Thank you for submitting your information via the Kentucky Department for Environmental Protection eForms website. Please save a copy of this submittal for your records. We recommend saving a copy as a .mht, .html, or .htm file.
The Submittal ID for this transaction is 136694 and was submitted on . If you need to contact DEP regarding your submission, please reference your Submittal ID.

The eForm Submittal ID allows you to use the data from this submittal as a template and/or download a copy of your submittal.

KENTUCKY POLLUTION DISCHARGE ELIMINATION SYSTEM (KPDES)

Notice of Intent (NOI) for coverage of Storm Water Discharges Associated with Other Facilities Under the KPDES Storm Water General Permit KYR000000

Click here for eNOI-KYR00 Instructions (Controls/NOIKY00_Instructions.htm)

water.ky.gov (http://water.ky.gov/)

(*) Indicates a required field; (â€œ) indicates a field may be required based on user input or is an optionally required field

Agency Interest ID:	Permit ID:
290	KYR000217

General Comments:

Applicant Comment:

EEC Reviewer Comment:

SECTION I-PURPOSE OF NOI

This NOI is for:(*) Response to Notice of Deficiency

SECTION II-FACILITY OPERATOR INFORMATION

First Name:(✓)	MI:	Last Name:(✓)	Company Name:(✓)
Wayne	T	Mattox	Central Motor Wheel of America, Inc. (CMWA)

Status:(*)	Address:(*)	City:(*)	State:(*)
Privately Owned Facility	125 Wheat Drive	Paris	Kentucky

Zip Code:(*)	E-Mail Address:(*)	Business Phone Number:(*)	Alternate Phone Number:
40361	wmattox@cmwa.com	859-987-0050	###-###-####

SECTION III-FACILITY/SITE LOCATION INFORMATION

Name of Facility:(*)	Physical Address:(*)
Central Motor Wheel of America, Inc. (CMWA)	125 Wheat Drive

City:(*)	State:(*)	Zip Code:(*)
Paris	Kentucky	40361

County:(*)	Primary Receiving Water:(*)	Latitude (Decimal Degrees, NAD83):(*)	Longitude (Decimal Degrees, NAD83):(*)
Bourbon	Stoner Creek Receiving Stream (click here for list) (Controls/ReceivingStream.htm)	38.220350 DMS to DD Converter (https://www.fcc.gov/media/radio/dms-decimal)	-84.273403

SECTION IV â€“ FACILITY/SITE ACTIVITY INFORMATION

SIC Code:(*)	Primary Business Function:(*)	# of Outfalls:(*)
3714 - Motor Vehicle Parts and Accesso	Automotive wheel manufacturing	7

Industrial Activity Conducted:(*)

Central Motor Wheel of America Inc., dba CMWA, (CMWA) currently operates a manufacturing facility in Paris, Bourbon County, Kentucky. The facility manufactures aluminum and steel wheels for automobiles and light-duty trucks. The facility is included in the

Areas Contacted by Storm Water:(*)

Stormwater flow from the Steel Division facility with potential industrial activity exposure flows primarily to the southeast discharge point. The drainage area for this discharge point includes shipping and receiving, roll-off storage and a portion of the wastewater

Potential Pollutants:(*)

Aluminum chips containing cutting fluids.
Chemicals and wastes crossing shipping and receiving docks.

SECTION V â€“ OUTFALL INFORMATION

Identifier:(*)	Latitude (Decimal Degrees, NAD83):(*)	Longitude (Decimal Degrees, NAD83):(*)	Water Discharged:(*)
001	38.218117 DMS to DD Converter (https://www.fcc.gov/media/radio/dms-decimal)	-84.271397	stormwater only

Area Drained:(*)

As depicted in Surface Water Flow Path Map, Outfall #001 drains the southeast corner of the property behind the Steel Division Shipping and Receiving Department. Potential source of contamination for this outfall include chemicals crossing shipping and receiving docks and

Potential Pollutants:(*)

Chemicals and wastes crossing shipping and receiving docks.
Diesel fuel for emergency generators.

Provide Name of Receiving Water (click here for a list (Controls/ReceivingStream.htm)) or Municipal Separate Storm Sewer System (MS4) to which the outfall discharges.

Name of Receiving Water:(*)	Name of MS4:(*)
Houston Creek	N/A

Outfall Comments:

Applicant Comment:

EEC Reviewer Comment:

Identifier:(*)	Latitude (Decimal Degrees, NAD83):(*)	Longitude (Decimal Degrees, NAD83):(*)	Water Discharged:(*)
002	38.218594 DMS to DD Converter (https://www.fcc.gov/media/radio/dms-decimal)	-84.275936	stormwater only

Area Drained:(*)

As depicted in Surface Water Flow Path Map, Outfall #002 drains the southwest corner of the property behind the Steel Division Manufacturing facility. Potential source of contamination for this outfall include diesel fuel for emergency generators. Area is grassy.

Potential Pollutants:(*)

Diesel fuel for emergency generators.

Provide Name of Receiving Water (click here for a list (Controls/ReceivingStream.htm)) or Municipal Separate Storm Sewer System (MS4) to which the outfall discharges.

Name of Receiving Water:(*)	Name of MS4:(*)
Houston Creek	N/A

Outfall Comments:

Applicant Comment:

EEC Reviewer Comment:

Identifier:(*)	Latitude (Decimal Degrees, NAD83):(*)	Longitude (Decimal Degrees, NAD83):(*)	Water Discharged:(*)
003	38.223010 DMS to DD Converter (https://www.fcc.gov/media/radio/dms-decimal)	-84.273363	stormwater only

Area Drained:(*)

As depicted in Surface Water Flow Path Map, Outfall #003 drains the northwest corner of the property behind the Aluminum Division Manufacturing facility. Potential source of contamination for this outfall include diesel fuel for emergency generators and dust from dust

Potential Pollutants:(*)

Diesel fuel for emergency generators.
Dust from dust collectors.

Provide Name of Receiving Water (click here for a list (Controls/ReceivingStream.htm)) or Municipal Separate Storm Sewer System (MS4) to which the outfall discharges.

Name of Receiving Water:(*)	Name of MS4:(*)
Stoner Creek	N/A

Outfall Comments:

Applicant Comment:

EEC Reviewer Comment:

Identifier:(*)	Latitude (Decimal Degrees, NAD83):(*)	Longitude (Decimal Degrees, NAD83):(*)	Water Discharged:(*)
004	38.221254 DMS to DD Converter (https://www.fcc.gov/media/radio/dms-decimal)	-84.271051	stormwater only

Area Drained:(*)

As depicted in Surface Water Flow Path Map, Outfall #004 drains the east section of the property behind the Aluminum Division Manufacturing facility. Potential source of contamination for this outfall include aluminum chips containing cutting fluids, chemicals and

Potential Pollutants:(*)

Aluminum chips containing cutting fluids.
Chemicals and wastes crossing shipping and receiving docks.

Provide Name of Receiving Water (click here for a list (Controls/ReceivingStream.htm)) or Municipal Separate Storm Sewer System (MS4) to which the outfall discharges.

Name of Receiving Water:(*)	Name of MS4:(*)
Stoner Creek	N/A

Outfall Comments:

Applicant Comment:

EEC Reviewer Comment:

Identifier:(*)	Latitude (Decimal Degrees, NAD83):(*)	Longitude (Decimal Degrees, NAD83):(*)	Water Discharged:(*)
008	38.224165 DMS to DD Converter (https://www.fcc.gov/media/radio/dms-decimal)	-84.269737	stormwater only

Area Drained:(*)

Outfall #008 drains the east section of the property behind the Aluminum Division Manufacturing facility. Potential source of contamination for this outfall include aluminum chips containing cutting fluids, chemicals and

Potential Pollutants:(*)

Aluminum chips containing cutting fluids.
Chemicals and wastes crossing shipping and receiving docks.

Provide Name of Receiving Water (click here for a list (Controls/ReceivingStream.htm)) or Municipal Separate Storm Sewer System (MS4) to which the outfall discharges.

Name of Receiving Water:(*)	Name of MS4:(*)
Stoner Creek	N/A

Outfall Comments:

Applicant Comment:

EEC Reviewer Comment:

Identifier:(*)	Latitude (Decimal Degrees, NAD83):(*)	Longitude (Decimal Degrees, NAD83):(*)	Water Discharged:(*)
009	38.222294 DMS to DD Converter (https://www.fcc.gov/media/radio/dms-decimal)	-84.267336	stormwater only

Area Drained:(*)

Outfall #009 drains the east section of the property beside the PROACE Division Manufacturing facility. Potential source of contamination for this outfall include aluminum chips containing cutting fluids, chemicals and

Potential Pollutants:(*)

Aluminum chips containing cutting fluids.
Chemicals and wastes crossing shipping and receiving docks.

Provide Name of Receiving Water (click here for a list (Controls/ReceivingStream.htm)) or Municipal Separate Storm Sewer System (MS4) to which the outfall discharges.

Name of Receiving Water:(*)	Name of MS4:(*)
Stoner Creek	N/A

Outfall Comments:

Applicant Comment:

EEC Reviewer Comment:

Identifier:(*)	Latitude (Decimal Degrees, NAD83):(*)	Longitude (Decimal Degrees, NAD83):(*)	Water Discharged:(*)
007	38.218367 DMS to DD Converter (https://www.fcc.gov/media/radio/dms-decimal)	-84.274178	stormwater only

Area Drained:(*)

As depicted in Surface Water Flow Path Map, Outfall #007 drains the south section of the property behind the Steel Division Manufacturing facility. There is no potential source of contamination for this outfall. Area is grassy.

Potential Pollutants:(*)

None, no industrial activity near this outfall

Provide Name of Receiving Water (click here for a list (Controls/ReceivingStream.htm)) or Municipal Separate Storm Sewer System (MS4) to which the outfall discharges.

Name of Receiving Water:(*)	Name of MS4:(*)
Houston Creek	N/A

Outfall Comments:

Applicant Comment:

EEC Reviewer Comment:

SECTION VI â€" DISHARGE MONITORING REPORTS (DMRs)

KPDES permit holders are required to submit DMRs electronically to the Division of Water on a regular schedule (as defined by the KPDES permit). Information in this section serves to specifically identify the name and contact information of the DMR official.

First Name:(*)	Middle Initial:	Last Name:(*)
Wayne	T	Mattox

Address:(*)	City:(*)	State:(*)	Zip Code:(*)
125 Wheat Drive	Paris	Kentucky	40361

E-Mail Address:(*)	Business Phone Number:(*)	Alternate Phone Number:
wmattox@cmwa.com	859-987-0500	###-###-####

Section VI Comments:

Applicant Comment:

EEC Reviewer Comment:

SECTION VIIâ€" NOI PREPARER INFORMATION

First Name:(*)	Middle Initial:	Last Name:(*)
Russell	E	Blanton

Address:(*)	City:(*)	State:(*)	Zip Code:(*)
125 Wheat Drive	Paris	Kentucky	40361

E-Mail Address:(*)	Business Phone Number:(*)	Alternate Phone Number:
rblanton@cmwa.com	859-987-0500	###-###-####

Section VII Comments:

Applicant Comment:

EEC Reviewer Comment:

SECTION VIII â€" ATTACHMENTS

Location Map:(*)	Upload file
Other File(s):	Upload file

Section VIII Comments:

Applicant Comment:

EEC Reviewer Comment:

SECTION IX â€" 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 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.

Signature:(*)	First Name:(*)	Last Name:(*)
Bruce Allison	Bruce	Allison

Phone Number:(*)	E-Mail Address:(*)	Date(*)
859-987-0500	ballison@cmwa.com	08/16/2018

Section IX Comments:

Applicant Comment:

EEC Reviewer Comment:

ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

September 14, 2020

Central Motor Wheel of America Inc
125 Wheat Drive
Paris, KY 40361

Re: KYR00 Coverage Acknowledgment
KPDES No.: KYR003305
Central Motor Wheel of America Inc
AI ID: 290
Bourbon County, Kentucky

Dear Wayne Mattox:

Effective on the first of the month following the date of this letter, the Kentucky Division of Water (DOW) has determined to modify coverage under the "General Permit for Stormwater Discharges Associated with Industrial Activity from Other Facilities" (KYR000000) for the referenced facility. A copy of KYR000000 and its accompanying Fact Sheet are available on the KYR00 Permit Page at the following link: https://eec.ky.gov/Environmental-Protection/Water/PermitCert/KPDES/Documents/KYR00PermitPage.pdf

Outfall No.	Description	Receiving Stream	Latitude	Longitude
001	Stormwater Only	Houston Creek	38.218117	-84.271397
002	Stormwater Only	Houston Creek	38.218594	-84.275936
003	Stormwater Only	Stoner Creek	38.223010	-84.273363
004	Stormwater Only	Stoner Creek	38.221254	-84.271051
007	Stormwater Only	Houston Creek	38.218367	-84.274178
008	Stormwater Only	Stoner Creek	38.224165	-84.269737
009	Stormwater Only	Stoner Creek	38.222294	-84.267336

Electronic submission of Discharge Monitoring Reports (DMRs) using NetDMR is required beginning with the effective date of coverage under the KYR000000 general permit. NetDMR instructions are available at: https://eec.ky.gov/Environmental-Protection/Water/SubmitReport/Pages/NetDMR.aspx. This site has step-by-step instructions for NetDMR Production.

If in the future you wish to amend or renew this KPDES permit coverage, you can recall this action by using the following Transaction ID: **5kirrlk9-elif-l4et-dkej-29183qc6fmqk** or Submittal ID: **194411** to generate an eNOI template. The KYR00-eNOI is available on the KYR00 Permit Page located at the link provided in the first paragraph.

Any person aggrieved by the issuance of a permit final decision may demand a hearing pursuant to KRS 224.10-420(2) within thirty (30) days from the date of the issuance of this letter. Any demand for a hearing on the permit shall be filed in accordance with the procedures specified in KRS 224.10-420, 224.10-440, 224.10-470, and the regulations promulgated thereto. The request for hearing should be submitted in writing to the Energy and Environment Cabinet, Office of Administrative Hearings, 211 Sower Boulevard, Frankfort, Kentucky 40601 and the Commonwealth of Kentucky, Energy and Environment Cabinet, Division of Water, 300 Sower Boulevard, Frankfort,

Kentucky 40601. For your record keeping purposes, it is recommended that these requests be sent by certified mail. The written request must conform to the appropriate statutes referenced above.

Should you have any questions regarding this matter, please contact Surface Water Permits Branch (SWPB) Support at (502) 564-3410 or by e-mail at SWPBSupport@ky.gov.

Sincerely,

Rebecca Graves

Rebecca Graves, Permit Writer
Surface Water Permits Branch
Division of Water

cc: Rob Daniell-Frankfort Regional Office
Russell Blanton-Central Motor Wheel of America Inc.
Bruce Allison-Central Motor Wheel of America Inc.

KPDES

KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT

AUTHORIZATION TO DISCHARGE UNDER THE
KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT NO.: KYR000000

AGENCY INTEREST NO.: 35050

Pursuant to Authority in KRS 224,

The discharge of stormwater runoff associated with industrial activities that are not excluded from coverage in accordance with criteria of Section 1.3, and have met the NOI requirements of Section 6 of this permit.

is authorized to discharge from a facility located at

Within any of the 120 counties of the Commonwealth of Kentucky

to receiving waters named

Those water bodies of the Commonwealth that comprise the Mississippi and Ohio River basins and sub-basins within the political and geographic boundaries of Kentucky

in accordance with effluent limitations, monitoring requirements and other conditions set forth in this permit.

This permit shall become effective on August 1, 2018.

This permit and the authorization to discharge shall expire at midnight, July 31, 2023.

June 30, 2018

Date Signed

Peter T. Goodmann, Director

Division of Water

THIS KPDES FACT SHEET CONSISTS OF THE FOLLOWING SECTIONS:

SECTION 1

COVERAGE

1. COVERAGE

1.1. Facilities Covered

Pursuant to 401 KAR 5:060, Section 8 [40 CFR 122.26, effective July 1, 2012] the following point source discharges of stormwater runoff are subject to the KPDES permit program:

(1) The discharge of stormwater runoff associated with industrial activity; or

(2) A discharge, as determined by Kentucky Division of Water (DOW), that contributes to a violation of a water quality standard or is a significant contributor of pollutants to surface waters of the Commonwealth.

This permit is available for any facility that would be required to have a KPDES permit due to the discharge of stormwater runoff associated with industrial activity provided the facility meets the eligibility and Notice of Intent (NOI) requirements of this permit (See Section 1.4*,* Stormwater Discharges Associated with Industrial Activity). Operators of industrial facilities have the opportunity to certify a condition of "no exposure" if their industrial materials and operations are not exposed to stormwater (See Section 6.3 *Conditional Exclusion for No Exposure*).

1.2. Authorized Non-Stormwater Discharges

The following non-stormwater discharges are authorized by this permit. All other non-stormwater discharges shall be eliminated by the operator or the operator shall obtain an individual KPDES permit or appropriate alternate KPDES general permit:

1) Discharges from emergency/unplanned fire-fighting activities;
2) Fire hydrant flushings;
3) Potable water, including water line flushings;
4) Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from outside storage of refrigerated gases or liquids;
5) Irrigation drainage;
6) Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;
7) Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities, or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention; settlement).
8) Routine external building washdown/power wash water that does not use detergents or hazardous cleaning products;
9) Uncontaminated ground water or spring water;
10) Foundation or footing drains where flows are not contaminated with process materials;
11) Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from cooling tower (e.g., “piped” cooling tower blowdown; drains); and
12) Water used to wash vehicles and equipment, provided that there is no discharge of soaps, solvents, or detergents used for such purposes.

1.3. Summary of Exclusions

Facilities meeting any of the following criteria are not eligible for coverage under KYR00:

1) Those that have obtained or are required to obtain an individual KPDES permit for discharge of non-stormwater wastewaters;
2) Those that are subject to a promulgated national effluent guideline specific to stormwater discharges;
3) Those that propose a new or expanded discharge of pollutants of concern to a water body that is categorized as Impaired for those pollutants of concern and for which an approved TMDL has been developed for those pollutants of concern; or
4) Those that DOW has determined are more appropriately addressed by an individual KPDES permit or alternate KPDES general permit.

1.4. Stormwater Discharges Associated with Industrial Activity

Stormwater discharges associated with industrial activity is defined as the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities. The following categories of facilities are considered to be engaging in “industrial activity”:

i. Facilities subject to stormwater effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi));
ii. Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283), 29, 31l, 32 (except 323), 33, 344l, 373;
iii. Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; (inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator; inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or

processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim);

iv. Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under subtitle C of RCRA;

v. Landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under subtitle D of RCRA;

vi. Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;

vii. Steam electric power generating facilities, including coal handling sites;

viii. Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221–25), 43, 44, 45, and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under paragraphs (i)–(vii) or (ix)–(xi) of this section are associated with industrial activity;

ix. Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the CWA;

x. Construction activity including clearing, grading and excavation, except operations that result in the disturbance of less than five acres of total land area. Construction activity also includes the disturbance of less than five acres of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb five acres or more;

xi. Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, and 4221–25.

SECTION 2

MONITORING AND REPORTING REQUIREMENTS

2. MONITORING AND REPORTING REQUIREMENTS

2.1 Effluent Monitoring Requirements

This section of the permit establishes the effluent monitoring requirements that apply to all point source discharges of stormwater runoff associated with industrial activity, and allowable non-stormwater discharges as listed in Section 1. The following effluent monitoring requirements apply to the discharges as listed on the permit Coverage Letter, and become effective on the effective date of this permit and stated on the Coverage Letter.

Effluent Monitoring Requirements							
Effluent Characteristic	**Units**	**Minimum**	**Monthly Average**	**Daily Maximum**	**Maximum**	**Frequency**	**Sample Type**
Flow	MGD	N/A	Report	Report	N/A	2/Year	Instantaneous
Total Suspended Solids	mg/l	N/A	Report	100[1]	N/A	2/Year	Grab
Oil & Grease	mg/l	N/A	Report	Report	N/A	2/Year	Grab
pH	SU	Report	N/A	N/A	Report	2/Year	Grab
[1]100 mg/l is not a limit, but a trigger. Should the monthly average of Total Suspended Solids (TSS) exceed 100 mg/l for two (2) consecutive reporting periods, see section 4.12 for additional requirements.							
N/A means Not Applicable.							
DMR data shall be submitted by July 28th, and by January 28th of each year.							

2.2 Standard Effluent Requirements

The discharges to surface waters of the Commonwealth shall not produce floating solids, visible foam or a visible sheen on the surface of the receiving waters.

Stormwater runoff samples and measurements taken in accordance with the requirements specified above shall be representative of the volume and nature of the monitored discharge and shall be taken at nearest accessible point after final treatment, but prior to actual discharge to or mixing with the receiving waters or wastestreams from other outfalls.

2.3 Number of Required Samples

A minimum of one (1) grab sample per physical/chemical specific parameter shall be collected during a period of discharge resulting from a precipitation event the first six (6) months of a calendar year (submitted July 28th), and another grab sample collected during the second six (6) months of a calendar year (submitted by January 28th). Discharge samples and measurements shall be collected at the compliance point for each KPDES Outfall identified in the Coverage Letter. Each sample shall be representative of the volume and nature of the monitored discharge.

2.4 Sample Collection

Samples and measurements taken in accordance with this Section, shall be collected during periods of stormwater discharge. The permittee may establish a sampling schedule provided the minimum number of samples specified are obtained. In the event the minimum number of samples cannot be obtained, the permittee shall provide the necessary documentation as specified in this Section. Samples are to be collected from the compliance point and are not to be collected from within any sediment control structure.

2.5 Sufficiently Sensitive Analytical Methods

All Laboratory analyses required to demonstrate compliance with the conditions of this permit shall be performed by EEC certified laboratories. Laboratories must be certified for the specific analyte-method

pair being analyzed for compliance purposes. For a complete list of required reporting limits for all analytes specified in 40 CFR 136, see www.url.gov.

2.6 Reporting of Monitoring Results

Monitoring results obtained during each monitoring period must be reported. The completed DMR for each monitoring period must be submitted no later than the 28th day of the month following the monitoring period for which monitoring results were obtained.

The completed DMR for each monitoring period must be entered into the DOW approved electronic system no later than midnight of the 28th day of the month following the monitoring period for which monitoring results were obtained.

For more information regarding electronic submittal of DMRs, please visit the Division's website at: http://water.ky.gov/permitting/Pages/netDMRInformation.aspx or contact the DMR Coordinator at (502) 564-3410.

2.7 No Discharge Reporting

If the permittee is unable to collect one or more of the required number of samples specified in Section 2.1, the permittee shall report the appropriate No Discharge (NODI) Code for each uncollected sample on the appropriate DMR for that outfall. The permittee shall document its claim that no discharge occurred during the monitoring period. Such documentation shall be made available to the cabinet upon request. When using a NODI Code for reporting, document the justification in the Comments section of the DMR. The use of a NODI Code is conditionally approved until such time as the Cabinet determines the submitted documentation for the use of that NODI Code is inadequate.

NODI Codes are used in EPA's Integrated Compliance Information System (ICIS) to report a No Discharge on a DMR. The following table lists the NODI Codes that DOW has determined to be appropriate for industrial related DMRs.

Table 3

NODI Code	Definition
2	Operation Shutdown
5	Frozen Conditions
B	Below Detection Limit/No Detection
C	No Discharge
E	Analysis Not Conducted/No Sample
H	Invalid Test
K	Natural Disaster
Q	Not Quantifiable
V	Weather Related

The circumstance under which each code is used and the required documentation are as follows:

NODI Code 2

This code is to be used when the operation has been shut down and the permittee is denied access to the site. Additional documentation shall include the notice issued by the enforcement agency denying access.

NODI Code 5

This code is to be used when the discharge or outfall structure is frozen. Additional documentation includes: (1) dated photographs; and (2) a narrative of the severity and duration of the condition shall be included.**NODI Code B**

This code is to be used when the effluent sample monitoring result is below the detection limit or there was no detection of the analyte in the effluent sample. Additional documentation shall include the laboratory reporting sheet.

NODI Code C

This code is to be used when there are no discharges that occurred during the monitoring period. Additional documentation shall include daily precipitation information indicating that no storm event occurred during the monitoring period and/or no discharge occurred from the sediment control structure.

NODI Code E

This code is to be used when the analysis was not conducted or there was no sample taken. Additional documentation shall include the reason results were not provided.

NODI Code H

This code it to be used when an invalid test was performed. Additional documentation shall include the reason results were not provided.

NODI Code K

The code is to be used when the outfall is destroyed or inaccessible due to a natural disaster such as flooding, tornado, etc. Additional documentation includes: (1) dated photographs; and (2) a narrative of the severity and duration of the condition shall be included.

NODI Code Q

This code is to be used when an outfall is discharging however, due to the shallowness of the discharge a valid sample could not be collected. Additional documentation includes: (1) dated photographs; and (2) estimated flow rate.

NODI Code V

This code is to be used when outfalls are inaccessible due to extreme weather conditions. Additional documentation includes: (1) a description of the weather conditions; (2) dated photographs of the conditions; and (3) duration of the conditions preventing access.

SECTION 3

NON-NUMERIC EFFLUENT REQUIREMENTS

3. NON-NUMERIC REQUIREMENTS

This section of the permit establishes the non-numeric requirements that are applicable to exposed areas associated with industrial activity for all facilities authorized to discharge by this permit. The non-numeric requirements should minimize the discharge of pollutants resulting from precipitation events. EPA's 2015 Multi-Sector General Permit (MSGP) defines the term minimize as "to reduce and/or eliminate to the extent achievable using control measures, including Best Management Practices (BMPs) that are technologically available and economically practicable and achievable in light of best industry practice". These requirements become effective on the effective date of coverage for facilities newly authorized by this permit. Those facilities that received authorization prior to the effective date of this permit shall, within 180 days of the date of this permit, update their existing Stormwater Pollution Prevent Plan (SWPPP) to reflect any modifications required by this section.

3.1 Control Measures

The operator shall select, design, install, and implement control measures and BMPs that consider the following:

1) Prevention of stormwater contact with materials that may contaminate the stormwater;
2) Use of control measures in combination;
3) Assess pollutant types and quantity and their potential impact on water quality;
4) Minimizing impervious surfaces;
5) Optimizing onsite infiltration of runoff;
6) Use of vegetated swales and natural depressions to attenuate flows;
7) Conservation and/or restoration of riparian buffers; and
8) Use of treatment interceptors

The candidate control measures and BMPs shall be in accordance with good engineering practices and manufacturers' specifications. The operator shall provide justification and documentation of rationale for any deviation from the manufacturers' specification in the SWPPP.

3.2 Minimize Exposure

The operator shall minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff. In minimizing exposure, the operator should consider the following:

1) Locating industrial materials and activities inside or protecting them with storm resistant coverings;
2) The use of specific control measures to prevent runoff of contaminated flows and divert run-on away from these areas (e.g. curbing, berms, and grading);
3) Locating raw materials, intermediate products, final products, wastes, etc. in areas where leaks or spills are contained;
4) Maintaining and storing equipment and vehicles indoors when feasible, otherwise drain fluids and use drip pans and absorbents;
5) Conducting activities such that leaks or spills do not enter the stormwater drainage system;
6) Promptly containing and cleaning up leaks and spills using dry methods;
7) The strategic location of spill/overflow protection equipment for immediate accessibility;
8) Conducting equipment and vehicle cleaning operations such that overspray is captured and runoff or run-on are prevented (e.g. indoors, under cover or in bermed areas);
9) Minimizing impervious areas to prevent excessive runoff;

10) All washwater should drain to a proper collection system, not the stormwater drainage system. The discharge of vehicle and equipment washwater, including tank cleaning operations, is not authorized by this permit. These wastewaters must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law. The discharge of vehicle and equipment washwaters to a water of the Commonwealth requires the operator to obtain an individual KPDES permit, or appropriate alternate KPDES general permit for the entire facility as stated in the eligibility requirements of this permit; and
11) Implementing other adequately protective alternate practices.

3.3 Good Housekeeping

The operator shall keep all exposed areas clean and well maintained, free of waste, garbage, and floatable debris, and shall minimize the generation of dust and off-site tracking of raw, final, or waste materials.

3.4 Maintenance

The operator shall regularly inspect, test, maintain, and repair all equipment and systems to minimize the potential for leaks, spills, and other releases of pollutants. All control measures, structural and non-structural, shall be diligently maintained in effective operating condition. Any defective control measure shall be repaired or replaced as expeditiously as practicable.

3.5 Spill Prevention and Response Procedures

The operator shall minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills. At a minimum, operator shall implement the following:

1) Procedures for plainly labeling containers (e.g., “Used Oil”, “Spent Solvents”, “Fertilizers and Pesticides” etc.) to encourage proper handling and facilitate rapid response if spills or leaks occur;
2) Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
3) Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of your Stormwater Pollution Prevention Team; and
4) Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies, and contact information shall be kept in locations that are readily accessible and available.

3.6 Management of Runoff and Run-on

The operator shall reduce stormwater runoff and run-on to minimize the discharge of pollutants. Structural and non-structural control measures such as velocity dissipaters, diversion, infiltration, reuse, and/or containment shall be used to reduce the discharge of pollutants. Salt stockpiles shall be enclosed or covered and appropriate measures to minimize exposure during transfer shall be implemented.

3.7 Employee Training

The operator shall train all employees who work in areas where industrial materials or activities are exposed to stormwater, including all members of your Stormwater Pollution Prevention Team, inspectors, maintenance personnel, etc. Training shall address the specific control measures used to achieve the effluent requirements, monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit.

3.8 New or Expanded Discharges

The operator shall implement control measures and BMPs to meet enhanced non-numeric effluent limitations for these discharges. See Section 5.1 for examples of acceptable control measures and BMPs.

SECTION 4

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

4. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

The operator of a facility authorized to discharge stormwater runoff by this general permit shall develop and implement a SWPPP for the control and management of stormwater runoff from exposed areas associated with industrial activity. The SWPPP shall document the operator's selection, design, installation, and maintenance of control measures and BMPs that will be used to meet the effluent requirements of Section 2 of this permit. In addition the operator shall document in the SWPPP the type and frequency of inspections and monitoring, and recordkeeping and reporting procedures. The SWPPP shall include at a minimum the following sections:

1) Stormwater Pollution Prevention Team;
2) Site description;
3) Summary of potential pollutant sources;
4) Description of control measures;
5) Schedules and procedures;
6) Additional Documentation Requirements; and
7) Signature requirements.

Where the SWPPP refers to procedures in other facility documents, such as a Spill Prevention Control and Countermeasure (SPCC) Plan, Groundwater Protection Plan (GPP), etc., copies of the relevant portions of those documents must be kept with the SWPPP.

4.1 Stormwater Pollution Prevention Team

The SWPPP shall identify the staff members (by name or title) that comprise the facility's Stormwater Pollution Prevention Team as well as their individual responsibilities. The Stormwater Pollution Prevention Team is responsible for assisting the facility manager in developing and revising the facility's SWPPP as well as conducting inspections, maintaining control measures, and taking corrective actions where required. Each member of the Stormwater Pollution Prevention Team must have ready access to either an electronic or paper copy of this permit and the SWPPP. Members of the Stormwater Pollution Prevention Team must be knowledgeable and skilled in assessing conditions at the facility that could impact stormwater quality and assessing the effectiveness of controls measures, and other site management practices chosen to control the quality of the stormwater discharge.

4.2 Site Description

In this section of the SWPPP, the operator shall provide a detailed description of activities undertaken at the facility, a general location map with enough detail to identify the location of the facility and all receiving waters, and a detailed site map that contains the following information:

1) The size of the property in acres;
2) The location and extent of significant structures and impervious surfaces;
3) Directions of stormwater flow (use arrows);
4) Locations of all existing structural control measures;
5) Locations of all receiving waters in the immediate vicinity of your facility;
6) Locations of all stormwater conveyances including ditches, pipes, and swales;
7) Locations of potential pollutant sources;
8) Locations where significant spills or leaks have occurred within the 3 most recent consecutive years;
9) Locations of all stormwater monitoring points;
10) Locations of stormwater inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 001, No.002, etc.);

11) Municipal separate storm sewer systems (MS4) and where your stormwater discharges to the MS4;
12) Locations and descriptions of all non-stormwater discharges;
13) Locations of the following activities where such activities are exposed to precipitation:
    a. fueling stations;
    b. vehicle and equipment maintenance and/or cleaning areas;
    c. loading/unloading areas;
    d. locations used for the treatment, storage, or disposal of wastes;
    e. liquid storage tanks;
    f. processing and storage areas;
    g. immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
    h. transfer areas for substances in bulk; and
    i. machinery; and
14) Locations and sources of run-on to your site from adjacent property (that may contain significant quantities of pollutants);

4.3 Summary of Potential Pollutant Sources

The operator shall describe areas at the facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released. Industrial materials or activities include, but are not limited to: material handling equipment or activities, industrial machinery, raw materials, industrial production and processes, and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For each area identified, the summary must include:

1) A list of the industrial activities exposed to stormwater (e.g., material storage, equipment fueling, maintenance, and cleaning, cutting steel beams).
2) A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity. The pollutant list must include all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to stormwater in the 3 years prior to the preparation date or last date of amendment of the SWPPP.
3) Description of where potential spills and leaks could occur that may possibly contribute pollutants to stormwater discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. The operator shall document all significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a stormwater conveyance in the 3 years prior to the preparation date or last date of amendment of the SWPPP.
4) Description of the operator's evaluation of the facility for the presence of non-stormwater discharges and that all unauthorized discharges have been eliminated. Such documentation of your evaluation must include:
    a) The date of the evaluation;
    b) A description of the evaluation criteria used;
    c) A list of the outfalls or onsite drainage points that were directly observed during the evaluation;
    d) The different types of non-stormwater discharges and source locations; and (5) actions taken, such as a list of control measures used to eliminate unauthorized discharges, if any were identified; and

e) The location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

4.4 Description of Control Measures

The operator shall document the location and type of control measures installed and implemented at the site. This documentation must describe how the control measures at the site address both the pollutant sources identified Section 4.3 and any stormwater run-on that commingles with any discharges covered under this permit.

4.5 Schedules and Procedures

The SWPPP shall include: (1) A schedule or procedure for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers, (2) preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line, (3) procedures for preventing and responding to spills and leaks, and (4) a schedule for all necessary employee training.

4.6 Additional Documentation Requirements

The following documents shall be retained as addendums to the SWPPP to form a complete and up-to-date record and demonstration of full compliance with the conditions of this permit:

1) A copy of the NOI-KYR00 submitted to DOW along with any correspondence specific to coverage under this permit;
2) A copy of the coverage letter issued by DOW;
3) A copy of this permit (electronic or paper);
4) The daily precipitation log;
5) A summarization of all stormwater discharge sampling data collected at your facility during the previous permit term;
6) Incident Reports - These reports shall provide descriptions and dates of significant spills, leaks, or other releases that resulted in discharges of pollutants to surface waters of the Commonwealth, through stormwater or otherwise; the circumstances leading to the release and actions taken in response to the release; and measures taken to prevent the recurrence of such releases;
7) Employee Training Records – Including dates, names of employees, and subject matter;
8) Control Measure Maintenance and Repairs Logs – Including date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules;
9) Inspection reports required in accordance with Section 4.10; and
10) Corrective Reports - Descriptions of any corrective actions taken at the site, including the triggering event and dates when problems were discovered and modifications implemented.

4.7 Signature Requirements

The SWPPP shall be signed and certified in accordance with the signatory requirements in Section 7.11.

4.8 Required Modifications

The SWPPP shall be modified whenever necessary to address any corrective action taken in accordance with the requirements of Section 4.11. Changes to the SWPPP document must be made in accordance

with the corrective action deadlines in Section 4.11, and must be signed and dated in accordance with Section 7.11.

4.9 SWPPP Availability

The member of the Stormwater Pollution Prevention Team who has the day-to-day operational control over the plan's implementation, shall retain a copy of the most recent up-to-date SWPPP at a location that permits immediate access by any member of the Stormwater Pollution Prevention Team. The SWPPP and all required supportive documentation (See Section 4.6) shall be made immediately available upon request to DOW or its authorized representative, EPA and other federal agencies or their authorized representatives, local government, or MS4 operator for review and copying during an on-site inspection.

4.10 Inspections

The Stormwater Pollution Prevention Team shall conduct regularly scheduled inspections of the facility to visually determine the effectiveness of the control measures and BMPs, to identify maintenance and repair needs, and to identify any potential or actual permit violations. The operator shall include in the SWPPP a schedule for conducting inspections sufficient to ensure compliance with the requirements of this permit, but not less than quarterly. In addition to the regularly scheduled inspections, the Stormwater Pollution Prevention Team shall conduct an annual site assessment and inspections in response to storm events in excess of a 2-year, 24-hour event to verify the stability of the installed control measures and BMPs.

The Stormwater Pollution Prevention Team shall prepare for each inspection conducted by the team or a member of the team, a report that documents the following information:

1) The inspection date and time;
2) The type of inspection (i.e. scheduled or in response to a precipitation event in excess of a 2-year, 24-hour event);
3) The name(s) and signature(s) of the inspector(s);
4) Weather information and a description of any discharges occurring at the time of the inspection;
5) Any previously unidentified discharges of pollutants from the site;
6) Any control measures needing maintenance or repairs;
7) Any failed control measures that need replacement;
8) Any additional control measures needed to comply with the permit requirements; and
9) Any other corrective action required as a result of the inspection.

The inspection reports shall be maintained as an amendment to the SWPPP and made available in accordance with the SWPPP availability requirements of Section 4.9.

4.11 Corrective Actions

The operator shall review and revise as necessary the selection, design, installation, and implementation of the control measures and BMPs as a result of the following events:

1) An unauthorized discharge or release of pollutants from the facility;
2) As a result of an inspection or evaluation by the Stormwater Pollution Prevention Team, or any federal, state, or local authority or their representative who determines that the control measures and/or BMPs are not being properly operated or maintained or are not achieving compliance with the conditions of this permit;
3) Changes at the facility which significantly alter the nature of pollutants discharged in stormwater or significantly increases the quantity of pollutants discharged;

4) Two (2) consecutive exceedances of the daily maximum TSS trigger of 100 mg/l. See Section 4.12 for additional details;
5) Discharge of stormwater associated with construction activity that disturbs more than one (1) acre.

As soon as practicable after the discovery of any of the preceding conditions, the Stormwater Pollution Prevention Team shall document in an initial Corrective Action Report the following: (1) identification of the condition triggering the need for corrective action review, (2) description of the problem identified, and (3) date the problem was identified. This report does not relieve the operator of the responsibility to report a spill or effluent violations as required by Section 7.12 of this permit.

As soon as practicable after the discovery of any of the preceding conditions, the Stormwater Pollution Prevention Team shall document in a comprehensive Correct Action Report the following: (1) a summary of corrective actions taken or to be taken, (2) date corrective actions were or are to be initiated, (3) date corrective actions were completed or expected to be completed, (4) summary of any necessary SWPPP modifications, and (5) date SWPPP modifications are to be completed.

4.12 Additional BMP Conditions for Total Suspended Solids (TSS)

The DOW has determined that control of TSS is not feasible through the application of a numeric limit. Therefore the permittee is required to prepare and implement a BMP plan to identify measures it will take to prevent discharge of pollutants. The effectiveness of the BMPs will be determined by annual assessments of TSS levels. If these assessments indicate that the pollutant levels are not controlled, then the permittee shall evaluate the BMPs employed and determine if modifications to the BMP plan and selected BMPs are required.

4.13 BMP Evaluation Trigger for TSS

The daily maximum discharge concentrations for TSS of 100 mg/l is a trigger that once exceeded for two (2) consecutive reporting periods, requires the permittee to initiate an evaluation of currently employed BMPs. Modifications to the plan as a result of ineffectiveness or plan changes to the facility, shall be implemented as soon as possible.

4.14 Stormwater Associated with Construction Activity

As soon as practicable after recognizing that a construction activity is predicted to disturb an area equal to or greater than one acre, the permittee shall review its BMP and SWPP plans. Necessary modifications to the plan and implementation shall occur as soon as possible.

SECTION 5

OTHER CONDITIONS

5. OTHER CONDITIONS

5.1 New or Expanded Discharges

New or expanded discharges are those discharges that result in new pollutant loadings or expanded existing pollutant loadings to surface waters of the Commonwealth. The operator shall implement control measures and BMPs to meet enhanced non-numeric effluent limitations for these discharges. The operator shall document in the SWPPP, the selected enhanced control measures and BMPs, and justification of their use. Enhanced control measures and BMPs shall be sufficient to protect surface waters of the Commonwealth for their designated uses. Examples of acceptable control measures and BMPs include, but are not limited to, the following:

1) Selection, design, installation, implementation, and maintenance of control measures and BMPs to effectively control storm events up to and including a 2-year, 24-hour event.
2) Maintain a 25-foot natural vegetative buffer between the edge of the receiving water and any structure or activity that results in new or expanded discharges.
3) Maintain a 50-foot natural vegetative buffer between the edge of the receiving water and any structure or activity that results in new or expanded discharges for receiving waters designated as a Coldwater Aquatic Habitat or Outstanding State Resource Water, categorized as an Outstanding National Resource Water or Exceptional Water, or has been listed in the most recently approved Integrated Water Quality 305(b) Report to Congress as an Impaired Water for which an approved TMDL has not been developed for pollutants of concern that may be discharged from the facility.
4) Removal of wastes, garbage, or floatable debris from exposed areas on a routine basis unless the operator places such materials in containers that are protected by a storm resistant covering or within secondary containment structures.
5) Inspections of all equipment and systems for leaks, spills, other releases of pollutants and structural control measures for capacity and integrity. Repairs or replacement of any faulty equipment or systems, the removal of sediment, cleaning, or performance of repairs of structural control measures shall be affected within 24 hours of discovery of the condition unless the operator can demonstrate there are extenuating circumstances.
6) Minimization of the potential for leaks, spills, and other releases. Where possible, the operator should determine the level of risk of leaks, spills, and other releases for all primary and ancillary activities at a facility and develop procedures and preventative measures that result in the greatest reduction or elimination of the risk.
7) Utilize storm resistant covers to reduce areas of exposure (e.g. enclosing storage areas, transfer points, etc.).
8) Implementation of other adequately protective alternate practices.

5.2 Schedule of Compliance

The permittee shall attain compliance with all requirements of this permit on the effective date of this permit unless otherwise stated.

5.3 Other Permits

This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies.

5.4 Antidegradation

For those discharges subject to the provisions of 401 KAR 10:030, Section 1(3)(b)5, the permittee shall install, operate, and maintain wastewater treatment facilities consistent with those required by Section 5.1 for new or expanded discharges.

5.5 Additional Conditions Applicable to Existing Manufacturing, Commercial, Mining and Silvicultural Discharges

The permittee shall notify the Director as soon as they know or have reason to believe that toxic pollutants not limited in the permit have been or shall be discharged in excess of the highest of the following notification levels:

POLLUTANT	ROUTINE/FREQUENT BASIS	NON-ROUTINE/INFREQUENT BASIS
Any Toxic Pollutant	100 µg/l or level established by the Director	500 µg/l or level established by the Director
Acrolein	200 µg/l	500 µg/l or level established by the Director
Acrylonitrile	200 µg/l	500 µg/l or level established by the Director
2,4-dinitrophenol	500 µg/l	500 µg/l or level established by the Director
2-methyl-4,6-dinitrophenol	500 µg/l	500 µg/l or level established by the Director
Antimony	1 mg/l	1 mg/l
Pollutant reported in permit application	Five (5) times the maximum concentration value	Ten (10) times the maximum concentration value

5.6 Administrative Continuation

In the event this general permit expires prior to reissuance by DOW, the conditions and requirements of this version of KYR00 shall continue in effect until DOW reissues the permit. However, new or expanded coverages cannot be authorized until the general permit is reissued. Facilities that obtain individual permits during such periods may apply for coverage under the general permit by filing an electronic Notice of Intent (eNOI)-KYR00.

5.7 Outfall Signage

For discharges to the Ohio River, the permittee shall comply with the permanent marker requirements of Part V, Section A 3 of ORSANCO's Pollution Control Standards.

For discharges to receiving waters other than the Ohio River, the permittee may place and maintain a permanent marker at each of the monitoring locations to better document and clarify these locations. Each marker should include:

1) The KPDES permit number; and
2) The monitoring point number as listed on the issued coverage letter.

5.8 Discharge and Monitoring Point Accessibility

As stated in Section 7.9, the permittee shall allow authorized agency representatives to inspect the facility and collect samples to determine compliance. In order for such monitoring to be conducted either by the permittee or authorized agency personnel, all monitoring and discharge points required by this permit shall be readily and safely accessible.

5.9 Reopener Clause

This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved in accordance with 401 KAR 5:050 through 5:080, if the effluent standard or limitation so issued or approved:

1) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
2) Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of KRS Chapter 224 when applicable.

SECTION 6

eNOI REQUIREMENTS
AND
CONDITIONAL EXCLUSION FOR NO EXPOSURE

6. eNOI REQUIREMENTS AND CONDITIONAL EXCLUSION FOR NO EXPOSURE

6.1 Electronic Notice of Intent (eNOI)

Operators seeking to obtain a new coverage, to modify an existing coverage, or to renew an existing coverage shall use DOW's electronic web based eNOI-KYR00, available on KDOW's site at: http://water.ky.gov/permitting/Pages/WastewaterDischarge.aspx. DOW shall not process any NOI that is incomplete, inaccurate, or in an incorrect format.

6.1.1 eNOI Contents

The electronic form eNOI-KYR00 is comprised of the following sections: (1) Purpose of the NOI, (2) Facility Operator Information, (3) Facility/Site Location Information, (4) Facility/Site Activity Information, (5) Outfall Information, (6) DMR, (7) NOI Preparer Information, (8) Attachments and (9) Certification.

6.1.2 eNOI Submission Deadlines

Operators seeking initial coverage for a new facility shall electronically submit the eNOI-KYR00 a minimum of 15 days prior to commencement of discharge. For these actions, indicate "New Coverage" under the Purpose of NOI section of the eNOI.

Operators seeking initial coverage for an existing facility that has commenced discharge, shall electronically submit the eNOI-KYR00 within 15 days after the effective date of KYR00. For these actions, indicate "New Coverage" under the Purpose of NOI section of the eNOI.

Operators seeking modification of an existing coverage to address facility modifications, shall electronically submit an updated eNOI-KYR00 a minimum of 15 days prior to the modification of the facility. For these actions, indicate "Expansion of Existing Coverage" under the Purpose of NOI section of the eNOI.

For existing coverage under this general permit granted prior to May 31st, 2018, the operator shall electronically submit an updated eNOI-KYR00 within 90 days of the effective date of this general permit to renew the coverage. For these actions, indicate "Renewal of Coverage" under the Purpose of NOI section of the eNOI. Failure to submit the updated eNOI-KYR00 within the specified timeframe shall result in the termination of coverage and possible referral.

6.2 Continuation of Expiring Permit

This permit shall be continued in effect and enforceable after the expiration date of the permit, provided the permittee submits a timely and complete eNOI in accordance with 401 KAR 5:060, Section 2(4).

6.3 Conditional Exclusion for No Exposure

Operators seeking this conditional exclusion are required to submit an electronic "No Exposure Certification" using the eNE form on KDOW's site at: http://water.ky.gov/permitting/Pages/WastewaterDischarge.aspx. This certification is time limited and must be resubmitted upon each reissuance of the "General Permit for Stormwater Associated with Industrial Activity from Other Facilities" (KYR00) in order to continue the exclusion for the next permit term.

SECTION 7

STANDARD CONDITIONS

7. STANDARD CONDITIONS

7.1 Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of KRS Chapter 224 and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Any person who violates applicable statutes or who fails to perform any duty imposed, or who violates any determination, permit, administrative regulation, or order of the cabinet promulgated pursuant thereto shall be liable for a civil penalty as provided at KRS 224.99.010.

7.2 Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit.

7.3 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.

7.4 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.

7.5 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) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

7.6 Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7.7 Property Rights

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

7.8 Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Director upon request, copies of records required to be kept by this permit.

7.9 Inspection and Entry

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

1) Enter upon 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, any substances or parameters at any location.

7.10 Monitoring and Records

1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five (5) years (or longer as required by 401 KAR 5:065, Section 2(10) [40 CFR 503]), the permittee shall retain 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 application for this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.
3) Records of monitoring information shall include:

    a. The date, location, and time of sampling or measurements;
    b. The individual(s) who performed the sampling or measurements;
    c. The date(s) analyses were performed;
    d. The individual(s) who performed the analyses;
    e. The analytical techniques or methods used; and
    f. The results of such analyses.

4) Monitoring must be conducted according to test procedures approved under 401 KAR 5:065 Section 2(8) [40 CFR 136] unless another method is required under 401 KAR 5:065, Section 2(9) or (10) [40 CFR subchapters N or O].
5) KRS 224.99-010 provides that any person who knowingly violates KRS 224.70-110 or other enumerated statutes, or who knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall be guilty of a Class D felony and, upon conviction, shall be punished by a fine of not more than $25,000, or by imprisonment for not more than one (1) year, or both. Each day upon which a violation occurs shall constitute a separate violation.

7.11 Signatory Requirement

1) All applications, reports, or information submitted to the Director shall be signed and certified pursuant to 401 KAR 5:060, Section 4 [40 CFR 122.22].
2) KRS 224.99-010 provides that any person who knowingly provides false information in any document filed or required to be maintained under KRS Chapter 224 shall be guilty of a Class D felony and upon conviction thereof, shall be punished by a fine not to exceed twenty-five thousand dollars ($25,000), or by imprisonment, or by fine and imprisonment, for each separate violation. Each day upon which a violation occurs shall constitute a separate violation.

7.12 Reporting Requirements

7.12.1 Planned Changes

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

1) The alteration or addition to a permitted facility may meet one (1) of the criteria for determining whether a facility is a new source in KRS 224.16-050 [40 CFR 122.29(b)];
2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under KRS 224.16-050 [40 CFR 122.42(a)(1)]; or
3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such 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.

7.12.2 Anticipated Noncompliance

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

7.12.3 Transfers

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under KRS 224 [CWA; see 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory].

7.12.4 Monitoring Reports

Monitoring results shall be reported at the intervals specified in Section 4.9 of this permit.

1) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices.
2) f the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 401 KAR 5:065, Section 2(8) [40 CFR 136], or another method required for an industry-specific waste stream under 401 KAR 5:065, Section 2(9) or (10) [40 CFR subchapters N or O], the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director.
3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

7.12.5 Compliance Schedules

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 fourteen (14) days following each schedule date.

7.12.6 Twenty-four-Hour Reporting

1) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within twenty-four (24) hours from the time the

permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause, 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 steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

2) The following shall be included as information which must be reported within twenty-four (24) hours under this paragraph.
    a. Any unanticipated bypass which exceeds any effluent limitation in the permit.
    b. Any upset which exceeds any effluent limitation in the permit.
    c. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within twenty-four (24) hours.
3) The Director may waive the written report on a case-by-case basis for reports under paragraph (6)(ii) of this section if the oral report has been received within twenty-four (24) hours.

7.12.7 Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Sections 7.12.1, 7.12.4, 7.12.5, and 7.12.6, at the time monitoring reports are submitted. The reports shall contain the information listed in Section 7.12.6.

7.12.8 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

7.13 Bypass

7.13.1 Definitions

1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

7.13.2 Bypass Not Exceeding Limitations

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but it must be for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section 7.13.1.

7.13.3 Notice

1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass.
2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section 7.12.6.

7.13.4 Prohibition of Bypass

1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
b. There were no feasible alternatives to the bypass, such as 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
c. The permittee submitted notices as required under Section 7.13.3.

2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three (3) conditions listed above in Section 7.13.3.

7.14 Upset

7.14.1 Definition

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

7.14.2 Effect of an Upset

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section 7.14.3 are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

7.14.3 Conditions Necessary for a Demonstration of Upset

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

1) An upset occurred and that the permittee can identify the cause(s) of the upset;
2) The permitted facility was at the time being properly operated;
3) The permittee submitted notice of the upset as required in Section 7.12.6; and
4) The permittee complied with any remedial measures required under Section 7.4.

7.14.4 Burden of Proof

In any enforcement preceding the permittee seeking to establish the occurrence of an upset has the burden of proof.