



# Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's environment for the benefit of current and future generations

Dave Freudenthal, Governor

John Corra, Director

## Fact Sheet

### Industrial General Permit for Storm Water Discharges (Permit WYR00-0000)

#### Introduction

This general permit will replace the current permit which was issued in 2002 and will expire August 31, 2007. This permit regulates storm water discharges from regulated industrial activities. Regulated activities include many manufacturing activities, metal and coal mines and a number of transportation facilities.

#### Background

Congress amended the federal Clean Water Act (CWA) in 1987 to establish a comprehensive framework for addressing storm water discharges under the National Pollutant Discharge Elimination System (NPDES) program. On November 16, 1990, the Environmental Protection Agency (EPA) published "Phase 1" regulations requiring all storm water discharges associated with industrial facilities, including construction projects where five or more surface acres are disturbed, to obtain NPDES permits. In Wyoming the program is known as the Wyoming Pollutant Discharge Elimination System or WYPDES. Wyoming storm water regulations are found in the Wyoming Water Quality Rules and Regulations, Chapter 2. WYPDES storm water permits require the operator to minimize or eliminate pollutants, in storm water runoff from the permitted facility.

#### General Permits

A "tool" which can be used to issue a large number of permits with a relatively small administrative burden, is the "general permit." Under the general permitting approach, a single generic permit is issued to cover a large number of similar discharges within a geographic area. Since 1992 the Wyoming Department of Environmental Quality (WDEQ) has authorized more than 1000 industrial facilities to discharge storm water under general permits. At this time, there are over 350 active industrial facilities covered under the current permit. About 500 mineral mines that were covered under the industrial permit were moved under a separate mineral mining general permit for storm water discharges in 2002.

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## Discharges Covered

DEQ is proposing this revised general permit to authorize dischargers of storm water associated with industrial activities. Specifically, this permit will cover of storm water or related effluents from any regulated industrial activity. Discharges of process wastewater are not covered under this permit. Process wastewaters must be covered by another WYPDES permit. The specific industries regulated under this permit are defined in Part 2.17 and summarized in Appendix C.

## Obtaining Coverage

Under the permit, “operators” who are required to obtain a WYPDES permit to discharge storm water must prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit a Notice of Intent (NOI) to the WDEQ 30 days before beginning construction activities. The SWPPP describes potential pollution sources and the best management practices (BMPs) which will be used to prevent storm water contamination. The NOI describes the industrial activity and route(s) that storm water may take from the activity to waters of the state. WDEQ reviews the NOI to determine if the operator may discharge storm water under the general permit, or if an individual WYPDES permit is required.

Those facilities that may discharge storm water to class 1 waters are not covered under this permit. These facilities must apply for coverage under an individual permit. All individual permits are subject to a 30 public comment period before they can be issued.

## Permit Requirements

Operators covered under this permit ensure, through implementation of the facility storm water pollution prevention plan (SWPPP), that storm water discharges from their facility do not cause a violation of state surface water quality standards as defined in Chapter 1 of the Wyoming Water Quality Rules and Regulations. Furthermore, storm water discharges shall not cause pollution, contamination or degradation to waters of the state.

Operators are required to periodically inspect the BMPs they use to minimize offsite transport of pollutants. The results of inspections must be documented and, if necessary, changes made to site BMPs to address deficiencies in pollutant removal.

**Benchmarks.** Four groups of industrial activities (timber products; concrete, clay and gypsum; metal mining; recycling and auto salvage) are required to sample storm water annually for specific pollutants. Pollutants are expected to be below target benchmark levels. While exceedance of a benchmark is not a violation of permit conditions, it is an indication to the permittee and the WDEQ that the facility SWPPP may be ineffective at controlling the exceeding constituent. The facility is expected to review its SWPPP and BMPs making modifications where necessary (Part 9.3)

## Effluent Limits

This permit incorporates numeric effluent limits for runoff from three sources. Runoff from coal piles at any permitted facility must meet effluent limits for total suspended solids (TSS) and pH (Part 9.2.1). Runoff from asphalt emulsion manufactures of roofing and paving products must

meet TSS, oil and grease and pH limits (Part 9.2.2) and cement manufacturers must meet TSS and pH limits (Part 9.2.3). Annual sampling for all three sources is required and exceedance of any of the limits is considered a violation of permit conditions.

For industries other than the three discussed above, the permit does not establish numeric effluent limits. However, the permit does require that the quality of storm water discharges associated with industrial activity reflect the best which is attainable through the proper implementation of all items in the facility SWPPP. Additionally, the control measures specified in the SWPPP shall ensure that storm water discharges from the facility do not cause a violation of state water quality standards as defined in Chapter 1 of the Wyoming Water Quality Rules and Regulations.

#### Notable Changes from the Previous Permit

With this permit the WDEQ proposes that new facilities where regulated industrial activities cover 50 or more acres submit their storm water pollution prevention plan with their Notice of Intent. This will provide the agency an opportunity to review the planned pollution prevention measures early in the project (Part 3.5).

The proposed permit also increases the minimum inspection frequency from annual to semi-annual; once in the first half of the year and again in the second. If possible, one of the inspections should be conducted within 48 hours following a rain or snowmelt event where storm water discharged from the site (Part 8.1.1).

Numeric effluent limits are new to this permit. In the past facilities with these types of discharges would have been required to seek coverage under an individual permit. Providing limits in this general permit maintains a high level of protection for surface waters, while allowing an efficient path to permit coverage (Part 9.2).

This permit proposes that best management practices (BMPs) must be designed and operated to pass a minimum storm size (2-year/24-hour) without losing significant sediment off site. Additionally, the permit now specifically requires that BMPs be selected, installed and maintained in conformance with manufacturer's specifications and good engineering practices. (The permit does not require the SWPPP to be prepared or certified by a professional engineer.) A definition of "visible and measurable" erosion is also included (Part 10).

#### Location of Covered Discharges

The permit covers all areas within the State of Wyoming except areas within the Wind River Indian Reservation where the State does not have jurisdiction.

#### Expiration

The proposed general permit will expire August 31, 2012.

Barb Sahl  
August 10, 2007

Changes to the permit not covered in the “Response to Comments Received” document developed for the issuance of this permit.

Permit cover page. Expiration date was noted as August 31, 2011. It was intended to be August 31, 2012 and has been changed.

There are no changes to the permit from the published draft version.

Barb Sahl, September 28, 2007