Issuance Date: August 4, 2010
Effective Date: October 1, 2010
Expiration Date: October 1, 2015

The Sand and Gravel General Permit

A National Pollutant Discharge Elimination System
and
State Waste Discharge General Permit

for Process Water, Stormwater, and Mine Dewatering Water Discharges Associated with Sand and Gravel Operations, Rock Quarries, and Similar Mining Facilities, Including Stockpiles of Mined Materials, Concrete Batch Operations and Hot Mix Asphalt Operations

State of Washington
Department of Ecology
Olympia, Washington

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions which follow.

Kelly Susewind, Manager
Water Quality Program
Washington State Department of Ecology

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SUMMARY OF REQUIRED REPORTS AND PLANS

List of Required Reports

The table below lists reports that must be submitted in order to be in compliance with this permit. Additional reporting requirements can also be found in the Special and General Conditions of this permit.

Permit Section	Reports and Notices	Frequency	First Due Date
S4.B.4 and 5	Receiving Water Flow Report Discharge [1]	Once	Two years from date of coverage
S6.A	Discharge Monitoring Report	Quarterly	January 30, 2011
S6.E	Reporting Permit Violations	Each Noncompliance	Within 24 hours and in 30 days
S9.D and G11	Notice of Change in Operating Status[2]	Each Change	Within 10 days
S6.F and G5	Notification of Spill, Overflow, or Bypass	As Necessary	As necessary
G9.	Permit Application for Coverage for Substantive Changes to the Discharge[2]	As Necessary	As necessary
G11.	Notice of Change in Activities[2]	As Necessary	As necessary
G19.	Notice of Permit Transfer[2]	As Necessary	As necessary
G20.	Application for Permit Renewal	1/Permit Cycle	March 4, 2015

1. Receiving Water Flow Report only required for some *new facilities* that discharge to *surface waters of the state*. See S4.B.4 and 5.
2. The forms can be downloaded from: http://www.ecy.wa.gov/programs/wq/sand/permit.html

SPECIAL CONDITIONS

S1. PERMIT COVERAGE

S1.A. Coverage Under This Permit

The coverage provided in this general permit is limited to the specific facilities identified in listed below and within the following *Standard Industrial Classification (SIC)* and NAICS Codes, and the cited Subparts of *40 CFR* Part 443, Effluent Limitations Guidelines for Existing Sources and Standards of Performance and Pretreatment Standards for New Sources for The Paving and Roofing Materials (Tars and Asphalt) *Point Source* Category ,*40 CFR* Part 436, Mineral Mining and Processing *Point Source* Category and *40 CFR* Part 41, Cement manufacturing.

This general permit covers discharges from facilities in Washington State that have the following characteristics:

Table 1. The facility conducts activities designated by one or more of the following *Standard Industrial Classification (SIC) or NAICS*[1] codes:

SIC number and description[2]	Corresponding NAICS number and description (if different from SIC)
0811 Timber Tracts (long term timber farms)	113110
1411 Dimension Stone	212311 Dimension Stone Mining and Quarrying
1422 Crushed and Broken Limestone	212312 Crushed and Broken Limestone Mining and Quarrying
1423 Crushed and Broken Granite	212313 Crushed and Broken Granite Mining and Quarrying
1429 Crushed and Broken Stone, NEC	212319 Other Crushed and Broken Stone Mining and Quarrying
1442 Construction Sand and Gravel	212321 Construction Sand and Gravel Mining
1446 Industrial Sand	212322 Industrial Sand Mining
1455 Kaolin and Ball Clay	212324 Kaolin and Ball Clay Mining
1459 Clay, Ceramic, and Refractory Minerals, NEC	212325 Clay and Ceramic and Refractory Minerals Mining
1499 Miscellaneous Nonmetallic Minerals, Except Fuels (bituminous limestone and bituminous sandstone)	212319 Other Crushed and Broken Stone Mining and Quarrying
1499 Miscellaneous Nonmetallic Minerals, Except Fuels (except bituminous limestone and bituminous sandstone)	212399 All Other Nonmetallic Mineral Mining
2411 Logging	113310
2951 Asphalt Paving Mixtures and Blocks	324121 Asphalt Paving Mixture and Block Manufacturing (includes recycled asphalt)
3271 Concrete Block and Brick	327331 Concrete Block and Brick Manufacturing
3273 Ready-Mixed Concrete	327320 Ready-Mix Concrete Manufacturing

SIC number and description[2]	Corresponding NAICS number and description (if different from SIC)
3272 Concrete Products, Except Block and Brick (concrete pipe)	327332 Concrete Pipe Manufacturing
3272 Concrete Products, Except Block and Brick (concrete products, except dry mix concrete and pipe)	327390 Other Concrete Product Manufacturing
3272 Concrete Products, Except Block and Brick (dry mixture concrete)	327999 All Other Miscellaneous Nonmetallic Mineral Product Manufacturing including concrete recycle

[1] Italicized words in this permit are defined in Appendix B.
[2.] A full descriptive text describing code activities is found in Appendix A.

In addition to the activities listed in Table 1, similar activities may be required to obtain coverage under this general permit. This applies when

1. Ecology determines the discharge characteristics are similar and the permit conditions satisfy applicable state and federal requirements; and
2. The facility has one or more of the following characteristics:
   a. Owned or operated by private entities, the State of Washington or *local governments;* or
   b. If the discharge is to *groundwater,* is owned or operated by the federal government or is located on tribal land (except within Indian reservations on trust land or land owned by tribal governments); and
3. The facility has one or more of the following characteristics or processes:
   a. Any facility that ditches, routes, collects, contains, or impounds *process water, mine dewatering water,* or *Type 3 stormwater.*
   b. Any facility that discharges *stormwater, mine dewatering water,* or *process water* to *surface waters of the state.*
   c. Any facility that discharges to a municipal *storm sewer*.
   d. Any facility with a discharge to *surface water* or *groundwater* that operates a concrete batch plant or a *hot mix asphalt plant* that uses a wet scrubber for air emissions control.
   e. Any facility located inside a designated *wellhead protection area.*
   f. Any *silvicultural point source.*
   g. Any facility that recycles concrete or asphalt concrete.

S1.B. Facilities Excluded From Coverage under This Permit

1. Ecology will not provide coverage under this general permit for activities that fall under NAICS (SIC) codes listed above when the facility:
   a. Has a pit design that will intercept more than one aquifer.
   b. Discharges to a water body with *a Total Maximum Daily Load (TMDL)* for *turbidity,* fine *sediment, pH* or temperature unless the Permittee complies with S3.G.3 to S3.G.5, and the

requirements of this general permit are adequate to provide the level of protection required by the *TMDL* or control plan.

c. Discharges to a segment of a waterbody that is listed pursuant to Section 303(d) of the *Clean Water Act*, and discharges a listed *pollutant* at a concentration or volume that will cause or contribute to a violation of the applicable *water quality* standard.

d. Uses material for reclamation or backfill that is not *inert* and also is not covered by a DNR reclamation permit.

e. Conducts mining operations below the ordinary high water mark in a river or stream channel.

f. Would impair adjacent water rights as a result of pit operations lowering the water table,

g. Discharges to *surface water* on Federal Land or land within an Indian Reservation except for the Puyallup Reservation. Within the Puyallup Reservation, any facility that discharges to *surface water* on land held in trust by the federal government.

Any facility excluded from coverage under conditions S1.B.1.a-g must apply to Ecology for an individual discharge permit unless the activity is regulated under permit requirements of another section of the Federal *Clean Water Act*.

2. Ecology will not provide coverage under this general permit for any facility covered under *a National Pollutant Discharge Elimination System (NPDES)* permit or state waste discharge individual permit that addresses the same activities and pollutants.

S2. EFFLUENT LIMITS

The Permittee is authorized to discharge *process water, mine dewatering water,* and *stormwater* to *waters of the state* at the permitted location subject to the following effluent limits and monitoring requirements. All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit. If the discharges from two or more industrial activities are combined, the most stringent effluent limits apply.

Permittees must comply with the following effluent limits and monitoring requirements for *process water, mine dewatering water,* and *stormwater:*

Table 2. Effluent Limits and Monitoring Requirements for Process Water and Mine Dewatering Water. See additional limits in S3 and additional monitoring requirements in S4.

Type	NAICS Code (see Appendix A)	Discharge to:	pH		Turbidity (NTU)		Total Suspended Solids (TSS)	Oil Sheen [3]	DischargeFlow (gpm)	Total Dissolved Solids (TDS)
			Min	Max	Average Monthly	Maximum Daily	Average Quarterly			
Process Water, Mine Dewatering Water	113110, 212312, 212313, 212319, 212399	Surface	Quarterly[1]		Two/Month[2]		Quarterly[1]	Daily when runoff occurs	see S4.B.4 and S4.B.5	----
			6.5	8.5	50	71	40 mg/l	Visible Sheen	----	----
		Ground	Quarterly[1]		----		----	Daily when runoff occurs	----	----
			6.5	8.5	----		----	Visible Sheen	----	----
	212321	Surface	----		Two/Month[2]		Quarterly[1]	Daily when runoff occurs	see S4.B.4 and S4.B.5	----
			----		50	71	40 mg/l	Visible Sheen	----	----
		Ground	----					Daily when runoff occurs		----
			----		----		----	Visible Sheen	----	----
	212311, 212324, 212325,	Surface	----Surface Water Discharge Not Permitted----							
		Ground	Quarterly[1]		----		----	Daily when runoff occurs	----	----
			6.5	8.5	----		----	Visible Sheen	----	----
	212322	Surface	----		Two/Month[2]		Quarterly[1]	Daily when runoff occurs	see S4.B.4 and S4.B.5	----
			----	----	50	71	25 mg/l	Visible Sheen	----	----
		Ground	----		----		----	Daily when runoff occurs	----	----
			----	----	----		----	Visible Sheen	----	----
	327320, 327331 327332, 327390, 327999	Surface	One/Month		Two/Month[2]		Quarterly[1]	Daily when runoff occurs	see S4.B.4 and S4.B.5	
			6.5	8.5	50	71	40 mg/l	Visible Sheen	----	
		Ground	One/Month		----		----	Daily when runoff occurs	----	Monthly
			6.5	8.5	----		----	Visible Sheen	----	500 mg/l

Notes for Tables 2 and 3

1. Quarterly means at least one sample in each of the periods of January to March, April to June, July to September, and October to December.
2. When required to sample *turbidity* twice a month, there must be at least 24 hours between sampling.

Table 3. Effluent Limits and Monitoring Requirements for Type 2 and Type 3 Stormwater.

Type	NAICS Code (see Appendix A)	Discharge to:	pH		Turbidity (NTU)		Oil Sheen[3]	Nitrate + Nitrite N mg/L[4]	Discharge Flow (gpm)
			Min	Max	Average Monthly	Maximum Daily			
Stormwater (Type 2 & 3) Type 2 monitoring only applicable during earth moving activities	327320, 327331, 327332, 327390, 327999	Surface	One/Month		Two/Month[2]		Daily when runoff occurs		see S4.B.4 and S4.B.5
			6.5	8.5	50	71	Visible Sheen		----
		Ground	One/Month		----		Daily when runoff occurs		----
			6.5	8.5	----		Visible Sheen		----
	113110, 212312, 212313, 212319,212399 212324, 212325, 113310, 324121	Surface	Quarterly[1]		Two/Month[2]		Daily when runoff occurs	Quarterly[1]	see S4.B.4 and S4.B.5
			6.5	8.5	50	71	Visible Sheen	0.68 mg/L	----
		Ground	Quarterly[1]		----		Daily when runoff occurs		----
			6.5	8.5	----		Visible Sheen		----
	212311, 212321, 212322	Surface	----		Two/Month[2]		Daily when runoff occurs	Quarterly[1]	see S4.B.4 and S4.B.5
			----	----	50	71	Visible Sheen	0.68 mg/L	----
		Ground	----		----		Daily when runoff occurs		----
			----	----	----	----	Visible Sheen		

Notes for Tables 2 and 3(continued).

3. The occurrence of a visible sheen is not a violation if the Permittee complies with all of the following:
   a. Implements preventive BMPs, b. Reports the occurrence on the discharge monitoring report, c. Explains the cause and describes the immediate solution and future preventive practices on the discharge monitoring report and d. Does not discharge to surface waters.
4. Monitoring and limit applicable only when blasting is used at the facility (within 2 years prior to sample date).

S3. ADDITIONAL DISCHARGE LIMITS

S3.A. BMP Maintenance

The Permittee must inspect, maintain, and repair all BMPs to ensure continued performance of their intended function.

S3.B. Not Cause or Contribute to a Violation of Standards

Discharges must not cause or contribute to a violation of: Groundwater Quality Standards (Chapter 172-200 WAC), Surface Water Quality Standards (Chapter 173-201A WAC), or Sediment Management Standards (Chapter 173-204 WAC) of the State of Washington; and 40 CFR 131.

S3.C. Maintenance Shop Zero Discharge

The Permittee must not discharge *Wastewater* to *surface water* or *groundwater* from a maintenance shop unless the discharge will not cause or contribute to a violation of the *surface water* or *groundwater quality* standards.

S3.D. Unauthorized Use of Site

The Permittee must maintain and manage permitted *sites* 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.

S3.E. Water Management

1. Any ditch, channel, or other *Best Management Practices (BMPs)* used for routing water must be designed, constructed, and maintained to contain all flows except when:
   - Designed to infiltrate *Type 1 stormwater*.
   - Precipitation exceeds the *design storm* (10-year, 24-hour event).
2. Lined Impoundment Required

   This permit prohibits the direct discharge of *process water* from Concrete Batch Plants (NAICS 327320) and Asphalt Batch Plants (NAICS 324121), including any *wastewater* from truck wash-out areas, except to a lined impoundment. The lined impoundment must have adequate structural load-bearing design to support any mechanical method used for sludge removal and must be maintained to prevent any *discharge to groundwater*. After treatment, the Permittee may discharge *wastewater* subject to the limits set forth in Conditions S2 and other parts of this section (S3). At a minimum, the lined impoundment must meet one of the following design standards. The Liner must be constructed of:

   a. Synthetic or flexible membrane material, not less than 30 mils thick (40 mils for new installations after the effective date of this permit), that must not react with the discharge.

   b. Concrete with a minimum thickness of 6 inches.

c. Asphalt with a minimum thickness of 6 inches.

d. Steel-walled containment tank.

e. Any other functionally equivalent impoundment, structure, or technique that is based on standard engineering practices, and approved by Ecology to meet the intent of this section.

3. Impoundment Capacity

Any impoundment must have adequate capacity to provide treatment for water quality and flow control of *wastewater*. The design storm for calculating the size required for the impoundment is the 10-year, 24-hour precipitation event.

4. The Permittee must inspect the structural integrity of a lined impoundment whenever sludge removal occurs and make any necessary repairs before refilling. Continuous removal systems must draw down the impoundment periodically for inspection.

5. Mined Pit Pond

Discharges to a mined pit pond are not required to comply with TSS and *turbidity* limits prior to final reclamation. When reclamation is complete, discharges to the pond must not cause or contribute to a violation of *surface water quality* standards (Chapter 173-201A WAC).

6. The Permittee must not discharge *Type 3 stormwater* from an asphalt plant, concrete batch plant, asphalt release agent application area, or concrete truck washout area into a pit or excavation that penetrates the water table.

S3.F. Use of Chemical Treatment Products

1. Document Use - The Permittee must document the use of any chemical treatment additives or soil stabilization polymers used to:

i) Treat water discharged to *waters of the state.;*

ii) Stabilize soils.

iii) Suppress dust.

Documentation must identify the chemicals used, their commercial source, the material safety data sheet, and the application rate. The Permittee must retain this information on *site* or within reasonable access to the *site* and make it immediately available, upon request, to Ecology.

2. Apply as Instructed by the Manufacturer – The Permittee must apply chemicals used to enhance solids settling before discharge to *waters of the state,* to stabilize soils, or abate dust according to the manufacturer's instructions and may only use a chemical if the toxicity to aquatic organisms is known. The Permittee may only use chemicals to stabilize soils if the *stormwater* from the chemical application area is routed to and treated by a *stormwater* detention pond.

3. The Permittee must not use ligninsulfonate for dust suppression in excavated areas, including areas where topsoil has been removed.

4. Additional Restrictions - In addition, chemical treatment/soil *stabilization* must

meet one of the following conditions. It must:

a. Be consistent with Ecology's *Stormwater Management Manuals.*

b. Be consistent with other methods approved by Ecology's *Stormwater* Technical Review Committee or Chemical Technology Review Committee.

c. Use chemical treatment additives at a dosing rate resulting in no toxicity in the effluent or stormwater discharge.

S3.G. Discharges to Surface Water — Additional Effluent Limits

1. The following operations are not allowed to discharge *process water* to surface *waters of the state:*

   NAICS 324121 (SIC 2951), Asphalt Paving Mixture and Block Manufacturing (includes recycled asphalt), Asphalt Batch Plants

   NAICS 212311, (SIC 1411), Dimension Stone

   NAICS 212324, (SIC 1455), Kaolin and Ball Clay

   NAICS 212325 (SIC 1459), Clay, Ceramic, & Refractory Mineral Not Elsewhere Classified

   NAICS 212319, (SIC 1499), All other Nonmetallic Minerals

2. Discharges must not cause a visible increase in *turbidity* or objectionable color; or cause visible oil sheen in the *receiving water*.

3. *New facilities* and *existing facilities* must comply with *TMDL wasteload allocations* (for *turbidity*, fine *sediment*, *pH* and/or temperature) developed from a *TMDL* which was completed prior to the date permit coverage is issued.

4. *New facilities* that propose to discharge to an impaired water body that is on the *current EPA-approved 303(d) list*, but without a completed *TMDL*, must not discharge the listed *pollutant (turbidity, fine sediment (TSS), pH* or temperature) at a concentration or volume that will cause or contribute to a violation of the applicable *water quality* standard in the *receiving water*.

5. *Existing facilities* that discharge to an impaired waterbody on the *current EPA-approved 303(d) list* must not increase their loading or concentration of the listed *pollutant (turbidity,* fine *sediment measured as TSS, pH* or temperature) for the duration of the coverage of this permit or until a *wasteload allocation* is assigned from a completed TMDL.

S3.H. Discharges to Groundwater — Additional Effluent Limitations

The Permittee is authorized to discharge *process water, mine dewatering water,* and *stormwater* to *groundwater* at the permitted location subject to the numeric effluent limitations S2 above. If the Permittee combines discharges from two or more industrial activities, the most stringent effluent limit for each parameter applies.

1. There must be no visible oil sheen at any points of *discharge to groundwater.*

2. 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 quality* standards (Chapter 173-200 WAC). Water ponding at a facility can be considered a discharge to groundwater.

3. If a Permittee discharges wastewater below the surface of the ground, such as to a dry well, drainfield, or injection well it must comply with the Underground Injection Control Program regulations (Chapter 173-218 WAC).

S3.I. Discharge to Sanitary Sewer

Discharge of *stormwater* to *sanitary sewers* is subject to the following conditions:

The Permittee may discharge stormwater to a non-delegated POTW only upon special approval by Ecology. The Permittee must submit a request to Ecology demonstrating that:

- No other option is feasible or reasonable.
- The POTW has excess wet season hydraulic capacity (no sanitary sewer overflows or treatment system bypasses).
- The POTW is willing to accept the discharge.
- The hydraulic loading to the POTW will be reduced by eliminating the clean water that can be directly discharged directly without causing pollution.

The request must also certify that the Permittee is routinely implementing all applicable BMP's.

Discharges to sanitary sewer must meet the discharge restrictions of 40 CFR 403.

S3.J. Discharge of Type 3 Stormwater Directly to Ground Water

The Permittee must not discharge *Type 3 stormwater* from an asphalt plant, concrete batch plant, asphalt release agent application area, or concrete truck washout area into a pit or excavation that penetrates the water table.

S3.K. Inactive Sites

No excavation is allowed at an inactive site. All *inactive sites* are subject to the discharge limits for *stormwater* (Table 3).

An inactive site must have appropriate BMPs in place and functioning.

S4. MONITORING REQUIREMENTS

S4.A. All Discharges

The Permittee must retain inspection, maintenance and servicing records of the following inspections on site and make them immediately available to Ecology upon request.

1. The Permittee must inspect oil/water separators once per month during the wet season (October 1 – April 30) and during and immediately after a large storm event of greater than or equal to 1 inch per 24 hours. The accumulated oil must be removed

when it reaches a thickness of 1 inch. The bottom sludge must be removed when it reaches a thickness of 6 inches. Oil absorbent pads must be replaced as necessary to maintain effectiveness.

2. The Permittee must inspect all operationally related equipment and vehicles weekly for leaking fluids such as oil, hydraulic fluid, antifreeze, etc.

S4.B. Discharges to Surface Water

1. The Permittee must monitor all discharges of *process water, mine dewatering water, Type 2 stormwater* and *Type 3 stormwater* to *surface waters of the state,* or to *a storm sewer* that drains to *surface waters of the state,* according to the matrix in Tables 2 and 3 of Condition S2 above.

2. The Permittee must representatively sample discharges to *surface water*. *Representative sampling* of *Type 2 stormwater* and *Type 3 stormwater* requires sufficient number of sample locations to represent differences in *stormwater* quality. The Permittee must collect samples as close to the point where the discharge comes into contact with the *receiving water* as is reasonably achievable.

3. The Permittee must conduct a visual inspection of the point of discharge to *surface water* at least once a month when discharges occur. The date of the inspection, and any visible change in *turbidity* or color in the *receiving water* caused by the discharge, must be recorded and filed with the monitoring plan required by Condition S2.

4. *New facilities* that propose to discharge to a segment of a waterbody on the *current EPA-approved 303(d) list* for *turbidity* or fine *sediment* must conduct *turbidity* monitoring in accordance with an Ecology-approved monitoring plan that includes *receiving water* monitoring to demonstrate compliance with the applicable *turbidity* standard (WAC 173-201A-030). The applicant/Permittee must contact Ecology before developing a monitoring plan.

5. *New facilities* that propose to discharge to surface water must conduct a receiving water study for two years when Ecology determines, at the time of application, that there is a potential for violation of water quality standards. The study consists of measuring the receiving water flow and temperature and discharge flow and temperature at the time of *critical flows*. The applicant/Permittee must contact Ecology before developing a monitoring plan. If Ecology determines a receiving water study is required, the receiving water study plan must be completed before operations are begun.

S4.C. Discharges to Groundwater

1. The Permittee must monitor all discharges of *process water, mine dewatering water, Type 2 stormwater* and *Type 3 stormwater* to *groundwater* according to the matrix in Condition S2.

2. The Permittee is required to representatively sample discharges to ground. *Representative sampling* must include discharges of *wastewater* and *mine dewatering water* to groundwater; or may include sampling *groundwater quality* from

monitoring wells in accordance with an Ecology-approved *groundwater* impact study based on Ecology Publication 96-02 (Implementation Guidance for the *Groundwater* Quality Standards). *Representative sampling* of *stormwater* requires the Permittee to identify the sample sites in the monitoring plan.

S4.D. Stormwater Monitoring at Inactive Sites

Stormwater monitoring is required at *inactive sites* when both of the following conditions apply:

1. The Permittee or operator adds or withdraws raw materials or finished products from stockpiles within a three month period.
2. The *site* has a discharge of *stormwater* to *surface waters of the state.*

The monitoring requirements are given in Table 3.

S4.E. Monitoring for Oil Sheen

Permittees must conduct visual monitoring for oil sheen at all *surface water* and *groundwater* discharge points (or representative locations where water collects prior to discharge) each day that equipment operates and runoff occurs. If oil sheen is present, the Permittee must clean up the source and report the event on the Discharge Monitoring Report (DMR) form, identifying the probable cause of the oil sheen and describe the actions taken to prevent further contamination (See Condition S2, Tables 2 and 3, footnote 3).

S4.F. Stormwater Inspections

The Permittee must conduct at least two *stormwater* inspections each year at all *active sites* covered under this permit. The Permittee must conduct at least one inspection during the wet season (October 1 – April 30) and at least one inspection during the dry season (May 1 – September 30).

1. Wet Season Inspection

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

   The Permittee must conduct the inspection during a rainfall event adequate in intensity and duration to verify that:

   a. The description of potential *pollutant* sources (as defined in S5.C.5.b)required under this permit is accurate, and

   b. The Permittee has updated or otherwise modified the *site* map as required in the *SWPPP* (S5.C.5.a) to reflect current conditions and,

   c. The Permittee is implementing controls which are adequate to reduce *pollutants* in *stormwater* discharges associated with industrial activity identified in the *SWPPP*.

2. Dry Season Inspection

The dry season inspection must be conducted by personnel named in the *SWPPP* and after at least seven (7) consecutive days of no precipitation. The inspection must 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 must comply with non-compliance notification requirements of Special Condition S6.E. and must eliminate the discharge within ten (10) days. If the Permittee cannot eliminate the discharge within ten days, the discharge must be considered *process water* and subject to all *process water* conditions of this general permit.

3. Erosion and Sediment Control Inspections

a. At *active sites* conducting earth moving activities that discharge to *surface water*, the Permittee must inspect all on-site *erosion* and *sediment* control *BMPs* at least once every seven days, and within 24 hours after any storm event of greater than 0.5 inches of rain per 24 hour period. The Permittee must maintain a file containing a log of observations and corrective actions as part of the *Erosion and Sediment Control Plan (ESCP).*

b. At Inactive sites that are inactive for a period of three years or longer, and have the potential to discharge *stormwater* off *site*, a Registered Professional Engineer, or equivalent (e.g. Licensed Professional Geologist, Certified Professional in *Erosion* and *Sediment* Control, etc.) must certify every three years that the facility complies with this general permit. The Permittee must maintain the certification as part of the *Erosion and Sediment Control Plan (ESCP).*

4. Inspection Reports

The Permittee must prepare and retain a report on each inspection as part of the *SWPPP*. The report must summarize the:

a. Scope of the inspection.

b. Personnel conducting the inspection.

c. Date(s) of the inspection.

d. Major observations relating to the implementation of the *SWPPP*.

e. Any actions taken as a result of the inspection.

The responsible party must sign the reports in accordance with General Condition G1 and must certify that the Permittee has investigated the discharge of *stormwater* for the presence of *non-stormwater*.

S4.G. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit must represent 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 monitoring requirements specified in

this permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136.

S4.H. Laboratory Accreditation

The Permittee must ensure that all monitoring data required by Ecology is prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC, *Accreditation of Environmental Laboratories*. Flow, temperature, *turbidity*, settleable solids, conductivity, *pH*, and internal process control parameters are exempt from this requirement. The Permittee or laboratory must obtain accreditation for conductivity and pH if accreditation or registration is required for other parameters.

S5. SITE MANAGEMENT PLAN (SMP)

The Permittee must:

1. Fully implement the *SMP*.
2. Review the plan once a year and update it as necessary to represent changes in facility conditions.
3. Retain the *SMP* and permit on *site* or within reasonable access to the *site* and make it immediately available, upon request, to Ecology or the local jurisdiction.
4. Provide a copy of the *SMP* to the public when requested in writing to do so. The copy must be provided within 10 days.

The responsible party as identified in General Condition G1 must sign the *SMP* and all of its modifications. The Permittee may include in the *SMP*, 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 must be available on *site* or within reasonable access to the *site* and become enforceable requirements of the *SMP*.

The SMP consists of 4 main sections consisting of:

A. *Erosion and Sediment Control Plan (ESCP) (equivalent to* a Clearing, Grading, and Excavation plan required by EPA).

B. Monitoring Plan.

C. Stormwater Pollution Prevention Plan.

D. Spill Control Plan.

S5.A. Erosion and Sediment Control Plan (ESCP)

The Permittee must prepare an ESCP prior to any earth moving activities. The *ESCP* must identify and describe the *erosion and sediment control BMPs* to be implemented at the facility and a schedule for *BMP* implementation.

1. The Permittee must initiate *Stabilization BMPs* as soon as practicable on portions of the *site* where mining activities have temporarily or permanently ceased. The Permittee must:

a. Stabilize and protect all soils from *erosion* by the timely application of effective *BMPs.*

b. Preserve existing *vegetation* where feasible. Areas that are not to be disturbed must be permanently marked; these include setbacks, sensitive/ critical areas and their buffers, trees, and drainage courses.

c. Design and construct cut slopes and fill slopes in a manner that will minimize *erosion*.

d. Provide *Stabilization* at the outlets of all conveyance systems to prevent *erosion*.

2. Runoff Conveyance and *Treatment BMPs*

The *ESCP* must include a description of runoff conveyance and *treatment BMPs* used to prevent *erosion* and *sedimentation.* The plan must ensure that the following requirements are satisfied. The Permittee must:

a. Protect properties adjacent to the project *site* from *erosion* and *sedimentation* related to the facility.

b. Construct *sediment* ponds and traps, perimeter dikes, *sediment* barriers, and other *BMPs* intended to trap *sediment* on *site* as a first step. These *BMPs* must be functional before land is disturbed. Slopes of earthen structures used for *sediment* control such as dams, dikes, and diversions must be stabilized immediately after construction.

c. Design any *BMP* constructed at an *active site* to maintain separation of *Type 2 stormwater* from *Type 3 stormwater* and *Type 1 stormwater* during the peak flow from the *design storm.* If any commingling of *Type 1, Type* 2, or *Type 3 stormwater* occurs, the Permittee must meet the most restrictive permit requirements.

S5.B. Monitoring Plan

At *active sites*, Permittees must maintain and comply with a monitoring plan developed in accordance with Special Conditions S2, S3, and S4. The Permittee must retain the monitoring plan and permit on *site* or within reasonable access to the *site* and make it immediately available, upon request, to Ecology or local jurisdiction. In addition, the Permittee must make the monitoring plan available to the public when requested in writing to do so. The responsible party as identified in General Condition G1 must sign the monitoring plan and all of its modifications.

1. Monitoring Plan and Content Requirements

The monitoring plan must at minimum:

a. Identify all the industrial activities at the *site.*

b. Include all of the applicable parameters and monitoring frequencies identified in Special Conditions S2, S3, S4, and S5 as monitoring requirements. Where a discharge combines two or more industrial activities and each activity requires the same monitoring parameter and frequency, only one sample and analysis for that parameter will be required. No sampling is required of water held in a lined

impoundment that is designed, constructed, and maintained in accordance with Special Condition S3.E.2. Any discharges from a lined impoundment to *waters of the state* must be sampled in accordance with the monitoring plan.

c. Include a site map identifying the location of all sampling points, the types of discharges that occur at each point (e.g. *process water, mine dewatering water and stormwater)*, and whether the discharge is to *surface water* or *groundwater*. The plan must identify enough sample points to provide *representative sampling* of all *point source* discharges to *surface water* or *groundwater*.

d. Assign a unique label (e.g. S1, S2, etc.) to each sampling point. The Permittee must use these labels on Discharge Monitoring Reports (DMRs).

e. List the standard procedures used at the facility for collecting samples for analysis. The publications 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, must be used as guidance for *stormwater, mine dewatering water,* and *process water* sampling procedures. The Permittee must collect samples taken to meet the requirements of this general permit during the facility's normal working hours and while processing at normal levels.

f. List the non-compliance notification procedures and contact numbers.

2. Maintaining Monitoring Plan

If facility conditions require the addition or deletion of a sampling point, the Permittee must inform Ecology in writing of the addition/deletion before the end of the quarter in which the change will occur. Notification is by use of the appropriate notification form.

S5.C. Stormwater Pollution Prevention Plan (SWPPP)

The Site Management Plan (SMP) must include a SWPPP.

1. The *SWPPP* must be consistent with permit requirements and include the *BMPs* necessary to provide *AKART*. It must also include any additional *BMPs* as necessary to comply with state *water quality* standards.

2. Unless the facility is designed for reuse of process water, the *SWPPP* must 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* and is subject to all permit conditions for *process water*.

3. Modifications of the SWPPP

a. The Permittee must review and modify the *SWPPP* as necessary, whenever there is a violation of *stormwater* discharge limits in Special Conditions S2 and S3. Additional or modified *BMPs* must be implemented as soon as practicable.

b. Ecology may require the Permittee to modify the *SWPPP* for non-compliance with the minimum requirements of this section. The Permittee must then

complete *SWPPP* modifications and implement additional or modified *BMPs* as soon as practicable.

4. *Stormwater BMPs* must be consistent with one of the following conditions:

   a. The *Stormwater Management Manual* (most current edition) for Western Washington, for *sites* west of the crest of the Cascade Mountains.

   b. The *Stormwater Management Manual* (most current edition) for Eastern Washington, for *sites* east of the crest of the Cascade Mountains.

   c. Other equivalent *stormwater* management guidance documents which have been subject to public review and comment and approved by Ecology.

   d. Documentation in the *SWPPP* that the *BMPs* selected provides an equivalent level of *pollution* prevention, compared to the applicable *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

      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.

5. SWPPP Contents and Requirements

   The *SWPPP* must contain, at a minimum, the following:

   a. *Site* Map (may be combined with site map required in S5.B)

      The *site* map must 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,)* and the discharge points. The *site* map must also identify nearby and on-site *surface water* bodies, drainage ditches and any known underlying aquifers.

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

      i. Loading and unloading of dry bulk materials or liquids.

      ii. Outdoor storage of materials or products.

      iii. Outdoor processing.

      iv. Processes that generate dust and particles.

      v. Roofs or other surfaces exposed to air emissions from a process area.

      vi. On-site waste treatment, storage, or disposal.

      vii. Vehicle and equipment maintenance and/or cleaning.

      viii. Paved areas and buildings.

      ix. Underground storage of materials or products.

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

b. Inventory of Materials and Pollutant Sources

This inventory must list potential pollutants and pollutant sources. The inventory of materials must include a list of all types of materials handled at the *site* that are exposed to precipitation or run-off (e.g. raw materials, cement admixtures, petroleum products, etc.).

c. Runoff Conveyance and *Treatment BMPs (see Stormwater Manual for Western/Eastern Washington Vol. 5)*

The *SWPPP* must include runoff conveyance and *treatment BMPs* as necessary to control pollutants and comply with the *stormwater* discharge limits in S2 and S3.

Runoff conveyance *BMPs* include, but are not limited to:

i. Interceptor dikes

ii. Swales

iii. Channel lining

iv. Pipe slope drains

v. Outlet protection

Treatment BMPs may include, but are not limited to:

i. Oil/water separators

ii. Biofiltration swales

iii. Infiltration or detention basins

iv. *Sediment* traps

v. Chemical treatment systems

vi. *Constructed wetlands*

d. Innovative *BMPs*

Innovative treatment, source control, reduction or recycling, or operational MPs beyond those identified in Ecology's *SWMMs* are encouraged if they help achieve compliance with this general permit.

e. Other Materials

The Permittee must manage the following materials to prevent *stormwater* contamination:

1. Toxic materials or chemicals
2. Petroleum contaminated soils (PCS) that fail to meet the most protective MTCA Method 'A' treatment levels (WAC 173-340-740(2))
3. Cement
4. Admixtures

5. Fuels, lubricants, tar and other petroleum products
6. Any material that contains petroleum contamination or has the potential to cause aquatic toxicity.

f. *Source Control BMPs*

The *SWPPP* must include *source control BMPs* as necessary to achieve *AKART* and compliance with the *stormwater* discharge limits in S2 and S3. Ecology has determined the following BMPs will be appropriate for most facilities covered under this permit. The Permittee may omit individual BMPs if site conditions render the BMP unnecessary, infeasible, or the Permittee provides alternative and equally effective BMPs. The Permittee must note the rationale for omission or substitution in the SWPPP. The Permittee must:

1. Store all chemical liquids, fluids, and petroleum products, on an impervious surface surrounded with a containment berm or dike that is capable of containing 10% of the total enclosed tank volume or 110% of the volume contained in the largest tank, whichever is greater.
   i) Precipitation must be prevented from accumulating in containment areas with a roof or equivalent structure.
   ii) If cover is not practicable, the Spill Control Plan must include a description of how accumulated water will be managed and disposed of.
2. Empty containers must be fully drained, capped and labeled. The number of empty containers on site must be minimized.
3. Use drip pans and absorbents under leaky vehicles and equipment or store indoors where feasible.
4. Fit all dumpsters containing leachable materials with a lid that must remain closed when not in use, or alternatively keep the dumpster under cover.
5. Locate spill kits at all stationary fueling stations, fuel transfer stations, and mobile fueling units.
6. Use drip pans or equivalent containment measures during all petroleum transfer operations.
7. Conduct all vehicle and equipment cleaning operations under cover or in a bermed area to prevent commingling of wash water and stormwater. All wash water must drain to a proper collection system (i.e., not the stormwater drainage system). This does not apply to using low pressure (under 100 psi) cold water to rinse mud off of vehicles and equipment provided no soap is used, and provided that the rinse water is routed to a sediment treatment structure on the site.
8. Store uncured concrete, any type of concrete solids (does not include fully cured or recycled concrete), uncured asphalt paving materials, cold mix asphalt on a bermed impervious surface. This includes ecology blocks, septic tanks, jersey barriers, and other cast concrete products.

9. Treat all stormwater that contacts these materials (identified in 7 above) in a lined impoundment as the permit considers it process wastewater. Discharge of this water is subject to the effluent limitations in permit condition S2 and must not cause a violation of water quality standards.

10. Store lead acid batteries under cover.

11. Take leaking equipment out of service and prevent it from leaking on the ground until repaired. Repair all leaks before putting equipment back into service on the site.

12. Manage paving equipment to prevent stormwater contamination.

13. Manage sediment track out to paved public roads to prevent the tracked sediment from delivering to surface water or storm drain systems. Discharges to surface waters, public storm drain systems, or both are subject to permit limits for turbidity and must be included in the Permittee's sampling plan whenever track out onto the public roadway is evident. Measures recommended to control or prevent track out include:

    a. Limit vehicle access and exit to one route, if possible.

    b. Stabilize access points with a pad of quarry spalls, crushed rock, or other *equivalent BMP*, as necessary to minimize the tracking of sediment onto public roads.

    c. Locate a closed loop wheel wash or tire baths (or equivalent BMP) on site, if the stabilized construction entrance is not effective in preventing sediment from being tracked onto public roads. Wheel wash or tire bath wastewater, must be discharged to an on-site treatment system or to the sanitary sewer.

    d. Clean public roads thoroughly at the end of each day or more frequently during wet weather if sediment is tracked off site. Clean sediment from roads by shoveling or pickup sweeping and transport to a controlled sediment disposal area.

    e. Only wash streets after sediment is removed in accordance with condition d above. Street wash wastewater must be controlled by pumping back on site or otherwise be prevented from discharging into systems tributary to waters of the state.

14. The Permittee must use source control BMPs in the following areas as necessary to control pollutants:

    a. Fueling at Dedicated Stations

    b. Mobile Fueling

    c. Loading and Unloading Areas

    d. Storage of Liquid in Above-Ground Tanks

    e. Dust Control

    f. High Use Parking Areas

g. Storage or Transfer of Solid Raw Materials, By-Products or Finished Products

(See *Stormwater Manual for Western/Eastern Washington Vol. 4* for specific BMPs*)*

S5.D. Spill Control Plan

1. Materials of Concern

The Permittee must maintain and comply with a Spill Control Plan for the prevention, containment, control and cleanup of spills or unplanned discharges of:

a. Oil and petroleum products including accidental release from equipment.

b. Materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070.

c. Other materials which may become *pollutants* or cause *pollution* upon reaching *waters of the state.*

2. Spill Control Plan Contents

The Permittee must review and update the Spill Control Plan, as needed, but at least annually. The Spill Control Plan must include the following:

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

b. A list of equipment and materials on *site* that have the potential to leak or spill.

c. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.

d. Specific handling procedures and storage requirements for materials kept on *site.*

3. Spill Response

The Permittee must have the necessary cleanup materials available and respond to all spills in a timely fashion, preventing their discharge to *waters of the state.* All employees must receive appropriate training to assure all spills are reported and responded to appropriately. The Permittee must immediately clean up all spills, leaks, and contaminated soil to prevent the discharge of pollutants to groundwater or surface waters.

S6. REPORTING AND RECORD KEEPING REQUIREMENTS

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

S6.A. Discharge Monitoring Reports

1. The Permittee must submit a “Discharge Monitoring Report (DMR)” form on a

quarterly basis for all:

a. active sites, whether or not the facility was discharging.

b. inactive sites required to conduct *stormwater* monitoring per S4.D.

2. If there was no discharge, or if the facility was inactive (and not withdrawing from stockpile) during a given period (3 months prior to time of submittal), submit the form as required and with the words “no discharge” or "not operational" on the DMR form in place of the monitoring results.

3. The first monitoring period starts on the date the permit coverage begins. The Permittee must report monitoring results obtained during the previous three (3) months on the DMR provided, or otherwise approved, by Ecology.

4. The Permittee must submit DMRs to the *Water Quality* Permit Coordinator at the appropriate regional office that issued coverage under the general permit. DMRs must be received by Ecology according to the schedule below:

Discharge Monitoring Period	DMR due on or before:
October, November, December	January 30
January, February, March	April 30
April, May, June	July 30
July, August, September	October 30
Note: If a Permittee is covered under this permit for only part of a monitoring period, they must submit a DMR for the period of time that they are in active status (see S4.D).	

S6.B. Additional Monitoring by the Permittee

Any Permittee that monitors any *pollutant* more frequently than required in Conditions S2, S3, or S4 must include those results in the calculation and reporting of the data submitted in the DMRs or other reporting requirements.

S6.C. Records Retention

The Permittee must retain records of all monitoring information for a minimum of five (5) years. Such information must 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. The Permittee must extend this period of retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

S6.D. Recording of Results

The Permittee must 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.
6. The results of all analyses.

S6.E. Reporting Permit Violations

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 must:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately.
2. Notify the Ecology Regional Sand and Gravel Permit Manager by phone or in person within 24 hours of when the Permittee becomes aware of the circumstances.
3. Submit a detailed written report to Ecology within 30 days, five days for upsets, spills and *bypasses*, unless requested earlier by Ecology. The report must 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. The Permittee may not substitute data from re-sampling for ongoing permit monitoring required under Special Condition S2, S3 and S4 and must 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.

S6.F. Spill Reporting

The Permittee must report all spills according to section E above.

S7. SOLID WASTE DISPOSAL

S7.A. Solid Waste Handling

The Permittee must 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 must comply with all applicable local, state, and federal regulations.

S7.B. Leachate

The Permittee must not allow *leachate* from solid waste material to enter *waters of the state* without providing *AKART*, nor allow such *leachate* to cause or contribute to violations of the State Surface *Water Quality* Standards, Chapter 173-201A WAC, or the State *Groundwater Quality* Standards, Chapter 173-200 WAC. The Permittee must apply for a permit or permit modification as may be required for such discharges to *waters of the state.*

S7.C. Recycle and Waste Material Other Than Concrete or Asphalt

The Permittee must comply with the Minimum Functional Standards for Solid Waste Handling, Chapter 173-350 WAC, and where appropriate, the Dangerous Waste Regulations, Chapter 173-303 WAC. The Permittee must meet the procedural, operational, and structural controls required under the Chapter 173-350 for any type of recycling or solid waste handing on the site. If the Permittee places or intends to place amounts and types of inert waste as defined in WAC 173-350-990, they must fully comply with solid waste regulations. The Permittee must comply with the requirements for obtaining permits from health departments that have jurisdiction over the disposal activities at the permitted site and comply with those permits.

This permit does not authorize discharge of leachate or process water from solid waste handling activities except as provided under WAC 173-350-990 (inert waste).

S8. OTHER/UNPERMITTED USES OF SITE

All activities at the permitted site must have the appropriate permits for those uses. This permit does not cover any discharge from uses not falling within the NAICS/SIC codes covered by the General Sand and Gravel Permit. No discharge is allowed from any activities unless it is either covered under this permit's NAICS/SIC code criteria or is covered by a separate individual wastewater discharge permit.

S9. PERMIT APPLICATION

S9.A. How to Apply for General Permit Coverage for Non-Portable Facilities

1. All *new facilities,* un-permitted *existing facilities,* and permitted *existing facilities* that intend to implement a significant process change must submit a completed and signed "Sand and Gravel General Permit Application for Coverage" form (ECY 070-31) to Ecology. The Permittee must submit the *application for coverage* no less than one hundred and eighty (180) days before beginning any activity that may result in the discharge of any *pollutant.* No discharge is authorized until the effective date of permit coverage as provided in Special Condition S9.C below. *New facilities* proposing to discharge to surface waters should review condition S4.B above.
2. Facilities with *stormwater* discharge to *a storm sewer* operated by any of the following municipalities must send a copy of their *application for coverage* to the appropriate *municipality:* Seattle, King County, Snohomish County, Tacoma, Pierce County, and Clark County.
3. All *new facilities* and permitted *existing facilities* planning a *significant process change* must:
   a. Satisfy public notice requirements in WAC 173-226-130(5). Ecology will provide instructions for complying with public notice requirements.
   b. Certify that the applicable *SEPA* requirements have been met.
   c. Meet the requirements of Chapter 173-240 *SUBMISSION OF PLANS AND REPORTS FOR CONSTRUCTION OF WASTEWATER FACILITIES*

4. A Permittee may include in the *application for coverage*, activities that are, or could be performed by an operator(s) other than the Permittee. These activities may be ongoing or intermittent. As the permit holder, the Permittee is responsible for compliance with all conditions of the permit.

S9.B. How to Apply for and Maintain Permit Coverage for Portable Facilities

An owner and/or operator of a portable concrete batch plant, portable asphalt batch plant, or portable rock crusher may obtain general permit coverage to operate the portable facility throughout Washington State by submitting a completed and signed "Application for Coverage for Portable Operations" form (ECY 070-35) to Ecology. *New facilities* (i.e. facilities that did not operate in Washington State prior to February 4, 2005) must comply with S9.A.3 at the time of application. No discharge is authorized until the effective date of permit coverage as provided in Special Condition S9.C.

Permit coverage will apply only to the specific portable facility identified in the "*Application for Coverage* for Portable Operations" form. Permit coverage is provided for the portable facility at *sites* throughout the state subject to the following requirements:

1. Coverage of the portable facility at a *site* is for a limited time, not to exceed two (2) years. However, when related to a specific project, two six-month extensions may be granted upon request. The Permittee must submit the request to Ecology in writing, at least 30 days before the facility will exceed two years at a *site* and explain why a six-month extension is warranted.

2. The Permittee of the portable facility must submit a completed and signed "Portable Facility Notification of Intent to Begin Operation" form (ECY 070-36) no less than ten (10) days before beginning each operation at a new location. The form must be sent to the *Water Quality* Permit Coordinator at the appropriate Ecology regional office for where the *site* and operation is located.

3. Upon completion of the portable operation, the Permittee must restore all areas affected by the operation in accordance with the "*Site* Restoration" portion of the "Notice of Intent to Begin Operations" form submitted to Ecology prior to beginning operations.

   Site restoration must include:

   a. Cleaning up, or otherwise preventing the discharge of, *any pollutant* (including spilled petroleum products) to *waters of the state.*

   b. Stabilizing all areas affected by activities associated with the portable operation with a permanent vegetative cover or equivalent permanent *stabilization* measure (crushed rock surfacing, rip rap, etc.) which will prevent *erosion.*

4. The Permittee must submit a completed and signed "Portable Facility Notice of Completion of Portable Operations" form (ECY 070-30) to the *Water Quality* Permit Coordinator at the appropriate Ecology regional office when it has completed the following:

   a. All activities associated with the portable operation have ceased.

b. All equipment associated with the operation has been removed.

c. All land affected by the portable operation has been restored in accordance with S9.E.

S9.C. Permit Coverage Timeline For New Facilities

1. Unless Ecology notifies the applicant in writing to the contrary, coverage under this general permit will begin on the later of the following:

   a. The thirty-first (31st) day after Ecology receives the completed *application for coverage*.

   b. The thirty-first (31st) day after the end of a thirty (30) day public comment period.

   c. The effective date of the general permit.

2. If the application is incomplete, an appeal has been filed, public comments have been received, or more information is necessary to determine whether a facility requires coverage under the general permit, additional time may be required to review the application. When additional time is required, Ecology will:

   a. Notify the applicant in writing and identify the issues that must be resolved before a decision can be reached.

   b. Send the final decision to the applicant in writing. If the *application for coverage* is approved, coverage begins the thirty-first (31st) day after approval.

3. If the applicant has an individual permit but applies for coverage under the general permit, the individual permit will remain in effect until terminated in writing by Ecology. However, an expired individual permit, pursuant to WAC 173-220-180(5), will terminate upon coverage by the general permit.

S9.D. Reporting Change in Operating Status

Any facility that changes operating status from *active* to *inactive*, or *inactive* to *active*, must submit an "Operating Status Change Form" (ECY 070-331) to Ecology as follows:

1. If the change is from *inactive* to *active*, the form must be submitted no less than ten (10) days before the change.

2. If the change is from *active* to *inactive*, the form must be submitted no later than ten (10) days after the change.

The failure to accurately report changes in operating status is a permit violation.

S9.E. Terminating Coverage

A Permittee may request termination (cancellation) of permit coverage for a *closed site* by submitting a "Change Request Form" (ECY 070-32). In addition to discontinuing all activities at the *site*, the Permittee must complete restoration of the *site*.

1. A mining *site* is considered restored when DNR has completely released the reclamation bond or the *site* has been reclaimed to the satisfaction of the Ecology

permit manager and local jurisdiction, if required. If the site is not subject to DNR reclamation, the mining *site* is considered restored when the *site* has been reclaimed to the satisfaction of the Ecology permit manager and local jurisdiction, if required.

2. Processing *sites* (includes concrete and asphalt batch operations) are considered restored when processing equipment has been removed and the Ecology permit manager determines the *site* has been returned to an appropriate condition.
3. Permittees that operated a portable facility at one or more locations in Washington State may terminate statewide permit coverage if the Permittee is in compliance with S9.B.4 at all *sites* where they have operated a portable facility under this permit.
4. If the Permittee is prohibited by law from accessing the *site* to complete *site* restoration, the Permittee may request termination by submitting to Ecology a "Change Request Form" (ECY 070-32) along with documentation of the Permittee's inability to access the *site*.

S9.F. Transferring Permit Coverage

See condition G19 and Ecology Change Request Form

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

A. All applications, reports, or information submitted to Ecology must be signed and certified.

(a). In the case of corporations, by a responsible corporate officer.

For the purpose of this section, a responsible corporate officer means:

(i). A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or

(ii). the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b). In the case of a partnership, by a general partner.

(c). In the case of sole proprietorship, by the proprietor.

(d). In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

Applications for permits for domestic wastewater facilities that are either owned or operated by, or under contract to, a public entity must be submitted by the public entity

B. All reports required by this permit and other information requested by Ecology must 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 a person described above and submitted to Ecology.
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be 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 satisfying the requirements of paragraph

B.2 above must be submitted to Ecology 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 must 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. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit must be consistent with the terms and conditions of this general permit. The discharge of any *pollutants* more frequently than, or at a concentration in excess of, that authorized by this permit constitutes a violation of the terms and conditions of this permit.

G3. PROPER OPERATION AND MAINTENANCE

The Permittee must at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for *pollution* control.

G4. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with their general permit coverage, must control production and/or all discharges upon reduction, loss, failure, or *bypass* of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G5. BYPASS PROCEDURES

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and Ecology may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass Which is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit.

   This bypass is permitted only if:

   a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

   b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.

   c. Ecology is properly notified of the bypass as required in condition S3E of this permit.

3. Bypass which is Anticipated and has the Potential to Result in Noncompliance of this Permit.

   The Permittee must notify Ecology at least thirty (30) days before the planned date of bypass. The notice must contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

   For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above must be considered during preparation of the engineering report or facilities plan and plans and specifications and must be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Ecology will consider the following prior to issuing an administrative order for this type bypass:

a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.

b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public must be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under RCW 90.48.120.

G6. RIGHT OF INSPECTION AND ENTRY

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.

B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.

C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.

D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G7. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications must be submitted to Ecology for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications must be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities must be constructed and operated in accordance with the approved plans.

G8. NOTIFICATION OF CHANGE IN COVERED ACTIVITIES

The Permittee must submit a new *application for coverage* whenever facility expansions, production increases, or process modifications are anticipated that will:

A. Result in new or *substantially changed* discharges of *pollutants;* or

B. Violate the terms and conditions of this permit. This new *application for coverage* must be submitted at least 60 days prior to the proposed changes. Submission of the *application for coverage* does not relieve the Permittee of the duty to comply with the existing permit.

G9. PERMIT COVERAGE REVOKED

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the *Director* may require any *discharger* authorized by this permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

A. Violation of any term or condition of this permit;

B. Obtaining coverage under this permit by misrepresentation or failure to fully disclose all relevant facts;

C. A change in any condition that requires a temporary or permanent reduction or elimination of the permitted discharge;

D. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;

E. A determination that the permitted activity endangers human health or the environment, or contributes to *water quality* standards violations;

F. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;

G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or

H. Incorporation of an approved local pretreatment program into a *municipality's* permit.

Permittees that have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G10. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and re-issuance include, but are not limited to, the following:

A. When a change occurs in the technology or practices for control or abatement of *pollutants* applicable to the category of *dischargers* covered under this permit;

B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of *dischargers* covered under this permit;

C. When *a water quality* management plan containing requirements applicable to the category of *dischargers* covered under this permit is approved; or

D. When information is obtained that indicates the cumulative effects on the environment from *dischargers* covered under this permit are unacceptable.

G11. REPORTING A CAUSE FOR MODIFICATION

A Permittee who knows, or has reason to believe, any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G10, or *40 CFR* 122.62, must report such plans, or such information, to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this permit will be required. Ecology may then require submission of a new *application for coverage* under this, or another general permit, or an application for an individual permit. Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new *application for coverage* has been approved and corresponding permit has been issued.

G12. TOXIC POLLUTANTS

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the *Clean Water Act* for toxic *pollutants* within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G13. OTHER REQUIREMENTS OF 40 CFR

All other requirements of *40 CFR* 122.41 and 122.42 are incorporated in this general permit by reference.

G14. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit excuses the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G15. ADDITIONAL MONITORING

Ecology may establish additional specific monitoring requirements, including the installation of *groundwater* monitoring wells, by administrative order or permit modification.

G16. PAYMENT OF FEES

The Permittee must submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

G17. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other *pollutants* removed in the course of treatment or control of *wastewaters* must not be resuspended or reintroduced to the final effluent stream for discharge to State waters.

G18. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any *discharger* authorized by this permit may request to be excluded from coverage under this general permit by applying for an individual permit. The *discharger* must submit to the *Director* an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. The *Director* will either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a *discharger* otherwise subject to this general permit, the applicability of this general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G19. PERMIT TRANSFER

A. Coverage under this permit is automatically transferred to a new owner or operator if:

1. The Permittee notifies Ecology at least 30 days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. Ecology does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke coverage under this permit.

B. Unless permit coverage is automatically transferred according to section A. above, this permit coverage may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by Ecology.

G20. DUTY TO REAPPLY

The Permittee must reapply for coverage under this permit, at least, one hundred and eighty (180) days prior to the specified expiration date of this permit. An expired permit continues in force and effect until a new permit is issued or until Ecology cancels it. Only those facilities which have reapplied for coverage under this permit are covered under the continued permit.

G21. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S6.E) the Permittee complied with any remedial measures required under G30 of this permit.

In any enforcement proceedings the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G22. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit is guilty of a crime, and upon conviction thereof may 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 incurs, 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 is a separate and distinct offense, and in case of a continuing violation, every day's continuance is a separate and distinct violation.

G23. APPEALS

A. The terms and conditions of this general permit, as they apply to the appropriate class of dischargers, are subject to appeal by any person within 30 days of issuance of this general permit, in accordance with Chapter 43.21B RCW, and Chapter 173-226 WAC.

B. The terms and conditions of this general permit, as they apply to an individual discharger, are appealable in accordance with Chapter 43.21B RCW within 30 days of the effective date of coverage of that discharger. Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or non-applicability to that individual discharger.

C. The appeal of general permit coverage of an individual discharger does not affect any other dischargers covered under this general permit. If the terms and conditions of this general permit are found to be inapplicable to any individual discharger(s), the matter will be remanded to Ecology for consideration of issuance of an individual permit or permits.

G24. SEVERABILITY

The provisions of this permit are severable, and if any provision of this general permit or application of any provision of this general permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, will not be affected thereby.

G25. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G26. DUTY TO COMPLY

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G27. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit will, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment will be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

G28. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee must give advance notice to Ecology by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, must be scheduled during non-critical water quality periods and carried out in a manner approved by Ecology.

G29. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to Ecology, such facts or information must be submitted promptly.

G30. DUTY TO MITIGATE

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

APPENDIX A — SIC AND NAICS NUMBERS AND DESCRIPTIONS FOR FACILITIES COVERED UNDER THIS PERMIT

Table 1. Standard Industrial Code and the corresponding North American Industry Classification System (NAICS) number.

SIC number and description	Corresponding NAICS number and description (if different from SIC)
0811 Timber Tracts (long term timber farms)	113110
1411 Dimension Stone	212311 Dimension Stone Mining and Quarrying
1422 Crushed and Broken Limestone	212312 Crushed and Broken Limestone Mining and Quarrying
1423 Crushed and Broken Granite	212313 Crushed and Broken Granite Mining and Quarrying
1429 Crushed and Broken Stone, Not Elsewhere Classified	212319 Other Crushed and Broken Stone Mining and Quarrying (in this permit includes crushing or recycle)
1442 Construction Sand and Gravel	212321 Construction Sand and Gravel Mining
1446 Industrial Sand	212322 Industrial Sand Mining
1455 Kaolin and Ball Clay	212324 Kaolin and Ball Clay Mining
1459 Clay, Ceramic, and Refractory Minerals, NEC	212325 Clay and Ceramic and Refractory Minerals Mining
1499 Miscellaneous Nonmetallic Minerals, Except Fuels (bituminous limestone and bituminous sandstone)	212319 Other Crushed and Broken Stone Mining and Quarrying
1499 Miscellaneous Nonmetallic Minerals, Except Fuels (except bituminous limestone and bituminous sandstone)	212399 All Other Nonmetallic Mineral Mining
2411 Logging	113310
2951 Asphalt Paving Mixtures and Blocks	324121 Asphalt Paving Mixture and Block Manufacturing
3273 Ready-Mixed Concrete	327320 Ready-Mix Concrete Manufacturing
3272 Concrete Products, Except Block and Brick (concrete pipe)	327332 Concrete Pipe Manufacturing
3272 Concrete Products, Except Block and Brick (concrete products, except dry mix concrete and pipe)	327390 Other Concrete Product Manufacturing (except pipe, brick, or block)
3272 Concrete Products, Except Block and Brick (dry mixture concrete)	327999 All Other Miscellaneous Nonmetallic Mineral Product Manufacturing including concrete recycling

1. The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

NAICS was developed under the auspices of the Office of Management and Budget (OMB), and adopted in 1997 to replace the Standard Industrial Classification (SIC) system. It was developed jointly by the U.S. Economic Classification Policy Committee (ECPC), Statistics Canada, and Mexico's Instituto Nacional de Estadistica, Geografia e Informatica, to allow for a high level of comparability in business statistics among the North American countries.

This official U.S. Government Web site http://www.census.gov/eos/www/naics/ provides the latest information on plans for NAICS revisions, as well as access to various NAICS reference files and tools.

The official 2007 U.S. NAICS Manual, includes definitions for each industry, background information, tables showing changes between 2002 and 2007, and a comprehensive index. The official 2007 U.S. NAICS Manual is available in print and on CD_ROM from the National Technical Information Service (NTIS) at (800) 553-6847 or (703) 605-6000, or through the NTIS Web site. Previous versions of the NAICS Manual are available.

The coverage provided in this general permit is limited to the specific facilities identified in Condition S1 and within the following *Standard Industrial Classification (SIC)* Codes, and the cited Subparts of *40 CFR* Part 436, Mineral Mining and Processing *Point Source* Category or *40 CFR* Part 443, Effluent Limitations Guidelines for Existing Sources and Standards of Performance and Pretreatment Standards for New Sources for The Paving and Roofing Materials (Tars and Asphalt) *Point Source* Category:

SIC Code 811 Timber Tracts
SIC Code 2411 Logging

Coverage for timber tracts and logging activities is limited to those mining activities associated with the forestry industry that classify as silvicultural *point source. A* silvicultural *point source* applies only to the production of materials for use in forest management. For this industry, covered activities are limited to rock crushing or gravel washing facilities that use a discernible, confined and discrete conveyance to discharge *pollutants* to *waters of the state.*

SIC Code 1411 Dimension Stone
***40 CFR* Part 436 Subpart A--Dimension Stone Subcategory**

Coverage is provided for mining and quarrying of dimension stone, including rough blocks and slabs. The types of mines or quarries covered in this general permit are: basalt, diabase, diorite, dolomite, dolomitic marble, flagstone, gabbro, gneiss, granite, limestone, marble, quartzite, sandstone, serpentine, slate, and volcanic rock.

SIC Code 1422 Crushed and Broken Limestone
SIC Code 1423 Crushed and Broken Granite
SIC Code 1429 Crushed and Broken Stone, Not Elsewhere Classified
***40 CFR* Part 436 Subpart B--Crushed Stone Subcategory**

Coverage is provided for mining, quarrying, and on-site processing of crushed and broken stone or riprap. The types of mines or quarries included in this category for this permit are: basalt, dolomite, dolomitic marble, granite, limestone, marble, quartzite sandstone, traprock, and volcanic rock. Processing means washing, screening, crushing, or otherwise preparing rock material for use.

SIC Code 1442 Construction Sand and Gravel
***40 CFR* Part 436 Subpart C--Construction Sand and Gravel Subcategory**

Coverage is provided for mining and on-site processing of sand and gravel for construction or fill purposes. Processing means washing, screening, crushing, or otherwise preparing sand and gravel for construction uses.

SIC Code 1446 Industrial Sand
***40 CFR* Part 436 Subpart D--Industrial Sand Subcategory**

Coverage is provided for mining and on-site processing of sand for uses other than construction, including but not limited to glassmaking, molding, filtration, refractories, refractory bonding, and abrasives. Processing employing a HF flotation method is not covered by this general permit.

SIC Code 1499 Miscellaneous Nonmetallic Minerals, Except Fuels
***40 CFR* Part 436 Subpart H Lightweight Aggregates Subcategory**

Coverage is provided for mining, quarrying, and on-site processing of perlite, pumice, or vermiculite.

SIC Code 1459 Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified
***40 CFR* Part 436 Subpart V--Bentonite Subcategory**

Coverage is provided for the mining and on-site processing of bentonite.

SIC Code 1499 Miscellaneous Nonmetallic Minerals, Except Fuels
***40 CFR* Part 436 Subpart X--Diatomite Subcategory**

Coverage is provided for mining and on-site processing of diatomite or diatomaceous earth.

SIC Code 1459 Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified
***40 CFR* Part 436 Subpart AD--Shale and Common Clay Subcategory**

Coverage is provided for the mining and on-site processing of clays and refractory minerals. Mines operated in conjunction with plants manufacturing cement, brick, or other structural clay products are included in this industry. Establishments engaged in grinding, pulverizing, or otherwise treating clay, ceramic and refractory minerals not in conjunction with mining or quarrying operations are not included in this general permit.

SIC Code 1455 Kaolin and Ball Clay
***40 CFR* Part 436 Subpart AH--Ball Clay Subcategory**

Coverage is provided for the mining and on-site processing of kaolin, ball clay, china clay, paper clay, and slip clay.

SIC Code 2951 Asphalt Paving Mixtures and Blocks
***40 CFR* Part 443 Subpart B--Asphalt Concrete Subcategory**

Coverage is provided for *hot mix asphalt plants*.

SIC Code 3273 Ready-Mixed Concrete

Coverage is provided for facilities engaged in manufacturing Portland concrete delivered to a purchaser in a plastic and unhardened state. This includes production and sale of central-mixed concrete and portable ready-mixed concrete.

APPENDIX B — DEFINITIONS

These definitions are for terms that are used, or relate, to this permit. In other sections of the permit, defined terms appear in italics.

Active Site means a location where current mining (including *site* preparation and reclamation) 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.*

AKART is an acronym for "all known, available, and reasonable methods of prevention, control, and treatment." *AKART* represents the most current methodology that can be reasonably required for preventing, controlling, or abating the *pollutants* and controlling *pollution* associated with a discharge.

Average monthly effluent limit means the highest allowable average of daily discharges over a calendar month. To calculate the discharge value to compare to the limit, you add the value of each daily discharge measured during a calendar month and divide this sum by the total number of daily discharges measured.

Average quarterly effluent limit means the highest allowable average of daily discharges over a quarter (3 months). To calculate the discharge value to compare to the limit, add the value of each daily discharge measured during a quarter and divide this sum by the total number of daily discharges measured.

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 BMPs 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* are not be eligible for use as compensatory mitigation for authorized impacts to regulated wetland systems.

Critical Flows means the lowest receiving water flows at the time wastewater discharges occur. For process wastewater discharges which discharge from the site throughout the year, this is typically midsummer flow. For stormwater discharges this is the receiving water flow when significant stormwater begins to discharge from the site, typically early fall.

Current EPA-approved 303(d) list means the list which is in effect on the effective date of this permit, or the 303(d) list which is in effect at the date the Permittee's first *application for coverage* is received by Ecology, whichever is later.

Design Storm means the precipitation event that is used to design *stormwater* facilities, e.g. 10-year, 24-hour storm event. Refer to Ecology's *Stormwater Management Manual* for specific information on requirements for determining *design storm volume* and flow rate appropriate for designing *stormwater* treatment systems.

Design Storm Volume means the volume of runoff predicted to occur from a specified storm event. The storm event includes a time interval (e.g. 24-hours) and frequency (e.g. 10-year). Volume-based *treatment BMPs* use the *design storm volume* as their design basis. Refer to the Ecology *Stormwater Management Manual* for storm event and additional information.

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*.

Disturbed Area means any area where activity has physically disrupted, compacted, moved, or otherwise altered the characteristics of soil, bedrock, vegetation, or existing topography. This includes activity in preparation for: a) surface mining , b) the construction of structures or, c) mobilization of processing equipment. Stormwater discharge from *disturbed areas* is considered *Type 2 Stormwater.*

Equivalent stormwater management documents means manuals of BMPs approved by Ecology and subject to public review and comment.

Erosion means the wearing away of the land surface by precipitation, running water, ice, wind or other geological agents, including processes such as gravitational creep. *Erosion* also means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

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.

Existing Facility means a facility that begins activities that result in a discharge, or a potential discharge to *waters of the state,* prior to the effective date of the general permit.

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.

gpm means gallons per minute; the volume of fluid passing a point during a one minute interval.

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

Groundwater Discharges: If water puddles/collects and discharges to ground at multiple locations on *site*, it is unlikely that all locations 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 discharge points receive runoff from a gravel stockpile area and others *receiving water* from a concrete batch area, two sample points are probably necessary.

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 1) previous mining or processing operations (including, but not limited to, crushing, classifying, or operating a concrete or hot mix asphalt plant) has occurred; and has not been closed and restored; and 2) has no current mining or processing operations but may include stockpiles of raw materials or finished products; and 3) the Permittee has submitted an Operating Status Change Form (ECY 070-33) declaring the *site* inactive. The Permittee may add or withdraw raw materials or finished products from the stockpiles for transportation off *site* for processing, use, or sale and still be considered an *inactive site*, however monitoring may be required. 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.

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.

Major Modification of Coverage means a change of operation at a facility that is not a Minor Modification. Public notice is required for this modification.

Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limits expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day. This does not apply to pH.

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 must 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 must be deemed discharges of process generated water.

Minor Modification of Coverage means a change of operation at a facility that does not substantially change the volume or nature of pollutants. No public notice or new Application for Coverage is required for this modification.

Monitoring Benchmark means a *pollutant* concentration used as a permit threshold, below which a pollutant is considered unlikely to cause a water quality violation. When pollutant concentrations exceed benchmarks, corrective action is required. Benchmark values are not *water quality standards* and are not numeric effluent limitations; they are indicator values

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

NAICS – see Appendix A

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.

Natural Conditions means surface *water quality* that was present before any human-caused *pollution*. When estimating *natural conditions* in the headwaters of a disturbed watershed it may be necessary to use the less disturbed conditions of a neighboring or similar watershed as a reference condition.

New Facility means a facility which begins activities that result in a discharge, or a potential discharge to *waters of the state*, on or after the effective date of this general permit .

Non-delegated POTW means a POTW which has not been delegated to issue permits for industrial dischargers to its system. Ecology is the permitting authority for non-delegated POTWs.

NTU means Nephelometric *Turbidity* Units, a measure of *turbidity*.

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 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.

POTW means publically-owned treatment works. This is a sewage treatment plant and the collection system (40 CFR 122.2).

Process Water means any water that is used for or results from the production, clean-up, or use of any raw material, intermediate product, finished product, byproduct, or waste product. The term also means any waste water used in or results from the slurry transport of mined material, air emissions control, or processing exclusive of mining. Also, see definitions for *Type 1, 2,* and 3 *Stormwater*.

Receiving Water means the waterbody at the point of discharge. If the discharge is to a *stormwater* conveyance system, either surface or subsurface, the *receiving water* is the waterbody that the *stormwater* conveyance system discharges to. Systems designed primarily for other purposes such as for groundwater drainage, redirecting stream natural flows, or for conveyance of irrigation water/return flows that coincidentally convey *stormwater* are considered the *receiving water*.

Representative Sampling means collecting an array of 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.

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.

Sedimentation means the depositing or formation of *sediment*.

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

Severe property damage means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a *bypass*.

Significant Process Change means a change in the nature of discharge with respect to increased

volume and type or concentrations of pollutants. Examples include adding a batch plant at a site, etc/

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 CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; 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*.

Substantial Change (Requiring a new application for coverage) - Substantial change of discharge for this industry group will be any modification of the facility that would change the characteristics of the discharge or include for coverage a new activity (SIC) that was not previously covered.

Surface Water Discharges: For all parameters required by this permit, a grab sample of instantaneous measurement will be considered representative. *Stormwater* sampling should occur within 24 hours of the initial discharge from a significant precipitation event (e.g. 0.25 inch/24 hr. precipitation event). *Process water* or *mine dewatering water* sampling should be timed to occur when the facility is operating at full capacity.

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 Daily Maximum Load (TMDL) means a calculation of the maximum amount of a *pollutant* that a waterbody can receive and still meet State *water quality* standards. Percentages of the total maximum daily load are allocated to the various *pollutant* sources. A TMDL is the sum of the allowable loads of a single *pollutant* from all contributing point and nonpoint sources. The TMDL calculations must include a "margin of safety" to ensure that the waterbody can be protected in case there are unforeseen events or unknown sources of the *pollutant*. The calculation must also account for seasonable variation in *water quality*. A TMDL is effective after EPA approval.

Total Dissolved Solids (TDS) means those solids that are capable of passing through a glass fiber filter (1.0 – 1.5 µm) 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.

Type 2 Stormwater means *stormwater* from: 1) portions of a *site* where mining has temporarily or permanently ceased; or 2) from portions of a *site* with exposed soils in areas cleared in preparation for mining or other industrial activity. When different types of stormwater commingle the water becomes the highest of the types which have commingled (i.e. when Type 1 and Type 2 stormwater commingle the stormwater becomes Type 2).

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;* and
8. 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.

Wasteload Allocation (WLA) means the portion of a *receiving water's* loading capacity that is allocated to one of its existing or future *point sources* of *pollution.* WLAs constitute a type of *water quality* based effluent limitation (40 CFR 130.2(h)).

Wastewater means water or liquid carried waste from industrial or commercial processes. These wastes may result from any process or activity of industry, manufacture, trade or business, or from the development of any natural resource. The term includes contaminated *stormwater.*

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 field's, or spring's zone of contribution defined as such using WHPA criteria established by the Washington Department of Health.