

NPDES Permit: Stormwater Pollution Prevention Plan (SWPPP)?

Reference: 40 CFR 122.26

The Clean Water Act (Section 402(p)) requires that operators of “discharges associated with industrial activity” obtain a National Pollutant Discharge Elimination System (NPDES) permit. EPA regulations (40 CFR 122.26) define the categories of industrial activity required to obtain NPDES permits, and specify the application requirements for these permits. To regulate stormwater discharges from these industrial activities, EPA and authorized States issue NPDES general permits.

Federal regulations require NPDES permit coverage for stormwater discharges from the following categories of industrial activity:

- Facilities subject to federal stormwater effluent discharge standards in 40 CFR Parts 405-471
- Heavy manufacturing (for example, paper mills, chemical plants, petroleum refineries, and steel mills and foundries)
- Coal and mineral mining and oil and gas exploration and processing
- Hazardous waste treatment, storage, or disposal facilities
- Landfills, land application sites, and open dumps with industrial wastes
- Metal scrapyards, salvage yards, automobile junkyards, and battery reclaimers
- Steam electric power generating plants
- Transportation facilities that have vehicle maintenance, equipment cleaning, or airport deicing operations
- Treatment works treating domestic sewage with a design flow of 1 million gallons a day or more
- Light manufacturing (For example, food processing, printing and publishing, electronic and other electrical equipment manufacturing, and public warehousing and storage).

EPA has identified six types of activities at industrial facilities that have the potential to be major sources of pollutants in stormwater:

- Loading and Unloading Operations
- Outdoor Storage
- Outdoor Process Activities
- Dust or Particulate Generating Processes
- Illicit Connections and Non-Stormwater Discharges
- Waste Management

What to Do If You Do Not Need a SWPPP

- Complete a no exposure certification for exclusion form NPDES stormwater permitting form

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

A storm-resistant shelter is not required for the following industrial materials and activities: – drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. “Sealed” means banded or otherwise secured and without operational taps or valves; – adequately maintained vehicles used in material handling; and – final products, other than products that would be mobilized in stormwater discharges (e.g., rock salt).

Questions? Contact The Redstone Group at 614-763-5034 x7007 or jwilliams@redstonegrp.com