, state, federal or other public agency - By a principal executive officer or ranking elected official.

If signed by a person other than the above, written notification of delegation of signatory authority by one of the persons above to an individual or a position having responsibility for the overall operation of the regulated facility or activity, or an individual or person having overall responsibility for environmental matters for the company shall be submitted to DEP in advance of, or along with, the DMR. (25 Pa. Code §§ 92a.3(c), 92a.22 and 40 CFR § 122.22)

6. If the permittee monitors any pollutant at monitoring points as designated by this permit, using analytical methods described in Part A III.A.4 herein, more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4)(ii))

C. Other Reporting Requirements and Annual NOI Installment Fee

1. Annual Report. (25 Pa. Code § 92a.61(g))

- a. The permittee shall submit the first complete Annual Report to the Clean Water Program of the DEP office that issued the approval of General Permit coverage by May 1, 2023 using DEP's PAG-03 Annual Report template (3800-PM-BCW0083h). Thereafter, the permittee shall submit Annual Reports to DEP by March 23 for each remaining year of General Permit coverage. The Annual Report shall address activities under the General Permit for the previous calendar year. If the permittee discharges to a municipal separate storm sewer system (MS4), a copy of the Annual Report shall be submitted to the operator of the MS4.
- b. For existing permittees, the first annual report is due by May 1, 2023. For new permittees, the first Annual Report is due by March 23 following the first full year of General Permit coverage.
- c. The permittee shall submit the Annual Report to DEP electronically upon receipt of written notification from DEP.

2. Annual NOI Installment Fee. (25 Pa. Code § 92a.26(g))

- a. The permittee shall submit the first annual installment payment of the NOI fee to DEP's Bureau of Clean Water in the amount of \$500 by May 1, 2023, by check or money order made payable to "Commonwealth of Pennsylvania" or by using DEP's electronic payment system. Thereafter, the permittee shall pay the NOI fee annual installment payment by March 23 for each remaining year of General Permit coverage. The fee is due regardless of whether the permittee receives an invoice from DEP. The checks or money orders shall be submitted to the following address:

PA Department of Environmental Protection
Bureau of Clean Water
Rachel Carson State Office Building
400 Market Street, PO Box 8466
Harrisburg, PA 17105-8466

- b. For existing permittees, the first annual NOI installment is due by May 1, 2023. For new permittees, the first installment is due by March 23 following the first full year of General Permit coverage.

- c. The annual installment of the NOI fee is not required if: 1) the permittee submits a Notice of Termination (3800-PM-BCW0410) as required by Part B I.B.5 of this permit that is approved by DEP by the date the payment is due; or 2) the permittee is exempt under 25 Pa. Code § 92a.26(i). The annual installment of the NOI fee is required in all other circumstances.
- d. The permittee shall submit the annual installment of the NOI fee to DEP electronically upon receipt of written notification from DEP.

3. Planned Changes to Physical Facilities

The permittee shall give notice to DEP as soon as possible but no later than 30 days prior to planned physical alterations or additions to the permitted facility. A permit application, or other written submission to DEP, can be used to satisfy the notification requirements of this section.

Notice to DEP is required when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR § 122.29(b). (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(l)(1)(i))
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(l)(1)(ii)). For stormwater discharges, this may include the establishment of:
 - (i) New impervious surfaces.
 - (ii) New bulk chemicals, stored materials, or solid wastes that are exposed to precipitation or stormwater runoff.
 - (iii) An alteration to the site that would allow stormwater from off-site to flow onto the site.
- c. The planned change may result in non-compliance with permit requirements. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(l)(2))
- d. The permittee shall submit an NOI to amend coverage under the General Permit anytime a change of industrial activity or SIC code for the facility would modify requirements of an Appendix under the General Permit.

4. Unanticipated Non-Compliance or Potential Pollution Reporting

- a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code §§ 91.33 and 92a.41(b).
 - (i) If, because of an accident, other activity or incident a toxic substance or another substance is discharged which would endanger users downstream from the discharge or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to DEP is required as soon as possible, but no later than four hours after the permittee becomes aware of the incident causing or threatening pollution. If the discharge is to an MS4, notification shall also be provided to the operator of the MS4 in accordance with this paragraph. Visit DEP's website, www.dep.pa.gov (select "Regional Resources") for DEP regional office emergency phone numbers.
 - (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.

- (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.
- b. The permittee shall report any non-compliance which may endanger human health or the environment (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR §§ 122.41(l)(6), 122.44(g)). These requirements include the following obligations:
 - (i) 24 Hour Reporting - The permittee shall orally report any non-compliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances.
 - (ii) Written Report - The permittee shall submit a written report to DEP within five days of the time the permittee becomes aware of any non-compliance which may endanger human health or the environment, unless DEP has advised the permittee in writing that this requirement has been waived. The permittee shall provide in the report a description of the non-compliance and its cause; the period of non-compliance, including exact dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the non-compliance.
 - (iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger human health or the environment. Unless such a waiver is granted by DEP in writing, the permittee shall submit a written report in accordance with this paragraph. (40 CFR § 122.41(l)(6)(iii))

5. Other Non-Compliance

In addition to the reporting requirements in paragraphs III.B and III.C above, the permittee shall report to DEP all other instances of non-compliance, including non-compliance with specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-BCW0440). The permittee shall provide the information listed in paragraph 4.b.(ii) of this section for applicable instances of non-compliance. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(l)(7))

PART B
STANDARD CONDITIONS

I. MANAGEMENT REQUIREMENTS

A. Compliance

The permittee shall comply with all conditions of this General Permit. Any permit non-compliance constitutes a violation of the Clean Water Act and Pennsylvania's Clean Streams Law and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or denial of a permit renewal application. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(a))

B. Permit Modification, Termination, or Revocation and Reissuance

1. DEP may modify, terminate, or revoke and reissue this General Permit during its term. (25 Pa. Code §§ 92a.3, 92a.41(a), 92a.72 – 92a.75 and 40 CFR § 122.41(f))
2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated non-compliance, does not stay any permit condition. (25 Pa. Code §§ 92a.3, 92a.41(a) and 40 CFR § 122.41(f))
3. In the absence of DEP action to modify or revoke and reissue this General Permit, the permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(a)(1))
4. DEP may terminate coverage under this General Permit for the reasons specified at 40 CFR 122.64(a). (25 Pa. Code §§ 92a.74(c) and 40 CFR § 122.64(a))
5. Permittees that wish to terminate General Permit coverage shall submit a Notice of Termination (NOT) to the DEP office that approved coverage, utilizing DEP's NOT for Permits Issued Under Chapter 92a form (3800-PM-BCW0410). If the permittee intends to cease operations or discharging, the permittee shall notify DEP at least 90 days prior to cessation of operations or discharging unless permission has been granted by DEP for a later date. The permittee shall submit the NOT electronically when required by DEP in writing. The permittee shall continue complying with the terms and conditions of this General Permit until the NOT is approved by DEP. (25 Pa. Code §§ 92a.74(c), 92a.76 and 40 CFR 122.64(c))

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this General Permit, or to determine compliance with this General Permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(h))
2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this General Permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(h))
3. Other Information – Where the permittee becomes aware that it failed to submit any relevant facts in an NOI or submitted incorrect information in an NOI or in any report to DEP, it shall promptly submit the correct and complete facts or information. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(l)(8))

D. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), including BMPs, which are installed or used by the permittee to achieve compliance with the terms and conditions of this General Permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls such as appropriate quality assurance procedures. The permittee shall properly operate and maintain backup or auxiliary facilities or similar systems installed by the

permittee, as necessary to achieve compliance with the terms and conditions of this General Permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(e))

E. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(d))

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

DEP may take an enforcement action to restrain violations, to impose criminal or civil penalties, to withhold a permit, or to seek other remedies or relief as authorized by law against a permittee that violates any condition or limitation of this General Permit, or any rule, regulation or order issued by DEP pursuant to the Clean Streams Law.

In addition, EPA may take an enforcement action to restrain violations, to impose criminal or civil penalties, or to seek other remedies or relief as authorized by the Clean Water Act against a permittee that violates any condition or limitation of this General Permit, or any rule, regulation or order issued by EPA pursuant to the Clean Water Act.

B. Falsifying Information

The permittee or any person who engages in the conduct described below may, upon conviction, be punished by a fine and/or imprisonment pursuant to 18 Pa.C.S. § 4904, or 40 CFR §§ 122.41(j)(5) or (k)(2). (25 Pa. Code §§ 92a.3(c), 92a.41(c))

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this General Permit, or
- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this General Permit (including monitoring reports or reports of compliance or non-compliance)

C. Liability

Nothing in this General Permit shall be construed to relieve the permittee from civil or criminal penalties for non-compliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this General Permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

The permittee may not maintain as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this General Permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(c))

III. OTHER RESPONSIBILITIES

A. Right of Entry

The permittee shall allow authorized representatives of DEP and EPA to conduct the following activities upon the presentation of credentials and other documents as may be required by law (35 P.S. §§ 691.5(b) and 305.25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(i)(2)):

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this General Permit; (40 CFR § 122.41(i)(1))
2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this General Permit; (40 CFR § 122.41(i)(2))
3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this General Permit; and (40 CFR § 122.41(i)(3))
4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or pollutants at any location. (40 CFR § 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph B.2 of this section, General Permit coverage may be transferred by the permittee to a new owner or operator only if both parties request a modification of General Permit coverage and DEP approves the modification or revokes and reissues the General Permit coverage. General Permit coverage may be transferred both during the term of this General Permit and during period(s) of administrative extension of this General Permit. (25 Pa. Code §§ 92a.3(c), 92a.71 and 40 CFR 122.61(a))
2. Automatic transfers. As an alternative to transfers under paragraph B.1 of this section, any NPDES permit may be automatically transferred to a new permittee on the date identified in paragraph 2.b. of this section of (25 Pa. Code §§ 92a.3(c), 92a.71):
 - a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR § 122.61(b)(1))
 - b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; (40 CFR § 122.61(b)(2))
 - c. DEP does not notify the existing permittee and the proposed new permittee in writing prior to the transfer date of its intent to modify or revoke and reissue this permit; and (40 CFR § 122.61(b)(3))
 - d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any non-compliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code § 92a.51 (relating to schedules of compliance) and other appropriate DEP regulations. (25 Pa. Code § 92a.71)
3. In the event DEP does not approve transfer of this General Permit, the new owner or operator must submit a new NOI.

C. Property Rights

The approval of coverage under this General Permit does not convey any property rights, or any exclusive privilege. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR 122.41(g))

D. Duty to Reapply

To renew coverage under this General Permit, the permittee shall submit a renewal NOI. Permittees seeking to renew coverage under this provision may immediately continue to discharge under this permit upon the submission of a timely and complete NOI. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a. 54(c)(1) and 40 CFR § 122.41(b))

E. Other Laws

The approval of coverage under this General Permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local laws or regulations.

PART C
SPECIAL CONDITIONS

I. GENERAL

- A. The permittee is authorized to discharge stormwater associated with industrial activity from its site, alone or in combination with authorized non-stormwater discharges, through the outfalls identified in the NOI submitted for coverage under this General Permit.
- B. The permittee is authorized to discharge the following non-stormwater discharges under this General Permit:
- Discharges from emergency/unplanned fire-fighting activities;
 - Potable water – including water line flushings, fire suppression system flushings, and fire hydrant flushings – that does not contain measurable concentrations of Total Residual Chlorine (TRC), and where appropriate control measures are implemented to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors (if treatment through an oil/water separator is provided) and from the outside storage of refrigerated gases or liquids;
 - Irrigation drainage;
 - Landscape water if such water does not contain pesticides, herbicides or fertilizers;
 - Pavement wash waters, other than wash waters used on newly sealed pavement, where: no detergents or hazardous cleaning products are used; the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities, or any other toxic or hazardous materials; and appropriate control measures are implemented to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - Routine external building washdown / power wash water that does not contain detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols) and where appropriate control measures are implemented to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - Uncontaminated ground water or spring water;
 - Foundation or footing drains where flows are not contaminated with process materials; and
 - Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of a facility, but not intentional discharges from the cooling tower.

The permittee is also authorized to discharge sector-specific non-stormwater discharges identified in the appropriate appendix(ces) of this General Permit, if applicable. Collectively, these types of discharges are “authorized non-stormwater discharges.”

- C. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights by easement or otherwise, providing for the satisfactory construction, operation, maintenance or replacement of all structures associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress and regress.
- D. The permittee shall handle, recycle and/or dispose of collected screenings, slurries, sludges, and other solids generated in the course of treatment or control of stormwater runoff in compliance with state and federal law, including the Solid Waste Management Act (35 P.S. §§ 6018.101, et seq.), 25 Pa. Code Chapters 271-285 (relating to municipal waste), 287-299 (relating to residual waste), Chapters 261a, 262a, 263a, and 270a (related to identification of hazardous waste, requirements for generators and transporters, and hazardous waste, requirements for generators and transporters, and hazardous waste permit programs), federal regulation 40 CFR Part 257, The Clean Streams Law, and the Federal Clean Water Act, and in a manner such as to prevent any pollutant from such materials from adversely affecting the environment.

The permittee is responsible to obtain or assure that contracted agents have all necessary permits and approvals for the handling, storage, transport, and disposal of solid waste materials generated as a result of stormwater management and/or treatment.

II. BMPs APPLICABLE TO ALL PERMITTEES

Permittee shall implement and, as necessary, maintain the following BMPs to remain in compliance with this General Permit.

- A. The permittee shall implement and maintain all BMPs specified in the applicable sector-specific appendix or appendices, as identified on page 1 of this General Permit, unless DEP makes a determination and notifies the permittee that alternative pollution prevention measures provide equivalent protection.
- B. The permittee shall select, design, and implement BMPs to meet non-numeric and water quality-based effluent limitations.
- C. The permittee shall maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrial equipment and systems, in order to minimize pollutant discharges.
- D. Pollution Prevention and Exposure Minimization.

The permittee shall minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff in order to minimize pollutant discharges by either locating industrial materials and activities inside or protecting them with storm resistant coverings, unless determined by the permittee to be infeasible. The permittee shall implement and maintain the following measures:

- 1. Use grading, berming, or curbing to prevent runoff of polluted stormwater and divert run-on away from areas that contain or have the potential to generate polluted stormwater.
- 2. Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge to surface waters.
- 3. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants to surface waters.
- 4. Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents to prevent the release of pollutants to the environment.
- 5. Use spill/overflow protection equipment.
- 6. Perform all vehicle and/or equipment cleaning and maintenance operations indoors, under cover, or in bermed areas that prevent runoff and run-on and capture any overspray. Store all vehicle and equipment maintenance materials – such as oils, hydraulic fluids, and lubricants – indoors or under storm resistant coverings, with adequate spill protection measures in place.
- 7. Ensure that all material and chemical storage containers with the potential to cause a discharge of pollutants remain properly sealed at all times, except while in use. All empty containers shall be properly sealed and stored prior to disposal.
- 8. Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks.
- 9. Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids, ensure that discharges have a control (e.g., secondary containment, treatment), or locate them under permanent cover. This General Permit does not authorize dry weather discharges from dumpsters or roll off boxes.
- 10. Minimize contamination of stormwater runoff from fueling areas by implementing the following BMPs unless determined by the permittee to be infeasible and authorized by DEP in writing: cover fueling areas; install oil/water separators or oil and grease traps in fueling area storm drains; use berms to prevent run-on

to and runoff from fueling areas; use spill/overflow protection and cleanup equipment; use dry cleanup methods; and/or treat and/or recycle collected stormwater runoff.

11. Train employees routinely (no less than annually) on pollution prevention practices as contained in the PPC Plan.

E. Good Housekeeping.

The permittee shall perform good housekeeping measures in order to minimize pollutant discharges including the routine implementation of the following measures, at a minimum:

1. Implement a routine cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust or debris may accumulate to minimize the discharge of pollutants in stormwater. The cleaning and maintenance program must encompass, as appropriate, areas where material loading and unloading, storage, handling and processing occur.
2. Store materials in appropriate containers.
3. Minimize the potential for waste, garbage, and floatable debris to be discharged by keeping exposed areas free of such materials, or by intercepting them before they are discharged.
4. Eliminate floor drain connections to storm sewers.
5. Use drip pans, drain boards, and drying racks to direct drips back into a fluid holding tank for reuse. Drain fluids from all equipment and parts prior to disposal. Promptly transfer used fluids to the proper container; do not leave full drip pans or other open containers around the shop. Empty and clean drip pans and containers.
6. Label and track the recycling of waste material (e.g., waste oil, spent solvents, batteries).
7. Prohibit the practice of hosing down an area where the practice would result in the discharge of pollutants to a municipal or other storm water collection system that conveys pollutants off-site without proper treatment.
8. Maintain the accessibility of all outfall locations for the purposes of inspections and sampling.

F. Erosion and Sediment Controls.

1. The permittee shall minimize erosion and pollutant discharges by stabilizing exposed soils and placing flow velocity dissipation devices at discharge locations to minimize channel and stream bank erosion and scour in the immediate vicinity of stormwater outfalls.
2. The permittee shall conduct all earth disturbance activities and, when applicable, shall maintain all post-construction stormwater management (PCSM) BMPs in accordance with 25 Pa. Code Chapter 102.
3. The permittee may not utilize polymers or other chemicals to treat stormwater unless written permission is obtained from DEP.

G. Spill Prevention and Responses.

The permittee shall minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop a plan consistent with Part C IV for effective responses to such releases. The permittee shall conduct the following spill prevention and response measures, at a minimum:

1. Maintain an organized inventory of materials on-site. Plainly label containers (e.g., "Waste Oil," "Spent Solvents," "Fertilizers and Pesticides") that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur.

2. Implement procedures and control measures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas.
3. Develop and implement employee and contractor training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. This shall also address all sector-specific procedures and potential pollutant sources relating to the industrial activity present on site including, but not limited to: use of reused and recycled waters; solvents management; proper disposal of dyes, petroleum products, and spent lubricants; hazardous treatment chemicals; and any additional training requirements included in the applicable appendices. The permittee shall conduct periodic training, no less than annually, on these procedures to ensure that all personnel operating on-site are able to appropriately respond to leaks, spills, and other releases. The permittee shall document this training in the Annual Report required by Part A III.C.1 of this permit.
4. Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made.
5. Notify appropriate facility personnel when a leak, spill, or other release occurs.
6. To the extent possible, eliminate or reduce the number and amount of hazardous materials and wastes present by substituting non-hazardous or less hazardous materials of equal function, as determined by the permittee.
7. Clean up leaks, drips, and other spills without using large amounts of water or liquid cleaners. Use absorbents for dry cleanup whenever possible.

When a leak, spill or other release occurs during a 24-hour period that contains a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under 40 CFR Parts 110, 117 or 302, the permittee shall, in addition to the notification requirements contained in Part A III.C.3 of this General Permit, notify the National Response Center (NRC) at (800) 424-8802 in accordance with the requirements of 40 CFR Parts 110, 117, and 302 as soon as the permittee becomes aware of the discharge.

III. ROUTINE INSPECTIONS

- A. The permittee shall visually inspect the following areas and BMPs on a semiannual basis (calendar periods), at a minimum:
 1. Areas where industrial materials or activities are exposed to stormwater.
 2. Areas identified in the Preparedness, Prevention and Contingency (PPC) Plan required in Part C IV as potential pollutant sources.
 3. Areas where spills or leaks have occurred in the past three years.
 4. Stormwater outfalls and locations where authorized non-stormwater discharges may commingle with stormwater discharges.
 5. Physical BMPs used to comply with this General Permit.

At least once each calendar year, the routine inspection must be conducted during a storm event that is greater than 0.1 inch in magnitude and that occurs at least 72 hours from the previous measurable (greater than 0.1 inch rainfall) storm event, when a stormwater discharge is occurring.

- B. The permittee shall evaluate and document the following conditions, at a minimum, in the Annual Report required by Part A III.C.1 of this General Permit:
 1. Raw materials, products (intermediate, in-process, or final) or wastes that may have or could come into contact with stormwater.

2. Leaks or spills from equipment, drums, tanks, and other containers.
3. Off-site tracking of industrial or waste materials, or sediment where vehicles enter or exit the site.
4. Tracking or blowing of raw, intermediate, or final products or waste materials from areas of no exposure to exposed areas.
5. Control measures or BMPs needing replacement, maintenance, or repair.
6. The presence of authorized non-stormwater discharges that were not identified in the NOI and non-stormwater discharges not authorized by this General Permit.

IV. PREPAREDNESS, PREVENTION, AND CONTINGENCY (PPC) PLAN

- A. The permittee shall develop and implement a PPC Plan in accordance with 25 Pa. Code § 91.34 following the guidance contained in DEP's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" (DEP ID 400-2200-001), its NPDES-specific addendum, and the minimum requirements below.
 1. The PPC Plan must identify all potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the facility.
 2. The PPC Plan must describe preventative measures and BMPs that will be implemented to reduce or eliminate pollutants from coming into contact with stormwater as a result of routine site activities and spills.
 3. The PPC Plan must address actions that will be taken in response to on-site spills or other pollution incidents.
 4. The PPC Plan must identify areas which, due to topography or other factors, have a high potential for soil erosion, and identify measures to limit erosion. Where necessary, erosion and sediment control measures must be developed and implemented in accordance with 25 Pa. Code Chapter 102 and DEP's "Erosion and Sediment Pollution Control Manual" (DEP ID 363-2134-008).
 5. The PPC Plan must address security measures to prevent accidental or intentional entry which could result in an unintentional discharge of pollutants.
 6. The PPC Plan must include a plan for training employees and contractors on pollution prevention, BMPs, and emergency response measures. This training must be conducted in accordance with Part C II.E.3.
 7. The PPC Plan must include a site map that shows structures, impervious surfaces, control measures, receiving waters, stormwater conveyances, monitoring points, and non-stormwater discharge sites.
 8. If the facility is subject to SARA Title III, Section 313, the PPC Plan must identify releases of "Water Priority Chemicals" within the previous three years. Water Priority Chemicals are those identified in EPA's "Guidance for the Determination of Appropriate Methods for the Detection of Section 313 Water Priority Chemicals" (EPA 833-B-94-001, April 1994). The Plan must include an evaluation of all activities that may result in the discharge of Water Priority Chemicals in stormwater.
 9. Spill Prevention Control and Countermeasure (SPCC) plans may be used to meet the requirements of this section if the minimum requirements are addressed.
- B. The permittee shall review and, if necessary, update the PPC Plan on an annual basis, at a minimum, and when one or more of the following occur:
 1. Applicable DEP or federal regulations are revised, or this General Permit is revised.
 2. The PPC Plan fails in an emergency.

3. The facility's design, industrial process, operation, maintenance, or other circumstances change in a manner that materially increases the potential for fires, explosions, or releases of toxic or hazardous constituents; or which changes the response necessary in an emergency.
4. The list of emergency coordinators or equipment changes.
5. When notified in writing by DEP.

The permittee shall maintain all PPC Plan updates on-site, make the updates available to DEP upon request, and document the updates in the Annual Report.

V. STORMWATER MONITORING REQUIREMENTS

A. The permittee shall conduct monitoring of its stormwater discharges at the representative outfalls identified in the NOI in accordance with this section and the sector-specific appendix or appendices specified on page 1 of this General Permit. Outfalls identified as "No Exposure Outfalls" in the NOI do not require monitoring unless the no exposure condition changes during the term of coverage under this General Permit, at which time monitoring must commence. The permittee shall document stormwater sampling event information for each calendar year on the Annual Report required by Part A III.C.1.

1. In the event that the permittee's stormwater runoff is directed to a basin or other stormwater control structure that does not discharge during a given monitoring period, the permittee may report "No Discharge" on DMRs. The permittee shall submit the results of at least one sample on the renewal NOI near the basin outflow structure during a representative storm event as described below in paragraph F.
2. Discharges from valve-controlled stormwater retention structures shall be subject to the following requirements:
 - a. Prior to initiating a discharge from these structures, the permittee shall visually inspect the stormwater to determine if there is a visible sheen and/or other floating materials.
 - b. All visible sheening and/or floating materials shall be removed and properly disposed of prior to discharge.
 - c. The permittee shall collect samples for the purpose of satisfying monitoring requirements in the applicable appendix to this General Permit within the first five minutes of the onset of the discharge.
 - d. The permittee shall ensure that the retained stormwater is discharged in such a way to prevent the transport of any accumulated settled solids within the stormwater retention structure.

B. Target Quantitation Limits (TQLs)

1. To fulfill the requirements of Part A III.A.4.c of this General Permit, the permittee shall achieve the following TQLs for each pollutant that requires analysis:

Parameter	TQL
Total Nitrogen*	1.05 mg/L
Total Phosphorus	0.01 mg/L
Total Suspended Solids (TSS)	2.0 mg/L
5-Day Biochemical Oxygen Demand (BOD5)	3.0 mg/L
Chemical Oxygen Demand (COD)	15 mg/L
Oil and Grease	5.0 mg/L
Ammonia-Nitrogen	0.02 mg/L
Nitrate + Nitrite-Nitrogen	0.05 mg/L
Total Kjeldahl Nitrogen	1.0 mg/L
Chloride	0.5 mg/L
Pentachlorophenol	10 µg/L
Total Aluminum	10 µg/L

Total Arsenic	3.0 µg/L
Total Cadmium	0.2 µg/L
Total Chromium	4.0 µg/L
Total Copper	4.0 µg/L
Total Cyanide	10 µg/L
Total Dissolved Solids	2.0 mg/L
Total Iron	20 µg/L
Total Lead	1.0 µg/L
Total Mercury	0.2 µg/L
Total Selenium	5.0 µg/L
Total Silver	0.4 µg/L
Total Zinc	5.0 µg/L

* Total Nitrogen is the sum of Nitrate + Nitrite-Nitrogen and Total Kjeldahl Nitrogen

2. The permittee shall, where determined to be feasible by the permittee, achieve a Quantitation Limit (QL) less than the TQL identified above to improve the level of confidence that state water quality standards are being met in the receiving waters.
 3. The permittee shall manage non-detect values and report statistical results to DEP in accordance with DEP's published DMR guidance, *Discharge Monitoring Reports: A Guide to Electronic and Paper DMR Reporting* (3800-BK-DEP3047).
- C. In addition to the pollutants identified for monitoring in the sector-specific appendix or appendices that apply to the permittee, the permittee shall conduct monitoring for any additional pollutants at representative outfalls or other outfalls that may be identified in the letter from DEP authorizing coverage under this General Permit, or other DEP correspondence. If such monitoring is required, the permittee shall analyze the samples using the EPA or DEP-approved method that will achieve the lowest QL for each pollutant, unless otherwise authorized by DEP in writing, and the results shall be reported on the Annual Report.
- D. The permittee shall submit an NOI to amend coverage under the General Permit any time: a new outfall is identified or proposed; a change of activity at the facility is proposed that would change or add a new applicable appendix to the General Permit coverage; and the permittee desires to modify representative outfalls for sampling purposes. The permittee shall provide notification to DEP for a determination on whether an NOI to amend coverage is required any time: an alteration to the site is proposed that would allow stormwater from off-site to flow onto the site; new impervious surfaces are added in the drainage of outfalls receiving stormwater associated with industrial activity; and new bulk chemicals, materials, or wastes will be stored in the drainage area of outfalls receiving stormwater associated with industrial activity that will be exposed to precipitation or runoff.
- E. The permittee shall, upon written notice from DEP, install inlets, pipes, and/or other structures or devices that are considered necessary in order to conduct representative stormwater sampling, in accordance with a schedule provided by DEP.
- F. The permittee shall collect all samples from discharges resulting from a storm event that is greater than 0.1 inch in magnitude and that occurs at least 72 hours from the previous measurable (greater than 0.1-inch rainfall) storm event. The 72-hour storm interval is waived when the preceding storm did not yield a measurable discharge, or if the permittee is able to document that a less than 72-hour interval is representative for local storm events during the sample period.
- G. The permittee shall collect all grab samples within the first 30 minutes of a discharge, unless the permittee determines that this is not possible, in which case grab samples must be collected as soon as possible after the first 30 minutes of a discharge. The permittee shall explain why samples could not be collected within the first 30 minutes of any discharge on the Annual Report required by Part A III.C.1.
1. The permittee may optionally collect composite samples in lieu of grab samples. The composite method may be either flow-weighted or time-weighted and performed manually or with the use of automated sampling equipment.

2. If notified by DEP in writing, the permittee shall collect samples after the hydraulic residence time of underground separators/swirl concentrators or other stormwater treatment systems has expired.
- H. The permittee shall collect stormwater samples at times when commingling with non-stormwater discharges is not occurring or at locations prior to the commingling of non-stormwater discharges.
- I. In the event that stormwater discharge concentrations for any pollutant in the sector-specific appendices exceed the benchmark values identified in those appendices at the same outfall for two or more consecutive monitoring periods, the permittee shall implement the following, based on the number of consecutive exceedances identified:
1. After **two or more** consecutive exceedances of benchmark values (starting on the effective date of this General Permit), develop a corrective action plan (CAP) to reduce the concentrations of the pollutants in stormwater discharges. Failure to submit and implement a CAP constitutes non-compliance.

The permittee shall submit the CAP to DEP within 90 days of the end of the monitoring period triggering the need for the plan and shall implement the plan immediately or in accordance with a schedule proposed by the permittee in the CAP, unless otherwise notified by DEP in writing. The permittee shall, in developing the plan, evaluate alternatives to reduce stormwater concentrations and implement all relevant and feasible control measures, unless the permittee can demonstrate one or more of the following:

- a. The exceedances are solely attributable to natural background sources or to run-on from off-site;
 - b. No further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice; or
 - c. Further pollutant reductions are not necessary to prevent stormwater discharges from causing or contributing to an exceedance of applicable water quality standards.
2. After **four or more** consecutive exceedances of benchmark values (starting on the effective date of this General Permit), the permittee shall develop a CAP and consider implementation of all additional stormwater BMPs outlined in the Stormwater BMPs Checklist (3800-PM-BCW0083I) for the applicable appendix. Failure to submit and implement a CAP and the Stormwater BMPs Checklist constitutes non-compliance with this General Permit.

The permittee shall submit a new CAP and include the Stormwater BMPs Checklist (3800-PM-BCW0083I) to certify that all applicable controls have been considered for implementation within 90 days of the end of the monitoring period for which the fourth or more consecutive exceedance was identified. For each BMP in the checklist that is not implemented, the permittee shall demonstrate one or more of the following:

- a. The BMP is infeasible for the facility;
- b. The exceedances are solely attributable to natural background sources or to run-on from off-site;
- c. The exceedances were due to some aberration or extraordinary circumstances; or
- d. Further pollutant reductions are not necessary to prevent stormwater discharges from causing or contributing to an exceedance of applicable water quality standards.

The permittee shall identify on the Stormwater BMPs Checklist that either the BMPs have been implemented or a reason why they were infeasible or not applicable. The Stormwater BMPs Checklist shall be included with the CAP for each additional consecutive exceedance.

If there are continued exceedances of the benchmark values, DEP may require the permittee to submit an application for an individual permit. DEP will notify the permittee in writing that an individual NPDES permit application is required and provide a deadline for submission

APPENDIX S

RUBBER, MISCELLANEOUS PLASTIC PRODUCTS AND MISCELLANEOUS MANUFACTURING INDUSTRIES

I. APPLICABILITY

The requirements in Appendix S apply to stormwater discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries as identified by the following SIC Codes: 3011, 3021, 3052, 3053, 3061, 3069, 3081 – 3089, 3931, 3942 – 3949, 3951, 3953, 3954, 3955, 3961, 3965, and 3991 – 3999. Other facilities may be required to comply with this appendix if notified by DEP in writing.

II. MONITORING REQUIREMENTS

The permittee must monitor and report analytical results for the pollutants listed below on Discharge Monitoring Reports (DMRs) for representative outfalls, subject to footnotes provided. The benchmark values listed below are not effluent limitations, and exceedances do not constitute permit violations. However, if the permittee’s sampling demonstrates exceedances of benchmark values for two or more consecutive monitoring periods, the permittee shall take action in accordance with Part C V.I of this General Permit.

Pollutant	Monitoring Requirements ^{(1),(2)}		Benchmark Values
	Minimum Measurement Frequency	Sample Type	
Total Nitrogen (mg/L) ⁽³⁾	1 / 6 months	Calculation	XXX
Total Phosphorus (mg/L)	1 / 6 months	Grab	XXX
pH (S.U.)	1 / 6 months	Grab	9.0
Total Suspended Solids (TSS) (mg/L)	1 / 6 months	Grab	100
Total Zinc (mg/L)	1 / 6 months	Grab	XXX

Footnotes

- (1) In accordance with Part C V.C, the permittee shall conduct additional monitoring if specified by DEP in the letter authorizing permit coverage or other correspondence.
- (2) This is the minimum number of sampling events required. Permittees may optionally perform additional sampling.
- (3) Total Nitrogen is the sum of Total Kjeldahl-N (TKN) plus Nitrite-Nitrate as N (NO₂+NO₃-N), where TKN and NO₂+NO₃-N are measured in the same sample.

III. SECTOR-SPECIFIC BMPs

In addition to the BMPs contained in Part C II of the General Permit, the permittee shall implement, at a minimum, all of the following BMPs that are applicable to the processes in place at the facility for which coverage under this General Permit is approved.

A. Controls for Rubber Manufacturers.

Minimize the discharge of zinc in your stormwater discharges by implementing the controls identified in paragraphs A.1. through A.5., below. Implement additional control measures including but not limited to the following: use chemicals purchased in pre-weighed, sealed polyethylene bags; store in-use materials in sealable containers, ensuring an airspace between the container and the cover to minimize “puffing” losses when the container is opened; and use automatic dispensing and weighing equipment.

1. Zinc Bags

Ensure proper handling and storage of zinc bags at your facility through implementation of control measures including but not limited to the following: employee training on the handling and storage of zinc bags; indoor storage of zinc bags; cleanup of zinc spills without washing the zinc into the storm drain; and the use of 2,500-pound sacks of zinc rather than 50 to 100-pound sacks

2. Dumpsters

Minimize discharges of zinc from dumpsters through implementation of control measures including but not limited to the following: cover dumpsters; move dumpsters indoors; and provide a lining for dumpsters.

3. Dust Collectors and Baghouses.

Minimize contributions of zinc to stormwater from dust collectors and baghouses. Replace or repair, as appropriate, improperly operating dust collectors and baghouses.

4. Grinding Operations.

Minimize contamination of stormwater as a result of dust generation from rubber grinding operations. Where determined to be feasible, install a dust collection system.

5. Zinc Stearate Coating Operations.

Minimize the potential for stormwater contamination from drips and spills of zinc stearate slurry that may be released to the storm drain. Where determined to be feasible, use alternative compounds to zinc stearate.

B. Controls for Plastic Products Manufacturers.

Minimize the discharge of plastic resin pellets in your stormwater discharges through implementation of control measures including but not limited to the following: minimize spills; clean up spills promptly and thoroughly; sweep thoroughly; pellet capturing; employee education; and disposal precautions.