



State of Ohio Environmental Protection Agency  
Southwest District

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Dayton, Ohio 45402-2911

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Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

August 5, 2008

Mr. Greg Fritz  
Brainerd Industries, Inc.  
680 Precision Court  
Miamisburg, Ohio 45342

**Re: Brainerd Industries, Inc. -- Miamisburg -- IU Inspection**

Dear Mr. Fritz:

On July 17, 2008, Laura Pohlman and I conducted the first annual industrial user (IU) inspection at the Brainerd Industries facility. The facility was represented by Doug Russell and yourself. Dave Reinker from the City of Miamisburg also attended. The facility is considered to be a significant industrial user (SIU) as defined in Ohio Administrative Code (OAC) 3745-36-02(U)(1) due to the fact the facility is subject to categorical standards. Because of the iron phosphating operation, the facility is regulated under 40 CFR 433.17, New Source Metal Finishing Standard. The inspection covered the iron phosphating line, alkaline parts washer, the outside of the facility for storm water purposes, and the chemical storage areas. Sampling locations were also discussed.

This is the first inspection at this facility. Although the facility had been discharging to the City of Miamisburg, there have been no samples collected. The indirect discharge permit was effective on February 1, 2008, and a minimum of three samples should have been collected. In addition, a 90 Day Compliance Report showing the facility is in compliance with its discharge limits is needed. Because of this, the facility will receive a rating of marginal.

Brief Description of Process

Brainerd Industries, Inc. manufactures cosmetic trim parts for Original Equipment Manufacturers (OEMs) in the consumer electronics, appliance, television, computer, and automotive industries. Brainerd utilizes a variety of manufacturing operations including stamping, blanking, die cutting, printing, and powder coating of metal and plastic products. These products include screen printed decorative metal and plastic trim for graphic overlays, panels, dials, escutcheons, and nameplates. The facility also produces custom powder coated metal speaker grilles in perforated and expanded metal for audio, automotive, television, and computer applications.



### Description of Regulated Process Flows and Wastewaters

There are two sources of regulated wastewater at the facility. The first source is the discharge from the five stage iron phosphate parts washer. The washer is designed to clean and prepare the surface of the base materials for painting. Wastewater is generated daily from the continuous overflow from the rinses in Stages 2 and 4. Stages 1, 3, and 5 are the concentrated solutions used in the process. Stage 1 is a cleaner that will tend to be basic. Stage 3 is the iron phosphate tank. This will be acidic. Stage 5 is a product that aids in coating adhesion and corrosion resistance. This will be acidic. The pH will be checked prior to discharge, and will be adjusted as needed. The baths can either be discharged together and self-neutralize, or be adjusted in the tank prior to discharge. There will be a discharge of approximately 6,000 gallons per day (gpd) if the concentrated baths are discharged. From this line, the parts are then powder coated.

The second source of process wastewater is a small alkaline parts washer. Since the iron phosphating line is present, this line is also regulated. This is a three part process. The wash line cleans the aluminum sheets used for signs and business cards, etc. The sheets are automatically fed into the washer, sprayed with cleaner to remove any oils, fingerprints, dust, or other particles that could interfere with the quality of the print surface. Following the cleaner application, the sheet is moved onto a roll conveyor to the rinse portion of the unit. The rinse portion consists of multiple water jets that spray fresh water onto the sheet to remove the alkaline cleaner and any debris. The sheet continues on the roll conveyor to the dryer portion of the unit. This consists of blowers moving ambient air across the surface of the sheet metal. Once the cleaning process is complete, the sheets are moved to the printing department. The rinse water runs continuously when the washer is operating. The flow rate is estimated to be 2,800 gpd. This will discharge to the sanitary sewer via a floor drain. The cleaner tank would be discharged approximately once a quarter. Some of the materials used in this process do not require the alkaline wash since they are clean when received.

The drains in the silk screening printing area have been covered except for where the discharge from the small alkaline cleaning line discharges.

There is a separate chemical storage room. This room does not have any drains, and is separated from the rest of the facility. There was a spill kit located by the storage room. The facility does not appear to have the potential to slug load the wastewater treatment plant. The floor drains are blocked, or are not present where there are potential releases.

### Sampling

The facility's indirect discharge permit requires that the facility sample a minimum of once every two months for total cyanide, cadmium, chromium, copper, lead, nickel, silver, zinc, and pH. Total Toxic Organics (TTOs) are required once every six months unless the

facility has an approved Toxic Organic Management Plan (TOMP). Samples are required at two locations. The first location (1DP00052001) is at the end of the five stage parts washer, and the second location (1DP00052002) is at the end of the small alkaline washer. Guidance for developing a TOMP has been included with this report.

The facility is able to sample at the end of the process at the five stage process washer, but there is no way to sample at the end of the alkaline washer. The facility will need to install a clean out to allow for samples to be collected. This was discussed at the inspection.

The facility also needs to sample for its 90 Day Compliance Report. This is required of all categorical users. The facility should sample for all of the parameters listed in its permit to show the facility is in compliance with the categorical standard. This must be done as soon as possible.

A copy of the indirect discharge permit has been attached.

#### Storm Water Discharges

It was unclear if the facility had coverage for its industrial storm water. The facility does not have anything stored outside, nor does it have any air pollution control devices on the roof or exposed. Since the facility is a categorical user, then they must obtain coverage. This can be done one of two ways. The first way is to submit a Notice of Intent (NOI) to receive coverage under the general industrial storm water permit. The second way is to receive the "No Exposure" certification for its storm water. Information regarding this has been included.

#### REQUIRED ACTIONS

- 1) Brainerd Industries must sample as required in its indirect discharge permit. This must begin immediately. There should be a minimum of three samples for the report due January 20, 2009.
- 2) Brainerd Industries must sample for its 90 Day Compliance Report. This report must be submitted by September 12, 2008.
- 3) Brainerd Industries must obtain coverage for its industrial storm water. This can be done through either the "No Exposure" certification, or through the filing of a NOI for coverage under the general industrial storm water permit.

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**RECOMMENDED ACTIONS**

- 1) Brainerd Industries should consider developing a TOMP so it can certify for its Total Toxic Organics in lieu of sampling. This would be a considerable cost savings.
- 2) Brainerd Industries should consider applying for a PIN code, and submitting its self-monitoring reports using eDMR.

The assistance you and your staff provided was appreciated. If you would have any additional questions, feel free to contact me at 937.285.6108.

Sincerely,



• Marianne Piekutowski  
District Pretreatment Coordinator  
Division of Surface Water

Enclosures

Cc: Julia Zhang, DSW/CO  
Dave Reinker, Miamisburg  
Doug Russell, Brainerd Industries, Inc.



State of Ohio Environmental Protection Agency  
Southwest District Office

Pretreatment Compliance Inspection Report

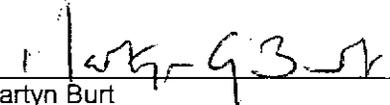
Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
1DP00052*AP	OHP000235	07/17/2008	I	S	2

Section B: Facility Data			
Name and Location of Facility Inspected		Entry Time	Permit Effective Date
Brainerd Industries, Inc. 680 Precision Court Miamisburg, Ohio 45342		10:00 am	02/01/2008
		Exit Time	Permit Expiration Date
		11:15 am	01/31/2013
Name(s) and Title(s) of On-Site Representatives		Phone Number(s)	
Greg Fritz, President Doug Russell		937.228.0488x201	
POTW Receiving Discharge		Categorical Standard(s) or Other Classification	
City of Miamisburg WWTP		40 CFR 433.17	

Section C: Areas Evaluated During Inspection			
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)			
M	Pretreatment		

**Section D: Summary of Findings (Attach additional sheets if necessary)**

See attached report.

Inspector	Reviewer
 Marianne Piekutowski Division of Surface Water Southwest District Office Date: 8/5/08	 Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office Date: 8/6/08

# INDUSTRIAL USER INSPECTION CHECKLIST

Facility **Brainerd Industries, Inc.**

Date of inspection: **July 17, 2008**

OH Number: **OHP000235**

IDP Number: **1DP00052\*AP**

Facility Representative: **Greg Fritz, Doug Russell**

Inspector(s): **Marl Piekutowski, Laura Pohiman  
Dave Reinker**

## COMPLIANCE

1. Date of last pretreatment inspection: **NA. First Inspection.**

2. Has the facility been in compliance with its permit limits since the last inspection? **Y/N**  
If no, explain:

**The facility has been discharging, but no samples have been taken. The permit was effective on February 1, 2008. Sampling should have been conducted from February through June 2008. The 90 Day Compliance report is also needed.**

3. Is the facility in compliance with all other requirements?  
Sampling procedures **Y/N/NA**  
Reporting (late reporting, failure to report, etc) **Y/N/NA**  
Compliance schedules **Y/N/NA**  
Submitted BMR and 90 day compliance reports **Y/N/NA**  
Any other requirements **Y/N/NA**

If any of the above five answers is no, explain:

**The facility did not sample as required, and needs to submit its 90 Day Compliance Report. This was discussed during the inspection. A copy of the permit is also being provided with this report.**

4. Was the facility required to perform any actions as a result of the last inspection? **Y/N**  
Explain any unresolved actions:

**NA. This is the first inspection at the facility.**

## FACILITY OPERATIONAL CHARACTERISTICS

5. Number of Employees: **40-45**

6. Shifts/Day: **1**

7. Production Days/Year: **~250**

8. Hours/shift: **8**

9. Any production changes since the last inspection? **Y/N**  
If yes, explain:

**NA. This is the first inspection at this facility.**

10. General facility description and operations:

**Manufacture trim parts, metal decorators, and plastic decorators. Also provide silk screening.**

**FACILITY OPERATIONAL CHARACTERISTICS CONTINUED**

11. Any change in materials used in production since the last inspection? Y/N  
If yes, explain:

**NA. This is the first inspection.**

12. Any expansion or production increase expected within the next year? Y/N  
If yes, explain:

**The facility is hoping for some expansion over the next year, but nothing concrete yet.**

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**WASTEWATER TREATMENT**

13. Provide a schematic diagram and description of the wastewater treatment system:

**See attached schematic.**

14. Was a PTI issued for the treatment system? Y/N

15. Were there any modifications to the treatment system since the previous inspection? Y/N

If yes, was a PTI obtained? Y/N

PTI Number: **NA** Date: **NA**

16. What is the treatment mode of operation? Batch / Continuous / **Combination**

If batch, list the frequency and duration:

**There is a continuous overflow from the rinse tanks, and there is a batch discharge from the concentrate tanks. The concentrate tanks are mixed to neutralize pH prior to discharge.**

17. Who is responsible for operating the treatment system?

**Connie Trivette**

18. How often is the treatment system checked?

**The batch tanks are checked prior to discharge. The line is tested daily for process control.**

**WASTEWATER TREATMENT CONTINUED**

19. Is there an alarm system for the system? Y/N  
Explain:

**NA. There is no treatment system.**

20. Is there an operations and maintenance manual? NA Y/N

21. Is an inventory of critical spare parts maintained? NA Y/N  
If yes, list:

22. Are there any bypasses in the system? NA Y/N  
If yes, describe the location:

Have bypasses occurred since the last inspection? Y/N

Was the POTW notified? Y/N

23. Are residuals or sludges generated? Y/N

Method of disposal:

**There will be some sludges generated, but there have been none generated to date.**

Frequency and amount of disposal:

**It is too soon. The lines are new.**

Name of hauler/landfill/disposal facility:

**KlorKleen did take iron phosphate.**

Is any sludge generated subject to RCRA regulations? Y/N

If land applying sludge, is there a sludge management plan? NA Y/N

**PROCESS AND WASTEWATER INFORMATION**

24. List all processes generating wastewater, current wastewater flows, and where applicable, production rates as well as values on which the permit limits are based:

REGULATED PROCESS	SAMPLE LOCATION	WASTEWATER FLOW (GPD)		PRODUCTION DATA (SPECIFY UNITS)	
		Permit	Current	Permit	Current
1) Five Stage Parts Washer	End-of-process	6,000	Unk.		
2) Alkaline Parts Washer	End-of-process	2,800	Unk.		
<b>Total Regulated Process Flow</b>		<b>8,800</b>	<b>Unk.</b>		
Non-Contact Cooling				<b>The facility does not have any flow data.</b>	
Blowdown					
Reverse Osmosis					
Demineralizer Regeneration					
Filter Backwash					
Compressor Condensate					
Storm Water					
Other Dilute Flows					
Unregulated Flows (provide list)					
Sanitary					
<b>TOTAL FLOW</b>		<b>8,800</b>	<b>Unk.</b>		

25. For the above flows not discharged to the POTW, list point of discharge and permit (if any).

**The facility does not know if it has coverage. Information regarding the "No Exposure" certification and Notice of Intent are included.**

**SELF MONITORING**

26. Sample location(s) described in the facility's permit:

- 1) **Samples shall be collected from the sump that contains the wastewater from the five-stage parts washer.**
- 2) **Samples shall be collected from the sample port on the effluent pipe of the alkaline parts washer.**

27. Is the facility sampling at the location(s) described in the permit? Y/N  
 If no, describe the actual location:

**The facility has not sampled yet. The sample port needs to be installed on the effluent pipe from the alkaline parts washer.**

28. Is the location(s) where the facility is sampling representative? Y/N  
 If no, indicate a representative location:

29. Is the flow measured or estimated? **To be determined.** Measured / Estimated

If measured, how often is the meter calibrated?

**NA**

If estimated, describe method of estimation:

**NA**

30. Is pH monitored continuously? Y/N  
 If yes, how often is the meter calibrated?

**Do not know the frequency of this. There is a batch test once a day.**

31. Does the facility collect its own samples? Y/N  
 If no, specify the sample collector:

**The facility will be collecting their own samples.**

32. Are appropriate sampling procedures followed? Y/N

Monitoring frequencies **No samples collected in first half of 2008.**

Sample collection (grab for pH, O&G, CN, phenols, VOCs) NA Y/N

Flow proportioned samples NA Y/N

Proper preservation techniques NA Y/N

Sample holding times NA Y/N

Chain-of-custody forms NA Y/N

33. Are samples analyzed in accordance with 40 CFR 136? NA Y/N

34. Laboratory conducting analyses:

**The facility will be using Belmont Laboratories.**

## TOXICS MANAGEMENT

35. Are any listed toxic organics used in the facility? Y / N  
If yes, identify organics:  
*There are solvents used on-site, but they are taken by Midwest Environmental for disposal.*
36. Does the facility have a current toxic organic management plan(TOMP)? Y / N  
If yes, is it being implemented? Y / N
37. Has the facility had any uncontrolled releases or spills to the POTW since the previous inspection? If yes, please explain: Y / N
38. Does the facility need a spill prevention plan or slug discharge control plan? Y / N  
If yes, does the facility have a written plan? Y / N
39. Identify any potential slug load or spill areas:

*The facility has a separate chemical storage area. The drains in the process area are closed except for the line that drains the alkaline parts washer.*

## REQUIRED FOLLOW-UP ACTIONS

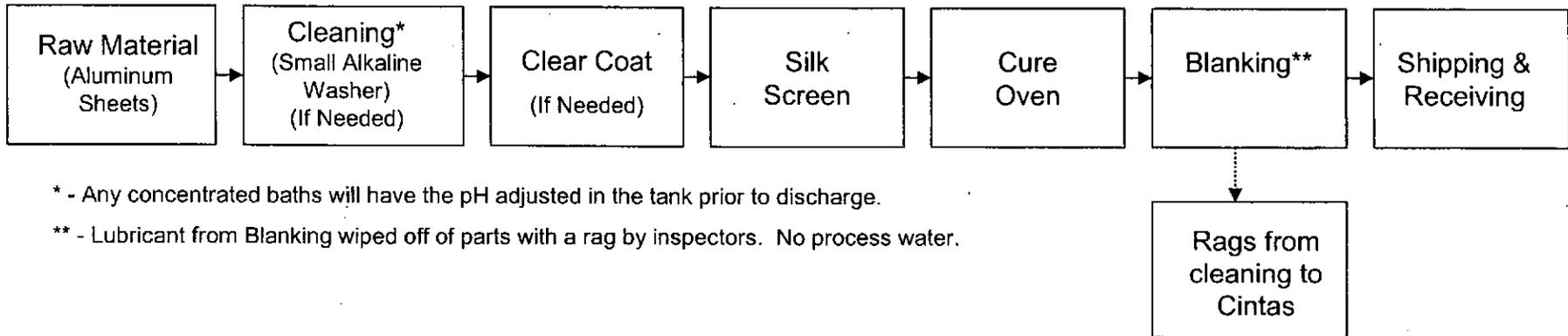
- 1) *Brainerd Industries must sample as required in its indirect discharge permit. This must begin immediately.*
- 2) *Brainerd Industries must sample for its 90-Day Compliance Report.*
- 3) *Brainerd Industries must obtain coverage for its industrial storm water. This can be done with either the "No Exposure" certification, or through the filing of a Notice of Intent (NOI) for coverage under the general industrial storm water permit.*

## RECOMMENDED ACTIONS

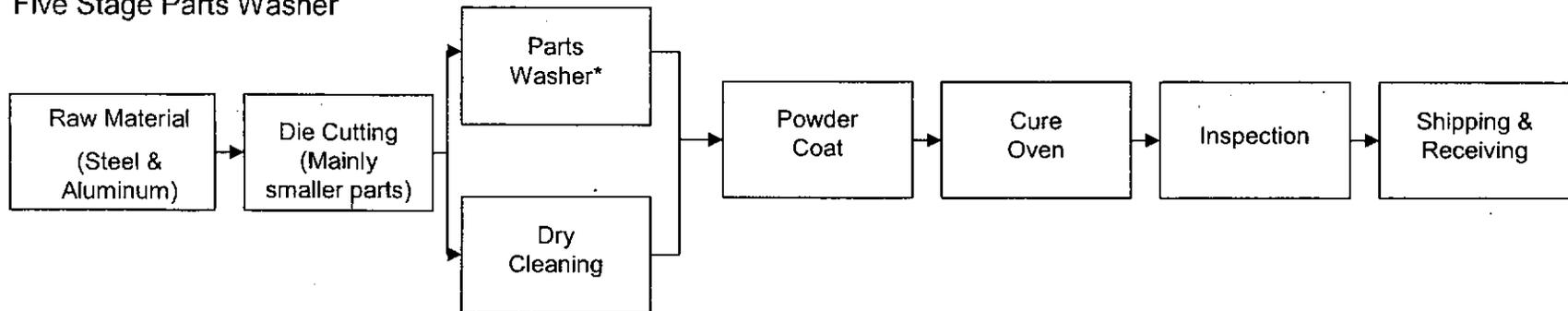
- 1) *Brainerd Industries should consider developing a Toxic Organics Management Plan (TOMP) so it can certify for its Total Toxic Organics (TTOs) in lieu of sampling.*
- 2) *Brainerd Industries should consider applying for a PIN code and submitting its self-monitoring reports using eDMR.*

# Brainerd Industries Process and Treatment Schematic

## Silk Screening



## Five Stage Parts Washer



July 28, 2008

Application No. OHP000235

Issue Date: December 22, 2007

Effective Date: February 1, 2008

Expiration Date: January 31, 2013

RECEIVED  
OHIO EPA

DEC 24 2007

Ohio Environmental Protection Agency

SOUTHWEST DISTRICT

Indirect Discharge Permit

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code 6111),

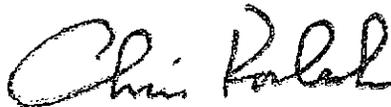
Brainerd Industries, Inc.

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge wastewater from its facility located at 680 Precision Court, Miamisburg, Ohio 45342, Montgomery County, into the Publicly Owned Treatment Works of the City of Miamisburg located at 9319 Dayton-Cincinnati Pike, Miamisburg, Ohio 45342 in accordance with the conditions specified in Parts I, II, and III of this permit.

The permit is issued to apply and enforce pretreatment rules of the state of Ohio. The rights granted by this permit shall not supersede the primacy of the above authority in the regulation of its publicly owned treatment works.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



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Chris Korleski  
Director

Total Pages: 14

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 1DP00052001.

Table - End of Pipe - 001 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/2 months	24hr Total	All
00402 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1/2 months	Grab	All
00720 - Cyanide, Total - mg/l	1.20	-	-	0.65	-	-	-	1/2 months	Grab	All
01027 - Cadmium, Total (Cd) - ug/l	110	-	-	70	-	-	-	1/2 months	Composite	All
01034 - Chromium, Total (Cr) - ug/l	2770	-	-	1710	-	-	-	1/2 months	Composite	All
01042 - Copper, Total (Cu) - ug/l	3380	-	-	2070	-	-	-	1/2 months	Composite	All
01051 - Lead, Total (Pb) - ug/l	690	-	-	430	-	-	-	1/2 months	Composite	All
01067 - Nickel, Total (Ni) - ug/l	3980	-	-	2380	-	-	-	1/2 months	Composite	All
01077 - Silver, Total (Ag) - ug/l	430	-	-	240	-	-	-	1/2 months	Composite	All
01092 - Zinc, Total (Zn) - ug/l	2610	-	-	1480	-	-	-	1/2 months	Composite	All
82090 - Total Toxic Organics - ug/l	2130	-	-	-	-	-	-	2/Year	Composite	All

2. Samples shall be collected from the sump that contains wastewater from the 5-stage parts washer.

3. Total Toxic Organics (82090) shall be collected as a multiple grab sample except for the Volatile Organic portion, which shall be collected as a grab sample. See Part II.4.

## Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning on effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 1DP00052002.

Table - End of Pipe - 002 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/2 months	24hr Total	All
00402 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1/2 months	Grab	All
00720 - Cyanide, Total - mg/l	1.2	-	-	0.65	-	-	-	1/2 months	Grab	All
01027 - Cadmium, Total (Cd) - ug/l	110	-	-	70	-	-	-	1/2 months	Composite	All
01034 - Chromium, Total (Cr) - ug/l	2770	-	-	1710	-	-	-	1/2 months	Composite	All
01042 - Copper, Total (Cu) - ug/l	3380	-	-	2070	-	-	-	1/2 months	Composite	All
01051 - Lead, Total (Pb) - ug/l	690	-	-	430	-	-	-	1/2 months	Composite	All
01067 - Nickel, Total (Ni) - ug/l	3980	-	-	2380	-	-	-	1/2 months	Composite	All
01077 - Silver, Total (Ag) - ug/l	430	-	-	240	-	-	-	1/2 months	Composite	All
01092 - Zinc, Total (Zn) - ug/l	2610	-	-	1480	-	-	-	1/2 months	Composite	All
82090 - Total Toxic Organics - ug/l	2130	-	-	-	-	-	-	2/Year	Composite	Semi-annual

5. Samples shall be collected from the sample port on the effluent pipe of the alkaline parts washer.

6. Total Toxic Organics (82090) shall be collected as a multiple grab sample except for the Volatile Organic portion, which shall be collected as a grab sample. See Part II.4.

## Part II, Other Requirements

1. The permittee shall comply with all applicable rules, regulations, and ordinances of the City of Miamisburg. If the authority to discharge is revoked by the POTW, this shall also be considered grounds for revocation of this permit.

2. In addition to the report submitted to Ohio EPA under Part III, Item 3, of this permit, a copy of each discharge monitoring report shall be submitted to the POTW at the following address:

City of Miamisburg  
Wastewater Treatment Plant  
9139 Dayton-Cincinnati Pike  
Miamisburg, Ohio 45342

3. Any slug loading shall be reported to the POTW at (937) 847-6651 pursuant to requirements in Part III, Item 10. Any accidental discharge of wastewater to the waters of the state, including treated and untreated process wastewater, shall be reported to Ohio EPA at 1-800-282-9378 within 24 hours of becoming aware of the discharge.

4. Total Toxic Organic (TTO)

### A. Compliance Monitoring

The permittee may elect to monitor in accordance with paragraph 4.A.1. below or, in lieu thereof, adopt and implement a toxic organic management plan and submit certifications in accordance with paragraph 4.A.2. hereof.

#### 1. Compliance Monitoring Option

If the permittee elects to monitor to measure compliance with the TTO standard, the monitoring shall be conducted in accordance with the following provisions.

a. At least two grab samples for volatile pollutants and a discharge day composite sample for acid and base/neutral, and pesticide pollutants shall be obtained on each monitoring day. Wastewater samples shall be prepared and analyzed in accordance with 40 CFR 136. The TTO measured in the discharge are to be reported in the units of micrograms per liter (ug/l). The term TTO shall mean total toxic organics, which is the summation of all quantifiable values greater than 10 micrograms per liter for the following toxic organics:

Acenaphthene	4,6-Dinitro-o-cresol
Acrolein	N-Nitrosodimethylamine
Acrylonitrile	N-Nitrosodiphenylamine
Benzene	Phenanthrene
Benzidine	1,2-dichloroethane
Carbon tetrachloride (tetrachloromethane)	1,2,5,6-dibenzanthracene (dibenzo(a,h)anthracene)
Chlorobenzene	1,1,1-trichloroethane
1,2,4-trichlorobenzene	Hexachloroethane
Hexachlorobenzene	1,1-dichloroethane
Naphthalene	2,3-o-phenylene pyrene (indeno(1,2,3-cd)pyrene)
Nitrobenzene	1,1,2-trichloroethane
2-Nitrophenol	Pyrene
4-Nitrophenol	1,1,2,2-tetrachloroethane
2,4-Dinitrophenol	PCB-polychlorinated biphenyls
Tetrachloroethylene	PCB-1242 (Arochlor 1242)
Chloroethane	Fluorene
Toluene	PCB-1254 (Arochlor 1254)
Bis (2-chlorethyl) ether	2-chloronaphthalene
Trichloroethylene	
2-chloroethyl vinyl ether (mixed)	PCB-1221 (Arochlor 1221)
Vinyl Chloride (chloroethylene)	2,4,6-trichlorophenol
N-nitrosodi-n-propylamine	PCB-1232 (Arochlor 1232)
Aldrin	Parachlorometa cresol
Pentachlorophenol	PCB-1248 (Arochlor 1248)
Dieldrin	Chloroform (trichloromethane)
Phenol	PCB-1260 (Arochlor 1260)
Chlordane (technical mixture and metabolites)	2-chlorophenol
Bis (2-ethylhexyl) phthalate	PCB-1016 (Arochlor 1016)
Butyl benzyl phthalate	1,2-Dichlorobenzene
4,4-DDT	Toxaphene
Di-n-butyl phthalate	1,3-Dichlorobenzene
4,4-DDE (p,p-DDX)	2,3,7,8-tetrachlorodibenzo-p- Dioxin (TCDD)
Di-n-octyl phthalate	1,4-Dichlorobenzene
4,4-DDD (p,p-TDE)	3,3-Dichlorobenzidine
Diethyl phthalate□	Ethylbenzene
Alpha-endosulfan	1,1-Dichloroethylene
Dimethyl phthalate	Fluoranthene
Beta-endosulfan	Bromoform (tribromomethane)

1,2-Benzanthracene (benzo(a)anthracene)	Methyl bromide (bromomethane)
Endosulfan sulfate	Trans-1,2-dichloroethylene
Endrin	4-chlorophenyl phenyl ether
3,4-Benzopyrene (benzo(a)pyrene)	2,4-Dichlorophenol
Endrin aldehyde	4-bromophenyl phenyl ether
3,4-Benzofluoranthene (benzo(b)fluoranthene)	1,2-Dichloropropane
Heptachlor	Bis (2-chloroisopropyl) ether
Heptachlor epoxide (BHC-hexachlorocyclohexane)	1,3-Dichloropropene
11,12-benzofluoranthene	Bis (2-chloroethoxy) methane
Alpha-BHC	2,4-Dimethylphenol
Chrysene	Methylene chloride (dichloromethane)
Beta-BHC	2,4-Dinitrotoluene
Acenaphthylene	Methyl chloride (chloromethane)
Gamma-BHC (lindane)	2,6-Dinitrotoluene
Anthracene	1,2-diphenylhydrazine
Delta-BHC	Chlorodibromoethane
1,12-benzoperylene (benzo(ghi)perylene)	Dichlorobromomethane
	Hexachlorocyclopentadiene
	Hexachlorobutadiene
	Isophorone

b. Depending upon the results of prior wastewater monitoring and any other information, the Ohio EPA may modify the provisions of paragraph 4.A.1.a., as appropriate. Modifications may include, but are not limited to, restricting monitoring to those toxic organics which would reasonably be expected to be present.

## 2. Certification Option

If the permittee elects to certify compliance, rather than monitor, the permittee shall:

a. Have an acceptable toxic organic management plan on file with the Ohio EPA. The plan shall specify to the satisfaction of Ohio EPA the toxic organic chemicals used, the method of disposal used instead of dumping, such as reclamation, contract hauling, or incineration, and procedures for ensuring that toxic organics do not spill or leak into process wastewaters, non-contact cooling water, ground water, storm water, or surface waters.

b. Except as provided in subparagraph (c) below, make the following certification statement with each compliance monitoring report: "Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standards for total toxic organics, I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the Ohio EPA." This statement is to be attached to the compliance monitoring reports required by this permit.

c. If the permittee is unable to make the above certification statement or if conditions change at your facility that affect the use or storage of toxic organics, you must notify Ohio EPA at least sixty days prior to the due date for filing the compliance monitoring report. At that time, Ohio EPA will determine the appropriateness of requiring monitoring for toxic organics or continuing the certification option.

### Part III - GENERAL CONDITIONS

#### 1. DEFINITIONS

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for samples and/or measurements collected.

"Composite" means a combination of individual samples collected at periodic intervals of the entire discharge day. The composite must be flow proportional; either the time interval between each individual sample or the volume of each individual sample must be directly proportional to either the wastestream flow at the time of the sampling or the total wastestream flow since the collection of the previous sample. Samples may be collected manually or automatically.

"Grab" means an individual sample collected at such time and location as to be representative of the discharge.

"Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of SWDA), the Clean Air Act, and the Toxic Substances Control Act.

"mg/l" means milligrams per liter.

"pass through" means a discharge which exits through the POTW to waters of the state in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit.

"POTW" or "publicly owned treatment works" means a treatment works owned or operated by a public authority. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the public authority which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

"Pollutant" means sewage, industrial waste, or other waste as defined by divisions (B), (C) and (D) of Section 6111.01 of the Revised Code.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Slug loading" means any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate and/or pollutant concentration as to cause interference in the POTW.

"ug/l" means micrograms per liter.

## 2. GENERAL EFFLUENT LIMITATIONS

- A. All users of a POTW shall comply with the requirements of 40 CFR Part 403, the Federal "General Pretreatment Regulations for Existing and New Sources of Pollution," as appropriate.
- B. The permittee shall not introduce the following pollutants into a POTW
1. Pollutants which create a fire or explosion hazard in the POTW including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21;
  2. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the POTW is specifically designed to accommodate such discharges;
  3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in sewers, or other interference with the operation of the POTW;
  4. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration as to cause interference in the POTW;
  5. Heat in amounts that will inhibit biological activity in the POTW resulting in interference or causing damage, but in no case heat in such quantities that the temperature exceeds 40 Degrees C (104 Degrees F) at the POTW unless the director, upon request of the POTW, approves an alternate temperature limit;
  6. Petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through;
  7. Pollutants which result in the presence of toxic gases, vapor or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
  8. Any trucked or hauled pollutants, except at discharge points designated by the POTW.
- C. The permittee shall not achieve any effluent concentration by dilution. The permittee shall not increase the use of potable water, process water or cooling water.

## 3. REPORTING

- A. Monitoring data required by this permit, including results from any resampling done pursuant to paragraph 3(E) below, shall be reported on a semi-annual basis, unless specified otherwise in Part II - Other Conditions, either on Ohio EPA report form 4519 or electronically through Ohio EPA's Surface Water Information Management System (SWIMS). Reports for each sampling period are to be received no later than the 20th day of January and July. Reports due by the 20th of January shall cover the sampling period of July through December of the previous year. Reports due by the 20th of July shall cover the sampling period of January through June of the current year. Unless the permittee chooses to submit the monitoring data electronically the original signed report form and one copy shall be mailed to:

Ohio Environmental Protection Agency  
Division of Surface Water - Pretreatment Unit  
122 South Front Street  
P. O. Box 1049  
Columbus, Ohio 43216-1049

For electronic data submission, an Ohio EPA Electronic Data Submittal Memorandum of Agreement (MOA) must be signed by the responsible official and submitted to Ohio EPA to receive an authorized Personal Identification Number (PIN) prior to sending data electronically. A hardcopy of the Ohio EPA 4519 form shall be generated, signed by a responsible official, and maintained onsite for records retention purposes.

B. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified below, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

C. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported on Ohio EPA report form (4519), but records shall be retained as specified in the paragraph entitled "Records Retention."

D. A copy of the Ohio EPA report form (4519) shall be sent to the POTW authority as specified in Part II, Other Requirements.

E. If sampling performed by the permittee indicates a violation of a daily maximum effluent limit, the permittee shall notify the appropriate Ohio EPA district office within 24 hours of becoming aware of the violation. The permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to Ohio EPA, at the address given in paragraph 3.A above, within 30 days after becoming aware of the violation.

#### 4. SAMPLING AND ANALYTICAL METHODS

A. Samples and measurements taken as required herein shall be representative of daily operations. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

B. Unless otherwise specified in Part II - Other Requirements, samples shall be obtained through use of flow-proportional composite sampling techniques; where composite sampling is not physically possible or contrary to the approved methods set forth in 40 CFR 136, a grab sample is acceptable.

C. The permittee is responsible for providing a sampling location suitable for obtaining a representative sample.

#### 5. RECORDING OF RESULTS

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

- A. The exact place and date of sampling;
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

#### 6. RECORDS RETENTION

The permittee shall retain all of the following records for a minimum of three years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records; and
- D. All plant operation and maintenance records.
- E. All reports required by this permit.
- F. Records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or application.

## 7. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district office of the Ohio EPA. Both the Clean Water Act and Section 6111.05 of the Ohio Revised Code state that effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in the Ohio Revised Code Section 6111.99.

## 8. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the director, within a reasonable time, any information which the director may request to determine whether cause exists for modifying or revoking the permit, or to determine compliance with this permit. The permittee shall also furnish to the director, upon request, copies of records required to be kept by this permit.

## 9. RIGHT OF ENTRY

The permittee shall allow the director, or an authorized representative upon presentation of credentials and other documents as may be required by law, to:

- A. 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 permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit,
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

## 10. NOTIFICATION OF SLUG LOADING

A. The permittee shall notify the POTW at the telephone number provided in Part II - Other Conditions and the Ohio EPA by telephone at 1-800-282-9378 within one hour of discovery of any slug loading and provide the following:

1. A description of the discharge and the cause of the slug loading;
2. The period of slug loading including exact dates and times and, if not corrected, the anticipated time the noncompliance is expected to continue;
3. The steps taken or planned to reduce, eliminate and prevent reoccurrence of the slug loading.
4. The POTW affected by the discharge.

B. A written report containing the above information shall be filed with the POTW at the address provided in Part II - Other Conditions, and the Ohio EPA, at the address provided in Part III, Paragraph 3 entitled "REPORTING" within five business days of the day when the slug loading occurred.

## 11. DISCHARGE CHANGES

The following changes must be reported to the Ohio EPA as soon as practicable.

A. Any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation. The permittee shall give advance notice to the director of any planned changes in the process line or treatment works from which the permitted discharge originates which may result in noncompliance with permit requirements. These changes include, but are not limited to, increases or decreases in production rates from which categorical standards are calculated, discharge flow rates, and the addition or deletion of wastestreams. Notification of permit changes or anticipated noncompliance does not stay any permit conditions.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the director of the Ohio EPA prior to construction.

## 12. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions under Section 307(a) of the Clean Water Act or Section 3745-3 of the Ohio Administrative Code for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the director shall modify this permit and so notify the permittee.

## 13. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or

B. Pursuant to rule 3745-36-08, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the Ohio EPA Pretreatment Unit at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

## 14. TRANSFER OF OWNERSHIP OR CONTROL

This permit cannot be transferred or assigned nor shall a new owner or successor be authorized to discharge from this facility, until the following requirements are met:

A. The permittee shall notify the Ohio EPA Pretreatment Unit at least sixty days in advance of the proposed transfer date;

B. The notice includes a written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on); and

C. The director does not exercise his right to notify the current permittee and the new permittee of his or her intent to modify or revoke the permit and to require that a new application be filed.

## 15. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

## 16. SEVERABILITY

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

## 17. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

## 18. SIGNATORY REQUIREMENTS

A. All applications and reports submitted to the Ohio EPA must be signed by an authorized representative of the permittee. An authorized representative may be:

1. In the case of a corporation, by a principal executive officer of at least the level of vice president, or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.

2. In the case of a partnership, by a general partner.

3. In the case of a sole proprietorship, by the proprietor.

## 19. NEED TO HALT OR REDUCE ACTIVITY

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with conditions of this permit.

## 20. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

## 21. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Ohio Revised Code Sections 6111.09 and 6111.99.

## 22. DISPOSAL OF RESIDUALS

The storage and disposal of collected screenings, slurries, sludge or other solids shall be in accordance with Section 405 of the Clean Water Act and Subtitle C and D of the Resource Conservation and Recovery Act.

## 23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on unauthorized discharges, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

Ohio EPA Policy  DSW-0100.008 DSW-0500.008  <b>Final</b>	<b>Pretreatment and National Pollutant Discharge Elimination System: Toxic Organics Management Plan</b>	
	Statutory references: ORC 6111.03; ORC 6111.042 Rule references: 40 CFR Parts 413, 433 and 469; OAC 3745-3; OAC 3745-33; OAC 3745-36.	Ohio EPA, Division of Surface Water Revision 0, January 30, 1988 Revision 1, February 23, 1989 Revision 2, August 23, 2002 Revision 3, December 21, 2006
THIS POLICY DOES NOT HAVE THE FORCE OF LAW Pursuant to Section 3745.30 of the Revised Code, this policy was reviewed on the last revision date.		

### History

This document was originally published on January 30, 1988, addressing only the NPDES program. It was incorporated into the Division of Water Pollution Control Policy Manual in August 1988 as policy number 1.08. It was revised on February 23, 1989. On September 30, 1999, the Division of Surface Water published its Policy Manual and Guidance Manual. At that time, this document was considered guidance material and was published in the Guidance Manual as Permit Guidance 4. The current review of this document has expanded it to address the pretreatment program and to incorporate additional information on pollution prevention. This review has also concluded that this document belongs in the Policy Manual. As a result, this document is published in the NPDES section of the Policy Manual as DSW-0100.008 and in the Pretreatment section of the manual as DSW-0500.008.

### Purpose

The purpose of this policy is to provide clarification to staff and the regulated community regarding the types of information needed to implement the Total Toxic Organics (TTO) monitoring alternative available under 40 CFR Parts 413, 433 and 469.

### Background

Federal categorical standards for Electroplating (40 CFR Part 413), Metal Finishing (40 CFR Part 433) and Electrical and Electronic Component Manufacturing (40 CFR Part 469) provide for an alternative to total toxic organics (TTO) monitoring. In lieu of periodic monitoring, the entity has the option to implement a toxic organics management plan that is acceptable to the control authority and submit a statement (to be included with the periodic monitoring reports) certifying that concentrated toxic organics have not been discharged during the reporting period and that the facility is implementing its toxic organics management plan.

### Applicability

This policy is applicable to industries regulated by the Electroplating (40 CFR 413), Metal Finishing (40 CFR 433) or Electrical and Electronic Component Manufacturing (40 CFR 469) categorical standards that discharge to surface waters or POTWs, for which Ohio EPA is the Control Authority. These categorical standards allow certification as an alternative to TTO monitoring.

### **Toxic Organics Management Plan (TOMP)**

- A. In accordance with 40 CFR 413.03, 433.12 and 469.13, an acceptable TOMP must specify the toxic organic compounds used, the method of disposal used (instead of discharge into wastestreams) and procedures for ensuring that toxic organics do not routinely spill or leak into wastewater discharged to the POTW or surface waters. A TOMP should include the following information.
1. A complete inventory of all toxic organic chemicals in use or identified through sampling and analysis of the wastewater from regulated process operations. Organic constituents of trade-name products should be obtained from the supplier.
  2. A pollution prevention assessment for TTOs.
  3. A description of the methods of disposal other than discharge to wastewaters, such as reclamation, contract hauling, or incineration.
  4. The procedures for ensuring that the regulated toxic organic pollutants do not spill or routinely leak into process wastewaters, floor drains, noncontact cooling water, groundwater, surface waters, sanitary sewers or any other location which allows the discharge of the compounds.
  5. The identities and determinations or best estimates of approximate quantities of toxic organic pollutants used in and discharged from the regulated processes. Compounds present in the wastestreams that are discharged to sanitary sewers or surface waters may be a result of regulated processes or disposal, spills, leaks, rinse water carryover, air pollution control, and other sources.
- B. Initial Sampling. All toxic organic compounds, as indicated on the list included in the appropriate categorical standard, should be sampled and analyzed; however, industries in the Electroplating and Metal Finishing categories may sample for only those toxic organics present if demonstrated to Ohio EPA's satisfaction that only certain toxic organic compounds are present (See 40 CFR 413.03 and 433.12). This can be demonstrated by providing Material Safety Data Sheets or other information from the supplier, or by providing an accurate inventory of organics on the premises. Ohio EPA requests that it be provided the reporting form from the laboratory analyzing the sample.
- C. Certification Eligibility. In order to qualify for the certification alternative, the following criteria should be met:
1. The baseline analysis should show compliance with the appropriate TTO standards;
  2. An acceptable TOMP must be submitted (See 40 CFR 413.03, 433.12 and 469.13); and
  3. The following certification statement must be signed by an officer of the company or manager responsible for overall plant operations, and submitted with the TOMP

and each subsequent periodic compliance report: (See OAC 3745-3-06(F) and 40 CFR 413.03, 433.12 and 469.13)

"Based on my inquiry of the person or persons directly responsible for managing compliance with the standard for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no discharge or dumping of concentrated toxic organics into the wastewaters has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the control authority."

- D. **Certification Re-evaluation.** At least every five years, the TOMP should be updated and the regulated waste stream should be sampled and analyzed for the required TTOs or those toxic organic compounds expected to be present (those in the Electrical and Electronic Component Manufacturing category must sample for all toxic organics included on the list in 40 CFR 469 (40 CFR 469.13).
- E. **Revocation of Certification Eligibility.** The certification eligibility may be revoked if independent sampling reveals violations or results inconsistent with the values reported by the entity or for other cause.

Furthermore, if any production process is modified, or if conditions change that affect the use and/or storage of toxic organics, Ohio EPA should be notified. Ohio EPA may require that additional sampling be performed.

#### **Toxic Organic Management Plan Procedures**

The TOMP is submitted only when certifying for TTO. The TOMP is not intended to supersede any local, state, or federal regulation. Many of the TOMP requirements and elements may already be required for other regulations, especially RCRA (40 CFR 262, 264 and 265), the "Emergency Planning and Community Right-To-Know Act", Title III of the Superfund Amendments and Reauthorization Act (SARA) and environmental certifications like ISO 9001 or ISO 14001. The TOMP objective is to provide assurance that toxic organics are properly used, minimized and/or otherwise disposed of instead of being discharged to surface waters/sewers.

The following areas should be addressed in a TOMP.

#### **A. Organic Inventory.**

1. List all toxic organic chemicals used, generated, or stored at your facility. Estimate the maximum daily amount and the average daily amount of toxic organics stored at your facility. For a list of regulated total toxic organics (TTO), consult the following sources:

Electroplating	40 CFR 413
Metal Finishing	40 CFR 433
Electrical and Electronic Components	40 CFR 469

2. Trade names are not acceptable because specific toxic organics used must be specified (40 CFR 413.03, 433.12 and 469.13). The applicant should consult material safety data sheets and/or technical bulletins for the organic constituents. Materials safety data sheets or technical bulletins should not be submitted in lieu of listing the organic constituents, unless specifically requested by Ohio EPA.
3. The above information may be given in tabular form. For example:

Organic Inventory - Storage

Product Name	TTO Constituent	Max. Daily Amt.	Min. Daily Amt.
Easy Clean	Toluene	110 gals.	55 gals.

B. TTO Analysis.

The following steps should be taken to evaluate the wastewater:

1. Collect samples and have analysis done using USEPA approved methods, see 40 CFR 136;
2. Ohio EPA should receive a copy of the reporting form from the laboratory analyzing the wastestream samples;
3. The step(s) in the regulated process in which toxic organics are used should be described;
4. The source where toxic organics could be introduced into the wastestream besides number 3 above (e.g., floor drains) should be described;
5. A flow schematic showing all of the sources and pathways where toxic organics could enter the wastestream should be provided;
6. The approximate quantities (e.g., gallons/day) of each toxic organic chemical used at each step in the regulated process should be listed; and
7. Evaluate any regulated TTO found in the effluent, but not on the TTO inventory listed in part A and determine if they are formed as reaction products or by-products, raw materials, impurities, equipment corrosion or other sources.

C. Pollution Prevention Assessment.

Evaluate pollution prevention options that could be implemented to minimize or eliminate the discharge of toxic organics introduced into the wastestream. These options include, but are not limited to, the following.

1. Material Substitution - Evaluate replacing existing toxic organic materials with non-toxic organic materials. Non-toxic materials may not be covered under the regulated TTO parameter list and will vastly simplify TOMP preparation requirements. Substitutes for toxic organics are available for many cleaning, metal working and coating applications. For example, aqueous cleaners and other non-

toxic organic materials may be effective replacements for cleaning solvents containing regulated organics. Alternative coatings for painting that do not contain toxic organics, such as water-based coatings, may also be a viable option.

2. Improved Operating Practices - Evaluate practices to eliminate or minimize the use or loss of toxic organics that are discharged to the wastestream. For example, consider implementing sound inventory control practices to reduce loss of toxic organics due to poor storage practices. These practices include using toxic organics prior to shelf-life expiration and storing toxic organics according to manufacturers' recommendations to prevent degradation or contamination. Consider implementing appropriate procedures and training staff to ensure that minimal amount of toxic organics are used to do a task. For example, consider manual precleaning methods (such as wiping or brushing) prior to using solvents containing toxic organics. Evaluate process control options (including monitoring for specific gravity, conductivity, pH, biological activity, etc.) for minimizing toxic organics loss to the wastestream from poor management of metal working fluids.
3. Technology Changes - Evaluate new technologies and improved equipment to eliminate or minimize the use or discharge of toxic organics. New technologies may eliminate toxic organic use completely and vastly simplify TOMP preparation requirements. For coating activities, consider technologies such as powder coating and ultraviolet (UV) curable coating. To reduce toxic organic loss from coating activities such as painting, consider improved transfer efficiency using electrostatic spraying or high volume low pressure (HVLP) spraying. For cleaning, consider technologies such as aqueous cleaning systems and media blasting (dry ice, plastic, abrasives, etc.).
4. Recycling - Evaluate recycling opportunities for toxic organics. Environmentally sound recycling practices for toxic organics will help prevent material loss and reduce raw material costs. Cleaning solvents containing toxic organics can be recovered for reuse using solvent distillation. Metal-working fluids and wastewater from paint water curtains, which may contain toxic organics, can be recovered using recycling equipment such as filtration and centrifugation. Other recycling opportunities could include using waste exchanges to find buyers for unwanted toxic organics.

Once the pollution prevention opportunities are identified, a technical and economic evaluation of viable options should be conducted to select options/projects that are technically and economically feasible. Management commitment and funding should be secured for the selected options/projects and a schedule of implementation should be developed. Finally, a measurement system to track the success of the implemented project should be developed and adjustments made to it on an ongoing basis, as needed.

For additional assistance with these and other pollution prevention options and facility pollution prevention assessments, contact the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP) at (614) 644-3469 or visit OCAPP's Web site at <http://www.epa.state.oh.us/ocapp/ocapp.html>.

D. Methods of Disposal.

A review of the methods of disposal should include the following:

1. A description of the waste(s) being generated;
2. Information on the amount of waste being disposed and the frequency of disposal;
3. Information on the method(s) of disposal (i.e., surface impoundment, direct discharge, sanitary sewers, incineration, reclamation or contract disposal);
4. The name of the contractor(s);
5. An estimation of the maximum daily amount and the average daily amount of waste stored at your facility;
6. The above information may be given in tabular form. For example:

Waste Type	Waste Disposal Amount/Frequency	Disposal Method	Contractor	Waste Storage Max. Daily/Ave. Daily
Waste Paint (F003)	10 drums 2/yr.	Incineration	ABC Inc.	10 drums/3 drums

7. The facility's RCRA generator number, if any; and
8. A description of the storage of waste generated awaiting disposal. This should include, but is not limited to, location of storage (preferably indoors or a roofed area), the duration of storage, and the types of waste being stored (includes solvent soaked rags and absorbents). The storage area should be designed and maintained to not allow leakage.

E. Practices to Ensure that Spills or Leaks do not Routinely Occur.

The following information is generally sufficient:

1. A description of the practices to be followed, including housekeeping procedures, during the use, collection, and storage of organics to ensure that organics do not spill or leak. These practices should include, but are not limited to:
  - a. proper labeling and handling containers of toxic organics;
  - b. storing a minimal amount of organics at the site;
  - c. a centralized storage area (preferably indoors or a roofed area) designed and maintained not to allow leakage;
  - d. sealing floor drains when they are in the area where toxic organics are used or stored;
  - e. Overfill control equipment (sensors, alarms etc); and
  - f. secondary containment system (sump or dike) capable of holding 110 percent of the total volume stored or the volume of the largest container, whichever is greater. The containment system should be designed and maintained not to allow leakage;

2. A description of the procedure that will provide routine and detailed visual inspections to ensure the absence of leaking storage containers (i.e., tanks, drums, pipes, etc); Ohio EPA recommends visual inspections at least once a week;
3. A description of how all employees are trained in the proper use, collection, and storage of all chemicals they work with; and
4. A simple but complete floor plan showing the storage location of toxic organics prior to use and toxic organic waste awaiting disposal. This plan should include all floor drains, dikes, and containment areas in the storage facility.

F. Spill or Leak Notification and Containment Procedures.

The following information is generally sufficient:

1. The name of the individual responsible for implementing the TOMP;
2. The name of your facility's emergency response coordinator;
3. Notification procedures
  - a. A list of agencies to be contacted during an emergency and their telephone numbers should be posted where organics are used and stored. This list should include, but is not limited to, the following:
    - i. Facility's Emergency Response Coordinator;
    - ii. Secondary (or backup) Facility Coordinator;
    - iii. Fire Department;
    - iv. POTW;
    - v. Ohio EPA District Office;
    - vi. Ohio EPA Emergency Response Section 1-800-282-9378 (24 hr. phone/7 days a week); and
    - vii. Local Emergency Planning Committee (LEPC).
  - b. If a spill or leak enters the wastewater and the POTW or surface waters, Ohio EPA district pretreatment/NPDES unit should be promptly notified with the following information:
    - i. facility's name;
    - ii. receiving POTW or surface water;
    - iii. chemical(s) and cause of the spill/leak;
    - iv. quantity of the chemical(s);
    - v. time and duration of spill/leak; and
    - vi. steps taken and/or planned to eliminate and prevent further spills/leaks;
4. A description of practices to be followed in the event of a spill or leak (i.e., containment, cleanup, treatment, disposal, etc.);

5. A description of equipment/supplies on site to contain and clean up spills and leaks; and

**Additional Sources of Information**

U.S. EPA Guidance Manual for Implementing Total Toxic Organics (TTO) Pretreatment Standards. U.S. EPA, Office of Water. 440-1-85-009-T. September 1985.

Ohio Waste Minimization and Pollution Prevention Planning Guidance Manual. Ohio EPA, Office of Pollution Prevention. September 1993.

**For more information contact:**

Ohio EPA, Division of Surface Water  
Permits & Compliance Section  
P.O. Box 1049  
Columbus, OH 43216-1049  
(614) 644-2001

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# Stormwater Phase II Final Rule

## Conditional No Exposure Exclusion for Industrial Activity

### Stormwater Phase II Final Rule Fact Sheet Series

#### Overview

1.0 – Stormwater Phase II Final Rule: An Overview

#### Small MS4 Program

2.0 – Small MS4 Stormwater Program Overview

2.1 – Who's Covered? Designation and Waivers of Regulated Small MS4s

2.2 – Urbanized Areas: Definition and Description

#### Minimum Control Measures

2.3 – Public Education and Outreach

2.4 – Public Participation/Involvement

2.5 – Illicit Discharge Detection and Elimination

2.6 – Construction Site Runoff Control

2.7 – Post-Construction Runoff Control

2.8 – Pollution Prevention/Good Housekeeping

2.9 – Permitting and Reporting: The Process and Requirements

2.10 – Federal and State-Operated MS4s: Program Implementation

#### Construction Program

3.0 – Construction Program Overview

3.1 – Construction Rainfall Erosivity Waiver

#### Industrial "No Exposure"

4.0 – Conditional No Exposure Exclusion for Industrial Activity

### Why Is the Phase I No Exposure Exclusion Addressed in the Phase II Final Rule?

The 1990 stormwater regulations for Phase I of the Federal stormwater program identify eleven categories of industrial activities that must obtain a National Pollutant Discharge Elimination System (NPDES) permit. Operators of certain facilities within category eleven (xi), commonly referred to as "light industry," were exempted from the definition of "stormwater discharge associated with industrial activity," and the subsequent requirement to obtain an NPDES permit, provided their industrial materials or activities were not "exposed" to stormwater. This Phase I exemption from permitting was limited to those facilities identified in category (xi), and did not require category (xi) facility operators to submit any information supporting their no exposure claim.

In 1992, the Ninth Circuit court remanded to EPA for further rulemaking the no exposure exemption for light industry after making a determination that the exemption was arbitrary and capricious for two reasons. First, the court found that EPA had not established a record to support its assumption that light industrial activity that is not exposed to stormwater (as opposed to all other regulated industrial activity not exposed) is not a "stormwater discharge associated with industrial activity." Second, the court concluded that the exemption impermissibly relied on the unsubstantiated judgment of the light industrial facility operator to determine the applicability of the exemption. These findings resulted in a revised conditional no exposure exclusion, the changes to which are described in this fact sheet.

### Who is Eligible to Claim No Exposure?

As revised in the Phase II Final Rule, the conditional no exposure exclusion applies to ALL industrial categories listed in the 1990 stormwater regulations, except for construction activities disturbing 5 or more acres (category (x)).

### What Is The Regulatory Definition of "No Exposure"?

The intent of the no exposure provision is to provide facilities with industrial materials and activities that are entirely sheltered from stormwater a simplified way of complying with the stormwater permitting provisions of the Clean Water Act (CWA). This includes facilities that are located within a larger office building, or facilities at which the only items permanently exposed to precipitation are roofs, parking lots, vegetated areas, and other non-industrial areas or activities. The Phase II regulatory definition of "no exposure" follows.

*No exposure* is defined as 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.

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 materials handling; and
- Final products, other than products that would be mobilized in stormwater discharges (e.g., rock salt).

The term “storm-resistant shelter,” as used in the no exposure definition, includes completely roofed and walled buildings or structures, as well as structures with only a top cover but no side coverings, provided material under the structure is not otherwise subject to any run-on and subsequent runoff of stormwater. While the intent of the no exposure provision is to promote a condition of permanent no exposure, EPA understands certain vehicles could become temporarily exposed to rain and snow while passing between buildings. Adequately maintained mobile equipment (e.g., trucks, automobiles, forklifts, trailers, or other such general purpose vehicles found at the industrial site that are not industrial machinery, and that are not leaking contaminants or are not otherwise a source of industrial pollutants) can be exposed to precipitation or runoff. Such activities alone would not prevent a facility from certifying to no exposure. Similarly, trucks or other vehicles awaiting maintenance at vehicle maintenance facilities that are not leaking contaminants or are not otherwise a source of industrial pollutants, are not considered “exposed.”

In addition, EPA recognizes that there are circumstances where permanent no exposure of industrial activities or materials is not possible and, therefore, under such conditions, materials and activities can be sheltered with temporary covers (e.g., tarps) between periods of permanent enclosure. The no exposure provision does not specify every such situation, but NPDES permitting authorities can address this issue on a case-by-case basis.

The Phase II Final Rule also addresses particulate matter emissions from roof stacks/vents that are regulated by, and in compliance with, other environmental protection programs (i.e., air quality control programs) and that do not cause stormwater contamination are considered not exposed. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control program) and evident in stormwater outflow are considered exposed. Likewise, visible “track out” (i.e., pollutants carried on the tires of vehicles) or windblown raw materials is considered exposed. Leaking pipes containing contaminants exposed to stormwater are deemed exposed, as are past sources of stormwater contamination that remain onsite. General refuse and trash, not of an industrial nature, is

not considered exposed as long as the container is completely covered and nothing can drain out holes in the bottom, or is lost in loading onto a garbage truck. Industrial refuse and trash that is left uncovered, however, is considered exposed.

### What is Required Under the No Exposure Provision?

The Phase II Final Rule represents a significant expansion in the scope of the original no exposure provision in terms of eligibility (as noted above) and responsibilities for facilities claiming the exclusion. Under the original no exposure provision, a light industry operator was expected to make an independent determination of whether there was “exposure” of industrial materials and activities to stormwater and, if not, simply not submit a permit application. An operator seeking to qualify for the revised conditional no exposure exclusion, including light industry operators (i.e., category (xi) facilities), must:

- Submit written certification that the facility meets the definition of “no exposure” to the NPDES permitting authority once every 5 years.
  - The Phase II Final Rule includes a four-page *No Exposure Certification* form that uses a series of yes/no questions to aid facility operators in determining whether they have a condition of no exposure. It also serves as the necessary certification of no exposure provided the operator is able to answer all the questions in the negative. EPA’s *Certification* is for use only by operators of industrial activity located in areas where EPA is the NPDES permitting authority.
  - A copy of the *Certification* can be obtained from the EPA stormwater Web site (<http://www.epa.gov/npdes/stormwater>), the Stormwater Phase II Final Rule published in the *Federal Register* (Appendix 4), or by contacting the appropriate NPDES permitting authority.
- Submit a copy, upon request, of the *Certification* to the municipality in which the facility is located.
- Allow the NPDES permitting authority or, if discharging into a municipal separate storm sewer system, the operator of the system, to: (1) inspect the facility; and (2) make such inspection reports publicly available upon request.

Regulated industrial operators need to either apply for a permit or submit a no exposure certification form to be in compliance with the NPDES stormwater regulations. Any permit held becomes null and void once a certification form is submitted.

Even when an industrial operator certifies to no exposure, the NPDES permitting authority still retains the authority to require the operator to apply for an individual or general permit if the NPDES permitting authority has determined that the discharge is contributing to the violation of, or interfering with the attainment or maintenance of, water quality standards, including designated uses.

### **Are There Any Concerns Related to Water Quality Standards?**

**Y**es. An operator certifying that its facility qualifies for the conditional no exposure exclusion may, nonetheless, be required by the NPDES permitting authority to obtain permit authorization. Such a requirement would follow the permitting authority's determination that the discharge causes, has a reasonable potential to cause, or contributes to a violation of an applicable water quality standard, including designated uses. Designated uses can include use as a drinking water supply or for recreational purposes.

Many efforts to achieve no exposure can employ simple good housekeeping and contaminant cleanup activities such as moving materials and activities indoors into existing buildings or structures. In limited cases, however, industrial operators may make major changes at a site to achieve no exposure. These efforts may include constructing a new building or cover to eliminate exposure or constructing structures to prevent run-on and stormwater contact with industrial materials and activities. Major changes undertaken to achieve no exposure, however, can increase the impervious area of the site, such as when a building with a smooth roof is placed in a formerly vegetated area. Increased impervious area can lead to an increase in the volume and velocity of stormwater

runoff, which, in turn, can result in a higher concentration of pollutants in the discharge, since fewer pollutants are naturally filtered out.

The concern of increased impervious area is addressed in one of the questions on the *Certification* form, which asks, "Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion? If yes, please indicate approximately how much area was paved or roofed over." This question has no effect on an operator's eligibility for the exclusion. It is intended only to aid the NPDES permitting authority in assessing the likelihood of such actions interfering with water quality standards. Where this is a concern, the facility operator and its NPDES permitting authority should take appropriate actions to ensure that water quality standards can be achieved.

### **What Happens if the Condition of No Exposure Is Not Maintained?**

**U**nder the Phase II Final Rule, the no exposure exclusion is conditional and not an outright exemption. Therefore, if there is a change in circumstances that causes exposure of industrial activities or materials to stormwater, the operator is required to comply immediately with all the requirements of the NPDES Stormwater Program, including applying for and obtaining a permit.

Failure to maintain the condition of no exposure or obtain coverage under an NPDES stormwater permit can lead to the unauthorized discharge of pollutants to waters of the United States, resulting in penalties under the CWA. Where a facility operator determines that exposure is likely to occur in the future due to some anticipated change at the facility, the operator should submit an application and acquire stormwater permit coverage prior to the exposed discharge to avoid such penalties.

## For Additional Information

### *Contacts*

- ☞ U.S. EPA Office of Wastewater Management  
<http://www.epa.gov/npdes/stormwater>  
Phone: 202-564-9545
  
- ☞ Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:  

Alaska	Guam
District of Columbia	Johnston Atoll
Idaho	Midway and Wake Islands
Massachusetts	Northern Mariana Islands
New Hampshire	Puerto Rico
New Mexico	Trust Territories
American Samoa	
  
- ☞ A list of names and telephone numbers for each EPA Region and State is located at <http://www.epa.gov/npdes/stormwater> (click on "Contacts").

### *Reference Documents*

- ☞ EPA's Stormwater Web Site  
<http://www.epa.gov/npdes/stormwater>
  - Stormwater Phase II Final Rule Fact Sheet Series
  - Stormwater Phase II Final Rule (64 FR 68722)
  - National Menu of Best Management Practices for Stormwater Phase II
  - Measurable Goals Guidance for Phase II Small MS4s
  - Stormwater Case Studies
  - And many others



**NO EXPOSURE CERTIFICATION for Exclusion from  
NPDES Storm Water Permitting**

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

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

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

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

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

ALL INFORMATION MUST BE PROVIDED ON THIS FORM.

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

**A. Facility Operator Information**

1. Name: \_\_\_\_\_ 2. Phone: \_\_\_\_\_  
3. Mailing Address: a. Street: \_\_\_\_\_  
b. City: \_\_\_\_\_ c. State: \_\_\_\_\_ d. Zip Code: \_\_\_\_\_

**B. Facility/Site Location Information**

1. Facility Name: \_\_\_\_\_  
2. a. Street Address: \_\_\_\_\_  
b. City: \_\_\_\_\_ c. County: \_\_\_\_\_  
d. State: \_\_\_\_\_ e. Zip Code: \_\_\_\_\_  
3. Is the facility located on Indian Lands? Yes  No   
4. Is this a Federal facility? Yes  No   
5. a. Latitude: \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" b. Longitude: \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_"  
6. a. Was the facility or site previously covered under an NPDES storm water permit? Yes  No   
b. If yes, enter NPDES permit number: \_\_\_\_\_  
7. SIC/Activity Codes: Primary: \_\_\_\_\_ Secondary (if applicable): \_\_\_\_\_  
8. Total size of site associated with industrial activity: \_\_\_\_\_ acres  
9. a. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion? Yes  No   
b. If yes, please indicate approximately how much area was paved or roofed over. Completing this question does not disqualify you for the no exposure exclusion. However, your permitting authority may use this information in considering whether storm water discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage.  
Less than one acre  One to five acres  More than five acres



**Instructions for the NO EXPOSURE CERTIFICATION for  
Exclusion from NPDES Storm Water Permitting**

**Who May File a No Exposure Certification**

Federal law at 40 CFR Part 122.26 prohibits point source discharges of storm water associated with industrial activity to waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. However, NPDES permit coverage is not required for discharges of storm water associated with industrial activities identified at 40 CFR 122.26(b)(14)(i)-(ix) and (xi) if the discharger can certify that a condition of "no exposure" exists at the industrial facility or site.

Storm water discharges from construction activities identified in 40 CFR 122.26(b)(14)(x) and (b)(15) are not eligible for the no exposure exclusion.

**Obtaining and Maintaining the No Exposure Exclusion**

This form is used to certify that a condition of no exposure exists at the industrial facility or site described herein. This certification is only applicable in jurisdictions where EPA is the NPDES permitting authority and must be re-submitted at least once every five years.

The industrial facility operator must maintain a condition of no exposure at its facility or site in order for the no exposure exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to storm water, the facility operator must obtain coverage under an NPDES storm water permit immediately.

**Where to File the No Exposure Certification Form**

No Exposure Forms sent regular mail:                      Forms sent overnight/express:

SW No Exposure Certification (4203M) USEPA 1200 Pennsylvania Avenue, NW Washington, D.C. 20460	SW No Exposure Certification US EPA East Building, Rm. 7420 1201 Constitution Avenue, NW Washington, D.C. 20004 (202) 564-9545
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**Completing the Form**

You must type or print, using uppercase letters, in appropriate areas only. Enter only one character per space (i.e., between the marks). Abbreviate if necessary to stay within the number of characters allowed for each item. Use one space for breaks between words. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Additional guidance on completing this form can be accessed at EPA's website: [www.epa.gov/npdes/stormwater](http://www.epa.gov/npdes/stormwater). Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the above address. Please submit original document with signature in ink—DO NOT send copies.

**Section A. Facility Operator Information**

1. Provide the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this certification. The name of the operator may or may not be the same as the name of the facility. The operator is the legal entity that controls the facility's operation, rather than the plant or site manager.
2. Provide the telephone number of the facility operator.
3. Provide the mailing address of the operator (P.O. Box numbers may be used). Include the city, state, and zip code. All correspondence will be sent to this address.

**Section B. Facility/Site Location Information**

1. Enter the official or legal name of the facility or site.
2. Enter the complete street address (if no street address exists, provide a geographic description [e.g., Intersection of Routes 9 and 55]), city, county, state, and zip code. Do not use a P.O. Box number.
3. Indicate whether the facility is located on Indian Lands.
4. Indicate whether the industrial facility is operated by a department or agency of the Federal Government (see also Section 313 of the Clean Water Act).
5. Enter the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds. Latitude and longitude can be obtained from United States Geological Survey (USGS) quadrangle or topographic maps, by calling 1-(888) ASK-USGS, or by accessing the Census Bureau at: <http://www.census.gov/cgi-bin/gazetteer>.

Latitude and longitude for a facility in decimal form must be converted to degrees (°), minutes ('), and seconds (") for proper entry on the certification form. To convert decimal latitude or longitude to degrees/minutes/seconds, follow the steps in the following example.

Example: Convert decimal latitude 45.1234567 to degrees (°), minutes ('), and seconds (").

- a) The numbers to the left of the decimal point are the degrees: 45°.
- b) To obtain minutes, multiply the first four numbers to the right of the decimal point by 0.006: 1234 x 0.006 = 7.404.
- c) The numbers to the left of the decimal point in the result obtained in (b) are the minutes: 7'.
- d) To obtain seconds, multiply the remaining three numbers to the right of the decimal from the result obtained in (b) by 0.06: 404 x 0.06 = 24.24. Since the numbers to the right of the decimal point are not used, the result is 24".
- e) The conversion for 45.1234567 = 45° 7' 24".

6. Indicate whether the facility was previously covered under an NPDES storm water permit. If so, include the permit number.
7. Enter the 4-digit SIC code which identifies the facility's primary activity, and second 4-digit SIC code identifying the facility's secondary activity, if applicable. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987.
8. Enter the total size of the site associated with industrial activity in acres. Acreage may be determined by dividing square footage by 43,560, as demonstrated in the following example.

Example: Convert 54,450 ft<sup>2</sup> to acres

Divide 54,450 ft<sup>2</sup> by 43,560 square feet per acre:  
54,450 ft<sup>2</sup> ÷ 43,560 ft<sup>2</sup>/acre = 1.25 acres.

9. Check "Yes" or "No" as appropriate to indicate whether you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel road/parking lot) in order to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.

**Instructions for the NO EXPOSURE CERTIFICATION for  
Exclusion from NPDES Storm Water Permitting****Section C. Exposure Checklist**

Check "Yes" or "No" as appropriate to describe the exposure conditions at your facility. If you answer "Yes" to ANY of the questions (1) through (11) in this section, a potential for exposure exists at your site and you cannot certify to a condition of no exposure. You must obtain (or already have) coverage under an NPDES storm water permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of storm water exposed to industrial activity, and then certify to a condition of no exposure.

**Section D. Certification Statement**

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means:

- (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
- (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where

authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipal, State, Federal, or other public facility: by either a principal executive or ranking elected official.

**Paperwork Reduction Act Notice**

Public reporting burden for this certification is estimated to average 1.0 hour per certification, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose to provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Director, OPPE Regulatory Information Division (2137), USEPA, 401 M Street, SW, Washington, D.C. 20460. Include the OMB control number of this form on any correspondence. Do not send the completed No Exposure Certification form to this address.

# Ohio EPA Instructions

Notice of Intent (NOI) Application form - For Requesting Coverage  
Under An Ohio Environmental Protection Agency General Permit

## **\*\* IMPORTANT\*\***

**DO NOT COMPLETE THE NOI WITHOUT FIRST READING THESE INSTRUCTIONS.**

### **What is a NOI Application Form?**

NOI stands for Notice of Intent. It is a one-page application form to request initial coverage or to renew coverage under a general permit. The applicant must certify their intention to comply with a general permit by submitting a complete NOI. The application shall be submitted to Ohio EPA's Central Office.

### **Who Must File a NOI Application Form?**

Any discharge of water, with certain exceptions for storm water, from a point source must be covered by a permit from Ohio EPA. Federal regulations at 40 CFR 122 and the Ohio Revised Code at section 6111.04 prohibit point source discharges to waters of the state without first obtaining a National Pollutant Discharge Elimination System (NPDES) permit. This includes point source discharges of storm water associated with industrial and construction activity and certain municipal separate storm sewer systems (MS4s).

There are two types of NPDES permits; 1) individual permits and 2) general permits. A facility with a discharge must apply for one of these permits using either this NOI application form (for general permit coverage, assuming a general permit exists for the type of discharge) **OR** Form 1 and the appropriate supplementary forms (for an individual permit, which can be written for any type of discharge). If a facility applies for coverage under a general permit, and if all of the eligibility requirements of the general permit are not met, the facility will be required to submit an application for an individual permit. If a facility is eligible to be covered under the general permit and has additional waste streams that are not covered by the general permit, it is preferred that all discharges be covered by one permit (i.e., the individual permit).

Each applicant must meet the requirements found in the general permits regarding eligibility and applicability. **Do not** submit the NOI application form unless you meet **all** of those requirements.

These instructions may be used for coverage under the following general permits. Please note that these names are shortened versions of the actual names on the general permits.

<u>General Permit Authorization to Discharge:</u>	<u>General Permit Number:</u>
1. Coal Surface Mining Activities	OHM000001
2. Construction Site Storm Water	OHC000003
3. Construction Site SW - Big Darby Cr Watershed	OHC100001
4. Hydrostatic Test Water	OHH000001
5. Industrial Storm Water	OHR000004
6. Marina Storm Water	OHRM00001
7. Non-contact Cooling Water	OHN000003
8. Petroleum Bulk Storage Facilities	OHB000001
9. Petroleum-related Corrective Actions	OHU000004
10. Small MS4 - Baseline	OHQ000001
11. Small MS4 - Rapidly Developing Watershed	OHQ100000

12. Small Sanitary Dischargers	OHS000002
13. Small Sanitary Dischargers (not BADCT)	OHV000001
14. Temporary Wastewater Discharges	OHT000001
15. Water Treatment Plants	OHW000002

### Where to file NOI Application Form

NOIs must be sent to the following address:  
 Ohio Environmental Protection Agency  
 Office of Fiscal Administration  
 P.O. Box 1049  
 Columbus, OH 43216-1049

#### **\*\* IMPORTANT \*\***

**Responses must be typewritten or printed legibly in the spaces provided. NOIs transmitted by FAX will not be accepted. Incomplete NOI application forms, including those submitted without the application fee, will be returned to the applicant for resubmission.**

### Completing the Form

All responses must be typewritten or printed legibly in the appropriate areas only. Please place each character slightly above the appropriate line on the NOI application form. If necessary, abbreviate to stay within the space allowed for each item. Use only one space for breaks between words. If the requested information does not apply to your facility, leave it blank. Do not include any symbols or punctuation marks unless otherwise noted in these instructions. Each NOI application form must be accompanied by a check for payment of the proper application fee. **Be sure to read the instructions printed at the top of NOI application form before completing the form.**

#### I. Applicant Information/Mailing Address

**Company Name:** Fill in the legal name of the firm, person, public organization, or other entity that operates the facility or site described in this application. The name of the operator may or may not be the same as the facility. The company name is the name of the responsible party that is the legal entity that controls the facility's operation rather than the plant or site manager. For construction activities, the responsible party is the operator (e.g., owner or general contractor).

**Mailing Address:** Enter the complete mailing address; including street address, city, state, and zip code. The permit and any correspondence will be mailed to this address.

**Contact Person:** Give the name of a contact person who is responsible for addressing NPDES requirements.

**Phone and Fax:** Provide the contact person's phone and fax numbers as: area code exchange numbers.

**E-Mail Address:** Enter the contact person's e-mail address, if available.

## II. Facility/Site Location Information

**Facility Name:** Enter the facility or site's official or legal name. The facility/site is the location of the operation and discharge to be covered by the general permit. Do not use a colloquial name.

**Facility Address/Location:** Do NOT enter P.O. Box numbers. Do ONE of the following:

1. Enter the facility's or site's complete physical address, including number and street, city/township, state, zip code, county, **OR**
2. If the facility lacks a street address, indicate the quarter, sections, county, township, and range (to the nearest quarter section) of the approximate center of the facility. If a site is located in more than one township and/or section, please list all townships/sections. The first listed township/section should be the one that contains the main entrance to the facility. (If there is not adequate space provided on the NOI form, please provide an additional sheet of paper with this information.)

**Facility Contact Person:** Give the name of the person who is responsible for the facility/site.

**Phone and Fax:** Provide facility contact person's phone and fax numbers as: area code exchange numbers.

**Facility Contact E-mail Address:** Provide the facility contact person's e-mail address, if available.

**IN THE CASE OF CONSTRUCTION ACTIVITY,** attach an 8 1/2" x 11" site map to each NOI. The map shall clearly show the location of the project with its perimeter outlined and existing adjacent identifiable roads. The perimeter of the project are the boundaries that ground disturbance will occur within and for which a storm water pollution prevention plan has been developed. Provide the facility contact person and project name on the map.

**IN THE CASE OF COAL SURFACE MINING OPERATIONS,** provide quarter, sections, county, township, and range. Coal surface mine applicants are to attach to NOIs an 8 1/2" x 11" site map [using 7.5 min. United States Geological Survey (USGS) topo map]; the map shall clearly show the affected area and location of treatment ponds with outfalls labeled 001, 002, etc. Also, the map shall indicate whether the ponds are existing or proposed. The map shall be labeled with its USGS topo map name. For proposed ponds at new mine sites, the NOI will serve as a Permit-to-Install application. USGS maps are available from:

1. Map Distribution, US Geological Survey, Building 41, Box 25286, Federal Center, Denver, Colorado 80225;
2. Their website at <http://mapping.usgs.gov>
3. By calling USGS at 1 (888) ASK-USGS
4. Commercial map dealers, which would be listed in the phone book; or
5. A public library.

**Quarter/Section Range:** These must be completed if the facility or site does not have a street address. Please refer to the section above entitled "Facility Address/Location" for further explanation.

**Receiving Stream or MS4:** If a facility discharges directly to receiving water(s), enter the name of the receiving water. If the initial receiving water(s) does not have a name, then write as "unnamed tributary to" first subsequent water that has a name. It is important that the name of the receiving waterbody where the discharge directly goes is listed. If a facility discharges to more than one receiving stream, list all receiving streams (if necessary, attach a separate sheet of paper). An MS4 is defined as "a conveyance that is owned or operated by a state, city, town, township, county, district, association, or other public entity that is designed or used for collecting or conveying storm water." If you

discharge storm water to an MS4, then enter the name of the operator of the municipal separate storm sewer system (MS4) (e.g. municipality name, county name,...).

**"State Nature Preserve"**: If you are aware of a state nature preserve, in accordance with Ohio Revised Code 1517.05, within 1,000 feet of the boundaries of your facility/site, then place an "X" in the associated space. Otherwise, leave the space blank.

**"River Code"**: If the facility's discharge is to a river designed as scenic, wild, or recreational, or to a tributary within 1,000 feet of one of these segments, enter the appropriate river code in this space. Please refer to Attachment A of these instructions for a list of river segments. Enter the appropriate code in this space. If a river code does not apply to the facility's receiving stream, leave the space blank.

**General Permit Number**: Enter the general permit number for which coverage is being sought (i.e. in the case of renewing coverage, do not use your current general permit number). The first two spaces of the number are "OH" and have already been placed on the NOI; fill in the remaining characters. Please refer to the above section entitled "Who Must File a NOI Form?" (front page of these instructions) for a list of general permit names and associated permit numbers. Do not enter any number in this space other than the general permit number for which coverage is being sought.

**Initial/Renewal Coverage**: The NOI form may be submitted to initiate first-time coverage under a general permit or to continue coverage under a renewed general permit. Place an "X" in the appropriate space.

**Type of Activity**: In the case of non-industrial storm water and construction site storm water discharges, enter the title of the general permit for which you are applying for coverage. Please refer to the above section entitled "Who Must File a NOI Form?" for a list of general permit names and numbers. Please note the names listed in that section are shortened versions of the actual names on the general permits.

1. **Non-contact cooling water discharges AND Petroleum corrective actions**: According to Part I.C.3. of these general permits, the applicant may request a waiver from the "limitations of coverage" if the applicant has an effluent monitoring requirement or limitation in their individual permit that is not in the applicable general permit. In order to request a waiver, enter "WAIVER REQUESTED" after the title of the general permit. Otherwise, as stated under Part I.C.2. of the permits, an applicant is not eligible for general permit coverage.

2. **Industrial storm water discharges**: For industrial facilities, enter "Ind SW" and for those included due to SIC codes, enter the description of the SIC code. This should be the primary activity of the facility. For industrial activities identified in 40 CFR 122.26(b)(14)(i)-(ix) and (xi) by narrative description, use the following 2-character codes in the space provided:

**HZ** = Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under subtitle C of RCRA (40 CFR 122.26(b)(14)(iv));

**SE** = Steam electric power generating facilities, including coal handling sites (40 CFR 122.26(b)(14)(vii)); or

**TW** = Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage (40 CFR 122.26(b)(14)(ix)).

**SIC Code(s)**: Industrial applicants must list (excluding construction activity storm water discharges), in descending order of significance, up to four 4-digit standard industrial classification (SIC) codes that best describe the principal product or services provided at the facility identified in Section II of this application. For storm water discharges defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi) that do not have SIC codes that accurately describe the principal products produced or services provided, leave the space blank.

SIC code numbers may be found in the "Standard Industrial Classification Manual" prepared by the Executive Office of the President, Office of Management and Budget. This text may be found in a public library or may be ordered from the US Government Printing Office, 200 North High Street, Columbus, Ohio 43215, (614) 469-6955. Another source is the following website provided by the Occupational Health and Safety Administration: <http://www.osha.gov/oshstats/sicser.html>

**Existing NPDES Permit Number(s):** If the facility identified in Section II of this application has ever been issued an individual NPDES permit and/or general permit coverage(s), enter the (facility specific) permit number(s) here. In the case of an individual NPDES permit, give the permit number (e.g. 31A00555\*AD). In the case where general permit coverage is being renewed, it is *extremely important* to give the individual Ohio EPA general permit identification number assigned in the previous approval for coverage letter received from Ohio EPA. Examples of such numbers are: OGR009876 (industrial storm water) and OGN009876 (non-contact cooling water).

**ODNR Coal Surface Mining Application Number:** For coal surface mining activity general permit applicants only. Enter the Ohio Department of Natural Resources coal mining permit application number here. You must obtain this number from ODNR before submitting this application.

**Outfall:** This item does not apply to construction, industrial, small MS4, or coal surface mining general permit applicants. List the numbers of the outfalls for which you desire permit coverage. Please enter the outfall numbers as three digits (e.g. 001, 002, etc.). If you have five or more outfalls, please list the additional outfalls on an additional sheet. An outfall is the point source discharge of wastewater leaving your site that will be entering a surface water body and does not enter a sewer system tributary to a publicly-owned sewage treatment plant. An outfall could be a pipe, ditch, channel, or other conveyance leaving your site.

**Design Flow:** This item does not apply to construction, industrial, small MS4, or coal surface mining general permit applicants. For the corresponding outfall, please indicate in million gallons per day (MGD) the average design flow of each outfall or each outfall's treatment system (e.g. 100,000 gallons per day (gpd) = 0.1 million gallons per day (MGD); in this case, enter 0.1 in the space provided). Facilities applying for coverage under the small sanitary general permit shall submit their design flow and an estimated sewage flow rate in gallons per day. The sewage flow rate should be estimated, using Attachment B., and entered on the NOI form on the line directly underneath the design flow.

**Latitude/Longitude:** This item does not apply to construction, industrial, small MS4, or coal surface mining general permit applicants. Please indicate the latitude and longitude of the point of discharge (outfall) to the nearest 15 seconds (provide coordinates as: degrees minutes seconds using 2 digits in each space; e.g. latitude 40 15 35, longitude 80 41 22; do not use symbols). Latitude/longitude is available from USGS topographical maps (see "Facility Address/Location: IN CASE OF COAL SURFACE MINING OPERATIONS," above, for information on obtaining USGS maps).

**Other DSW Permits Required:** Identify other Division of Surface Water (DSW) permits that are either pending with DSW or for which you are aware that you need to apply for the facility/site identified on the NOI. This is of particular importance for construction storm water sites. Indicate the type of permit (NPDES, PTI, or 401) and whether it's "pending" with DSW or "yet to apply."

**Project Start/Completion Dates:** For construction activity and coal surface mining applicants, enter the project approximate start date and estimated completion date for the entire development plan or for final bond release. Provide dates as: month day year using two digits in each space (e.g. September 28, 1994 = 09 28 94); do not use symbols or letters. Applicants for coverage under the small sanitary discharger general permit should

include the date that the facility commenced discharging in the space entitled "Project Start Date."

**Total Land Disturbance (Acres):** For construction activity and coal surface mining applicants only, provide an estimate of the total number of acres of land that will be disturbed during the life of the project. In the case of construction activity, the total area disturbed is to be addressed by the storm water pollution prevention plan which is to have been developed by the time the NOI is submitted to Ohio EPA. Disturbed land is land in which vegetation has been cleared and soils are exposed to storm water.

**MS4 Drainage Area (square miles):** For MS4 general permit applicants only, provide, in square miles, the area served by the MS4. This information will be used to determine an MS4 operator's annual discharge fee (which will be due annually starting January 30, 2004). The fee is \$100 per square mile of MS4 permitted with a maximum fee of \$10,000 [per Ohio Revised Code 3745.11(L)(6)]. Ohio will send an annual notification regarding an MS4's specific fee prior to it being due.

#### **Payment Information**

A check made payable to "Treasurer, State of Ohio" must accompany all NOI applications. The check number, check amount, and check date must be on the NOI to ensure complete processing. Provide dates as: month day year using two digits in each space (e.g. September 28, 1994 = 09 28 94); do not use symbols. For the appropriate NOI application fee, see Attachment D below.

#### **Certification**

Type or print the name and title of the person who will sign the form. Next, sign and date the form. Federal and State statutes provide for severe penalties for submitting false information on this application form. In the case of co-permittees, attach a separate sheet of paper re-stating the NOI certification statement and each co-permittee is to provide the individual's name, title, name of the entity represented, signature, and date. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or (2) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

For a partnership or sole proprietorship: by a general partner or the proprietor; respectively, or

For a municipality, state, or other public facility: by either a principal executive officer, the ranking elected official, or other duly authorized employee.

For facilities applying for coverage under the Small Sanitary General permit attach, on a separate sheet of paper, a list of the parameters and limits included in the existing individual NPDES permit. Also, indicate the type of treatment used at the facility (extended aeration, lagoon (controlled or continuous discharge) etc.) and whether or not the facility has a requirement to be under the supervision of a certified operator.

Facilities applying for coverage under either small MS4 general permit are required to submit the original NOI and a copy of their storm water management program (SWMP) to Ohio EPA's Central Office, Office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049 and a copy of the NOI and SWMP to the Ohio EPA at the appropriate district office, DSW - Storm Water (see page 10 for the appropriate district office and mailing address).

Operators applying for coverage under the Construction Activity Located within the Big Darby Creek Watershed general permit are required to include a copy of their storm water pollution prevention plan (SWPPP) with NOI submittal for approval at least 45 days prior to the commencement of construction activity.

## Attachment A

If the discharge is to one of the following named river segments or to a tributary within 1,000 feet of one of the segments, enter the river code in the space provided on the form.

River/Stream Segment Code	River/Stream Segment
S01	Little Miami River
S02	- Clermont County line at Loveland to headwaters, including North Fork
S03	- Clermont County line at Loveland to confluence with East Fork
	- From confluence with East Fork to Ohio River
S11	Sandusky River
	- U.S. Route 30 in Upper Sandusky to Roger Young Memorial Park in Fremont
S21	Olentangy River
	- Delaware Dam to Wilson Bridge Road in Worthington
W31	Little Beaver Creek
W32	- West Fork from 1/4 mile downstream from Township Road 914 to confluence with Middle Fork
W33	- North Fork from Township Road 952 to confluence with Little Beaver Creek
	- Little Beaver Creek from confluence of West and Middle Forks downstream to 3/4 mile north of Grimm's Bridge
S31	- North Fork from Ohio-Pennsylvania line downstream to Jackman Road
S32	- Middle Fork from Elkton road (Township Road 901) downstream to confluence with West Fork
S33	- Little Beaver Creek from 3/4 mile north of Grimm's Bridge downstream to Harpersfield covered bridge
W41	Grand River
	- From Harpersfield covered bridge downstream to Norfolk and Western Railroad trestle south of Painesville
S41	- From State Route 322 bridge in Astabula County downstream to Harpersfield covered bridge
S51	Upper Cuyahoga River
	- Troy-Burton Township line in Geauga County to US Route 14
S61	Maumee River
R61	- Ohio-Indiana line to State Route 24 bridge west of Defiance
	- State Route 24 bridge west of Defiance to US Route 25 bridge near Perrysburg
R71	Stillwater River System
S71	- Englewood Dam to confluence with Great Miami River
S72	- Stillwater River from Riffle Road bridge in Darke County to Englewood Dam
	- Greenville Creek from the Ohio-Indiana line to the confluence with the Stillwater
S81	Chagrin River
S82	- Aurora Branch from State Route 82 bridge downstream to confluence with Chagrin
S83	- Chagrin River from confluence with Aurora Branch downstream to State Route 6 bridge
	- East Branch from Heath Road bridge downstream to confluence with Chagrin
S91	Big and Little Darby Creeks
	- Big Darby Creek from the Champaign-Union County line downstream to the Conrail railroad trestle and from the confluence with the Little Darby Creek downstream to the Scioto River
S92	- Little Darby Creek from the Lafayette-Plain City Road bridge downstream to within 0.8 mile from the confluence with Big Darby Creek

**Attachment B**

**ESTIMATING SEWAGE FLOW RATE**

These estimated flows are empirical and are intended for estimating average flow rates

PLACE	ESTIMATED SEWAGE FLOW (Gallons Per Day)
Apartments	250 one-bedroom 300 two- bedroom 350 three-bedroom
Assembly Halls <sup>a</sup>	2 per seat
Beauty Shop, Styling Salon	200 per basin
Bowling Alleys (no food service) <sup>a</sup>	75 per lane
Churches (small) <sup>a</sup>	3-5 per sanctuary seat
Churches (large with kitchen) <sup>b</sup>	5-7 per sanctuary seat
Country Clubs	50 per member
Dance Halls <sup>a</sup>	2 per person
Doctors/Dentists	75 per doctor 20 per employee 10 per patient
Drive-Inn Theaters	5 per car space
Factories (no showers)	25 per employee
Factories (with showers)	35 per employee
Food Service Operations Ordinary Restaurant (not 24-hour) 24-Hour Restaurant Banquet Rooms Restaurant Along Freeway Tavern (very little food service) Curb Service (drive-in) Vending Machine Restaurants	35 per seat at 400 ppm BOD <sub>5</sub> 50 per seat at 400 ppm BOD <sub>5</sub> 5 per seat at 400 ppm BOD <sub>5</sub> 100 per seat at 400 ppm BOD <sub>5</sub> 35 per seat at 400 ppm BOD <sub>5</sub> 50 per car space at 400 ppm BOD <sub>5</sub> 100 per seat at 200 ppm BOD <sub>5</sub>
Homes in Subdivision	400 per dwelling
Hospitals (no resident personnel) <sup>b</sup>	300 per bed
Institutions (residents) <sup>b</sup>	100 per person
Non-Industrial Laundries (coin-operated)	400 per standard size machine
Marinas (restrooms and showers only)	15 per boat mooring/slip/dock
Migrant Labor Camps <sup>c</sup>	50 per person

PLACE	ESTIMATED SEWAGE FLOW (Gallons Per Day)
Mobile Home Parks	300 per mobile home space
Motels	100 per unit
Nursing and Rest Homes <sup>b</sup>	200 per patient at 300 ppm BOD <sub>5</sub> 100 per resident employee 50 per non-resident employee
Office Buildings	20 per employee
Recreational Vehicle Dumping Stations	Consult District Office
Recreational Vehicle Parks and Camps	Consult District Office
Retail Stores	20 per employee
Schools — Elementary <sup>b</sup> — High and Junior High <sup>b</sup>	15 per pupil 20 per pupil
Service Stations	1000 first bay or pump island 500 additional bay or pump island
Shopping Centers (no food service/laundries) <sup>d</sup>	0.2 per sq.ft. of floor space
Swimming Pools (average) (with hot water showers)	3-5 per swimmer (design load) 5-7 per swimmer (design load)
Vacation Cottages	50 per person
Veterinarians and Animal Hospitals <sup>e</sup>	10 per run 10 per cage 20 per employee
Youth and Recreation Camps <sup>b</sup>	50 per person
<sup>a</sup> Food service waste not included. <sup>b</sup> Food service waste included, but without garbage grinders. <sup>c</sup> 20 gallons per day if vault latrine is used for toilet wastes. <sup>d</sup> All laundries or other high flow or high strength uses. <sup>e</sup> Assumes manual hosing and solids (food droppings, etc.) removal prior to hosing.	



# OhioEPA

## DISTRICT OFFICES

**CDO** Central District Office  
50 West Town Street, Suite 700  
Columbus, Ohio 43215  
(614) 728-3778

**SEDO** Southeast District Office  
2195 Front Street  
Logan, Ohio 43138  
(740) 385-8501

**NEDO** Northeast District Office  
2110 East Aurora Road  
Twinsburg, Ohio 44087  
(330) 963-1200

**SWDO** Southwest District Office  
401 East Fifth Street  
Dayton, Ohio 45402  
(937) 285-6357

**NWDO** Northwest District Office  
347 North Dunbridge Road  
Bowling Green, Ohio 43402  
(419) 352-8461

**Attachment D**

As of July 1, 2001, the industrial storm water NOI fee is \$350. The construction storm water and Big Darby Creek Watershed construction storm water NOI fee is \$200 plus \$20 per whole disturbed acre (do not round-up) above 5 whole acres, with a maximum disturbed acreage fee of \$300. Under this fee schedule, a site with twenty or more disturbed acres would pay the maximum fee of \$500. These fees can be found in paragraph (S)(1) of Ohio Revised Code (ORC) Section 3745.11.

<b>GENERAL PERMIT NOI FEES</b>				
<b>Industrial Storm Water NOI</b>		<b>Total Fee Due = \$350.00</b>		
<b>Construction SW / Big Darby Creek Watershed Construction SW NOI</b>				
Disturbed Acreage	Base Fee	Additional Acreage Fee	Total Fee Due	
1 - 5.99 acres	\$200	\$0	\$200	
6 - 6.99 acres	200	20	220	
7 - 7.99 acres	200	40	240	
8 - 8.99 acres	200	60	260	
9 - 9.99 acres	200	80	280	
10 - 10.99 acres	200	100	300	
11 - 11.99 acres	200	120	320	
12 - 12.99 acres	200	140	340	
13 - 13.99 acres	200	160	360	
14 - 14.99 acres	200	180	380	
15 - 15.99 acres	200	200	400	
16 - 16.99 acres	200	220	420	
17 - 17.99 acres	200	240	440	
18 - 18.99 acres	200	260	460	
19 - 19.99 acres	200	280	480	
20 acres and up	200	300	500	<b>MAXIMUM FEE</b>
<b>All other NOIs</b>		<b>Total Fee Due = \$200.00</b>		



# Notice of Intent (NOI) For Coverage Under Ohio Environmental Protection Agency General Permit

(Read accompanying instructions carefully before completing this form)

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized to discharge into state surface waters under Ohio EPA's NPDES general permit program. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. Complete all required information as indicated by the instructions. Forms transmitted by fax will not be accepted. A check for the proper amount must accompany this form and be made payable to "Treasurer, State of Ohio." (See the fee table in Attachment D of the NOI instructions for the appropriate processing fee)

## I. Applicant Information/Mailing Address

Company (Applicant) Name: \_\_\_\_\_

Mailing (Applicant) Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact E-Mail Address: \_\_\_\_\_

## II. Facility/Site Location Information

Facility Name: \_\_\_\_\_

Facility Address/Location: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

County(ies): \_\_\_\_\_ Township(s): \_\_\_\_\_

Facility Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Facility Contact E-Mail Address: \_\_\_\_\_

Quarter: \_\_\_\_\_ Section(s): \_\_\_\_\_ Range: \_\_\_\_\_

Receiving Stream or MS4: \_\_\_\_\_

If aware of a state nature preserve within 1,000 feet of the facility/site, check here:

Enter river code here, if discharge is to a river designated scenic, wild, or recreational, or to a tributary within 1,000 feet (see instructions): \_\_\_\_\_

General Permit Number: OH \_\_\_\_\_ Initial Coverage:  Renewal Coverage:

Type of Activity: \_\_\_\_\_

SIC Code(s): - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Existing NPDES Permit Number: \_\_\_\_\_

ODNR Coal Mining Application Number: \_\_\_\_\_

Outfall	Design Flow (MGD)	Latitude	Longitude
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**For Ohio EPA Use Only**

Check ID (OFA): \_\_\_\_\_

Person: \_\_\_\_\_

Place: \_\_\_\_\_

DOC #: \_\_\_\_\_

ORG #: \_\_\_\_\_

Rev. ID #: \_\_\_\_\_

Other DSW Permits Required: \_\_\_\_\_

Proposed Project Start Date (MO DY YR): \_\_\_\_\_ Estimated Completion Date: (MO DY YR): \_\_\_\_\_

Total Land Disturbance (Acres): \_\_\_\_\_ MS4 Drainage Area (Square Miles): \_\_\_\_\_

Payment Information: Check # \_\_\_\_\_ Check Amount: \_\_\_\_\_ Date of Check: \_\_\_\_\_

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Applicant Name: \_\_\_\_\_ Title: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

