

SECTION IN-2

INDUSTRIAL STORMWATER PERMITTING PROCEDURES

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A. Stormwater Discharges

All permits that authorize stormwater discharges associated with industrial activity must include stormwater management provisions. **Note:** Publicly owned industrial facilities classified as Category 9 of the stormwater associated with industrial activity definition (i.e., treatment works treating domestic sewage) in the VPDES permit regulation ([VAC25-31-10](#)) should use the conditions described in **Section MN-1 Municipal**; all other publicly owned industrial facilities should use the conditions described below.

The information provided in this section reflect the 2024 VPDES ISWGP ([9VAC25-151](#)) requirements that are also available on [DEQnet](#). Any sectors or SIC codes not covered by the ISWGP should consult the EPA MSGP or the corresponding VPDES general permits for concrete, nonmetallic mineral mining, seafood, or other VPDES general permit and decide upon appropriate limits and conditions for the individual permit.

The components of stormwater management are:

- o Monitoring requirements followed by corrective actions (quarterly visual, benchmark for certain sectors, numerical effluent limits for certain sectors, impaired waters and TMDL monitoring);
- o Special stormwater conditions (authorized non-stormwater discharges, releases of hazardous substances or oil, co-located industrial activities, TMDL requirement details, other general conditions);
- o Stormwater pollution prevention plans: deadlines, contents [pollution prevention team, site description, potential pollutant sources, stormwater controls including good housekeeping, routine facility inspections], maintenance, non-stormwater evaluation, signatures, updating the SWPPP;
- o Sector specific requirements; and
- o Stormwater management evaluation (pollutant screening and follow up WET testing if needed).

The permit writer will have to evaluate the application information (and historical monitoring data, if available) to determine which requirements are applicable. Where a facility has industrial activity discharges that fall into one or more of the industrial sectors, the permit must include the requirements that apply to all industrial sectors that contribute stormwater to each outfall. Facilities with collocated industrial activities must comply with all applicable monitoring requirements, and stormwater pollution prevention plan requirements.

Sectors of industrial activity regulated under the ISWGP are shown in Exhibit IN-2-1 below.

Exhibit IN-2-1 - Sectors of Industrial Activity Covered By the ISWGP

SIC Code or Activity Code	Activity Represented
Sector A: Timber Products	
2411	Log Storage and Handling (wet deck storage areas are only authorized if no chemical additives are used in the spray water or applied to the logs).
2421	General Sawmills and Planing Mills.
2426	Hardwood Dimension and Flooring Mills.

2429	Special Product Sawmills, Not Elsewhere Classified.
2431-2439 (except 2434 - see Sector W)	Millwork, Veneer, Plywood, and Structural Wood.
2441, 2448, 2449	Wood Containers.
2451, 2452	Wood Buildings and Mobile Homes.
2491	Wood Preserving.
2493	Reconstituted Wood Products.
2499	Wood Products, Not Elsewhere Classified (includes SIC Code 24991303 - Wood, Mulch and Bark facilities).
Sector B: Paper and Allied Products	
2631	Paperboard Mills.
Sector C: Chemical and Allied Products	
2812-2819	Industrial Inorganic Chemicals.
2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Synthetic Fibers, except Glass.
2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.
2873-2879	Agricultural Chemicals (includes SIC Code 2875 - Composting Facilities).
Sector D: Asphalt Paving and Roofing Materials and Lubricants	
2951, 2952	Asphalt Paving and Roofing Materials.
2992, 2999	Miscellaneous Products of Petroleum and Coal.
Sector E: Glass Clay, Cement, Concrete, and Gypsum Products	
3251-3259	Structural Clay Products.
3261-3269	Pottery and Related Products.
3274, 3275	Concrete, Gypsum and Plaster Products, Except: Concrete Block and Brick; Concrete Products, except Block and Brick; and Ready-Mixed Concrete Facilities (SIC Codes 3271-3273).
Sector F: Primary Metals	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills.
3321-3325	Iron and Steel Foundries.
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals.
3363-3369	Nonferrous Foundries (Castings).
Sector G: Metal Mining (Ore Mining and Dressing)	

1011	Iron Ores.
1021	Copper Ores.
1031	Lead and Zinc Ores.
1041, 1044	Gold and Silver Ores.
1061	Ferroalloy Ores, except Vanadium.
1081	Metal Mining Services.
1094, 1099	Miscellaneous Metal Ores.
Sector H: Coal Mines and Coal Mining Related Facilities	
1221-1241	Coal Mines and Coal Mining-Related Facilities.
Sector J: Mineral Mining and Dressing Facilities (SIC Codes 1411-1499 are not authorized under the ISWGP – see the Non-Metallic Mineral Mining General Permit (VAG84) for permit coverage)	
Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities	
HZ	Hazardous Waste Treatment Storage or Disposal.
Sector L: Landfills and Land Application Sites	
LF	Landfills, Land Application Sites, and Open Dumps.
Sector M: Automobile Salvage Yards	
5015	Automobile Salvage Yards.
Sector N: Scrap Recycling Facilities	
5093	Scrap Recycling Facilities.
4499 (limited to list)	Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships for Scrap.
Sector O: Steam Electric Generating Facilities	
SE	Steam Electric Generating Facilities.
Sector Q: Water Transportation and Ship and Boat Building or Repairing Yards	
4412-4499 (except 4499 facilities as specified in Sector N)	Water Transportation.
3731, 3732	Ship and Boat Building or Repairing Yards.
Sector U: Food and Kindred Products	
2021-2026	Dairy Products.
2041-2048	Grain Mill Products.
2074-2079	Fats and Oils.

Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries	
3011	Tires and Inner Tubes.
3021	Rubber and Plastics Footwear.
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting.
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified.
Sector AA: Fabricated Metal Products	
3411-3471, 3482-3499	Fabricated Metal Products, except Machinery and Transportation Equipment.
3479	Fabricated Metal Coating and Engraving.
3911-3915	Jewelry, Silverware, and Plated Ware.
Sector AB: Industrial or Commercial Machinery	
3511-3599 (except 3571-3579)	Industrial and Commercial Machinery (except Computer and Office Equipment).
Sector AD: Nonclassified Facilities/Stormwater Discharges Designated by the Department as Requiring Permits	
N/A (case-by case decision)	Stormwater Discharges Designated by the department for Permitting under the Provisions of 9VAC25-31-120 A 1, or under 9VAC25-31-120 A 7 a (1) or (2) of the VPDES Permit Regulation. Facilities may not elect to be covered under Sector AD. Only the Department may assign a facility to Sector AD.
Sector AE: Facilities with No Analytical Benchmark Monitoring Requirements	
2611	Pulp Mills.
2621	Paper Mills.
2652-2657	Paperboard Containers and Boxes.
2671-2679	Converted Paper and Paperboard Products, except Containers and Boxes.
2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; In Vitro and In Vivo Diagnostic Substances; Biological Products, except Diagnostic Substances.
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products.
2861-2869	Industrial Organic Chemicals.
2891-2899	Miscellaneous Chemical Products.

3952 (limited to list)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's paints, and Artist's Watercolors.
3211	Flat Glass.
3221, 3229	Glass and Glassware, Pressed or Blown.
3231	Glass Products Made of Purchased Glass.
3241	Hydraulic Cement.
3281	Cut Stone and Stone Products.
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products.
3331-3339	Primary Smelting and Refining of Nonferrous Metals.
3398, 3399	Miscellaneous Primary Metal Products.
3341	Secondary Smelting and refining of Nonferrous Metals.
1311	Crude Petroleum and Natural Gas.
1321	Natural Gas Liquids.
1381-1389	Oil and Gas Field Services.
2911	Petroleum Refineries.
4512-4581	Air Transportation Facilities.
TW	Treatment Works.
2011-2015	Meat Products.
2032-2038	Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties.
2051-2053	Bakery Products.
2061-2068	Sugar and Confectionary Products.
2082-2087	Beverages.
2091-2099	Miscellaneous Food Preparations Kindred Products.
2111-2141	Tobacco Products.
2211-2299	Textile Mill Products.
2311-2399	Apparel and Other Finished Products Made from Fabrics and Similar Materials.
3131-3199	Leather and Leather Products, except Leather Tanning and Finishing.
2434	Wood Kitchen Cabinets.
2511-2599	Furniture and Fixtures.
2711-2796	Printing, Publishing, and Allied Products.

3081-3089	Miscellaneous Plastics Products.
3931	Musical Instruments.
3942-3949	Dolls, Toys, Games, and Sporting and Athletic Goods.
3951-3955 (except 3952)	Pens, Pencils, and Other Artist's Materials.
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, except Precious Metal.
3991-3999	Miscellaneous Manufacturing Industries.
3111	Leather Tanning, Currying, and Finishing.
3711-3799 (except 3731, 3732 – see Sector Q)	Transportation Equipment, except Ship and Boat Building and Repairing.
3571-3579	Computer and Office Equipment.
3612-3699	Electronic and Other Electrical Equipment and Components, except Computer Equipment.
3812-3873	Measuring, Analyzing, and Controlling Instruments; Photographic, Medical, and Optical Goods; Watches and Clocks.
Sector AF: Facilities Limited to Total Suspended Solids Benchmark Monitoring Requirements	
4011, 4013	Railroad Transportation.
4111-4173	Local and Highway Passenger Transportation.
4212-4231	Motor Freight Transportation and Warehousing.
4311	United State Postal Service.
5171	Petroleum Bulk Stations and Terminals.

1. Effluent Limitations and Monitoring Requirements

a. Compliance Monitoring for Facilities Subject to Numeric Effluent Limitations

Compliance monitoring requirements are imposed to ensure that discharges subject to numerical effluent limitations under the stormwater effluent limitation guidelines are in compliance with those limitations. Eight types of stormwater discharges subject to effluent limitation guidelines are covered under the ISWGP. These discharges include contaminated stormwater runoff from timber products facilities, phosphate fertilizer manufacturing facilities, runoff associated with asphalt paving or roofing emulsion production, runoff from material storage piles at cement manufacturing facilities, contaminated runoff from hazardous waste landfills, contaminated runoff from municipal solid waste landfills, coal pile runoff at steam electric generating facilities, and airport deicing at primary airports (if covered under Sector AD). Effluent limitations are listed in the Sector-Specific Permit Requirements section of the permit (Part IV). These limitations are required under the VPDES permit regulation, 9VAC25-31-220 A, and EPA's stormwater effluent limitation guidelines in the Code of Federal Regulations (CFR) at 40 CFR Part 429, Part 418, Part 443, Part 411, Part 445 Subparts A and B, Part 449, and Part 423. The effluent limitations for the eight discharge categories are listed in Table 4.

Effluent limitations for stormwater discharges in industrial sectors are based on EPA Effluent Guidelines and they must be included in the permit. Consult the CFR citation for specific applicability and the Industrial Stormwater General Permit Regulation 9VAC25-151. These limits should be placed on the Part I.A page for the outfall.

Table 1 - Sectors Subject to Effluent Limitation Guidelines	
Effluent Limitation Guideline	Sectors with Affected Facilities
Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C (established February 20, 1974))	E
Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A (established April 8, 1974))	C
Coal pile runoff at steam electric generating facilities (40 CFR Part 423 (established November 19, 1982))	O
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas (40 CFR Part 429, Subpart I (established January 26, 1981))	A
Runoff from asphalt emulsion facilities (40 CFR Part 443 Subpart A (established July 24, 1975))	D
Runoff from landfills (40 CFR Part 445, Subpart A and B (established January 19, 2000))	K and L

Discharges from airport deicing operations (40 CFR Part 449 (established May 16, 2012))

Facilities subject to the effluent limitation guidelines in 40 CFR Part 449 may be covered under Sector AD.

Coal Pile Runoff - The ISWGP establishes effluent limitations of 50 mg/L total suspended solids and a pH range of 6.0-9.0 for coal pile runoff. Any untreated overflow from facilities designed, constructed, and operated to treat the volume of coal pile runoff associated with a 10-year, 24-hour rainfall event (maximum design criteria, [9VAC25-870](#) et seq.) is not subject to the 50 mg/L limitation for total suspended solids. The permit extends these effluent limitations to all industrial operations that discharge coal pile runoff, where the coal pile runoff can be defined as a stormwater discharge associated with industrial activity (i.e., at a plant at any of the industrial sectors listed in Table 1). Facilities with discharges of stormwater from coal storage piles shall comply with the limitations and monitoring requirements specified in the table below as stipulated in [9VAC-25-151-70](#) for all discharges containing the coal pile runoff, regardless of the facility's sector of industrial activity.

b. Analytical (Benchmark) Monitoring

Certain categories of industrial facilities require monitoring of their stormwater discharges because, due to the nature of the industrial activity or materials stored on site, they have significant potential to contribute pollutants to their stormwater discharges. This is called "analytical monitoring" or "benchmark monitoring" and it also is placed on the Part I.A page for the stormwater outfall. This monitoring is done to evaluate the effectiveness of the stormwater BMPs, but it is not as intensive as the Stormwater Management Evaluation monitoring (discussed in the next section). Analytical monitoring should be done semi-annually.

Exhibit IN-2-2 lists the recommended analytical monitoring and associated benchmarks for specific industrial sectors, or subsectors. Waivers from benchmark monitoring are available to facilities whose discharges are below benchmark concentration values on an outfall by outfall basis. Sector-specific benchmark monitoring is not required to be conducted in subsequent monitoring periods during the term of this permit provided:

(a) Samples were collected in four consecutive monitoring periods, and the average of the four samples for all parameters at the outfall is below the applicable benchmark concentration value in Part IV. Facilities that were covered under the 2019 industrial stormwater general permit may use sampling data from the last two monitoring periods of that permit and the first two monitoring periods of this permit to satisfy the four consecutive monitoring periods requirement;

(b) The facility is not subject to a numeric effluent limitation established in ISWGP for any of the parameters at that outfall; and

(c) A waiver request is submitted to and approved by the department. The waiver request shall be sent to the appropriate DEQ regional office, along with the supporting monitoring data for four consecutive monitoring periods, and a certification that, based on current potential pollutant sources and control measures used, discharges from the facility are reasonably expected to be substantially similar or cleaner compared to when the benchmark monitoring for the four consecutive monitoring periods was done.

Waiver requests will be evaluated by the department based on (i) benchmark monitoring results below the benchmark concentration values; (ii) a favorable compliance history (including inspection results); and (iii) no outstanding enforcement actions.

The monitoring waiver may be revoked by the department for cause. The permittee will be notified in writing that the monitoring waiver is revoked, and that the benchmark monitoring requirements are again in force and will remain in effect until the permit's expiration date. . Note that all metals should be listed as "Total Recoverable" on the Part I.A page.

Benchmark concentration values for each sector can be found in the [ISWGP](#).

Exhibit IN-2-2 – Benchmark Monitoring Requirements

Industry Sector ¹	SIC Code or Activity Code	Benchmark Monitoring Parameters
A	2421	TSS.
	2491	Arsenic, Chromium, Copper.
	2411	TSS.
	2426	TSS.
	2499 (24991303)	COD, TSS.
	2499 (Mulch Dyeing)	BOD, TSS, COD, Aluminum, Arsenic, Cadmium, Chromium, Copper, Selenium, Silver, Zinc, Total N, Total P.
B	2631	BOD.
C	2812-2819	Aluminum, Total N.
	2821-2824	Zinc.
	2841-2844	Total N, Zinc.
	2873-2879	Total N, Zinc, Total P.
	2875 (Composting Facilities)	TSS, BOD, COD, Ammonia, Total N, Total P.
D	2951, 2952	TSS.
E	3251-3259, 3261-3269	Aluminum.
	3274, 3275	TSS, pH.
F	3312-3317	Aluminum, Zinc.
	3321-3325	Aluminum, TSS, Copper, Zinc.
	3351-3357	Copper, Zinc.
	3363-3369	Copper, Zinc.
G ²	1021	TSS
H	1221-1241	TSS, Aluminum.
K	HZ (Hazardous Waste Treatment, Storage, or Disposal)	TKN, TSS, TOC, Arsenic, Cadmium, Cyanide, Lead, Mercury, Selenium, Silver.
L	LF (Landfills, Land Application Sites, and Open Dumps)	TSS.

M	5015	TSS, Aluminum, Lead.
N	5093	Aluminum, Cadmium, Chromium, Copper, Lead, Zinc, TSS.
	4499	Aluminum, Cadmium, Chromium, Copper, Lead, Zinc, TSS.
O	SE (Steam Electric Generating Facilities)	Facilities in Sector O are not subject to benchmark requirements.
Q	4412-4499 (except 4499 facilities as specified in Sector N)	TSS, Copper, Zinc.
	3731, 3732	TSS, Copper, Zinc.
U	2021-2026	BOD, TSS.
	2041-2048	TSS, TKN.
	2074-2079	BOD, Total N, TSS.
Y	3011-3069	Zinc.
AA	3411-3471, 3482-3499, 3911-3479	Aluminum, Copper, Zinc.
		Zinc.
AB	3511-3599 (except 3571-3579)	TSS, TPH, Copper, Zinc.
AD	Nonclassified Facilities/Stormwater Discharges Designated By the Department As Requiring Permits	As determined by the director.
AE	2611, 2621, 2652-2657, 2671-2679, 2833-2836, 2851, 2861 2869, 2891 2899, 39523211, 3221, 3229, 3231, 3241, 3281, 3291 3299, 3331 3339, 3398, 3399, 3341, 1311, 1321, 1381 1389, 2911, 4512-4581, (TW) Treatment Works, 2011 2015, 2032 2038, 2051 2053, 2061 2068, 2082-2087, 2091 2099, 2111 2141, 2211 2299, 2311 2399, 3131 3199, 2434, 2511 2599, 2711 2796, 3081 3089, 3931, 3942 3949, 3951 3955 (except 3952), 3961, 3965, 3991 3999, 3111, 3711 3799 (except 3731, 3732 see Sector Q), 3571 3579, 3612 3699, 3812 3873	Facilities in Sector AE are not subject to benchmark monitoring requirements.

AF	4011, 4013, 4111 4173, 4212 4231, 4311, 5171	TSS.
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1 Table does not include parameters for compliance monitoring under effluent limitations guidelines.

2 See Sector G (Part IV G) for additional monitoring discharges from waste rock and overburden piles from active ore mining or dressing facilities, inactive ore mining or dressing facilities, and sites undergoing reclamation.

c. Chesapeake Bay Total Maximum Daily Load (TMDL) Compliance

Requirements are separated into three distinct categories depending on the status of a facility's demonstration of compliance:

- 1) Facilities that demonstrated compliance with the Chesapeake Bay TMDL loading rates.
 - a) Documentation of the demonstration of compliance is to be maintained with the Stormwater Pollution Prevention Plan (SWPPP) and permittees are to continue to implement any BMPs developed as part of the demonstration.
- 2) Facilities that obtained coverage that did not demonstrate compliance with the Chesapeake Bay TMDL loading rates.
 - a) If the required sampling was not completed during the previous permit cycle, additional samples are to be collected during the first four quarters of permit coverage.
 - b) If stormwater load calculations and a Chesapeake Bay TMDL action plan (if required) were not submitted under the previous permit cycle, they are to be submitted no later than 60 days following permit coverage (if sampling was already completed) or 60 days following the completion of the fourth sample collected during the first four quarters of permit coverage.
 - c) Reductions, if applicable, are to be achieved by December 31, 2025, and documentation that the reductions have been achieved is to be submitted to the department no later than February 1, 2026. Documentation of compliance with the Chesapeake Bay TMDL loading rates is to be maintained with the SWPPP.
- 3) Facilities that obtain initial coverage (but are not newly constructed facilities).
 - a) Samples are to be collected during the first four quarters of permit coverage. Stormwater load calculations and a Chesapeake Bay TMDL action plan (if required) are to be submitted no later than 60 days following the completion of the fourth sample. Reductions, if applicable, are to be achieved two years following the end of the fourth quarterly monitoring period and documentation that the reductions have been achieved shall be submitted to the department no later than the 10th of the month directly following the two-year period. Documentation of compliance with the Chesapeake Bay TMDL loading rates shall be maintained with the SWPPP.

d. Additional Information/Considerations

The applicable stormwater limits and monitoring requirements are to be applied at outfalls that are

An outfall that contains stormwater commingled with wastewater OR is comprised solely of stormwater associated with a regulated industrial activity that requires storm event monitoring, substitute the leading 0 with a 9 for storm event sampling (e.g., 901, 902, etc.)

composed entirely of stormwater, or that have stormwater combined with other wastewaters. These requirements are referred to as "storm event monitoring" to distinguish them from the monitoring requirements for other wastewaters and apply only during a measurable storm event. (A "measurable storm event" is defined as a storm event that results in an actual discharge from the site.)

An outfall that contains stormwater commingled with wastewater and requires storm event monitoring should have a separate outfall designation for the storm event monitoring requirements. The number 9 should be used as the first digit for the outfall designation for the storm event monitoring. For example, if outfall 001 contains process wastewater and stormwater then the Part I.A page and the DMR for the process wastewater monitoring should be designated as 001, and the Part I.A page and the DMR for the stormwater monitoring should be designated 901. The number 9 will designate it as storm event monitoring associated with outfall 001. The Fact Sheet should clearly state that Outfalls 001 and 901 are the same, but that the monitoring requirements for Outfall 901 apply only during a measurable storm event as defined on the Part I.A page. For an outfall comprised solely of stormwater, the designation should also follow the aforementioned guidance and start with the number 9 (i.e., 902, 903, etc.). All internal outfalls will continue to be numbered as per existing procedures.

All outfalls that discharge stormwater associated with industrial activity that are identified in the permit application should be identified on a Part I.A page to authorize the discharge of stormwater, regardless of whether there are monitoring requirements for the outfall. If there are no storm event monitoring requirements for the outfall, then the Part I.A page should prohibit the discharge of process wastewater.

Where more than one numeric limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required. Where requirements for semi-annual and quarterly monitoring overlap, a single sample can satisfy both monitoring requirements.

2. Stormwater Management Evaluation.

Where stormwater discharge data submitted by a permittee are greater than two times the acute criterion for a given parameter, the permit should require a stormwater management evaluation.

a. Background

The Clean Water Act (CWA) Section [402\(p\)\(2\)\(B\)](#) requires permits for stormwater discharges associated with industrial activity. VPDES permits for stormwater discharges must establish BAT/BCT requirements in accordance with Section 402(p)(3) of the Act. The SWPPP is the vehicle proposed by EPA initially in the NPDES Baseline Industrial Stormwater General Permit (published in the Federal Register 09/09/92) to meet the requirements of the Act. Additionally, the VPDES Permit Regulation, [9VAC25-31-220.K](#), and [40 CFR 122.44\(k\)](#) allow BMPs for the control of pollutants where numeric limits are infeasible or BMPs are needed to accomplish the purpose/intent of the law.

On August 1, 1996, EPA published a document titled "Interim Permitting Approach for Water Quality-Based Effluent Limitations in Stormwater Permits". This document indicated that an interim approach to limiting stormwater could be through the use of BMPs rather than numerical limits. EPA pointed out that section 502 of the CWA defined "effluent limitation" to mean "any restriction on quantities, rates, and concentrations of constituents discharged from point sources. The CWA does not say that effluent limitations need be

numeric." The use of BMPs falls in line with the CWA which notes the need to control these discharges to the maximum extent necessary to mitigate impacts on water quality.

Guidance Memo 96-001 recommends that chemical water quality-based limits not be placed on stormwater outfalls, with **two exceptions**: (1) where a VPDES permit for a stormwater discharge has been issued that includes effluent limitations, the issue of backsliding must be considered before these limitations can be modified; and (2) where the Regional Office has reliable data, obtained using sound, scientifically defensible procedures, and the data indicates the need for an effluent limitation which the Regional Office believes is justified and can be defended, then they should proceed accordingly. EPA memorandum "Revisions to the November 22, 2002, Memorandum 'Establishing Total Maximum Daily Load (TMDL) Wasteload Allocations (WLAs) for Storm Water Sources and NPDES Permit Requirements Based on those WLAs'" dated November 26, 2014, states, "EPA recommends that NPDES permitting authorities use the experience gained in developing WQBELs to design effective permit conditions to create objective and accountable means for controlling stormwater discharges."

b. Screening Criteria

Permit writers should make a pollutant-by-pollutant comparison of stormwater effluent data to the acute toxicity water quality criteria in the Water Quality Standards. Screening criteria have been established at 2 times the acute criteria. Data submitted by the permittee (on either an EPA Form 2F or on a DMR) which are above these levels result in the establishment of a Stormwater Management Evaluation for that specific pollutant. This will include a requirement for quarterly monitoring of the parameter on the storm event monitoring Part I.A page for the outfall and annual Whole Effluent Toxicity (WET) testing special condition. If sampling for metals is included due to exceeding screening criteria, it should be reported as dissolved. The permit writer should include the results of this screening in the Fact Sheet as part of the rationale for the stormwater event monitoring requirements.

The permit will also require that the permittee implement BMPs at the problem outfall(s) in accordance with the SWPPP to reduce the pollutant concentrations in the stormwater runoff. The effectiveness of the SWPPP will be evaluated (by both the permittee and DEQ) via the required monitoring for all parameters listed in Part I.A of the permit for the regulated stormwater outfalls, including the screening criteria parameters and WET screening. Monitoring results which are either above the screening criteria values (2x acute criteria) or, in the case of WET testing, result in an LC₅₀ of less than 100% effluent will justify the need to reexamine the effectiveness of the SWPPP and any BMPs being utilized for the affected outfalls. In addition, the permittee must update and implement the SWPPP whenever there is a change in the facility or its operation which materially increases the potential for activities to result in a discharge of significant amounts of pollutants.

The permittee must also submit an Annual Report to the Regional Office which includes the pollutant-specific and WET monitoring data from the outfalls included in the evaluation condition, along with a summary of any steps taken to modify either the SWPPP or any BMPs based on the monitoring data.

3. General Stormwater and Special Conditions

The General Stormwater and Special Conditions contained in [9VAC-25-151-70](#) should be placed in every individual permit that covers stormwater from one of the 30 regulated industrial sectors. See the ISWGP Permit template available on [DEQnet](#) for special conditions language.

(Note: There will be several cross-references within the body of the conditions that must be changed to match the actual Part designations in the issued permit).

4. Stormwater Pollution Prevention Plan Requirements

The general Stormwater Pollution Prevention Plan requirements should be placed in every permit that covers stormwater associated with industrial activity. The language for the requirements is contained in [9VAC-25-151-80](#). See the ISWGP Permit template available on [DEQnet](#) for special conditions language. *(Note: There will be several cross-references within the body of the conditions that must be changed to match the actual Part designations in the issued permit).*

5. Sector-Specific SWPPP Requirements

Sector-specific stormwater pollution prevention plan requirements contained in 9VAC-25-151-85 through 9VAC25-151-380 should be included in the permit where the "industrial sector" located at a facility contributes stormwater associated with industrial activity to the outfall.