

PROPOSED CHANGES TO ADEQ'S 2019 INDUSTRIAL STORMWATER GENERAL PERMIT

Item	Current	New	Reason for Change
NOI SUBMITTAL			
1	No new NOI submittal for new permit	Must submit new NOI for new permit coverage	Regulatory rule requirement (duty to re-apply)
BENCHMARK SAMPLING			
2	Monitor 4 times (Perennial) or 2 times (Ephemeral) per wet season. Stop sampling after 4 (Per)/ 2 (Eph) sample events, if average below BM value (6.2.1.1)	Monitor two times per year for duration of permit regardless of receiving water type	<ul style="list-style-type: none"> Continued assessment of control measures and environmental protection. Facilities are dynamic. Stormwater events and volumes are variable, particularly throughout Arizona where extended dry periods can be followed by intense precipitation events.
3	Averaged benchmark sampling values, over multiple events (6.2.1.3)	Discrete samples for routine analytical monitoring	<ul style="list-style-type: none"> Compositing sampling over multiple events is confusing, does not address acute nature of stormwater impacts. Can be months between storm events. May take several wet seasons to obtain data to composite results.
4	Benchmark limits (Section 8) adopted from EPA water quality criteria (not applicable to Arizona's surface waters).	Action levels limit equal to SWQS (except TSS set at 100 mg/L or sector specific levels). Action levels are set to the applicable surface water quality standard automatically in myDEQ at the time of NOI submission.	<ul style="list-style-type: none"> Current benchmark limits are at, above, or below SWQS, some parameters have no WQS. Provides no clarity or meaning. Future – limits set to be protective of Arizona receiving water designated use (at SWQS) except TSS. Will be used to evaluate if control measures are working properly and to ensure protection of receiving waters Permit is intended to protect Arizona surface waters, so pollutants should be compared to Arizona SWQS.

PROPOSED CHANGES TO ADEQ'S 2019 INDUSTRIAL STORMWATER GENERAL PERMIT

Item	Current	New	Reason for Change
5	Benchmark monitoring parameters – same as EPA's permit (section 8)	Reduce and or add some benchmark parameters, substitute others.	<ul style="list-style-type: none"> • More meaningful data relative to sector pollutants. • Add parameters with Arizona surface water quality standard for more meaning data
6	Referred to as Benchmark Monitoring (6.2.1)	Refer to as Routine Analytical Monitoring with Action Levels	<ul style="list-style-type: none"> • Verbiage change to more accurately reflect the type of monitoring.
7	No report required for benchmark value above a benchmark concentration	<p>If one value above a Routine Analytical monitoring alert level, assess control measures and complete Control Measure Assessment Report. Two consecutive Routine Analytical Monitoring events above the alert level, evaluate control measures, submit a Control Measure Assessment Report and may be required to complete, one or more of the following demonstrations:</p> <ol style="list-style-type: none"> 1. Determine natural background* 2. Determine run-on* 3. Determine not causing/ contributing* 4. Not economically/ technologically feasible 5. Control or Stop Discharge 6. Complete Site Specific Standard 7. Get Individual AZPDES <p>*Requires additional sampling</p>	<ul style="list-style-type: none"> • Ensure protection of surface water quality • Get notification of potential exceedance(s) through the Control Measure Assessment Report. Report verifies permittee evaluated control measures.
IMPAIRED / NOT-ATTAINING WATERS MONITORING FOR ALL SECTORS			
8	Impaired/ Not-Attaining Waters: sample two times per wet season (4 times per year). After 4 samples less than limit, can stop sampling (6.2.3)	Impaired/ Not-Attaining Waters sample two times per year (one time per wet season) for duration of permit	<ul style="list-style-type: none"> • Continued assessment of control measures • Environmental protection for variable storm events.

PROPOSED CHANGES TO ADEQ'S 2019 INDUSTRIAL STORMWATER GENERAL PERMIT

Item	Current	New	Reason for Change
OAW MONITORING			
9	OAW analytical monitoring required, frequency not specified	ADEQ will specify parameters and frequency for analytical monitoring during SWPPP review	<ul style="list-style-type: none"> • Ensure protection of OAWs.
ELG SAMPLING			
10	Sample once per year (6.2.2)	Sample 2 times per year, once per wet season	<ul style="list-style-type: none"> • Evaluate stormwater data collected in each wet season • Evaluate data over time for the various wet seasons
BACKGROUND STORMWATER SAMPLES			
11	No guidance on background stormwater samples (6.2.1.3)	Provide sampling information such as location and frequency for background stormwater samples	<ul style="list-style-type: none"> • Reduce unnecessary sampling and contingency sampling. • Improve the number of sites in compliance
EPHEMERAL WATERS MONITORING EXCEPTION			
12	Benchmark in non-mining and General Analytical in mining- if TSS or turbidity part of sector specific monitoring, if discharge goes to ephemeral, do not have monitor for TSS or turbidity (Section 8)	No ephemeral monitoring exception. If ephemeral must monitor for sector specific parameters	<ul style="list-style-type: none"> • Continued assessment of control measures and environmental protection for all receiving waters. • TSS indicator of control measure effectiveness
INACTIVE AND UNSTAFFED EXCEPTION NOTIFICATION			
13	No time frame for notification of inactive/ unstaffed or going to active/ unstaffed	Within 30 days of becoming inactive/ unstaffed or reverting back to staffed and active, must update NOI to indicate status	<ul style="list-style-type: none"> • Timely notification of inactive/ unstaffed status as it relates to permitting exceptions
ANNUAL REPORT			
14	All permittees prepare annual report (7.2)	No annual report for any permittees	<ul style="list-style-type: none"> • Not proven to be useful. • Necessary information to be captured in DMR (if required), BMP assessment report and corrective action report

PROPOSED CHANGES TO ADEQ'S 2019 INDUSTRIAL STORMWATER GENERAL PERMIT

Item	Current	New	Reason for Change
15	Permittees within 2.5 miles of impaired or OAW submit Annual Report to ADEQ for review (7.2)	No permittee submits or prepares an Annual Report. Keep pertinent information (inspections, visual assessment results, corrective actions) kept with SWPPP	<ul style="list-style-type: none"> Not proven to be useful. Necessary information to be captured in DMR (if required), Control Measure Assessment Report, and Corrective Action Report
SWPPP SUBMITTAL			
16	SWPPP submission for permittees within 2.5 miles of IW and or NA irregardless of site activity versus type of impairment (1.1.4.5)	SWPPP submission required for sites within 2.5 miles that industrial activity/ materials <u>may</u> contain that impaired pollutants (IW/ NA) in their discharge.	<ul style="list-style-type: none"> Reduce unnecessary SWPPP submission, review time, fees, sampling costs, letters for ADEQ waived monitoring, etc. NOTE: will be a table on website, and myDEQ already uses this table for creating DMR shells.
17	Retain SWPPP 3 years after the last modification or amendment	Retain SWPPP 3 years from when coverage expires or permit authorization is terminated	<ul style="list-style-type: none"> Clarify records retention, inconsistent time frames in previous permit.
18	32 business days to review SWPPP	30 calendar days to review SWPPP	<ul style="list-style-type: none"> Quicker review times.
19	Documentation of maintenance of industrial equipment and systems (2.1.1.3) need not be kept with SWPPP made available upon request from ADEQ or permitting authority (5.4)	Keep documentation of maintenance of industrial equipment and systems with SWPPP, or electronically available	<ul style="list-style-type: none"> Have all pertinent maintenance records in one place (SWPPP) and readily accessible
20	Not keep training records with SWPPP, just make available upon request from ADEQ or permitting authority (5.4)	Keep training records with SWPPP or electronically available	<ul style="list-style-type: none"> Have all pertinent training records in one place (SWPPP) and readily available
DISCHARGE MONITORING REPORT (DMR) FORMS			
21	Submit paper DMRs (7.1)	Submit electronic DMRs	<ul style="list-style-type: none"> Manage and track sampling data more accurately. EPA electronic reporting rule requirement.
22	Submit DMR 1 time per year on July 15 th (7.1.3)	Enter sampling data into the downloadable DMR within 30 days of receiving lab data. If no discharge submit DMR on July 15 th	<ul style="list-style-type: none"> Timely notification of exceedance. Ensure surface water quality protection.

PROPOSED CHANGES TO ADEQ'S 2019 INDUSTRIAL STORMWATER GENERAL PERMIT

Item	Current	New	Reason for Change
EXCEEDANCE REPORTS/ CONTINGENCY SAMPLING			
23	One exceedance, resample next storm event, if follow-up monitoring exceeds effluent limitation or SWQS submit exceedance report (6.3.2)	After one sample that exceeds a routine analytical monitoring alert level (submit a Control Measure Assessment Report) or one event determines causing or contributes to an instream SWQS, above SWQS for impaired water or OAW, exceeds a TMDL or effluent limitation guideline, submit Corrective Action Report	<ul style="list-style-type: none"> • Submit Reports- Control Measure Assessment or Corrective Action Report. • Timely notification of exceedances. • Could be months between storm events and evaluation of control measures.
24	If two confirmed exceedances, sample twice per wet season until discharge meets standard or ADEQ waives requirement for additional monitoring (6.3.2)	Accelerated monitoring after confirmation of one exceedance. Must sample each qualifying storm events, until 2 consecutive events below standard to return to routine monitoring frequency	<ul style="list-style-type: none"> • Demonstrate control measures are effective • Protect surface water quality
25	Paper Exceedance Report (7.3)	Submit Corrective Action Report (paper or electronically if available) for exceedance	<ul style="list-style-type: none"> • Manage and track compliance data more accurately • More timely review of compliance data
CORRECTIVE ACTION REPORTS			
26	If site within 2.5 miles if IW / NA/ OAW submit corrective action information within contents of Annual Report (7.2)	Submit Corrective Action Report if corrective action(s) requirements are triggered.	<ul style="list-style-type: none"> • Manage and track compliance data more accurately • Timely notification of non-compliance
27	A missing control measure requires corrective action	Specify various exceedance(s) require corrective actions (e.g., pollutant concentration above a SWQS for discharges to special waters).	<ul style="list-style-type: none"> • Reserves Corrective Actions for situations where information suggests discharges are degrading Arizona's surface water.
OTHER SAMPLING RELATED CHANGES			
28	Utilizes various conversion tables, to determine permit limits and or SWQS using a range of hardness for certain metals (Section 8 and Appendix D)	Utilizes formula, automatically calculate permit limit and or SWQS in myDEQ	<ul style="list-style-type: none"> • Clarity, ease of use • Consistent with Surface Water Quality Standard rule update.
29	No Sector S ELG Monitoring (Section 8)	Add Sector ELG Monitoring pursuant to CFR	<ul style="list-style-type: none"> • Consistent with Federal Rule

PROPOSED CHANGES TO ADEQ'S 2019 INDUSTRIAL STORMWATER GENERAL PERMIT

Item	Current	New	Reason for Change
30	No credit for pollutant intake in Sector A (section 8)	Add an allowable non-stormwater discharge to Sector A (credit for pollutant intake)	<ul style="list-style-type: none"> Consistent with the Federal MSGP.
OTHER PERMIT CHANGES (not monitoring related)			
31	Paper NOI, NOT, NEC, DMR and other Reporting Forms (Exceedance and Corrective Action Reports)	Electronic NOI, NOT, NEC, DMR and other Reporting Forms (Exceedance and Corrective Action Reports)	<ul style="list-style-type: none"> Reduce paper in accordance with E-reporting rule. More convenient more customers for on-line permitting and reporting 24/7. EPA electronic reporting rule requirement
32	No Eligibility for New Source Language for Water Quality Standards and Impaired Waters	Add Eligibility Information for Water Quality Standards (1.1.4.5) and clarify New Discharger/ New Source to Impaired Waters language (1.1.4.6)	<ul style="list-style-type: none"> Ensure protection of Receiving Waters and Impaired Waters Make consistent with Rule
33	No OAW Antidegradation Requirements for New Dischargers, <i>New Sources or Increased Dischargers</i>	Add clarification for antidegradation Requirements for New Dischargers, <i>New Sources or Increased Dischargers</i> to OAWs (1.1.4.7)	<ul style="list-style-type: none"> Ensure protection of OAWs Make consistent with Rule
34	No Tier 2 Antidegradation Requirement for New Discharges, New Source or Increases Discharges	Add Tier 2 Antidegradation Requirement for New Discharges, New Source or Increases Discharges (2.1.1.2)	<ul style="list-style-type: none"> Ensure protection of Receiving Waters Make consistent with Rule
34	Corrective Action Report (3.3)	More descriptive requirements in Corrective Action Reporting	<ul style="list-style-type: none"> Gather more qualitative information for conditions that require corrective actions
35	Corrective Action Triggers (3.1)	CA triggers (permit violations) <ul style="list-style-type: none"> Unauthorized discharge Causing or contributing to an exceedance of an instream SWQS Above a SWQS for an impaired water or OAW Above TMDL Above ELG 	<ul style="list-style-type: none"> Clarify conditions that need to be eliminated or corrected at sites that require corrective actions.

PROPOSED CHANGES TO ADEQ'S 2019 INDUSTRIAL STORMWATER GENERAL PERMIT

Item	Current	New	Reason for Change
36	3 Routine Inspection and 1 CFI (4.0)	Describe what to examine during routine inspections in more detail. Remove the 1 CFI and replace with 1 a routine inspection (4 total routine).	<ul style="list-style-type: none"> Describe inspections requirements more clearly to achieve better compliance. One set of requirement for inspections
FORMAT CHANGES			
37	Part 2.1 Control Measures Part 2.2 Numeric Effluent Limitation and Water Quality Standards	Part 2.1 Water Based Effluent Limitations Part 2.2 Control measures	Section moved to emphasize water quality standards
38	Extensive SWPPP Section (5.0)	Reduced SWPPP Section-outline what is required	<ul style="list-style-type: none"> Simplify permit language. Numerous resources exist that provide detailed SWPPP requirements including SWPPP guidance and on-line SWPPP templates.
PERMIT TABLES			
39	3 of the same Effluent Limitations Guideline Monitoring Tables throughout non-mining permit	Have one table reference to Effluent Limitation Guideline Monitoring table	<ul style="list-style-type: none"> Less confusing referencing 1 ELG table
40	No SWPPP versus Sector Table	Add SWPPP versus Sector Table on website/ already used in myDEQ	<ul style="list-style-type: none"> Provide clarity for which specific sectors have to provide a SWPPP using specific impairments. Reduce unnecessary costs to customers and Agency for SWPPP review and sampling.
OTHER CHANGES			
41	Reserved Nitrite/ nitrate Sector C, U and AA	Set nitrite and nitrate for Sector C, U and AA at SWQS	<ul style="list-style-type: none"> To align with Arizona Surface Water Quality Standards
42	No reporting for inactive and unstaffed sites	DMR reporting for inactive unstaffed sites.	<ul style="list-style-type: none"> Documents status of the site and reason for no sampling. Information is passed on to U.S. EPA as part of the federal electronic record keeping rule.