

PROPOSED CHANGES TO ADEQ'S 2019 MINING 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)
IMPAIRED / NOT-ATTAINING WATERS MONITORING			
2	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.
OAW MONITORING			
3	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.
GENERAL ANALYTICAL MONITORING IN SECTOR G AND J			
4	Sector G: TSS and COD- sample 1 time per year to perennial. Exempt if to ephemeral water (8.G.8.1)	Sample 2 times per year regardless of surface water type (no ephemeral exemption)	<ul style="list-style-type: none"> Ensure protection of surface water quality of all receiving waters. Gather stormwater data for various stormwater events and volumes including data for the time between extended dry periods.
5	Sector G: Waste Rock/ Overburden- sample 2 times per year to perennial, 1 time per year to ephemeral (8.G.8.2.1)	Sample 2 times per year, once per wet season	<ul style="list-style-type: none"> Ensure protection of surface water quality of all receiving waters. Gather stormwater data for various stormwater events and volumes including data for the time between extended dry periods.
6	Sector J: sample 2 times per year to perennial, to ephemeral- exempt from sampling (8.J.8)	Sample 2 times per year, once per wet season (no ephemeral exemption)	<ul style="list-style-type: none"> Ensure protection of surface water quality of all receiving waters.

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			<ul style="list-style-type: none"> Gather stormwater data for various stormwater events and volumes including data for the time between extended dry periods.
7	General Analytical monitoring for active copper mines includes TSS and COD (Table 8.G-8.1)	General analytical monitoring for active copper mines to include TSS, pH, and copper for G1/G2 SIC 1021	<ul style="list-style-type: none"> Apply pollutants likely to be present in active copper mining stormwater discharges
8	No monitoring-specific parameters for type of mine site (8.G.8.2.2)	Add parameters relative to the type of mining	<ul style="list-style-type: none"> If a zinc mine, add zinc to sampling parameters. If lead mine, add lead to the sampling parameters. Apply pollutants likely to be present in the mining stormwater discharges to assess mining impacts on surface water quality.
ELG SAMPLING			
9	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/ storm events
BACKGROUND STORMWATER SAMPLES			
10	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			
11	General Analytical in mining- if TSS or turbidity part of sector specific monitoring, if discharge goes to	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.

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	ephemeral, do not have monitor for TSS or turbidity (Section 8)		<ul style="list-style-type: none"> TSS indicator of control measure effectiveness
INACTIVE AND UNSTAFFED SAMPLING EXCEPTION			
12	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			
13	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
14	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) and Corrective Action Report
SWPPP SUBMITTAL			
15	SWPPP submission for permittees within 2.5 miles of IW and or NA irregardless of site activity versus impairment (1.1.4.5)	SWPPP submission required for sites within 2.5 miles that industrial activity/ materials may 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.
16	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.
17	32 business days to review SWPPP	30 calendar days to review SWPPP	<ul style="list-style-type: none"> Quicker review times.
18	Documentation of maintenance of industrial equipment and systems (2.1.1.3) need not be kept with SWPPP	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

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	made available upon request from ADEQ or permitting authority (5.4)		
19	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 maintenance records in one place (SWPPP) and readily accessible
DISCHARGE MONITORING REPORT (DMR) FORMS			
20	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.
21	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.
22	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.
EXCEEDANCE REPORTS/ CONTINGENCY SAMPLING			
23	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, and protect surface water quality. Timely notification of exceedances.
24	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			
25	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

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			<ul style="list-style-type: none"> Timely notification of non-compliance
26	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			
27	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.
OTHER PERMIT CHANGES (not monitoring related)			
28	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
29	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
30	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
	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

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31	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
32	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.
33	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			
34	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	<ul style="list-style-type: none"> Section moved to emphasize water quality standards
35	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.