



Regulatory Briefing

Ohio Multisector General Permit (MSGP) for Industrial Stormwater

May 2011

Overview

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Effective June 1, 2011, the Ohio Environmental Protection Agency (OEPA) has issued a revised “[Authorization to Discharge Storm Water Associated with Industrial Activity Under the National Pollutant Discharge Elimination System - Multi-Sector General Permit](#)”. This permit covers stormwater discharges from certain types of industrial and “industrial-like” operations that are required to have a stormwater discharge NPDES permit.

NPDES permits, including general permits, are reissued on a 5-year cycle. The current OEPA general permit for industrial facilities was written in 2006 and expires on May 31, 2011. Therefore, this revised permit was needed to replace the expired one.

The revised permit includes some of the same requirements that were included in the current OEPA industrial stormwater permit. However, some significant changes have also been included, especially relating to stormwater monitoring requirements. The OEPA permit was modeled after the US EPA multi-sector general permit (MSGP), released in 2008.

To comply with Ohio Administrative Code 3745-1-05 Antidegradation Rules, dischargers to Superior High Quality Waters, Outstanding State Waters, and Outstanding National Resource Waters, excluding Lake Erie **can not use this permit**, and would need to seek permit coverage by other means.

Who Could Be Affected?

The industrial stormwater permit applies equally to all industrial and “industrial-like” facilities in Ohio based on their Standard Industrial Classification, or “SIC Code”. Rules apply to any facility **regardless of size or number of employees**.

In addition to manufacturing operations, permit coverage is required for businesses such as warehousing, transportation & logistics, waste treatment and disposal facilities, including as landfills. Permit coverage is also required for airports and water transportation facilities.

The revised permit is significantly more complex:

Expired permit = 36 pages

Expired permit = 171 pages

Ohio Industrial Sectors

Under the Ohio MSGP, all permittees are divided into industrial sectors. Individual facilities have a **PRIMARY** industrial sector, but can also have collocated industrial sectors, if the nature of their operation falls into multiple sectors.

IMPORTANT:
*Even facilities with
NO OUTSIDE
 activities or
 storage are
 affected by
 stormwater rules*

To determine what requirements apply to the facility, permittees need to determine their primary sector, and all collocated sectors or activities. Their compliance requirements will include all the requirements under their primary sector **AND** all requirements under each collocated sector, if applicable.

Certain industrial sectors are specifically excluded from coverage under the Ohio MSGP, including:

- Petroleum bulk stations and terminals (SIC code 5171)
- Marinas (SIC code 4493)
- Active landfills

OEPA has used the same sector designations based on SIC codes used by US EPA in the 2008 Multi-sector General Permit.

Sector-Specific Requirements

In addition to general requirements that must be met by all dischargers, the permit includes additional requirements for facilities in individual sectors. These additional requirements can include:

- Limits on types of discharges permitted
- Additional technology-based effluent limits, including specific BMPs
- Additional SWPPP requirements,
- Additional inspection requirements,
- Additional stormwater monitoring and effluent limits, and
- Sector-specific storm water benchmarks.

Stormwater Monitoring Requirements

The revised permit includes three types of stormwater monitoring requirements which will need to be addressed by some or all permittees:

Quarterly visual assessments: All permittees will need to collect stormwater discharge samples on a quarterly basis and record a visual assessment of the samples, including clarity, and visual indicators of contaminants, etc.

Quarterly benchmark monitoring: Some industrial sectors will also need to collect quarterly samples of stormwater discharge and have samples analyzed at a laboratory. The results from these samples will need to be reported to OEPA and will be used to determine if additional pollution prevention measures are needed.

Effluent Monitoring: Some permittees will also have to conduct effluent monitoring and comply with permit limits. These data will also be reported to OEPA.

Other Compliance Requirements

The Ohio permit includes many compliance requirements that existing permitted facilities are already familiar with, including:

SWPPP Requirements. Facilities need to prepare and maintain a SWPPP that includes all the elements listed in the permit. For most facilities that have a SWPPP prepared to meet the previous permit, a revision of the SWPPP will be required to address new SWPPP requirements. The SWPPP must be certified by an officer of the company, or equivalent.

Quarterly Site Inspections. A facility must conduct quarterly facility inspections. Inspections must be conducted by a “**Qualified Personnel**” and at least one member of the facility’s pollution prevention team.

Prohibited Discharges. Non-stormwater discharges are not allowed under the general permit, which includes most kinds of process wastewater discharge, non-contact cooling water and most wash water. These types of discharge must be either permitted under a different NPDES permit or eliminated.

Annual Comprehensive Inspections. Facilities must conduct an Annual Comprehensive Site Inspection. The annual inspection is intended to verify that drainage, potential pollution sources identified in the SWPPP are accurate, and that BMPs are being implemented, and adequately maintained. The annual inspection must also certify that the facility is in compliance with the permit

What If My Facility Is Already Covered By A Permit?

Many facilities that are subject to industrial permitting requirements have already been covered under the existing Ohio general permit. Sites that had coverage under general permit # OHR000004 and intend to continue coverage under the renewed general permit must submit a

new NOI application form **within 90 days** of the date of Ohio EPA’s written instructions to re-notify.

New facilities are required to submit an NOI application form **180 days prior** to commencing discharge

Additional Information:

OEPA requirements to calculate benchmarks for metals:

<http://swppp.calthacompany.com/2011/04/determining-benchmark-concentrations.html>

Antidegradation requirements under Ohio MSGP:

<http://swppp.calthacompany.com/2011/04/ohio-antidegradation-requirement-under.html>

Ohio SWPPP Template and Compliance Plan:

<http://swppp.calthacompany.com/2011/04/ohio-swppp-template-inspection.html>

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Industrial Stormwater Services

Caltha provides expert consulting services to industries in Ohio subject to stormwater permitting requirements, including:

- **Preparing new SWPPP or revising existing SWPPP**
- **Review of BMPs**
- **Development of employee training programs**
- **Conducting stormwater monitoring**
- **SPCC Plans and Emergency Preparedness Plans**

Email us at info@calthacompany.com

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