

Stormwater General Permit NVR300000

**STATE OF NEVADA
DIVISION OF ENVIRONMENTAL PROTECTION**

**GENERAL PERMIT
FOR
STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY
FROM METALS MINING ACTIVITIES**

AUTHORIZATION TO DISCHARGE

In compliance with the provisions of the federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq: the "Act") and Chapter 445A of the Nevada Revised Statutes (NRS), eligible dischargers who have submitted: 1) a Notice of Intent and filing fee in accordance with Nevada Administrative Code (NAC) 445A.268, and 2) a Stormwater Pollution Prevention Plan as defined herein, are authorized to discharge Stormwater Associated with Industrial Activity from Metals Mining Activities to Waters of the State of Nevada that meet the definition of Waters of the United States.

In accordance with the terms and conditions set forth hereof;

Site Number: **MSW- _XXX_**

Facility Information	
Site Name	XX
Site Address	XX
Owner Name	XX
Operator Name	XX

This permit shall become effective on: **March 1, 2013.**

This permit and the authorization to discharge shall expire at midnight **February 28, 2018.**

Signed this 1st day of **March 2013.**



Michele R. Reid, ES III
Bureau of Water Pollution Control



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1.0 Coverage under this Permit

1.1 Eligibility

- 1.1.1 The objective of this permit is to control and reduce pollution to Waters of the State of Nevada that meet the definition of Waters of the U.S., from *Stormwater Discharges Associated with Industrial Activity from Metals Mining Activities*, through the use of Best Management Practices (BMPs) implemented in accordance with good engineering practices.
- 1.1.2 This General Permit authorizes Stormwater Discharges Associated with Standard Industrial Classification (SIC) code 10 as derived from Category iii, defined under 40 CFR §122.26(b)(14) and all construction-related activities as defined by 40 CFR § 122.26 (b)(14)(x) and (b)(15) at mine sites (including exploration, development and reclamation activities). This permit is not authorized for use by facilities with stormwater discharges associated with industrial activities on Tribal Lands. USEPA Region 9 is the permitting authority for Tribal Lands in Nevada.

1.2 Discharge Requirements and Sampling

For stormwater discharges only to Waters of the State of Nevada that meet the definition of Waters of the U.S., and pursuant to Part 6.1 of this permit, the Permittee shall sample and analyze for the parameters listed in Table 1 below unless otherwise exempted consistent with Sections 1.5, 6.2 and/or 6.3. The monitoring frequency shall be once/year.

Table 1

Parameters	Units	Monitoring Requirements		
		Discharge	Monitoring Frequency	Sample Type
TSS	mg/l	M&R	Annual	Discrete
Hardness	mg/l	M&R	Annual	Discrete
Alkalinity, bicarbonate (as CaCO ₃) ¹	mg/l	M&R	Annual	Discrete
Alkalinity, total (as CaCO ₃) ¹	mg/l	M&R	Annual	Discrete
Aluminum, total (as Al) ¹	mg/l	M&R	Annual	Discrete
Antimony, total (as Sb) ¹	mg/l	M&R	Annual	Discrete
Arsenic, total (as As) ¹	mg/l	M&R	Annual	Discrete
Barium, total (as Ba) ¹	mg/l	M&R	Annual	Discrete
Beryllium, total (as Be) ¹	mg/l	M&R	Annual	Discrete
Cadmium, total (as Cd) ¹	mg/l	M&R	Annual	Discrete
Calcium, total (as Ca) ¹	mg/l	M&R	Annual	Discrete
Chloride (as Cl) ¹	mg/l	M&R	Annual	Discrete
Chromium, total (as Cr) ¹	mg/l	M&R	Annual	Discrete

Copper, total (as Cu) ¹	mg/l	M&R	Annual	Discrete
Fluoride, total (as F) ¹	mg/l	M&R	Annual	Discrete
Iron, total (as Fe) ¹	mg/l	M&R	Annual	Discrete
Lead, total (as Pb) ¹	mg/l	M&R	Annual	Discrete
Magnesium, total (as Mg) ¹	mg/l	M&R	Annual	Discrete
Manganese (as Mn) ¹	mg/l	M&R	Annual	Discrete
Mercury, total (as Hg) ¹	mg/l	M&R	Annual	Discrete
Nickel, total (as Ni) ¹	mg/l	M&R	Annual	Discrete
Nitrite Plus Nitrate Total ¹	mg/l	M&R	Annual	Discrete
Nitrogen, Total As N ¹	mg/l	M&R	Annual	Discrete
pH ¹	S.U.	M&R	Annual	Discrete
Phosphorus, total (as P) ¹	mg/l	M&R	Annual	Discrete
Potassium, total (as K) ¹	mg/l	M&R	Annual	Discrete
Selenium, total (as Se) ¹	mg/l	M&R	Annual	Discrete
Silver, total (as Ag) ¹	mg/l	M&R	Annual	Discrete
Sodium, total (as Na) ¹	mg/l	M&R	Annual	Discrete
Sulfate, total (as SO ₄) ¹	mg/l	M&R	Annual	Discrete
Thallium, total (as Tl) ¹	mg/l	M&R	Annual	Discrete
Total Dissolved Solids ¹	mg/l	M&R	Annual	Discrete
WAD Cyanide (mining projects only) ¹	mg/l	M&R	Annual	Discrete
Zinc, total (as Zn) ¹	mg/l	M&R	Annual	Discrete

1: NDEP Profile 1

1.3 Schedule of Compliance

- 1.3.1 The Permittee shall implement and comply with the provisions of the schedule of compliance, where applicable, after approval by the Administrator, including in said implementation and compliance, any additions or modifications which the Administrator may make in approving the schedule of compliance.

1.4 SWPPP Submission

- 1.4.1 SWPPPs shall be submitted to NDEP within 60 days of the effective date of this permit (**by April 30, 2013**) or, for new dischargers, within 60 days of an approved submitted NOI. A

SWPPP template can be accessed on our website at: <http://ndep.nv.gov/bwpc/>

1.5 Monitoring Plan Submission

- 1.5.1 Within 60 days of the effective date of this permit (by **April 30, 2013**) or, for new dischargers, within 60 days of an approved submitted NOI, the Permittee shall submit to NDEP for review and approval a Monitoring Plan (see part 6.0) for sampling stormwater discharges to Waters of the State of Nevada that meet the definition of Waters of the U.S.;
or
- 1.5.2 Within 60 days of the effective date of this permit (by **April 30, 2013**) or, for new dischargers, within 60 days of an approved submitted NOI, the Permittee shall submit to NDEP for review and approval documentation indicating that any stormwater discharges to Waters of the State of Nevada that meet the definition of Waters of the U.S. will not cause or contribute to exceedences of applicable state water quality standards (see part 6.2).
- 1.5.3 If the Permittee prepared a Monitoring Plan or submitted documentation for a monitoring exemption under the previous NPDES permit, they must review and update the plan or documentation to implement all provisions of this permit, and submit to NDEP for review and approval.
- 1.5.4 All schedule of compliance submittals and evidence of compliance documents shall be submitted to the address indicated in Part 7.5.

1.6 Permit Compliance

- 1.6.1 NRS 445A.465 prohibits the discharge of pollutants from a point source without a permit. Any noncompliance with any of the requirements of this permit constitutes a violation of the Clean Water Act and NRS Chapter 445A.

1.7 Allowable Stormwater Discharges

- 1.7.1 Unless otherwise ineligible under 1.9 *Limitations on Coverage*, the following are eligible for discharge under this permit:
 - 1.7.1.1 Stormwater discharges associated with industrial activity for any primary industrial activities authorized under this permit as defined in Part 1.1.2;
 - 1.7.1.2 Stormwater discharges associated with construction activity are eligible for coverage under this permit, as specified in Part 8.
 - 1.7.1.3 Discharges designated by NDEP as needing a stormwater permit; and
 - 1.7.1.4 Discharges that are not otherwise required to obtain an NPDES permit, but are commingled with discharges that are authorized under this permit.

1.8 Allowable Non-Stormwater Discharges

- 1.8.1 Permittees authorized under this permit may be authorized for certain miscellaneous non-stormwater discharges if those discharges are not significant contributors of pollutants. Such discharges may include:

- 1.8.1.1 Fire-fighting activities and fire hydrant flushing;
 - 1.8.1.2 Potable water sources including waterline flushing, installation and maintenance;
 - 1.8.1.3 Uncontaminated condensate from air conditioners and evaporative coolers;
 - 1.8.1.4 Routine external building wash down, where detergents are not used;
 - 1.8.1.5 Pavement wash water, where spills or leaks of toxic or hazardous materials have not occurred (or have been removed) and detergents are not used;
 - 1.8.1.6 Vehicle wash-water where detergents are not used;
 - 1.8.1.7 Water used to control dust, provided effluent or other wastewaters are not used;
 - 1.8.1.8 Uncontaminated groundwater or spring water; and
 - 1.8.1.9 Foundation or footing drains where flows are not contaminated with process materials such as solvents.
- 1.8.2 Non-stormwater discharges that are significant contributors of pollutants shall be eliminated or authorized under a separate permit.
- 1.8.3 There shall be no discharge of substances to Waters of the State that would cause a violation of water quality standards of the State of Nevada.

1.9 Limitations on Coverage

- 1.9.1 Discharges Mixed with Non-Stormwater. Stormwater discharges that are mixed with non stormwater, other than allowable non-stormwater discharges listed in section 1.8, are not eligible for coverage under this permit.
- 1.9.2 Discharges Currently or Previously Covered by another Permit. Unless written notification is received from NDEP, stormwater and non-stormwater discharges associated with industrial activity that is currently covered under an individual NPDES permit or alternative general permit are not eligible for coverage under this general permit.
- 1.9.3 Discharges to Water Quality Impaired Waters. A discharger to impaired water is not automatically eligible for coverage under this permit. To receive authorization the applicant shall make one of the following demonstrations and retain such data and technical information on site with the Stormwater Pollution Prevention Plan (SWPPP):
- 1.9.3.1 That the facility will employ measures to prevent all exposure to stormwater of the pollutant(s) for which the waterbody is impaired; or
 - 1.9.3.2 That the discharge from the site has no potential to contain the pollutants causing impairment; or
 - 1.9.3.3 That the discharge is not expected to cause or contribute to an exceedence of an applicable water quality standard.

1.10 Authorization Under this Permit

1.10.1 Eligible new dischargers are required to request inclusion in this general permit by completing a Notice of Intent (NOI) and submitting the filing fee with NDEP no later than 2 days prior to the start of the permitted activity.

1.10.2 Prior to obtaining authorization under this permit, the applicant shall:

1.10.2.1 Ensure the facility is not located on Tribal lands;

1.10.2.2 Ensure that the facility meets the Part 1.1 eligibility requirements;

1.10.2.3 Select, design, install and implement control measures in accordance with Part 2.0;

1.10.2.4 Develop a SWPPP according to requirements in Part 5.0 of this permit and submit to NDEP for approval;

1.10.2.5 Submit to NDEP a complete and accurate NOI. The NOI is available through the Division website at <http://ndep.nv.gov/bwpc/>

1.10.3 The minimum information required on a NOI consists of:

1.10.3.1 Owner/Operator (Applicant) Information – name, address, city, state, Zip Code and phone number(s);

1.10.3.2 Project/Site Information – Project Name, Project Address/Location, City, County, State, Zip Code, Latitude, Longitude and Phone Number(s);

1.10.3.3 Name of receiving water;

1.10.3.4 Estimated start date;

1.10.3.5 Estimated completion date;

1.10.3.6 Estimate of area to be disturbed (in acres);

1.10.3.7 Estimate for likelihood of discharge;

1.10.3.8 Address for location of SWPPP for viewing – city, state, Zip Code and phone number(s);

1.10.3.9 Certification (see Part 9.21) signed and dated by appropriate authority (see Part 9.19).

1.10.4 Provisional authorization begins 24 hours following receipt of the electronic NOI form by the Division. Following review of the NOI, the Division will determine if the NOI is complete and confirm coverage by providing an Approval Letter and site authorization number.

1.10.5 If the division determines the NOI is incomplete, coverage will not be “approved” until a completed NOI is submitted. NDEP may require the holder of a general permit to apply for and obtain an individual permit in accordance with NRS 445A.480.

1.10.6 Timeframes for discharge authorization are as follows:

1.10.6.1 Existing Dischargers - The owner/operator shall update and submit SWPPP

documents to conform to the permit and submit a renewal NOI within 60-days of the effective date of this permit.

- 1.10.6.2 Coverage under NVR300000 is administratively continued until NDEP grants the applicant coverage under this permit in accordance with Part 1.10.
- 1.10.6.3 New Discharger - The owner/operator shall develop and submit SWPPP documents to conform to this permit and apply for coverage no later than two (2) days prior to anticipated start of permitted activity.
- 1.10.6.4 Change of Ownership –
 - 1.10.6.4.1 **Current owner/operator** shall submit a Notice of Termination (NOT) **within 30 calendar** days after the new owner/operator assumes responsibility for the facility; and;
 - 1.10.6.4.2 **New owner/operator** shall update and submit SWPPP documents to conform to the permit and submit a NOI **within 15 calendar days** of taking over operational control or initiating activities at the facility.

1.11 Continuation of this Permit

- 1.11.1 If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued and remain in force and effect. If the owner/operator is authorized to discharge under this permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this permit until:
 - 1.11.1.1 The owner/operator submits a timely, complete and accurate NOI requesting authorization to discharge under a renewal or revision of the permit and NDEP issues an Approval Letter;
 - 1.11.1.2 The owner/operator submits a NOT; or
 - 1.11.1.3 A formal permit decision is made by NDEP not to reissue this general permit, at which time NDEP will identify a reasonable time period for covered discharger to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will cease at the end of this time period.

1.12 Terminating Coverage

- 1.12.1 To terminate coverage, the Permittee shall submit a complete and accurate NOT form, available at <http://ndep.nv.gov/bwpc/> to the address listed in Part 7.5 of this permit. The facility's authorization to discharge will expire at midnight of the day that a complete NOT form is received by NDEP. The permittee is responsible for meeting the terms and conditions of this permit until the facility's authorization to discharge are terminated.
- 1.12.2 The Permittee shall file a NOT:
 - 1.12.2.1 Within 30 calendar days after a new owner or operator assumes ownership of or has taken over responsibility for the facility; or
 - 1.12.2.2 When the site satisfies the all of the following criteria:

- 1.12.2.2.1 Stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards;
- 1.12.2.2.2 Soil disturbing activities related to mining at the site have been completed;
- 1.12.2.2.3 The site has been stabilized to minimize, to the extent practicable, soil erosion; and
- 1.12.2.2.4 As appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site has been re-vegetated, will be amenable to natural re-vegetation, or will be left in a condition consistent with the post-mining land use.

1.12.3 The minimum information required on a NOT consists of:

- 1.12.3.1 Site specific identification number (i.e., MSW-xxx);
- 1.12.3.2 Owner/Operator (Applicant) Information – name, address, city, state, Zip Code and phone number(s);
- 1.12.3.3 Project/Site Information – project name, project address/location, city, county, state, Zip Code, latitude, longitude and phone number(s);
- 1.12.3.4 Certification signed and dated by the appropriate authority (see Parts 9.19 and 9.21).

1.13 Inactive and/or Unstaffed Sites

- 1.13.1 Subject to the conditions below, the Permit holders of inactive and/or unstaffed mining facilities may qualify for reduced inspections and monitoring provisions by certifying an “Exemption” status, indicating there are no industrial materials or activities exposed to stormwater.
- 1.13.2 To the extent practicable, the Permittee shall implement the following control measures:
 - 1.13.2.1 Industrial materials used in the operations will be removed, enclosed or kept in appropriate containers or within containment if applicable so as to minimize, to the extent practicable, discharges of stormwater associated with industrial activity as outlined in the facility’s SWPPP; and
 - 1.13.2.2 Stockpiles, waste rock, tailings and other spoil or waste piles shall be protected from erosion and/or downstream catchments shall be installed and maintained.
- 1.13.3 If circumstances change and the facility becomes active and/or staffed, this exemption no longer applies and the Permittee shall immediately begin complying with the inspection requirements as if the facility were in active permit coverage.
- 1.13.4 NDEP retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an exceedence of an applicable water quality standard, including designated uses.

1.14 Notification for Exemption of Inactive and/or Unstaffed Sites

1.14.1 To invoke the exemption for an inactive and/or unstaffed site, the Permittee shall:

- 1.14.1.1 Submit to NDEP and maintain in the SWPPP a statement indicating that the site is inactive and/or unstaffed, in accordance with the substantive requirements of this section. The statement must be signed and certified in accordance with Parts 9.19 and 9.21 of this permit.
- 1.14.1.2 If, during the period of coverage under this permit, the facility becomes qualified for the inactive and/or unstaffed exemption, the Permittee shall submit the same signed and certified documents as required in Part 1.14 and retain it with the facility's SWPPP records.

1.15 Stormwater Discharges Associated with Exploration and Construction Phases

- 1.15.1 Clearing, grading, and excavation activities being conducted as part of the exploration and construction phases at mining sites are covered under this permit (or may be covered under an alternative permit such as the General Permit NVR100000 for Stormwater Discharge associated with Construction Activity disturbing greater than 1 acre). Exploration and construction activities disturbing less than one acre do not require permit coverage unless they are integrally related to other exploration or construction activities that collectively disturb one acre or more.
- 1.15.2 For all areas affected by exploration and construction activities that will occur at an active site or previously mined site, the Permittee shall select, design, and implement control measures as described in Part 2.0 of this permit.
- 1.15.3 Once areas subject to construction and exploration activities are stabilized or the area(s) become part of the mining operation, any additional required control measures, inspections, monitoring or other requirements related to these activities will no longer be required; however, the facility remains subject to all other applicable provisions of this permit.

1.16 Alternative Permits

- 1.16.1 NDEP may require the holder of a general permit to apply for and obtain an individual permit in accordance with NRS 445A.480.

2.0 Control Measures

2.1 Control Measures

- 2.1.1 The permittee shall select, design, install and implement control measures (including best management practices) as appropriate, to ensure the discharge meets the requirements of this permit. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications. If the facility's control measures are not achieving their intended effect of minimizing pollutant discharges, the Permittee shall modify these and/or add additional control measures to meet the requirements of this permit. Regulated stormwater discharges from the facility include stormwater run-on that commingles with stormwater

discharges associated with industrial activity at the facility.

2.2 Control Measure Selection and Design Considerations

2.2.1 The Permittee shall assess the type and quantity of pollutants likely to discharge in stormwater or allowable non-stormwater from the site when designing and implementing control measures.

2.2.1.1 The Permittee shall consider the following when selecting and designing control measures.

2.2.1.1.1 Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater; and

2.2.1.1.2 Using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in the facility's stormwater discharge.

2.2.1.2 **Minimize Exposure:** The Permittee shall minimize, to the extent practicable, the exposure of manufacturing, processing, material storage areas and other potential pollutants to rain, snow, snowmelt, and runoff.
(Note): Industrial materials do not need to be enclosed or covered if stormwater runoff from affected areas will not be discharged to receiving waters or if discharges are authorized under another NPDES permit.

2.2.1.3 **Minimize Discharge:** The Permittee shall minimize, to the extent practicable, the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge.

2.2.1.4 **Good Housekeeping:** The Permittee shall implement practices to ensure litter, debris and chemicals are prevented from contact with stormwater discharges. These procedures shall include storage practices to minimize, to the extent practicable, exposure of the materials to stormwater.

2.2.1.5 **Maintenance:** The Permittee shall regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in stormwater discharged to receiving waters.

2.2.1.6 **Spill Prevention and Response Procedures:** The Permittee shall minimize, to the extent practicable, the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur.

2.2.1.7 **Erosion and Sediment Controls:** The Permittee shall design and implement a combination of erosion and/or sediment control BMPs to keep sediment in place and/or to capture sediment to the extent practicable before it leaves the site.

2.2.1.8 **Management of Runoff:** The Permittee shall reduce stormwater runoff to minimize, to the extent practicable, the discharge of pollutants from the facility.

2.2.1.9 **Employee Training:** The Permittee must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are

responsible for implementing activities necessary to meet the conditions of this permit (e.g. inspectors, maintenance personnel).

- 2.2.1.10 **Non-Stormwater Discharges:** The Permittee shall not allow any non-stormwater discharges from the facility unless they are specifically authorized in Part 1.8.
- 2.2.1.11 **Litter, Garbage, and Floatable Debris:** The Permittee shall ensure that litter, garbage and floatable debris are not discharged to receiving waters.
- 2.2.1.12 **BMP Maintenance:** The Permittee shall maintain all control measures identified in the SWPPP in effective operating condition. Repairs or modifications to the BMPs shall be accomplished in accordance with Part 2.0.
- 2.2.1.13 **Vehicle Track-out:** The Permittee shall minimize, to the extent practicable, off site tracking of raw, final, or waste materials.

2.3 Additional Control Measures for Exploration and Construction Phases

- 2.3.1 The Permittee shall implement, as applicable, additional control measures as practicable for erosion control, sediment control, perimeter control, good housekeeping, material storage, fueling and maintenance, concrete washouts, and non-stormwater discharges. The Permittee shall identify and describe all temporary and/or permanent control measures to be implemented during exploration and construction phases.

- 2.3.1.1 At a minimum the additional controls shall:

- 2.3.1.1.1 Phase or sequence exploration and construction activities, as practicable, to minimize the area of disturbance at one time;
- 2.3.1.1.2 Ensure that exploration and construction phase erosion and sediment controls are designed to retain sediment on site in accordance with permit conditions;
- 2.3.1.1.3 Minimize, to the extent practicable, off site vehicle tracking and generation of dust;
- 2.3.1.1.4 Where practicable, increase sediment removal and maximize stormwater infiltration and/or reuse. Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by 50%; and
- 2.3.1.1.5 Where practicable, minimize soil compaction and preserve topsoil.

2.4 Stabilization Practices for Exploration and Construction Phases

- 2.4.1 The Permittee shall ensure that existing vegetation is preserved where attainable, and that disturbed portions of the site are stabilized. Stabilization practices may include: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures.
- 2.4.1.1 **Stabilization Deadlines:** Except as provided below, stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the

construction activity in that portion of the site has temporarily or permanently ceased.

- 2.4.1.1.1 Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceases is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable.
- 2.4.1.1.2 Where construction activity on a portion of the site is temporarily ceased, and earth-disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site.

2.5 Water Quality Standards

- 2.5.1 The Permittee shall control discharge from the facility as necessary to not cause or contribute to an exceedence of an applicable water quality standard. If at any time the Permittee becomes aware, or NDEP determines, that the facility's discharge causes or contributes to an exceedence of an applicable water quality standard, the Permittee shall take corrective action and report to NDEP as required in Part 3.2.

3.0 Corrective Actions

3.1 Conditions Requiring Review and Revision to Eliminate a Problem

- 3.1.1 If any of the following conditions occur, the Permittee must review and revise the selection, design, installation, and implementation of control measures to ensure that the condition is eliminated and will not be repeated in the future:
 - 3.1.1.1 An unauthorized release or discharge (i.e., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit) occurs at the facility that results in discharges of pollutants to Waters of the State;
 - 3.1.1.2 The Permittee becomes aware, or NDEP determines, that control measures are not adequate for the discharge;
 - 3.1.1.3 An inspection or evaluation of the facility by an NDEP official determines that modifications to the control measures are necessary to meet the non-numeric effluent limits in this permit; or
 - 3.1.1.4 The Permittee finds in a routine inspection or visual assessment that your control measures are not being properly operated or maintained.

3.2 Corrective Action Notification

- 3.2.1 The Permittee shall notify the Administrator by calling the NDEP Spill Hotline at (775) 687-9485 or (888) 331-6337 within twenty-four hours of any diversion, bypass, spill, overflow, upset or discharge of treated or untreated stormwater other than that which is authorized by the permit.
- 3.2.2 In the event the Permittee has knowledge that a diversion, bypass, spill, overflow, upset or discharge not authorized by this permit is imminent, the permittee shall notify NDEP immediately.

3.3 Corrective Action Reporting

3.3.1 A written report shall be submitted to NDEP within five business days of any condition listed in Part 3.1 or 3.2, detailing the entire incident. The report shall be also be maintained with the onsite SWPPP and shall include the following:

- 3.3.1.1 A description of the event and its causes;
- 3.3.1.2 Time and date(s) of the discharge;
- 3.3.1.3 Exact location and estimated amount of the discharge;
- 3.3.1.4 Flow path and any bodies of water which the discharge reached;
- 3.3.1.5 The specific cause of the discharge;
- 3.3.1.6 The preventive and corrective actions taken; and
- 3.3.1.7 If the situation cannot be corrected, the anticipated length it is expected to continue.

3.3.2 The following shall be included as information which must be reported within twenty four hours:

- 3.3.2.1 Any unanticipated bypass which exceeds any effluent limitation in the permit;
- 3.3.2.2 Any upset which exceeds any effluent limitation in the permit; and

4.0 Inspections

4.1 Routine Facility Inspection Procedures

4.1.1 Implementation and functioning of the SWPPP must be verified by inspections. If, during any routine facility inspection or any other time, the facility's control measures are found to be inadequate or otherwise not being properly operated and/or maintained, the Permittee shall review selection, design, installation, and implementation of the control measures to determine if maintenance and/or modifications are necessary. Modifications shall be documented in the SWPPP and implemented within 30 days following the inspection results or prior to the next storm event, whichever is sooner.

4.1.2 The Permittee shall conduct routine quarterly inspections of all areas of the facility where industrial materials or activities are exposed to stormwater discharges authorized by this permit. At least one facility inspection should be attempted during a stormwater discharge event. Routine inspections shall be conducted by a qualified person or persons as defined in Appendix A of this permit. Routine inspections shall incorporate the following:

- 4.1.2.1 Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or potential for, pollutants entering the drainage system;
- 4.1.2.2 Sediment and erosion control measures identified in the SWPPP shall be observed to ensure that they are operating correctly;
- 4.1.2.3 Where discharge locations or points are accessible, they shall be inspected to

ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters;

4.1.2.4 Where discharge locations are inaccessible, nearby downstream locations shall be inspected to the extent that such inspections are practicable; and

4.1.2.5 Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

4.2 Routine Facility Inspection Documentation

4.2.1 The Permittee shall document the findings of each routine facility inspection performed and maintain this documentation onsite with the SWPPP. Facility inspections do not need to be submitted to NDEP, unless they are specifically requested. At a minimum, the documentation for each routine facility inspection must include:

4.2.1.1 The inspection date and time;

4.2.1.2 The name(s) and signatures(s) of the inspector(s);

4.2.1.3 Weather information and a description of any discharges occurring at the time of the inspection;

4.2.1.4 Location(s) of discharges of sediment or other pollutants from the site;

4.2.1.5 Any control measures needing maintenance or repairs;

4.2.1.6 Any control measures that failed to operate as designed or proved inadequate for a particular location;

4.2.1.7 Discussion describing the reason(s) for any failed control measure;

4.2.1.8 Any observations of deviations from the permit or SWPPP; and

4.2.1.9 Locations where additional control measures are needed to comply with the permit requirements.

4.3 Inspection Results

4.3.1 Actions taken based on inspection results shall be recorded and retained as part of the SWPPP. Such reports shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the SWPPP. The report shall be signed in accordance with 9.21 of this permit.

4.4 Exceptions for Inspection Requirements for Inactive and/or unstaffed Mining Sites

4.4.1 Inactive and/or unstaffed mines shall be inspected a minimum of once each year, or once every three years (tri-annual) if annual inspections are impractical. Tri-annual inspections must be conducted in accordance with Section 4.2 above and be signed by a P.E., licensed in the state of Nevada, certifying that the facility is in compliance with the SWPPP. The Permittee shall also inspect the site whenever there is a reasonable expectation that severe

weather or other events may have damaged control measures or increased discharges.

- 4.4.2 To invoke this exception, the Permittee must maintain a statement in the SWPPP pursuant to Part 1.14.1.1 indicating that the site is inactive and/or unstaffed, and that there are, to the maximum extent practicable, no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements listed in 4.4.2.1 and 4.4.2.2.
 - 4.4.2.1 Industrial materials used in the operations will be removed, covered or kept in appropriate containers or within containment if applicable so as to minimize, to the extent practicable, discharges of stormwater associated with industrial activity as outlined in the facility's SWPPP and;
 - 4.4.2.2 Stockpiles, waste rock, tailings and other spoil or waste piles shall be protected from erosion and/or downstream catchments shall be installed and maintained.
- 4.4.3 The statement must be signed and certified in accordance with Parts 9.19 and 9.21. If circumstances change and the facility becomes active and/or staffed, this exemption no longer applies and the permittee shall immediately begin complying with the inspection requirements as indicated in Part 4.0.

5.0 Stormwater Pollution Prevention Plan (SWPPP)

5.1 Contents of the SWPPP

- 5.1.1 The Permittee shall prepare a SWPPP for the facility before submitting a Notice of Intent (NOI) for permit coverage. If the Permittee prepared a SWPPP for coverage under the previous NPDES permit, they must review and update the SWPPP to implement all provisions of this permit prior to submitting the renewal NOI. The SWPPP documentation requirements are intended to guide the identification of stormwater pollution sources and the reduction of their impacts, and otherwise lead to compliance with the conditions of this permit.
- 5.1.2 The SWPPP shall contain all of the following elements:
 - 5.1.2.1 Identification of a stormwater pollution prevention team (5.2);
 - 5.1.2.2 Site description (see Part 5.3);
 - 5.1.2.3 Summary of potential pollutant sources (see Part 5.4);
 - 5.1.2.4 Description of control measures (see Part 5.5);
 - 5.1.2.5 Schedules and Procedures (see Part 5.6); and
 - 5.1.2.6 Signature requirements (see Part 5.7).

5.2 Stormwater Pollution Prevention Team

- 5.2.1 The Permittee shall identify (by name, title, and contact number) members of the facility's stormwater pollution prevention team (responsible individuals). The team

may include members who are not employed by the facility (such as third party consultants).

5.3 Site Description

5.3.1 The SWPPP shall include all of the following:

- 5.3.1.1 Activities at the Facility. Provide a description of the proposed nature and scope of the industrial activities at the facility to including a description of the intended sequence of major activities which disturb soils for major portions of the site (e.g., mining, grubbing, excavation, grading, utilities and infrastructure installation).
- 5.3.1.2 General location map. Provide a general location map (e.g., U.S.G.S. quadrangle map) with enough detail to identify the location of the facility (i.e. Latitude and Longitude, Township, Range and Section) as well as the surface waters receiving stormwater discharges from the facility.
- 5.3.1.3 Site Map. Provide a legible site map (or maps) that identify at a minimum the:
 - 5.3.1.3.1 Size of the property in acres;
 - 5.3.1.3.2 Location of significant structures, equipment storage and borrow areas;
 - 5.3.1.3.3 Directions of stormwater flow (e.g., use arrows);
 - 5.3.1.3.4 Locations of stormwater conveyances (e.g., ditches, pipes, and swales);
 - 5.3.1.3.5 Locations of all existing structural control measures;
 - 5.3.1.3.6 Locations of surface waters receiving the facility's discharges;
 - 5.3.1.3.7 Locations (Latitude and Longitude) where the facility's stormwater discharges to a Water of the State;
 - 5.3.1.3.8 Name(s) of the receiving water(s) and the aerial extent and description of wetland or other special aquatic sites at or near the site which will be disturbed or which will receive discharges from disturbed areas of the project;
 - 5.3.1.3.9 Locations of potential pollutant sources;
 - 5.3.1.3.10 Locations (Latitude and Longitude) of all stormwater monitoring points and/or outfalls; and
 - 5.3.1.3.11 Locations and sources of run-on to the facility from adjacent property that contains significant quantities of pollutants.

5.4 Summary of Potential Pollutant Sources

- 5.4.1 The Permittee shall describe in the SWPPP 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.

- 5.4.1.1 Spills and Leaks. The Permittee shall list, describe, and quantify all spills and leaks of Clean Water Act or CERCLA reportable quantities that have occurred from three years prior to the date the SWPPP is prepared or amended. The Permittee shall also describe each clean up action taken.
- 5.4.1.2 Non-Stormwater Discharges. The Permittee shall identify all non-stormwater discharges authorized in Part 1.8 of this permit and their source locations. The Permittee shall also identify all other potential non-stormwater discharges that may occur and list BMPs used to minimize, to the extent practicable, the impacts of these discharges.

5.5 Description of Control Measures

- 5.5.1 The Permittee shall describe in the SWPPP the location and type of control measures installed and implemented at the site to comply with Parts 2.0 and 8.0 of this permit. This documentation must describe how the control measures at the site address both the pollutant sources identified in Part 5.4 and any stormwater run-on that commingles with any discharges covered under this permit.
- 5.5.2 **Minimum control measures** to be considered and included as appropriate in the SWPPP include good housekeeping, employee training, erosion, diversion and sediment controls, preventative maintenance, visual inspections, material handling and storage practices that minimize, to the extent practicable, exposure of pollutants to stormwater, spill prevention and response, and stormwater control structures and control measures that will be implemented so that water quality standards are not violated.
- 5.5.3 **Structural practices** may include, but are not limited to: silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, and rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.
- 5.5.4 **Placement** of structural practices in floodplains should be avoided to the degree attainable. The installation of these devices may be subject to section 404 of the CWA.
- 5.5.5 **Velocity dissipation devices** shall be placed at discharge locations and along the length of any outfall channels, as necessary, to provide a non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (i.e. no significant changes in the hydrological regime of the receiving water).

5.6 Schedules and Procedures

- 5.6.1 **Control Measures:** The following must be described in the SWPPP:
 - 5.6.1.1 Good Housekeeping measures, procedures and related schedules;
 - 5.6.1.2 Maintenance measures, procedures and related schedules;

- 5.6.1.3 Spill prevention and response procedures;
 - 5.6.1.4 Sequence of major soil disturbing activities;
 - 5.6.1.5 Sediment and erosion control procedures; and
 - 5.6.1.6 Employee Training (at least one session per year).
- 5.6.2 Monitoring and Inspection: *Monitoring* – The Permittee shall describe in the SWPPP procedures for conducting analytical monitoring specified by this permit, when and where applicable. *Inspection* – The Permittee shall describe in the SWPPP the procedures for performing, as appropriate, inspections specified by this permit.
- 5.6.3 Inactive and/or unstaffed Sites: When the Permittee declares that the site has become inactive and/or unstaffed, the SWPPP shall include the information that supports this claim as required by Part 1.13.

5.7 Signature Requirements

- 5.7.1 The Permittee shall sign the SWPPP in accordance with Part 9.21 and include the date of the signature.

5.8 SWPPP Modifications and Amendments

- 5.8.1 The Permittee must revise the SWPPP whenever a change in design, operation, maintenance procedures, etc. occurs that may cause a significant effect on the discharge of pollutants to surface waters. The SWPPP must be amended if inspections indicate a control has been used inappropriately or incorrectly or the SWPPP is ineffective in eliminating or significantly reducing pollutants in the discharge. The SWPPP and control measures must be updated to identify and correct any deficiencies noted.
- 5.8.2 SWPPP revisions and amendments must be completed within 30 calendar days of the triggering events noted above.

5.9 SWPPP Conditions

- 5.9.1 Precautions shall be taken to control pollution, erosion and sedimentation that could impact water quality, aquatic life or Waters of the State. BMPs shall be implemented during discharge to prevent, control and minimize, to the extent practicable, the generation; migration and transport of any pollutants, including sediments, within or into any Waters of the State that may degrade water quality or damage aquatic life, as applicable.
- 5.9.2 No dredge or fill materials shall be discharged to Waters of the State, except as authorized by a permit issued under section 404 of the CWA.
- 5.9.3 The SWPPP shall be consistent with applicable State and/or local waste disposal, sanitary sewer or septic system regulations to the extent these are located within the permitted area.
- 5.9.4 The SWPPP must include a description of structural practices to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable.

5.10 SWPPP Availability

- 5.10.1 The Permittee shall retain a copy of the current SWPPP at the facility, and it shall be made immediately available to NDEP, EPA, or another Federal, State or local agency having stormwater program authority, or the operator of a regulated MS4 receiving discharges from the facility (where applicable) at the time of an onsite inspection or upon request.

5.11 SWPPP Documentation Requirements

- 5.11.1 The Permittee shall keep the following inspection, monitoring, and certification records complete and up-to-date. Retaining these records with the SWPPP (unless otherwise specified below) is necessary to demonstrate compliance with the conditions of this permit.

- 5.11.1.1 A copy of the signed electronic NOI certification page submitted to NDEP;
- 5.11.1.2 A copy of this permit;
- 5.11.1.3 Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in discharges of pollutants in stormwater to a Waters of the State of Nevada that meet the definition of Waters of the U.S., the circumstances leading to the release and actions taken in response to the release and measures taken to prevent recurrence of such releases;
- 5.11.1.4 Records of employee training, including the date training was received;
- 5.11.1.5 Documentation of repairs of structural control measures, including the date(s) of discovery of areas in need of repair/replacement, date(s) that the structural control measure(s) returned to full function, and the justification for any extended repair schedules;
- 5.11.1.6 All inspection reports, including the required Routine Facility Inspection Reports;
- 5.11.1.7 Description of any corrective action taken at the site, including events and dates when problems were discovered and modification occurred; and
- 5.11.1.8 Documentation to support the Permittee's claim that the facility has changed its status to or from an inactive and/or unstaffed site.

6.0 Monitoring Program

6.1 Monitoring Requirements

- 6.1.1 For **stormwater discharges only to Waters of the State of Nevada that meet the definition of Waters of the U.S.**, the Permittee shall sample and analyze for the parameters listed in Table 1 on pages 1-2 of this permit if the discharge includes runoff from waste rock dumps or overburden piles. The monitoring frequency shall be once/year.
- 6.1.2 To the extent that monitoring is already required by NDEP and the plan already addresses the monitoring requirement of this section, the Permittee shall provide a copy of the submitted Plan and Reporting requirement to NDEP to satisfy the monitoring requirements of this permit. Upon review, NDEP may notify the Permittee that the monitoring plan is

insufficient to evaluate compliance with the requirements and objectives of this permit. In such a circumstance, NDEP may require modifications to the monitoring plan which must be implemented within a timeframe determined by the NDEP.

- 6.1.3 The monitoring plan or monitoring exemption documentation shall be included as a separate section within the SWPPP.

6.2 Representative Discharges from Substantially Similar Outfalls

- 6.2.1 If discharges of stormwater through two or more outfalls are substantially the same, sampling and monitoring may be conducted at one of the outfalls, and the results may be reported as representative of the discharge from the substantially similar outfall. Before results may be submitted as representative of discharges from substantially similar outfalls, the SWPPP shall include a description of outfall locations and provide justification of why the discharge qualities from the outfalls are substantially similar. To determine if outfalls are substantially similar, the following characteristics of each outfall shall be compared:

- 6.2.1.1 The industrial activities that occur in the drainage area to each outfall;
- 6.2.1.2 Significant materials stored or handled within the drainage area to each outfall; and
- 6.2.1.3 The management practices and control measures that occur within the drainage area of each outfall.

- 6.2.2 Substantially similar outfalls may not be established for non-stormwater discharges.

6.3 Monitoring Exemptions

- 6.3.1 The Permittee shall submit to NDEP for review and approval information indicating that any stormwater discharges to Waters of the State of Nevada that meet the definition of Waters of the U.S. will not cause or contribute to exceedances of applicable state water quality standards. At a minimum, such information shall include the following:

- 6.3.1.1 A statement as to why any stormwater discharge to Waters of the State of Nevada that meet the definition of Waters of the U.S. will not cause or contribute to exceedances of applicable state water quality standards;
- 6.3.1.2 A description of Control Measures and any other treatment practices that are presently in place or are planned to be installed, including supporting information for any assumptions made concerning the effectiveness of the Control Measures or treatment;
- 6.3.1.3 A plan for Control Measure maintenance, including routine visual monitoring and site inspections;
- 6.3.1.4 A plan for the identification and correction of leaks, spills, and other types of events that can impact stormwater quality; and
- 6.3.1.5 Any additional information addressing source control or otherwise related to stormwater management at mine sites.

- 6.3.2 If NDEP disapproves information submitted pursuant to Part 6.2, the permittee shall be required to submit for review and approval, within 60 days, and at NDEP's discretion, either a revised monitoring plan pursuant to Part 6.2, or a corrective action plan pursuant to Part 6.11.

- 6.3.3 If NDEP initially concurs that there is not a reasonable potential for exceedances of applicable state water quality standards, the concurrence may be withdrawn, and a monitoring plan may be required, based on information in the Permittee's annual report (including, but not limited to, photo documentation of the water management BMPs and the discharge point BMPs), NDEP inspections, or other relevant information.

6.4 Monitoring Exceptions for Inactive and/or unstaffed Mine Sites

- 6.4.1 The requirement for stormwater general analytical monitoring does not apply at a facility that is determined to be inactive and/or unstaffed, and meets the requirements in Part 1.13.

6.5 Representative Samples

- 6.5.1 Samples and measurements taken as required herein shall be representative of the nature and volume of the monitored discharge. Analyses shall be performed by a State of Nevada certified laboratory. Results from this lab must accompany the Discharge Monitoring Report (DMR) form found at <http://ndep.nv.gov/bwpc/forms.htm> and monitoring results shall be submitted with the annual report as indicated in Part 7.1.
- 6.5.2 Samples taken in compliance with the monitoring requirements specified in this permit shall be taken prior to discharge into the receiving water.
- 6.5.3 If sampling is required, the sample must be taken within the first thirty (30) minutes of the discharge where practicable. Otherwise, a grab sample must be obtained as soon as practicable.

6.5 Test Procedures

- 6.5.1 Test procedures for analysis of pollutants shall conform to regulations (40 CFR, Part 136) published pursuant to Section 304(h) of the Act, under which such procedures may be required unless NDEP approves other procedures.

6.7 Recording the Results

- 6.7.1 For each measurement or sample taken pursuant to the requirements of this general permit, the Permittee shall record the following information:
- 6.7.1.1 The exact place, date, and time of sampling;
 - 6.7.1.2 The dates the analyses were performed;
 - 6.7.1.3 The person(s) who performed the analyses;
 - 6.6.1.4 The analytical techniques or methods used; and
 - 6.7.1.5 The results of all required analyses.

6.8 Detection Limits

- 6.8.1 All laboratory analyses conducted in accordance with this discharge general permit must have detection limits at or below the general permit limits or the method detection limits as defined in the analytical method.

6.9 Additional Monitoring by Permittee

- 6.9.1 If the Permittee monitors any pollutant at the location(s) designated herein more frequently than required by this general permit, using approved analytical methods and laboratories as specified above, the results of that monitoring shall be included in the next annual monitoring report submitted to NDEP on the DMR from. Such increased frequency shall also be indicated on the DMR.

6.10 Modification of Monitoring Frequency and Sample Type

- 6.10.1 After considering monitoring data, stream flow, discharge flow and receiving water conditions, NDEP may, for just cause, modify the monitoring frequency and/or sample type by issuing an order to the Permittee.

6.11 Multiple Discharge Points

- 6.11.1 For multiple discharge points to Waters of the State, a combination of Parts 6.1 and 6.2 may be implemented.

6.12 Corrective Action Plan for Exceedances of Water Quality Standards

- 6.12.1 Upon a determination by the Permittee or NDEP that the discharges are causing or contributing to an exceedance of applicable state water quality standards, the Permittee shall develop and implement an action plan (with supplemental Control Measures or treatment practices, and including an implementation schedule) to ensure that future discharges do not cause or contribute to exceedances.
- 6.12.2 The action plan shall be submitted to NDEP within 60 days of the determination unless additional time is provided by NDEP. Upon review, NDEP shall notify the permittee within 6 months if the information is insufficient to ensure compliance with the requirements and objectives of this permit. In such a circumstance, NDEP may require modifications to the action plan which must be implemented within a time frame determined by NDEP.

6.13 Additional Contact Requirements

- 6.13.1 The Permittee must contact the Nevada Division of Water Resources (NDWR) to determine if there are any water rights holders downstream from the site that may be impacted by the industrial activity or if any proposed or existing water impoundment structures will require permits pursuant to NAC Chapter 535.

7.0 Reporting and Recordkeeping

7.1 Annual Report

- 7.1.1 All facilities, unless implementing the tri-annual inspection requirements in Part 4.4, shall prepare and submit to NDEP an annual report each year on or before **December 1**. A copy of the report shall also be retained with the on-site SWPPP. A template for the Annual Report can be found at <http://ndep.nv.gov/bwpc/>
The Annual Report shall include at a minimum:

- 7.1.1.1 The findings from the facility's Routine Facility Inspection documentation;
- 7.1.1.2 Updated spill, leak and unauthorized discharge information and any necessary corrective actions taken;
- 7.1.1.3 A narrative evaluation of the SWPPP effectiveness in reducing pollutant loads;
- 7.1.1.4 A schedule for modifying Control Measures and revising the SWPPP if further reductions of pollutant loads can be reasonably achieved;
- 7.1.1.5 Submission of the revised SWPPP documentation (if changes are made during the reporting year);
- 7.1.1.6 Monitoring data collected, with a narrative summary and interpretation of the data;
- 7.1.1.7 Estimated total discharge of stormwater from each outfall to Waters of the State of Nevada that meet the definition of Waters of the U.S., and number of discharge events;
- 7.1.1.8 Narrative description of any incidence of non-compliance and any necessary corrective actions taken;
- 7.1.1.9 Photo documentation, with a brief summary narrative, from established photo points of management BMPs and discharge point BMPs. Previous years photos may be used provided those photos remain representative of the referenced BMPs; and
- 7.1.1.10 A certification that the facility is in compliance with the SWPPP and the permit.

7.2 Exceedance Report for Water Quality Standards

- 7.2.1 If monitoring pursuant to Part 6.0 identifies an exceedance of a water quality standard, the Permittee shall submit an Exceedance Report to NDEP no later than 30 calendar days after the incident. The facility's Exceedance Report shall include the following:
- 7.2.1.1 Facility name, physical address and location;
 - 7.2.1.2 NDEP permit site number MSW-###;
 - 7.2.1.3 Name of the receiving Waters of the State of Nevada that meet the definition of Waters of the U.S.;
 - 7.2.1.4 Monitoring data from this and the preceding monitoring event(s);
 - 7.2.1.5 Narrative explanation of the situation, including what actions the Permittee has

completed or intends to complete, to correct the violation; and

7.2.1.6 Contact person – name, title and phone number.

7.3 Photo Documentation

7.3.1 Compliance with the terms and conditions of this general permit shall also be monitored by means of photo documentation of the water management BMPs and the discharge point BMPs (prior to discharge to a water of the U.S.). Photos shall be taken from established photo points, and shall show representative views of the BMPs and discharge points on site. The photography shall present the scope of operations with project sites, monitoring location(s), discharge point(s), and any relevant activity related to the discharge and water quality protection. Annual reports can incorporate previous years' photographs provided they remain representative of the referenced Control Measures.

7.4 Recordkeeping

7.4.1 The Permittee shall retain copies of the SWPPP (including any modifications made during the term of this permit) and additional documentation requirements pursuant to Part 5.11 (including documentation related to corrective actions taken pursuant to Part 3.0, all reports and certifications required by this permit, monitoring data, and records of all data used to complete the NOI to be covered by this permit) for a period of at least 3 years from the date that the facility's coverage under this permit expires or is terminated.

7.5 Address for Fee Payment, SWPPP and Report Submissions

7.5.1 NOI certification pages and NOT applications shall be signed and dated in accordance with Parts 1.12 and 9.21 and submitted to NDEP at the address below. Filing fees, monitoring data, DMR forms and paper copies of any SWPPP and report submissions required in Parts 5, 6 and 7 shall likewise be sent to the address in Part 7.5.2:

7.5.2 **Nevada Division of Environmental Protection
Bureau of Water Pollution Control
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701**

8.0 Construction Site Stormwater Discharges

8.1 Additional Control Measure Requirements for Construction Sites

8.1.1 In addition to the above requirements, all construction site stormwater discharges within the mining site that are subject to NPDES permit requirements shall be controlled in accordance with the SWPPP. Construction sites are, for purposes of the construction site requirements of this permit, limited to areas of disturbance associated with building construction or road construction (where those roads are constructed with mine materials).

8.1.2 For purposes of this general permit, construction sites do not include those areas of disturbance related to the following:

- 8.1.2.1 Activities associated with determining the site's financial viability for mine development;
- 8.1.2.2 Extraction of the ore from the earth;
- 8.1.2.3 Construction of heap leach pads, waste rock facilities or tailings impoundments; or
- 8.1.2.4 Construction of roads (provided they are not constructed with overburden, raw material, intermediate products, finished product, byproduct or waste product).
- 8.1.3 The construction-phase erosion and sediment controls shall be designed to retain sediment on site in accordance with permit conditions.
- 8.1.4 For locations that serve an area with (10) or more acres disturbed at one time, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm for each disturbed acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site; or
 - 8.1.4.1 Where a sediment basin or equivalent controls is not attainable, smaller sediment basins and/or sediment traps should be used. Where neither the sediment basin nor equivalent controls are attainable due to site limitations, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries deemed appropriate as dictated by individual site conditions.
- 8.1.5 Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by 50%.
- 8.1.6 Off-site vehicle tracking of sediments and the generation of dust shall be minimized, to the extent practicable.
- 8.1.7 Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls and picked up daily).

8.2 Additional SWPPP Requirements for Construction Sites

- 8.2.1 The SWPPP shall include a description of construction and waste materials expected to be stored on-site with updates as appropriate. The SWPPP shall also include a description of controls to reduce pollutants from these materials, including storage practices to minimize, to the extent practicable, exposure of the materials to stormwater.
- 8.2.2 The construction site SWPPP may be a separate document created specifically for the project or part of the overall Mining site SWPPP. In either case, the construction site SWPPP must address the following minimum elements:
 - 8.2.2.1 Construction schedule;
 - 8.2.2.2 Acreage to be disturbed by the construction activity;
 - 8.2.2.3 Site plan drawing with discharge points and BMPs shown;

- 8.2.2.4 A description of structural practices to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable;
 - 8.2.2.5 BMPs for erosion and sediment control;
 - 8.2.2.6 BMP maintenance and repair;
 - 8.2.2.7 A description of construction and waste materials expected to be stored on-site with updates as appropriate;
 - 8.2.2.8 Material storage practices, spill prevention and response;
 - 8.2.2.9 Permanent stabilization practices for the site, including a schedule of when the practices will be implemented;
 - 8.2.2.10 A description of storm drain facilities built as part of the project;
 - 8.2.2.11 Post construction BMPs associated with the operation of the storm drain facilities; and
 - 8.2.2.12 A description of post construction measures that will be installed during the construction process to control pollutants in stormwater discharges that will occur after construction operations have been completed.
- 8.2.3 The SWPPP shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels. Stormwater management practices may include but are not limited to:
- 8.2.3.1 Stormwater detention structures (including wet ponds);
 - 8.2.3.2 Stormwater retention structures;
 - 8.2.3.3 Flow attenuation by use of open vegetated swales and natural depressions;
 - 8.2.3.4 Infiltration of runoff onsite; and
 - 8.2.3.5 Sequential systems (which combine several practices).

8.3 Additional Inspection Requirements for Construction Sites

- 8.3.1 For construction activities at mine sites, qualified personnel shall inspect, at least once every (7) calendar days and within 24 hours of the end of a 10-year 24-hour storm event, the following:
- 8.3.1.1 Disturbed areas associated with construction activities that are still being stabilized, as per the terms and schedule of the SWPPP;
 - 8.3.1.2 Areas used for storage of materials that are exposed to precipitation;
 - 8.3.1.3 Structural control measures; and
 - 8.3.1.4 Locations where vehicles enter or exit the site.

8.4 Waiver from Weekly Inspections at Construction Sites

8.4.1 Permittees are eligible for a waiver of weekly inspection requirements until one month before thawing conditions are expected to result in a discharge if all of the following requirements are met:

- 8.4.1.1 The project is located in an area where frozen conditions are anticipated to continue for extended periods of time (i.e., more than 30 days);
- 8.4.1.2 Land disturbance activities have been suspended; and
- 8.4.1.3 The beginning and ending dates of the waiver period are documented in the SWPPP.

9.0 General Permit Conditions

9.1 Annual Fee

9.1.1 The Permittee shall remit an annual review and services fee in accordance with NAC 445A.232 on or before July 1 of every year that the Permittee is authorized to discharge under this general permit.

9.2 General Permit Re-issuance for Ongoing Projects

9.2.1 The Permittee will be included in the reissued general permit after this general permit expires, or will be informed of other permitting requirements. The Permittee will receive public notice if NDEP determines to reissue the general permit.

9.3 Facilities Operation

9.3.1 The Permittee shall at all times maintain in good working order and operate as efficiently as possible all equipment and ancillary BMPs used by the Permittee to achieve compliance with the terms and conditions of this general permit.

9.4 Need to halt or Reduce Activity Not a Defense

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

9.5 Noncompliance, Unauthorized Discharge, Bypass, and Upset

9.5.1 Any diversion, bypass, spill, overflow, upset or discharge of treated or untreated stormwater from stormwater treatment or conveyance facilities under the control of the Permittee is prohibited except as authorized by this permit. In the event the Permittee has knowledge that a diversion, bypass, spill, overflow, upset or discharge not authorized by this permit is imminent, the permittee shall notify NDEP immediately.

- 9.5.1.1 **Bypass:** means the intentional diversion of stormwater from any portion of a treatment facility.
- 9.5.1.1.1 The Permittee may allow any bypass to occur which 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 9.8).
- 9.5.1.1.2 If the Permittee knows in advance of the need for a bypass, the permittee shall submit prior notice at least 10 days before the date of the bypass.
- 9.5.1.1.3 Bypass is prohibited, and NDEP may take enforcement action against the Permittee for bypass, unless:
- 9.5.1.1.3.1 Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- 9.5.1.1.3.2 There were no feasible alternatives to the bypass. 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 preventative maintenance; and
- 9.5.1.1.3.3 The Permittee submitted prior notice at least 10 days before the date of the bypass.
- 9.5.1.1.4 NDEP may approve an anticipated bypass, after considering its adverse effects, if NDEP determines that it will meet the three conditions listed in Part 9.5.1.1.3 above.
- 9.5.1.2 **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.
- 9.5.1.2.1 An upset constitutes an affirmative defense to an action brought for non-compliance with such technology based permit effluent limitations if the requirements of Part 9.5.1.2.2 below are met.
- 9.5.1.2.2 A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
- 9.5.1.2.2.1 An upset occurred and that the Permittee can identify the cause(s) of the upset;
- 9.5.1.2.2.2 The permitted facility was at the time being properly operated;
- 9.5.1.2.2.3 The Permittee submitted notice of the upset as required in Parts 3.2 and 3.3 of this permit; and
- 9.5.1.2.2.4 The Permittee complied with any remedial measures required under Part 9.9.

9.5.1.2.3 In selecting the appropriate enforcement option, NDEP shall consider whether or not the noncompliance was the result of an upset. The burden of proof is on the Permittee to establish that an upset occurred.

9.5.1.3 There shall be no discharge of substances to Waters of the State that would cause a violation of water quality standards of the State of Nevada.

9.6 Odors

9.6.1 There shall be no objectionable odors resulting from activities authorized by this general permit.

9.7 Removed Substances

9.7.1 Solids or other pollutants removed in the course of treatment or control of stormwater shall be disposed of in a manner such as to prevent pollution from such materials from entering any surface water.

9.8 Changes in Discharge

9.8.1 All discharges authorized herein shall be consistent with the terms and conditions of this general permit. Any anticipated new discharges at the site which will result in new, different, or increased discharges of pollutants must be reported to NDEP. Pursuant to NAC 445A.263, the general permit may be modified to specify and limit any pollutants not previously limited.

9.9 Adverse Impact

9.9.1 The Permittee shall take all reasonable steps to minimize, to the extent practicable, any adverse impact to receiving waters resulting from noncompliance with this general permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge. The Permittee shall carry out such measures, as reasonable, to prevent significant adverse impacts on human health or the environment.

9.10 Right of Entry

9.10.1 The Permittee shall allow the Administrator and/or his authorized representatives, upon the presentation of credentials:

9.10.1.1 To enter upon the Permittee's premises where a discharge is or could be located or in which any records are required to be kept under the terms and conditions of the general permit; and

9.10.1.2 At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this general permit; to inspect any monitoring equipment or monitoring method required in this general permit; and to perform any necessary sampling to determine compliance with the general permit or to sample any discharge.

9.11 Transfer of Ownership or Control

9.11.1 In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the Permittee shall notify the succeeding owner/operator of the existence of this permit, by letter, a copy of which shall be forwarded to NDEP. Completion of transfer requires the following actions:

- 9.11.1.1 Transfer of coverage from one owner/operator to a different owner/operator (e.g., facility sold to a new company): the new owner/operator must complete and file a Notice of Intent in accordance with Part 1.10, at least 2 days prior to taking over operational control of the facility. The old owner/operator shall file a Notice of Termination within thirty (30) days after the new owner/operator has assumed responsibility for the facility.
- 9.11.1.2 Name changes of the Permittee (e.g., Company "A" changes name to "BCD, Inc.") may be done by submitting to NDEP a request letter on company letterhead, indicating the facility's assigned permit number and requesting the name change.

9.12 Availability of Reports

9.12.1 Except for data determined to be confidential under NRS 445A.665, all reports prepared in accordance with the terms of this general permit shall be available for public inspection at the office of NDEP. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in NRS 445A.710.

9.13 Furnishing False Information and Tampering with Monitoring Devices

9.13.1 Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained by the provisions of NRS 445A.300 to 445A.730, inclusive, or by any general permit, rule, regulation or order issued pursuant thereto, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained under the provisions of NRS 445A.300 to 445A.730 inclusive, or by any general permit, rule, regulation or order issued pursuant thereto, is guilty of a gross misdemeanor and shall be punished by a fine of not more than \$10,000 or by imprisonment. This penalty is in addition to any other penalties, civil or criminal, provided pursuant to NRS 445A.300 to 445A.730 inclusive.

9.14 Penalty for Violation of General Permit Conditions

9.14.1 NRS 445A.675 provides that any person who violates a general permit condition is subject to administrative and judicial sanctions as outlined in NRS 445A.690 through 445A.705.

9.15 General Permit Modification, Suspension or Revocation

9.15.1 After notice and opportunity for a hearing, this general permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the

following:

- 9.15.1.1 Violation of any terms or conditions of this general permit;
- 9.15.1.2 Obtaining this general permit by misrepresentation or failure to disclose fully all relevant facts; or
- 9.15.1.3 A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

9.16 Liability

- 9.16.1 Nothing in this general permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal, State or local laws, regulations, or ordinances.

9.17 Property Rights

- 9.17.1 The issuance of this general permit does not convey any property rights, in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

9.18 Severability

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

9.19 Signature Requirements

- 9.19.1 All Notices of Intent, reporting forms and document submissions shall be signed by one of the following:
 - 9.19.1.1 A principal executive officer of the corporation (of at least the level of vice president) or his authorized representative who is responsible for the overall operation of the facility for which the discharge described in the application or reporting form originates; or
 - 9.19.1.2 A general partner of the partnership; or
 - 9.19.1.3 The proprietor of the sole proprietorship; or
 - 9.19.1.4 A principal executive officer, ranking elected official or other authorized employee of the municipal, state or other public facility.
 - 9.19.1.5 A duly authorized representative only if:
 - 9.19.1.5.1 The authorization is made in writing by a person described above in Part 9.19.1;

- 9.19.1.5.2 The authorization specifies either an individual or a position within the organization; and
- 9.19.1.5.3 The written authorization is submitted to the Director.

9.20 Changes to Authorization

- 9.20.1 If an authorization under Part 9.19 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 9.19 must be submitted to NDEP prior to or together with any reports, information, or application to be signed by an authorized representative.

9.21 Certification Requirements

- 9.21.1 Each application, notice of termination, report and any other information submitted must certify, by signature, that the person(s) submitting are familiar with the information contained in the application and that to the best of their knowledge and ability, such information is true, complete and accurate.

Appendix A

Definitions, Abbreviations and Acronyms

A.1 Definitions

Active Mine – A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted.

Administrator – means the executive head of the Division (NRS 445A.315)

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. See 40 CFR 122.2. In addition, the term shall include erosion and sediment controls, conveyance, stormwater diversion and treatment structures, and any procedure or facility used to minimize, to the extent practicable, the exposure of pollutants to stormwater or remove pollutants from stormwater.

Co-located Industrial Activities – Any industrial activities, excluding primary industrial activity, located on-site that are defined by the stormwater regulations at 122.26(b) (14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the stormwater regulations or identified by the SIC codes listed in Table 1-1 of this permit.

Control Measure – refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

Department - means the State Department of Conservation and Natural Resources (NRS 445A.330)

Director – means the Director of the Department or the Director’s designee (NRS 445A.340).

Discharge – means any addition of a pollutant or pollutants to water (NRS 445A.345).

Discharge of a pollutant – any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Division – means the State Department of Conservation and Natural Resources (NRS 445A.350)

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

General Permit - means a permit issued by the Department pursuant to NRS 445A.475 (NRS445A.360).

Impaired Water – waters that have been assessed by NDEP, under the CWA, Section 303(d), as not attaining a water quality standard for at least one designated use, and are listed in Nevada’s 2006 303(d) Impaired Waters List. <http://ndep.nv.gov/bwqp/303dlist.htm>.

Inactive Mine – as defined in 40 CFR 122.26(b)(14)(iii), means 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, beneficiations, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.

Industrial Activity – the 10 categories of industrial activities included in the definition of “stormwater discharges associated with industrial activity” as defined in 40 CFR 122.26(b)(14)(i)-(ix)

and (xi).

Industrial Stormwater – means the stormwater runoff from an industrial activity.

Municipal Separate Storm Sewer (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains);

1. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
2. Designed or used for the collecting or conveying stormwater;
3. Which is not a combined sewer; and
4. Is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

No Exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See 40 CFR 122.26(g).

Operator – any entity with a stormwater discharge associated with industrial activity that meets either of the following two criteria:

1. The entity has operation control over the industrial activities, including the ability to modify those activities; or
2. The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Person – “Person” includes the United States, to the extent authorized by federal law, the State or any agency or institution thereof, any municipality or other political subdivision of this State or any interstate body (NRS 445A.390)

Pollutant – (NRS 445A.400)

1. Means dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
2. Does not mean water, gas or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil or gas production and disposed of in a well, if the well is used either for facilitating production or for disposal purposes and if the Department determines that such injection or disposal will not result in the degradation of ground or surface water resources.
3. Does not mean water, gas or other material injected into a well or used to stimulate a reservoir of geothermal resources if the Department determines that the injection or stimulation will not result in the degradation of ground or surface water resources.

Primary Industrial Activity – includes any activities performed on-site which are

1. Identified by the facility's primary SIC code; or
2. Included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), or (vii) and (ix).

Qualified Personnel – Qualified personnel are those (either the Permittee's employees or outside consultants) 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.

Reportable Quantity Release – refers to a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Stormwater – means stormwater runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Water Quality Standards – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. States and EPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act.

Waters of the State – means all waters situated wholly or partly within or bordering upon this State, including but not limited to:

1. All streams, lakes, ponds, impounding reservoirs, marshes, water courses, waterways, wells, springs, irrigation systems and drainage systems; and
2. All bodies or accumulations of water, surface and underground, natural or artificial.

Waters of the United States or Waters of the U.S. – is defined at 40 CFR §122.2. Discharges to storm drain systems that in turn discharge to Waters of the United States are considered to be discharges to Waters of the United States.

A.2 Abbreviations and Acronyms

BMP – Best Management Practice

BWPC – Bureau of Water Pollution Control

CFR – Code of Federal Regulations

CWA – Clean Water Act (or Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

DMR – Discharge Monitoring Report

EPA – Federal Environmental Protection Agency

MS4 – Municipal Separate Storm Sewer System

NDEP – Nevada Division of Environmental Protection

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

SIC – Standard Industrial Classification

SPCC – Spill Prevention, Control, and Countermeasures

S.U. – Standard Units

SWPPP – Stormwater Pollution Prevention Plan

TSS – Total Suspended Solids

WOUS – Waters of the United States