

Frequently Asked Questions 1200-Z Permit Reissuance

Background

The National Pollutant Discharge Elimination System Permit No. 1200-Z Industrial Stormwater General Permit, dated Aug. 1, 2017, was challenged. Columbia Riverkeeper, Northwest Environmental Defense Center and Oregon Industrial Stormwater Group filed administrative and judicial petitions for reconsideration. After months of negotiation, a settlement agreement was reached which includes reissuance of the permit upon reconsideration. The settlement includes short-term changes to the permit and a longer-term process to examine the current approach for regulating industrial stormwater.

The current 1200-Z Industrial Stormwater Permit became effective on Oct. 22, 2018, incorporating the short-term changes from the negotiations. DEQ and agents mailed revised permit assignment letters. DEQ has prepared this document to explain the changes and their potential impacts on permitted facilities.

Questions pertaining to Discharge Monitoring Quarterly Reporting

Q. The permit now requires quarterly Discharge Monitoring Reports. Is a report due on Nov. 15, 2018?

No. The first Discharge Monitoring Report is due Feb. 15, 2018. This report will include all data from July 1, 2018, through Dec. 31, 2108.

Q. When do I submit supporting data and analysis when requesting a monitoring variance?

Because the permit has a minimum monitoring frequency based on a semiannual timeframe, monitoring variances will be applicable after the second-quarter and fourth-quarter monitoring. The variance request must explain any missed monitoring from July 1 through Dec. 31 or Jan. 1 through June 30.

Q. What do I write on the Discharge Monitoring Report if my facility has a discharge but I choose not to sample or my facility has fulfilled sampling requirements for the monitoring year?

DEQ recommends facilities sample discharge when stormwater leaves the site and not wait for a later event to collect samples. However, the correct approach of documenting a missed sampling event is “NS” for no sample, if a parameter is not analyzed, annual sampling frequency is fulfilled or if a result is not valid due to field procedures or quality control from the laboratory.

Q. Do you still need to submit a fourth-quarter Discharge Monitoring Report when all monitoring is done by the third quarter?

Yes. As with all reporting requirements they must be submitted by the due date under Oregon Administrative Rule 340-012-0055(2)(b) which outlines the enforcement response for failing to submit a report or plan on time. Each quarterly Discharge Monitoring Report must be submitted by the due date. If you have fulfilled your monitoring by the third quarter, the Aug. 15, report will report “NS” for no sample.

Q. Where do I report my sampling results based on second year geometric mean evaluation?



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Depending on your Tier II year, which can be found in your permit assignment letter, all data collected during the second monitoring year of coverage will be reported on that fourth quarter Discharge Monitoring Report. For example, most facilities are in their Tier II evaluation year now, 2018/2019 monitoring year. For these facilities the Tier II monitoring year extends from July 1, 2018, through June 30, 2019. All data from that timeframe will be reported on the fourth quarter report due Aug. 15, 2019, using the Excel form on our website to calculate the geometric mean of those samples.

Questions pertaining to Stormwater Pollution Control Plans

Q. Are Stormwater Pollution Control Plans required to be updated?

The plans must be updated to reflect the changes in the permit and conditions at your site. The permit assignment letters should function as a part of your plan and must be kept with your plan. These letters outline monitoring frequency and pollutants that must be sampled in your stormwater discharge. The permit assignment letters also included the quarterly Discharge Monitoring Report submission deadlines from the permit, Table 6.

Q. How does changes to the permit language effect Stormwater Pollution Control Plan submittal or revisions?

If your site conditions or control measures changed due to the minor changes to the Narrative Technology Based Effluent Limitations in Schedule A.1, these changes must be reflected in your plan and are required to be submitted to DEQ or agent no later than 30 calendar days after the completion of the modification. There are four conditions which require Stormwater Pollution Control Plan updates to be submitted:

1. Change in site contacts
2. A corrective action or inspection
3. Changes to the site, operations or control measures that may significantly change the nature of pollutants present in stormwater discharge; or significantly increase the pollutant levels, discharge frequency, discharge volume or flow rate
4. Changes to the monitoring locations or discharge points.

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Q. When does the 30-day clock start on revisions?

The plans must be updated to reflect the changes to the permit by Nov. 21, 2018. Other revisions and submittals are based on the timing you make the change or modification at your site.

General Questions

Q. If I have been approved for a monitoring waiver, is it still honored?

Yes. The reissuance of the permit did not impact approved monitoring waivers which are based on the geometric mean of four consecutive sample results.

Q. Can you explain why the regional total zinc benchmark reverted back to the previous permits value?

This was part of the negotiation. One reason was zinc was by far the pollutant for which most facilities installed passive and active treatment to address exceedances, a further reduction would not allow these facilities the ability to determine the effectiveness of their new treatment systems. There is further discussion in the Permit Evaluation Report on page 35.

Q. Does the reissuance change my facilities Tier II evaluation year?

No.

Q. Does the “representative sampling” language change monitoring locations? And if so, does my Stormwater Pollution Control Plan need to be submitted?

Not at the majority of sites. The permit requires DEQ or agents’ review when there is a change to monitoring location. This is also one of the four conditions under Schedule A.8 in the permit which requires the plan to be submitted no later than 30 calendar days after the change to your monitoring location or discharge point.

Q. What if I already took a sample at my site prior to the reissuance and increased impairment and numeric effluent guidelines monitoring frequency?

All permit registrants must meet the minimum frequency of monitoring in Table 5. Facilities will be required to sample a discharge event for impairments or numeric effluent guidelines by January 1, 2019, to account for the increased frequency.

Alternative formats

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.