

Page 1 of 36  
Permit No.: ST-9200  
Issuance Date: March 30, 2007  
Effective Date: May 1, 2007  
Expiration Date: April 30, 2012

STATE WASTE DISCHARGE PERMIT NO. ST-9200

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
CENTRAL REGIONAL OFFICE

In compliance with the provisions of the  
State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington, as amended,  
authorizes

**GRANITE NORTHWEST, INC.,  
A WASHINGTON CORPORATION  
dba BASIN ASPHALT CO.  
PO BOX 10788  
YAKIMA, WA 98909**

<u>Facility Address:</u> 249-B Rodeo Trail Road Omak, WA 98841	<u>Discharge to Receiving Water:</u> Stormwater to Groundwater
<u>Facility Location:</u> Latitude: 48° 23' 13" N Longitude: 119° 32' 38" W	<u>Industry Type:</u> Sand and Gravel Mine (SIC Code 1442) Hot Mix Asphalt Plant (SIC Code 2951)

Is authorized to discharge in accordance with the special and general conditions which follow.

---

Denise E. Mills, LHG  
Section Manager  
Water Quality Program  
Central Regional Office  
Washington State Department of Ecology

**THIS PAGE REVISED APRIL 18, 2007**

TABLE OF CONTENTS

	<u>Page</u>
SUMMARY OF PERMIT REPORT SUBMITTALS.....	4
SPECIAL CONDITIONS.....	5
S1. DISCHARGE LIMITATIONS.....	5
A. Discharges to Groundwater.....	5
S2. DISCHARGE MONITORING.....	5
A. All Discharges to Groundwater.....	5
B. Sampling and Analytical Procedures.....	5
C. Laboratory Accreditation.....	6
S3. CHANGE OF PERMIT STATUS.....	6
S4. MONITORING PLAN.....	6
A. Monitoring Plan Requirements.....	6
B. Maintaining Monitoring Plan.....	7
S5. REPORTING AND RECORDKEEPING REQUIREMENTS.....	7
A. Discharge Monitoring Reports.....	7
B. Records Retention.....	8
C. Recording of Results.....	8
D. Additional Monitoring by the Permittee.....	9
E. Noncompliance Notification.....	9
F. Access to Plans.....	9
S6. DISCHARGE WATER MANAGEMENT.....	10
A. Impoundment Hydraulic Loading Capacity.....	10
B. Maintenance Shop Zero Discharge.....	10
C. Use of Chemical Treatment Additives/Soil Stabilization Polymers.....	11
D. Lignosulfonate Use Prohibited.....	11
E. Physical Coverage of Toxic Materials.....	11
F. Design Criteria for Ditches and Open Channels.....	12
G. Asphalt/Concrete Stormwater Control.....	12
S7. OPERATION AND MAINTENANCE.....	12
A. Lined Impoundment Inspections.....	12
B. Unauthorized Use of Site.....	12
S8. STORMWATER POLLUTION PREVENTION PLAN.....	13
A. General Requirements.....	13
B. SWPPP Contents and Requirements.....	14
1. Site Map.....	14
2. Inventory of Materials.....	14
3. Source Control BMPs.....	15
4. Runoff Conveyance and Treatment BMPs.....	15
5. Innovative BMPs.....	16
6. Erosion and Sediment Control Plan (ESCP).....	16

S9. EROSION AND SEDIMENT CONTROL PLAN.....	16
A. General Requirements.....	16
1. Compliance with local or state requirements.....	16
2. Retention and Availability .....	16
B. ESCP Contents and Requirements.....	17
1. Stabilization Practices.....	17
2. Structural Practices .....	17
3. Selection of Stabilization and Structural BMPs.....	18
4. Maintenance.....	18
5. Inspections .....	18
S10. STORMWATER INSPECTIONS.....	19
A. Wet Season Inspection.....	19
B. Dry Season Inspection .....	19
C. Inspection Report.....	20
S11. SPILL PREVENTION AND CONTROL PLAN.....	20
A. Materials of Concern.....	20
B. Spill Plan Contents.....	20
C. Spill Response.....	21
S12. SOLID WASTE DISPOSAL.....	21
A. Solid Waste Handling .....	21
B. Leachate .....	21
S13. COMPLIANCE WITH STANDARDS.....	22
A. Discharge to Groundwater .....	22
B. Groundwater Monitoring Wells.....	22
S14. DUTY TO REAPPLY .....	22
GENERAL CONDITIONS .....	23
G1. SIGNATURE AUTHORIZATION/DELEGATION .....	23
G2. RIGHT OF ENTRY .....	23
G3. PERMIT ACTIONS.....	24
G4. REPORTING A CAUSE FOR MODIFICATION .....	24
G5. PLAN REVIEW REQUIRED .....	24
G6. COMPLIANCE WITH OTHER LAWS AND STATUTES.....	25
G7. PERMIT TRANSFER AND RENEWAL .....	25
G8. PAYMENT OF FEES.....	25
G9. PENALTIES FOR VIOLATING PERMIT CONDITIONS .....	25
APPENDIX A -- DEFINITIONS .....	26

**SUMMARY OF PERMIT REPORT SUBMITTALS**

Refer to the Special and General Conditions of this permit for additional submittal requirements.

<b>Permit Section</b>	<b>Submittal</b>	<b>Frequency</b>	<b>First Submittal Date</b>
S4.	Request for Change of Operating Status	As required	
S5.A.	Discharge Monitoring Report	Quarterly	July 30, 2007 <sup>a</sup>
S5.E.	Noncompliance Notification	As necessary	
S14.	Duty to reapply	1/permit cycle	April 30, 2011

<sup>a</sup> Quarterly submittal due dates are January 30<sup>th</sup>, April 30<sup>th</sup>, July 30<sup>th</sup>, and October 30<sup>th</sup> of each year.

**SPECIAL CONDITIONS**

**S1. DISCHARGE LIMITATIONS**

**A. Discharges to Groundwater**

Beginning on **May 1, 2007** and lasting through **April 30, 2012**, the Permittee is authorized to discharge stormwater to groundwaters of the State subject to the following limitations:

Water and Stormwater	Discharge Limits	
	Minimum	Maximum
pH	6.5	8.5
Oil Sheen	No visible oil sheen is allowed	

If the discharges from two or more industrial activities are combined, the most stringent limits will apply.

**S2. DISCHARGE MONITORING**

**A. All Discharges to Groundwater**

The Permittee is required to provide *representative sampling* of all discharges to ground. Representative sampling of type 3 stormwater requires sufficient sample sites to represent differences in the characteristics between places where stormwater collects.

Category	Parameter	Units	Minimum Sampling Frequency	Sample Type
Stormwater	Oil Sheen	Present/Absent	Per event	Visual
Stormwater	pH	Standard Units	Quarterly	Grab

**B. Sampling and Analytical Procedures**

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including *bypasses*, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest American Public Health Association's (APHA) revision of *Standard Methods for the Examination of Water and Wastewater* unless otherwise specified in this permit or approved in writing by the Department of Ecology.

**C. Laboratory Accreditation**

All monitoring data required by Ecology shall be prepared by a laboratory registered or accredited under the provisions of *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. When an accredited laboratory prepares the conductivity and pH data, the laboratory shall be accredited for conductivity and pH.

**S3. CHANGE OF PERMIT STATUS**

In order to request a change of operating status from active to inactive, or inactive to active, the Permittee shall notify the Department by registered mail. The *Change of Operating Status Form* shall be directed to:

**Water Quality Permit Coordinator  
Department of Ecology  
15 West Yakima Avenue, Suite 200  
Yakima, WA 98902**

The Permittee shall notify the Department no less than 10 days prior to such change.

**S4. MONITORING PLAN**

Basin Asphalt shall maintain and comply with its monitoring plan in accordance with Special Conditions S2. and S4. The Permittee shall retain the monitoring plan on site or within reasonable access to the site and make them immediately available, upon request, to Ecology or local jurisdiction.

**A. Monitoring Plan Requirements**

1. The plan will list all the industrial activities and SIC codes at the site.

2. The plan will identify each sample site and assign a unique label (e.g., S1., S2.) to each sampling point. These labels shall also be used accordingly on Discharge Monitoring Reports (DMRs).
3. Contain a site map that identifies the location(s) (using the unique labels in S4., A2.) and SIC codes of all sampling points.
4. The plan will list the standard procedures used at the facility for collecting samples for analysis.
  - a. The United States Environmental Protection Agency's National Pollution Discharge Elimination System NPDES Stormwater Sampling Guidance Document (EPA 833-B-92-001, July 1992), or How to Do Stormwater Sampling — A guide for industrial facilities (Ecology Publication 02-10-071), or equivalent sampling methods, shall be used as guidance for stormwater sampling procedures.
  - b. Samples taken to meet the requirements of this permit shall be collected during the facility's normal working hours and while processing at normal levels.

**B. Maintaining Monitoring Plan**

1. The plan shall be reviewed once a year and updated, as necessary, to represent changes in facility conditions.
2. If facility conditions require the addition or deletion of a sampling point, the Permittee will inform Ecology in writing of the addition/deletion when submitting a discharge monitoring report (DMR) that contains the new information.

**S5. REPORTING AND RECORDKEEPING REQUIREMENTS**

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to Ecology shall constitute a violation of the terms and conditions of this permit.

**A. Discharge Monitoring Reports**

1. The Permittee shall submit a "Discharge Monitoring Report (DMR)" form on a quarterly basis for each quarter or part of a quarter that the site is active.

2. If there was no discharge, or if the facility was not operating during a given monitoring period, submit the form as required and with the words “no discharge” on the DMR form in place of the monitoring results.
3. The Permittee shall submit DMRs to the Central Regional Office Water Quality Permit Coordinator. DMRs shall be received by Ecology according to the schedule below:

<b>Discharge Monitoring Period</b>	<b>DMR postmarked on or before:</b>
October, November, December	January 30
January, February, March	April 30
April, May, June	July 30
July, August, September	October 30

Note: If the Permittee is inactive status for only part of a monitoring period, they shall submit a DMR for the period of time that they are in active status (see S4.D).

All DMRs shall be sent to:

**Water Quality Permit Coordinator**  
**Department of Ecology**  
**Central Regional Office**  
**15 West Yakima Avenue, Suite 200**  
**Yakima, Washington 98902**

**B. Records Retention**

The Permittee shall retain records of all monitoring information for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director. Records shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit.

**C. Recording of Results**

The Permittee shall record, for each measurement or sample taken, the following information:

1. The date, exact place, method, and time of sampling;
2. The individual who performed the sampling or measurement;
3. The dates the analyses were performed;

4. Who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of all analyses.

**D. Additional Monitoring by the Permittee**

Any Permittee that monitors any pollutant more frequently than required in Special Condition S2. shall include those results in the calculation and reporting of the data submitted in the DMRs or other reporting requirements.

**E. Noncompliance Notification**

In the event the Permittee is unable to comply with any of the permit terms, conditions or discharge limits, due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and clean up unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately;
2. Notify the Central Regional Office Sand and Gravel Permit Manager or other Water Quality Officer orally within 24 hours of when the Permittee becomes aware of the circumstances; and
3. Submit a detailed written report to Ecology within 30 days, five days for upsets and bypasses, unless requested earlier by Ecology. The report shall describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the re-sampling, and any other pertinent information. Data from re-sampling shall not be substituted for ongoing permit monitoring required under Special Conditions S2., S3., and S4. and shall not be reported on the DMR.

Compliance with this condition does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

**F. Access to Plans**

The Permittee shall make available; the monitoring plan required by Special Condition S4., the stormwater pollution prevention plan required by Special Condition S8., and the spill control plan required by Special Condition S11. to the public when requested in writing to do so. The Permittee(s) shall retain these Plans on site or within reasonable access to the site and make them immediately available upon request to Ecology or the local jurisdiction.

1. A copy of the Plan(s) shall be provided to Ecology within 14 days of receipt of a written request from Ecology.
2. A copy of the Plan(s) or access to the Plan(s) shall be provided to the public when requested in writing. Upon receiving a written request from the public for one or more of the Permittee's Plan(s), the Permittee shall either:
  - a. Provide a copy of the Plan(s) to the requestor within 14 days of receipt of the written request; or
  - b. Notify the requestor within 10 days of receipt of the written request of the location and times within normal business hours when the Plan(s) may be viewed, and provide access to the Plan(s) within 14 days of receipt of the written request.

Within 14 days of receipt of the written request, the Permittee may submit a copy of the Plan(s) to Ecology for viewing by the requestor at an Ecology office, or may arrange with the requestor for an alternative, mutually agreed upon location for viewing and/or copying of the Plan(s). If access to the SWPPP is provided at a location other than at an Ecology office, the Permittee will provide reasonable access to copying services for which a reasonable fee may be charged. If the Permittee selects one of these response options, the Permittee shall notify the requestor within 10 days of receipt of the request where the SWPPP may be viewed.

## **S6. DISCHARGE WATER MANAGEMENT**

### **A. Impoundment Hydraulic Loading Capacity**

Any impoundment shall have adequate capacity to provide treatment of wastewater except when the design storm (10-year, 24-hour precipitation event) is exceeded and all known, available, and reasonable methods of prevention, control, and treatment (AKART) has been applied.

### **B. Maintenance Shop Zero Discharge**

No wastewater shall be discharged to groundwater from a maintenance shop unless the following criteria apply:

1. The maintenance shop exists at the time permit coverage begins; and
2. A discharge to sanitary sewer is not available; and
3. All known, available, and reasonable methods of prevention, control and treatment before discharge is provided; and
4. The discharge will not cause or contribute to a violation of the ground water quality standards.

**C. Use of Chemical Treatment Additives/Soil Stabilization Polymers**

The Permittee shall document the use of any chemicals used to treat water discharged to waters of the state, or used to stabilize soils. Documentation shall identify the chemicals or polymers used, their commercial source, the material safety data sheet, and the appropriate application rate. The Permittee shall retain this information on site or within reasonable access to the site and make it immediately available, upon request, to Ecology.

Chemicals used to enhance solids settling before discharge to surface water or to stabilize soils must be applied according to the manufacturer's instructions and only if the toxicity to aquatic organisms is known. Chemicals may only be used to stabilize soils if the stormwater from the chemical application area is routed to and treated by a stormwater detention pond.

In addition, chemical treatment/soil stabilization shall:

1. Be consistent with Ecology's Stormwater Management Manuals.
2. Be consistent with other methods approved by Ecology's Stormwater.
3. Technical Review Committee or Chemical Technology Review Committee.
4. Use chemical treatment additives at a dosing rate of less than 50% of the LC<sub>50</sub> concentration.

**D. Lignosulfonate Use Prohibited**

The Permittee shall not use lignosulfonate in excavated areas including areas where topsoil has been removed.

**E. Physical Coverage of Toxic Materials**

The following materials shall be covered and contained to prevent stormwater contamination:

1. Toxic materials or chemicals
2. Petroleum contaminated soils (PCS) that fail to meet the most protective Model Toxics Control Act (MTCA) Method A treatment levels (WAC 173-340-740(2))
3. Cement
4. Admixtures
5. Fuels, lubricants, tar and other petroleum products
6. Asphalt concrete that has not been used for construction

**F. Design Criteria for Ditches and Open Channels**

Any ditch, channel, lined impoundments or other Best Management Practices (BMPs) used for routing water shall be designed, constructed, and maintained to contain all flows except:

1. When designed to infiltrate Type 1 stormwater; or
2. When precipitation exceeds the design storm (10-year, 24-hour event).

**G. Asphalt/Concrete Stormwater Control**

No Type 3 stormwater shall be discharged from a hot mix asphalt plant, a concrete batch plant, asphalt release agent application area, or concrete truck washout area into a pit or excavation that penetrates the water table.

**S7. OPERATION AND MAINTENANCE**

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

**A. Lined Impoundment Inspections**

The structural integrity of a lined impoundment shall be inspected whenever sludge removal occurs. Necessary repairs shall be made before refilling.

**B. Unauthorized Use of Site**

The Permittee shall maintain and manage the site to prevent unauthorized activities such as illegal dumping, spilling, or other misuse of the site that could discharge pollutants to waters of the state. Appropriate site management may include, but is not limited to, visual inspections, signage, and physical security measures.

## S8. STORMWATER POLLUTION PREVENTION PLAN

### A. General Requirements

All Permittees shall have a SWPPP specifically developed for each facility. The SWPPP shall be fully implemented and updated to maintain compliance with the permit conditions.

1. The SWPPP shall be consistent with permit requirements and include the BMPs necessary to provide AKART. It must also include any additional BMPs necessary to comply with state water quality standards.
2. The SWPPP shall include measures to prevent the addition of process water or mine dewatering water into stormwater and measures to verify that non-stormwater discharges do not enter the stormwater treatment system. Stormwater that commingles with process water is considered process water.

3. Modifications

The Permittee shall review and modify the SWPPP whenever there is a violation of stormwater discharge limits in Special Condition S1. Additional or modified BMPs shall be implemented as soon as possible.

4. The Permittee may include in the SWPPP by reference, applicable portions of plans prepared for other purposes (e.g., Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70.95C RCW). The referenced plans shall be available on site or within reasonable access to the site and become enforceable requirements of the SWPPP.

5. Stormwater BMPs shall be consistent with:

- a. The Stormwater Management Manual for Eastern Washington (2004 edition) for sites east of the crest of the Cascade Mountains;  
or
- b. Documentation in the SWPPP that the BMPs selected provides an equivalent level of pollution prevention that is approved by Ecology and incorporated into this permit in accordance with the permit modification requirement of WAC 173-220-190 or compared to the Eastside Stormwater Management Manual, including:

- i. The technical basis for the selection of all stormwater BMPs (scientific, technical studies, and/or modeling) which support the performance claims for the BMPs being selected; and
- ii. An assessment of how the selected BMP will satisfy AKART requirements and the applicable federal technology-based treatment requirements under 40 CFR part 125.3.

**B. SWPPP Contents and Requirements**

The SWPPP shall contain, at a minimum, the following:

**1. Site Map**

The site map will locate and document the stormwater drainage and discharge structures, an outline of the stormwater drainage areas for each stormwater discharge point (including discharges to groundwater). The site map shall also identify nearby and on-site surface water bodies and any known underlying aquifers.

The site map shall also identify all areas associated with industrial activities including, but not limited to, the following:

- a. Loading and unloading of dry bulk materials or liquids;
- b. Outdoor storage of materials or products;
- c. Outdoor processing;
- d. Processes that generate dust and particles;
- e. Roofs or other surfaces exposed to air emissions from a process area;
- f. On-site waste treatment, storage, or disposal;
- g. Vehicle and equipment maintenance and/or cleaning;
- h. Paved areas and buildings; and
- i. Underground storage of materials or products.

Lands adjacent to the site shall also be depicted where helpful in identifying discharge points or drainage routes.

**2. Inventory of Materials**

The inventory of materials shall include a list of all types of materials handled at the site that are exposed to precipitation or runoff (e.g., raw

materials, cement admixtures, petroleum products and other chemicals).

**3. Source Control BMPs**

The SWPPP shall include source control BMPs as necessary to achieve AKART and compliance with the stormwater discharge limits in S2 and S3.

Source control BMPs include, but are not limited to BMPs for:

- a. Fueling at Dedicated Stations
- b. Mobile Fueling
- c. Loading and Unloading Areas
- d. Storage of Liquid in Above-Ground Tanks
- e. Washing or Steam Cleaning Vehicles/Equipment
- f. Dust Control
- g. Stabilized Entrances and Parking Areas
- h. Wheel Washes/Tire Baths
- i. Storage or Transfer of Solid Raw Materials, By-Products or Finished Products

**4. Runoff Conveyance and Treatment BMPs**

The SWPPP shall include runoff conveyance and treatment BMPs as necessary to achieve AKART and compliance with the stormwater discharge limits in Special Condition S1.

Runoff conveyance BMPs include, but are not limited to:

- a. Interceptor dikes
- b. Swales
- c. Channel lining
- d. Pipe slope drains and
- e. Outlet protection

Treatment BMPs may include, but are not limited to:

- a. Oil/water separators
- b. Biofiltration swales
- c. Infiltration or detention basins
- d. Sediment traps
- e. Chemical treatment systems and
- f. Constructed wetlands

**5. Innovative BMPs**

Innovative treatment, source control, reduction or recycling, or operational BMPs beyond those identified in Ecology's stormwater management model (SWMM) are encouraged if they help achieve compliance with this general permit.

**6. Erosion and Sediment Control Plan (ESCP)**

SWPPPs for sites with mining, land clearing, or soil disturbing activities shall include an Erosion and Sediment Control Plan (ESCP) for Type 2 stormwater. The ESCP shall identify and describe the erosion and sediment control BMPs implemented at the facility and a schedule for BMP implementation. The ESCP shall be prepared in accordance with Special Condition S9.

**S9. EROSION AND SEDIMENT CONTROL PLAN**

The permit holder of active sites and inactive sites shall prepare, maintain, and comply with an erosion and sediment control plan (ESCP) for Type 2 stormwater. The ESCP shall identify the erosion and sediment control BMPs, including stabilization and structural practices, implemented to minimize erosion and the transport of sediments during the operation of the facility. The Permittee is responsible for ensuring the coordination of the ESCP with any other site activities that regulate maintenance of the site (e.g., reclamation plans).

**A. General Requirements**

**1. Compliance with local or state requirements**

This permit does not relieve the Permittee of compliance with any more stringent requirements of local agencies or other state agencies with jurisdiction.

**2. Retention and Availability**

The Permittee shall retain the ESCP, inspection reports, and all other reports required by this Special Condition for at least three years after the date of final stabilization of the site. The Permittee shall make these documents available immediately upon request to Ecology and to local agencies or other state agencies that have jurisdiction. The ESCP and all

of its modifications shall be signed in accordance with General Condition G1.

**B. ESCP Contents and Requirements**

**1. Stabilization Practices**

The ESCP shall include a description of stabilization BMPs, including site-specific scheduling of implementation of the practices. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, decreasing slope angles or lengths, and other appropriate measures. Stabilization measures shall be initiated as soon as practicable in portions of the site where mining activities have temporarily or permanently ceased. The plan shall ensure that the following requirements are satisfied:

- a. All soils shall be stabilized by suitable and timely application of BMPs.
- b. Existing vegetation should be preserved where feasible. In the field, areas that are not to be disturbed shall be permanently marked; these include setbacks, sensitive/critical areas and their buffers, trees, and drainage courses.
- c. Cut slopes and fill slopes shall be designed and constructed in a manner that will minimize erosion.
- d. Stabilization adequate to prevent erosion of outlets and adjacent stream banks shall be provided at the outlets of all conveyance systems.

**2. Structural Practices**

In addition to stabilization practices, the ESCP shall include a description of structural BMPs to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and sediment basins. The installation of these devices may be subject to Section 404 of the Federal

Clean Water Act. The ESCP shall ensure that the following requirements are satisfied:

- a. Properties adjacent to the project site shall be protected from sediment deposition caused by activities at the site.
- b. Sediment ponds and traps, perimeter dikes, sediment barriers, and other BMPs intended to trap sediment on-site shall be constructed as a first step. These BMPs shall be functional before land is disturbed. Slopes of earthen structures used for sediment control such as dams, dikes, and diversions shall be stabilized immediately after construction.
- c. Any BMP constructed at an active site should be designed to maintain separation of Type 2 stormwater from Type 3 stormwater and Type 1 stormwater for the peak flow from the design storm. If any commingling of Type 1, Type 2 or Type 3 stormwater occurs, the most restrictive requirements shall be met.

Implementation of structural BMPs may require the Permittee to comply with additional requirements (e.g., county permit or US Army Corps of Engineers regulations). Impoundment structures of 10 acre-feet or more of water above natural ground must comply with the Dam Safety Regulations, Chapters 173-175 WAC. It is the Permittee's responsibility to identify and comply with any construction requirements.

**3. Selection of Stabilization and Structural BMPs**

The Permittee shall select from BMPs described in Volume II of Ecology's Eastern Washington stormwater management manual, adapted as necessary for local conditions, or other equivalent and appropriate BMPs.

**4. Maintenance**

All structural and stabilization practices shall be inspected, maintained, and repaired as needed to assure continued performance of their intended function.

**5. Inspections**

For active sites, all on-site erosion and sediment control measures shall be inspected at least once every 7 days, and within 24 hours after any storm

event of greater than 0.5 inches of rain per 24 hour period. A file containing a log of observations shall be maintained and kept on site.

For inactive sites, a Registered Professional Engineer or equivalent (e.g., Certified Professional Erosion and Sediment Control Specialist) shall certify every 3 years that the facility is in compliance with this permit.

**S10. STORMWATER INSPECTIONS**

An assessment of the SWPPP BMPs is required by this permit. As a minimum, the Permittee shall conduct two inspections each year of the site covered under this permit. At least one inspection will be conducted during the wet season (October 1 - April 30) and at least one inspection will be conducted during the dry season (May 1 - September 30).

**A. Wet Season Inspection**

The wet season inspection will be conducted by personnel named in the SWPPP and will include observations for the presence of floating materials, suspended solids, oil and grease, discoloration, turbidity, and odor, in the stormwater discharge(s).

It will be conducted during a rainfall event adequate in intensity and duration to verify that:

1. The description of potential pollutant sources required under this permit is accurate;
2. The site map as required in the SWPPP (Special Condition S8.) has been updated or otherwise modified to reflect current conditions; and
3. The controls to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP are being implemented and are adequate.

**B. Dry Season Inspection**

The dry season inspection shall be conducted by personnel named in the SWPPP and after at least 7 consecutive days of no precipitation. It shall determine the presence of non-stormwater discharges such as process water to the stormwater drainage system. If a discharge related directly or indirectly to process water is discovered, the Permittee shall comply with non-compliance notification

requirements of Special Condition S5.E. and shall eliminate the discharge within ten days.

**C. Inspection Report**

A report on each inspection will be prepared and retained as part of the SWPPP. The report will summarize the scope of the inspection, the personnel conducting the inspection, the date(s) of the inspection, major observations relating to the implementation of the SWPPP, and any actions taken. The report shall be signed in accordance with General Condition 1 and shall certify that the discharge of stormwater has been investigated for the presence of non-stormwater discharge.

**S11. SPILL PREVENTION AND CONTROL PLAN**

The Permittee shall retain the spill prevention and control plan (SPCP) on site or within reasonable access to the site and make it immediately available, upon request, to Ecology or the local jurisdiction. The responsible party shall sign the SPCP and all of its modifications.

**A. Materials of Concern**

The Permittee shall clean up spills directly and maintain and comply with a spill control plan for the prevention, containment, control and cleanup of spills or unplanned discharges of:

1. Oil and petroleum products including accidental release from equipment;
2. Materials, which when spilled, or otherwise released into the environment, are designated Dangerous Waste (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070; and
3. Other materials which may become pollutants or cause pollution upon reaching waters of the state.

**B. Spill Plan Contents**

The Permittee will review and update the SPCP, as needed, but at least annually. The spill control plan will include the following:

1. A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill;

2. A list of equipment and materials onsite that have the potential to leak and spill;
3. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials; and
4. Specific handling procedures and storage requirements for materials kept onsite.

**C. Spill Response**

The Permittee shall have the necessary materials available and respond to and clean up all spills at the site in a timely fashion, preventing their discharge to waters of the state. All employees shall receive appropriate training to assure that spills are reported and responded to appropriately.

**S12. SOLID WASTE DISPOSAL**

**A. Solid Waste Handling**

The Permittee shall handle and dispose of all solid waste material, including material from cleaning catch basins and any sludge generated by impounding process water or stormwater, in such a manner as to prevent its entry into waters of the state. Disposal shall comply with all applicable local, state, and federal regulations.

**B. Leachate**

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters. Allowing a discharge of leachate is a violation of this permit in addition to the aforementioned laws.

**S13. COMPLIANCE WITH STANDARDS**

Violation of groundwater quality standards (Chapter 173-200 WAC), surface water quality standards (Chapter 173-201A WAC), of the state of Washington is a violation of this permit.

**A. Discharge to Groundwater**

Any discharge to a pond, lagoon, or other type of impoundment or storage facility that is unlined is considered a discharge to groundwater and is subject to the groundwater standards (Chapter 173-200 WAC). Industrial discharges below the surface of the ground, such as to a dry well, drainfield, or injection well, are subject to the groundwater standards and are also regulated by the Underground Injection Control Program (Chapter 173-218 WAC).

**B. Groundwater Monitoring Wells**

The Department may require installation of groundwater monitoring wells at any facility that has the potential to pollute groundwater as demonstrated by discharge of process water that is not in compliance with the groundwater standards to an unlined pond or other point of discharge.

**S14. DUTY TO REAPPLY**

The Permittee must apply for permit renewal by **April 30, 2011**.

## GENERAL CONDITIONS

### G1. SIGNATURE AUTHORIZATION/DELEGATION

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
  - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

### G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or private for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state.

Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection.

Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

### **G3. PERMIT ACTIONS**

This permit shall be subject to modification, suspension, or termination, in whole or in part, by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

### **G4. REPORTING A CAUSE FOR MODIFICATION**

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

### **G5. PLAN REVIEW REQUIRED**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

## **G6. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

## **G7. PERMIT TRANSFER AND RENEWAL**

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to Section G7.A., this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

The Permittee must apply for permit renewal at least one year prior to the specified expiration date of this permit

## **G8. PAYMENT OF FEES**

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

## **G9. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.

## APPENDIX A -- DEFINITIONS

These definitions pertain to terms indicated in italics in this permit. The term has been indicated in italics only the first time it is used.

*Active Site* means a location where current mining or processing operations (including, but not limited to, crushing, classifying, or operating a concrete or hot mix asphalt plant) or stockpiles associated with current mining or processing operations, are located. Also see definitions for Inactive Site and Closed Site.

*Application for Coverage* means the application for, or a request for, coverage under this General Permit pursuant to WAC 173-226-200. An application for coverage is also known as a "Notice of Intent (NOI)".

*Best Management Practices* (BMPs - general definition) means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices used to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage. In this permit BMPs are further categorized as operational, source control, erosion and sediment control, and treatment.

*Bypass* means the diversion of waste streams from any portion of a treatment facility.

*Capital Improvements* means the following improvements that will require capital expenditures:

1. Treatment BMPs, including but not limited to: biofiltration systems including constructed wetlands, settling basins, oil separation equipment, impoundments, and detention and retention basins.
2. Manufacturing modifications, including process changes for source reduction, if capital expenditures for such modifications are incurred.
3. Concrete pads and dikes and appropriate pumping for collection of stormwater, process water or mine dewatering water and transfer to control systems from manufacturing areas such as loading, unloading, outside processing, fueling and storage of chemicals and equipment and wastes.
4. Roofs and appropriate covers for storage and handling areas.

*Clean Water Act* (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; USC 1251 et seq.

Closed Site means a location where all activities associated with permit coverage have been terminated with no intent to return to operation in the future. Also see definitions for Inactive Site and Active Site.

Constructed Wetland means wetlands intentionally created for the primary purpose of wastewater or stormwater treatment and managed as such. Constructed wetlands are normally considered as part of the stormwater collection and treatment system. Wetlands constructed for treatment of stormwater shall not be eligible for use as compensatory mitigation for authorized impacts to regulated wetland systems.

Design Storm means the maximum volume of water resulting from the *10 year, 24 hour precipitation event*. The term "10 year 24 hour precipitation event" is the maximum 24 hour precipitation event with a probable reoccurrence interval of once in 10 years. The maximum volume of water is the total from all areas contributing runoff to the individual treatment facility without consideration of loss of water from processes such as infiltration.

Director means the Director of the Washington Department of Ecology or his/her authorized representative.

Discharge to Groundwater means the discharge of water into an unlined impoundment or onto the surface of the ground that allows the discharged water to percolate, or potentially percolate, to groundwater. Discharge to groundwater, discharge to land, and discharge to ground all have the same meaning.

Discharger means an owner or operator of any facility or activity subject to regulation under Chapter 90.48 RCW or the Federal Clean Water Act.

Ecology means the Washington State Department of Ecology.

Erosion means the wearing away of the land surface by running water, ice, or other geological agents, including such processes as gravitational creep.

Erosion and Sediment Control BMPs means BMPs intended to prevent erosion and sedimentation, such as preserving natural vegetation, seeding, mulching and matting, plastic covering, filter fences, and sediment traps and ponds. Erosion and sediment control BMPs are synonymous with stabilization and structural BMPs.

Erosion and Sediment Control Plan(ESCP) means a document that describes the potential for erosion and sedimentation problems and explains and illustrates the measures to be taken to control those problems.

Final Stabilization means completion of all soil disturbing activities at the site and establishment of a permanent vegetative cover, or installation of equivalent permanent stabilization measures (such as riprap, gabions or geotextiles) that will prevent erosion.

40 CFR means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government.

General Permit means a permit that covers multiple dischargers of a point source category within a designated geographical area, in place of individual permits being issued to each discharger.

Groundwater means water in a saturated zone or stratum beneath the land surface or a surface water body.

Hot Mix Asphalt Plant means a plant that blends together aggregate and asphalt cement to produce a hot, homogeneous asphalt paving mixture. The term includes batch plants, continuous mix plants, and drum mix plants.

Inactive Site means a location where previous mining or processing operations (including, but not limited to, crushing, classifying, or operating a concrete or hot mix asphalt plant) has occurred; has not been closed and restored; and has no current mining or processing operations but may include stockpiles of raw materials or finished products. The Permittee may add or withdraw raw materials or finished products from the stockpiles for transportation offsite for processing, use, or sale and still be considered an inactive site. Also see definitions for Active Site and Closed Site.

Inert means nonreactive, nondangerous solid materials that are likely to retain their physical and chemical structure under expected conditions of use or disposal.

LC<sub>50</sub> means the concentration of test material estimated to cause 50% mortality of the test organisms. The aquatic toxicity tests should include both an invertebrate and a fish species as test organisms.

Leachate means water or other liquid that has percolated through raw material, product, or waste and contains substances in solution or suspension as a result of the contact with these materials.

Local Government means any county, city, or town having its own government for local affairs.

Mine Dewatering Water means any water that is impounded or that collects in the mine and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. This term shall also include wet pit overflows caused solely by direct rainfall and groundwater

seepage. However, if a mine is used for treatment of process generated waste water, discharges of commingled water from the mine shall be deemed discharges of process generated water.

Municipality means a political unit such as a city, town, or county, incorporated for local self-government.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the State from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

NTU means Nephelometric Turbidity Units, a measure of turbidity.

Operational BMPs means schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial practices to prevent or reduce the pollution of waters of the state. Not included are BMPs that require construction of pollution control devices.

pH--The pH of a liquid measures its acidity or alkalinity. A pH of 7 is defined as neutral, and large variations above or below this value are harmful to most aquatic life.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, and container from which pollutants are or may be discharged to waters of the State. This term does not include return flows from irrigated agriculture.

Pollutant means the discharge of any of the following to waters of the state: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA, nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

Process Water means any water that comes into direct contact or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. The term shall also mean any waste water used in the slurry transport of mined material, air emissions control, or processing exclusive of mining.

Puget Sound Basin means the Puget Sound south of Admiralty Inlet (including Hood Canal and Saratoga Passage); the waters north to the Canadian border, including portions of the Strait of Georgia; the Strait of Juan de Fuca south of the Canadian border; and all the lands draining into these waters as mapped in Water Resources Inventory Areas numbers 1 through 19, set forth in WAC 173-500-040.

Representative Sampling means taking sufficient samples to accurately represent the nature of the discharge for parameters of concern. Many factors contribute to variability of pollutants in a discharge including quantity of water, time and date of sampling, and physical events and location of discharge.

Groundwater Discharges: If water puddles discharge to ground at multiple locations onsite, it is unlikely that all puddles must be sampled. Consider the source of the water. If all the water is coming from a gravel stockpile area it is likely that just one sampling point is required. However, if some puddles are from a gravel stockpile area and others are receiving water from a concrete batch area, two sample points are likely. It may be helpful to test multiple puddles for pH. Those with essentially the same pH value can probably be represented by one sample.

Surface Water Discharges: Discharges of process water should be timed to occur when the facility is running at full capacity. Discharges of stormwater may be taken at any time a stormwater discharge occurs. For all parameters required by this permit, a grab sample of instantaneous measurement will be considered representative. The intensity of a storm event and the number of dry days preceding a storm can have dramatic effects on the characteristics of a stormwater discharge. Frequency of sampling must be sufficiently frequent to represent this variability. Since weather can not be readily predicted far in advance, sampling on short notice is likely.

Sanitary Sewer means a sewer designed to convey domestic wastewater.

Sediment means the fragmented material that originates from the weathering and erosion of rocks or unconsolidated deposits and is transported by, suspended in, or deposited by water.

SEPA (State Environmental Policy Act) means the Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment.

Significant Amounts means those amounts of pollutants that are amenable to treatment or prevention or that have the potential to cause or contribute to a violation of standards for surface or groundwater quality or sediment management.

Significant Materials includes, but is not limited to: raw materials; fuels; materials such as solvents and detergents; hazardous substances designated under section 101(14) of the Comprehensive Environmental Responsibility and Liability Act of 1980; any chemical the facility is required to report pursuant to section 313 of title III of the Superfund Amendments and Reauthorization Act of 1986; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater or process water discharges.

Silvicultural Point Sources are timber tract and logging activities (SIC codes 0811 and 2411) that produce mined materials for use in forest management. Additionally, silvicultural point source activities are limited to rock crushing or gravel washing operations that use a discernible, confined and discrete conveyance to discharge pollutants to surface waters of the state.

Site means the land or water area where any "facility or activity" is physically located or conducted.

Source Control BMPs means physical, structural, or mechanical devices or facilities intended to prevent pollutants from entering stormwater. A few examples of source control BMPs are erosion control practices, maintenance of stormwater facilities, construction of roofs over storage and working areas, and direction of wash water and similar discharges to the sanitary sewer or a dead end sump.

Stabilization means the application of appropriate BMPs to prevent the erosion of soils, such as temporary and permanent seeding, vegetative covers, mulching and matting, plastic covering, and sodding. See also the definition of Erosion and Sediment Control BMPs.

Standard Industrial Classification (SIC) is the statistical classification standard underlying all establishment-based federal economic statistics classified by industry as reported in the 1987 SIC Manual by the Office of Management and Budget.

Storm Sewer means a sewer that is designed to carry stormwater, also called a storm drain.

Stormwater means rainfall and snowmelt runoff.

Stormwater Drainage System means constructed and natural features that function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate, or divert stormwater.

Stormwater Management Manual (SWMM) means the technical manual prepared by Ecology for use by local governments that contains BMPs to prevent, control, or treat pollution in stormwater.

Stormwater Pollution Prevention Plan (SWPPP) means a documented plan to implement measures to identify, prevent, and control the contamination of point source discharges of stormwater.

Surface Waters of the State includes lakes, rivers, ponds, streams, wetlands, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

10-year, 24-hour precipitation event means the maximum 24 hour precipitation event with a probable reoccurrence interval of once in 10 years.

Total Dissolved Solids (TDS) means those solids that are capable of passing through a glass fiber filter (1.0 - 1.5  $\mu\text{m}$ ) and dried to a constant weight at 180 degrees centigrade.

Total Suspended Solids (TSS) is the particulate material in an effluent that does not pass through a glass fiber filter. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

Treatment BMPs means BMPs intended to remove pollutants from stormwater. A few examples of treatment BMPs are detention ponds, oil/water separators, biofiltration, and constructed wetlands.

Turbidity means the clarity of water as expressed by nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

Type 1 Stormwater means stormwater from portions of a site where no industrial activities have occurred or from a site or area within a site that has been reclaimed and the reclamation bond portion thereof (if any) has been released. If type 1 stormwater enters areas associated with type 2 stormwater, it becomes type 2 stormwater. Likewise, if it enters areas associated with type 3 stormwater, it becomes type 3 stormwater.

Type 2 Stormwater means stormwater from: 1) portions of a site where mining has temporarily or permanently ceased; 2) storage areas for stockpiles of raw materials or finished products; 3) or, from portions of a site with exposed soils in areas cleared in preparation for mining or other industrial activity. If type 2 stormwater enters areas associated with type 3 stormwater, it becomes type 3 stormwater.

Type 3 Stormwater means stormwater discharges from (1) industrial plant yards; (2) immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; (3) material handling sites; (4) sites used for the storage and maintenance of material handling equipment; (5) sites used for residual treatment, storage, or disposal; (6) shipping and receiving areas; (7) storage areas for raw materials or intermediate and finished products at active sites; (8) and, areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

USEPA means the United States Environmental Protection Agency.

Water Quality means the chemical, physical, and biological characteristics of water, normally with respect to its suitability for a particular purpose.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter 90.48 RCW. This includes groundwater, lakes, rivers, ponds, streams, wetlands, inland waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.

Wellhead Protection Area (WHPA) means the portion of a well's, well fields, or spring zones of contribution defined as such using WHPA criteria established by the Washington Department of Health.