



**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION III WATER BRANCH, ENFORCEMENT
AND COMPLIANCE ASSURANCE DIVISION
CLEAN WATER ACT
COMPLIANCE INSPECTION REPORT**

for

Name of Facility: SMM Southeast LLC - Richmond
Facility Address: 3220 Deepwater Terminal Rd, Richmond, VA 23234
Mailing Address: 3220 Deepwater Terminal Rd, Richmond, VA 23234

Report Prepared on: 1/10/2025 By: _____,
Date *Environmental Scientist (ERG)*
Signature

Report Final as of: _____ By: _____, EPA
Date *Signature*

General Information

Type of Inspection:	Industrial Stormwater
Owner:	SMM Southeast, LLC
Operator:	SMM Southeast, LLC
Permittee:	SMM Southeast, LLC
NPDES Permit No:	VAR050588
NPDES Permit Effective Date:	July 1, 2024
NPDES Permit Expiration Date:	June 30, 2029
Receiving Water:	James River
Latitude and Longitude:	37.48179, -77.43013

On-Site Facility Inspection Overview

On November 20, 2024, a representative from EPA Region III's contractor, ERG (hereinafter, referred to as the EPA Inspector) conducted an industrial stormwater compliance evaluation inspection at Sims Metal Management (SMM) Southeast, LLC (hereinafter, Facility) in Richmond, Virginia. SMM is the Permittee and the Facility owner and operator.

Approximate Entry Time: 1:00 PM (EST) **Approximate Exit Time:** 3:50 PM (EST)

DSB ID: ECAD-6118

TABLE OF CONTENTS

	Page
I. INTRODUCTION.....	3
II. INSPECTION PROCESS	3
Inspection Opening Conference	3
Facility Inspection.....	4
Summary of Observations.....	6
SWPPP Site Map.....	6
Good Housekeeping	6
Closing Conference	8

Appendix A: National Pollutant Discharge Elimination System Permit No. VAR050588

Appendix B: Photograph Log

Appendix C: Exhibit Log

- o Exhibit 1 – Facility SWPPP, November 2024
- o Exhibit 2 – Facility SWPPP Site Map
- o Exhibit 3 – Facility SWPPP Site Map, with Notations made by EPA Inspector
- o Exhibit 4 – Photographs of Corrections Sent by the Facility to the EPA Inspector
- o Exhibit 5 – Virginia DEQ’s 2022 Inspection Report and the Facility’s Response

I. INTRODUCTION

On November 20, 2024, a representative from EPA Region III's contractor, ERG (hereinafter, referred to as the EPA Inspector) conducted an industrial stormwater compliance evaluation inspection at SMM Southeast LLC - Richmond (hereinafter, Facility) in Richmond, VA. SMM Southeast LLC is the Permittee and facility owner and operator. The purpose of the inspection was to assess the Facility's compliance with Virginia Department of Environmental Quality's (DEQ's) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activity No. VAR050588 (hereinafter, the Permit; refer to [Appendix A](#)). The Permit authorizes the Facility to discharge stormwater associated with industrial activity from Outfall 003.

The Facility is classified under Sector N, Scrap Recycling and Waste Recycling Facilities and Standard Industrial Classification (SIC) Code 5093, Scrap and Waste Materials. The Facility receives and sorts various ferrous and non-ferrous metals for recycling purposes. Vehicle de-pollution and flattening also occur at the Facility. The Facility is located on an approximate 69-acre property bordered by the James River to the east and industrial/commercial properties to the north, west, and south. The Facility consists of various scrap material storage and sorting areas, vehicle storage areas, equipment maintenance, a warehouse, and an office building.

Stormwater runoff from the Facility generally flows to the eastern portion of the site. Runoff from the northern portions of the Facility enters a series of drop inlets that direct flow towards the southeast and discharge at a storm sewer outlet located in the center of the site. From there, stormwater eventually discharges through Outfall 003. Industrial activity does not occur in the far eastern portions of the site, including the property near the James River.

Photographs taken during the inspection are included in [Appendix B](#) (Photograph Log) and documents supporting observations in this report are included in [Appendix C](#) (Exhibit Log).

II. INSPECTION PROCESS

Inspection Opening Conference

The EPA Inspector arrived at the Facility at approximately 1:00 PM (EST) for the inspection. Mr. Stephen Clark of ERG displayed his Clean Water Act inspector credentials to the Facility representatives upon entry and explained the primary purpose of the inspection was to evaluate the Facility's compliance relevant to the Permit requirements. The EPA Inspector explained that any information that the Facility deemed to be confidential business information ("CBI") should be identified during the inspection and it would be handled as CBI according to EPA's CBI procedures. Table 1 describes the individuals that participated in the inspection.

Table 1. Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region III Inspectors and Contractors			
Stephen Clark, Inspector	ERG	720-789-8046	stephen.clark@erg.com
Facility Representatives			
Colin White, Permitting and Compliance Specialist	SMM	804-291-3200	colin.white@simsmm.com
Robert Barefoot, Facility Manger	SMM	804-291-3200	robert.barefoot@simsmm.com

Weather and Precipitation

At the time of the inspection, the weather was cloudy with a maximum temperature of approximately 64 degrees Fahrenheit. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in Table 2 below.

Table 2. Precipitation Preceding Inspection¹

Station Name	Date	Precipitation Amount (inches) ²
RICHMOND INTERNATIONAL AIRPORT, VA US USW00013740	11/15/2024	0.38
RICHMOND INTERNATIONAL AIRPORT, VA US USW00013740	11/16/2024	0.00
RICHMOND INTERNATIONAL AIRPORT, VA US USW00013740	11/17/2024	0.00
RICHMOND INTERNATIONAL AIRPORT, VA US USW00013740	11/18/2024	0.00
RICHMOND INTERNATIONAL AIRPORT, VA US USW00013740	11/19/2024	0.03
RICHMOND INTERNATIONAL AIRPORT, VA US USW00013740	11/20/2024	0.17

Facility Inspection

As part of the inspection, the EPA Inspector visually observed Facility conditions in the presence of the Facility representatives (refer to [Appendix B, Photographs 1 through 47](#)).

The EPA Inspector began the Facility inspection in the scrap storage area in the northwest portion of the Facility (refer to [Appendix B, Photographs 1 and 2](#)). The EPA Inspector observed two storm drain inlets in this area. A filter pad was installed at one of the storm drain inlets (refer to [Appendix B, Photographs 2 and 3](#)); an absorbent sock was installed at the second storm drain inlet (refer to [Appendix B, Photographs 4 and 5](#)).

After the scrap storage area, the EPA Inspector observed the area inside the warehouse where containers of turnings exposed to cutting fluids are stored.

The EPA Inspector then observed the baler area (refer to [Appendix B, Photographs 6](#)) and the storm drain inlet to the southeast of the baler (refer to [Appendix B, Photographs 7 and 8](#)). A filter pad was installed at this storm drain inlet.

After the baler, the EPA Inspector observed the sealed components area (refer to [Appendix B, Photographs 9 and 10](#)). The area is uncovered and surrounded by concrete walls to the north and east, and concrete barriers to the south. The sealed unit storage area slopes toward a sump that is pumped to an oil/water separator (refer to [Appendix B, Photographs 11 and 12](#)). The oil/water separator's drainpipe was directed to hay bales between the oil/water separator and the non-ferrous peddlers building (refer to [Appendix B, Photograph 13](#)). Stormwater in this area sheet flows to the southeast.

The EPA Inspector then walked along the roadway that runs along the north and east sides of the scrap storage/sorting area in the northeast portion of the Facility to observe the storm drain inlets documented on the Stormwater Pollution Prevention Plan (SWPPP) site map.

The first storm drain inlet observed is located south of the non-ferrous peddlers building (refer to [Appendix B, Photographs 14, 15, and 16](#)). A best management practice (BMP) was not installed at this storm drain

¹Source: NOAA National Climatic Data Center (<http://www.ncdc.noaa.gov/>).

inlet. Facility staff placed an absorbent sock around this inlet during the inspection (refer to [Appendix C, Exhibit 4](#)).

The EPA Inspector then observed a storm drain inlet on the north side of the scrap storage/sorting area; a BMP was not installed at this inlet (refer to [Appendix B, Photograph 17](#)). Facility staff placed an absorbent sock around this inlet during the inspection (refer to [Appendix C, Exhibit 4](#)). Another storm drain inlet, in the northeast corner of the scrap storage/sorting area, had hay bales surrounding the inlet (refer to [Appendix B, Photographs 18 and 19](#)).

The EPA Inspector walked along the east side of the scrap storage/sorting area and observed a storm drain inlet that lacked a BMP; sediment was present adjacent to and inside the grating of the inlet (refer to [Appendix B, Photographs 20–22](#)). The EPA Inspector noted to Facility representatives that he did not observe two storm drain inlets, as documented by the SWPPP site map, to the north of this inlet and walked back north to locate the two inlets.

The EPA Inspector observed a storm drain inlet underneath scrap material (refer to [Appendix B, Photographs 23–26](#)). The inlet was mostly obscured from view by scrap material and lacked a BMP. Facility staff removed the scrap material and placed hay bales around this inlet during the inspection (refer to [Appendix C, Exhibit 4](#)).

The EPA Inspector stated to Facility representatives that scrap material may be covering the second storm drain inlet, which was not initially able to be located (refer to [Appendix B, Photographs 27 and 28](#)). Facility representatives contacted Facility staff to remove scrap material from the area to locate the storm drain inlet. The EPA Inspector returned to this location to observe the inlet (refer to [Appendix B, Photographs 29, 30, and 31](#)). Facility staff placed hay bales around this storm drain inlet.

The EPA Inspector observed the ditch, east of the scrap storage/sorting area, that receives stormwater from the Facility's storm sewer system (refer to [Appendix B, Photographs 32–34](#)). This area is approximately 625 feet north of Outfall 003 (refer to [Appendix B, Photographs 35 and 36](#)). The Facility was not discharging from Outfall 003 at the time of the inspection.

The EPA Inspector observed a storm inlet south of the scrap storage/sorting area that was not identified on the SWPPP site map. A BMP was not installed at the inlet; foam material was present inside the inlet (refer to [Appendix B, Photographs 37, 38, and 39](#)). Facility staff placed hay bales around this inlet during the inspection (refer to [Appendix C, Exhibit 4](#)).

The EPA Inspector observed three aboveground storage tanks for diesel fuel, hydraulic oil, and engine oil at the Facility maintenance shop (refer to [Appendix B, Photograph 40](#)).

The EPA Inspector observed the Facility's system used to for vehicle de-pollution prior to crushing and the tank farm used to store the removed fluids (refer to [Appendix B, Photographs 41 and 42](#)).

The EPA Inspector finished the Facility inspection after observing a storm drain inlet in the scrap storage/area that was not identified by the SWPPP site map (refer to [Appendix B, Photographs 43–47](#)).

Additional details related to the Facility conditions at the time of the inspection are included in the *Summary of Observations* section below.

Records Review

The EPA Inspector reviewed the following records pertaining to Permit requirements.

- EPA Enforcement and Compliance History Online (ECHO) benchmark exceedance data during the period from November 2019 through December 2024

- SWPPP, dated November 2024
- Routine facility inspection records for 2023 and 2024
- Quarterly stormwater visual monitoring forms for 2023 and 2024
- Annual non-stormwater discharge evaluation forms for 2023 (the Permittee had yet to conduct the evaluation for 2024)
- Stormwater management training documentation for training conducted in October 2024

Summary of Observations

The following section summarizes the Inspection Team's observations relative to the Facility's Permit requirements.

SWPPP Site Map

Part III.B.2.b(3) of the Permit requires the SWPPP to include a site map that identifies the "Locations of all stormwater conveyances, including ditches, pipes, swales, and inlets, and the directions of stormwater flow using arrows to indicate which direction stormwater will flow."

- Observation 1.** The EPA Inspector observed the SWPPP site map does not include the locations of all stormwater inlets and does not accurately identify all directions of stormwater flow. Specifically, the EPA Inspector observed:
- a. The SWPPP site map does not include a storm drain inlet south of the scrap storage/sorting area, on the south side of the road that runs along the south and east sides of the scrap storage/sorting area (refer to [Appendix B, Photographs 37–39](#) and [Appendix C, Exhibits 2 and 3](#)).
 - b. The SWPPP site map does not include the location of a storm drain inlet in the scrap storage area (refer to [Appendix B, Photographs 43–45](#) and [Appendix C, Exhibits 2 and 3](#)). Additionally, the SWPPP site map does not include the direction of stormwater flow inside the ditch that flows to this storm drain inlet (refer to [Appendix B, Photographs 46 and 47](#) and [Appendix C, Exhibits 2 and 3](#)). The SWPPP site map documents stormwater runoff flowing across this ditch from west to east.

Good Housekeeping

Part III.B.4. of the Permit states, "Control measures shall be implemented for all the areas identified in Part III B 3 to prevent or control pollutants in stormwater discharges from the facility. Regulated stormwater discharges from the facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at the facility. The SWPPP shall describe the type, location and implementation of all control measures for each area where industrial materials or activities are exposed to stormwater."

- Observation 2.** The EPA Inspector made multiple observations at storm drain inlets regarding good housekeeping and potential sources of pollutants to stormwater discharges. The Facility's storm sewer system flows to a ditch on the east side of the Facility north of Outfall 003 (refer to [Appendix B, Photographs 33 and 34](#)). Specifically, the EPA Inspector observed the following:
- a. A storm drain inlet on the north side of the scrap storage/sorting area lacked a BMP (refer to [Appendix B, Photographs 14–16](#)). Facility staff placed an

absorbent sock around this inlet during the inspection (refer to [Appendix C, Exhibit 4](#)).

- b. A storm drain inlet on the north side of the scrap storage/sorting area lacked a BMP (refer to [Appendix B, Photograph 17](#)). The storm drain inlet was located adjacent to and downgradient of a dirt/gravel slope. Some sediment was present on the impervious ground adjacent to the inlet. Facility staff placed an absorbent sock around this inlet during the inspection (refer to [Appendix C, Exhibit 4](#)).
- c. A storm drain on the east side of the scrap storage/sorting area lacked a BMP (refer to [Appendix B, Photographs 20–22](#)). Sediment was present adjacent to and inside the grating of the inlet.
- d. A storm drain inlet in the scrap storage/sorting area was mostly obscured from view by scrap material and lacked a BMP (refer to [Appendix B, Photographs 23–26](#)). Facility staff removed the scrap material and placed hay bales around this inlet during the inspection (refer to [Appendix C, Exhibit 4](#)).
- e. The EPA Inspector could not locate a storm drain inlet identified by the SWPPP site map in the scrap storage/sorting area. The EPA Inspector stated to Facility representatives that scrap material may be covering the storm drain inlet (refer to [Appendix B, Photographs 27 and 28](#)). Facility representatives contacted Facility staff to remove scrap material from the area to locate the storm drain inlet. The EPA Inspector returned to this location to observe the inlet, which did not have a BMP (refer to [Appendix B, Photographs 29, 30, and 31](#)). Facility staff placed hay bales around this storm drain inlet during the inspection (refer to [Appendix C, Exhibit 4](#)).
- f. Foam material was observed inside the storm drain inlet located south of the scrap storage/sorting area, on the south side of the road that runs along the south and east sides of the scrap storage/sorting area (refer to [Appendix B, Photographs 37–39](#)). Facility representatives placed hay bales around this storm drain inlet during the inspection (refer to [Appendix C, Exhibit 4](#)).

Section 6.2.1, Good Housekeeping Programs, of the Facility's SWPPP, states:

The objective of good housekeeping is the clean and orderly maintenance of areas that may contribute pollutants to stormwater discharges.

Presented below are descriptions of good housekeeping programs and procedures that are employed at the Facility to minimize contact of materials with stormwater runoff. These programs apply to areas of the facility including scrap metal stockpile areas, material handling, loading, and unloading areas, other storage areas, and liquid storage tank areas.

- Source Control / Inbound Inspection Program to reduce the presence of unwanted materials at the Facility.
- Periodically (at least weekly) sweep and pick up sediments along paved and operating areas to prevent accumulation of sediment.
- Regularly cleanup, store, and dispose of litter and other waste materials in bins and drums, as appropriate. Pick up waste containers as needed. Cover waste containers, as reasonable and appropriate.
- Engage in timely and appropriate housekeeping activities at each operating and maintenance area (e.g. sweeping, waste disposal, spill response).
- Maintain fences to control dust and prevent dumping into Facility.

- Maintain drains, ditches, and outfalls to control sediment buildup and maintain BMP structures.”

Part III.B.4.b(2) of the Permit states, “To the extent practicable, manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) shall be located inside, or protected by a storm-resistant covering to prevent exposure to rain, snow, snowmelt, and runoff...Unless infeasible, facilities shall implement the following:

- (a) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from potential sources of pollutants;
- (b) Locate materials, equipment, and activities so that potential leaks and spills are contained, or able to be contained, or diverted before discharge;
- (c) Clean up spills and leaks immediately, on discovery of the spills or leaks, using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- (d) Store leaking vehicles and equipment indoors or, if stored outdoors, use drip pans and adsorbents;
- (e) Utilize appropriate spill or overflow protection equipment;
- (f) Perform all vehicle maintenance or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also capture any overspray; and
- (g) Drain fluids from equipment and vehicles that will be decommissioned, and for any equipment and vehicles that remain unused for extended periods of time, inspect at least monthly for leaks.”

Observation 3. The EPA Inspector observed the sealed units storage area was not covered (refer to [Appendix B, Photographs 9 and 10](#)). The storage area is surrounded by concrete walls to the north and east and by concrete barriers to the south. The contained area slopes toward a sump that is pumped to an oil/water separator (refer to [Appendix B, Photographs 11 and 12](#)).

The concrete surface and interior walls of the contained area were black. Absorbent socks were installed along the concrete containment barrier on the south side of the sealed units storage area; staining was present on the barrier and on the impervious ground surface adjacent to the barrier (refer to [Appendix B, Photographs 9 and 10](#)).

Virginia DEQ inspected the Facility on November 3, 2022. In its inspection report, dated December 29, 2022, Virginia DEQ made a similar observation regarding the sealed unit storage area and requested the Permittee to provide a response. In its response, dated January 23, 2023, the Permittee stated the following in regard to providing a cover for the area: “As a long-term corrective action to your request the facility will work to design and budget a cover for the sealed unit storage bin.” Refer to [Appendix C, Exhibit 5](#) for Virginia DEQ’s inspection report and the Facility’s response.

Closing Conference

After the Facility inspection, the EPA Inspector met with the Facility representative for a closing conference and shared preliminary observations. The EPA Inspector reiterated to the Facility representative that all preliminary observations discussed were not compliance determinations. Any and all preliminary observations shared were subject to further investigation by the EPA Inspector upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference, as a result of reviewing additional documentation following the inspection.

The inspection concluded at approximately 3:50 PM (EST).

Appendix A
NPDES Permit No. VAR050588



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

General Permit Registration No.: VAR050588

Effective Date: July 1, 2024

Expiration Date: June 30, 2029

VPDES GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of facilities with stormwater discharges associated with industrial activity are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those waters specifically named in department regulation that prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, the registration statement, Part I-Effluent Limitations, Monitoring Requirements and Special Conditions, Part II-Conditions Applicable to All VPDES Permits, Part III-Stormwater Pollution Prevention Plan, Part IV-Sector-Specific Permit Requirements, and Part V-Chesapeake Bay Total Maximum Daily Load Compliance as set forth in this general permit.

Part I. Effluent Limitations, Monitoring Requirements and Special Conditions

A. Effluent limitations and monitoring requirements.

There are four individual and separate categories of monitoring requirements that a facility may be subject to under this permit: (i) quarterly visual monitoring; (ii) benchmark monitoring of discharges associated with specific industrial activities; (iii) compliance monitoring for discharges subject to numerical effluent limitations; and (iv) monitoring of discharges to impaired waters, both those with an approved TMDL and those without an approved TMDL. The monitoring requirements and numeric effluent limitations applicable to a facility depend on the types of industrial activities generating stormwater runoff from the facility, and for TMDL monitoring, the location of the facility's discharge. Part IV of the permit identifies monitoring requirements applicable to specific sectors of industrial activity. The permittee shall review Part I A 1 and Part IV of the permit to determine which monitoring requirements and numeric limitations apply to the permittee's facility. Unless otherwise specified, limitations and monitoring requirements under Part I A 1 and Part IV are additive.

Sector-specific monitoring requirements and limitations are applied discharge by discharge at facilities with colocated activities. Where stormwater from the colocated activities are commingled, the monitoring requirements and limitations are additive. Where more than one numeric limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required. Where benchmark, numerical effluent limitations, or TMDL monitoring requirements for a monitoring period overlap, the permittee may use a single sample to satisfy monitoring requirements.

1. Types of monitoring requirements and limitations.

a. Quarterly visual monitoring. The requirements and procedures for quarterly visual monitoring are applicable to all facilities covered under this permit, regardless of the facility's sector of industrial activity.

- (1) The permittee shall perform and document a quarterly visual examination of a stormwater discharge associated with industrial activity from each outfall, except discharges exempted in Part I A 3 or A 4. The visual examinations shall be made at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December. The visual examination shall be made during normal working hours, where practicable, and when considerations for safety and feasibility allow. If no storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter provided that documentation is included with the monitoring records indicating that no runoff occurred.
- (2) Samples shall be collected in accordance with Part I A 2. Sample examination shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. The visual examination of the sample shall be conducted in a well-lit area. No analytical tests are required to be performed on the samples.
- (3) The visual examination documentation shall be maintained on-site with the SWPPP. The documentation shall include the outfall location, the examination date and time, examination staff, the nature of the discharge (i.e., runoff or snow melt), visual quality of the stormwater discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution), and probable sources of any observed stormwater contamination.

b. Benchmark monitoring of discharges associated with specific industrial activities.

Table 70-1 identifies the specific industrial sectors subject to the benchmark monitoring requirements of this permit and the industry-specific pollutants of concern. The permittee shall refer to the tables found in the individual sectors in Part IV for benchmark monitoring concentration values. Colocated industrial activities at the facility that are described in more than one sector in Part IV shall comply with all applicable benchmark monitoring requirements from each sector.

The results of benchmark monitoring are primarily for the permittee to use to determine the overall effectiveness of the SWPPP in controlling the discharge of pollutants to receiving waters. Benchmark concentration values, included in Part IV of this permit, are not effluent limitations. Exceedance of a benchmark concentration does not constitute a violation of this permit and does not show that violation of a water quality standard has occurred; however, it does signal that modifications to the SWPPP are necessary, unless justification is provided in a routine facility inspection. In addition, exceedance of benchmark concentrations may identify facilities that would be more appropriately covered under an individual, or alternative general permit where more specific pollution prevention controls could be required.

TABLE 70-1 INDUSTRIAL SECTORS SUBJECT TO BENCHMARK MONITORING		
Industry Sector ¹	SIC Code or Activity Code	Benchmark Monitoring Parameters
N	5093	Copper, Aluminum, Lead, Zinc, TSS, Cadmium, Chromium.
	4499	Aluminum, Cadmium, Chromium, Copper, Lead, Zinc, TSS.
¹ Table does not include parameters for compliance monitoring under effluent limitations guidelines.		

- (1) Benchmark monitoring shall be performed for all benchmark parameters specified for the industrial sector applicable to a facility's discharge. Monitoring shall be performed at least once during each of the first four, and potentially all, monitoring periods after coverage under the permit begins. Monitoring begins with the first full monitoring period after the owner is granted coverage under the permit. Monitoring periods are specified in Part I A 2.
- (2) Benchmark monitoring waivers for facilities testing below benchmark concentration values. Waivers from benchmark monitoring are available to facilities whose discharges are below benchmark concentration values on an outfall by outfall basis. Sector-specific benchmark monitoring is not required to be conducted in subsequent monitoring periods during the term of this permit provided:
 - (a) Samples were collected in four consecutive monitoring periods, and the average of the four samples for all parameters at the outfall is below the applicable benchmark concentration value in Part IV. Facilities that were covered under the 2019 industrial stormwater general permit may use sampling data from the last two monitoring periods of that permit and the first two monitoring periods of this permit to satisfy the four consecutive monitoring periods requirement;
 - (b) The facility is not subject to a numeric effluent limitation established in Part I A 1 c (1) (stormwater effluent limitations), Part I A 1 c (2) (coal pile runoff), or Part IV (Sector Specific Permit Requirements) for any of the parameters at that outfall; and
 - (c) A waiver request is submitted to and approved by the department. The waiver request shall be sent to the appropriate DEQ regional office, along with the

supporting monitoring data for four consecutive monitoring periods, and a certification that, based on current potential pollutant sources and control measures used, discharges from the facility are reasonably expected to be substantially similar or cleaner compared to when the benchmark monitoring for the four consecutive monitoring periods was done.

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

The monitoring waiver may be revoked by the department for cause. The permittee will be notified in writing that the monitoring waiver is revoked, and that the benchmark monitoring requirements are again in force and will remain in effect until the permit's expiration date.

- (3) Samples shall be collected and analyzed in accordance with Part I A 2. Monitoring results shall be reported in accordance with Part I A 5 and Part II C and retained in accordance with Part II B.

c. Compliance monitoring for discharges subject to numerical effluent limitations or discharges to impaired waters.

(1) Facilities subject to stormwater effluent limitation guidelines.

- (a) Facilities subject to stormwater effluent limitation guidelines (see Table 70-2) are required to monitor such discharges to evaluate compliance with numerical effluent limitations. Industry-specific numerical limitations and compliance monitoring requirements are described in Part IV of the permit. Permittees with colocated industrial activities at the facility that are described in more than one sector in Part IV shall comply on a discharge-by-discharge basis with all applicable effluent limitations from each sector.
- (b) Permittees shall monitor the discharges for the presence of the pollutant subject to the effluent limitation at least once during each of the monitoring periods after coverage under the permit begins. Monitoring begins with the first full monitoring period after the owner is granted coverage under the permit. Monitoring periods are specified in Part I A 2. The substantially identical outfall monitoring provisions (Part I A 2 f) are not available for numeric effluent limits monitoring.
- (c) Samples shall be collected and analyzed in accordance with Part I A 2. Monitoring results shall be reported in accordance with Part I A 5 and Part II C, and retained in accordance with Part II B.

TABLE 70-2
STORMWATER-SPECIFIC EFFLUENT LIMITATION GUIDELINES
Effluent Limitation Guidelines Are Not Applicable to Sector N

(2) Facilities subject to coal pile runoff monitoring.

- (a) Facilities with discharges of stormwater from coal storage piles shall comply with the limitations and monitoring requirements of Table 70-3 for all discharges containing the coal pile runoff, regardless of the facility's sector of industrial activity.
- (b) Permittees shall monitor the stormwater discharges at least once during each of the monitoring periods after coverage under the permit begins. Monitoring begins with the first full monitoring period after the owner is granted coverage under the permit. Monitoring periods are specified in Part I A 2. The substantially identical outfall monitoring provisions (Part I A 2 f) are not available for coal pile numeric effluent limits monitoring.

- (c) The coal pile runoff shall not be diluted with other stormwater or other flows to meet this limitation.
- (d) If a facility is designed, constructed and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event, any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.
- (e) Samples shall be collected and analyzed in accordance with Part I A 2. Monitoring results shall be reported in accordance with Part I A 5 and Part II C, and retained in accordance with Part II B.

TABLE 70-3 NUMERIC LIMITATIONS FOR COAL PILE RUNOFF			
Parameter	Limit	Monitoring Frequency	Sample Type
Total Suspended Solids (TSS)	50 mg/l, max.	1/6 months	Grab
pH	6.0 min. - 9.0 max.	1/6 months	Grab

- (3) Facilities discharging to an impaired water with an approved TMDL wasteload allocation. Owners of facilities that are a source of the specified pollutant of concern to waters for which a TMDL wasteload allocation has been approved before by the U.S. Environmental Protection Agency (EPA) before the term of this permit will be notified as such by the department when they are approved for coverage under the general permit.
 - (a) Upon written notification from the department, permittees shall monitor the discharges for the pollutant subject to TMDL wasteload allocation once every six months after coverage under the permit begins, unless another sampling frequency is determined by the department for polychlorinated biphenyls (PCBs). Monitoring begins with the first full monitoring period after the owner is granted coverage under the permit. Monitoring periods are specified in Part I A 2.
 - (b) Samples shall be collected and analyzed in accordance with Part I A 2. Monitoring results shall be reported in accordance with Part I A 5 and Part II C, and retained in accordance with Part II B.
 - (c) If the pollutant subject to the TMDL wasteload allocation is below the quantitation level in all of the samples from the first four monitoring periods, the permittee may request to the department in writing that further sampling be discontinued, unless the TMDL has specific instructions to the contrary (in which case those instructions shall be followed). The laboratory certificate of analysis shall be submitted with the request. If approved, documentation of this shall be kept with the SWPPP.

If the pollutant subject to the TMDL wasteload allocation is above the quantitation level in any of the samples from the first four monitoring periods, the permittee shall continue the scheduled TMDL monitoring throughout the term of the permit. Applicable sampling data collected during the 2019 industrial stormwater general permit term may be used to satisfy all or part of the four monitoring periods requirement.

- (d) Upon written notification from the department, facilities exceeding the TMDL wasteload allocation shall prepare and submit a pollutant minimization plan (PMP) designed to investigate the location and potential reduction of sources in the facility's stormwater discharges. The PMP shall be developed and submitted to the department for approval within 180 days of the receipt of notification from the department. The PMP shall include the following items, as appropriate:
 - (i) Facility contact for the contents of the PMP and any activities associated with the PMP;

- (ii) A proposed implementation schedule for minimization activities and prospective milestones;
 - (iii) Proposed actions for known or probable sources;
 - (iv) Proposed action to find and control unknown sources;
 - (v) A summary of any previous minimization activities; and
 - (vi) Information on continuing assessment of progress, which may include establishment of criteria to evaluate whether the location and potential reduction of sources have been addressed.
- (4) Facilities discharging to an impaired water without an approved TMDL wasteload allocation.
- Owners of facilities that discharge to waters listed as impaired in the 2022 Final 305(b)/303(d) Water Quality Assessment Integrated Report, and for which a TMDL wasteload allocation has not been approved before the term of this permit, will be notified as such by the department when they are approved for coverage under the general permit.
- (a) Upon written notification from the department, permittees shall monitor the discharges for all pollutants for which the waterbody is impaired, and for which a standard analytical method exists, at least once every six months after coverage under the permit begins, unless otherwise determined by the department for polychlorinated biphenyls (PCBs) Monitoring begins with the first full monitoring period after the owner is granted coverage under the permit. Monitoring periods are specified in Part I A 2.
 - (b) If the pollutant for which the waterbody is impaired is suspended solids, turbidity, or sediment, or sedimentation, monitor for total suspended solids (TSS). If the pollutant for which the waterbody is impaired is expressed in the form of an indicator or surrogate pollutant, monitor for that indicator or surrogate pollutant. No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or temperature.

Samples shall be collected and analyzed in accordance with Part I A 2. Monitoring results shall be reported in accordance with Part I A 5 and Part II C, and retained in accordance with Part II B.

- (c) If the pollutant for which the water is impaired is below the quantitation level in the discharges from the facility, or it is above the quantitation level but its presence is caused solely by natural background sources, the permittee may request to the department in writing that further impaired water monitoring be discontinued. The laboratory certificate of analysis shall be submitted with the request. If approved, documentation of this shall be kept with the SWPPP.

To support a determination that the pollutant's presence is caused solely by natural background sources, the following documentation shall be submitted with the request and kept with the SWPPP: (i) an explanation of why it is believed that the presence of the impairment pollutant in the facility's discharge is not related to the activities at the facility; and (ii) data or studies that tie the presence of the impairment pollutant in the facility's discharge to natural background sources in the watershed. Natural background pollutants include those substances that are naturally occurring in soils or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity at the facility's site, or pollutants in run-on from neighboring sources

2. Monitoring instructions.

- a. Collection and analysis of samples. Sampling requirements shall be assessed on an outfall by outfall basis. Samples shall be collected and analyzed in accordance with the requirements of Part II A.
- b. When and how to sample. A minimum of one grab sample shall be taken from the discharge associated with industrial activity resulting from a storm event that results in a discharge from the site, providing the interval from the preceding storm event discharges is at least 72 hours. The 72-hour storm interval is waived if the permittee is able to document that less than a 72-hour interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring shall be performed at a time when a measurable discharge occurs at the site. For discharges from a stormwater management structure, the monitoring shall be performed at a time when a measurable discharge occurs from the structure.

The grab sample shall be taken during the first 30 minutes of the discharge. If it is not practicable to take the sample during the first 30 minutes, the sample may be taken during the first three hours of the discharge, provided that the permittee explains why a grab sample during the first 30 minutes was impracticable. This information shall be submitted in the department's electronic discharge monitoring report (e-DMR) system, and maintained with the SWPPP. If the sampled discharge commingles with process or nonprocess water, the permittee shall attempt to sample the stormwater discharge before it mixes with the nonstormwater.

- c. Storm event data. For each monitoring event (except snowmelt monitoring), along with the monitoring results, the permittee shall identify the date of the storm event sampled; rainfall total (in inches) of the storm event that generated the sampled runoff; and the interval between the storm event sampled and the end of the previous storm event discharge. For snowmelt monitoring, the permittee shall identify the date of the sampling event.
- d. Monitoring periods.
 - (1) Quarterly visual monitoring. The quarterly visual examinations shall be made at least once in each of the following three-month periods each year of permit coverage: January through March, April through June, July through September, and October through December.
 - (2) Benchmark monitoring, effluent limitation monitoring, and impaired waters monitoring (for waters both with and without an approved TMDL). Monitoring shall be conducted at least once in each of the following semiannual periods each year of permit coverage: January through June, and July through December.
- e. Documentation explaining a facility's inability to obtain a sample (including dates and times the outfalls were viewed or sampling was attempted), of no rain event, or of deviation from the 72-hour storm interval shall be submitted with the e-DMR and maintained with the SWPPP. Acceptable documentation includes National Climatic Data Center (NCDC) weather station data, local weather station data, facility rainfall logs, and other appropriate supporting data.
- f. Representative outfalls - substantially identical discharges. If the facility has two or more outfalls that discharge substantially identical effluents, based on similarities of the industrial activities, significant materials, size of drainage areas, and stormwater management practices occurring within the drainage areas of the outfalls, frequency of discharges, and stormwater management practices occurring within the drainage areas of the outfalls, the permittee may conduct monitoring on the effluent of just one of the outfalls and report that the observations also apply to the substantially identical outfall. The substantially identical outfall monitoring provisions apply to quarterly visual monitoring, benchmark monitoring, and impaired waters monitoring (both those with and without an approved TMDL). The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

The permittee shall include the following information in the SWPPP:

- (1) The locations of the outfalls;
 - (2) An evaluation, including available monitoring data, indicating the outfalls are expected to discharge substantially identical effluents, including evaluation of monitoring data where available; and
 - (3) An estimate of the size of each outfall's drainage area in acres.
3. Adverse climatic conditions waiver. When adverse weather conditions prevent the collection of samples, a substitute sample may be taken during a qualifying storm event in the next monitoring period. Adverse weather conditions are those that are dangerous or create inaccessibility for staff and may include local flooding, high winds, electrical storms, or situations that otherwise make sampling impracticable (e.g., drought or extended frozen conditions). Unless specifically stated otherwise, this waiver may be applied to any monitoring required under this permit. Narrative documentation of conditions necessitating the use of the waiver shall be kept with the SWPPP.
 4. Inactive and unstaffed sites (including temporarily inactive sites).
 - a. A waiver of the quarterly visual monitoring, routine facility inspections, and monitoring requirements (including benchmark, effluent limitation, and impaired waters monitoring) may be granted by the department at a facility that is both inactive and unstaffed, as long as the facility remains inactive and unstaffed and there are no industrial materials or activities exposed to stormwater. The owner the facility is only required to conduct an annual routine site inspection in accordance with the requirements in Part III B 5.
 - b. An inactive and unstaffed sites waiver request shall be submitted to the department for approval and shall include the name of the facility; the facility's VPDES general permit registration number; a contact person, telephone number, and email address; the reason for the request; and the date the facility became or will become inactive and unstaffed. The waiver request shall be signed and certified in accordance with Part II K. If this waiver is granted, a copy of the request and the department written approval of the waiver shall be maintained with the SWPPP.
 - c. If circumstances change and industrial materials or activities become exposed to stormwater, or the facility becomes either active or staffed, the permittee shall notify the department within 30 days, and all quarterly visual monitoring, routine facility inspections, and monitoring requirements shall be resumed immediately.
 - d. The department retains the right to revoke this waiver when it is determined that the discharge is causing, has a reasonable potential to cause, or contributes to a water quality standards violation.
 - e. Inactive and unstaffed facilities covered under Sector G (Metal Mining) and Sector H (Coal Mines and Coal Mining-Related Facilities) are not required to meet the "no industrial materials or activities exposed to stormwater" standard to be eligible for this waiver, consistent with the conditional exemption requirements established in Part IV Sector G and Part IV Sector H.
 5. Reporting monitoring results.
 - a. Reporting to the department. The permittee shall follow the reporting requirements and deadlines in Table 70-4 for the types of monitoring that apply to the facility:

TABLE 70-4 MONITORING REPORTING REQUIREMENTS	
Semiannual Monitoring	Submit the results by January 10 and by July 10.
Quarterly Visual Monitoring	Retain results with SWPPP - do not submit unless requested to do so by the department.

Permittees shall submit results for each outfall associated with industrial activity according to the requirements of Part II C.

- b. Significant digits. The permittee shall report at least the same number of significant digits as a numeric effluent limitation or TMDL wasteload allocation for a given parameter; otherwise, at least two significant digits shall be reported for a given parameter. Regardless of the rounding convention used by the permittee (i.e., five always rounding up or to the nearest even number), the permittee shall use the convention consistently and shall ensure that consulting laboratories employed by the permittee use the same convention.

6. Corrective actions.

- a. The permittee shall take corrective action whenever:
 - (1) Routine facility inspections, inspections by local, state or federal officials, or any other process, observation or event result in a determination that modifications to the stormwater control measures are necessary to meet the permit requirements;
 - (2) There is any exceedance of an effluent limitation (including coal pile runoff), TMDL wasteload allocation, or a reduction required by a local ordinance established by a municipality to meet Chesapeake Bay TMDL requirements; or
 - (3) The department determines, or the permittee becomes aware, that the stormwater control measures are not stringent enough for the discharge to meet applicable water quality standards, or
 - (4) Benchmark monitoring results exceed the benchmark concentration value for a parameter.

The permittee shall review the SWPPP and modify it as necessary to address any deficiencies. Revisions to the SWPPP shall be completed within 60 days following the discovery of the deficiency. When control measures need to be modified or added (distinct from regular preventive maintenance of existing control measures described in Part III C), implementation shall be completed before the next anticipated storm event if possible, but no later than 60 days after the deficiency is discovered, or as otherwise provided or approved by the department. In cases where construction is necessary to implement control measures, the permittee shall include a schedule in the SWPPP that provides for the completion of the control measures as expeditiously as practicable, but no later than three years after the deficiency is discovered. Where a construction compliance schedule is included in the SWPPP, the SWPPP shall include appropriate nonstructural and temporary controls to be implemented in the affected portion of the facility before completion of the permanent control measure. Any corrective actions taken shall be documented and retained with the SWPPP. Any control measure modifications shall be dated and document the amount of time taken to modify the applicable control measures or implement additional control measures.

- b. Natural background pollutant levels. If the concentration of a pollutant exceeds a benchmark concentration value and the permittee determines that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, corrective action is not required provided that:
 - (1) The concentration of the benchmark monitoring result is less than or equal to the concentration of that pollutant in the natural background;
 - (2) The permittee documents and maintains with the SWPPP the supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. The supporting rationale shall include any data previously collected by the facility or others (including literature studies) that describe the levels of natural background pollutants in the facility's stormwater discharges; and
 - (3) The permittee notifies the department on the benchmark monitoring DMR that the benchmark exceedances are attributable solely to natural background pollutant levels. Natural background pollutants include those substances that are naturally occurring in

soils or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity on the facility's site, or pollutants in run-on from neighboring sources that are not naturally occurring.

- c. Follow-up reporting. If at any time monitoring results show that discharges from the facility exceed an effluent limitation or a TMDL wasteload allocation, or the department determines that discharges from the facility are causing or contributing to an exceedance of a water quality standard, immediate steps shall be taken to eliminate the exceedances in accordance with the above Part I A 6. Within 30 calendar days of implementing the relevant corrective action, an exceedance report shall be submitted to the department and shall be signed in accordance with Part II K. The following information shall be included in the report:
- (1) General permit registration number;
 - (2) Facility name and address;
 - (3) Receiving water for each outfall exceeding an effluent limitation of TMDL wasteload allocation;
 - (4) Monitoring data from the event being reported;
 - (5) A narrative description of the situation;
 - (6) A description of actions taken since the event was discovered and steps taken to minimize to the extent feasible pollutants in the discharge; and
 - (7) A local facility contact name, email address, and phone number.

B. Special conditions.

1. Authorized nonstormwater discharges. Except as provided in this section or in Part IV, all discharges covered by this permit shall be composed entirely of stormwater. The following nonstormwater discharges are authorized by this permit:
 - a. Discharges from emergency firefighting activities or firefighting training activities managed in a manner to avoid an instream impact in accordance with § 9.1-207.1 of the Code of Virginia;
 - b. Fire hydrant flushings, managed in a manner to avoid an instream impact;
 - c. Potable water, including water line flushings, managed in a manner to avoid an instream impact;
 - d. Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
 - e. Irrigation drainage;
 - f. Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
 - g. Routine external building washdown provided no soaps, solvents or detergents are used, external building surfaces do not contain hazardous substances, and the wash water is filtered, settled, or similarly treated before discharge;
 - h. Pavement wash waters provided no soaps, solvents, detergents or hazardous cleaning products are used, and no spills or leaked material of toxic or hazardous materials have occurred (unless all spilled or leaked material is being removed before washing), and the wash water is filtered, settled, or similarly treated before discharge;
 - i. Uncontaminated groundwater or spring water;
 - j. Foundation or footing drains where flows are not contaminated with process materials; and
 - k. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

All other nonstormwater discharges are not authorized and shall either be eliminated or covered under a separate VPDES permit.

2. Releases of hazardous substances or oil in excess of reportable quantities. The discharge of hazardous substances or oil in the stormwater discharges from the facility shall be prevented or minimized in accordance with the SWPPP for the facility. This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 or § 62.1-44.34:19 of the Code of Virginia.

Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs during a 24-hour period:

- a. The permittee is required to notify the department in accordance with the requirements of Part II G as soon as he has knowledge of the discharge;
 - b. Where a release enters an MS4, the permittee shall also notify the owner of the MS4; and
 - c. The SWPPP required under Part III shall be reviewed to identify measures to prevent the reoccurrence of the releases and to respond to the releases, and the SWPPP shall be modified where appropriate.
3. Colocated industrial activity. If the facility has industrial activities occurring on-site which are described by any of the activities in Part IV of the permit, those industrial activities are considered to be colocated industrial activities. Stormwater discharges from colocated industrial activities are authorized by this permit, provided that the permittee complies with any and all additional SWPPP and monitoring requirements from Part IV applicable to that particular colocated industrial activity. The permittee shall be responsible for additional SWPPP and monitoring requirements applicable to the colocated industrial activity by examining the narrative descriptions of all discharges covered under this section.
 4. The stormwater discharges authorized by this permit may be combined with other sources of stormwater that are not required to be covered under a VPDES permit, so long as the combined discharge is in compliance with this permit.
 5. There shall be no discharge of waste, garbage, or floating debris in other than trace amounts.
 6. Approval for coverage under this general permit does not relieve the permittee of the responsibility to comply with any other applicable federal, state, or local statute, ordinance, or regulation.
 7. Discharges to waters subject to TMDL wasteload allocations. Owners of facilities that are a source of the specified pollutant of concern to waters for which a TMDL wasteload allocation has been approved before by EPA before the term of this permit shall incorporate measures and controls into the SWPPP required by Part III that are consistent with the assumptions and requirements of the TMDL. The department will provide written notification to the owner that a facility is subject to the TMDL requirements. The facility's SWPPP shall specifically address any conditions or requirements included in the TMDL that are applicable to discharges from the facility. If the TMDL establishes a specific numeric wasteload allocation that applies to discharges from the facility, the owner shall perform any required monitoring in accordance with Part I A 1 c (3), and implement control measures designed to meet that allocation.
 8. Discharges through a regulated MS4 to waters subject to the Chesapeake Bay TMDL. In addition to the requirements of this permit, any facility with industrial activity stormwater discharges through a regulated MS4 that is notified by the MS4 operator that the locality has

adopted ordinances to meet the Chesapeake Bay TMDL shall incorporate measures and controls into its SWPPP to comply with applicable local TMDL ordinance requirements.

9. Expansion of facilities that discharge to waters subject to the Chesapeake Bay TMDL. Virginia's Phase I Chesapeake Bay TMDL Watershed Implementation Plan (November 29, 2010), states that the wasteloads from any expansion of an existing permitted facility discharging stormwater in the Chesapeake Bay watershed cannot exceed the nutrient and sediment loadings that were discharged from the expanded portion of the land before the land being developed for the expanded industrial activity.
 - a. For any industrial activity area expansions (i.e., construction activities, including clearing, grading, and excavation activities) that begin on or after July 1, 2024, the permittee shall document in the SWPPP the information and calculations used to determine the nutrient and sediment loadings discharged from the expanded land area before the land was developed, and the measures and controls that were employed to meet the no net increase of stormwater nutrient and sediment load as a result of the expansion of the industrial activity. Any land disturbance that is exempt from permitting under the VPDES construction stormwater general permit regulation (9VAC25-880) is exempt from this requirement.
 - b. The permittee may use the VSMP water quality design criteria to meet the requirements of Part I B 10 a. Under this criteria, the total phosphorus load shall not exceed the greater of (i) the total phosphorus load that was discharged from the expanded portion of the land before the land being developed for the industrial activity or (ii) 0.41 pounds per acre per year. Compliance with the water quality design criteria may be determined utilizing the Virginia Runoff Reduction Method or another equivalent methodology approved by the department. Design specifications and pollutant removal efficiencies for specific BMPs can be found on the Virginia Stormwater BMP Clearinghouse website.
 - c. The permittee may consider utilization of any pollutant trading or offset program in accordance with §§ 62.1-44.19:20 through 62.1-44.19:23 of the Code of Virginia, governing trading and offsetting, to meet the no net increase requirement.
10. Water quality protection. The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards. The department expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards.
11. Adding or deleting stormwater outfalls. The permittee may add new or delete existing stormwater outfalls at the facility as necessary and appropriate. The permittee shall update the SWPPP and notify the department of all outfall changes within 30 days of the change. The permittee shall submit a copy of the updated SWPPP site map with this notification.
12. Antidegradation requirements for new or increased discharges to high quality waters. Facilities that add new outfalls, or increase their discharges from existing outfalls that discharge directly to high quality waters designated under Virginia's water quality standards antidegradation policy under 9VAC25-260-30 A 2 may be notified by the department that additional control measures, or other permit conditions are necessary to comply with the applicable antidegradation requirements, or may be notified that an individual permit is required in accordance with 9VAC25-31-170 B 3.
13. Termination of permit coverage.
 - a. The owner may terminate coverage under this general permit by filing a complete notice of termination with the department. The notice of termination may be filed after one or more of the following conditions have been met:
 - (1) Operations have ceased at the facility and there are no longer discharges of stormwater associated with industrial activity from the facility;

- (2) A new owner has assumed responsibility for the facility. A notice of termination does not have to be submitted if a VPDES Change of Ownership Agreement Form has been submitted;
 - (3) All stormwater discharges associated with industrial activity have been covered by an individual VPDES permit; or
 - (4) Termination of coverage is being requested for another reason, provided the department agrees that coverage under this general permit is no longer needed.
- b. The notice of termination shall contain the following information:
- (1) Owner's name, mailing address, telephone number, and email address (if available);
 - (2) Facility name and location;
 - (3) VPDES industrial stormwater general permit registration number;
 - (4) The basis for submitting the notice of termination, including:
 - (a) A statement indicating that a new owner has assumed responsibility for the facility;
 - (b) A statement indicating that operations have ceased at the facility, and there are no longer discharges of stormwater associated with industrial activity from the facility;
 - (c) A statement indicating that all stormwater discharges associated with industrial activity have been covered by an individual VPDES permit; or
 - (d) A statement indicating that termination of coverage is being requested for another reason and a description of the reason; and
 - (5) The following certification: "I certify under penalty of law that all stormwater discharges associated with industrial activity from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual permit, or that I am no longer the owner of the industrial activity, or permit coverage should be terminated for another reason listed above. I understand that by submitting this notice of termination, that I am no longer authorized to discharge stormwater associated with industrial activity in accordance with the general permit, and that discharging pollutants in stormwater associated with industrial activity to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this notice of termination does not release an owner from liability for any violations of this permit or the Clean Water Act."
- c. The notice of termination shall be signed in accordance with Part II K.
- d. The notice of termination shall be submitted to the DEQ regional office serving the area where the industrial facility is located.

Part II. Conditions Applicable To All VPDES Permits

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will ensure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, (Certification for Noncommercial Environmental Laboratories), or 1VAC30-46 (Accreditation for Commercial Environmental Laboratories).

B. Records.

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individuals who performed the sampling or measurements;
 - c. The dates and times analyses were performed;
 - d. The individuals who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. The permittee shall retain copies of the SWPPP, including any modifications made during the term of this permit, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date that coverage under this permit expires or is terminated. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the department.

C. Reporting Monitoring Results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.
2. Monitoring results shall be reported in the department's electronic discharge monitoring report (e-DMR) system. All reports and forms submitted in compliance with this permit shall be submitted electronically by the permittee in accordance with 9VAC25-31-1020.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other

test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in e-DMR or reporting form specified by the department.

4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information.

The permittee shall furnish to the Department, within a reasonable time, any information that the department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this permit or to determine compliance with this permit. The department may require the permittee to furnish, on request, plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from the discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department on request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges.

Except in compliance with this permit, or another permit issued by the Department, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of state waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after the discovery. A written report of the unauthorized discharge shall be submitted to the department within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and

8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges.

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part II I 1 b. Unusual and extraordinary discharges include any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance.

1. The permittee shall report any noncompliance that may adversely affect state waters or may endanger public health.
 - a. A report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under Part II I:
 - (1) Any unanticipated bypass; and
 - (2) Any upset that causes a discharge to surface waters.
 - b. A written report shall be submitted within five days and shall contain:
 - (1) A description of the noncompliance and its cause;
 - (2) The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - (3) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The department may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

2. The permittee shall report all instances of noncompliance not reported under Part II I 1 in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 1.
3. The immediate (within 24 hours) reports required in Part II G, Hand I shall be made to the department's regional office. Reports may be made by telephone or online at <https://www.deq.virginia.gov/our-programs/pollution-response>. For reports outside normal working hours, the online portal shall be used. For emergencies, call the Virginia Department of Emergency Management's Emergency Operations Center (24-hour) at 1-800-468-8892.

J. Notice of Planned Changes.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which began:
 - (1) After promulgation of standards of performance under § 306 of Clean Water Act which are applicable to the source; or
 - (2) After proposal of standards of performance in accordance with § 306 of Clean Water Act that are applicable to the source, but only if the standards are promulgated in accordance with § 306 within 120 days of their proposal;
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and the alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

K. Signatory Requirements.

1. Registration Statements. All registration statements shall be signed as follows:
 - a. For a corporation: 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 that 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 registration requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports. All reports required by permits, and other information requested by the department shall be signed by a person described in Part II K 1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II K 1;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity (e.g., the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the

company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and

- c. The written authorization is submitted to the department.
3. Changes to authorization. If an authorization under Part II K 2 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 Part II K 2 shall be submitted to the department before or together with any reports, or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Part II K 1 or 2 shall make the following certification:
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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."

L. Duty to Comply.

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit coverage termination or denial of a permit coverage renewal.

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

M. Duty to Reapply.

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at least 60 days before the expiration date of the existing permit, unless permission for a later date has been granted by the department. The department shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit.

This permit neither conveys any property rights in either real or personal property or any exclusive privilege, nor authorizes any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law.

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by § 510 of the Clean Water Act. Except as provided in permit conditions on bypassing as described in Part II U, and upset (as described in Part II V, nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance.

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of Solids or Sludges.

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from the materials from entering state waters.

S. Duty to Mitigate.

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

T. Need to Halt or Reduce Activity not a Defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part II U 2 and 3.
2. Notice
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least 10 days before the date of the bypass.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.
3. Prohibition of bypass.
 - a. Bypass is prohibited, and the department may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

- (2) There were no feasible alternatives to the bypass (e.g., the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up 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 preventive maintenance; and
- (3) The permittee submitted notices as required under Part II U 2.
- b. The department may approve an anticipated bypass, after considering its adverse effects, if the department determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the causes of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required in Part II I; and
 - d. The permittee complied with any remedial measures required under Part II S.
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry.

The permittee shall allow the director, or an authorized representative, including an authorized contractor acting as a representative of the administrator, upon presentation of credentials and other documents as may be required by law, to:

1. Enter on the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained in this general permit shall make an inspection unreasonable during an emergency.

X. Permit Actions.

Permit coverages may be terminated for cause. The filing of a request by the permittee for a permit termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of Permits.

1. Permits are not transferable to any person except after notice to the department.
2. Coverage under this permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies the department within 30 days of the transfer of the title to the facility or property; unless permission for a later date has been granted by the department;
 - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - c. The department does not notify the existing permittee and the proposed new permittee of its intent to deny the new permittee coverage under the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability.

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

Part III. Stormwater Pollution Prevention Plan

A stormwater pollution prevention plan (SWPPP) shall be developed and implemented for the facility covered by this permit. The SWPPP is intended to document the selection, design, and installation of control measures, including BMPs, to minimize the pollutants in all stormwater discharges from the facility, and to meet applicable effluent limitations and water quality standards.

The SWPPP requirements of this general permit may be fulfilled, in part, by incorporating by reference other plans or documents (i.e., a spill prevention control and countermeasure (SPCC) plan developed for the facility under § 311 of the Clean Water Act, or best management practices (BMP) programs otherwise required for the facility, provided that the incorporated plan meets or exceeds the plan requirements of Part III B. All plans incorporated by reference into the SWPPP become enforceable under this permit. If a plan incorporated by reference does not contain all of the required elements of the SWPPP of Part III B, the permittee shall develop the missing SWPPP elements and include them in the required plan.

A. Deadlines for SWPPP preparation and compliance.

1. Facilities that were covered under the 2019 Industrial Stormwater General Permit. Owners of facilities that were covered under the 2019 Industrial Stormwater General Permit who are continuing coverage under this general permit shall update and implement any revisions to the SWPPP within 90 days of the department granting coverage under this permit.
2. New facilities, facilities previously covered by an expiring individual permit, and existing facilities not currently covered by a VPDES permit. Owners of new facilities, facilities previously covered by an expiring individual permit, and existing facilities not currently covered by a VPDES permit who elect to be covered under this general permit shall prepare and implement the SWPPP before submitting the registration statement.
3. New owners of existing facilities. Where the owner of an existing facility that is covered by this permit changes, the new owner of the facility shall update and implement any revisions to the SWPPP within 60 days of the ownership change.
4. Extensions. Upon a showing of good cause, the director may establish a later date in writing for the preparation and compliance with the SWPPP.

B. Contents of the SWPPP.

The contents of the SWPPP shall comply with the requirements listed below and those in the appropriate sectors of Part IV. These requirements are cumulative. If a facility has colocated industrial activities that are covered in more than one sector of Part IV, that facility's SWPPP shall comply with the requirements listed in all applicable sectors. The following requirements are applicable to all SWPPPs developed under this general permit. The SWPPP shall include, at a minimum, the following items:

1. Pollution prevention team. The SWPPP shall identify the staff individuals by name or title who comprise the facility's stormwater pollution prevention team. The pollution prevention team is responsible for assisting the facility or plant manager in developing, implementing, maintaining, revising and ensuring compliance with the facility's SWPPP. Specific responsibilities of each staff individual on the team shall be identified and listed.
2. Site description. The SWPPP shall include the following:
 - a. A description of the industrial activities at the facility.

- b. A site map identifying the following:
 - (1) The boundaries of the property and the size of the property in acres;
 - (2) The location and extent of significant structures and impervious surfaces;
 - (3) Locations of all stormwater conveyances, including ditches, pipes, swales, and inlets, and the directions of stormwater flow using arrows to indicate which direction stormwater will flow;
 - (4) Locations of all stormwater control measures, including BMPs;
 - (5) Locations of all surface water bodies, including wetlands;
 - (6) Locations of potential pollutant sources identified under Part III B 3;
 - (7) Locations where significant spills or leaks identified under Part III B 3 c have occurred;
 - (8) Locations of stormwater outfalls.
 - (a) An approximate outline of the area draining to each outfall;
 - (b) The drainage area of each outfall in acres;
 - (c) The longitude and latitude of each outfall;
 - (d) The location of any MS4 conveyance receiving discharge from the facility; and
 - (e) Each outfall shall be identified with a unique numerical identification code. For example: Outfall Number 001, Outfall Number 002, etc.;
 - (9) Location and description of all nonstormwater discharges;
 - (10) Location of any storage piles containing salt;
 - (11) Locations and sources of suspected run-on to the site from an adjacent property if the run-on is suspected of containing significant quantities of pollutants; and
 - (12) Locations of all stormwater monitoring points.
 - c. Receiving waters and wetlands. The name of all surface waters receiving discharges from the site, including intermittent streams, dry sloughs, and arroyos. Provide a description of wetland sites that may receive discharges from the facility. If the facility discharges through an MS4, identify the MS4 operator, and the receiving water to which the MS4 discharges.
3. Summary of potential pollutant sources. The SWPPP shall identify each separate area at the facility where industrial materials or activities are exposed to stormwater. Industrial materials or activities include material handling equipment or activities, industrial machinery, raw materials, industrial production and processes, intermediate products, byproducts, final products, and waste products. Material handling activities include the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For each separate area identified, the description shall include:
- a. Activities in the area. A list of the industrial activities exposed to stormwater.
 - b. Pollutants. A list of the pollutants, pollutant constituents, or industrial chemicals associated with each industrial activity that could potentially be exposed to stormwater. The pollutant list shall include all significant materials handled, treated, stored or disposed that have been exposed to stormwater in the three years before the date this SWPPP was prepared or amended. The list shall include any hazardous substances or oil at the facility.
 - c. Spills and leaks. The SWPPP shall clearly identify areas where potential spills and leaks that can contribute pollutants to stormwater discharges can occur and their corresponding outfalls. The SWPPP shall include a list of significant spills and leaks of toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a stormwater conveyance during the three-year period before the date this SWPPP was prepared or amended. The list shall be updated within 60 days of the incident if significant spills or leaks occur in exposed areas of the facility during the term of the permit.
 - d. Sampling data. The SWPPP shall include stormwater discharge sampling data collected during the previous three years.
4. Stormwater controls.
- a. Control measures shall be implemented for all the areas identified in Part III B 3 to prevent or control pollutants in stormwater discharges from the facility. Regulated stormwater discharges from the facility include stormwater run-on that commingles with stormwater

discharges associated with industrial activity at the facility. The SWPPP shall describe the type, location and implementation of all control measures for each area where industrial materials or activities are exposed to stormwater.

Selection of control measures shall take into consideration:

- (1) That preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
 - (2) Control measures generally shall be used in combination with each other for most effective water quality protection;
 - (3) Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures;
 - (4) That minimizing impervious areas at the facility can reduce runoff and improve groundwater recharge and stream base flows in local streams (however, care must be taken to avoid groundwater contamination);
 - (5) Flow attenuation by use of open vegetated swales and natural depressions can reduce instream impacts of erosive flows;
 - (6) Conservation or restoration of riparian buffers will help protect streams from stormwater runoff and improve water quality; and
 - (7) Treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.
- b. Nonnumeric technology-based effluent limits. The permittee shall implement the following types of control measures to prevent and control pollutants in the stormwater discharges from the facility, unless it can be demonstrated and documented that such controls are not relevant to the discharges.
- (1) Good housekeeping. The permittee shall keep clean all exposed areas of the facility that are potential sources of pollutants to stormwater discharges. The permittee shall perform the following good housekeeping measures to minimize pollutant discharges:
 - (a) The SWPPP shall include a schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks, and containers;
 - (b) As feasible, the facility shall sweep or vacuum;
 - (c) Store materials in containers constructed of appropriate materials;
 - (d) Manage all waste containers to prevent a discharge of pollutants;
 - (e) Minimize the potential for waste, garbage, and floatable debris to be discharged by keeping areas exposed to stormwater free of such materials or by intercepting the materials before discharge; and
 - (f) Facilities that handle pre-production plastic or plastic waste shall implement BMPs to eliminate stormwater discharges of plastics.
 - (2) Eliminating and minimizing exposure. To the extent practicable, manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) shall be located inside, or protected by a storm-resistant covering to prevent exposure to rain, snow, snowmelt, and runoff. Eliminating exposure at all industrial areas may make the facility eligible for the "Conditional Exclusion for No Exposure" provision of 9VAC25-31-120 E, thereby eliminating the need to have a permit. Unless infeasible, facilities shall implement the following:
 - (a) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from potential sources of pollutants;
 - (b) Locate materials, equipment, and activities so that potential leaks and spills are contained, or able to be contained, or diverted before discharge;
 - (c) Clean up spills and leaks immediately, on discovery of the spills or leaks, using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
 - (d) Store leaking vehicles and equipment indoors or, if stored outdoors, use drip pans and adsorbents;
 - (e) Utilize appropriate spill or overflow protections equipment;

- (f) Perform all vehicle maintenance or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also capture any overspray; and
 - (g) Drain fluids from equipment and vehicles that will be decommissioned, and for any equipment and vehicles that remain unused for extended periods of time, inspect at least monthly for leaks.
- (3) Preventive maintenance. The permittee shall have a preventive maintenance program that includes regular inspection, testing, maintenance and repairing of all industrial equipment and systems to avoid situations that could result in leaks, spills and other releases of pollutants in stormwater discharged from the facility. This program is in addition to the specific control measure maintenance required under Part III C (Maintenance).
- (4) Spill prevention and response procedures. The SWPPP shall describe the procedures that will be followed for preventing and responding to spills and leaks, including:
- (a) Preventive measures, (e.g., barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling);
 - (b) Response procedures, including notification of appropriate facility staff, emergency agencies, and regulatory agencies, and procedures for stopping, containing and cleaning up spills. Measures for cleaning up hazardous material spills or leaks shall be consistent with applicable Resource Conservation and Recovery Act regulations at 40 CFR Part 264 and 40 CFR Part 265. Employees who may cause, detect or respond to a spill or leak shall be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals shall be a member of the Pollution Prevention Team;
 - (c) Procedures for plainly labeling containers (e.g., "used oil," "spent solvents," "fertilizers and pesticides," etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur; and
 - (d) Contact information for individuals and agencies that must be notified of a spill shall be included in the SWPPP, and in other locations where it will be readily available.
- (5) Salt storage piles or piles containing salt. Storage piles of salt or piles containing salt used for deicing or other commercial or industrial purposes shall be enclosed or covered to prevent exposure to precipitation. The permittee shall implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. All salt storage piles shall be located on an impervious surface. All runoff from the pile, and runoff that comes in contact with salt, including under drain systems, shall be collected and contained within a bermed basin lined with concrete or other impermeable materials, or within an underground storage tank or tanks, or within an aboveground storage tank, or disposed of through a sanitary sewer (with the permission of the owner of the treatment facility). A combination of any or all of these methods may be used. In no case shall salt contaminated stormwater be allowed to discharge directly to the ground or to surface waters.
- (6) Employee training. The permittee shall implement a stormwater employee training program for the facility. The SWPPP shall include a schedule for all types of necessary training, and shall document all training sessions and the employees who received the training. Training shall be provided at least annually for all employees who work in areas where industrial materials or activities are exposed to stormwater, and for employees who are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance staff, etc.). The training shall cover the components and goals of the SWPPP, and include such topics as spill response, good housekeeping, material management practices, control measure operation and maintenance, etc. The SWPPP shall include a summary of any training performed.

- (7) Sediment and erosion control. The SWPPP shall identify areas at the facility that, due to topography, land disturbance (e.g., construction, landscaping, site grading), or other factors, have a potential for soil erosion. The permittee shall identify and implement structural, vegetative, and stabilization control measures to prevent or control on-site and off-site erosion and sedimentation. Flow velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel if the flows would otherwise create erosive conditions.
- (8) Management of runoff. The SWPPP shall describe the stormwater runoff management practices (i.e., permanent structural control measures) for the facility. These types of control measures shall be used to divert, infiltrate, reuse, or otherwise reduce pollutants in stormwater discharges from the site.

Structural control measures may require a separate permit under § 404 of the Clean Water Act and the Virginia Water Protection Permit Program Regulation (9VAC25-210) before installation begins.

- (9) Dust suppression and vehicle tracking of industrial materials. The permittee shall implement control measures to minimize the generation of dust and off-site tracking of raw, final, or waste materials. Stormwater collected on-site may be used for the purposes of dust suppression or for spraying stockpiles. Potable water, well water, and uncontaminated reuse water may also be used for this purpose. There shall be no direct discharge to surface waters from dust suppression activities or as a result of spraying stockpiles.
 - (10) Airport deicing operations. The permittee shall minimize, and where practicable eliminate, the use of deicing or anti-icing chemicals in order to reduce the aggregate amount of deicing or anti-icing chemicals used and lessen the environmental impact. The permittee shall minimize contamination of stormwater runoff from aircraft deicing and anti-icing operations and runway deicing operations, if applicable. Where deicing and anti-icing operations occur, the SWPPP shall describe procedures and control measures to manage contaminated stormwater runoff or snow melt (from areas used to dispose contaminated snow) to minimize the amount of pollutants discharged from the site. The following control measure options or their equivalents shall be considered: covering storm sewer inlets, using booms, installing absorptive interceptors in the drain, establishing a dedicated deicing facility with a runoff collection and recovery system; using vacuum or collection trucks; storing contaminated stormwater or deicing fluids in tanks and releasing controlled amounts to a publicly owned treatment works (with permission of the treatment works); collecting contaminated runoff in a wet pond for biochemical decomposition; and directing runoff into vegetative swales or other infiltration measures. Procedures and selected control measures should at all times be consistent with considerations of flight safety.
5. Routine facility inspections. Staff who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility and who can also evaluate the effectiveness of control measures shall regularly inspect all areas of the facility where industrial materials or activities are exposed to stormwater, areas where spills or leaks have occurred in the past three years, discharge points, and control measures. At least one member of the pollution prevention team shall participate in the routine facility inspections.

The inspection frequency shall be specified in the SWPPP based on a consideration of the level of industrial activity at the facility, but shall be at a minimum of once per calendar quarter unless more frequent intervals are specified elsewhere in the permit or written approval is received from the department for less frequent intervals. Inspections shall be performed during operating

hours. At least once each calendar year, the routine facility inspection shall be conducted during a period when a stormwater discharge is occurring.

The requirement for routine facility inspections is waived for facilities that have maintained an active VEEP E3/E4 status. Certain sectors in Part IV have additional inspection requirements. If the VEEP E3/E4 waiver language is not included for the sector specific inspections, these additional inspection requirements may not be waived.

Any deficiencies in the implementation of the SWPPP that are found shall be corrected as soon as practicable, but not later than within 60 days of the inspection, unless permission for a later date is granted in writing by the director. The results of the inspections shall be documented in the SWPPP and shall include at a minimum:

- a. The inspection date;
- b. The names of the inspectors;
- c. Weather information and a description of any discharges occurring at the time of the inspection;
- d. Any previously unidentified discharges of pollutants from the site;
- e. Any control measures needing maintenance or repairs;
- f. Any failed control measures that need replacement;
- g. Any incidents of noncompliance observed; and
- h. Any additional control measures needed to comply with the permit requirements.

C. Maintenance.

The SWPPP shall include a description of procedures and a regular schedule for preventive maintenance of all control measures, and shall include a description of the back-up practices that are in place should a runoff event occur while a control measure is off-line. The effectiveness of nonstructural control measures shall also be maintained by appropriate means (e.g., spill response supplies available and staff trained, etc.).

All control measures identified in the SWPPP shall be maintained in effective operating condition and shall be observed at least annually when a stormwater discharge is occurring to ensure that they are functioning correctly. Where discharge locations are inaccessible, nearby downstream locations shall be observed. The observations shall be documented in the SWPPP.

If routine facility inspections required by Part III B 5 identify control measures that are not operating effectively, repairs or maintenance shall be performed before the next anticipated storm event. If maintenance before the next anticipated storm event is not possible, maintenance shall be scheduled and accomplished as soon as practicable, but no later than 60 days of the inspection, unless permission for a later date is granted in writing by the director. In the interim, back-up measures shall be employed and documented in the SWPPP until repairs or maintenance is complete. Documentation shall be kept with the SWPPP of maintenance and repairs of control measures, including the dates of regular maintenance, dates of discovery of areas in need of repair or replacement, dates for repairs, dates that the control measures returned to full function, and the justification for any extended maintenance or repair schedules.

D. Nonstormwater discharges.

1. Discharges of certain sources of nonstormwater listed in Part I B 1 are allowable discharges under this permit. All other nonstormwater discharges are not authorized and shall be either eliminated or covered under a separate VPDES permit.
2. Annual outfall evaluation for unauthorized discharges.

- a. The SWPPP shall include documentation that all stormwater outfalls associated with industrial activity have been evaluated annually for the presence of unauthorized discharges. The documentation shall include:
 - (1) The date of the evaluation;
 - (2) A description of the evaluation criteria used;
 - (3) A list of the outfalls or on-site drainage points that were directly observed during the evaluation;
 - (4) A description of the results of the evaluation for the presence of unauthorized discharges; and
 - (5) The actions taken to eliminate unauthorized discharges if any were identified.
- b. The permittee may request in writing to the department that the facility be allowed to conduct annual outfall evaluations at 20% of the outfalls. If approved, the permittee shall evaluate at least 20% of the facility outfalls each year on a rotating basis so that all facility outfalls will be evaluated during the period of coverage under this permit.

E. Signature and SWPPP review.

1. Signature and location. The SWPPP, including revisions to the SWPPP to document any corrective actions taken as required by Part I A 6, shall be signed in accordance with Part II K, dated, and retained on-site at the facility covered by this permit in accordance with Part II B 2. All other changes to the SWPPP, and other permit compliance documentation, shall be signed and dated by the person preparing the change or documentation. For inactive and unstaffed facilities, the plan may be kept at the nearest office of the permittee.
2. Availability. The permittee shall retain a copy of the current SWPPP (hard copy or electronic) required by this permit at the facility, and it shall be immediately available to the department, EPA, or the operator of an MS4 receiving discharges from the site at the time of an on-site inspection or upon request.
3. Required modifications. The permittee shall modify the SWPPP whenever necessary to address all corrective actions required by Part I A 6 a (Data exceeding benchmark concentration values) or Part I A 6 b (Corrective actions). Changes to the SWPPP shall be made in accordance with the corrective action deadlines in Part I A 6 a and Part I A 6 b, and shall be signed and dated in accordance with Part III E 1.

The director may notify the permittee at any time that the SWPPP, control measures, or other components of the facility's stormwater program do not meet one or more of the requirements of this permit. The notification shall identify specific provisions of the permit that are not being met, and may include required modifications to the stormwater program, additional monitoring requirements, and special reporting requirements. The permittee shall make any required changes to the SWPPP within 60 days of receipt of the notification, unless permission for a later date is granted in writing by the director, and shall submit a written certification to the director that the requested changes have been made.

F. Maintaining an updated SWPPP.

1. The permittee shall review and amend the SWPPP as appropriate whenever:
 - a. There is construction or a change in design, operation, or maintenance at the facility that has a significant effect on the discharge, or the potential for the discharge, of pollutants from the facility;
 - b. Routine inspections or compliance evaluations determine that there are deficiencies in the control measures, including BMPs;
 - c. Inspections by local, state, or federal officials determine that modifications to the SWPPP are necessary;

- d. There is a significant spill, leak, or other release at the facility;
 - e. There is an unauthorized discharge from the facility; or
 - f. The department notifies the permittee that a TMDL has been developed and applies to the permitted facility, consistent with Part I B.
3. SWPPP modifications shall be made within 60 calendar days after discovery, observation or event requiring an SWPPP modification. Implementation of new or modified control measures (distinct from regular preventive maintenance of existing control measures described in Part III C) shall be initiated before the next storm event if possible, but no later than 60 days after discovery, or as otherwise provided or approved by the director. The amount of time taken to modify a control measure or implement additional control measures shall be documented in the SWPPP.
4. If the SWPPP modification is based on a significant spill, leak, release, or unauthorized discharge, include a description and date of the incident, the circumstances leading to the incident, actions taken in response to the incident, and measures to prevent the recurrence of releases. Unauthorized discharges are subject to the reporting requirements of Part II G of this permit

Part IV. Sector Specific Permit Requirements

The permittee must only comply with the additional requirements of Part IV of this permit that apply to the sectors of industrial activity located at the facility. These sector specific requirements are in addition to the requirements specified in Parts I, II and III of this permit. All numeric effluent limitations and benchmark monitoring concentration values reflect two significant digits, unless otherwise noted.

9VAC25-151-210. Sector N – Scrap recycling and waste recycling facilities and material recovery facilities.

A. Discharges covered under this section. The requirements listed under this section apply to stormwater discharges associated with industrial activity from facilities typically identified as SIC code 5093 that are engaged in the processing, reclaiming, and wholesale distribution of scrap and waste materials such as ferrous and nonferrous metals, paper, plastic, cardboard, glass, animal hides, and facilities that are engaged in reclaiming and recycling liquid wastes such as used oil, antifreeze, mineral spirits, and industrial solvents. Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from nonindustrial and residential sources (e.g., common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum, and tin cans).

Separate permit requirements have also been established for facilities that are engaged in dismantling ships, marine salvaging, and marine wrecking—ships for scrap (SIC Code 4499, limited to those listed; for others in SIC Code 4499 not listed in this subsection, see Sector Q (9VAC25-151-240)).

B. Special conditions. Prohibition of nonstormwater discharges. Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate VPDES permit.

C. SWPPP requirements. In addition to the requirements of Part III, the following items are applicable:

1. Scrap recycling and waste recycling facilities (nonsource-separated, nonliquid recyclable materials). The following SWPPP special conditions have been established for facilities that receive, process, and do wholesale distribution of nonliquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). These facilities may receive both nonrecyclable and recyclable materials. This section is not intended for those facilities that only accept recyclable materials primarily from nonindustrial and residential sources.

a. Inbound recyclable and waste material control program. The SWPPP shall include a recyclable and waste material inspection program to minimize the likelihood of receiving materials that may be significant pollutant sources to stormwater discharges. Control measures shall include one or more of the following:

(1) Provide information and education flyers, brochures, and pamphlets to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids before delivery to the facility (e.g., from vehicles and equipment engines, radiators, and transmissions, oil-filled transformers, and individual containers or drums), and on removal of mercury switches before delivery to the facility;

(2) Establish procedures to minimize the potential of any residual fluids from coming in contact with precipitation or runoff;

(3) Establish procedures for accepting scrap lead-acid batteries. Additional requirements for the handling, storage and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions in subdivision 2 f of this subsection;

(4) Provide training targeted for those staff engaged in the inspection and acceptance of inbound recyclable materials; or

- (5) Establish procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and nonleaking containers and disposed or recycled in accordance with all requirements under the Resource Conservation and Recovery Act (RCRA), and other state or local requirements.
- b. Scrap and waste material stockpiles and storage (outdoor). The SWPPP shall describe measures and controls to minimize contact of stormwater runoff with stockpiled materials, processed materials, and nonrecyclable wastes. Control measures shall include one or more of the following:
- (1) Permanent or semipermanent covers;
 - (2) The use of sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants;
 - (3) Diversion of runoff away from storage areas via dikes, berms, containment trenches, culverts, and surface grading;
 - (4) Silt fencing;
 - (5) Oil/water separators, sumps, and dry adsorbents for areas where potential sources of residual fluids are stockpiled (e.g., automotive engine storage areas); or
 - (6) Another control measure used to prevent or reduce the discharge of pollutants to surface waters.
- c. Stockpiling of turnings exposed to cutting fluids (outdoor storage). The SWPPP shall implement measures necessary to minimize contact of surface runoff with residual cutting fluids. Control measures shall include one or more of the following:
- (1) Storage of all turnings exposed to cutting fluids under some form of permanent or semipermanent cover. Stormwater discharges from these areas are permitted provided the runoff is first treated by an oil/water separator or its equivalent. Procedures to collect, handle, and dispose or recycle residual fluids that may be present shall be identified in the SWPPP; or
 - (2) Establish dedicated containment areas for all turnings that have been exposed to cutting fluids. Stormwater runoff from these areas can be discharged provided:
 - (a) The containment areas are constructed of either concrete, asphalt, or other equivalent type of impermeable material;
 - (b) There is a barrier around the perimeter of the containment areas to prevent contact with stormwater run-on (e.g., berms, curbing, and elevated pads);
 - (c) There is a drainage collection system for runoff generated from containment areas;
 - (d) There is a schedule to maintain the oil/water separator (or its equivalent); and
 - (e) Procedures are identified for the proper disposal or recycling of collected residual fluids.
- d. Scrap and waste material stockpiles and storage (covered or indoor storage). The SWPPP shall address measures and controls to minimize contact of residual liquids and particulate matter from materials stored indoors or under cover from coming in contact with surface runoff. Control measures shall include one or more of the following:
- (1) Good housekeeping measures, including the use of dry absorbent or wet vacuum cleanup methods, to contain, dispose, or recycle residual liquids originating from recyclable containers, or mercury spill kits from storage of mercury switches;
 - (2) Prohibiting the practice of allowing washwater from tipping floors or other processing areas from discharging;
 - (3) Disconnecting or sealing off all floor drains if necessary to prevent a discharge; or
 - (4) Another control measure used to prevent or reduce the discharge of pollutants to surface waters.

- e. Scrap and recyclable waste processing areas. The SWPPP shall include measures and controls to minimize surface runoff from coming in contact with scrap processing equipment. In the case of processing equipment that generate visible amounts of particulate residue (e.g., shredding facilities), the SWPPP shall describe measures to minimize the contact of residual fluids and accumulated particulate matter with runoff (i.e., through good housekeeping and preventive maintenance). Control measures shall include one or more of the following:
 - (1) A schedule of regular inspections of equipment for leaks, spills, malfunctioning, worn, or corroded parts or equipment;
 - (2) A preventive maintenance program for processing equipment;
 - (3) Removal of mercury switches from the hood and trunk lighting units, and removal of anti-lock brake system units containing mercury switches;
 - (4) Use of dry-absorbents or other cleanup practices to collect and to dispose of or recycle spilled or leaking fluids, or use of mercury spill kits for spills from storage of mercury switches;
 - (5) Installation of low-level alarms or other equivalent protection devices on unattended hydraulic reservoirs over 150 gallons in capacity. Alternatively, provide secondary containment with sufficient volume to contain the entire volume of the reservoir;
 - (6) Containment or diversion structures (e.g., dikes, berms, culverts, trenches, elevated concrete pads, and grading) to minimize contact of stormwater runoff with outdoor processing equipment or stored materials;
 - (7) Oil/water separators or sumps;
 - (8) Permanent or semipermanent covers in processing areas where there are residual fluids and grease;
 - (9) Retention and detention basins or ponds, sediment traps, vegetated swales or strips, to facilitate pollutant settling and filtration;
 - (10) Catch basin filters or sand filters; or
 - (11) Another control measure used to prevent or reduce the discharge of pollutants to surface waters.
- f. Scrap lead-acid battery program. The SWPPP shall address measures and controls for the proper handling, storage, and disposal of scrap lead-acid batteries. Control measures shall include one or more of the following:
 - (1) Segregate scrap lead-acid batteries from other scrap materials and store under cover;
 - (2) A description of procedures and measures for the proper handling, storage, and disposal of cracked or broken batteries;
 - (3) A description of measures to collect and dispose of leaking lead-acid battery fluid;
 - (4) A description of measures to minimize and, whenever possible, eliminate exposure of scrap lead-acid batteries to precipitation or runoff; or
 - (5) A description of employee training for the management of scrap batteries.
- g. Spill prevention and response procedures. The SWPPP shall include measures to minimize stormwater contamination at loading and unloading areas, and from equipment or container failures. Control measures shall include one or more of the following:
 - (1) Description of spill prevention and response measures to address areas that are potential sources of fluid leaks or spills;
 - (2) Immediate containment and cleanup of spills and leaks. If malfunctioning equipment is responsible for the spill or leak, repairs shall also be conducted as soon as possible;
 - (3) Cleanup procedures shall be identified in the SWPPP, including the use of dry absorbents. Where dry absorbent cleanup methods are used, an adequate supply of dry absorbent material shall be maintained on-site. Used absorbent material shall be disposed of properly;

- (4) Drums containing liquids, especially oil and lubricants, shall be stored indoors, in a bermed area, in overpack containers or spill pallets, or in similar containment devices;
 - (5) Overfill prevention devices shall be installed on all fuel pumps or tanks;
 - (6) Drip pans or equivalent measures shall be placed under any leaking piece of stationary equipment until the leak is repaired. The drip pans shall be inspected for leaks and potential overflow and all liquids properly disposed of in accordance with RCRA requirements; or
 - (7) An alarm or pump shut off system shall be installed on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in order to prevent draining the tank contents due to a line break. Alternatively, the equipment may have a secondary containment system capable of containing the contents of the hydraulic reservoir plus adequate freeboard for precipitation. A mercury spill kit shall be used for any release of mercury from switches, anti-lock brake systems, and switch storage areas.
 - h. Inspection program. All designated areas of the facility and equipment identified in the SWPPP shall be inspected at least quarterly. The requirement for routine facility inspections is waived for facilities that have maintained an active VEEP E3/E4 status.
 - i. Supplier notification program. The SWPPP shall include a program to notify major suppliers which scrap materials will not be accepted at the facility or are only accepted under certain conditions.
2. Waste recycling facilities (liquid recyclable materials).
- a. Waste material storage (indoor). The SWPPP shall include measures and controls to eliminate contact between residual liquids from waste materials stored indoors and surface runoff. The SWPPP may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. Control measures shall include one or more of the following:
 - (1) Procedures for material handling (including labeling and marking);
 - (2) A sufficient supply of dry-absorbent materials or a wet vacuum system to collect spilled or leaked materials (spilled or leaking mercury should never be vacuumed);
 - (3) An appropriate containment structure (e.g., trenches, curbing, gutters, or other equivalent measures); or
 - (4) A drainage system, including appurtenances (e.g., pumps or ejectors, or manually operated valves), to handle discharges from diked or bermed areas. Drainage shall be discharged to an appropriate treatment facility, sanitary sewer system, or otherwise disposed of properly. Discharges from these areas may require coverage under a separate VPDES permit or industrial user permit under the pretreatment program.
 - b. Waste material storage (outdoor). The SWPPP shall describe measures and controls to minimize contact between stored residual liquids and precipitation or runoff. The SWPPP may refer to applicable portions of other existing plans (e.g., SPCC plans required under 40 CFR Part 112). Discharges of precipitation from containment areas containing used oil shall also be in accordance with applicable sections of 40 CFR Part 112. Control measures shall include one or more of the following:
 - (1) Appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest single tank, with sufficient extra capacity for precipitation;
 - (2) Drainage control and other diversionary structures;
 - (3) For storage tanks, provide corrosion protection, or leak detection systems; or
 - (4) Dry-absorbent materials or a wet vacuum system to collect spills.
 - c. Truck and rail car waste transfer areas. The SWPPP shall describe measures and controls to minimize pollutants in discharges from truck and rail car loading and unloading areas. The SWPPP shall also address measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. Control measures shall include one or more of the following:

- (1) Containment and diversionary structures to minimize contact with precipitation or runoff;
 - (2) Use of dry cleanup methods, wet vacuuming, roof coverings, or runoff controls; or
 - (3) Another control measure used to prevent or reduce the discharge of pollutants to surface waters.
- d. Inspections. Inspections shall be made quarterly and shall also include all areas where waste is generated, received, stored, treated, or disposed that are exposed to either precipitation or stormwater runoff. The requirement for routine facility inspections is waived for facilities that have maintained an active VEEP E3/E4 status.
3. Recycling facilities (source separated materials). The following SWPPP special conditions have been established for facilities that receive only source-separated recyclable materials primarily from nonindustrial and residential sources.
- a. Inbound recyclable material control. The SWPPP shall include an inbound materials inspection program to minimize the likelihood of receiving nonrecyclable materials (e.g., hazardous materials) that may be a significant source of pollutants in surface runoff. Control measures shall include one or more of the following:
- (1) Provide information and education measures to inform suppliers of recyclable materials on the types of materials that are acceptable and those that are not acceptable;
 - (2) A description of training measures for drivers responsible for pickup of recyclable materials;
 - (3) Clearly mark public drop-off containers regarding which materials can be accepted;
 - (4) Rejecting nonrecyclable wastes or household hazardous wastes at the source; or
 - (5) Establish procedures for the handling and disposal of nonrecyclable materials.
- b. Outdoor storage. The SWPPP shall include procedures to minimize the exposure of recyclable materials to surface runoff and precipitation. The SWPPP shall include good housekeeping measures to prevent the accumulation of particulate matter and fluids, particularly in high traffic areas. Control measures shall include one or more of the following:
- (1) Provide totally-enclosed drop-off containers for the public;
 - (2) Install a sump and pump with each containment pit, and treat or discharge collected fluids to a sanitary sewer system;
 - (3) Provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper);
 - (4) Divert surface runoff away from outside material storage areas;
 - (5) Provide covers over containment bins, dumpsters, roll-off boxes; or
 - (6) Store the equivalent one day's volume of recyclable materials indoors.
- c. Indoor storage and material processing. The SWPPP shall include measures to minimize the release of pollutants from indoor storage and processing areas. Control measures shall include one or more of the following:
- (1) Schedule routine good housekeeping measures for all storage and processing areas;
 - (2) Prohibit a practice of allowing tipping floor washwaters from draining to any portion of the storm sewer system; or
 - (3) Provide employee training on pollution prevention practices.
- d. Vehicle and equipment maintenance. The SWPPP shall also provide for control measures in those areas where vehicle and equipment maintenance is occurring outdoors. Control measures shall include one or more of the following:
- (1) Prohibit vehicle and equipment washwater discharges;
 - (2) Minimize or eliminate outdoor maintenance areas, wherever possible;
 - (3) Establish spill prevention and clean-up procedures in fueling areas;

- (4) Avoid topping off fuel tanks;
- (5) Divert runoff from fueling areas;
- (6) Store lubricants and hydraulic fluids indoors; or
- (7) Provide employee training on proper handling, storage of hydraulic fluids and lubricants.

4. Facilities engaged in dismantling ships, marine salvaging, and marine wrecking—ships for scrap. The following SWPPP special conditions have been established for facilities that are engaged in dismantling ships, marine salvaging, and marine wrecking—ships for scrap. Vessel breaking and scrapping activities. Scrapping of vessels shall be accomplished ashore beyond the range of mean high tide, whenever practicable. If this activity must be conducted while a vessel is afloat or grounded in state waters, then the permittee shall employ control measures to reduce the amount of pollutants released. The following control measures shall be implemented during those periods when vessels (ships, barges, yachts, etc.) are brought to the facility's site for recycling, scrapping, and storage before scrapping.

- a. Fixed or floating platforms sufficiently sized and constructed to catch and prevent scrap materials and pollutants from entering surface waters (or equivalent measures approved by the department) shall be used as work surfaces when working on or near the water surface. These platforms shall be cleaned as required to prevent pollutants from entering surface waters and at the end of each work shift. All scrap metals and pollutants shall be collected in a manner to prevent releases.
- b. There shall be no discharge of oil or oily wastewater at the facility. Drip pans and other protective devices shall be required for all oil and oily waste transfer operations to catch incidental spillage and drips from hose nozzles, hose racks, drums, or barrels. Drip pans and other protective devices shall be inspected and maintained to prevent releases. Oil and oily waste shall be disposed at a permitted facility and adequate documentation of off-site disposition shall be retained for review by the department upon request.
- c. During the storage, breaking, and scrapping period, oil containment booms shall be deployed either around the vessel being scrapped, or across the mouth of the facility's wet slip, to contain pollutants in the event of a spill. Booms shall be inspected, maintained, and repaired as needed. Oil, grease and fuel spills shall be prevented from reaching surface waters. Cleanup shall be carried out immediately after an oil, grease, or fuel spill is detected.
- d. Paint and solvent spills shall be immediately, upon discovery of the spills, cleaned up to prevent pollutants from reaching storm drains, deck drains, and surface waters.
- e. Contaminated bilge and ballast water shall not be discharged to surface waters. If it becomes necessary to dispose of contaminated bilge and ballast waters during a vessel breaking activity, the wastewater shall be disposed at a permitted facility and adequate documentation of off-site disposition shall be retained for review by the department upon request.

D. Benchmark monitoring and reporting requirements. Scrap recycling and waste recycling facilities (both source-separated and nonsource-separated facilities), and facilities engaged in dismantling ships, marine salvaging, and marine wrecking—ships for scrap are required to monitor their stormwater discharges for the pollutants of concern listed in Table 210.

Table 210 Sector N – Benchmark Monitoring Requirements	
Pollutants of Concern	Benchmark Concentration
Scrap Recycling and Waste Recycling Facilities (nonsource-separated facilities only) (SIC Code 5093)	
Total Suspended Solids (TSS)	100 mg/L

Total Recoverable Aluminum	1,100 µg/L
Total Recoverable Cadmium	1.8 µg/L
Total Recoverable Chromium	16 µg/L
Total Recoverable Copper	13 µg/L
Total Recoverable Lead	82 µg/L
Total Recoverable Zinc	120 µg/L
Scrap Recycling and Waste Recycling Facilities (source-separated facilities) (SIC Code 5093)	
Total Suspended Solids (TSS)	100 mg/L
Total Recoverable Aluminum ¹	1,100 µg/L
Total Recoverable Cadmium ¹	1.8 µg/L
Total Recoverable Chromium ¹	16 µg/L
Total Recoverable Copper ¹	13 µg/L
Total Recoverable Lead ¹	82 µg/L
Total Recoverable Zinc ¹	120 µg/L
¹ Metals monitoring is only required at source-separated facilities for the specific metals listed that are received at the facility.	
Facilities Engaged in Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships for Scrap (SIC Code 4499, limited to list)	
Total Recoverable Aluminum	1,100 µg/L
Total Recoverable Cadmium	1.8 µg/L
Total Recoverable Chromium	16 µg/L
Total Recoverable Copper	13 µg/L
Total Recoverable Lead	82 µg/L
Total Recoverable Zinc	120 µg/L
Total Suspended Solids (TSS)	100 mg/L

Part V
Chesapeake Bay Total Maximum Daily Load Compliance

- A. Chesapeake Bay TMDL Compliance. EPA's Chesapeake Bay TMDL (December 29, 2010) includes wasteload allocations for VPDES permitted industrial stormwater facilities as part of the regulated stormwater aggregate load. EPA used data submitted by Virginia with the Phase I Chesapeake Bay TMDL Watershed Implementation Plan, including the number of industrial stormwater permits per county and the number of urban acres regulated by industrial stormwater permits, as part of their development of the aggregate load. Aggregate loads for industrial stormwater facilities were appropriate because actual facility loading data were not available to develop individual facility wasteload allocations.

Virginia estimated the loadings from industrial stormwater facilities using actual and estimated facility acreage information and total phosphorus (TP) and total nitrogen (TN) loading rates from the Northern Virginia Planning District Commission (NVPDC) Guidebook for Screening Urban Nonpoint Pollution Management Strategies (Annandale, VA November 1979), prepared for the Metropolitan Washington Council of Governments. The loading rates used were as follows:

TP - High (80%) imperviousness industrial; 1.5 lb/ac/yr

TN - High (80%) imperviousness industrial; 12.3 lb/ac/yr

Actual facility area information and TP and TN data collected for facilities subject to Part V of this permit will be used by the department to quantify the nutrient loads from those VPDES permitted industrial stormwater facilities.

1. Facilities that obtained coverage under the 2019 industrial stormwater general permit that demonstrated compliance with the Chesapeake Bay TMDL loading rates.
 - a. Owners shall maintain documentation of their demonstration of compliance with the Chesapeake Bay TMDL loading rates with the SWPPP and shall continue implementing any BMPs that may have been developed as part of that demonstration. Documentation may include:
 - (1) Calculations submitted to the department indicating that reductions were not necessary;
 - (2) A completed TMDL Action Plan, including a description of the means and methods, such as management practices and retrofit programs that were utilized to meet the required reductions;
 - (3) Other means accepted by the department indicating compliance with the Chesapeake Bay TMDL loading rates.
2. Facilities that obtained coverage under the 2019 industrial stormwater general permit that did not demonstrate compliance with the Chesapeake Bay TMDL loading rates shall submit a demonstration to the department.
 - a. Owners of facilities that submitted a Chesapeake Bay TMDL action plan during the 2019 industrial stormwater general permit term that did not achieve reductions by the end of the 2019 permit term shall update and resubmit their action plan to the department for approval no later than 60 days following coverage under this general permit. Permittees shall achieve ten percent of the remaining reductions by December 31, 2024, and all remaining reductions by December 31, 2025. An annual report shall be submitted to the department by June 30 of each year describing the progress in meeting the interim and final reductions. A final report to demonstrate compliance shall be submitted to the department no later than January 10, 2026. Documentation of compliance with the Chesapeake Bay TMDL loading rates shall be maintained with the SWPPP.

- b. Owners of facilities that completed four samples for each outfall for TN and TP during the 2019 industrial stormwater general permit term that did not submit calculations by the end of the 2019 permit term shall utilize the procedures in Part V D to calculate their facility stormwater loads. The permittee shall submit a copy of the calculations, and a Chesapeake Bay TMDL action plan if required under Part V E, no later than 60 days following coverage under this general permit to the DEQ regional office serving the area where the industrial facility is located on a form provided by the department. Reductions, if applicable, shall be achieved by December 31, 2025, and an annual report shall be submitted to the department by June 30 of each year describing the progress in meeting the required reductions until such time that the demonstration is completed. The demonstration shall be submitted to the department no later than January 10, 2026. Documentation of compliance with the Chesapeake Bay TMDL loading rates shall be maintained with the SWPPP.
- c. Owners of facilities registered prior to July 1, 2022, that did not complete four samples for each outfall for TN and TP by the end of the 2019 industrial stormwater general permit term shall monitor their discharges for TN and TP to characterize the contributions from their facility's specific industrial sector for these parameters. Total nitrogen is the sum of total Kjeldahl nitrogen (TKN) and nitrite + nitrate and shall be derived from the results of those tests. After the facility is granted coverage under the permit, samples shall be collected during each of the first four quarters of permit coverage. Samples shall be collected and analyzed in accordance with Part V B. Monitoring results shall be reported in accordance with Part V C and Part II C, and retained in accordance with Part II B. Calculations utilizing the procedures in Part V D, and a Chesapeake Bay TMDL action plan if required under Part V E, shall be submitted no later than 60 days following the completion of the fourth quarterly monitoring period to the DEQ regional office serving the area where the industrial facility is located on a form provided by the department. Reductions, if applicable, shall be achieved by December 31, 2025, and an annual report shall be submitted to the department by June 30 of each year describing the progress in meeting the required reductions until such time that the demonstration is completed. The demonstration shall be submitted to the department no later than January 10, 2026. Documentation of compliance with the Chesapeake Bay TMDL loading rates shall be maintained with the SWPPP.

Facilities may use the applicable sampling data collected during the 2019 industrial stormwater general permit term to satisfy all or part of the four monitoring periods requirement in accordance with Part V A 2 c.

- d. Owners of facilities registered after June 30, 2022, that did not complete four samples for each outfall for TN and TP by the end of the 2019 industrial stormwater general permit term shall monitor their discharges in accordance with Part V A 3.

Facilities may use the applicable sampling data collected during the 2019 industrial stormwater general permit term to satisfy all or part of the four monitoring periods requirements in accordance with Part V A 3.

- 3. Facilities that obtain initial coverage under the 2024 industrial stormwater general permit, but are not newly constructed facilities as identified in 9VAC25-151-60 C 13.
 - a. Owners of facilities in the Chesapeake Bay watershed that obtain initial coverage under the 2024 industrial stormwater general permit shall monitor their discharges for TN and TP to characterize the contributions from their facility's specific industrial sector for these parameters. Total nitrogen is the sum of total Kjeldahl nitrogen (TKN) and nitrite + nitrate and shall be derived from the results of those tests. After the facility is granted coverage under the permit, samples shall be collected during each of the first four quarters of permit coverage. Samples shall be collected and analyzed in accordance with Part V B. Monitoring results shall be reported in accordance with Part V C and Part II C, and retained in accordance with Part II B. Calculations utilizing the procedures in Part V D and a Chesapeake Bay TMDL action plan if required under Part V E shall be submitted no later

than 60 days following the completion of the fourth quarterly monitoring period to the DEQ regional office serving the area where the industrial facility is located on a form provided by the department. Reductions, if applicable, shall be achieved by two years following the end of the fourth quarterly monitoring period, and an annual report shall be submitted to the department by June 30 of each year describing the progress in meeting the required reductions until such time that the demonstration is completed. The demonstration shall be submitted to the department no later than the 10th of the month directly following the two year period. Documentation of compliance with the Chesapeake Bay TMDL loading rates shall be maintained with the SWPPP.

B. Monitoring instructions.

1. Collection and analysis of samples. Sampling requirements shall be assessed on an outfall by outfall basis. Samples shall be collected and analyzed in accordance with the requirements of Part II A.
2. When and how to sample. A minimum of one grab sample shall be taken from the discharge associated with industrial activity resulting from a storm event that results in a discharge from the site providing the interval from the preceding storm event discharge is at least 72 hours. The 72-hour storm interval is waived if the permittee is able to document that less than a 72-hour interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring shall be performed at a time when a measurable discharge occurs at the site. For discharges from a stormwater management structure, the monitoring shall be performed at a time when a measurable discharge occurs from the structure. The grab sample shall be taken during the first 30 minutes of the discharge. If it is not practicable to take the sample during the first 30 minutes, the sample may be taken during the first three hours of the discharge, provided that the permittee explains why a grab sample during the first 30 minutes was impracticable. This information shall be submitted in the department's electronic discharge monitoring report (e-DMR) system and maintained with the SWPPP. If the sampled discharge commingles with process or nonprocess water, the permittee shall attempt to sample the stormwater discharge before it mixes with the nonstormwater.
3. Storm event data. For each monitoring event, except snowmelt monitoring, along with the monitoring results, the permittee shall identify the date of the storm event sampled; rainfall total (in inches) of the storm event that generated the sampled runoff; and the interval between the storm event sampled and the end of the previous storm event discharge. For snowmelt monitoring, the permittee shall identify the date of the sampling event.
4. Monitoring periods. Quarterly monitoring shall be conducted in each of the following three-month periods: January through March, April through June, July through September, and October through December.
5. Documentation explaining a facility's inability to obtain a sample (including dates and times the outfalls were viewed or sampling was attempted), of no rain event, or of deviation from the 72-hour storm interval shall be submitted with the e-DMR and maintained with the SWPPP. Acceptable documentation includes National Climatic Data Center (NCDC) weather station data, local weather station data, facility rainfall logs, and other appropriate supporting data.
6. Representative outfalls may be used in accordance with Part I A 2 f.

C. Reporting monitoring results.

1. Reporting to the department. The permittee shall follow the reporting requirements and deadlines in Table 400-1 if required by Part V A 2 or A 3:

Table 400-1 Monitoring Reporting Requirements	
Quarterly Chesapeake Bay TMDL Monitoring	Submit the results by January 10, April 10, July 10, and October 10

2. Permittees shall submit results for each outfall associated with industrial activity according to the requirements of Part II C.
3. Significant digits. The permittee shall report at least the same number of significant digits as a numeric effluent limitation or TMDL wasteload allocation for a given parameter; otherwise, at least two significant digits shall be reported for a given parameter. Regardless of the rounding convention used by the permittee (i.e., five always rounding up or to the nearest even number), the permittee shall use the convention consistently and shall ensure that consulting laboratories employed by the permittee use the same convention.

D. Calculation of facility loads.

1. Permittees required to collect nutrient data in accordance with Part V A 2 or A 3 shall analyze the data collected to determine if pollution reductions are required. The permittee shall average the data collected at the facility for each of the pollutants of concern (POC) (e.g., TP and TN) and compare the results to the loading rates for TP and TN presented in Part V A. The following formula may be used to determine the loading rate:

$$L = 0.226 \times P \times P_j \times (0.05 + (0.9 \times I_a)) \times C$$

where:

L = the POC loading rate (lb/acre/year)

P = the annual rainfall (inches/year) - The permittee may use either actual annual average rainfall data for the facility location (in inches/year), the Virginia annual average rainfall of 44.3 inches/year, or another method approved by the department.

P_j = the fraction of annual events that produce runoff - The permittee shall use 0.9 unless the department approves another rate.

I_a = the impervious fraction of the facility impervious area of industrial activity to the facility industrial activity area.

C = the POC average concentration of all facility samples (mg/L) - Facilities with multiple outfalls shall calculate a weighted average concentration for each outfall using the drainage area of each outfall.

For total phosphorus, all daily concentration data below the quantitation level (QL) for the analytical method used shall be treated as half the QL. All daily concentration data equal to or above the QL for the analytical method used shall be treated as it is reported.

For total nitrogen, if none of the daily concentration data for the respective species (i.e., TKN, nitrate, or nitrite) are equal to or above the QL for the respective analytical methods used, the daily TN concentration value reported shall equal one half of the largest QL used for the respective species. If one of the data is equal to or above the QL, the daily TN concentration

value shall be treated as that data point is reported. If more than one of the data is above the QL, the daily TN concentration value shall equal the sum of the data points as reported. Calculations shall be submitted to the department within 60 days from the end of the last monitoring period that satisfies the monitoring requirements in Part V A 2 or A 3. Calculations shall be submitted to the DEQ regional office serving the area where the industrial facility is located, on a form provided by the department, and maintained with the facility's SWPPP.

Alternative calculations may be accepted on a case by case basis by the department to accommodate facilities with outfalls that rarely discharge.

- E. Chesapeake Bay TMDL action plan requirements. For permittees required to submit calculations in accordance with Part V D, if the calculated facility loading rate for TP or TN is above the loading rates for TP or TN presented in Part V A, then the permittee shall develop and submit a Chesapeake Bay TMDL action plan to the department.

The Chesapeake Bay TMDL action plan shall be submitted on a form provided by the department to the regional office serving the area where the industrial facility is located within 60 days following the completion of the fourth quarterly monitoring period. A copy of the current Chesapeake Bay TMDL action plan and all facility loading rate calculations shall be maintained with the facility's SWPPP. The Chesapeake Bay TMDL action plan shall include:

1. A determination of the total pollutant load reductions for TP and TN (as appropriate) necessary to reduce the annual loads from industrial activities. This shall be determined by multiplying the industrial average times the difference between the TMDL loading rates listed in Part V A and the actual facility loading rates calculated in accordance with Part V D. The reduction applies to the total difference calculated for each pollutant of concern; and
2. The means and methods, such as management practices and retrofit programs that will be utilized to meet the required reductions determined in Part V E 1 and a schedule to achieve those reductions by the applicable deadline set in Part V A 2 or A 3. Pollutant reductions may be achieved using a combination of the following alternatives:
 - a. Reductions provided by one or more of the BMPs from the Virginia Stormwater BMP Clearinghouse listed in 9VAC25-870-65, approved BMPs found on the Virginia Stormwater Clearinghouse website, or BMPs approved by the Chesapeake Bay Program. Any BMPs implemented to provide the required pollutant reductions shall be incorporated in the SWPPP and be permanently maintained by the permittee;
 - b. Implementation of site-specific BMPs followed by a minimum of four stormwater samples collected in accordance with sampling requirements in Part V B that demonstrate pollutant loadings have been reduced below those calculated under Part V D. Any BMPs implemented to provide the required pollutant reductions shall be incorporated in the SWPPP and be permanently maintained by the permittee; or
 - c. Acquisition of nonpoint source credits certified by the board as perpetual in accordance with § 62.1-44.19:20 of the Code of Virginia.

Appendix B

Photograph Log



Photograph 1. DSCN0713.JPG View of the scrap storage area in the northwest portion of the Facility.



Photograph 2. DSCN0714.JPG Additional view of the scrap storage area in the northwest portion of the Facility.



Photograph 3. DSCN0715.JPG View of the storm drain inlet shown in Photograph 2. A filter pad was installed at the storm drain inlet.



Photograph 4. DSCN0716.JPG View of a storm drain inlet in the scrap storage area. A filter sock was installed at the storm drain inlet.



Photograph 5. DSCN0717.JPG Close-up view of the storm drain inlet shown in Photograph 4.



Photograph 6. DSCN0718.JPG View of the baler area.



Photograph 7. DSCN0719.JPG View of a storm drain inlet southeast of the baler.



Photograph 8. DSCN0720.JPG View of the storm drain inlet shown in Photograph 7. A filter pad was installed on the storm drain inlet.



Photograph 9. DSCN0721.JPG View of the sealed components area. The area was not covered. The area slopes toward a sump that is pumped to an oil/water separator.



Photograph 10. DSCN0722.JPG Additional view of the sealed components area. Absorbent socks were installed along the concrete containment barrier on the south side of the area. Staining was observed on the concrete barrier and the impervious ground surface outside of the containment structures.



Photograph 11. DSCN0723.JPG View of the oil/water separator that treats oil/water mixture from the sealed components area.



Photograph 12. DSCN0724.JPG View of the container with absorbent socks to which water from the oil/water separator flows. Water then flows to an outside area with hay bales to the east of the oil/water separator.



Photograph 13. DSCN0725.JPG View of the drain line for the oil/water separator. The line ends at hay bales between the oil/water separator and the non-ferrous peddlers building.



Photograph 14. DSCN0729.JPG View, facing northwest, of a storm drain inlet south of the non-ferrous peddlers building. A BMP was not installed at the storm drain inlet. Facility staff placed an absorbent sock around this inlet during the inspection.



Photograph 15. DSCN0726.JPG View, facing south, of the storm drain inlet shown in Photograph 14.



Photograph 16. DSCN0727.JPG Close-up view of the storm drain inlet shown in Photographs 14 and 15.



Photograph 17. DSCN0730.JPG View of a storm drain inlet on the north side of the scrap storage/sorting area. A BMP was not installed at the storm drain inlet. The inlet was adjacent to and downgradient of a dirt/gravel slope. A Facility staff placed an absorbent sock around this inlet during the inspection.



Photograph 18. DSCN0732.JPG View of a storm drain inlet on the east side of the scrap storage/sorting area. Hay bales were installed around the storm drain inlet.



Photograph 19. DSCN0733.JPG View of the storm drain inlet shown in Photograph 18.



Photograph 20. DSCN0734.JPG View of a storm drain inlet on the east side of the scrap storage/sorting area. A BMP was not installed at the inlet.



Photograph 21. DSCN0735.JPG View of the storm drain inlet shown in Photograph 20. Note sediment adjacent to and inside the grating of the storm drain inlet.



Photograph 22. DSCN0736.JPG Close-up view of the storm drain inlet shown in Photographs 20 and 21. Note sediment adjacent to and inside the grating of the storm drain inlet.



Photograph 23. DSCN0737.JPG View of a storm drain inlet on the east side of the scrap storage/sorting area. The inlet was covered with scrap material and lacked a BMP. Facility staff removed the scrap material and placed hay bales around this inlet during the inspection.



Photograph 24. DSCN0738.JPG View of the storm drain inlet shown in Photograph 23.



Photograph 25. DSCN0740.JPG Close-up view of the storm drain inlet shown in Photographs 23 and 24.



Photograph 26. DSCN0741.JPG View, facing north, from the area shown in Photographs 23–25.



Photograph 27. DSCN0743.JPG View of the general area where a storm drain inlet was identified on the SWPPP site map but could not be located by the EPA Inspector and Facility representatives. The Facility representatives contacted staff to help identify the location of the inlet while the EPA Inspector continued the Facility inspection in other areas of the Facility.



Photograph 28. DSCN0745.JPG Additional view of the area shown in Photograph 27.



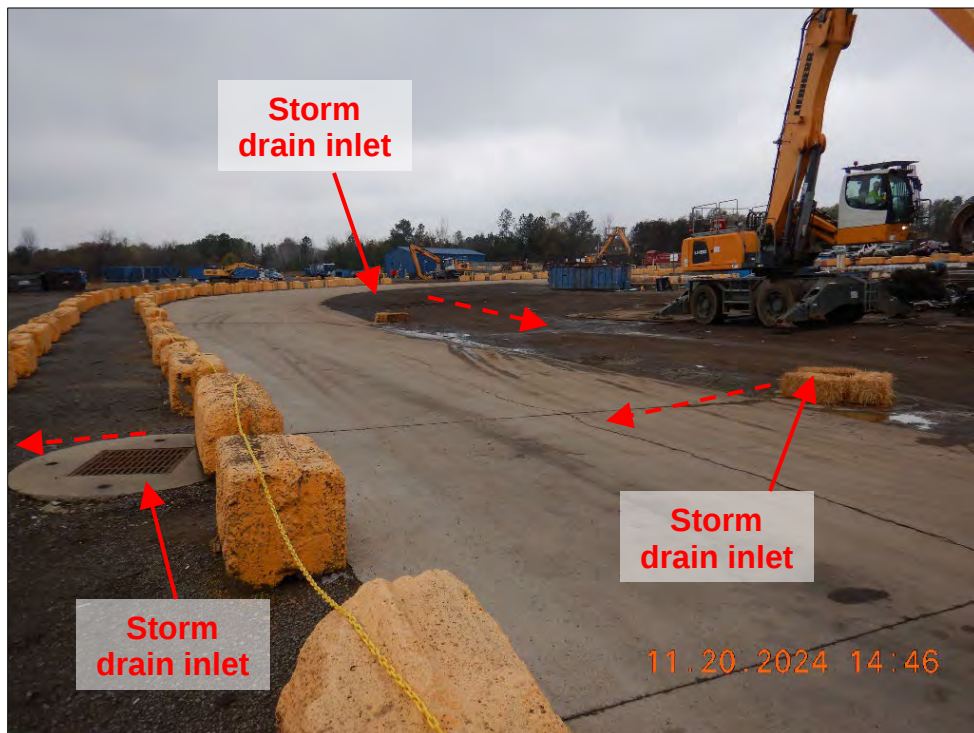
Photograph 29. DSCN0756.JPG View of the area shown in Photographs 27 and 28 after Facility staff removed scrap material and located a storm drain inlet.



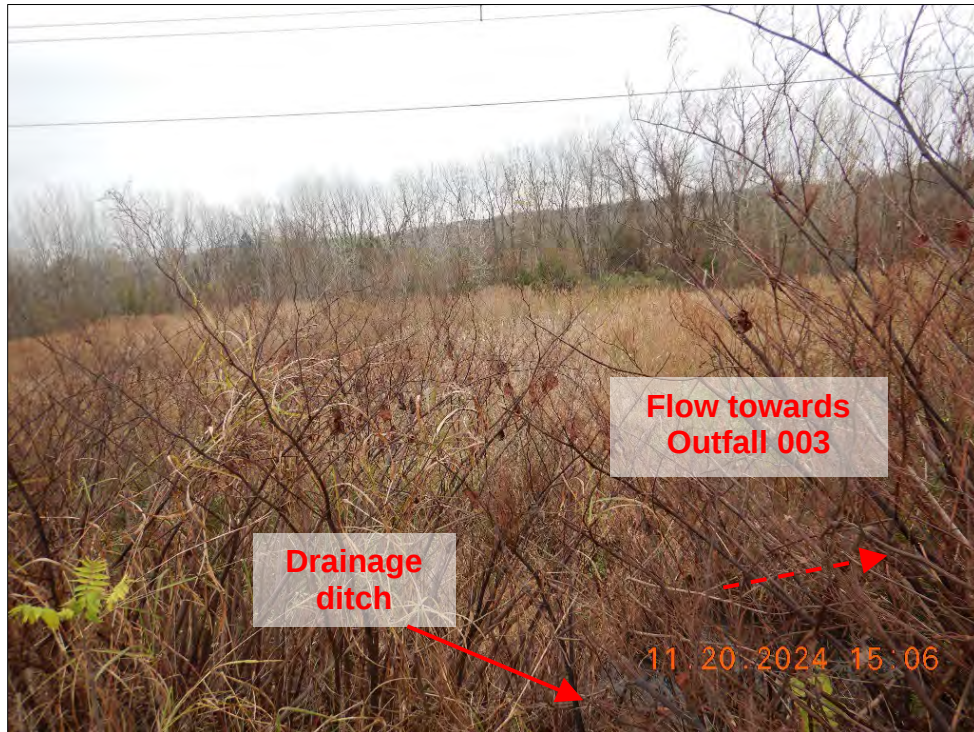
Photograph 30. DSCN0757.JPG View of the storm drain inlet, shown in Photograph 29, that was uncovered by Facility staff during the inspection.



Photograph 31. DSCN0758.JPG Close-up view of the storm drain inlet shown in Photographs 29 and 30.



Photograph 32. DSCN0746.JPG View of three storm drain inlets on the east side of the scrap storage/sorting area. The storm drain on the left side of the photograph is the last inlet upgradient of the ditch that receives stormwater from the Facility's storm sewer system.



Photograph 33. DSCN0754.JPG View, facing east, of the ditch that receives stormwater from the Facility's storm sewer system.



Photograph 34. DSCN0755.JPG Close-up view of the area that receives stormwater from the Facility's storm sewer system. Stormwater inside the ditch flows south toward Outfall 003, which is approximately 625 feet from this location.



Photograph 35. DSCN0752.JPG View, facing west, of Outfall 003. Stormwater flows from the north to Outfall 003. The area directly north of the outfall is raised above the ditch that flows to the outfall. The Facility was not discharging from Outfall 003 at the time of the inspection.



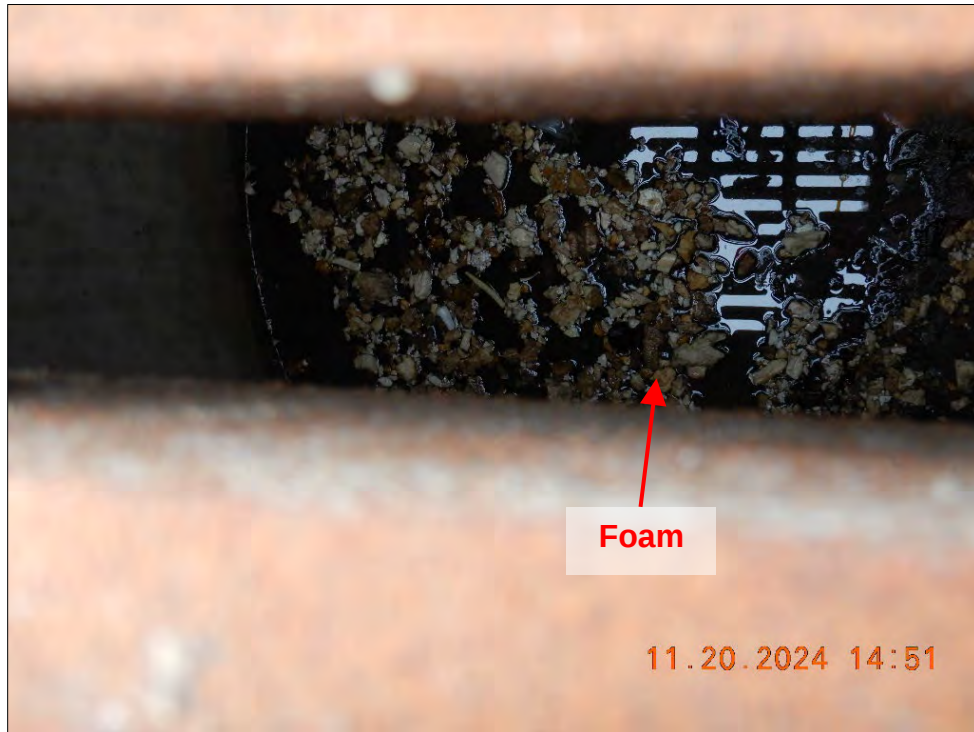
Photograph 36. DSCN0753.JPG View, facing north, of the area upgradient of Outfall 003. The EPA Inspector did not observe stormwater flow in this area the time of the inspection.



Photograph 37. DSCN0748.JPG View of a storm drain inlet south of the scrap storage/sorting area, on the south side of the road that runs along the south and east side of the scrap storage/sorting area. This storm drain inlet was not identified on the SWPPP site map.



Photograph 38. DSCN0749.JPG Close-up view of the storm inlet shown in Photograph 38. Foam material was observed in the grating and inside the storm drain. Facility staff placed hay bales around this inlet during the inspection.



Photograph 39. DSCN0751.JPG View inside the storm drain shown in Photographs 34 and 35. Foam material was inside the storm drain.



Photograph 40. DSCN0759.JPG View of diesel fuel, hydraulic oil, and engine oil ASTs at the maintenance shop.



Photograph 41. DSCN0760.JPG View of the SEDA system used for vehicle de-pollution prior to crushing.



Photograph 42. DSCN0762.JPG View of the SEDA tank farm used to store fluids removed from the SEDA system.



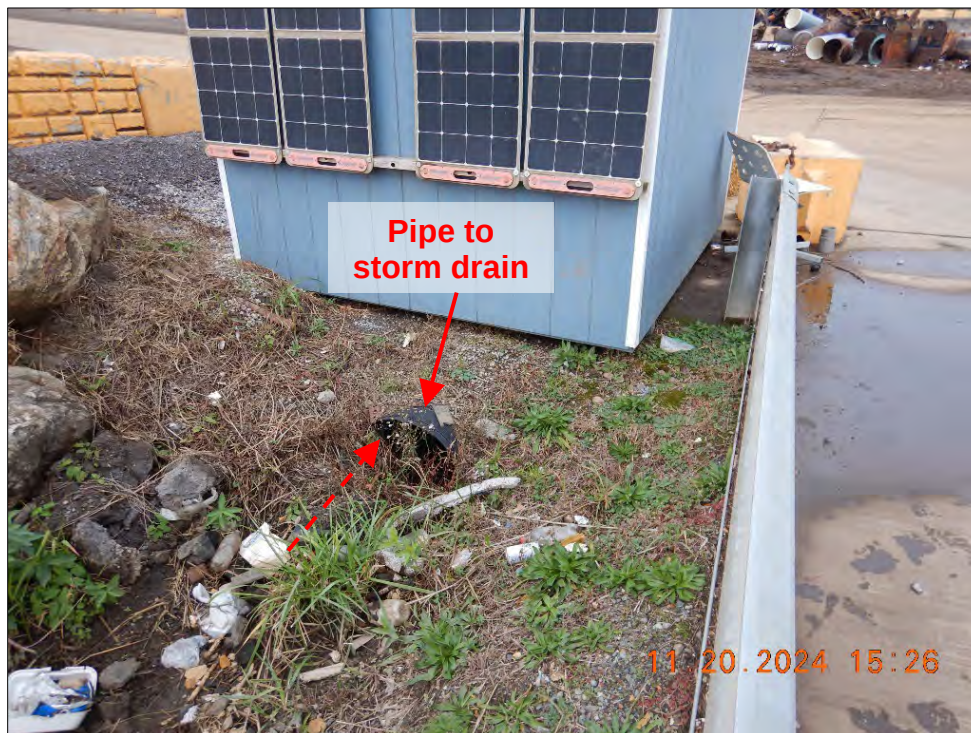
Photograph 43. DSCN0763.JPG View of a storm drain in the scrap storage/sorting area that was not identified on the SWPPP site map.



Photograph 44. DSCN0764.JPG Close-up view of the storm drain inlet shown in Photograph 43.



Photograph 45. DSCN0765.JPG View, for site orientation purposes, of the building south of the storm drain inlet shown in Photograph 44.



Photograph 46. DSCN0766.JPG View of a pipe at the northern terminus of a ditch that conveys stormwater to the storm drain shown in Photographs 43–45. The SWPPP site map does not identify stormwater flow inside the ditch.



Photograph 47. DSCN0767.JPG View, facing south, of the ditch that conveys stormwater to the storm drain shown in Photographs 43–45. The SWPPP site map does not identify stormwater drainage flow inside this ditch. The SWPPP site map documents stormwater runoff flowing across this ditch from west to east.

Appendix C Exhibit Log

Exhibit 1
Facility SWPPP, dated November 2024

Stormwater Pollution Prevention Plan (SWPPP)



**Richmond Yard
3220 Deepwater Terminal Road
Richmond, VA 23234**

Revised November 2024 by:

ONE Environmental Mid Atlantic, LLC

Table of Contents

1.0	STORMWATER POLLUTION PREVENTION PLAN CERTIFICATION	1
2.0	SWPPP RECORD OF CHANGES	2
3.0	INTRODUCTION, OBJECTIVES, PLANNING & ORGANIZATION	3
3.1	Objectives	3
3.2	Review of Other Requirements and Existing Facility Plans	3
3.3	SWPPP Organization.....	3
4.0	STORMWATER POLLUTION PREVENTION TEAM (“STORMWATER TEAM” OR “TEAM”).....	5
5.0	DESCRIPTION OF FACILITY ACTIVITIES & POTENTIAL POLLUTANT SOURCES	7
5.1	Facility Description	7
5.2	Drainage.....	7
5.3	Inventory of Exposed Materials	8
5.4	Significant Past Spills and Leaks	9
5.5	Summary of Stormwater Discharge Sampling Data.....	11
5.6	Chesapeake Bay TMDL Program.....	11
5.7	Facility Expansion Projects that Commence After July 1, 2014	12
5.8	Risk Identification & Summary of Potential Pollutant Sources.....	12
6.0	MEASURES & CONTROLS	13
6.1	Standard BMP Programs, Practices, and Procedures.....	13
6.1.1	Source / Inbound Recyclable Control / Inspection Program.....	13
6.1.2	Scrap Potentially Containing Residual Oils (Oily Scrap) Storage Program	13
6.1.3	Spill Prevention & Response Program	14
6.1.4	Standard Stormwater Protection Program (for activities, areas, and sources).....	14
6.1.5	Runoff and Run-On Control Program.....	14
6.1.6	Hazardous Material, Aboveground Storage Tank, Drum & Oil Storage Area Protection Program	14
6.1.7	Battery Protection Program	15
6.1.8	Vehicle & Equipment Protection and Maintenance Program	15
6.1.9	Vehicle & Equipment Fueling Program.....	15
6.1.10	Erosion & Sediment Control Program.....	15
6.1.11	Waste Management Program.....	15

6.1.12	Dust Suppression and Vehicle Tracking of Industrial Materials	16
6.1.13	Facility Security Program	16
6.2	Site-Specific BMP Programs, Practices, and Procedures	16
6.2.1	Good Housekeeping Programs	16
6.2.2	Preventive Maintenance Programs.....	16
6.2.3	BMP Maintenance Program	17
6.2.4	Spill Prevention and Response Programs	18
6.2.5	Spill Response Procedure	18
6.2.6	Inspection Programs.....	19
6.2.7	Corrective Actions & Follow-Up Reporting Procedures	20
6.2.8	Employee Training Programs	21
6.2.9	Recordkeeping and Internal Reporting Procedures.....	21
6.2.10	Non-Stormwater Discharges	22
6.2.11	Sediment and Erosion Control & Management of Runoff	23

TABLES

Table 1 – Site-Specific SWPPP Compliance Summary

Table 2 - Materials Inventory & Location

Table 3 – List of Significant Spills & Leaks

Table 4 – Benchmark Parameters

FIGURES

Figure 1 – Site Location Map

Figure 2 – Site Map

EXHIBITS

Exhibit 1 – Emergency Contact List (Stormwater Team Contact Information)

Exhibit 2 – Stormwater Filing System

Exhibit 3 – Quarterly Visual Inspection Form; Routine Facility Inspection Form; Corrective Action Plan Template

Exhibit 4 – Nonstormwater Discharge Assessment Form

1.0 Stormwater Pollution Prevention Plan 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 designated to ensure that qualified personnel properly gather and evaluate the information submitted and that the discharge from this Facility has been tested or evaluated for the presence of non-stormwater discharges. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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.

Name: _____

Title: _____

Signature: _____

Date: _____

2.0 SWPPP Record of Changes

The SWPPP is amended within 60 days whenever:

- A change in design, construction, operation, or maintenance has a significant effect on the discharge, or the potential for the discharge, of pollutants from the facility;
- Routine inspections or compliance evaluations identify deficiencies;
- Inspections by local, federal, or state officials determine that modifications to the SWPPP are necessary; or
- There is a spill leak or other release from the facility.

Date	Summary of Changes
2013	One Plan created to integrate SWPPP and SPCC Plan and signed by a PE.
September 2014	Amended ONE Plan to reflect the latest revision to Stormwater Permit VAR050588; updated AST fuel storage list - removed 8,000-gallon diesel, 500 gallon diesel, and 500 gallon hydraulic fluid tanks.
October 2015	Review of roles and responsibilities
August 2018	Removed and revised ASTs and capacities throughout facility; Updated Figure 2 and 3 to reflect current site layout.
November 2019- January 2020	Revised to meet 2019 VPDES permit requirements. Delete OF-001, OF-002 – these outfalls no longer drain areas of industrial activity, per 2019 VPDES registration statement. Removed VPDES Annual Comprehensive Inspection and Reporting requirements. SPCC Plan certified by a PE.
October 2022	Revised to update on-site oil inventory and include new drainage information regarding the Oil Water Separator. Added dike/OWS drainage record template. Updated One Plan map.
September 2024	Revised SWPPP portion of document to reflect requirements of 2024 VPDES permit. Updated benchmark and TMDL monitoring requirements.
November 2024	SWPPP separated from One Plan.

3.0 INTRODUCTION, OBJECTIVES, PLANNING & ORGANIZATION

This Stormwater Pollution Prevention Plan (SWPPP) for the Sims Metal Management (Sims) Facility (Facility) located at 3220 Deepwater Terminal Road, Richmond, VA 23234 was designed and has been prepared in accordance with the requirements of the Commonwealth of Virginia, Department of Environmental Quality General Permit No. VAR050588, General Permit For Stormwater Discharges Associated With Industrial Activity Authorization To Discharge Under the Virginia Pollutant Discharge Elimination System and The Commonwealth of Virginia Water Control Law (General Permit). The current General Permit became effective July 1, 2024, and expires June 30, 2029.

3.1 Objectives

The SWPPP has three major objectives:

1. Identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the Facility;
2. Describe and ensure the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with industrial activity at the Facility (best management practices or BMPs); and
3. Assure compliance with the terms and conditions of the General Permit.

BMPs may include a variety of pollution prevention and pollution control measures. They are generally categorized as non-structural BMPs (e.g. activity schedules, prohibition of practices, maintenance procedures) and as structural BMPs (e.g. treatment measures, run-off controls, overhead coverage).

3.2 Review of Other Requirements and Existing Facility Plans

This SWPPP incorporates by reference the appropriate elements of other regulatory, corporate, and Facility policy requirements, to the extent that such requirements impact, complement, or are consistent with the requirements of this General Permit. The following existing Facility plans and requirements contain stormwater pollutant control measures or relate to the requirements of the General Permit:

1. Corporate & Regional Standard Operating Procedures, with respect to structural and non-structural BMPs, environmental policies, assignment of responsibilities, and training and inspection requirements.
2. Corporate and Facility Preventive Maintenance Programs, which include a schedule of periodic inspections of equipment for leaks, spills, malfunctioning, worn, or corroded parts or equipment, and a program to repair or maintain processing equipment, as reasonable and appropriate.
3. Stormwater Discharge and other applicable Monitoring Reports for this Facility.

3.3 SWPPP Organization

This site-specific SWPPP has been prepared to meet the requirements of the General Permit. A cross-reference of the General Permit SWPPP requirements and this site-specific SWPPP is provided below.

Table 1 – Site-Specific SWPPP Compliance Summary

General Permit SWPPP Rule	SWPPP Rule Description	Site-Specific SWPPP Section
Part III.B.1	Stormwater Pollution Prevention Team	Section 4
Part III.B.2	Description of Site Activities and Drainage Map	Sections 5.1 & 5.2
Part III.B.3	Summary of Potential Pollution Sources	Section 5.3
Part III.B.3.c	Significant Past Spills and Leaks	Section 5.4
Part III.B.3.d	Monitoring Data	Section 5.5
Part III.B.4	Stormwater Management and Controls	Section 6
Part III.B.5	Routine Facility Inspections	Section 6.2.6
Part III.C	BMP Maintenance	Section 6.2.3
Part III.D	Non-Stormwater Discharges	Section 6.2.10
Part III.E	Signature and Plan Review	Section 1
Part III.F	Maintaining an Updated SWPPP	Section 2
Part IV.C.1.a	Inbound Recyclable and Waste Material Control Program	Section 6.1.1
Part IV.C.1.b	Scrap and Waste Material Stockpiles/Storage (Outdoor)	Section 6.3
Part IV.C.1.c	Stockpiles of Turnings Exposed to Cutting Fluids (Outdoor Storage)	Section 6.3
Part IV.C.1.d	Scrap and Waste Material Stockpiles/Storage (Covered or Indoor Storage)	Section 6.3
Part IV.C.1.e	Scrap and Waste Material Processing Areas	Sections 6.1 & 6.2
Part IV.C.1.f	Scrap Lead-Acid Battery Program	Section 6.1.7
Part IV.C.1.g	Spill Prevention and Response Procedures	Section 6.1.3, 6.2.4, 6.2.5
Part IV.C.1.h	Inspection Program	Section 6.2.6 & 6.2.7
Part IV.C.1.i	Supplier Notification Program	Section 6.1.1
Part IV.C.2	Waste Recycling Facilities (liquid recyclable materials)	Not Applicable
Part IV.C.3	Recycling Facilities (source separated materials)	Not Applicable
Part IV.C.4	Vessel Breaking/Scrapping Activities	Not Applicable
Part V.A.1	Chesapeake Bay TMDL Compliance	Section 5.6

4.0 Stormwater Pollution Prevention Team (“Stormwater Team” or “Team”)

The Stormwater Team is responsible for developing the SWPPP, assisting the Facility Manager in implementing, maintaining, and revising the SWPPP, and conducting all monitoring program activities required in the General Permit. A summary of the individuals that comprise the Stormwater Team and their responsibilities is provided below.

Title: Facility Manager

SWPPP Responsibilities, Duties and Activities:

Responsible for (1) performing or delegating the following activities: (a) appropriate Facility and stormwater inspections; (b) implementing appropriate BMPs (e.g. maintenance, spill response, waste disposal and other activities and controls); (c) stormwater monitoring and sampling; (d) attending and implementing appropriate stormwater training programs (including scheduling, coordinating, and ensuring implementation of appropriate training sessions); (e) developing, implementing, maintaining, reviewing, and revising the SWPPP and related documents as appropriate (including e.g. inspection, training, and preventative maintenance records and spill logs); and (f) serving as Facility Spill Response coordinator; and (2) providing those personnel and resources necessary to implement SWPPP.

Title: Environmental, Health, & Safety (EHS) Specialist

SWPPP Responsibilities, Duties and Activities:

Responsible for implementing the SWPPP to the extent delegated from the Facility Manager, including the delegation of the following responsibilities: (a) performing appropriate Facility inspections; (b) implementing appropriate BMPs within area of responsibility; and (c) attending appropriate stormwater training programs.

Title: Regional Environmental Specialist

SWPPP Responsibilities, Duties and Activities:

As directed by the Facility Manager, responsible for (1) directing or supervising the following activities: (a) developing, implementing, maintaining, reviewing, and revising the SWPPP and related documents as appropriate (including e.g. inspection, training, and preventative maintenance records and spill logs); (b) implementing appropriate BMPs; and (c) appropriate stormwater training programs; and (2) providing those personnel and resources necessary to implement the SWPPP.

Title: Environmental, Health, & Safety (EHS) Manager

SWPPP Responsibilities, Duties and Activities:

As directed by the Facility Manager, responsible for (1) directing or supervising the following activities: (a) developing, implementing, maintaining, reviewing, and revising the SWPPP and

related documents as appropriate (including e.g. inspection, training, and preventative maintenance records and spill logs); (b) implementing appropriate BMPs; and (c) appropriate stormwater training programs; and (2) providing those personnel and resources necessary to implement the SWPPP.

In addition, the Sims Southeast Region (where the Facility resides) provides the following Management and Resource personnel in support of the stormwater pollution prevention team (the "Corporate Team"), e.g. for developing and implementing corporate policies with respect to developing and implementing each Facility's SWPPP and related BMPs:

Title: Regional Manager, Operations

SWPPP Responsibilities, Duties and Activities:

Responsible for (a) establishing corporate policies with respect to each Facility's SWPPP and related BMPs, (b) providing adequate and appropriate personnel and resources necessary to implement the SWPPP for each Facility, (c) ensuring that each SWPPP is prepared under his general direction or supervision, or that of each Facility's Manager, as delegated by him, and (d) ensuring that pertinent information that is submitted is, to the best of his knowledge and belief, based on inquiry of the Facility Managers, based on inquiry of those persons directly responsible for gathering pertinent information, true, accurate, and complete.

The specific names and 24-hour contact information for each member of the Stormwater Team identified above is provided in **Exhibit 1 – Stormwater Team/Emergency Contact List**.

5.0 DESCRIPTION OF FACILITY ACTIVITIES & POTENTIAL POLLUTANT SOURCES

5.1 Facility Description

The Facility is located on an approximately 69-acre property located in an industrial area of Richmond, Virginia. The site is bordered by Deepwater Terminal Road and an electrical easement beyond to the west, Colonial Tire & Service Center to the northwest, an industrial/commercial property (The Peterbilt Store) to the north, the James River to the east, and an industrial property (Kinder Morgan Inc.) and a closed industrial landfill to the south.

The site consists of six (6) primary structures, including paved roadways with asphalt, with the remaining area ranging from unpaved-gravelly roadways to heavily wooded areas. The site is gently graded to the east and site topography slopes radially away from the buildings and drains via sheet flow in the direction of the eastern portion of the site towards the James River, ponds onsite, or in the direction of the site outfall. One (1) permitted outfall is located at the site.

A ditch is located along the northern portion of the site and along the site access road off Deepwater Terminal Road. Groundwater is shallow along the eastern portion of the site; however, specific groundwater information can only be calculated with onsite groundwater wells. Consequently, surface water tends to pond onsite along the eastern portion of the site and does not infiltrate into the soil very quickly.

5.2 Drainage

Stormwater flows by sheet-flow radially away from covered buildings and paved surfaces and primarily flows in the direction of the eastern portion of the site. Runoff from the northwestern portion of the facility is channeled via series of drop inlets which run towards the southeast to the storm sewer outlet located in the center of the site and eventually Outfall 003. All runoff from the northeast and southeastern portions of the site drains toward Outfall 003. Runoff from the northeastern area of the facility (no industrial activity) discharges to the northeast towards a reversibly capped area and the James River. The remaining property near the James River (also no industrial activity) drains via sheet flow towards the river to the east.

An oil/water separator (OWS) is located in the north central portion of the facility. An outdoor containment area for sealed units is pumped into the nearby OWS via sump pump. Once the oily water has been processed through the OWS, the oil is containerized, and the water is inspected for the presence of oil in a holding tank. Once the oily water has been processed through the OWS, the oil is containerized, and the water is released and allowed to sheet flow toward Outfall 003.

Outfall 003 is monitored visually on a quarterly basis in accordance with the General Permit. If in the unlikely event that flow is observed from the Outfall, a semi-annual sample will be collected in accordance with the General Permit. A copy of the General Permit is provided in Exhibit 1.

Figure 1 is a Site Location Map depicting the facility's location on a topographic map. Figure 2 is a Site Map including the following elements:

- The boundaries of the property and the size of the property in acres;
- The location and extent of significant structures and impervious surfaces;
- Locations of all stormwater conveyances, including ditches, pipes, swales, and inlets, and the directions of stormwater flow using arrows to indicate which direction stormwater will flow;
- Locations of all stormwater control measures, including BMPs;
- Locations of all surface water bodies, including wetlands;
- Locations of potential pollutant sources identified under Part III.B.3;
- Locations where significant spills or leaks identified under Part III.B.3.c have occurred;
- Locations of stormwater outfalls.
 - o An approximate outline of the area draining to each outfall;
 - o The drainage area of each outfall in acres;
 - o The longitude and latitude of each outfall;
 - o The location of any MS4 conveyance receiving discharge from the facility; and
 - o Each outfall shall be identified with a unique numerical identification code. For example: Outfall Number 001, Outfall Number 002, etc.;
- Location and description of all nonstormwater discharges;
- Location of any storage piles containing salt;
- Locations and sources of suspected run-on to the site from an adjacent property if the run-on is suspected of containing significant quantities of pollutants; and
- Locations of all stormwater monitoring points.

5.3 Inventory of Exposed Materials

The following (Table 2) is an inventory of the types of materials handled at the Facility that may be exposed to precipitation.

Table 2 – Materials Inventory & Location
**The location of these materials is outlined on Figure 2.*

	MATERIAL	STORAGE*	DRAINAGE AREA
1.	Nonferrous Scrap (e.g. aluminum, copper, batteries) ¹	Scrap Storage Area	Area 003
2.	Ferrous Scrap (e.g. iron and steel) ¹	Scrap Storage Area	Area 003
3.	Scrap with Residual Oil ¹	Sealed Units Storage Area	Area 003
4.	Maintenance fluids (e.g. motor, hydraulic, oils), diesel fuel. ²	All maintenance fluids and fuel are stored under cover or within containments.	Area 003
5.	Used Non-Hazardous oils ²	Used oils are stored in double-walled tanks at the SEDA Tank Farm and Maintenance Shop. Used oils are also found at the Oil/Water Separator.	Area 003
6.	Potentially eroded soil ³	Various unpaved areas.	Site-wide

Table Notes:

1. Typical Quantity: Quantity of ferrous, non-ferrous, and oily scrap stored, received, handled, and shipped is variable, depending on supplies, equipment capacity, space availability, and market conditions. Typical amounts stored or shipped may be more than the amounts received (e.g. typical ferrous ship load is approx. 25,000 tons, which takes time to accumulate.) Frequency: All materials are typically received, stored, handled, and shipped from daily to monthly. Variability of each quantity depends on factors such as supply, equipment capacity, space availability, and market conditions.
2. Typical Quantity: Quantity of maintenance fluids and other hazardous materials stored, received, handled and shipped is variable. Frequency: Fluids and other hazardous materials are used daily, received as needed, and shipped when disposed of from leaks and spills. Most hazardous materials are received, handled, and stored in the maintenance area.
3. Variability of quantity of eroded soil handled depends on factors such as severity and duration of storm events and frequency of traffic on unpaved roadway areas.

5.4 Significant Past Spills and Leaks

Presented in Table 3 below is a list of any significant spills or leaks of toxic or hazardous pollutants to stormwater that have occurred at areas that are exposed to precipitation or that otherwise drain to a stormwater conveyance at the Facility within the three-year period prior to gaining coverage under the most recent General Permit. There have not been any significant spills or leaks at the facility in this timeframe.

Table 3 – Significant Spills & Leaks

Date	Location	Description				Response Procedure		Preventative Measures Taken
		Type of Material	Quantity	Source, if known	Reason for Spill/Leak	Amount of Material Recovered	Is Material still exposed to stormwater?	

5.5 Summary of Stormwater Discharge Sampling Data

The stormwater monitoring and analytical program implemented in accordance with the General Permit is incorporated by reference into the SWPPP. The following benchmark monitoring parameters are sampled semi-annually from each registered outfall:

Table 4 – Benchmark Parameters

Pollutants of Concern	Benchmark Concentration
Scrap Recycling and Waste Recycling Facilities (nonsource-separated facilities only) (SIC 5093)	
Total Suspended Solids	100 mg/L
Total Recoverable Aluminum	1,100 ug/L
Total Recoverable Cadmium	1.8 ug/L
Total Recoverable Chromium	16 ug/L
Total Recoverable Copper	13 ug/L
Total Recoverable Lead	82 ug/L
Total Recoverable Zinc	120 ug/L

Electronic Discharge Monitoring Reports (eDMRs) are submitted to VDEQ by January 10th and July 10th of each year and records of submission are filed with the SWPPP.

5.6 Chesapeake Bay TMDL Program

Due to the facility's location within the Chesapeake Bay Watershed, additional monitoring actions are required as part of the Chesapeake Bay Total Maximum Daily Load (TMDL) wasteload allocation. Because of the lack of stormwater discharges from Outfall 003, the facility must comply with Part V.A.2.c of the Stormwater Permit which states, "Owners of facilities registered prior to July 1, 2022, that did not complete four samples for each outfall for TN and TP by the end of the 2019 industrial stormwater general permit term shall monitor their discharges for TN and TP to characterize the contributions from their facility's specific industrial sector for these parameters." These samples must be collected in the first four monitoring periods of coverage under the Stormwater Permit (July – September 2024, October – December 2024, January – March 2025, and April – June 2025), and submitted via electronic discharge monitoring report to VDEQ by the 10th day following each monitoring period.

Once four monitoring periods of data have been collected, the facility must complete the TMDL Calculation Spreadsheet to determine if its TN and TP loading rates are within the allowable loading rates. If either the TN or TP loading rates exceed their allowable loading rates of 12.3 lb/ac/yr and 1.5 lb/ac/yr, respectively, a Chesapeake Bay TMDL Action Plan shall be submitted to VDEQ within 60 days following the fourth monitoring period, in compliance with Part V.E. of the Stormwater Permit.

Reductions, if applicable, shall be achieved by December 31, 2025, and an annual report shall be submitted to VDEQ by June 30 of each year describing the progress in meeting the required reductions until such time that the demonstration is completed. The demonstration shall be

submitted to VDEQ no later than January 10, 2026. Documentation of compliance with the Chesapeake Bay TMDL loading rates shall be maintained with the SWPPP.

5.7 Facility Expansion Projects that Commence After July 1, 2014

For new construction projects, note the following excerpt from Part I.B.9 of the Stormwater Permit:

Virginia's Phase I Chesapeake Bay TMDL Watershed Implementation Plan (November 29, 2010), states that the wasteloads from any expansion of an existing permitted facility discharging stormwater in the Chesapeake Bay watershed cannot exceed the nutrient and sediment loadings that were discharged from the expanded portion of the land prior to the land being developed for the expanded industrial activity.

For any industrial activity area expansions (i.e., construction activities, including clearing, grading and excavation activities) that commence on or after July 1, 2024 (the effective date of this permit), the permittee must document in the SWPPP the information and calculations used to determine the nutrient and sediment loadings discharged from the expanded land area prior to the land being developed, and the measures and controls that were employed to meet the no net increase of stormwater nutrient and sediment load as a result of the expansion of the industrial activity. Any land disturbance that is exempt from permitting under the VPDES construction stormwater general permit regulation (9VAC25-880) is exempt from this requirement.

5.8 Risk Identification & Summary of Potential Pollutant Sources

Table 2 describes potential pollutant sources from the following activities at the Facility: (1.) loading and unloading operations; (2.) outdoor storage activities; (3.) outdoor processing activities; (4.) significant dust or particulate generating processes; and (5.) onsite waste disposal practices, and for each potential source, identifies potential pollutant or pollutant parameters (e.g. metals) associated with those sources.

6.0 MEASURES & CONTROLS

This section focuses on environmental management and the controls that are employed throughout the facility to comply with the General Permit requirements. The locations of industrial activities, potential pollutants sources, and BMPs are depicted in Figure 2.

6.1 Standard BMP Programs, Practices, and Procedures

Each standard program discussed below requires that the operator handle equipment, supplies, and materials with care and with appropriate training. Facility Security Program is implemented for entire Facility.

6.1.1 Source / Inbound Recyclable Control / Inspection Program

In order to minimize the likelihood of receiving materials that may be significant pollutant sources if exposed to stormwater

- Educate suppliers as to materials not or only conditionally accepted at the Facility and to drain fluids prior to delivery, e.g. by means of information and education flyers, brochures, or pamphlets, to encourage suppliers of scrap to drain residual fluids, whenever applicable, prior to its arrival at the Facility. Such scrap includes vehicles and equipment engines, radiators, transmissions, oil-filled transformers, and individual containers or drums. See below regarding Scrap Acceptance Policy.
- Distribute Scrap Acceptance Policy to suppliers and appropriate employees.
- Obtain Scrap Acceptance Agreement from regular suppliers, as reasonable and appropriate.
- Train appropriate employees regarding BMPs, SWPPP requirements, and source control, handling & storage procedures, spill controls, maintenance, and inspections procedures.
- Post conspicuous sign displaying unacceptable materials.
- Inspect inbound loads, in bins at customer facilities, at scale, and when unloading, on spot basis, as reasonable and appropriate.
- Regarding activities which accept scrap that may contain residual fluids (e.g. automotive engines containing residual used oil, etc.), BMPs such as the Spill Prevention and Response Program describe procedures to minimize the potential for such fluids from coming into contact with either precipitation or runoff, as well as measures or procedures to properly store, handle, and dispose of such residual fluids. Regarding liquid wastes, including used oil, such materials shall be stored in materially compatible and non-leaking containers and disposed of or recycled in accordance with applicable RCRA, state, and local requirements.
- Regarding scrap lead-acid batteries, the Battery Protection Program addresses procedures pertaining to their acceptance.
- Regarding training requirements for personnel engaged in inspection and acceptance of inbound recyclable materials, see above.

6.1.2 Scrap Potentially Containing Residual Oils (Oily Scrap) Storage Program

- Reduce contact of stormwater with oily scrap stored outdoors, as reasonable and appropriate.
- Store oily scrap in appropriate bins or other appropriate containment, or with other appropriate runoff protection, as reasonable and appropriate.

- Collect and dispose of any accumulated oily water as reasonable and appropriate (e.g. by means of line drains, sumps, dry absorbents, or booms; periodic pump out).

6.1.3 Spill Prevention & Response Program

- See Spill Response Procedure, Section 6.2.5.
- Properly store fluids under cover or within secondary containment, as reasonable and appropriate.
- Use drip pans at valves and other potential leak points, as reasonable and appropriate.
- Contain, collect and cleanup spilled and leaking fluids using granular or other absorbents as appropriate.
- Inspect, maintain, and repair oil containment boom(s) as needed.
- Place spill kits near areas with potential for spills or leaks (e.g. maintenance, fluid and oily scrap storage, and fueling areas), as reasonable and appropriate.
- Use standard spill kit supplies (e.g. absorbent granules, socks, pads, pillows, booms; drip pan; broom; shovel).
- Implement proper procedures to properly handle, and dispose of residual fluids, and to properly handle, store, and dispose of liquid and solid wastes, including oil, in appropriate containers.

6.1.4 Standard Stormwater Protection Program (for activities, areas, and sources)

- Perform regular housekeeping (including sweeping and other dry cleanup methods, as reasonable and appropriate).
- Perform and document regular inspections.
- Perform and document regular training in stormwater protection and management.
- Contain runoff from stockpiled scrap metal, as reasonable and appropriate.

6.1.5 Runoff and Run-On Control Program

- Divert or contain runoff and run-on from outdoor material, equipment, and waste storage, maintenance, and fueling areas, as reasonable and appropriate (e.g. grading, swales, berms, curbs, culverts, containment trenches, dikes, retention ponds). Pump out any collection sumps as needed.
- As reasonable and appropriate, provide berms or curbs along property or work area boundaries.

6.1.6 Hazardous Material, Aboveground Storage Tank, Drum & Oil Storage Area Protection Program

- See Source Control/ Inbound Inspection Program, as appropriate.
- Install and maintain overfill protection devices, as reasonable and appropriate.
- Use and maintain appropriate secondary containment, as reasonable and appropriate.
- Properly pump out and dispose of accumulated water collected in secondary containment; do not discharge any non-authorized non-stormwater; visually inspect any accumulated stormwater for any visible pollutants prior to any discharge.
- Cover ASTs and other oil storage areas, as reasonable and appropriate.

6.1.7 Battery Protection Program

- Implement appropriate employee training for management of scrap batteries.
- Separate lead-acid batteries (Batteries) from other inbound scrap materials.
- Implement appropriate procedures for proper handling, storage, and disposition of batteries (e.g. store indoors or otherwise under cover, eliminating exposure to precipitation and runoff, and on pallets or otherwise within containment).
- Implement Spill Prevention & Response Program.

6.1.8 Vehicle & Equipment Protection and Maintenance Program

- Perform regular preventive maintenance, inspections, and repairs, in accordance with Facility's Preventive Maintenance Program.
- Maintain exposed surfaces of vehicles and equipment reasonably free of oil, particulates, and debris, as reasonable and appropriate.
- Cover equipment, as reasonable and appropriate.
- Contain and properly dispose of cleanup water.

6.1.9 Vehicle & Equipment Fueling Program

- Use a drip pan or other suitable protection beneath fill handle
- Implement Fueling & Tank Filling Procedure.

6.1.10 Erosion & Sediment Control Program

- Based on the topography of Facility, significant amounts of sheet flow and erosion are not expected to occur within the Facility.
- Reduce sources of erosion and sediment, as reasonable and appropriate.
- Sweep and remove sediment along paved areas regularly to prevent sediment accumulation.
- Do not store scrap in highly erosive areas.
- Provide appropriate non-structural control measures for reducing erosion and sediment runoff, as appropriate and reasonable and appropriate (e.g. placing crushed stone or gravel on soil or using other soil stabilization procedures such as appropriate dust suppressants).
- Provide appropriate structural control measures for sediment settling and reducing runoff, as reasonable and appropriate (e.g. paving or other covering, on-site detention, check dams in channels, and appropriate landscaping to stabilize slopes and perimeter).
- Regularly inspect, maintain, and cleanout structural control measures.
- Minimize traffic flow through unpaved areas of the Facility.
- Provide buffer areas (crushed stone or vegetated) along the facility boundaries to minimize erosion into ditches and surface water bodies.

6.1.11 Waste Management Program

- Dispose of trash and debris in proper waste receptacles (e.g. bins, other appropriate containers).
- Dispose of used oil in proper AST or drums.
- Place receptacles and drums near point of waste generation, as reasonable and appropriate.
- Cover and cleanout trash receptacles as appropriate and as reasonable and appropriate.
- Provide appropriate means to fill and empty waste receptacles.

- Evaluate and implement means to reduce quantity of waste generated, as reasonable and appropriate.

6.1.12 Dust Suppression and Vehicle Tracking of Industrial Materials

- Sediment and erosion control is accomplished by the use of a sweeper with wetting capability to minimize dust on-site.
- To prevent vehicle tracking of industrial materials offsite, maintenance personnel inspect vehicles leaving the site that were in contact with unpaved surfaces for wheel staining or excess dust/soil from the site.

6.1.13 Facility Security Program

- Maintain perimeter fences and gates, as appropriate.
- 24/7 video surveillance of the facility.

6.2 Site-Specific BMP Programs, Practices, and Procedures

6.2.1 Good Housekeeping Programs

The objective of good housekeeping is the clean and orderly maintenance of areas that may contribute pollutants to stormwater discharges.

Presented below are descriptions of good housekeeping programs and procedures that are employed at the Facility to minimize contact of materials with stormwater runoff. These programs apply to areas of the facility including scrap metal stockpile areas, material handling, loading, and unloading areas, other storage areas, and liquid storage tank areas.

- Source Control / Inbound Inspection Program to reduce the presence of unwanted materials at the Facility.
- Periodically (at least weekly) sweep and pick up sediments along paved and operating areas to prevent accumulation of sediment.
- Regularly cleanup, store, and dispose of litter and other waste materials in bins and drums, as appropriate. Pick up waste containers as needed. Cover waste containers, as reasonable and appropriate.
- Engage in timely and appropriate housekeeping activities at each operating and maintenance area (e.g. sweeping, waste disposal, spill response).
- Maintain fences to control dust and prevent dumping into Facility.
- Maintain drains, ditches, and outfalls to control sediment buildup and maintain BMP structures.

6.2.2 Preventive Maintenance Programs

The Preventive Maintenance (PM) Program includes timely inspection and maintenance of stormwater management devices and appropriate inspection, testing, and maintenance of Facility equipment and systems, with the objective of uncovering conditions that could cause breakdowns or failures, which could result in discharges of pollutants to surface waters and incorporating of Equipment PM Program.

In the event that a control measure is found to be not operating effectively, repairs or maintenance are performed before the next storm event whenever possible, but no later than 60 days after a problem has been identified. Backup practices are in place in the event a storm event occurs while a control measure is offline. Personnel have the ability to stage materials such as sandbags, spill kits, or portable pumps in order to prevent a discharge.

Presented below are descriptions of preventive maintenance programs that are employed at the Facility to minimize contact of materials with stormwater discharges.

- All equipment operators inspect equipment before their shift. An inspection checklist form is completed, noting any problems, and is forwarded to the operator's supervisor and the maintenance department. The supervisor is responsible for scheduling prompt corrective actions. Operators receive formal training in this practice.
- All equipment is maintained in accordance with the manufacturer's recommendations. When scheduled preventive maintenance is completed, a full system check is performed in an effort to avoid future breakdowns or system failures.
- Maintenance facilities are designed to make maintenance and fluid management easy.
- Maintenance activities incorporate the following best management practices:
 - o All activities are completed under roof and/or on pavement, when possible.
 - o Oil absorbent pads are used to contain spillage during maintenance activities. Absorbents are immediately cleaned up after the job is completed.
 - o Fluids are only stored in containers that have secure lids and are made for the storage of hazardous materials.
 - o Waste fluids in 5-gallon pails are dumped into the used oil tank immediately after completing a job.
 - o Spills are contained with absorbents immediately upon discovery and cleaned up within 15 minutes.
 - o Buildings, equipment and pavement areas are regularly washed down. The washing is done without using detergent of any kind, in accordance with the facility's Stormwater Permit. If detergent cleaning is required, such activity is completed in an area where surface drainage is directed to (a) a ponding area where stormwater infiltrates, (b) a storage tank where water is collected and appropriately managed, or (c) a sanitary sewer drain hook-up.
- The facility's containment areas are inspected at least once per month. The containment areas are cleaned out and serviced as needed.

6.2.3 BMP Maintenance Program

All BMPs outlined in this SWPPP shall be maintained in effective operating condition. Routine inspections are performed which include inspections of structural and non-structural BMPs. A summary of the inspection procedures is provided in Section 6.2.6. The BMPs will be maintained according to the specifications found in the Virginia BMP Clearinghouse non-proprietary BMPs documentation, as applicable.

The Oil/Water Separator (OWS) and sealed unit storage area is maintained according to manufacturer recommendations. This maintenance is completed at least quarterly and includes:

- Pumping out and cleaning the system;
- Inspection of coalescing material;
- Inspection of the pump, alarms, strobes, and floats;
- Inspections of valves and piping;
- Oil-absorbent bag replacement; and
- Verification that treated water quality and odor is acceptable.

If existing BMPs need to be modified or if additional BMPs are necessary, implementation shall be completed before the next anticipated storm event, if practicable, but not more than 60 days after completion of the observation, unless permission for a later date is granted in writing by the department.

6.2.4 Spill Prevention and Response Programs

This Plan identifies areas where potential spills that can contribute pollutants to stormwater discharges can occur, and their associated drainage points. This Plan has considered and implemented, as appropriate, various material handling procedures, storage requirements, and use of equipment such as diversion valves. This Plan also has identified procedures for cleaning up spills. Such procedures and related necessary equipment are made available to appropriate personnel.

Presented below are descriptions of the spill prevention and response programs that are employed at the facility to reduce contact of materials with stormwater.

- See Spill Response Procedure below.
- Liquids are handled in such a way that reduces the potential for spills or leaks. Consequently, potential for contact between spilled materials and stormwater is reduced. E.g. store liquids in drums or tanks that are properly labeled, in good condition and under cover or within appropriate containment.
- Locate spill kits in outdoor maintenance and other areas with potential for significant drips, leaks, or spills and potential exposure to stormwater discharge.
- Store scrap with residual oil either within containment, under cover, or by other comparable means. Clean up any residual oil leaked or spilled at Facility from such scrap material.

6.2.5 Spill Response Procedure

NOTE: IN CASE OF FIRE, PROTECT HUMAN LIFE AND SAFETY, AND TAKE APPROPRIATE STEPS TO PUT OUT THE FIRE FIRST. THE CONTROL OF SPILLS IS SECONDARY TO SUCH CONCERNS.

In General:

- **In Advance:** Employees will be familiar with locations, contents, and appropriate use of spill kits (e.g. pads, booms), absorbent materials, waste drums, shovels and brooms, appropriate

personal protective equipment (e.g. rubber gloves, safety goggles); and Safety Data Sheets (SDS).

- **At Time Of Spill:** When an oil spill is discovered, the employee discovering the spill must immediately stop the source of the oil and commence containment of the spill in as small an area as possible. The employee will promptly report spill to the Spill Coordinator who will determine reporting requirements. The Spill Coordinator will dispatch additional personnel and equipment as required to assist in containment of the spill. The Facility Manager will provide any required notifications to the Regional SHEC Director and to government agencies and recommend options for cleanup, storage, and disposal of spill residue. The Facility Manager will log the event on the "Spill Log".

In Specific:

- Remove sources of heat or ignition; Provide adequate ventilation;
- Stop source of leak, check containment integrity, and check position of valves; Separate incompatible materials; Contain spill;
- Protect discharge to stormwater conveyances (e.g. with booms, drain mats);
- Recover oil for possible recycling;
- Follow additional procedures, as appropriate, per MSDS guidance for type of oil spilled.

Small Spills:

- Absorb oil with suitable material such as dry shop rags, clay-type absorbent, or sand;
- Place oil with rags or absorbent into proper containers for disposal.

Large Spills:

- Contain spill with suitable containment, such as booms or earthen dikes, for later recovery;
- Follow procedure for small spills.

Follow-up:

- Take steps to ensure that the cause of release is corrected.

6.2.6 Inspection Programs

See Section 2 for identification of Facility personnel (i.e., Stormwater Team) who are familiar with the industrial activity, the BMPs, and the SWPPP and who are responsible for inspecting equipment and areas of the Facility within each of their designated areas of supervisory responsibility.

Routine facility inspections are conducted on a quarterly basis by at least one member of the SWPPP team. Areas to inspect, at a minimum, include (a) material unloading and loading areas that are exposed to precipitation or runoff, (b) outdoor scrap storage and processing areas, (c) areas with installed structural BMPs, (d) vehicle and equipment fueling areas, (e) areas where waste is generated, received, stored, treated, or disposed, which is exposed to precipitation or runoff, and (f) facility outfall. At least once a calendar year, the routine facility inspection is performed during a qualifying rain event that causes a discharge, if possible, to ensure that all BMPs are fully operational.

Any deficiencies are corrected as soon as practicable, but within 60 days of the inspection. Quarterly inspections and corrective actions are documented and managed by the SWPPP team via the Sims EHS Management System.

Quarterly visual inspections are performed by trained personnel, and the Quarterly Visual Inspection Forms are provided in Exhibit 3. The inspection program also incorporates the results of the inspections performed and documented.

In summary, the Facility conducts the following inspections:

- Routine quarterly facility inspections of all areas of the facility where industrial materials or activities are exposed to stormwater.
- Quarterly visual inspections of stormwater discharges at facility outfalls and other areas of stormwater drainage.
- Inspections of BMPs following a significant rain event.

Based on the results of these inspections, corrective actions may be required. Implementation of corrective actions and corresponding SWPPP modifications are outlined in the Corrective Action Program outlined below.

6.2.7 Corrective Actions & Follow-Up Reporting Procedures

In accordance with the General Permit, the Facility takes corrective action whenever:

1. Routine facility inspections, annual non-stormwater discharges assessments, inspections by local, state or federal officials, or any other process, observation or event result in a determination that modifications to the stormwater control measures are necessary to meet the General Permit requirements; or
2. There is any exceedance of an effluent limitation or TMDL Wasteload Allocation; or
3. VDEQ determines, or the Facility becomes aware, that the stormwater control measures are not stringent enough to minimize stormwater exposure to industrial activities.

Subsequently, the Facility will review the SWPPP and modify the document as necessary to address any deficiencies. Revisions to the SWPPP will be completed within **60 days** following the discovery of the deficiency. When BMPs need to be modified or added, implementation will be completed before the next anticipated storm event, if possible, but no later than **60 days** after the deficiency is discovered, or as otherwise provided or approved by the VDEQ. In cases where construction is necessary to implement BMPs, the Facility will include a schedule in the SWPPP that provides for the completion of the BMPs as expeditiously as practicable, but no later than **three (3) years** after the deficiency is discovered. Where a construction compliance schedule is included in the SWPPP, the plan will include appropriate nonstructural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent BMP.

Corrective actions are managed via the company's intranet system. Additionally, a record of significant corrective actions that require modifications to the SWPPP or BMP construction are maintained in the Sims Stormwater Filing System (see Exhibit 2 of this SWPPP). Reports of these significant corrective actions are signed in accordance with Part II.K of the General Permit.

If at any time monitoring results indicate that discharges from the facility exceed an effluent limitation, TMDL wasteload allocation, or the VDEQ determines that discharges from the facility are causing or contributing to an exceedance of a water quality standard, an exceedance report shall be submitted to VDEQ within 30 days of implementing the relevant corrective action(s). The following information shall be included in the report:

- General permit registration number;
- Facility name, address, and location;
- Receiving water;
- Monitoring data from this event;
- An explanation of the situation;
- Description of what has been done and the intended actions (should the corrective actions not yet been complete) to further reduce pollutants in the discharge; and
- An appropriate contact name and phone number

Follow-up monitoring of the corrective actions will be undertaken to verify that the BMPs that were modified are effectively protecting water quality. If the follow-up monitoring results comply with the requirements of the General Permit, then no additional follow-up monitoring will be performed. Should the follow-up monitoring indicate that additional corrective actions are required, additional corrective actions will be evaluated and implemented per this section.

6.2.8 Employee Training Programs

Presented below are descriptions of employee training programs that are employed at the Facility to reduce stormwater contact with industrial activities.

- Key Pollution Prevention Team members attend annual training program.
- As appropriate, Facility operations personnel attend annual training in:
 - o SWPPP requirements,
 - o spill response procedures,
 - o material handling and inspection procedures,
 - o BMP operation and maintenance,
 - o Scrap battery management,
 - o good housekeeping, and
 - o Preventive maintenance, e.g. at regular Facility safety meetings.
- Training logs are maintained onsite in accordance with the Stormwater Filing System (see Exhibit 2).

6.2.9 Recordkeeping and Internal Reporting Procedures

This Plan incorporates a description of incidents (e.g. spills or other discharges) and other information describing the quality and quantity of stormwater discharges at the Facility. In addition, the Facility documents inspections and maintenance activities. Such records are incorporated into this SWPPP by reference.

Presented below are descriptions of recordkeeping and reporting procedures employed at the Facility with respect to the stormwater program:

- Current inspection forms and records are retained in binders maintained by the Stormwater Team. A copy of appropriate forms and records is provided to the regional SHEC Manager. Records of maintenance activities are maintained in accordance with PM program requirements.
- Copies of stormwater related incidents are retained in binders and copies of information describing stormwater discharges are retained in stormwater binders in accordance with the General Permit.

Exhibit 2 presents an organizational structure for the Facility's SWPPP filing records.

6.2.10 Non-Stormwater Discharges

The General Permit allows for the following nonstormwater discharges:

- Discharges from emergency firefighting activities or firefighting training activities managed in a manner to avoid an instream impact in accordance with § 9.1-207.1 of the Code of Virginia;
- Fire hydrant flushings, managed in a manner to avoid an instream impact;
- Potable water, including water line flushings, managed in a manner to avoid an instream impact;
- Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
- Routine external building washdown provided no soaps, solvents or detergents are used, external building surfaces do not contain hazardous substances, and the wash water is filtered, settled, or similarly treated before discharge;
- Pavement wash waters provided no soaps, solvents, detergents or hazardous cleaning products are used, and no spills or leaked material of toxic or hazardous materials have occurred (unless all spilled or leaked material is being removed before washing), and the wash water is filtered, settled, or similarly treated before discharge;
- Uncontaminated groundwater or spring water;
- Foundation or footing drains where flows are not contaminated with process materials; and
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

There are currently no known nonstormwater discharges occurring at the facility. In the event that any authorized nonstormwater discharges are identified at the Facility, the Facility will take care to reduce the exposure of pollutants to such discharge. The facility will then contact the appropriate agencies to ensure compliance with the General Permit.

In accordance with the General Permit, the site is inspected annually for non-stormwater discharges and maintained in Exhibit 4. The non-stormwater discharge evaluation also incorporates the results of the inspections performed and documented.

6.2.11 Sediment and Erosion Control & Management of Runoff

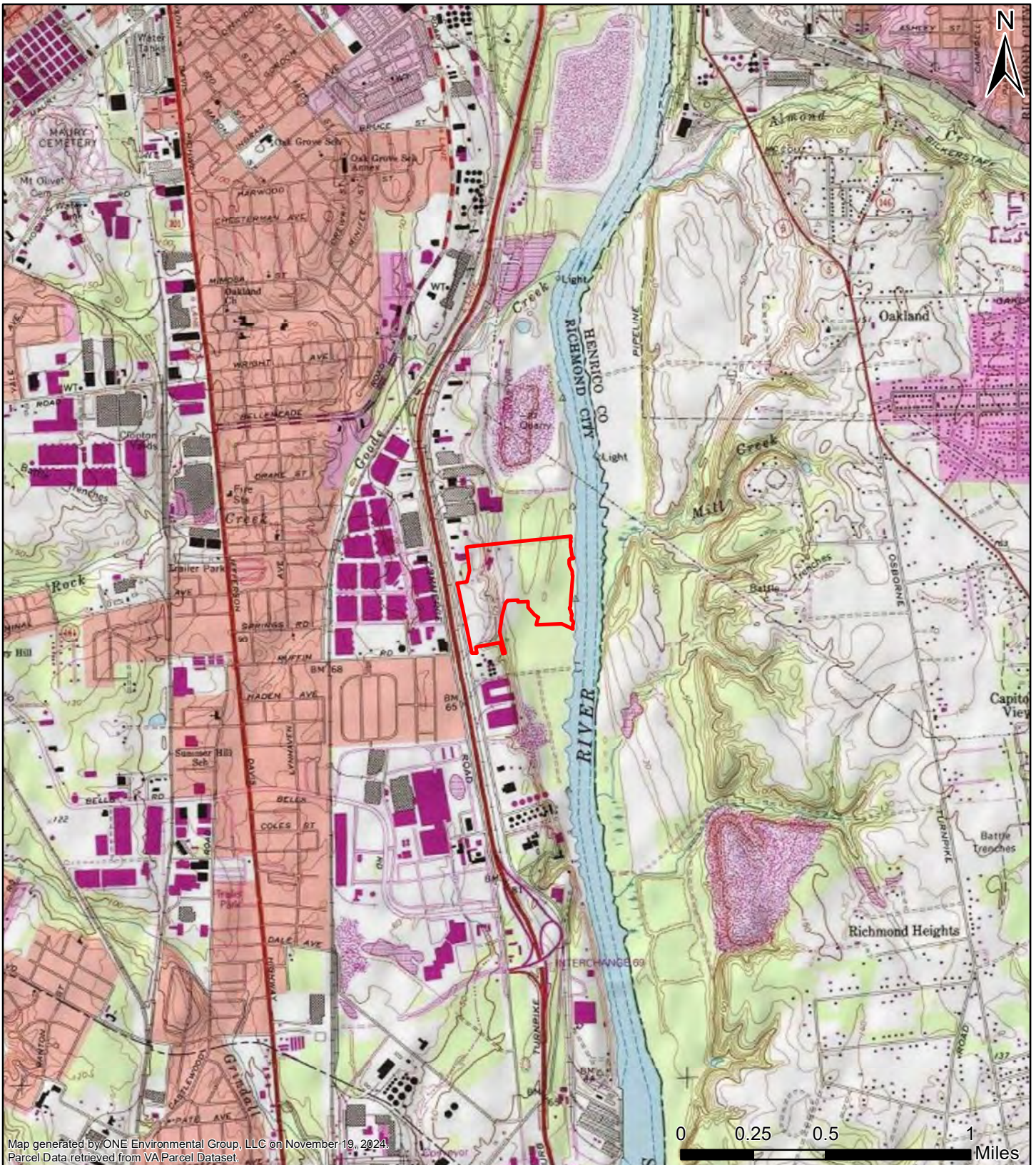
Presented below are descriptions of sediment management and erosion and runoff management controls that are employed at the Facility to reduce contact of significant materials with stormwater discharge in addition to those set out in Table 2.

- See Good Housekeeping Program (e.g. regular sweeping and sediment pickup).
- Paving or use of gravel or other dust control measures to prevent erosion.
- Sweep and remove sediments on a regular basis from paved areas to reduce sediment tracking.
- Vegetate exposed soil areas in non-operating areas, as appropriate.
- Utilize structural BMPs (e.g. hay bales, gravel, silt fence, curbing, ponds, ditches) to impede run off and reduce sediment loading.
- Utilize tracking pads at the transition between paved and unpaved roadways to reduce sediment on tires being tracked onto paved areas.
- Minimize traffic through unpaved areas of the site to avoid tracking of sediments along paved roadways and offsite if necessary.
- Provide buffer areas (crushed stone or vegetated) along the facility boundaries to minimize erosion into ditches and surface water bodies.

FIGURES

FIGURE 1

Site Location Map



Sims Metal Management Richmond, VA Yard Site Location Map

3220 Deepwater Terminal Road
Richmond, Virginia 23234

Project
Manager:
CA

Drawn
By:
CA

Checked
By:
RF

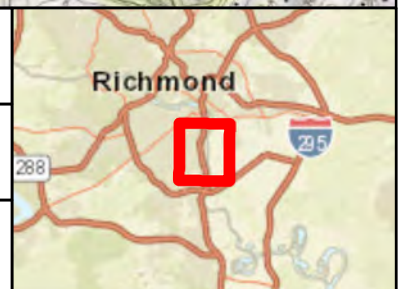


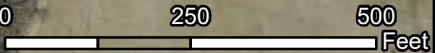
FIGURE 2

Site Map



Map generated by ONE Environmental Group, LLC on November 19, 2024.
Basemap source: Any determination of topography, or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification or construction of improvements to real property or for flood plain determination.
Parcel Data retrieved from VA Parcel Dataset as of Q1 2022.

Tank ID	Contents	Capacity (Gal)	Containment
M-1	#2 Diesel Fuel (Off-Road)	1000	Double-Wall Tank, Concrete Dike
M-2	Hydraulic Fluid	500	Double-Wall Tank
M-3	Engine Oil	500	Double-Wall Tank
M-5	Used Oil	500	Double-Wall Tank
S-1	Antifreeze	500	Double-Wall Tank, Concrete Dike
S-2	Gasoline	1000	Double-Wall Tank, Concrete Dike
S-3	Gasoline	1000	Double-Wall Tank, Concrete Dike
S-4	Gasoline	1000	Double-Wall Tank, Concrete Dike
S-5	Gasoline	1000	Double-Wall Tank, Concrete Dike
S-6	Used oil	2000	Double-Wall Tank, Concrete Dike
S-7	Car Crusher (Mixed Fluids)	500	Double-Wall Tank, Concrete Dike





ONE ENVIRONMENTAL GROUP

Sims Metal Management Richmond, VA Yard Site Map

3220 Deepwater Terminal Road
Richmond, Virginia 23234

 Parcel Boundary (67.95 ac)

 Drainage Area 003 (30.05 ac)

 Industrial Impervious Area (21.64 ac)

 Drainage Direction

 Storm Sewer Conveyance

 Storm Sewer Inlet

 Stormwater Outfall

 Oil Storage

 Other Potential Pollutant

Notes:
- Area within parcel boundary that is not highlighted is considered non-industrial area.

Project Manager:
RF

Drawn By: CA

Checked By: RF



EXHIBITS

EXHIBIT 1

Emergency Contact List (Stormwater Team Contact Information)

 SIMS METAL MANAGEMENT	SAFETY, HEALTH, ENVIRONMENTAL & COMMUNITY MANAGEMENT PROGRAM
	Emergency Response Contacts
Richmond, VA	November 2024

TITLE	NAME	OFFICE PHONE	EMERGENCY PHONE
General Manager	Fred Cornell	(757) 793-3803	(201) 739-9687
Facility Manager	Robert Barefoot	(804) 308-5883	(804) 441-3114
Non-Ferrous Manager	Jacob Fry	(804) 308-5878	(804) 513-6333
Ferrous Yard Manager	**VACANT**	**VACANT**	**VACANT**
Maintenance Manager	James Evans	None	(804) 332-4044
Transportation Manager	Tina Newcomb	(804) 308-5872	(804) 971-8737
Environmental Specialist	Colin White	None	(804) 239-9469
EHS Manager	Scott Scaggs	(757) 793-3787	(804) 441-1222
EHS Specialist	**VACANT**	**VACANT**	**VACANT**
Human Resources Manager	Christopher Piett	(757) 793-3796	(804) 212-7493
Communications & Public Relations	Scott Miller	(212) 500-7462	(415) 793-5045

Environmental Consultant
ONE Environmental Mid Atlantic, LLC

(804) 303-8784

24 Hr. Emergency Spill Contractor:
Hepaco/IMS

(800) 888-7689

NON-EMERGENCY Medical Care:

Everyday (8am-5pm)

Patient First

8110 Midlothian Tpke Richmond VA 23235

(804) 320-8160

EMERGENCY ROOM:
Chippenham Hospital

7101 Jahnke Rd

(804) 483-0000

Richmond, VA 23225

NOTE: Government contacts should only be called by authorized employees. All employees are authorized to make a 9-1-1 emergency call.

 SIMS METAL MANAGEMENT Richmond, VA	SAFETY, HEALTH, ENVIRONMENTAL & COMMUNITY MANAGEMENT PROGRAM
	Emergency Response Contacts
	November 2024

Government Emergency Contact Numbers (With Reasons to Call)
ANY EMPLOYEE MAY CALL THE FOLLOWING NUMBERS IN AN EMERGENCY:
City of Richmond Fire Department – Emergencies 9-1-1 (Fire or Medical Emergency)

ONLY AUTHORIZED MANAGERS MAY CALL THE FOLLOWING NUMBERS:

Issue	Agency	Contact
Radioactive Material Found in Scrap Metal Load ¹	VDH - DOT Exemption Form - VDH Follow up or questions (DOT Form)	Charles Coleman (804) 864-8156 Charles.Coleman@vdh.virginia.gov
Reportable Spills, Hazardous Material Emergency, Pollution Release Response and Reporting	<u>Call ASAP (or within 15 mins of determination):</u> VA Emergency Operations Center Federal National Response Center Poison Control Center US Coast Guard myDEQ Portal PREP Report	1(800) 468-8892 (800) 424-8802 1(800) 222-1222 (718) 354-4353 Portal.deq.virginia.gov
Non-Emergency Environmental Concerns or Follow-Up Reporting	VA DEQ Piedmont Regional Office	(804) 527-5020

NOTE: Government contacts should only be called by authorized employees. All employees are authorized to make a 9-1-1 emergency call.

EXHIBIT 2

Stormwater Filing System



Stormwater Filing System

Facility: Richmond, VA

Item	Type of Record Maintained with SWPPP	File Location
I	Virginia Pollutant Discharge Elimination System (VPDES) General Permit No. VAR051540	Company Intranet
II	Stormwater Pollution Prevention Plan (SWPPP)	Company Intranet
III	Inspection Records: • Routine Site Inspections • Quarterly Stormwater Visual Inspections • Non-Stormwater Discharge Certifications	Company Intranet/SWPPP Binder
IV	Semiannual Benchmark Sampling Records: • Field Notes • Chain-of-Custodies • Laboratory Reports	Company Intranet/SWPPP Binder
V	Electronic Discharge Monitoring Reports (eDMRs) – Benchmark and Chesapeake Bay TMDL:	Company Intranet/SWPPP Binder
VI	Training Records	Company Intranet
VII	Corrective Actions: • Benchmark Exceedance CAPs • Stormwater Related Incidents • Completed Corrective Actions • Maintenance Activities	Company Intranet/SWPPP Binder

EXHIBIT 3

*Quarterly Visual Inspection Form;
Routine Facility Inspection Form;
Corrective Action Plan Template*



Quarterly Visual Stormwater Inspection

Facility: Richmond, VA

Year:

Outfall: 003	First Quarter (January - March)	Second Quarter (April - June)	Third Quarter (July - September)	Fourth Quarter (October - December)
Date of Inspection				
Time of Inspection				
Current weather conditions				
Flow (Yes or No)				
If 'Yes' has lab sample been collected yet for Jan - June period? (Yes or No) (if 'No' <i>COLLECT SAMPLE</i>)				
Runoff (R) or Snowmelt (S)?				
Observations of color				
Observations of odor				
Observations of clarity				
Observations of floating solids				
Observations of settled solids				
Observations of suspended solids				
Observations of foam				
Observations of oil sheen				
Observations of obvious indicators of stormwater pollution				
Other Observations/Comments				
Inspector(s) Name (print)				
Inspector(s) Signature(s)				



**SIMS
METAL
MANAGEMENT**

Routine Facility Inspection Checklist

Facility: Richmond, VA

Year:

Date _____

Observation of discharge/outfall: *(please circle the answer)* Yes or No

Time _____

Weather Conditions _____

(Note: At least one inspection is to be performed and documented during a discharge event)

Inspection Checklist (Questions)	Response		Findings/Observations (required with a No response)	Recommendations for Improvement
	Yes	No		
Housekeeping OK; trash can covered; no trash on ground?				
Roadway is swept & dust is under control?				
Are there any failed control measures needing maintenance or repairs?				
Un-dumped buckets of fluids/oil present?				
Any incidence of noncompliance observed?				
Any additional control measures needed to comply with the permit requirements?				
Are spill kits properly stocked, present & maintained?				
Visible prohibited material in piles?				
Transitions from stone to dirt includes 50' of stone, treadles or similar controls to minimize tracking onto roads and from facility.				
BMPs are in place around all drains and around ditches as necessary/designed?				
Walk boundary of industrial area: - ditches clear; any signs of erosion or migration of scrap?				
Evidence of water discharge/outfall in non-outfall areas?				
Any previously unidentified discharges of pollutants from the site?				
All areas contributing to storm water discharge free of evidence of potential pollutants?				



**SIMS
METAL
MANAGEMENT**

Routine Facility Inspection Checklist

Facility: Richmond, VA

Year:

Inspection Checklist (Questions)	Response		Findings/Observations (required with a No response)	Recommendations for Improvement
	Yes	No		
Outfall 003: Inspect outfall 003 & drainage structures: accessible, free of debris, safe to access/inspect/ collect sample, any signs of erosion, location clearly marked/understood?				
Review of Management Practices: Are the current management practices adequate? (If No please list the finding and proposed recommendation)				

Any other Comments/ Observations if any:

Inspector Name (Print) _____

Signature _____

Responsible Party Signature & Date:

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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.

Name (Print): _____

Title: _____

Signature: _____

Date: _____

	VPDES Permit No. VAR050588	
	Stormwater Corrective Action Plan	
	Richmond, Virginia	Date:

Site Identification: Sims Metal Management – Chesapeake, Virginia Facility																																
Date of Deficiency Discovery:																																
Nature of Deficiency: <table border="1" data-bbox="305 604 1312 924"> <thead> <tr> <th>Parameter</th> <th>Unit</th> <th>Benchmark Concentration</th> <th>OF-003 Results</th> </tr> </thead> <tbody> <tr> <td>Total Suspended Solids</td> <td>mg/L</td> <td>100</td> <td></td> </tr> <tr> <td>Total Recoverable Aluminum</td> <td>µg/L</td> <td>1,100</td> <td></td> </tr> <tr> <td>Total Recoverable Cadmium</td> <td>µg/L</td> <td>1.8</td> <td></td> </tr> <tr> <td>Total Recoverable Chromium</td> <td>µg/L</td> <td>16</td> <td></td> </tr> <tr> <td>Total Recoverable Copper</td> <td>µg/L</td> <td>13</td> <td></td> </tr> <tr> <td>Total Recoverable Lead</td> <td>µg/L</td> <td>82</td> <td></td> </tr> <tr> <td>Total Recoverable Zinc</td> <td>µg/L</td> <td>120</td> <td></td> </tr> </tbody> </table> Bold = Benchmark exceedance	Parameter	Unit	Benchmark Concentration	OF-003 Results	Total Suspended Solids	mg/L	100		Total Recoverable Aluminum	µg/L	1,100		Total Recoverable Cadmium	µg/L	1.8		Total Recoverable Chromium	µg/L	16		Total Recoverable Copper	µg/L	13		Total Recoverable Lead	µg/L	82		Total Recoverable Zinc	µg/L	120	
Parameter	Unit	Benchmark Concentration	OF-003 Results																													
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Total Recoverable Lead	µg/L	82																														
Total Recoverable Zinc	µg/L	120																														
SWPPP Reviewed for Deficiencies (yes or no): Part I.A.6 of the VPDES Permit requires the permittee to review the SWPPP and modify it as necessary to address any deficiencies that caused the exceedance within 60 days of discovery. If deficiency observed, SWPPP Revision Date: N/A																																
Corrective Action Plan:																																
Corrective Action Schedule:																																
Corrective Actions Completed On:																																



**SIMS
METAL
MANAGEMENT**

VPDES Permit No. VAR050588

Stormwater Corrective Action Plan

Richmond, Virginia

Date:

Responsible Party Signature & Date:

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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.

Responsible Party Signature

Date: _____

EXHIBIT 4

Nonstormwater Discharge Assessment Form

NONSTORMWATER DISCHARGE ASSESSMENT

Complete this annual inspection during dry weather to determine if any unauthorized nonstormwater discharges are present.

Site Name & Location: Sims Metal Management Richmond, VA Yard; 3220 Deepwater Terminal Road, Richmond, VA 23234

Date/ Inspector	Method(s) Used to Evaluate Discharge (visual, dye, other, etc.)	Is there a discharge during dry weather? (Y/N)	If a discharge is present, what is the source?	Is the source of dry weather discharge allowed by the permit? ¹ (Y/N)	Characteristics (Odor, Discoloration, Estimated Flow Rate)	Actions Taken, Other Actions Needed, Adjustments to SWPPP, and Other Comments

Responsible Party Signature & Date:

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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.

Name: _____

Title: _____

Signature: _____

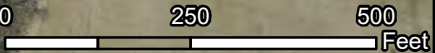
Date: _____

Exhibit 2
Facility SWPPP Site Map



Map generated by ONE Environmental Group, LLC on November 19, 2024.
Basemap source: Any determination of topography, or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification or construction of improvements to real property or for flood plain determination.
Parcel Data retrieved from VA Parcel Dataset as of Q1 2022.

Tank ID	Contents	Capacity (Gal)	Containment
M-1	#2 Diesel Fuel (Off-Road)	1000	Double-Wall Tank, Concrete Dike
M-2	Hydraulic Fluid	500	Double-Wall Tank
M-3	Engine Oil	500	Double-Wall Tank
M-5	Used Oil	500	Double-Wall Tank
S-1	Antifreeze	500	Double-Wall Tank, Concrete Dike
S-2	Gasoline	1000	Double-Wall Tank, Concrete Dike
S-3	Gasoline	1000	Double-Wall Tank, Concrete Dike
S-4	Gasoline	1000	Double-Wall Tank, Concrete Dike
S-5	Gasoline	1000	Double-Wall Tank, Concrete Dike
S-6	Used oil	2000	Double-Wall Tank, Concrete Dike
S-7	Car Crusher (Mixed Fluids)	500	Double-Wall Tank, Concrete Dike





ONE ENVIRONMENTAL GROUP

Sims Metal Management Richmond, VA Yard Site Map

3220 Deepwater Terminal Road
Richmond, Virginia 23234

 Parcel Boundary (67.95 ac)

 Drainage Area 003 (30.05 ac)

 Industrial Impervious Area (21.64 ac)

 Drainage Direction

 Storm Sewer Conveyance

 Storm Sewer Inlet

 Stormwater Outfall

 Oil Storage

 Other Potential Pollutant

Notes:
- Area within parcel boundary that is not highlighted is considered non-industrial area.

Project Manager:
RF

Drawn By: CA

Checked By: RF



Exhibit 3
Facility SWPPP Site Map,
With Notations Made by the EPA Inspector

Storm drain inlet,
Photographs 43-45

Ditch to storm drain inlet, flows south
to north, Photographs 46 and 47

Arrow
indicating flow
across ditch

Storm drain
inlet;
Photographs
37-39

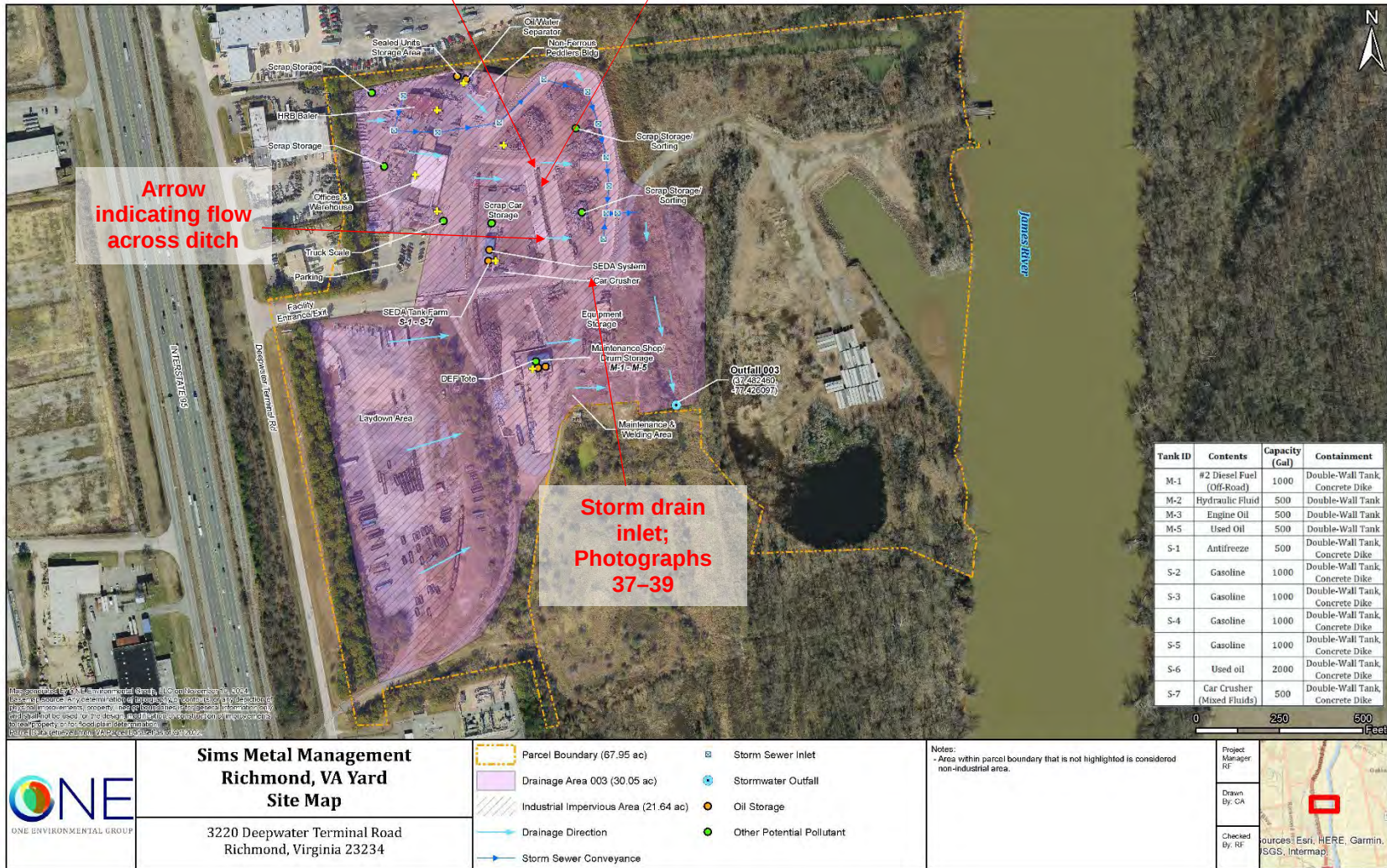


Exhibit 4
Photographs of Corrections Sent by the Facility to the EPA
Inspector











Exhibit 5
Virginia DEQ's 2022 Inspection Report and the Facility's Response



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE
4949-A Cox Road, Glen Allen, Virginia 23060
(804) 527-5020 FAX (804) 698-4178
www.deq.virginia.gov

Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

Jerome A. Brooks
Regional Director

December 29, 2022

Scott Scaggs
Sims Metal Management
3220 Deepwater Terminal Road
Richmond, VA 23234
Transmitted electronically: Scott.scaggs@simsmm.com; Colin.White@simsmm.com

RE: Sims Metal Management – VDPES General Permit VAR050588 – FY2023
Inspection Report

Dear Mr. Scaggs:
Enclosed is your copy of the report for the inspection conducted at the above referenced facility on November 3, 2022. Request for action items were identified during the inspection and are listed on page 5 of the Inspection Report. **Please respond in writing to me to the request for action items by January 29, 2023.**

I would like to thank you for the time and courtesy extended to me during the inspection. Should you have any questions about the report, please do not hesitate to contact me at (804) 720-2247 or via email at heather.weimer@deq.virginia.gov.

A handwritten signature in cursive script that reads "Heather Weimer".

Sincerely,
Heather Weimer
Water Compliance Technical Reviewer

This letter is not intended as a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* (APA).



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

VIRGINIA POLLUTION DISCHARGE ELIMINATION SYSTEM

Industrial Stormwater General Permit Inspection Report

Revised 08/2020

FACILITY NAME:	Sims Metal Management	PERMIT NO.:	VAR050588		
FACILITY ADDRESS:	3220 Deepwater Terminal Road, Richmond, VA 23234				
FACILITY REPRESENTATIVE:	Scott Scaggs, SHECS Supervisor P. Colin White, Environmental Specialist	CONTACT INFORMATION (phone and email):	Mr. Scaggs: Office 757-793-3807 Mobile 757-268-4373 Scott.scaggs@simsmm.com Mr. White: Office 804-291-3200 Mobile 804-239-9469 Colin.White@simsmm.com		
INDUSTRIAL SECTOR:	N: N: Scrap Recycling and Waste Recycling Facilities and Material Recovery Facilities	SIC CODE:	5093: 5093: Scrap and Waste Materials		
INSPECTOR:	Heather Weimer 12/29/2022	INSPECTION DATE and TIME (on-site):	11/3/2022 0920-1105	ANNOUNCED? (Y or N)	Y
REVIEWER:	 11/18/2022 12/16/22			PHOTOS? (Y or N)	Y
WEATHER:	Mid – upper 60's °F, light wind, partly cloudy				

I. RECORDS

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)	(Y or N)	NOTES
When was the SWPPP updated?		October 2022 – The facility maintains a Preparedness, Prevention & Contingency One Plan.
Pollution prevention team identified and current?	Y	
Site description?	Y	The facility receives and sorts metal for recycling.
Site location and drainage map (stormwater conveyances and controls, BMPs, pollutant sources, spill and leak locations, stormwater outfalls, site boundaries and acreage, non-stormwater discharge information, MS4 conveyances, suspected run-on areas, storage piles, receiving waters)?	Y	
Potential pollutant sources including material inventory?	Y	
Information regarding Spills & Leaks?	Y	
Sampling data from previous three years?	Y	
Stormwater controls/best management practices (BMPs)?	Y	
Good housekeeping measures?	Y	
Eliminating and minimizing exposure?	Y	
Preventative maintenance?	Y	
Spill prevention and response procedures?	Y	
Salt storage piles?	Y	
Employee training?	Y	
Sediment and erosion control?	Y	
Management of runoff?	Y	
Dust suppression and vehicle tracking of industrial materials?	Y	
Preventive maintenance of control measures?	Y	

Non-storm water discharges evaluated annually?	Y	The 2020, 2021 and 2022 non-stormwater discharge evaluations were reviewed.
Is there a signed certification statement (in accordance with Part II.K)?	Y	
Part IV Sector Specific SWPPP requirements addressed?	Y	
Representative outfall determination supported in SWPPP - based on similarities of the industrial activities, significant materials, size of drainage areas, stormwater management practices occurring within the drainage areas of the outfalls, and frequency of discharges (quarterly visual monitoring, benchmark monitoring, impaired waters monitoring)?	N/A	
MONITORING	(Y or N)	NOTES
Routine site inspections conducted at least quarterly (1/yr during a stormwater discharge)? (Note: May be waived for VEEP E3/E4 facilities)	Y	Routine inspections are performed monthly and are incorporated into the EHS system on the computer. Routine inspections from October 2021 – October 2022 were reviewed.
Stormwater quarterly visual examinations present and complete (signed and certified in accordance with Part II.K)?	N	Stormwater quarterly visual examinations are currently tracked via hard copy but are planned to eventually be tracked in the EHS system on the computer. Examinations from 1Q2019 – 3Q2022 were reviewed. These examinations did not contain the permit required certification statement.
Registered for eDMR?	Y	
List type of sampling and parameters at each outfall.	Outfall 003 – Chesapeake Bay TMDL Monitoring: TSS, TN, TP Outfall 003 – Benchmark Monitoring: TSS, Zn, Ca, Cu, Cr, Pb, Fe, Al	
Are stormwater samples collected properly (e.g. storm event, preservation)?	*	*The facility has noted "No Discharge" on every DMR during this permit cycle.
Are the sampling results in compliance with the benchmark monitoring cutoff concentrations, impaired waters monitoring or effluent limits (if applicable)?	*	
If sampling benchmark monitoring cutoff concentrations and/or impaired waters monitoring were exceeded were corrective actions (including review/revision of SWPPP) taken within prescribed time period and documented?	N/A	
If an effluent limit or TMDL wasteload allocation exceedance occurred, was an exceedance report submitted to DEQ within the prescribed time period?	N/A	
If Chesapeake Bay TMDL monitoring is required, were the site waste load calculations and / or action plan (if applicable) submitted within the appropriate timeframe (60 days after permit reissuance if monitoring was completed; 90 days after the 4th monitoring period)?	*	Four Chesapeake Bay TMDL samples need to be collected from Outfall 003 to complete the facility's required TMDL monitoring.
Any modification to the facility's industrial acreage or impervious acreage? If so, were the facility's Chesapeake Bay TMDL loading rates recalculated?	N/A	
Chain of Custody: sample date and time, location, collector, required tests, sample preservation?	*	
Certificate of Analysis: analysis date and time, test methods, analysts name, results?	*	
Contract laboratory name, address and VELAP certification number?	*	
Are all records maintained for a period of at least three years from the date that coverage under this permit expired or is terminated?	Y	Permit coverage became effective on 11/14/2019. Please note that Part II.B.2 requires records to be maintained for a period of at least three years from the date the coverage under this permit expires or is terminated.

II. FIELD OBSERVATIONS

SITE CONDITIONS	(Y or N)	NOTES
Are stormwater controls/BMPs maintained in effective operating condition?	Y	

SITE CONDITIONS	(Y or N)	NOTES
If required, are Part IV sector specific stormwater controls in place?	Y	
Is there vehicle maintenance on-site?	Y	Contractors typically perform equipment maintenance on a concrete pad located adjacent to the maintenance building.
Are the associated fluids (oils, fuels, etc) disposed of properly (i.e. not leaking onto the ground or into surface waters)?	Y	Used fluids are typically removed from site by the maintenance contractor. On occasion, the facility adds the used fluids to their used fluid containers, which are located under roof.
Are chemicals and other materials handled, disposed of, or stored so as to prevent a discharge into surface waters?	Y	
If the stormwater discharge enters a municipal separate storm sewer system to surface waters, has the permittee notified the owner of the system?	N/A	
For Chesapeake Bay dischargers: Has an expansion of the industrial area commenced since July 1, 2019?	N	
If so were “no net increase” stormwater controls employed?	N/A	
Does the facility discharge process waters (wastewaters, SW commingled with any wastewaters, etc)?	N	
EFFLUENT DATA	(Y or N)	NOTES
Are all outfalls addressed in the registration statement and is each located to provide representative sampling of the discharge?	Y	Outfalls 001 and 002 were removed from the Permit due to no industrial activity being discharged.
Condition of outfall effluent (clear, turbid, floating solids, foam, odor, etc.):	Outfall #	Description of Effluent
	003	No discharge
Condition of receiving stream (also note any upstream and downstream differences):	James River: Not viewed	

Observations and Comments

The facility receives and sorts metal for recycling purposes. Operations include ferrous and nonferrous metal receiving, shipping, handling, and storage. Vehicle depollution and flattening is also performed onsite. The flattened vehicles and sorted metal are sent offsite for processing. The site is located on approximately 69.25 acres. The facility is located adjacent to the James River in the southeastern portion of the City of Richmond. The site includes a ship slip located along the James River and railroad tracks located along the western portion of the property. The ship slip is not currently being used. The industrial area includes metal sorting equipment (crane, loaders, shear ram, and shredder) and various scrap metal storage piles delineated by metal type.

The facility receives various grades of metal by vehicle. The received material is placed in the appropriate pile onsite (i.e. material sorted by type). The sorting is accomplished through the use of manual labor and mobile, portable, and stationary equipment. The sorted material is shipped from the site by truck or railroad for offsite processing.

Vehicle depollution is performed within the car depollution building. Prior to shipment, the vehicles are inspected, drained of all residual fluids (gasoline, antifreeze, motor oil) and mercury switches, flattened, and staged onsite temporarily. The flattened cars are typically shipped offsite via truck for processing. The residual fluid tanks are located under roof within a sump equipped with a valve. The valve remains in the closed position. No issues were noted.

Oil storage at the facility consists of off-road diesel fuel for onsite equipment, hydraulic oils utilized in onsite equipment, lubricating oils used in equipment, used oil from equipment maintenance, and used oil from vehicle depollution. Minor amounts of other materials (i.e. solvents) are also used on an as-needed basis. One diesel AST and two hydraulic oil ASTs were observed adjacent to the maintenance building. No spills or leaks were observed near the ASTs.

Storm water flows by sheet-flow radially away from covered buildings and paved surfaces and primarily flows in the direction of the eastern portion of the site. Runoff from the northwestern portion of the facility is channeled via series of drop inlets which run towards the southeast and discharge at the storm sewer outlet located in the center of the site and eventually Outfall 003. All runoff from the northeast and southeastern portions of the site discharges from the site at Outfall 003. Runoff from the northeastern area of the facility (no industrial activity) discharges to the northeast towards a

reversibly capped area and the James River. The remaining property near the James River (also no industrial activity) drains via sheet flow towards the river to the east.

An oil/water separator (OWS) is located in the North Central portion of the facility. An outdoor containment area for sealed units is pumped into the nearby OWS via sump pump. Once the water has been processed through the OWS, the oil is containerized, and the water is inspected for presence of oil in a 1,200 gallon holding tank. After inspection and documentation that the water has no presence of oil, the water is released from the holding tank and piped to a storm inlet that discharges to Outfall 003 on the east side of the OWS. The holding tank is inspected three times a week and pumped out as needed. The OWS is serviced by a contractor quarterly. Staining was observed in the sealed units' containment area. This area is washed down quarterly with all flow entering the OWS. The next wash down will be performed before the first freeze.

General Recommendations (Suggestions – No written response required)

1. Four Chesapeake Bay TMDL samples need to be collected from Outfall 003 to complete the facility's required TMDL monitoring. Please continue to submit "No Discharge" DMRs if there is no discharge from Outfall 003 during the semi-annual monitoring events.
2. Once four Chesapeake Bay TMDL sampling events have been completed at each permitted outfall, the facility is to submit TMDL waste load calculations using the collected data. The Permit requires these calculations to be submitted no later than 90 days following the completion of the fourth monitoring period to the DEQ Piedmont Regional Office on a form provided by DEQ. If the calculated facility loading rate for Total Nitrogen (TN), Total Phosphorus (TP) or Total Suspended Solids (TSS) is above the loading rates presented on the TMDL waste load calculations form, the Permittee is required to develop and submit a Chesapeake Bay TMDL Action Plan and submit it to DEQ within 90 days following the completion of the fourth monitoring period. If an Action Plan is required, the facility is required to submit an annual report by June 30 of each year describing the progress in meeting the required reductions. There is no required form to use for the annual report.
3. The facility has noted "No Discharge" on every DMR during this permit cycle. Please continue to attempt to collect the required semi-annual stormwater samples, benchmark and Chesapeake Bay TMDL.
4. As a reminder, if the facility is unable to collect a stormwater sample, the facility is required to provide documentation of the inability to obtain a sample. Please see Part I.A.2.e of the Permit for further explanation of this requirement.
5. Please continue with the consolidation of petroleum tanks at the Virginia facilities. Once complete, please ensure all tank greater than 660 gallons containing oil are registered with DEQ.
6. The facility is encouraged to review facility procedures to ensure that material is not tracked via vehicle or foot outside of the sealed units' containment area.

Request for Action Items (Written response required unless noted)

1. Stormwater quarterly visual examinations from 1Q2019 – 3Q2022 were reviewed. These examinations did not contain the permit required certification statement. Part I.A.1.a.(1) of the Permit states, *"The permittee shall perform and document a quarterly visual examination of a stormwater discharge associated with industrial activity from each outfall, except discharges exempted in Part I A 3 or Part I A 4. The examinations shall be made at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December. The visual examination shall be made during normal working hours, where practicable, and when considerations for safety and feasibility allow. If no storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter provided that documentation is included with the monitoring records indicating that no runoff occurred. The documentation shall be signed and certified in accordance with Part II K of this permit."* **Going forward please ensure the certifications is noted on the stormwater quarterly visual examinations. No response is required.**

2. Significant staining was observed in the sealed units' containment area. The Preparedness, Prevention, & Contingency One Plan notes that "sealed units, tanks, and drums are stored in an outdoor concrete containment area to allow excess oil to drain. The containment is sloped to a low spot where a sump and pump are situated. The drained oil along with rainwater collected in the containment area is removed via sump pump to an OWS which allows water to separate from the oil via gravity. Once separated the treated water drains via drainage pipe to a storm inlet that flows to Outfall 003 before being discharge offsite."

Part III.B.4.b.(2) of the Permit states, *"Eliminating and minimizing exposure. To the extent practicable, manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) shall be located inside, or protected by a storm-resistant covering to prevent exposure to rain, snow, snowmelt, and runoff. Eliminating exposure at all industrial areas may make the facility eligible for the "Conditional Exclusion for No Exposure" provision of 9VAC25-31-120 E, thereby eliminating the need to have a permit. Unless infeasible, facilities shall implement the following:*

- (a) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from potential sources of pollutants;*
- (b) Locate materials, equipment, and activities so that potential leaks and spills are contained, or able to be contained, or diverted before discharge;*
- (c) Clean up spills and leaks immediately, upon discovery of the spills or leaks, using dry methods (e.g., absorbents) to prevent the discharge of pollutants;*
- (d) Store leaking vehicles and equipment indoors or, if stored outdoors, use drip pans and adsorbents;*
- (e) Utilize appropriate spill or overflow protections equipment;*
- (f) Perform all vehicle maintenance or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also capture any overspray; and*
- (g) Drain fluids from equipment and vehicles that will be decommissioned, and for any equipment and vehicles that remain unused for extended periods of time, inspect at least monthly for leaks."*

In response to this inspection report, please detail how the facility will limit the amount of petroleum being released on the ground in the sealed units' containment area and possibly enter the stormwater conveyance system. In addition, please detail how the facility is using the OWS as a best management practice and not as a treatment unit.

Digital Photographs Taken: 11/3/2022



Photograph 1: Vehicle depollution tanks.



Photograph 2: Metal stockpile to be removed from site via rail.



Photograph 3: Oil tanks located near the maintenance building.



Photograph 4: Concrete pad used for equipment maintenance.



Photograph 5: Vehicle crusher and depollution equipment.



Photograph 6: Outfall 003.

Digital Photographs Taken: 11/3/2022



Photograph 7: Ferrous metal scrap storage/sorting.



Photograph 8: Ferrous metal scrap storage/sorting.



Photograph 9: Ferrous metal scrap storage/sorting.



Photograph 10: Non-ferrous metal scrap storage/sorting.



Photograph 11: Sealed units storage area.



Photograph 12: Non-ferrous metal scrap storage/sorting and pallet storage/recycling stockpile.

Digital Photographs Taken: 11/3/2022



Photograph 13: Non-ferrous metal scrap storage/sorting.



Photograph 14: Brass storage.

January 23, 2023



Mrs. Heather Weimer
Piedmont Regional Office
Department of Environmental Quality
4949-A Cox Road
Glen Allen, VA 23060
Heather.weimer@deq.virginia.gov

Dear Mrs. Weimer:

This letter is in response to the DEQ Stormwater inspection conducted on November 3, 2022, for the Sims Richmond facility permit VAR 050588.

Response to “**Request for Action #1.** Stormwater quarterly visual examinations were reviewed and did not contain the permit required certification statement. Going forward please ensure the certifications are noted on the stormwater quarterly visual examinations.”:

- No Response Required, updated quarterly visual examination form is attached.

Response to “**Request for Action #2.** Please detail how the facility will limit the amount of petroleum being released on the ground in the sealed unit containment area and possibly enter the stormwater conveyance system. In addition, please detail how the facility is using the OWS as a best management practice and not as a treatment unit.”:

The area at the sealed unit storage bin noted in your inspection report is graded to keep any water that encounters the sealed units, inside the bin. The facility will implement further actions noted in Part III.B.4.b.(2) of the permit such as berms/curbing to control run on.

- The facility will utilize “jersey blocks” or other means to control water around the storage bin. This new addition to the sealed unit storage layout will limit the equipment access to the storage bin, thus reducing the oil material that is tracked out of the storage bin.
- As a further control additional pressure washing will be implemented to reduce the tracking of oily material; the wash water will be directed back into the bin to allow for any oil to be captured.

The system is equipped with a sump that will allow for any water/oil mixture to be captured for either pump out or further oil/water separation. As a best management practice the facility operates the oil water separator to further reduce the water content in the oil stream, thus reducing transportation impacts, frequency of pump out, and the added environmental burden of excess fluid removal/hauling from the site. As a long-term corrective action to your request the facility will work to design and budget a cover for the sealed unit storage bin.

Thank you for a wonderful site visit on November 3, 2022. If you need anything at all, please do not hesitate to reach out.

Sincerely,

Robert Barefoot II, *Sims Metal – Richmond VA Facility Manager*

Date: _____



Stormwater Quarterly Visual Monitoring (QVM) Checklist

Facility:

Year:

If no discharge is observed, you must continue to attempt sample collection until one is obtained or the specific monitoring period ends

If no discharge is observed, you must document every attempt on the No Discharge Form



Outfall 00_	First Quarter (Jan-Mar)	Second Quarter (April-June)	Third Quarter (July-Sept)	Fourth Quarter (Oct-Dec)
Date of Inspection				
Time of Inspection				
Current weather conditions				
Discharge Observed (Yes or No)				
If 'Yes' has lab sample been collected for Jan-June Period? (Yes or <u>No</u>) (if 'No' <i>COLLECT SAMPLE</i>)				
Runoff or Snowmelt				
Observation of color				
Observation of odor				
Observation of clarity				
Observation of floating solids				
Observation of settled solids				
Observation of suspended solids				
Observation of foam				
Observation of oil sheen				
Observation of obvious indicators of stormwater pollution				
Other Observations/Comments				
STORM EVENT DATA				
Duration				
Rainfall Total (in)				
Preceding Event				

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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.

Name: _____

Signature: _____

Date: _____