



06/30/2009. *This fact sheet was developed for the Port sector but can be used by any sector. The following information was extracted from the 2008 Multi Sector General Permit (MSGP) for industrial storm water permit holders. This information is intended for clarification purposes only. You must refer to your MSGP or individual permit for further clarifications.*

## **Non-Storm Water Discharges**

### **STORM WATER DISCHARGE**

Any water runoff, snow melt runoff, surface runoff, or drainage that comes into contact with industrial or commercial operations/activities and enters the waters of the United States or a municipal separate storm sewer system.

### **NON-STORM WATER DISCHARGE & LIMITATION OF COVERAGE**

A non-storm water discharge is any discharge that is not of rain or snow melt origin, but is generally water or water-borne. For example: a floor drain or sink drain that is not connected to the local treatment plant but instead flows directly to the waters of the United States (including groundwater). Non-storm water discharges are not allowed under the MSGP unless they fall under one of the eleven (11) allowable non-storm water discharges (described below). If the non-storm water discharge occurs without a separate permit, the owner/operator will be in violation of the Clean Water Act.

The MSGP identifies some sectors as having “limitation on coverage” which in most cases is referring to discharges that are subject to other guidelines and in need of a separate permit (refer to the section below “not authorized for coverage under the MSGP”). Limitations on coverage are listed below for common port sectors.

### **NEED TO CERTIFY THERE ARE NO NON-STORM WATER DISCHARGERS**

As the owner/operator of your facility, you need to certify that there are no non-storm water discharges except those allowable non-storm water discharges identified below. To do so, simply conduct a walk-through of your property during a dry day (e.g. a dry spell of no rain for at least a week) and check for dry weather flows. Identify any dry weather flows by documenting how you made the determination, the type of discharge and location, date, and time and pollutant source if known. Any discharge other than the 11 listed below are considered unauthorized. All unauthorized dry weather discharges must be eliminated and records must be kept to indicate actions are taken to prevent them. Your Storm Water Pollution Prevention Plan (SWPPP) should include this discussion and actions taken.

## ALLOWABLE NON-STORM WATER DISCHARGES

Unless otherwise specified for the specific sector, as a permit holder, you are allowed to discharge to the waters of the United States or a municipal separate storm sewer system the following non-storm water activities:

1. Fire fighting activities
2. Fire hydrant flushing
3. Potable water, including water line flushing
4. Uncontaminated air conditioning or compressor condensate
5. Irrigation drainage
6. Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's instructions
7. Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spills have been removed)
8. Routine external building wash down which does not use detergents
9. Uncontaminated ground water or spring water
10. Foundation or footing drains where flows are not contaminated with process materials
11. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of facility. Not intentional discharges.

If any of these eleven (11) are discharged to the waters of the United States or a municipal separate storm sewer system, you must practice good housekeeping and best management practices to avoid unnecessary pollutant load to receiving waters. Your Storm Water Pollution Prevention Plan (SWPPP) must identify on site map where these allowable non-storm water discharge activities take place, anticipated pollutant that might mix with the discharge, and appropriate best management practices being implemented.

## NOT AUTHORIZED FOR COVERAGE UNDER the MSGP

The following are not authorized for coverage under the MSGP:

- Discharges mixed with non-storm water (non-storm water discharges)
- Discharges associated with construction activity. There is a Construction Storm Water General Permit for any disturbance of land greater than 1 acre.
- Discharges currently or previously covered by another permit.
  - covered under an individual permit
  - has an expired permit
  - permit contains no numeric water quality limitations for storm water
  - a permit that is being denied, terminated or revoked
- Discharges subject to effluent limitation guidelines. Effluent guidelines are national standards for waste water discharges (to surface waters and municipal sewer treatment plants) and are based on the performance of treatment and control technologies. Allowable under the MSGP are discharges from the following:
  1. Sector E, runoff from material storage piles at cement manufacturing (\*)
  2. Sector C, runoff from phosphate fertilizer manufacturing (\*)
  3. Sector O, coal pile runoff at steam electric generating facilities (\*)
  4. Sector A, spray down or wetting of logs at wet deck storage areas (\*)

5. Sector J, mine dewatering discharges at crushed stone mines, construction sand/gravel mines, industrial sand mines
  6. Sector D, runoff from asphalt emulsion facilities (\*)
  7. Sector K & L, runoff from landfills (\*)
- Discharges subject to New Source Performance Standards (NSPS). Identified with (\*) above. The New Source Performance Standards process requires the EPA to list categories of stationary sources which "cause, or contribute significantly to, air pollution which may reasonably be anticipated to endanger public health or welfare." The term "**New Source**" is defined broadly to include newly constructed factories or furnaces as well as any modification of existing sources, including changes in the way sources are operated that increase emissions or add a new pollutant to emissions.
    - If you fall under one of the effluent limitation discharges that has NSPS (\*), you can apply for the industrial storm water permit (e.g. MSGP) as long as you have documentation from EPA of "no significant impact" or a completed Environmental Impact Statement under National Environmental Policy Act (NEPA).
  - Discharges that have the potential to contribute to water quality standard violations. Water Quality Standards define the goals for a water body by [designating its uses](#) (e.g. swimming, fishing, agricultural, industrial, etc), [setting criteria](#) to protect those uses, and establishing provisions to protect water bodies from pollutants.
    - You may be eligible for an "individual" storm water permit. Or you may be eligible for coverage under the MSGP if you can show you have appropriate controls and procedures in place to prevent water quality standard violations (documented in your SWPPP).
  - Discharges that do not avoid unacceptable effects on federally listed endangered and threatened species or designated critical habitat.
    - You may be eligible for coverage under the MSGP if your activities are not likely to jeopardize the continued existence of endangered species or habitat. There's a long list of criteria in the MSGP that you'd need to consult.
  - Discharges with unconsidered adverse affects on historic properties. There are several criteria in the MSGP to determine if you can be eligible for coverage.
  - Discharges to water quality impaired or water quality limited receiving waters. You are not authorized to discharge into waters that have Total Maximum Daily Load (TMDL) established or approved by EPA unless your discharge is consistent with the TMDL limits.
  - Discharges to waters that have anti-degradation water quality standards. Anti-degradation refers to water bodies that have unique attributes and/or has national significance.

MSGP SECTORS THAT TYPICALLY MATCH A PORT FACILITY: Sector C, D, E, F, K, N, P, Q, R, U, Y, AB. Limitation on coverage fall under sectors C, D, K, N, P, Q, R, U.

## PORT SECTOR LIMINATIONS ON COVERAGE IDENTIFIED IN THE MSGP

The following port sectors have “limitations on coverage” identified in the MSGP. In other words the emphasized non-storm water discharge is typical to the sector and that the discharge most likely is covered under a separate permit, or should be. Separate permit or not, the following discharges are not authorized for coverage under the MSGP. If these discharges are identified, they must be eliminated or seek coverage under a separate permit.

### Sector C Chemical & Allied Products Manufacturing

- Non-storm water discharges containing inks, paints, or substances resulting from an onsite spill, including materials collected in drip pans.
- Non-storm water discharges containing wash water from materials handling and processing areas.
- Non-storm water discharges containing wash water from drum, tank or container rinsing and cleaning.

### Sector D Asphalt Paving & Roofing Materials & Lubricant Manufacturers

- Non-storm water discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products.
- Non-storm water discharges from oil recycling facilities.
- Non-storm water discharges associated with fats and oils rendering.

### Sector K Hazardous Waste Treatment, Storage or Disposal

- Non-storm water discharges for facilities located in EPA Region 6 (i.e. NM, TX, OK, AR, LA) that are self-generating or handle residential wastes only and to those facilities that only store hazardous wastes and do not treat or dispose. Coverage under this MSGP is not available for commercial hazardous waste disposal/treatment facilities that dispose and treat on a commercial basis any produced hazardous wastes as a service to generators.
- For all other facilities outside of EPA Region 6, non-storm water discharges containing leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived waste water, contact wash water from washing truck and rail car exteriors, and surface areas which have come in direct contact with solid waste at the landfill facility.

### Sector N Scrap Recycling & Waste Recycling Facilities

- Non-storm water discharge from turnings containment areas are not covered by this permit. Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate NPDES permit.

### Sector P Land Transportation

- Non-storm water discharge containing vehicle/equipment/surface washwater, including tank cleaning operations. Such discharges must be authorized under a separate NPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled on-site.

### Sector Q Water Transportation

- Non-storm water discharges containing bilge and ballast water, sanitary wastes, pressure wash water, cooling water originating from vessels (same as Sector R).

### Sector R Ship & Boat Building or Repair Yards

- Non-storm water discharges containing bilge and ballast water, sanitary wastes, pressure wash water, cooling water originating from vessels (same as Sector Q).

Sector U Food & Kindred Products

- Non-storm water discharge from the eleven (11) allowable non-storm water discharges that are associated with industrial plant yards and material handling sites including discharges containing boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging and vehicle washing/clean-out operations.
- Non-storm water discharge associated with refuse sites.
- Non-storm water discharge associated with sites used for application or disposal of process waste waters.
- Non-storm water discharge associated with sites used for storage and maintenance of material handling equipment.
- Non-storm water discharge associated sites used for residential waste water treatment, storage, or disposal.
- Non-storm water discharge associated shipping and receiving areas.
- Non-storm water discharge associated manufacturing buildings.
- Non-storm water discharge associated storage areas for raw material and intermediate and finished products, including areas where industrial activity has taken place in the past and significant materials remain.

PORT SECTOR NO LIMITATIONS ON COVERAGE

The MSGP does not have a section titled “limitations on coverage” for the following sectors:

- Sector E Glass, Clay, Cement, Concrete, & Gypsum Products and
- Sector F Primary Metals and
- Sector Y Rubber, Miscellaneous Plastic Products & Miscellaneous Manufacturing Industries and
- Sector AB Transportation

Even though the MSGP does not specifically list limitations on coverage for the above sectors, the sector is not allowed to discharge non-storm water discharges. The MSGP basically says that no facility is allowed non-storm water discharges unless the permit explicitly authorizes them/it. And that all allowable non-storm water discharges must be identified in the SWPPP. The eleven (11) allowable non-storm water discharges are listed above.