

Sector N - Storm Water Discharges Associated With Industrial Activity From Scrap Recycling and Waste Recycling Facilities

1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC codes shown below. Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (e.g., common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF).

SIC Code	Sector N: Scrap Recycling and Waste and Recycling Facilities	Sampling Required?	Table Number
5093	Scrap and Waste Materials	Yes	N-1

Note: Recycling facilities that are material recovery facilities are not required to sample.

When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility (co-located industrial activities). The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

2. Special Conditions

Prohibition of Non-storm Water Discharges. Except for those allowable non-storm water discharges included in Part 3.1.2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

Deadlines for Plan Preparation and Compliance. There are no additional deadlines for plan preparation and compliance, other than those stated in Part 4.1.

3.1 Contents of Plan. The following general requirements for the storm water pollution prevention plan are applicable to activities which reclaim and recycle either recyclable nonliquid and liquid waste materials. In addition to the general requirements, Paragraph N.3.2 (below) identifies special requirements for scrap recycling and waste recycling facilities (nonsource-separated facilities) that handle nonliquid wastes. The recycling facilities, including MRFs (material recovery facilities), that receive only source-separated recyclable materials primarily from non-industrial and residential sources. The plan shall include, at a minimum, the following items:

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- 3.1.1 Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.
- 3.1.2 Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources or, during periods of dry weather, result in dry weather flows. Each plan shall include, at a minimum:
- 3.1.3 Drainage. A site map indicating the outfall locations and the types of discharges contained in the drainage areas of the outfalls, an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies (including wetlands), locations where significant materials are exposed to precipitation including scrap and waste material storage and outdoor scrap and waste processing equipment, locations where major spills or leaks identified in this section have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, material storage (including tanks or other vessels used for liquid or waste storage). Scrap recycling facilities that handle turnings that have been previously exposed to cutting fluids will delineate these containment areas. The site map must also identify monitoring locations.

For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of a chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

- 3.1.4 Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.
- 3.1.5 Spills and Leaks—A list of significant spills and leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water

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conveyance at the facility after the date of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit. Significant spills include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under Section 311 of the Clean Water Act (CWA) (see 40 CFR 110.10 and 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (see 40 CFR 302.4). Such a list shall be updated as appropriate during the term of the permit.

- 3.1.6 Sampling Data—A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.
- 3.1.7 Risk Identification and Summary of Potential Pollutant Sources—A narrative description of potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities, outdoor processing activities; significant dust or particulate generating processes and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., Chemical Oxygen Demand (COD), oil and grease, Total Suspended Solids (TSS), zinc, lead, copper, etc.) of concern shall be identified.
- 3.1.8 Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls for scrap recycling and waste recycling facilities (nonsource-separated, nonliquid recyclable materials), waste recycling facilities (recyclable liquid wastes), and recycling facilities (source-separated materials) are identified below. At a minimum, the description shall also include a schedule for implementing such controls:
- 3.2. Scrap and Waste Recycling Facilities (nonsource-separated, nonliquid recyclable wastes)—The following special conditions have been established for the pollution prevention plan for those scrap and waste recycling facilities that receive, process and provide wholesale distribution of nonliquid recyclable wastes, (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). This section of the permit is intended to distinguish waste recycling facilities that receive both nonrecyclable and recyclable materials from those recycling facilities that only accept recyclable materials primarily from non-industrial and residential sources. Under the description of measures and controls in the storm water pollution prevention plan, the plan will address all areas that have a reasonable potential to contribute pollutants to storm water discharges and will be maintained in a clean and orderly manner. At a minimum, the plan will address the following activities and areas within the plan:
- a.) Inbound Recyclable and Waste Material Control Program—The plan shall include a recyclable and waste material inspection program to minimize the likelihood of receiving materials that may be significant pollutant sources to storm water discharges. At a minimum, the plan shall address the following:

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- Provision of information/education (flyers, brochures and pamphlets) to encourage suppliers of scrap and recyclable waste materials to drain residual fluids, whenever applicable, prior to its arrival at the facility. This includes vehicles and equipment engines, radiators, and transmissions, oil-filled transformers, and individual containers or drums;
 - Activities which accept scrap and materials that may contain residual fluids, e.g., automotive engines containing used oil, transmission fluids, etc., shall describe procedures to minimize the potential for these fluids from coming in contact with either precipitation or runoff. The description shall also identify measures or procedures to properly store, handle and dispose of these residual fluids;
 - Procedures pertaining to the acceptance of scrap lead-acid batteries. Additional requirements for the handling, storage and disposal or recycling of batteries shall be in conformance with conditions for a scrap lead-acid battery program, see below;
 - A description of training requirements for those personnel engaged in the inspection and acceptance of inbound recyclable materials.
- b.) Liquid wastes, including used oil, shall be stored in materially compatible and nonleaking containers and disposed or recycled in accordance with all requirements under the Resource Recovery and Conservation Act (RCRA), and other State or local requirements.
- c.) Scrap and Waste Material Stockpiles/Storage (outdoors)—The plan shall address areas where significant materials are exposed to either storm water runoff or precipitation. The plan must describe those measures and controls used to minimize contact of storm water runoff with stockpiled materials, processed materials and nonrecyclable wastes. The plan should include measures to minimize the extent of storm water contamination from these areas. The operator may consider the use of permanent or semipermanent covers, or other similar forms of protection over stockpiled materials where the operator determines that such measures are reasonable and appropriate. The operator may consider the use of sediment traps, vegetated swales and strips, to facilitate settling or filtering out of pollutants. The operator shall consider within the plan the use of the following BMPs (either individually or in combination) or their equivalent to minimize contact with storm water runoff:
- Promoting the diversion of runoff away from these areas through such practices as dikes, berms, containment trenches, culverts and/or surface grading;
 - Media filtration such as catch basin filters and sand filters; and,
 - silt fencing; and,
 - Oil/water separators, sumps and dry adsorbents in stockpile areas that are potential sources of residual fluids, e.g., automotive engine storage areas.
- d.) Stockpiling of Turnings Previously Exposed to Cutting Fluids (outdoors)—The plan shall address all areas where stockpiling of industrial turnings previously exposed to cutting

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fluids occurs. The plan shall implement those measures necessary to minimize contact of surface runoff with residual cutting fluids. The operator shall consider implementation of either of the following two alternatives or a combination of both or equivalent measures:

- Alternative 1: Storage of all turnings previously exposed to cutting fluids under some form of permanent or semi-permanent cover. Discharges of residual fluids from these areas to the storm sewer system in the absence of a storm event are prohibited. Discharges to the storm sewer system as a consequence of a storm event are permitted provided the discharge is first directed through an oil/water separator or its equivalent. Procedures to collect, handle, and dispose or recycle residual fluids that may be present shall be identified in the plan, or,
 - Alternative 2: Establish dedicated containment areas for all turnings that have been exposed to cutting fluids where runoff from these areas is directed to a storm sewer system, providing the following:
 - i) Containment areas constructed of either concrete, asphalt or other equivalent type of impermeable material;
 - ii) a perimeter around containment areas to prevent runoff from moving across these areas. This would include the use of shallow berms, curbing, or constructing an elevated pad or other equivalent measure;
 - iii) a suitable drainage collection system to collect all runoff generated from within containment areas. At a minimum, the drainage system shall include a plate-type oil/water separator or its equivalent. The oil/water separator or its equivalent shall be installed according to the manufacturer's recommended specifications, whenever available; specifications will be kept with the plan.
 - iv) a schedule to maintain the oil/water separator (or its equivalent) to prevent the accumulation of appreciable amounts of fluids. In the absence of a storm event, no discharge from containment areas to the storm sewer system is prohibited unless covered by a separate NPDES permit;
 - v) Identify procedures for the proper disposal or recycling of collected residual fluids.
- e.) Scrap and Waste Material Stockpiles/Storage (covered or indoor storage)—The plan shall address measures and controls to minimize residual liquids and accumulated particulate matter, originating from scrap and recyclable waste materials stored indoors or under cover, from coming in contact with surface runoff. The operator shall consider including in the plan the following or equivalent measures:
- Good housekeeping measures, including the use of dry absorbent or wet vacuum clean up methods, to collect, handle, store and dispose or recycle residual liquids originating from recyclable containers, e.g., beverage containers, paint cans, household cleaning products containers, etc.;

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- Prohibiting the practice of allowing washwater from tipping floors or other processing areas from discharging to any portion of a storm sewer system;
 - Disconnecting or sealing off all existing floor drains connected to any portion of the storm sewer system.
- f.) Scrap and Recyclable Waste Processing Areas—The plan shall address areas where scrap and waste processing equipment are sited. This includes measures and controls to minimize surface runoff from coming in contact with scrap processing equipment. In the case of processing equipment that generate visible amounts of particulate residue, e.g., shredding facilities, the plan shall describe good housekeeping and preventive maintenance measures to minimize contact of runoff with residual fluids and accumulated particulate matter. At a minimum, the operator shall consider including in the plan the following or other equivalent measures:
- A schedule of periodic inspections of equipment for leaks, spills, malfunctioning, worn or corroded parts or equipment;
 - Preventive maintenance program to repair and/or maintain processing equipment;
 - Measures to minimize shredder fluff from coming in contact with surface runoff;
 - Use of dry-absorbents or other cleanup practices to collect and to dispose or recycle spilled or leaking fluids;
 - Installation of low-level alarms or other equivalent protection devices on unattended hydraulic reservoirs over 150 gallons in capacity. Alternatively, provide secondary containment with sufficient volume to contain the entire volume of the reservoir.

The operator shall consider employing the following additional BMPs or equivalent measures: diversion structures such as dikes, berms, culverts, containment trenches, elevated concrete pads, grading to minimize contact of storm water runoff with outdoor processing equipment; oil/water separators, sumps or equivalent, in processing areas that are potential sources of residual fluids and grease; permanent or semipermanent covers, or other similar measures; retention and detention basins or ponds, sediment traps or vegetated swales and strips, to facilitate settling or filtering out of pollutants in runoff from processing areas; or media filtration such as catch basin filters and sand filters.

- g.) Scrap Lead-Acid Battery Program—The plan shall address measures and controls for the proper handling, storage and disposition of scrap lead-acid batteries (note. this permit does apply to the reclaiming of scrap lead-acid batteries, i.e., breaking up battery casings to recover lead). The operator shall consider including in the plan the following or equivalent measures:
- Segregating all scrap lead-acid batteries from other scrap materials;
 - A description of procedures and/or measures for the handling, storage and proper disposal of cracked or broken batteries;

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- A description of measures to collect and dispose of leaking battery fluid (lead-acid);
- A description of measures to minimize and, whenever possible, eliminate exposure of scrap lead-acid batteries to precipitation or runoff; and
- A description of employee training for the management of scrap batteries.

3.2.3.2 Erosion and Sediment Control—The plan shall identify all areas associated with industrial activity that have a high potential for soil erosion and suspended solids loadings, i.e., areas that tend to accumulate significant particulate matter. Appropriate source control, stabilization measures, nonstructural, structural controls or an equivalent shall be provided in these areas. The plan shall also contain a narrative discussion of the reason(s) for selected erosion and sediment controls. At a minimum, the operator shall consider in the plan, either individually or in combination, the following erosion and sediment control measures:

- Filtering or diversion practices, such as filter fabric fence, sediment filter boom, earthen or gravel berms, curbing or other equivalent measure,
 - Catch basin filters, filter fabric fence, or equivalent measure, place in or around inlets or catch basins that receive runoff from scrap and waste storage areas, and processing equipment; or
 - Sediment traps, vegetative buffer strips, or equivalent, to remove sediment prior to discharge through an inlet or catch basin.
- a.) Structural Controls for Sediment and Erosion Control—In instances where significant erosion and suspended solids loadings continue after installation of one or more of the BMPs, the operator shall consider providing in the plan for a detention or retention basin or other equivalent structural control. All structural controls shall be designed using good engineering practice. All structural controls and outlets that are likely to receive discharges containing oil and grease must include appropriate measures to minimize the discharge of oil and grease through the outlet. This may include the use of an absorbent boom or other equivalent measures.
- b.) Where space limitations (e.g., obstructions caused by permanent structures such as buildings and permanently-sited processing equipment and limitations caused by a restrictive property boundary) prevent the siting of a structural control, i.e., retention basin, such a determination will be noted in the plan. The operator will identify in the plan what existing practices shall be modified or additional measures shall be undertaken to minimize erosion and suspended sediment loadings in lieu of a structural BMP.

3.2.3.3 Spill Prevention and Response Procedures—To prevent or minimize storm water contamination at loading and unloading areas, and from equipment or container failures, the operator shall consider including in the plan the following practices:

- Description of spill prevention and response measures to address areas that are potential sources of leaks or spills of fluids;

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- Leaks and spills should be contained and cleaned up as soon as possible. If malfunctioning equipment is responsible for the spill or leak, repairs should also be conducted as soon as possible;
- Cleanup procedures should be identified in the plan, including the use of dry absorbent materials or other cleanup methods. Where dry absorbent cleanup methods are used, an adequate supply of dry absorbent material should be maintained onsite. Used absorbent material should be disposed of properly;
- Drums containing liquids, including oil and lubricants, should be stored indoors; or in a bermed area; or in overpack containers or spill pallets; or in similar containment devices;
- Overfill prevention devices should be installed on all fuel pumps or tanks;
- Drip pans or equivalent measures should be placed under any leaking piece of stationary equipment until the leak is repaired. The drip pans should be inspected for leaks and checked for potential overflow and emptied regularly to prevent overflow and all liquids will be disposed of in accordance with all requirements under RCRA.

An alarm and/or pump shut off system should be installed and maintained on all outside equipment with hydraulic reservoirs exceeding 150 gallons (only those reservoirs not directly visible by the operator of the equipment) in order to prevent draining the tank contents in the event of a line break. Alternatively, the equipment may have a secondary containment system capable of containing the contents of the hydraulic reservoir plus adequate freeboard for precipitation. Leaking hydraulic fluids should be disposed of in accordance with all requirements under RCRA.

Quarterly Inspection Program—A quarterly inspection shall include all designated areas of the facility and equipment identified in the plan. The inspection shall include a means of tracking and conducting follow up actions based on the results of the inspection. The inspections shall be conducted by members of the Storm Water Pollution Prevention team. At a minimum, quarterly inspections shall include the following areas: all outdoor scrap processing areas; all material unloading and loading areas (including rail sidings) that are exposed to either precipitation or storm water runoff; areas where structural BMPs have been installed; all erosion and sediment BMPs; outdoor vehicle and equipment maintenance areas; vehicle and equipment fueling areas; and all areas where waste is generated, received, stored, treated, or disposed and which are exposed to either precipitation or storm water runoff.

The objective of the inspection shall be identify any corroded or leaking containers, corroded or leaking pipes, leaking or improperly closed valves and valve fittings, leaking pumps and/or hose connections, and deterioration in diversionary or containment structures that are exposed to precipitation or storm water runoff.

Spills or leaks identified shall be immediately addressed using the procedures identified in Spill Prevention and Response Procedures. Structural BMPs shall be visually inspected for

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signs of washout, breakage, deterioration, damage, or overflowing and breaks shall be repaired or replaced as expeditiously as possible.

Employee Training—At a minimum, storm water control training appropriate to their job function shall be provided for truck drivers, scale operators, supervisors, buyers and other operating personnel. The plan shall include a proposed schedule for the training. The employee training program shall address at a minimum: BMPs and other requirements of the plan; proper scrap inspection, handling and storage procedures; procedures to follow in the event of a spill, leak, or break in any structural BMP. A training and education program shall be developed for employees and for suppliers for implementing appropriate activities identified in the storm water pollution prevention plan.

Supplier Notification—The plan shall include a supplier notification program that will be applicable to major suppliers and shall include: description of scrap materials that will not be accepted at the facility or that are accepted only under certain conditions.

3.2.3 **Recycling Facilities for liquid only recyclable waste**—The following special conditions have been established for the pollution prevention plan for recycling facilities, including MRFs (material recovery facilities), that receive only source-separated recyclable materials primarily from non-industrial and residential sources.

Inbound Recyclable Material Control Program. The plan shall include a recyclable material inspection program to minimize the likelihood of receiving non-recyclable materials (e.g., hazardous materials) that may be a significant source of pollutants in surface runoff. At a minimum, the operator shall consider addressing in the plan the following:

- A description of information and education measures to educate the appropriate suppliers of recyclable materials on the types of recyclable materials that are acceptable and those that are not acceptable, e.g., household hazardous wastes;
- A description of training requirements for drivers responsible for pickup of recyclable materials;
- Clearly mark public drop-off containers as to what materials can be accepted;
- Rejecting non-recyclable wastes or household hazardous wastes at the source; and
- A description of procedures for the handling and disposal of non-recyclable materials.

Outdoor Storage. The plan shall include BMPs to minimize or reduce the exposure of recyclable materials to surface runoff and precipitation. The plan, at a minimum, shall include good housekeeping measures to prevent the accumulation of visible quantities of residual particulate matter and fluids, particularly in high traffic areas. The plan shall consider tarpaulins or their equivalent to be used to cover exposed bales of recyclable waste paper. The operator shall consider within the plan the use of the following types of BMPs (individually or in combination) or their equivalent, where practicable:

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- Provide totally-enclosed drop-off containers for public.
- Provide a sump and sump pump with each containment pit. Discharge collected fluids to sanitary sewer system. Prevent discharging to the storm sewer system;
- Provide dikes and curbs for secondary containment, i.e., around bales of recyclable waste paper;
- Divert surface runoff away from outside material storage areas; and/or
- Provide covers over containment bins, dumpsters, roll-off boxes; and,
- Store the equivalent one day's volume of recyclable materials indoors.

3.2.3.8 Indoor Storage and Material Processing. The plan shall address BMPs to minimize the release of pollutants from indoor storage and processing areas to the storm sewer system. The plan shall establish specific measures to ensure that all floor drains do not discharge to the storm sewer system. The following BMPs shall be considered for inclusion in the plan:

- Schedule routine good housekeeping measures for all storage and processing areas;
- Prohibit a practice of allowing tipping floor washwaters from draining to any portion of the storm sewer system;
- Provide employee training on pollution prevention practices.

3.2.3.9 Vehicle and Equipment Maintenance. The plan shall also provide for BMPs in those areas where vehicle and equipment maintenance is occurring outdoors. At a minimum, the following BMPs or equivalent measures shall be considered for inclusion in the plan:

- Prohibit vehicle and equipment washwater from discharging to the storm sewer system;
- Minimize or eliminate outdoor maintenance areas, wherever possible;
- Establish spill prevention and clean-up procedures in fueling areas;
- Provide employee training on avoiding topping off fuel tanks;
- Divert runoff from fueling areas;
- Store lubricants and hydraulic fluids indoors;
- Provide employee training on proper, handling, storage of hydraulic fluids and lubricants.

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3.2.3.10 Recordkeeping and Internal Reporting Procedures—The following record and internal reporting procedures are applicable to all discharges seeking coverage under this permit. The plan shall include a description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. The plan must address spills, monitoring, and BMP inspection and maintenance activities. BMPs which are ineffective must be reported and the date of their corrective action noted. Employees must report incidents of leaking fluids to facility management and these reports must be incorporated into the plan.

3.2.3.11 Non-storm Water Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part 7.7 of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Division of Water Pollution Control in accordance with paragraph “Failure to Certify” (below).

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the division’s local Environmental Field Office (see list of EFOs on page 14).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

3.2.4 Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:

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- 3.2.4.1 Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.
- 3.2.4.2 Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with paragraph XI.N.3.a.(2) of this section (Description of Potential Pollutant Sources) and pollution prevention measures and controls identified in the plan in accordance with paragraph XI.N.3.a.(3) of this section (Measures and Controls) shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.
- 3.2.4.3 A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph N.3.a. (4)(b) (above) of the permit shall be made and retained as part of the storm water pollution prevention plan for at least 3 years after the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part 7.7 (Signatory Requirements) of this permit.
- 3.2.4.3 The storm water pollution prevention plan must describe the scope and content of comprehensive site evaluations that qualified personnel shall conduct to 1) confirm the accuracy of the description of potential pollution sources contained in the plan, 2) determine the effectiveness of the plan, and 3) assess compliance with the terms and conditions of the permit. The individual or individuals who shall conduct the evaluation must be identified in the plan and should be members of the pollution prevention team.

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part 5.2 of this permit.

5. Monitoring and Reporting Requirements

One (1) signed copy of the Discharge Monitoring Report, DMR, (see Addendum D) for numeric effluent limits results or Annual Storm Water Monitoring Report (see Addendum E) for the benchmark results is required to be submitted to the division.

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5.1 Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.1.3 (Sampling Waiver), 5.1.4 (Representative Discharge), and 5.1.5 (Alternative Certification). For SIC-specific breakdown of monitoring requirements and applicable Monitoring Requirements (listed below), see Table in Part 1 of this industrial sector (1. Discharges Covered Under This Section). Facilities must report in accordance with 5.2 (Reporting). In addition to the parameters listed in Table N-1 below, the permittee shall maintain a record of the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled.

Table N-1. Benchmark Monitoring Requirements for Scrap Recycling and Waste Recycling Facilities (SIC 5093)

Pollutants of Concern¹	Benchmark [mg/L]	Sector Median Value² [mg/L]
Chemical Oxygen Demand (COD)	120	66
Total Suspended Solids (TSS)	150	67
Total Recoverable Aluminum	0.75	1.88
Total Recoverable Copper	0.018	0.065
Total Recoverable Iron	5	3.13
Total Recoverable Lead	0.156	0.050
Total Recoverable Zinc	0.395	0.211

1) Several congeners of PCBs (PCB-1016, -1221, -1242, -1248, -1260) were above established benchmarks; however, EPA believes that these constituents will readily bound up with sediment and particulate matter. Therefore, EPA believes that BMPs will effectively address sources of PCBs and that monitoring for TSS will serve as an adequate indicator of the control of PCBs.

2) Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

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- 5.1.1 **Monitoring Periods.** Scrap recycling and waste recycling facilities (non-source separated only) shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.
- 5.1.2 **Sample Type.** A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or non-process water, then where practicable, permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

In addition, the permittee shall evaluate the results obtained from sampling and monitoring following the required annual sampling events to determine whether the facility is below, meets, or exceeds the monitoring benchmarks as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the benchmark(s), the permittee must inform the division's local Environmental Field Office in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring benchmarks for that facility, and submit to the division's local Environmental Field Office a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

- 5.1.3 **Sampling Waiver**
- 5.1.3.1 **Adverse Conditions**—When a discharger is unable to collect samples within a specified sampling period due to adverse climatic conditions, the discharger shall collect a substitute sample from a separate qualifying event in the next period and submit the data along with data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (e.g., drought, extended frozen conditions, etc.).
- 5.1.3.2 **Low Concentration Waiver**—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Benchmark); a facility may

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waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in the area of the facility which drains to the outfall for which sampling was waived.

- 5.1.3.3 When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.
- 5.1.4 **Representative Discharge.** When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Storm Water Monitoring Report.
- 5.1.5 **Alternative Certification.** A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of the monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part 7.7 (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity, that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part 6.2. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph b. below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

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5.2 Reporting

Permittees with analytical monitoring requirements shall submit monitoring results for each outfall associated with industrial activity [or a certification in accordance with Sections (3), (4), or (5) above] obtained during the annual reporting period on TMSP Storm Water Monitoring Report Form(s) postmarked no later than the March 31st of the following calendar year. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the division at the appropriate EFO for the county where the facility is located. A list of EFOs and their addresses are available in subpart 3.3 above.

5.3 Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a representative storm water discharge associated with industrial activity exposed to storm water. The examination must be made at least once each quarter during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event. Examinations must be conducted at least once in each of the following periods: January through March; April through June; July through September; and October through December.

5.3.1 Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

5.3.2 Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records or with other compliance records. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

5.3.3 When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff

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coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.

- 5.3.4 When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain the documentation on-site with the records of the visual examinations. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).
- 5.3.5 When a discharger is unable to conduct visual storm water examinations at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. The facility must maintain a certification with the pollution prevention plan stating that the site is inactive and unstaffed so that performing visual examinations during a qualifying event is not feasible.