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RE: Alternative Industrial Stormwater Visual Assessment Requirements for Sector S (Air Transportation) Facilities

Dear Sector S Facility Owner/Operator:

As airports have worked to implement Multi-Sector General Permit (MSGP 2010) requirements, the Arizona Department of Environmental Quality (ADEQ) has become aware of the practical challenge some airports may have implementing visual assessment monitoring requirements where the airport authority is working with multiple tenants/co-permittees to implement the permit. The department is providing this optional alternative approach to visual assessment monitoring to assist the airport and its tenants/co-permittees in meeting permitting requirements by providing flexibility to visual assessment monitoring.

Background

Airports and tenants that are engaged in industrial activity that results in a stormwater discharge must obtain AZPDES permit coverage by each submitting a separate Notice of Intent (NOI), regardless of whether the tenants are co-permittees (see Federal Register, Volume 60, Number 189, Friday, September 29, 1995, page 50998). Each NOI must include information specific to the facility being permitted, including the name and address of the facility, and the latitude and longitude of the facility (see Arizona Administrative Code R18-9-C901(D)).

The MSGP 2010 requires permittees (including co-permittees) to conduct visual assessment monitoring four times per year (twice each in the winter and summer wet seasons). The intended purpose of the visual assessment monitoring is to provide a useful and inexpensive means for permittees to evaluate the effectiveness of their stormwater pollution control measures. It is important to note that a co-permittee is a permittee to an AZPDES permit that is only responsible for AZPDES permit conditions relating to the discharge for which it is an operator (40 CFR 122.26(b)(1)).

Therefore, under the MSGP 2010, permittees/co-permittees are required to conduct visual assessment at the outfalls from their permitted facility. U.S. EPA has provided clarification of outfall as follows:

Q6 *What is the definition of "outfall"*

A6 *In general, an industrial outfall is the point where stormwater associated with industrial activity discharges to waters of the U.S. or a municipal separate storm sewer system (MS4). An outfall does not include conveyances, pipes, or tunnels connecting segments of the same system. Sometimes the actual receiving waterbody may be some distance away from the industrial site, (for example, when a facility's stormwater flows offsite to an outfall via a conveyance that is not part of the MS4, sometimes being commingled with discharges from other facilities, roadways, etc. along the way). In such cases, the facility's outfall is considered to be the location where the discharges leave the industrial site, and the conveyance is considered to be a tributary to a receiving water. (**Questions and Answers Regarding the Multi-Sector General Permit for Stormwater***

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Discharges Associated with Industrial Activity, as updated August 14, 2009, U.S. Environmental Protection Agency)

Conducting visual assessment precisely where the stormwater leaves a permitted facility provides the operator the advantage of evaluating the stormwater before it commingles with stormwater from other facilities. Visual assessment conducted in this way also gives the operator an immediate opportunity to mitigate problems in the event pollutants are discovered, and is therefore an important component in meeting the requirements and objectives of MSGP 2010.

However, based on discussions between ADEQ and various airports located in Arizona, some airports may have real and practical considerations that prevent them from conducting visual assessments in this manner. Specifically, hazards inherent to airport operations may preclude visual assessments of each "outfall" of multiple tenants/co-permittees during storm events.

Optional Sector S Visual Assessment Alternative Requirements

The department will allow, at the option of the airport, visual assessment monitoring to be conducted at "main outfalls" in lieu of visual assessment monitoring at each tenant facility. For the purpose of this visual assessment alternative at Sector S facilities, "main outfalls" are those outfalls that discharge industrial stormwater collected from two (2) or more regulated tenants and discharge directly to a receiving water or a municipal separate storm sewer system.

The optional Sector S Visual Assessment Alternative has the following requirements:

- 1) Visual assessment must be conducted two (2) times per wet season (see MSGP section 4.2) at each of the "main outfall(s)." As each outfall discharges stormwater collected from an area of the airport occupied by a number of tenants, visual assessment at each of the "main outfalls" will provide a nearly equivalent assessment of each tenant's facility and stormwater quality – as is intended by the MSGP 2010.

If this optional visual assessment approach is selected, the airport and its co-permittees cannot make use of the *substantially identical outfall* provision of the MSGP 2010 permit for outfalls that receive industrial stormwater combined from two (2) or more permitted facilities. The airport retains the option to use of the *substantially identical outfall* provision for those outfalls that do not receive combined industrial stormwater discharges from co-permittee facilities, provided permit requirements are met (see permit section 5.1.5.2 and fact sheet section IX.A.1)

- 2) The stormwater pollution prevention plan (SWPPP) must include a detailed process for identifying pollutant sources. The process must take into consideration how the pollution prevention team will trace a pollutant discovered in a visual assessment sample from a "main outfall" back to a particular tenant or source. The process must include, at a minimum, the following:
 - a) Identification of personnel (by name and/or title) involved in visual assessment monitoring;
 - b) Actions to be taken to identify pollutant source(s);
 - c) Timeframes for actions to identify pollutants source(s), notifying tenant(s), and correcting control measure deficiencies; and
 - d) Documentation of actions and outcome.
- 3) For the first two years of the permit (and thereafter if requested by ADEQ), the airport authority shall submit documentation of visual assessment activities to the department no later than June

30 of each year. The documentation must include the information specified in section 4.2.2 of the permit as well as the following:

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- a) Physical indicator parameters listed in section 4.2.1; and
- b) The action step(s), source(s), and outcome for each follow up investigation.

While not required, the department encourages airport tenants to participate in visual assessment monitoring activities to help foster awareness and involvement in their stormwater program activities and responsibilities.

If information becomes available to the department that demonstrates this optional alternative approach is ineffective at evaluating control measures, the department may withdraw this alternative approach either in whole or on a site by site basis.

Conclusion

Based on discussions with various Arizona airports and information currently available to the department, ADEQ believes that this optional visual assessment monitoring approach at "main outfalls" together with the above requirements serve as an equivalent and protective measure to evaluate the effectiveness of stormwater pollution control measures at airports.

If you have any questions about visual assessment requirements, the alternative visual assessment requirements for Sector S facilities described in this letter, or other questions about the AZPDES program please contact Christopher Henninger at henninger.christopher@azdeq.gov or (602) 771-4508.