

# INDUSTRIAL STORMWATER

## DESCRIPTION

The National Pollutant Discharge Elimination System (NPDES) regulates industrial stormwater discharges from certain industrial facilities. Regulated industrial stormwater facilities are required to obtain a permit, implement measures to prevent stormwater contamination of their facility's stormwater, and periodically monitor stormwater discharges to ensure that only **stormwater** is discharged. Depending on the facility's location or activities, additional requirements may also apply.

## SCOPE

Industrial facilities in specific industries, as determined by the facility's Standard Industry Classification (SIC) code, are required to obtain an industrial stormwater permit. To date, 46 states have been authorized by the United States Environmental Protection Agency to issue NPDES permits (the non-authorized states are Idaho, Massachusetts, New Hampshire, and New Mexico). Facilities located in the 46 states generally have two permitting options: (1) seek inclusion under the applicable state (or local) industrial wastewater permit or (2) develop their own, unique industrial stormwater permit. The latter option is generally very costly and is not chosen often, but may be required by the state. Facilities seeking inclusion under an existing industrial stormwater permit must ensure compliance with applicable permit requirements.

## REGULATED COMMUNITY

Facilities in certain industries (as defined by the SIC Code) that discharge stormwater are regulated and are required to seek coverage under the applicable permit. The facility generally determines which SIC Code applies to their activities, although some states take an active role in determining the applicable SIC Code for industrial stormwater purposes.

## REQUIREMENTS

There are numerous regulatory requirements associated with industrial stormwater discharge. Some of the major requirements include:

- Requesting and obtaining coverage under a permit. The request for coverage is typically called a "Notice of Intent," although the permit terminology may differ slightly in some jurisdictions.
- In order to be covered by a permit, the regulated facility must usually develop and implement a Storm Water Pollution Prevention Plan. This typically includes:
  - ◇ Implementation of best management practices (BMPs) designed to reduce or eliminate potential contamination of stormwater at the facility. These may be physical BMPs (such as curbing or covered dumpsters) or management BMPs (such as procedures for chemical loading/unloading or procedures for handling materials exposed to rainfall).
  - ◇ Periodic inspection of stormwater discharges. This is typically done quarterly, within a specified timeframe after the start of a rain event.
  - ◇ Annual comprehensive site compliance evaluation.
  - ◇ Establishment of a Pollution Prevention Team to prevent stormwater pollution.

- Additional sampling and monitoring requirements may apply if stormwater discharges to receiving waters that have been designated “impaired” **and** activities at the facility may impact the receiving waters that have been deemed impaired.

Jurisdictions may also implement additional requirements. For example, facilities in California are regulated by Certified Unified Program Agencies (CUPAs), which are typically city or county level agencies. Many CUPAs have additional industrial stormwater regulatory requirements.

#### **ADMINISTERED BY**

NPDES stormwater regulations are typically administered at the state or local level. Four states (Idaho, Massachusetts, New Hampshire and New Mexico), United States territories, Indian country, and some federal facilities follow federal requirements.

#### **REGULATORY AUTHORITY**

Regulatory authority for industrial stormwater management is provided under §309 of the Clean Water Act (CWA). The CWA serves as the legal basis for the US Environmental Protection Agency (US EPA) to develop the NPDES stormwater rules which are set forth in 40 CFR §122.