

Industrial Stormwater General Permit Frequently Asked Questions and Answers

Q1: We are in the process of reviewing our SWP2 plan. We are seeking clarification whether we are required to do any analytical test of our stormwater outfalls (providing we have not identified any contamination) or is the quarterly visual inspection sufficient?

A1: Stormwater sampling and analysis (stormwater testing) is not an automatic requirement of the Kansas General Permit for Stormwater Runoff from Industrial Activity. However, stormwater testing may be used to demonstrate the effectiveness of the best management practices (BMPs) that have been implemented at the site to minimize or eliminate pollutants in the discharge of stormwater from industrial activity. The EPA baseline values listed in the EPA Multi-Sector General Permit (EPA MSGP) may be compared to evaluate the effectiveness of the BMPs. The Kansas General Permit does require that any monitoring data collected be included in the facility records and made available for review upon request by KDHE or EPA staff.

Q2: We received our annual billing statement. The billing statement asks if the SWP2 Plan has been updated, if the annual comprehensive site evaluation has been performed, and requests an up-to-date map of the facility. We performed our annual site evaluation and no changes were required to our plan. Is our SWP2 Plan considered up-to-date? Do we need to send in a new drainage map of the facility?

A2: The SWP2 Plan is considered up-to-date (updated) if the annual comprehensive site evaluation determines no changes are needed to the plan. If changes are needed, either make the changes, or develop a schedule of improvements that are needed, and incorporate the schedule in the appendix of the SWP2 Plan. The SWP2 Plan can then be considered up-to-date. Annually, please provide the most recent mapping of the facility available. What we are looking for is a map showing the boundary of the facility being permitted, arrows showing the direction of drainage, and the nearest receiving water. A single map or a combination of mapping is acceptable.

Q3: Some of our contact information needs to be updated. Do you have forms for this or what is the best way to update this information?

A3: The best way to update your contact information is to provide the information by letter or e-mail. Please include the facility name, city/location, and Kansas Authorization Number (e.g. G-AR94-0099) with the correspondence and indicate what information needs to be updated. Contact us by e-mail at stormwater@kdheks.gov or by mail at KDHE - BOW, Industrial Programs Section, 1000 SW Jackson Street, Suite 420, Topeka, KS 66612-1367.

Q4: The NOI asks if any Critical Water Quality Management Areas, Special Aquatic Life Use Waters, or Outstanding Natural Resource Waters are located within ½ mile of the facility border. How do I find this information?

A4: There are currently no Critical Water Quality Management Areas in Kansas. If a Critical Water Quality Management Area becomes designated in Kansas in the future this information will be available on the KDHE stormwater website at <http://www.KDHEKS.gov/stormwater> or under the Bureau of Water, Watershed Planning, Monitoring and Assessment link <http://www.kdheks.gov/tmdl/index.htm>. Kansas Outstanding Natural Resource Waters and Special Aquatic Life Use Waters are listed in the Kansas Surface Water Register at either of the above website links.

Q5: Do we need to send in the SWP2 Plan Certification Completion form whenever we update our SWP2 plan?

A5: Yes, this is a requirement of the permit. KDHE also accepts the statement in the annual billing/certification that the plan has been updated and certified, since most facilities have not sent in a SWP2 Plan Certification Completion form.

Q6: Stormwater runoff from our property goes into a combined sewer. Are there any special permitting requirements for this discharge?

A6: Industrial stormwater runoff that discharges into a combined sewer system is not regulated by this permit. Combined sewer systems are regulated under a separate program by the EPA. However, if runoff from industrial activity from any portion of the site discharges by surface flow directly to the receiving stream, without entering the combined sewer, then the facility would be required to obtain an industrial stormwater permit for the site.

Q7: Do the requirements of the EPA Multi-Sector General Permit (EPA MSGPP), such as Sector Specific baseline monitoring, apply in Kansas?

A7: The requirements of the EPA MSGP are not implemented by law in Kansas. Kansas is an NPDES primacy state; therefore, KDHE establishes NPDES permitting requirements under the land of its jurisdiction (Kansas). The EPA MSGP is required only where EPA has jurisdiction. This is only in a few states, and on Indian Lands. In Kansas, the MSGP and supporting information is only used as guidance. Links to this information is available on the KDHE website.

Q8: I would like to determine if my facility is eligible for a no exposure exclusion from the requirements of the industrial stormwater permit program. No activities take place outside, and we recently invested in some plywood overhangs for our recycle bins and dumpsters. We do keep empty pallets outside, but make sure they are clean before they are put outside. Pallets with product drips, etc. are placed in covered recycle bins and not placed with the clean pallets. Our vehicle fueling is within secondary containment.

A8: Eligibility for exclusion from the industrial stormwater permit is done on a case-by-case basis, and a no-exposure certification form needs to be re-submitted every 5 years. For the issues described above, roofing over the bins and dumpsters would qualify for no exposure, as long as stormwater doesn't run through the bin area and come in contact with waste or recycled material. Clean pallets also would qualify for no exposure, as long as pallets with contamination sources are not included in the stacks of pallets. However, the fueling area does not qualify for no exposure. The secondary containment around the fueling area would be a Best Management Practice (BMP) being implemented to eliminate or minimize the discharge of pollutants from exposure to stormwater, but there is still potential exposure of the fueling activity to stormwater contact.

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