Stormwater Pollution Prevention Plan

for:

Billings Logan International Airport
1901 Terminal Circle, Room 216
Billings, MT 59105

SWPPP Contact(s):

Shane Ketterling, Assistant Director of Aviation and Transit
1901 Terminal Circle, Room 216
Billings, MT 59105
(406) 657-8339
ketterlings@billingsmt.gov

SWPPP Preparation Date:

03/01/2023

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SECTION 1: FACILITY DESCRIPTION AND CONTACT INFORMATION

1.1 Facility Information.

Facility Information

Facility Name: Billings Logan International Airport

Street/Location: 1901 Terminal Circle, Room 216

City: Billings State: MT ZIP Code: 59105

County or Similar Government Subdivision: _____

NPDES ID (i.e., permit tracking number): MTR000304 (if covered under a previous permit)

Primary Industrial Activity SIC code, and Sector and Subsector (2021 MSGP, Appendix D and Part 8):
Airports, Flying Fields, and Airport Terminal Services \\ SIC Code 4581 \\ Subsector S1

Co-located Industrial Activity(s) SIC code(s), Sector(s) and Subsector(s) (2021 MSGP, Appendix D):

_____

Is your facility presently inactive and unstaffed and are there no industrial materials or activities exposed to stormwater? ☐ Yes ☒ No

Latitude/Longitude

Latitude: 45.8049 ° N (decimal degrees)

Longitude: 108.5393° W (decimal degrees)

Method for determining latitude/longitude (check one):

☐Maps (If USGS topographic map used, specify scale:_____) ☒GPS

☐Other (please specify):

_____

Horizontal Reference Datum (check one):

☐NAD 27 ☒NAD 83 ☐WGS 84

Is the facility located in Indian country? ☐ Yes ☒ No

If yes, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable).

_____

Are you considered a "federal operator" of the facility?

Federal Operator – an entity that meets the definition of "operator" in [the 2021 MSGP] and is either any department, agency or instrumentality of the executive, legislative, and judicial branches of the Federal government of the United States, or another entity, such as a private contractor, operating for any such department, agency, or instrumentality. ☐ Yes ☒ No

Estimated area of industrial activity at your facility exposed to stormwater: 457 acres
(to the nearest quarter acre)

Discharge Information

Does this facility discharge stormwater into a municipal separate storm sewer system (MS4)?
☒ Yes ☐ No

If yes, name of MS4 operator: City of Billings/Yellowstone County

Name(s) of surface water(s) that receive stormwater from your facility:

Alkali Creek

Does this facility discharge industrial stormwater directly into any segment of an "impaired water" (see definition in 2021 MSGP, Appendix A)? ☐ Yes ☒ No

If Yes, identify name of the impaired water(s) (and segment(s), if applicable):

Identify the pollutant(s) causing the impairment(s):

Which of the identified pollutants may be present in industrial stormwater discharges from this facility?

Has a Total Maximum Daily Load (TMDL) been completed for any of the identified pollutants? If yes, please list the TMDL pollutants:

Does this facility discharge industrial stormwater into a receiving water designated as a Tier 2, Tier 2.5 or Tier 3 water (see definitions in 2021 MSGP, Appendix A)? ☐ Yes ☒ No

Are any of your stormwater discharges subject to effluent limitation guidelines (ELGs) (2021 MSGP Table 1-1)? ☐ Yes ☒ No
If Yes, which guidelines apply?

1.2 Contact Information/Responsible Parties.

Facility Operator(s):

Name: Mick McCarthy
Address: 1901 Terminal Circle, Room 216
City, State, Zip Code: Billings, MT 59105
Telephone Number: (406) 657-8483
Email address: mccarthym@billingsmt.gov
Fax number: Insert fax number (optional)

(repeat for multiple operators by copying and pasting the above rows)

Facility Owner(s):

Name: Shane Ketterling
Address: 1901 Terminal Circle, Room 216
City, State, Zip Code: Billings, MT 59105
Telephone Number: (406) 657-8339
Email address: ketterlings@billingsmt.gov
Fax number: Insert fax number (optional)

(repeat for multiple operators by copying and pasting the above rows)

SWPPP Contact(s):

SWPPP Contact Name (Primary): Shane Ketterling
Telephone number: (406) 657-8339
Email address: ketterlings@billingsmt.gov
Fax number: Insert fax number (optional)

SWPPP Contact Name (Backup): Mick McCarthy
Telephone Number: (406) 657-8483
Email address: mccarthym@billingsmt.gov
Fax number: Insert fax number (optional)

1.3 Stormwater Pollution Prevention Team.

Staff Names	Individual Responsibilities
Mick McCarthy, BIL Operations Supervisor	Manages storm inspections, reviews inspection forms, communicates with engineering staff during storm events.
Heather Mosser, PE Civil Engineer	Morrison-Maierle, Inc. has been hired to conduct storm water sampling, DEQ reporting, and annual reports. Under each new project BMP are designed into storm water drainage.

1.4 Site Description.

Industrial activities at Billings Logan International Airport (BIL) are aircraft and vehicle fueling areas, fuel storage areas, aircraft maintenance areas, Bureau of Land Management Air Tanker Base, and Runway 10L/28R during the deicing season (November through February). These areas are shown in the attachments at the end of the plan.

AIRCRAFT and VEHCILE FUELING

Major air carrier and regional airlines are refueled at the gate boarding bridges at the main Terminal by means of tanker trucks. Freighter and general aviation aircraft are refueled at their hangars or ramp positions at various locations on airside facility. Airport vehicles, including fire fighting equipment are fueled at pumps located near the Operations Building on the west end of the Airport. Rental cars are refueled at pumps located near their indoor was bays located on the west end of the Airport.

AIRCRAFT DEICING

During winter months aircraft are deiced at the gate boarding bridges at the main Terminal and at the fixed base operator (FBO) on their ramp. They use a mixture of water and propylene or ethylene glycol, which is sprayed on the aircraft before takeoff. The over spray that collects on the ramp will ultimately flow to the storm drain system and then to detention Ponds A, B, C, D1 and D2. Total annual glycol used is about 30,000 gallons between airlines and the FBO.

FUEL STORAGE AREAS

BIL has two fuel farms located on property that store gasoline and aviation gas. These fuel farms serve the pump trucks that service the aircraft and vehicles. One farm is located on the east end of the Airport and the other is on the west end. Fuel is also stored at the Operations Building and the Car Rental Facility. There is one small aircraft self-fueling tank operated by Edwards Jet Center on the west end of the Airport.

AIRCRAFT MAINTENANCE AREAS

Most aircraft maintenance is performed inside hangars and is not exposed to the weather. However, some minor repairs and maintenance are completed at the gate boarding bridges at the main Terminal and on the public ramp areas.

BUREAU OF LAND MANAGEMENT AIR TANKER BASE

This facility is a base for air tankers that fight forest fires during the summer. They do not fuel or have maintenance done at this location. They do load the aircraft with fire retardant and hose off the tankers in their lease area. All water from the ramp is collected by drains and stored in the BLM retention pond.

RUNWAY 10L/28R

In 2014, the airport began using deicing fluid on the main commercial runway. It is only used when ice is expected to form on the runway surface. The deicing fluid is applied along the centerline of the runway in a 50' to 75' wide x 8,000' long strip. This amounts to about 750 gallons of potassium acetate per application.

1.5 General Location Map.

The general location map for this facility can be found in Attachment A.

1.6 Site Map.

The site map for this facility can be found in Attachment B.

The total site acreage for the airport is 2,264.64 acres. The area that has industrial activity is 457 acres of the total site. There are 4 exhibits within Attachment B:

- Exhibit A shows the airport with an aerial image, industrial activity sites, property line, and discharge locations. BIL property drains into Alkali Creek, Billings, MT.
- Exhibit B shows the same information in a line drawing format.
- Exhibit C shows the contours on the airport with elevations.
- Exhibit D shows the area industrial areas and the detention pond that the site drains into.

SECTION 2: POTENTIAL POLLUTANT SOURCES

Section 2 will describe all areas at your facility where industrial materials or activities are exposed to stormwater or from which authorized non-stormwater discharges originate. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For structures located in areas of industrial activity, you must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of acid rain.

For each area identified, the SWPPP must include industrial activities in the area, potential pollutants or pollutant constituents for each identified activity, documentation of where potential spills and leaks could contribute pollutants to stormwater discharges, evaluation of unauthorized non-stormwater discharges, salt storage location, stormwater discharge sampling data and descriptions of stormwater control measures.

2.1 Potential Pollutants Associated with Industrial Activity.

Industrial Activity	Associated Pollutants
Fueling	Fuel
Maintenance	Oil, Grease, Fuel
Deicing	Glycol, Potassium Acetate

The area of this Airport that has a potential for containing significant amounts of pollutants is that area which is collected by the storm water drainage system and is collected in Ponds A, B, C, D1, D2, and E (see drainage map, Exhibit D). The flow of the storm water in this area is to the north/northeast where it is collected by the storm sewer and conveyed to the pond system. These ponds would then be discharge to Alkali Creek at outfall 001 (A, B, C), 003 (Ponds D1, D2), and 006 (Pond E). Alkali Creek empties into the Yellowstone River.

The discharge from pond system into Alkali Creek is very infrequent, two or three times a year. In order to discharge water from these ponds the airport usually experiences a 25-year storm of one to 1.5 inches of rainfall in an hour. If it is less, the water is collected by these ponds and usually evaporates.

If you are a Sector S (Air Transportation) facility, do you anticipate using more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis?

☐ Yes ☒ No

If you are a Sector G (Metal Mining) facility, do you have discharges from waste rock and overburden piles?

☐ Yes ☐ No

2.2 Spills and Leaks.

Areas of Site Where Potential Spills/Leaks Could Occur

Location	Discharge Points
Commercial Aircraft Ramp (main Terminal)	001 and 003
Edwards Jet Center	001
Self Fueling	006
Car Wash Facility	006
Operations Fuel Tanks	003

Description of Past Spills/Leaks

Date	Description	Discharge Points
1/7/2019	Fluid Spill - Non-aircraft	NA
1/30/2019	Fluid Spill - Non-aircraft	NA
3/31/2019	Fluid Spill - Non-aircraft	NA
6/13/2019	Fluid Spill - Non-aircraft	NA
6/17/2019	Fluid Spill - Non-aircraft	NA
8/19/2019	Fluid Spill - Non-aircraft	NA
9/8/2019	Fluid Spill - Non-aircraft	NA
10/2/2019	Fluid Spill - Non-aircraft	NA
10/2/2019	Fluid Spill - Non-aircraft	NA
10/20/2019	Aircraft Emergency - Fluid Spill	NA
10/25/2019	Aircraft Emergency - Fluid Spill	NA
11/14/2019	Aircraft Emergency - Fluid Spill	NA
2/9/2020	Fluid Spill - Non-aircraft	NA
3/3/2020	Aircraft Emergency - Fluid Spill	NA
3/19/2020	Fluid Spill - Non-aircraft	NA
4/10/2020	Fluid Spill - Non-aircraft	NA
4/21/2020	Fluid Spill - Non-aircraft	NA
7/22/2020	Fluid Spill - Non-aircraft	NA
9/2/2020	Aircraft Emergency - Fluid Spill	NA
10/20/2020	Aircraft Emergency - Fluid Spill	NA
11/2/2020	Aircraft Emergency - Fluid Spill	NA
11/6/2020	Fluid Spill - Non-aircraft	NA
12/12/2020	Aircraft Emergency - Fluid Spill	NA
1/19/2021	Fluid Spill - Non-aircraft	NA
4/1/2021	Fluid Spill - Non-aircraft	NA
5/23/2021	Fluid Spill - Non-aircraft	NA
6/22/2022	Aircraft Emergency - Fluid Spill	NA
8/8/2022	Fluid Spill - Non-aircraft	NA
8/24/2022	Aircraft Emergency - Fluid Spill	NA

2.3 Unauthorized Non-stormwater Discharges Evaluation.

There are not unauthorized non-stormwater discharge at this facility.

Description of this facility's unauthorized non-stormwater discharge evaluation:

- Date of evaluation: NA
- Description of the evaluation criteria used: NA
- List of the discharge points or onsite drainage points that were directly observed during the evaluation: NA
- Action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), or documentation that a separate NPDES permit was obtained. For example, a floor drain was sealed, a sink drain was re-routed to sanitary or an NPDES permit application was submitted for an unauthorized cooling water discharge: NA

2.4 Salt Storage.

No salt for deicing is stored on site.

2.5 Sampling Data Summary.

2019-Pond A,B,C – Winter snow melt, this is usually the worst time for high concentration of glycol.

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sample
Lab ID: B19031668-001
Client Sample ID: Pond C

Report Date: 03/29/19
Collection Date: 03/21/19 14:10
DateReceived: 03/21/19
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.7	s.u.	H	0.1		A4500-H B	03/22/19 15:20 / pjw
pH Measurement Temp	16	C				A4500-H B	03/22/19 15:20 / pjw
Solids, Total Suspended TSS @ 105 C	43	mg/L		10		A2540 D	03/25/19 09:29 / drm
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	47	mg/L		5		E410.4	03/22/19 14:55 / ks
NUTRIENTS							
Nitrogen, Ammonia as N	0.27	mg/L		0.05		E350.1	03/25/19 16:45 / mmc

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sample
Lab ID: B19031668-002
Client Sample ID: Pond D

Report Date: 03/29/19
Collection Date: 03/21/19 14:25
DateReceived: 03/21/19
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.8	s.u.	H	0.1		A4500-H B	03/22/19 15:23 / pjw
pH Measurement Temp	16	C				A4500-H B	03/22/19 15:23 / pjw
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	03/25/19 09:26 / drm
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	2140	mg/L	D	100		E410.4	03/26/19 17:45 / ks
NUTRIENTS							
Nitrogen, Ammonia as N	ND	mg/L		0.05		E350.1	03/25/19 16:46 / mmc

Following the above test, Pond D started using a farm gate and plug system in the manhole design to maintain the low spring flows on site. The pond is open for discharge in June or July. This has assisted meeting the key levels prior to discharge into Alkali Creek since 2019.

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sample
Lab ID: B19031668-003
Client Sample ID: Pond E

Report Date: 03/29/19
Collection Date: 03/21/19 15:00
DateReceived: 03/21/19
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.5	s.u.	H	0.1		A4500-H B	03/22/19 15:25 / pjw
pH Measurement Temp	16	C				A4500-H B	03/22/19 15:25 / pjw
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	03/25/19 09:04 / drm
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	29	mg/L		5		E410.4	03/22/19 14:55 / ks
NUTRIENTS							
Nitrogen, Ammonia as N	ND	mg/L		0.05		E350.1	03/25/19 16:47 / mmc

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sample
Lab ID: B19052226-001
Client Sample ID: Ponds C

Report Date: 05/31/19
Collection Date: 05/24/19 09:45
DateReceived: 05/24/19
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.7	s.u.	H	0.1		A4500-H B	05/29/19 14:30 / pjw
pH Measurement Temp	21	C				A4500-H B	05/29/19 14:30 / pjw
Solids, Total Suspended TSS @ 105 C	65	mg/L		10		A2540 D	05/29/19 09:07 / kkf
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	32	mg/L		5		E410.4	05/28/19 15:33 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	0.19	mg/L		0.05		E350.1	05/29/19 14:50 / pap
CLIENT PROVIDED FIELD PARAMETERS							
Field pH, su	7.5	s.u.				FIELD	05/24/19 09:45 / ---

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sample
Lab ID: B19051857-002
Client Sample ID: Pond D

Report Date: 05/29/19
Collection Date: 05/22/19 08:10
DateReceived: 05/22/19
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.9	s.u.	H	0.1		A4500-H B	05/22/19 12:53 / pjw
pH Measurement Temp	21	C				A4500-H B	05/22/19 12:53 / pjw
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	05/22/19 13:10 / kkf
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	79	mg/L		5		E410.4	05/28/19 15:33 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	ND	mg/L		0.05		E350.1	05/22/19 16:25 / pap

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sampling
Lab ID: B19071327-001
Client Sample ID: Pond C

Report Date: 07/22/19
Collection Date: 07/15/19 10:30
DateReceived: 07/15/19
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.8	s.u.	H	0.1		A4500-H B	07/15/19 14:49 / pjw
pH Measurement Temp	20	C				A4500-H B	07/15/19 14:49 / pjw
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	07/16/19 09:32 / kkf
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	19	mg/L		5		E410.4	07/16/19 14:14 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	ND	mg/L		0.05		E350.1	07/16/19 14:47 / pap
CLIENT PROVIDED FIELD PARAMETERS							
Field pH, su	7.2	s.u.				FIELD	07/15/19 10:30 / ---

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sampling
Lab ID: B19071327-002
Client Sample ID: Pond D

Report Date: 07/22/19
Collection Date: 07/15/19 10:40
DateReceived: 07/15/19
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.9	s.u.	H	0.1		A4500-H B	07/15/19 14:51 / pjw
pH Measurement Temp	20	C				A4500-H B	07/15/19 14:51 / pjw
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	07/16/19 09:32 / kkf
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	30	mg/L		5		E410.4	07/16/19 14:14 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	ND	mg/L		0.05		E350.1	07/16/19 14:48 / pap
CLIENT PROVIDED FIELD PARAMETERS							
Field pH, su	7.4	s.u.				FIELD	07/11/19 10:40 / ---

2020-Pond A,B, C

With the reconstruction of Pond D in 2019, Pond C has met all the key levels. The flows in 2020 were low without any severe storms, Pond D and E did not discharge in 2020.

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sampling
Lab ID: B20060639-001
Client Sample ID: BIL Pond C

Report Date: 06/12/20
Collection Date: 06/08/20 11:10
DateReceived: 06/08/20
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.8	s.u.	H	0.1		A4500-H B	06/08/20 16:31 / ean
pH Measurement Temp	20	C				A4500-H B	06/08/20 16:31 / ean
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	06/10/20 12:22 / keh
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	7	mg/L		5		E410.4	06/10/20 14:25 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	ND	mg/L		0.05		E350.1	06/10/20 15:47 / srh

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LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sampling
Lab ID: B20080270-001
Client Sample ID: Pond C

Report Date: 08/11/20
Collection Date: 08/04/20 11:00
DateReceived: 08/04/20
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.2	s.u.	H	0.1		A4500-H B	08/05/20 10:40 / trp
pH Measurement Temp	17	C				A4500-H B	08/05/20 10:40 / trp
Solids, Total Suspended TSS @ 105 C	22	mg/L	<= 100 quarterly average	10		A2540 D	08/05/20 15:40 / pjw
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	37	mg/L	<=120	5		E410.4	08/05/20 11:31 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	0.30	mg/L	<=2.14	0.05		E350.1	08/05/20 15:46 / ean

2021-Pond A,B, C The flows in 2021 were low without any severe storms, Pond D and E did not discharge in 2021.

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LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sampling
Lab ID: B21081764-001
Client Sample ID: Pond C

Report Date: 08/30/21
Collection Date: 08/19/21 09:50
DateReceived: 08/19/21
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.5	s.u.	H	0.1		A4500-H B	08/24/21 13:29 / ftk
pH Measurement Temp	18.9	°C		1.0		A4500-H B	08/24/21 13:29 / ftk
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	08/19/21 14:47 / pjw
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	52	mg/L		5		E410.4	08/23/21 12:49 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	0.42	mg/L		0.05		E350.1	08/24/21 17:05 / srh

2022-Pond A,B, C

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sampling
Lab ID: B22041710-001
Client Sample ID: Pond C

Report Date: 05/04/22
Collection Date: 04/23/22 13:14
DateReceived: 04/25/22
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.5	s.u.	H	0.1		A4500-H B	04/25/22 10:18 / fap
pH Measurement Temp	17.1	°C		1.0		A4500-H B	04/25/22 10:18 / fap
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	04/25/22 13:21 / pjw
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	84	mg/L		5		E410.4	04/25/22 13:29 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	0.08	mg/L		0.05		E350.1	05/02/22 17:55 / krt

2022-Pond D levels once gate and plug were opened.

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LABORATORY ANALYTICAL REPORT
Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sampling
Lab ID: B22061740-001
Client Sample ID: Pond D

Report Date: 07/08/22
Collection Date: 06/19/22 19:20
DateReceived: 06/20/22
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.5	s.u.	H	0.1		A4500-H B	06/20/22 16:36 / fap
pH Measurement Temp	16.6	°C		1.0		A4500-H B	06/20/22 16:36 / fap
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	06/20/22 16:51 / pjw
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	12	mg/L		5		E410.4	06/30/22 18:31 / jpv
NUTRIENTS							
Nitrogen, Ammonia as N	ND	mg/L		0.05		E350.1	06/29/22 17:51 / krt

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LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: Billings Logan International Airport
Project: Storm Water Sampling
Lab ID: B22071897-001
Client Sample ID: Pond D

Report Date: 08/07/22
Collection Date: 07/25/22 07:50
DateReceived: 07/25/22
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.4	s.u.	H	0.1		A4500-H B	07/25/22 11:55 / mjb
pH Measurement Temp	17.7	°C		1.0		A4500-H B	07/25/22 11:55 / mjb
Solids, Total Suspended TSS @ 105 C	46	mg/L		10		A2540 D	07/25/22 15:09 / pjw
AGGREGATE ORGANICS							
Oxygen Demand, Chemical (COD)	44	mg/L		5		E410.4	07/26/22 13:06 / mas
NUTRIENTS							
Nitrogen, Ammonia as N	0.24	mg/L		0.05		E350.1	08/01/22 16:53 / krt

2023-No flow has been observed within 2023 to date.

SECTION 3: STORMWATER CONTROL MEASURES (SCM)

3.1 Non-numeric Technology-based Effluent Limits (BPT/BAT/BCT)

3.1.1 Minimize Exposure.

The pond system monitors these items at the final location before discharge. Pond D has control gates and plug system for low flow months. Pond A, B, C handles the flows of the airport within the level with the three pond system.

The controls on the airfield include a pavement temperature sensing system was installed on Runway 10L/28R. This system allows the airport to see what the temperature of the pavement is and predict when deicing fluid should be applied to the runway surface. As a result, less deicing fluid is used during the deicing season because pavement is deiced only when needed.

Potential pollutants are stored in approved tanks to minimize spills and leaks. Snow stockpiles are placed away from all industrial operations to minimize exposure during snowmelt.

3.1.2 Good Housekeeping.

Individual responsible for Pollution Prevention and Storm Water Management BMPs. The PPP shall be managed by one member of each of the Divisions at BIL. They will answer to the Director of Aviation and Transit, who shall have sole approval over any actions or recommendations that may develop. The Assistant Director of Aviation and Transit, who will be responsible for coordinating and developing the final plan and any future revisions with the Director of Aviation and Transit. The Assistant Director will be the sole contact with the State.

The ARFF/AFM Workers are an important part of this plan, as it will be their duty to provide the twice-daily inspections of the airfield, and will provide the interface between the Airport and the tenants that use it.

The Airport Operations Supervisor is the response expert, whose operations at this Airport is in charge of response and cleanup of any spills or leaks that occur. BIL Airport Operations Supervisor manages BIL Airport's Emergency Spill Response Plan. These people and their resources at their disposal will provide the Airport with the means to maintain a SWPPP. The plan will include inspection of existing operations and the airfield, knowledge of all facilities and how they can be used or modified to reduce potential pollution sources, a plan to be used in case of a leak or spill, and the means to administer the implements recommendations.

All new Aviation and Transit Department employees at BIL are required to go through security and safety training before they can begin their job. Training for SWPPP will depend on what division they are in and what their duties will require them to do. All employees will receive an overview of the SWPPP and each division will develop specific pollution prevention training programs tailored to their areas of responsibility. Each division of the airport has developed a pollution prevention training program for their employees. As an example, the Airport Operations Supervisor includes in the training program, erosion control, inspections of equipment, and maintenance procedures. The ARFF/AFM works train on spills response and clean up. Additional topics and refresher training will be scheduled at a minimum of once per year.

3.1.3 Maintenance.

Preventive maintenance is comprised of the preventive programs that each division has in place for their separate operations. The scope of BIL preventive maintenance plan is as follows:

ENGINEERING AND PLANNING

1) Reviews all construction at the Airport to ensure that there are no illicit storm drain connections.

2) Reviews all plans and specifications to be sure they have included proper environmental language, and if required, they develop a construction SWPPP.

3) Performs inspections of all construction activity on the Airport to monitor the effects of the project on the environment and enforce Airport environmental policy.

4) Anticipates possible activities that have a potential to contribute pollutants to the storm water and develops alternative methods, or has the proper plan in place to be used in case of a release.

BUILDING MAINTENANCE

1) Cleans/inspects the sanitary sewer systems once a year to prevent backups and broken lines.

2) Uses products that are environmentally safe to the greatest extent possible, and ensures that other waste that is generated is disposed of properly.

3) Monitors the Terminal tenants to ensure their activities do not add pollutants to the storm water runoff.

5) Provides yearly training to employees on the correct use and disposal of waste materials.

AIRFIELD MAINTENANCE

1) Performs daily inspections of airfield complex and the airfield tenants' operations/equipment for compliance with safety and environmental issues.

2) Performs regular maintenance on equipment to ensure that they do not leak contaminants to the surface.

3) Provide insight on systems that need to be repaired or replaced before they can cause environmental damage.

4) Ensures that any materials that are used for the maintenance or repair of the airfield are environmentally safe and are used correctly, and provide training on the correct use, cleanup, and disposal of the product.

AIRCRAFT RESCUE FIRE FIGHTING

1) Developed a spill response and cleanup plan for all spills on the Airport.

2) Yearly training of employees on environmental issues and correct use of materials.

3) Monitors small fuel tank manual gauging to ensure the tank is not leaking.

4) Inspects aircraft to ensure they are not contributing pollutants to the airfield, and in the event of a leak/spill, ensures it is cleaned and disposed of according to State and Federal regulations.

5) Inspects fuel farms for leaks/spills, and provides tenants with correct procedures on what to do if they have a spill/leak.

TENANT CO-PERMITTEE PROGRAM

In 2002, Billings Logan International Airport began a Co-permittee program for our large fixed base operators, airlines, and airfreight operations. This was done because it will add another layer of inspection and training to our program, and it makes these tenants, who are the main source of industrial activities on the Airport, responsible for monitoring their operations. Copermittees are required to develop a Storm Water Pollution Prevention Plan that includes:

1) A Description of Potential Pollution Sources
2) Identifies a Responsible Individual
3) Risk Identification and Assessment/Material Inventory
4) Spill Prevention and Response Procedures
5) Visual Inspections
6) Record Keeping
7) Non-Storm Water Discharges
8) Annual Comprehensive Site Inspections

The current co-permittees on this Airport are:

FBO's

Edwards Jet Center

Bureau of Land Management Air Tanker Base

Airlines

Alaska Airlines

Allegiant Air

American Airlines

Cape Air

Delta Airlines

Frontier Airlines

United Airlines

Air Freight

United Parcel Service

Federal Express

Alpine Air

The preventive maintenance program provides for design, inspections, training, and maintenance to ensure that employees, procedures, and products at this facility do not contribute to the pollution of the storm water runoff.

3.1.4 Spill Prevention and Response Procedures.

The business of running and maintaining an airport will always have a potential to have spills, but the key is what happens after the spill and what will be done to avoid future spills. Spills at this facility are most likely to occur at the Terminal complex or the fuel farms. Any major spills or leaks in these area will be picked up by the storm drain system that drains into Ponds A, B, C, D1, and D2. BIL has a Flammable/Combustible Fluid Spill Policy, and Departmental Order Number 013 – Fuel/Lubricant Spill Responsibilities for responding ARFF, and an Aircraft Emergency Fluid Spill Report Form that are in effect in case of a fuel spill or the release of a hazardous material, see Appendix B.

3.1.5 Erosion and Sediment Controls.

BIL is in the Central Grassland vegetation zone. The principal forage species include blue gamma, western wheat grass, and needle and thread. Other species include shrubs and grasses, sedges, and various forbs (phlax, sphaeralcea coccinea); this vegetation covers all of the land that is not paved at BIL. The necessity to drain the runway complex quickly after a storm is a safety factor for the operations of the aircraft that use the facility and therefore we have an extensive drainage system to carry the storm water from the runways and taxiways to the detention ponds. Improvement projects that affect the land at BIL have included reseeding as part of the specifications, drainage swales and field drains are also included. Even with current BMPs, after major weather washouts may occur. These areas are found during the field inspections and crews are tasked with the needed repairs. The FAA regulates the slopes of the areas around the runway and taxiway complex, washouts on the airport are repaired immediately. Sediment picked up by the storm water is deposited in the detention ponds before it can reach the surface waters. The combination of natural vegetation, drainage systems, detention ponds, and preventive maintenance at washouts keep the amount of soil erosion at BIL to a minimum.

3.1.6 Management of Stormwater.

BIL has to manage the storm water due to its location above the city and the sandstone formation it sits on does not infiltrate water. BIL has in place measures and procedures to manage the water. There are detention ponds, grassy swales, and a drainage system that collects the storm water runoff associated with industrial activity and collects it within the pond system. The snow plan places snow from industrial activity areas into grassy areas so that it snow melt flows across vegetated areas before entering the storm drainage system and detention ponds. The SWPPP uses all BMPs to control, reduce, or treat the storm water at BIL. The airport also includes as part of their plan, education and maintenance of material storage and handling, spill reporting and clean up procedures.

3.1.7 Salt Storage Piles or Piles Containing Salt.

No salt is stored on site.

3.1.8 Dust Generation and Vehicle Tracking of Industrial Materials.

BIL staff consistently sweeps all paved surfaces to minimize dust and FOD from vehicle tracking. During construction projects, soil stockpiles are consistently watered to minimize dust spreading in the airfield. Dust generation is also mitigated by seeding disturbed areas, limiting the amount of time dust can be generated.

3.2 Numeric Effluent Limitations Based on Effluent Limitations Guidelines (ELGs).

BIL does use runway deicing fluid in the winter months, but fluid does not contain urea.

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 8.A.8
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	See Part 8.C.5
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 8.D.5
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 8.E.6
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part 8.J.10
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part 8.K.7
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part 8.L.11
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 8.O.8
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Part 449	See Part 8.S.9

3.3 Water Quality-based Effluent Limitations and Water Quality Standards.

The analyses for each discharge is performed by Energy Laboratories, Inc. The results are documented within the state site. Items measured and recorded are Ammonia (pH), temperature, Total Suspended Solids (TSS), Oxygen Demand (COD), and Nitrogen.

3.4 Sector-Specific Non-Numeric Effluent Limits.

BIL does not have non-numeric effluent limits within Sector S.

SECTION 4: SCHEDULES AND PROCEDURES

4.1 Good Housekeeping.

BIL is regularly inspected by a variety of state, federal, and local agencies to ensure that we meet the standards required to provide safe and convenient air service. In addition to these standards, each Division supervisor at this airport has developed a ser of procedures for the maintenance and cleaning of the areas under their control. All equipment is checked daily to ensure it is running properly, and each area that has been used is thoroughly cleaned after it has been used. The smooth operation of this airport would not be possible if good housekeeping practices were not a regular part of the administration's policy.

4.2 Maintenance.

See section 3.1.3 above.

4.3 Spill Prevention and Response Procedures.

See Appendix A.

4.4 Erosion and Sediment Control.

No polymers or chemicals are used for erosion control.

4.5 Employee Training.

All new Aviation and Transit Department employees at BIL are required to go through security and safety training before they can begin their job. Training for SWPPP will depend on what division they are in and what their duties will require them to do. All employees will receive an overview of the SWPPP and each division will develop specific pollution prevention training programs tailored to their areas of responsibility. Each division of the airport has developed a pollution prevention training program for their employees. As an example, the Airport Operations Supervisor includes in the training program, erosion control, inspections of equipment, and maintenance procedures. The ARFF/AFM works train on spills response and clean up. Additional topics and refresher training will be scheduled at a minimum of once per year.

4.6 Inspections and Assessments.

Inspections and assessments will comply with sections 2.4 of the General Permit. See section 3.1.3 above.

4.6.1 Routine Facility Inspections.

See section 3.1.3 above.

For routine facility inspections to be performed at your site, your SWPPP must include a description of the following:

1. Person(s) or positions of person(s) responsible for inspection.

   Mick McCarthy
   Paul Totton
   Jerry Haidle
   Ryan Holloway
   Jarid Clark
   Shawn Gaalswyk
   Craig Callicott
   Colter Smith
   Chase Brumfield
   Mike Herring
   Brian Strum
   Kourtny Rathburn
   Rich Ruiz
   Jason Stanina
   Mike Solberg
   Devon Gibson
   Ryan Obert
   Jakob Fletcher
   Adan Ghekiere

   Note: Inspections must be performed by qualified personnel with at least one member of your stormwater pollution prevention team participating. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections. Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at your facility, and who can also evaluate the effectiveness of control measures.

2. Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater discharges.

   Routine inspections will occur once at the end of each calendar quarter. If stormwater is discharging, an additional routine inspection will occur. See section 3.1.3 above.

   Note: The qualified personnel must conduct inspections at least quarterly (i.e., once each calendar quarter), or in some instances more frequently (e.g., monthly). Increased frequency may be appropriate for some types of equipment, processes and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring.

3. List areas where industrial materials or activities are exposed to stormwater.

   - Aircraft and Vehicle Fueling Areas

- Fuel Storage Areas
- Aircraft Maintenance Areas
- Bureau of Land Management Air Tanker Base
- Runway 10L/28R during deicing season, November through February.

4. List areas identified in the SWPPP (section 1 of the SWPPP Template) and those that are potential pollutant sources (see Part 6.2.3).
    - Aircraft and Vehicle Fueling Areas
    - Fuel Storage Areas
    - Aircraft Maintenance Areas
    - Bureau of Land Management Air Tanker Base
    - Runway 10L/28R during deicing season, November through February.
5. Areas where spills and leaks have occurred in the past three years.
    - Cargo Ramps
    - Airport Terminal gates
    - Long term parking lot
    - Taxiway "G"
6. Inspection information for discharge points. Discharge points can be found on the attached exhibits in Appendix A.
7. List the control measures used to comply with the effluent limits contained in the 2023 MSGP.
8. Other site-specific inspection objectives. None.

4.6.2 Quarterly Visual Assessment of Stormwater Discharges.

The Airport is inspected monthly as per Parts 2.4 and 3.4.19 of the General Permit.

The inspection of the airfield complex is the responsibility of the Airfield Maintenance Division, supervised by the Airfield Operations Superintendent. The Airport is presently inspected at 5:00 a.m. and 4:00 p.m. daily, and a report is filled out noting everything that they find that is not working, needs repair, or anything that may introduce pollutants to the storm water. These inspections include all of the potential pollution sources, the runway and taxiway complex, and the ramp area. The ramp areas will also be checked for any aircraft, vehicle, or equipment maintenance that may be occurring. We have also developed a Storm Water Pollution Prevention Program Quarterly Facility Inspection Report that is used when we inspect our tenants' operations areas. See Appendix C for copies of the Daily and Quarterly Inspection Report forms. Any items or activities that may have pollution potential will be submitted to the supervisor and the appropriate action will be taken to remedy the situation. The actions taken and their time and date will be part of this report.

For quarterly visual assessments to be performed at your site, your SWPPP must include a description of the following:

1. Person(s) or positions of person(s) responsible for assessments.

   BIL staff:
   Mick McCarthy
   Paul Totton
   Jerry Haidle
   Ryan Holloway
   Jarid Clark
   Shawn Gaalswyk
   Craig Callicott
   Colter Smith
   Chase Brumfield
   Mike Herring
   Brian Strum
   Kourtny Rathburn
   Rich Ruiz
   Jason Stanina
   Mike Solberg
   Devon Gibson
   Ryan Obert
   Jakob Fletcher
   Adan Ghekiere

2. Schedules for conducting assessments.

   See section 3.1.3 above.

3. Specific assessment activities.

   See section 3.1.3 above.

4.6.3 Exception to Routine Facility Inspections and Quarterly Visual Assessments for Inactive and Unstaffed Sites.

☐ This site is inactive and unstaffed, and has no industrial materials or activities exposed to stormwater, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii) as signed and certified in Section 7 below.

If you are invoking the exception for inactive and unstaffed sites for your routine facility inspections and/or quarterly visual assessments, include information to support this claim.

4.7 Monitoring.

Check the following monitoring activities applicable to your facility:

☐ Indicator monitoring

☒ Benchmark monitoring

☐ Effluent limitations guidelines monitoring

☐ State- or tribal-specific monitoring

☐ Impaired waters monitoring

☐ Other monitoring required by EPA

1. Sample location(s). The sample locations are shown on the exhibits in Appendix B.
2. Pollutants to be sampled. When there is discharge we sample for Ammonia, Temperature, TSS, COD, and Nitrogen
3. Monitoring Schedules. Quarterly or no discharge.
4. Numeric Limitations. When there is discharge we sample for Ammonia, Temperature, TSS, COD, and Nitrogen.
5. Procedures. With the ponds at BIL and the capacity a storm sample can sometimes be hours after the storm before discharge. BIL calls Morrison-Maierle, Inc. when discharge is observed on the airfield. Morrison-Maierle, Inc. will go to the discharge location once called and take a samples with Energy Laboratories, Inc. supplies. The samples are kept on ice in a cooler and the chain of custody kept until they are dropped off at Energy Laboratories, Inc. in Billings, MT.

Note: it may be helpful to create a table with columns corresponding to # 1 - 5 above for each type of monitoring you are required to conduct.

Exception for Inactive and Unstaffed Facilities (if applicable)

☐ This site is inactive and unstaffed, and has no industrial materials or activities exposed to stormwater, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii) as signed and certified in Section 7 below.

Exception for Substantially Identical Discharge Points(SIDP) (if applicable)

If you plan to use the SIDP exception for your quarterly visual assessment requirements in 2023 MSGP Part 3.1.11 for your indicator, benchmark, or impaired waters monitoring requirements in 2023 MSGP Parts 2.5.1.1, respectively, include the following information here to substantiate your claim that these discharge points are substantially identical (2023 MSGP Part 6.2.5.3.d):

- Location of each SIDP: Outfall 004 and 005 are only monitored in the winter during deicing season. These points are two separate drainages, but the exact same area of runoff.
- List the general industrial activities conducted in the drainage area of each discharge point: glycol
- List the control measures implemented in the drainage area of each discharge point: They are erosion control and the water is slowed by a haul road.

- List the exposed materials located in the drainage area of each discharge point that are likely to be significant contributors of pollutants via stormwater discharges: None at discharge, only glycol from the runway surface. The stormwater flows in grass or rock drainage swales for erosion control.
- An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%): Low with grass.
- Why the discharge points are expected to discharge substantially identical effluents: Same location of the runway being split into two drainage swales.

SECTION 5: DOCUMENTATION TO SUPPORT ELIGIBILITY CONSIDERATIONS UNDER OTHER FEDERAL LAWS

5.1 Documentation Regarding Endangered Species Act (ESA) Listed Species and Critical Habitat Protection.

Storm water discharge at BIL will not adversely affect any critical habitat or endangered species.

5.2 Documentation Regarding National Historic Preservation Act (NHPA)-Protected Properties.

See Appenix C.

SECTION 6: CORRECTIVE ACTIONS AND ADDITIONAL IMPLEMENTATION MEASURES

SECTION 7: SWPPP CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Shane Kettering Title: **Assistant Director**

Signature: Shane Kettering Date: 3-20-2023

SECTION 8: SWPPP MODIFICATIONS

The SWPPP will comply with all items in section 3.4.19 in the 2023 MSGP.

SECTION 9: SWPPP AVAILABILITY

This SWPPP will be attached to the NOI.

SWPPP ATTACHMENTS

Attach the following documentation to the SWPPP:

Attachment A – General Location Map

Include a copy of your general location map in Attachment A.

Attachment B – Site Map

Include a copy of your site map(s) in Attachment B.

Attachment C – Airport Documents

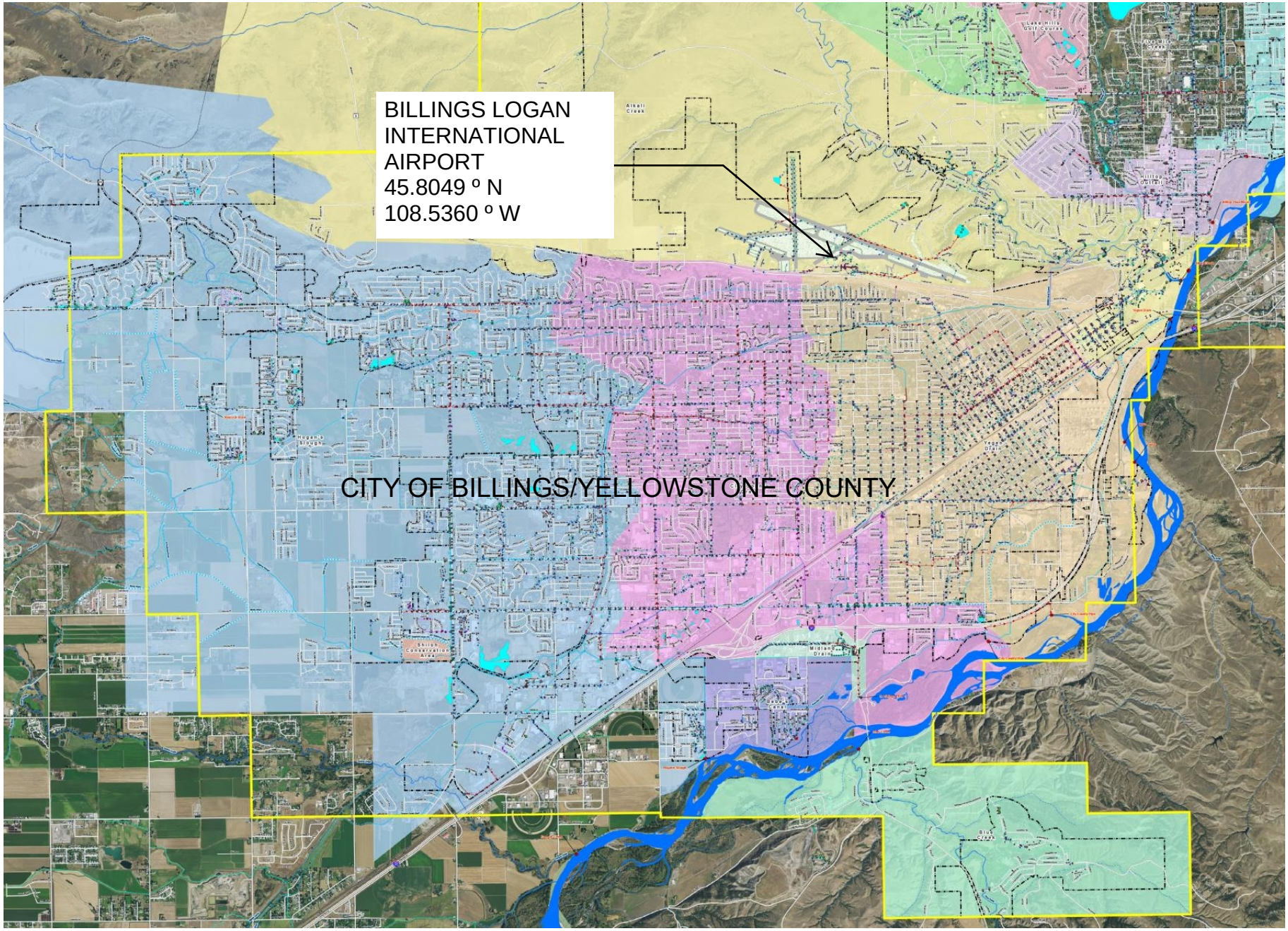
Attachment D –2023 MSGP

Note: it is helpful to keep a printed-out copy of the 2023 MSGP so that it is accessible to you for easy reference. However, you do not need to formally incorporate the entire 2023 MSGP into your SWPPP. As an alternative, you can include a reference to the permit and where it is kept at the site.

ATTACHMENT A

GENERAL LOCATION MAP

Attachment A



ATTACHMENT B

SITE MAP (4 EXHIBITS)

VERIFY SCALE!

THESE PRINTS MAY BE REDUCED. LINE BELOW MEASURES ONE INCH ON ORIGINAL DRAWING,

MODIFY SCALE ACCORDINGLY!

REVISIONS

NO.	DESCRIPTION	BY	DATE

V:\2447\000-SWPPP\OUTFALL-LOCATIONS-PROPOSED.DWG PLOTTED BY:HEATHER MOSSER ON Mar/13/2019

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

315 N. 25th Street, Suite 102
Billings, MT 59101
406.656.6000
www.m-m.net

DRAWN BY: _____
DSGN. BY: _____
APPR. BY: _____
DATE: _____

Q.C. REVIEW
BY: _____
DATE: _____

BILLINGS LOGAN INTERNATIONAL AIRPORT

BILLINGS MONTANA

EXHIBIT A

PROJECT NUMBER

SHEET NUMBER

DRAWING NUMBER

006
N045.8179
W108.5487

POND E

005
N045.8113
W108.5443

004
N045.8105
W108.5371

003
N045.8162
W108.5173

PONDS D1,D2

001
N045.8094
W108.5055

PONDS A,B,C

002
N045.8100
W108.5202

AIRPORT BUSINESS PARK

AIR TANKER BASE

RENTAL CAR WASH FACILTIY

GENERAL AVIATION T-HANGARS

EDWARDS HANGAR

EXECUTIVE HANGARS

AIRPORT OPERATIONS

EDWARDS JET CENTER

EDWARDS JET CENTER

RUNWAY 10L-28R

T/W "A"

T/W "A" WEST

T/W "B"

T/W "C"

T/W "D"

T/W "E"

T/W "F"

T/W "G"

T/W "H"

T/W "J"

T/W "K"

TERMINAL

- FUEL SPILL LOCATION FROM 2019-PRESENT
- OTHER FLUID SPILL LOCATION FROM 2019-PRESENT

500 250 0 500 1,000
SCALE IN FEET

VERIFY SCALE!

THESE PRINTS MAY BE REDUCED. LINE BELOW MEASURES ONE INCH ON ORIGINAL DRAWING,

MODIFY SCALE ACCORDINGLY!

REVISIONS			
NO.	DESCRIPTION	BY	DATE

V:\2447\000-SWPPP\NOI APLICATION\EXHIBIT B-1.DWG PLOTTED BY:HEATHER MOSSER ON Mar/14/2019

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

315 N. 25th Street, Suite 102
Billings, MT 59101
406.656.6000
www.m-m.net

DRAWN BY: _____
DSGN. BY: _____
APPR. BY: _____
DATE: _____

Q.C. REVIEW
BY: _____
DATE: _____

BILLINGS LOGAN INTERNATIONAL AIRPORT

BILLINGS MONTANA

EXHIBIT B

PROJECT NUMBER

SHEET NUMBER

DRAWING NUMBER

VERIFY SCALE!

THESE PRINTS MAY BE REDUCED. LINE BELOW MEASURES ONE INCH ON ORIGINAL DRAWING,

MODIFY SCALE ACCORDINGLY!

REVISIONS

NO.	DESCRIPTION	BY	DATE

V:\2447\000-SWPPP\NOI APLICATION\EXHIBIT C.DWG PLOTTED BY:HEATHER MOSSER ON Mar/14/2019

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists
315 N. 25th Street, Suite 102
Billings, MT 59101
406.656.6000
www.m-m.net

DRAWN BY: _____
DSGN. BY: _____
APPR. BY: _____
DATE: _____
Q.C. REVIEW BY: _____
DATE: _____

BILLINGS LOGAN INTERNATIONAL AIRPORT

BILLINGS MONTANA

EXHIBIT C - AIRPORT CONTOURS

PROJECT NUMBER

SHEET NUMBER

DRAWING NUMBER

006
N045.8179
W108.5487

003
N045.8162
W108.5173

001
N045.8094
W108.5055

005
N045.8113
W108.5443

004
N045.8105
W108.5371

002
N045.8100
W108.5202

POND E

PONDS D1,D2

AIRPORT
BUSINESS
PARK

PONDS A,B,C

RENTAL CAR
WASH FACILITY

GENERAL
AVIATION
HANGARS

EDWARDS
HANGAR

EXECUTIVE
HANGARS

AIRPORT
OPERATIONS

AIRPORT TERMINAL BUILDING

EDWARDS JET CENTER

500 250 0 500 1,000
SCALE IN FEET

VERIFY SCALE!

THESE PRINTS MAY BE REDUCED. LINE BELOW MEASURES ONE INCH ON ORIGINAL DRAWING,

MODIFY SCALE ACCORDINGLY!

REVISIONS

NO.	DESCRIPTION	BY	DATE

V:\2447\000-SWPPP\EXHIBIT B.DWG PLOTTED BY:HEATHER MOSSER ON Mar/13/2019

Morrison Maierle
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315 N. 25th Street, Suite 102
Billings, MT 59101
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DSGN. BY: _____
APPR. BY: _____
DATE: _____

Q.C. REVIEW
BY: _____
DATE: _____

BILLINGS LOGAN INTERNATIONAL AIRPORT

BILLINGS MONTANA

EXHIBIT D - DRAINAGE AREAS

PROJECT NUMBER

SHEET NUMBER

DRAWING NUMBER

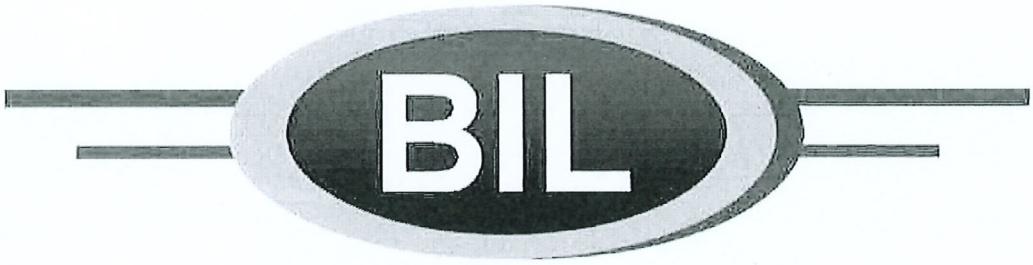
ATTACHMENT C

AIRPORT DOCUMENTS

-FUEL SPILL POLICY
-INSPECTION FORMS
- NHP GENERALIZED OBSERVATIONS

FLAMMABLE/COMBUSTIBLE

FLUID SPILL POLICY



PREPARED BY
CITY OF BILLINGS
AVIATION AND TRANSIT DEPARTMENT
BILLINGS LOGAN INTERNATIONAL AIRPORT
BILLINGS, MONTANA

APRIL 2018

FLAMMABLE/COMBUSTIBLE FLUID SPILL POLICY

GENERAL REQUIREMENTS

1. Tenants are required to begin fluid spill cleanup immediately and report all spills to Airport Operations (406-657-8496). When reporting spills, include the type of fluid, approximate amount spilled, location, and cause of the spill.

2. Spill cleanup must be done in accordance with City of Billings, Aviation and Transit Department *Flammable/Combustible Fluid Spill Cleanup Procedures.*

3. All fluid spill accidents are the responsibility of the company and/or the individual who caused the spill. All costs for the cleanup of the spill will be borne by the responsible party.

4. Unreported spills will be cleaned up by Airport Operations personnel. Cleanup costs may be charged to the leaseholder and/or the responsible party who caused the spill.

5. Spills attributed to negligence by an individual or company could result in legal action.

6. Spills in excess of 25 gallons must be reported to the State of Montana Department of Environmental Quality. Airport Operations personnel will attempt to contain a large spill to prevent further ground contamination, however, the company or individual responsible for the spill will be responsible for cleanup, reclamation of the site, and all costs associated with the cleanup work. The tenant will be responsible for providing updates to the State agency and the City of Billings, Aviation and Transit Department regarding the progress of the cleanup activities.

7. Each mobile refueling truck operating at the Airport must have a minimum amount of materials and supplies onboard to adequately mitigate a 10-gallon fluid spill. Each fuel farm area that is in operation at the Airport must have a minimum amount of materials and supplies onsite to adequately mitigate a 25-gallon fluid spill. To ensure compliance, each spill kit will be inspected once every three (3) months during the mandated 14 CFR, Part 139 FBO inspections conducted by Airport Operations personnel.

8. Each employee that is involved in refueling, defueling, or repairing aircraft on ramp areas must receive training from their employer covering the following topics:

   - Fluid Spill Prevention
   - Acceptable Fluid Spill Cleanup Procedures
   - Fluid Spill Notifications

FLAMMABLE/COMBUSTIBLE FLUID SPILL POLICY

SPILL CLEANUP KITS

Listed below are the minimum requirements for fluid spill cleanup kits. Each kit is to be restocked after use and inventoried at least monthly.

10-GALLON FLUID SPILL CLEANUP KIT

- Large weatherproof storage container to hold entire contents of spill kit.
- One (1) gallon of commercial emulsifying agent that will reduce the flammability of the spilled fluid that is environmentally acceptable, and easy to clean up.
- Stiff-bristle push broom for agitating the emulsifier.
- Two (2) cubic feet of lightweight absorbent material that will effectively absorb the emulsified fluid, can be discarded in the local landfill or incinerated at an approved hazardous materials disposal site. Clay-type "floor-dry" and "kitty litter" are not acceptable products to use.
- Non-sparking shovel and trash bags to collect used absorbent material.
- Absorbent pillows and/or socks (optional).

25-GALLON FLUID SPILL CLEANUP KIT

- Large weatherproof storage container to hold entire contents of spill kit.
- Two (2) gallons of commercial emulsifying agent that will reduce the flammability of the spilled fluid, is environmentally acceptable, and easy to clean up.
- Stiff-bristle push broom for agitating the emulsifier.
- Four (4) cubic feet of lightweight absorbent material that will effectively absorb the emulsified fluid, can be discarded in the local landfill or incinerated at an approved hazardous materials disposal site. Clay-type "floor-dry" and "kitty litter" are not acceptable products to use.
- Non-sparking shovel and trash bags to collect used absorbent material.
- Absorbent pillows and/or socks (optional).

FLAMMABLE/COMBUSTIBLE FLUID SPILL POLICY

FLUID SPILL CLEANUP PROCEDURES

1. Stop all foot and vehicle traffic from entering spill area.
2. Ensure Airport Operations has been notified (406-657-8496).
3. Take immediate steps to prevent fluid from entering storm drains by utilizing absorbent material.
4. Apply emulsifier over spill area.
5. Use broom to mix/agitate emulsifier into the spill area.
6. Apply absorbent material around perimeter of spill area.
7. Broom material toward the center of the spill area.
8. Collect all absorbent material, and dispose of properly.

FLAMMABLE/COMBUSTIBLE FLUID SPILL POLICY

FLUID SPILL NOTIFICATION NUMBERS

1. EMERGENCY 911

2. AIRPORT OPERATIONS 406-657-8496

3. AIRPORT ENGINEER 406-657-8482

4. STATE ENVIRONMENTAL HOTLINE 800-457-0568
   - AFTER HOURS 406-324-4777

5. CITY/COUNTY POLLUTION CONTROL
   RIVERSTONE HEALTH 406-256-6841

6. CITY OF BILLINGS
   ENVIRONMENTAL ENGINEER – BORIS KRIZEK
   - DAYTIME 406-247-8517
   - AFTER HOURS 406-690-7609

   WASTEWATER TREATMENT PLANT
   OPERATIONS SUPERVISOR – MATT WINKLER
   - DAYTIME 406-247-8514
   - AFTER HOURS 406-698-1838

CITY OF BILLINGS
AVIATION AND TRANSIT DEPARTMENT

Room 216
Billings Logan International Airport
Billings, Montana 59105-1996
(406) 657-8495
(406) 657-8438 FAX

J. Bruce Putnam, A.A.E.
Director of Aviation and Transit

Thomas H. Binford, A.A.E.
Assistant Director of Aviation

March 14, 1994

DEPARTMENTAL ORDER
ORDER NUMBER 013

MEMORANDUM

TO: All ARFF/AFM Employees
FROM: Thomas H. Binford, A.A.E., Assistant Director of Aviation
SUBJECT: **FUEL/LUBRICANT SPILL RESPONSIBILITIES FOR RESPONDING ARFF**

CANCELLATION NO: None
EFFECTIVE DATE: April 1, 1994
APPROVED BY: J. Bruce Putnam, A.A.E., Director of Aviation and Transit

Definition

Fuel/lubricant spills will be defined as the uncontrolled surface discharge of fuel, lubricant or other known substance commonly used in the operation of aircraft or vehicles. The discharge may come from any aircraft, fuel service vehicle or bulk storage installation and be of sufficient quantity to present a fire/explosion hazard, threaten the air/ground environment, cause immediate damage to asphalt pavement surfaces or constitute a slipping hazard if not removed.

Procedures

1. A spill meeting any one of the above criteria will require the immediate notification and response of the Airport Rescue Fire Fighting Division. The following procedures will outline general responsibilities in mitigating the spill. It must be understood that the Airport maintains control over all activity that takes place at the spill location throughout the duration of the spill event until it has been cleaned by an approved method.

2. Spills of less that 25 gallons on pavement surfaces will be treated immediately with an emulsifier (No-Lite), agitated, absorbed with an approved material and then collected for disposal.

3. Spills of over 25 gallons on pavement surfaces must be contained (diked), cordoned off and posted with a fire watch until the spill substance can be removed. If there is a threat of possible ignition a blanket of AFFF foam will be applied and maintained until the ignition hazard has been eliminated.

4. After the spill has been contained a responsible party from the company owning the substance will be notified if not already on scene. If the spill quantity is above 25 gallons notifications to the following agencies will also be made immediately:

- State Water Quality Bureau 657-2616
- State Dept. of Health & Environmental Sciences 252-5697
- State Environmental "Hotline" 1-800-426-9440
- City/County Pollution Control Authority 256-6841
- Billings Fire Dept. (if additional assistance is required) 657-8200
- Billings Public Utilities (if City storm, sanitary sewer or Alkali Creek drainage is immediately threatened) 657-8352

5. If the spill is in the aircraft operating areas (for example a runway), clean up of the spill will begin immediately. If the spill is of a magnitude that the normal inventory of absorbent is not sufficient for the clean up then runway sand will be used to suspend the fluid and remove it to a safe location for processing and disposal.

6. Spills of any size in sand or dirt adjacent to pavement surfaces will be contained by what ever means available. If the fluid is pooled absorption as specified above may be possible.

7. All material used in the clean up/mitigation process will be collected and disposed of in an approved manner.

8. If significant quantities of the spill substance enter the storm drainage system, fire watches will be posted at points along it underground route and at the discharge point. In addition, if there is evidence at the discharge point of contamination an immediate assessment of the area will be accomplished possibly including soil analysis and water analysis.

9. Airport personnel will maintain an oversight role through out the duration of the spill event. The tenant/company responsible for the spill (and responsible for the cleanup) must comply with all Federal, State and City laws and regulations therefore, as representatives on scene for all of these entities the Airport reserves the right to direct the clean up activity in a fashion that best satisfies these regulations.

10. All costs associated with the mitigation and clean up of the spill will be born by the tenant or company found to have caused the spill. A record of the costs accrued by the Airport in this process must be maintained in order to charge back against this spiller if necessary.

cc: Department Orders
Chrono
Office Binder
T. Binford
B. Putnam
C. DeVeau

Billings Logan International Airport

Aircraft Rescue Firefighting Division

Incident/Accident Report - AIRCRAFT EMERGENCY - FLUID SPILL

ARFF Report Number: 06088

Date: 09/22/2006

Day of Week:

Time of Incident:

Time Controlled:

Alert Category:

Method of Notification:

Alarm Received By:

Alarm Informant:

Nature of Incident:

Location:

Type of Aircraft:

Tail/Flight/License#:

POB: 0

Fuel Type:

Fuel Amount: 0 Gal

Hazardous Materials:

Aircraft Owner:

Address:

City:

State:

Zip:

Phone:

Pilot Name:

Address:

Pilot City:

State:

Zip:

Phone:

Comments:

Supplemental Reports:

Current Notams:

Weather

Conditions:

Temperature: 0 F

DIR	SPEED
Wind:	0 Knots

Responding Units

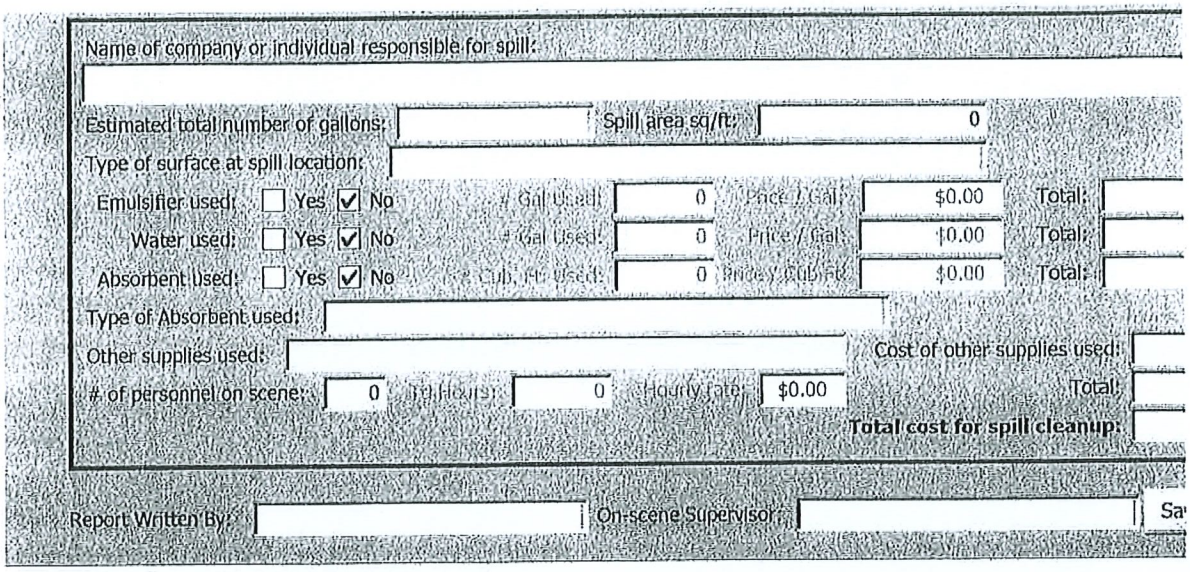
ARFF:

APD:

BFD:

EMS:

MAA:


Name of company or individual responsible for spill:
Estimated total number of gallons:
Spill area sq/ft:
0
Type of surface at spill location:
Emulsifier used:
Yes
No
Gal Used:
0
Price / Gal:
$0.00
Total:
Water used:
Yes
No
Gal Used:
0
Price / Gal:
$0.00
Total:
Absorbent used:
Yes
No
Cub. Ft Used:
0
Price / Cub Ft:
$0.00
Total:
Type of Absorbent used:
Other supplies used:
Cost of other supplies used:
# of personnel on scene:
0
Total Hours:
0
Hourly Rate:
$0.00
Total:
Total cost for spill cleanup:
Report Written By:
On-scene Supervisor:

ARFF1

BILLINGS LOGAN INTERNATIONAL AIRPORT

AIRPORT SAFETY SELF-INSPECTION CHECKLIST

DATE: Click here to enter a date. DAY: _____ S – Satisfactory

U – Unsatisfactory

NIGHT INSPECTOR: _____ TIME: _____ DAY INSPECTOR: _____ TIME: _____

FACILITIES	CONDITIONS	N	D	REMARKS	RESOLVED BY (Date/Initials)
PAVEMENT AREAS	Pavement Lips Over 3"		N/A		
	Hole - 5" Diam. 3" Deep		N/A		
	Cracks/Spalling/Heaves		N/A		
	FOD: Gravel/Debris/Sand		N/A		
	Rubber Deposits		N/A		
	Ponding/Edge Dams		N/A		
SAFETY AREAS	Ruts/Humps/Erosion		N/A		
	Drainage/Construction		N/A		
	Support Equipment/Aircraft		N/A		
	Frangible Bases		N/A		
	Unauthorized Objects		N/A		
	FOD - Garbage		N/A		
CLEAR, VISIBLE STANDARD MARKINGS	Runway Markings	N/A	N/A		
	Taxiway Markings	N/A	N/A		
	Holding Position Markings	N/A	N/A		
	Glass Beads	N/A			

BILLINGS LOGAN INTERNATIONAL AIRPORT

AIRPORT SAFETY SELF-INSPECTION CHECKLIST

FACILITIES	CONDITIONS	N	D	REMARKS	RESOLVED BY (Date/Initials)
SIGNS	Base at Grade	N/A	N/A		
	Obscured	N/A	N/A		
	Damaged	N/A	N/A		
	Illuminated	N/A			
LIGHTING: OBSCURED, DAMAGED, OR MISSING	Runway Lighting	N/A			
	Threshold Lights	N/A			
	Taxiway Lighting	N/A			
NAVIGATIONAL AIDS	Rotating Beacon Operable	N/A	N/A		
	Wind Indicators	N/A	N/A		
	RENLs/REILs	N/A	N/A		
	PAPI	N/A	N/A		
OBSTRUCTIONS	Obstruction Lights Operable	N/A			
	Cranes		N/A		
FUELING OPERATIONS	Fencing/Gates/Signs	N/A	N/A		
	Operator Attentiveness During Fueling Operations	N/A	N/A		
	Bonding During Fueling Operations	N/A	N/A		
	Refueler Unit Leaking Fuel	N/A	N/A		
	Refueler Parking	N/A	N/A		
SNOW AND ICE	Surface Conditions	N/A	N/A		
	Snowbank Clearances	N/A	N/A		
	Lights and Signs Obscured	N/A	N/A		
	NAVAIDs Obscured	N/A	N/A		
	Fire Access	N/A	N/A		

ARFF1

BILLINGS LOGAN INTERNATIONAL AIRPORT

AIRPORT SAFETY SELF-INSPECTION CHECKLIST

FACILITIES	CONDITIONS	N	D	REMARKS	RESOLVED BY (Date/Initials)
CONSTRUCTION	Barricades/Lights	N/A	N/A		
	Equipment Parking	N/A	N/A		
	Material Stockpiles	N/A	N/A		
	Confusing Signs/Markings	N/A	N/A		
AIRCRAFT RESCUE AND FIRE FIGHTING	ARFF Equipment	N/A	N/A		
	Alert Phone/800 MHz Operations	N/A	N/A		
	Response Routes Affected	N/A	N/A		
	Other Equipment	N/A	N/A		
PUBLIC PROTECTION	Fencing/Gates/Signs	N/A	N/A		
	Other Problems	N/A	N/A		
WILDLIFE HAZARD SURVEILLANCE	Wildlife Observed	N/A	N/A		
	Attractants Present	N/A	N/A		
	Dead Birds/Animals	N/A	N/A		
	Ponding	N/A	N/A		

Comments/Remarks:

CITY OF BILLINGS LOGAN INTERNATIONAL AIRPORT
STORM WATER POLLUTION PREVENTION PROGRAM
QUARTERLY FACILITY INSPECTION REPORT

Edwards Jet Center	
Supervisor:	Phone Number:
Warren Nemitz	259-1654

Edwards Jet Center / Fuel Farm	***A *U *N/A**	**Explanations and Comments:**
Recent evidence of spills		
- List Type (if identifiable), Quantity, Location		
- Haz Mat: Y N Unknown		
- Area Cleaned: Y N		
Barrels		
- Contents labeled		
- Hazardous		
- Corrosion from top water collection		
- Leakage		
- Spill containment		
Exposed containers (buckets, pales, etc.)		
Storage tanks		
- Leakage		
- Spill containment		
Mechanical Equipment		
- Leakage		
Corrosive materials (e.g. batteries)		
- Leakage		
De-Icing operations		
- Excessive pavement contamination		

NOTE: *A = Acceptable, *U = Unacceptable, *N/A = Not applicable. Any deficiencies and violations identified above must be corrected within **30 days** of the signed date below unless otherwise noted.

Inspection Date: _____

Inspected By: _____

Notice (s) To Correct Issued: **Yes** **No**

Citation (s) Issued: **Yes** **No**

Re-Inspected By: N/A

Tenant Supervisor: _____

Date of Notification: _____

Follow-Up Required: **Yes** **No**

Re-Inspection Date: _____

Corrections Made: **Yes** **No**

CITY OF BILLINGS LOGAN INTERNATIONAL AIRPORT
STORM WATER POLLUTION PREVENTION PROGRAM
QUARTERLY FACILITY INSPECTION REPORT

Edwards Jet Center	
Supervisor:	**Phone Number:**
Warren Nemitz	259-1654

Edwards Jet Center / Fuel Farm	***A *U *N/A**	**Explanations and Comments:**
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Notice (s) To Correct Issued: **Yes** **No**

Citation (s) Issued: **Yes** **No**

Re-Inspected By: **N/A**

Tenant Supervisor: _____

Date of Notification: _____

Follow-Up Required: **Yes** **No**

Re-Inspection Date: _____

Corrections Made: **Yes** **No**

Reptiles
Amphibians
Fish
Invertebrates
Vascular Plants
Bryophytes
Lichens

Date

Display Options

Generalized Observations
- Generalized Observations

Summer (FEB 16 - DEC 14)
- Direct Evidence of Breeding
- In... eding
- No...

Only available if a Single Bird is selected

Winter (D... - FEB ...)
- Regularly Observed
- Not Regularly Observed

Range Maps
- Native / Year-round
- ...
- ...
- ...
- Non-native
- Historical

Only available if a Single Species is selected

Map Layers
- State Mask
- Counties
- Towns
- Roads
- Lakes and Streams
- Cadastral
- Township, Range & Section
- LL, QLL, QQLL
- Important Bird Areas
- Important Plant Areas

Wetland and Riparian
- Mapping Status
- Modern Mapping
- Outdated Mapping
- Incomplete Mapping

Land Management
- Protected Areas

Major Land Resource Areas
Site Photos

Show Base Layers

Hillshade | Air Photos 2021

Base Layer Fader

Search for Location

Choose a layer then use **options** below

Named Features

Options: Clear

Feature name Billings Airport

Scale 1:18,056

File
Save Map to JPG

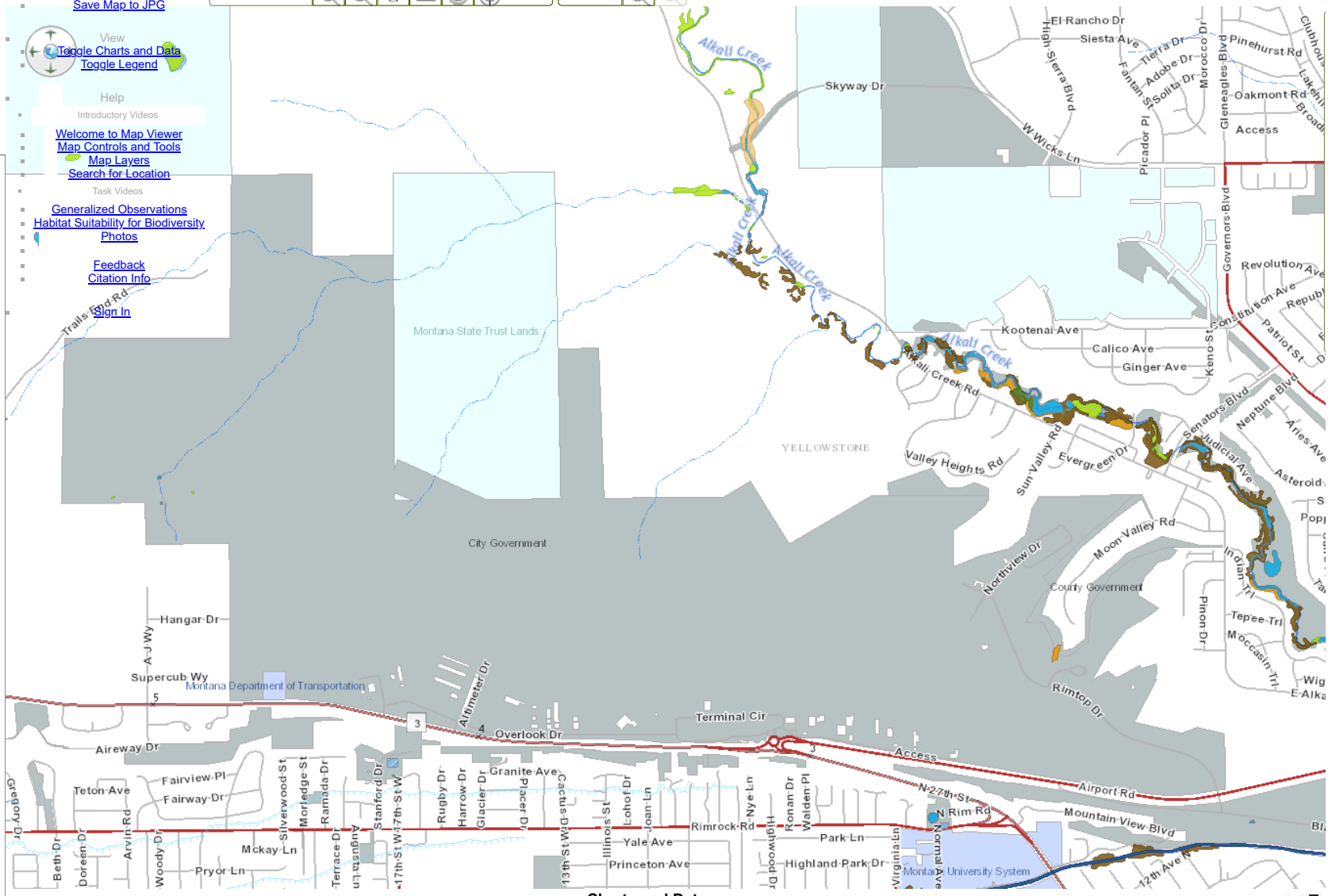
View
Toggle Charts and Data
Toggle Legend

Help
Introductory Videos
Welcome to Map Viewer
Map Controls and Tools
Map Layers
Search for Location
Task Videos
Generalized Observations
Habitat Suitability for Biodiversity
Photos

Feedback
Citation Info

Sign In

Standard Controls | Add Obs | Full Extent



ATTACHMENT D

2023 MSGP

GENERAL PERMIT
FOR
STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY

PERMIT NUMBER MTR100000

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

AUTHORIZATION TO DISCHARGE UNDER
THE MONTANA POLLUTANT DISCHARGE ELIMINATION SYSTEM (MPDES)

In compliance with Section 75-5-101 *et seq.,* Montana Code Annotated (MCA); Administrative Rules of Montana (ARM) 17.30.1101; 17.30.1301 *et seq.; and ARM* 17.30.601 *et seq.,* owners and operators (permittees) with authorization under this *General Permit for Storm Water Discharges Associated with Construction Activity* are permitted to discharge storm water resulting from construction activities as described in Part 1.1 of this permit and subject to effluent limitations, monitoring requirements, and other conditions set forth herein.

This permit shall become effective January 1, 2023.

This permit and the authorization to discharge shall expire at midnight, December 31, 2027.

FOR THE MONTANA DEPARTMENT
OF ENVIRONMENTAL QUALITY

|S| Jon Kenning

Jon Kenning, Chief
Water Protection Bureau

Issuance Date: October 31, 2022

Table of Contents

(titles are hyperlinked)

1. Coverage Under this Permit

1.1 Eligibility

1.1.1 Construction Activities Covered

The MPDES Storm Water Discharges Associated with Construction Activity General Permit (SWC or the General Permit) applies to all areas of the State of Montana, except for areas within the boundary of "Indian country," as defined in Part 5. This permit applies to "storm water discharge associated with construction activity," as defined in Part 5 and in ARM 17.30.1102. In this permit, the "owner or operator" (owner/operator), as defined in Part 5, is also identified as the permittee.

Owner/operators with construction activities that meet the following criteria are required to obtain authorization under the General Permit:

- There are areas of ground disturbance or other potential pollutant sources related to construction activity where a storm water discharge to state surface waters can occur; and
- Construction activity disturbs a total area of greater than or equal to one acre. Construction activities include clearing, grading, excavation, stockpiling earth materials, and other placement or removal of earth material performed during construction projects.
    - Permit coverage is required for construction activities that disturb less than one acre but are part of a "larger common plan of development or sale (larger common plan)" whose "total area" is greater than or equal to one acre, as defined in Part 5. See Part 1.1.5, below.

For construction activities that result in disturbance of less than five acres of total land area, determination of the acreage of disturbance does not include disturbance for routine maintenance activities on existing roads. The exclusion for routine maintenance is not available if the maintenance or repaving operation will alter the line and grade or hydrologic capacity of the road or involves clear, grading, or excavating of underlying and/or surrounding soil.

In determining the occurrence or potential occurrence of a storm water discharge associated with construction activity based on the acreage of ground disturbance and discharge potential to state surface waters, the permittee must consider the following additional factors:

- All potential drainage/discharge conditions and flow patterns, and their variation during the different phases of the construction activity;
- All potential rainfall or snowmelt events and their unpredictability over time (such as experiencing a relatively higher amount of rainfall or snowmelt in a relatively shorter time period);
- Support activities for the construction project which may be on or off the conventional construction project "site" (as defined in Part 5);
- Storm water discharges must typically be regulated beyond the conventional construction earthwork and building phases, lasting from the initiation of construction-related ground disturbance to "final stabilization" (per Parts 3.8 and 5) of that disturbance, which can sometimes take significant extra time to achieve; and
- Storm water which discharges into a drain inlet and/or storm sewer system from the site is regulated as a discharge to state surface waters if the inlet or system ultimately discharges into a state surface water.

1.1.1.1 Support Activities

A support activity is a construction-related activity that occurs alongside construction and specifically supports construction activity. Support activities may include, but are not limited to:

- Areas used for access-related work,
- Earth material borrow areas,
- Equipment staging areas,
- Materials storage areas,
- Temporary concrete or asphalt batch plants, and
- Any areas used for fill placement.

For storm water discharges from support activities to be covered under a particular authorization under the General Permit, such support activities must:

- Be related to a specific construction activity with authorization under the General Permit;
- Not be part of a larger commercial operation serving multiple unrelated construction activities;
- Not be part of a larger commercial operation serving multiple unrelated construction activities, and not continue operation beyond the completion of the particular construction activity; and
- Not continue beyond the completion date of the associated construction activity authorized under the General Permit;
- Have appropriate controls and pollution prevention measures implemented and documented in the SWPPP, per Part 3.

1.1.2 Allowable Storm Water Discharges

Unless otherwise made ineligible through the provisions in Part 1.1.4, the following discharges are eligible for coverage under this permit:

- "Storm water discharges associated with construction activity" as defined in Part 5; and
- Storm water discharges to impaired waterbodies that are consistent with approved "TMDLs" (as defined in Part 5) and assigned WLAs, and the additional requirements within the General Permit.

1.1.3 Allowable Non-Storm Water Discharges

The following are non-storm water discharges allowed under this permit:

- Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
- Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
- Routine external building wash down that does not use detergents;
- Uncontaminated ground water or spring water;
- Water used to control dust;
- Discharges from emergency fire-fighting activities;
- Foundation or footing drains where flows are not contaminated with process materials; and
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

1.1.4 Limitations on Coverage

The following discharges are not eligible for coverage under this permit:

- Storm water discharges that are mixed with non-storm water, other than those non-storm water discharges listed in Part 1.1.3;
- Prohibited discharges as listed in Part 2.1.7;
- Discharges of construction dewatering effluent to state surface waters requiring authorization under the MPDES General Permit for Construction Dewatering;
- Storm water discharges to impaired waterbodies that are inconsistent with approved TMDLs and assigned WLAs, and the additional requirements with the General Permit;
- Storm water discharges to waterbodies that are inconsistent with additional Montana Department of Environmental Quality (DEQ) requirements, on a case-by-case basis; or
- Discharges which DEQ determines have a reasonable potential to cause, or contribute to, an exceedance of any applicable water quality standard, and/or DEQ has determined coverage under a MPDES Individual Permit is required.

Coverage does not relieve the permittee from any other statute, regulation, permits, or other regulatory requirements for activities occurring within the project area

DEQ may deny coverage for storm water discharges citing that the permittee appears unable to comply with one or more of the following requirements:

- Effluent standards, effluent limitations, standards of performance for new sources of pollutants, toxic effluent standards and prohibitions, and pretreatment standards;
- Water quality standards established pursuant to 75-5-301, MCA;
- Prohibition of discharge of any radiological, chemical, or biological warfare agent or high-level radioactive waste;
- Prohibition of any discharges to which the regional administrator has objected in writing;
- Prohibition of any discharge which is in conflict with a plan or amendment thereto approved pursuant to section 208(b) of the Clean Water Act;
- Any additional requirements that DEQ determines are necessary to carry out the provisions of 75-5-101, et seq., MCA; and
- A point source is a new source or a new discharge and the discharge from its construction or operation will cause or contribute to a violation of water quality standards per ARM 17.30.1311(7).

In addition, DEQ may deny coverage for the following reasons:

- The storm water discharge is different in degree or nature from discharges reasonably expected from sources or activities within the category described in this MPDES General Permit (including pollutants from process wastewater streams).
- The MPDES permit authorization for the same operation has previously been denied or revoked.
- The discharge sought to be authorized under the 2023 General Permit is also included within an application or is subject to review under the Major Facility Siting Act, 75-20-101, et seq., MCA.

The point source is, or will be, located in an area of unique ecological or recreational significance. Such determination must be based upon considerations of Montana stream classifications adopted under 75-5-301, MCA, impacts on fishery resources, local conditions at proposed discharge sites, and designations of wilderness areas under 16 USC 1132 or of wild and scenic rivers under 16 USC 1274.

1.1.5 Larger Common Plan of Development or Sale

A “larger common plan of development or sale (larger common plan)” is defined in Part 5 and referenced at ARM 17.30.1102. A larger common plan often involves dividing a parcel of land into smaller parts for individual sale, such as in residential communities, large commercial developments, or transportation projects.

See Parts 1.2.4.1; 1.3; and 1.4.1.

1.2 Authorization under this Permit

An "owner/operator" of a "storm water discharge associated with construction activity" (as defined in Part 5) is required to obtain authorization under an MPDES permit. An owner/operator is a person who owns, leases, operates, controls, or supervises a point source. All construction activities that include ground disturbance and are part of a larger common plan that disturbs at least an acre are subject to coverage under the General Permit.

To obtain coverage under the General Permit, the owner/operator must submit a complete Notice of Intent application package to DEQ prior to discharge storm water associated with construction activity under this General Permit. By signing and submitting a complete NOI-SWC package the owner/operator confirms eligibility for coverage and agrees to comply with all conditions of this General Permit including effluent limits, monitoring requirements and special conditions.

1.2.1 Submission of Notice of Intention application packages, Modification Requests or Notice of Termination Forms

Documents related to requests for authorization (Part 1.1.5), modification (Part 1.2.4), transfer (Part 1.3), or termination (Part 1.4) of coverage under the General Permit must be completed and submitted via a DEQ-approved electronic method or mailed to:

Montana Department of Environmental Quality
Water Protection Bureau
P.O. Box 200901
Helena, MT 59620-0901

1.2.2 New Authorizations (Not Previously Authorized)

Owners or operators can obtain first-time coverage under this permit by submitting a complete a Notice of Intent to Discharge under the Storm Water Discharges Associated with Construction Activity General Permit (NOI-SWC) Package to DEQ.

The NOI-SWC Package must consist of:

- A complete NOI-SWC form (signed by an authorized signatory per Part 4.18.1) and topographic map(s);
- A separate SWPPP (signed by an authorized signatory or duly authorized representative per Part 4.18), including all associated SWPPP site maps, diagrams, details, and plans, which has been completed in accordance with the requirements identified in Part 3;
- A copy of the consultation letter from the Montana Sage Grouse Habitat Conservation Program (if applicable); and
- The appropriate application fee.

1.2.3 Continuing Authorizations Issued Under the 2018 General Permit

Permittees requiring continued authorization beyond the December 31, 2022, expiration date, must submit a complete a SWC Renewal Package to DEQ for coverage under this reissued General Permit.

The SWC Renewal Package must consist of:

- A complete renewal NOI-SWC form (signed by an authorized signatory per Part 4.18.1) with "Renewal" selected in Section A and updated topographic map(s);
- A separate SWPPP (signed by an authorized signatory or duly authorized representative per Part 4.18), including all associated SWPPP site maps, diagrams, details, and plans, updated which has been completed in accordance with the requirements identified in Part 3;
- A copy of the consultation letter from the Montana Sage Grouse Habitat Conservation Program (if applicable); and

- The appropriate fee.

1.2.4 Modification Requests to Authorizations under this General Permit

Permittees can request a modification to their authorization under the General Permit by submitting a SWC Modification Package to DEQ.

Timing of the modification request relative to initial authorization determines how the request is processed.

- Modification requests to current authorizations (including decreased or increased disturbance area) submitted within six months of the date of initial coverage under the General Permit are processed as minor modifications with the corresponding fee.
- Modification requests (other than transfers) submitted more than six months after the first date of coverage under the General Permit will be processed with an application fee for a new authorization.

A permittee may request to add additional area(s) if the new additional construction-related disturbance is directly contiguous to and directly associated with the original site, except for support activities.

A permittee may request to reduce the area of a project, only when these areas requested to be removed from coverage have achieved final stabilization as defined in this General Permit.

The SWC Modification Package must consist of:

- A complete NOI-SWC application form (signed by an authorized signatory per Part 4.18.1) with "Modification" selected in Section A and updated topographic map(s);
- An updated SWPPP (signed by an authorized signatory or duly authorized representative per Part 4.18), including all associated maps, diagrams, details, plans, and records, updated in accordance with the requirements identified in Part 3;
- A copy of the consultation letter from the Montana Sage Grouse Habitat Conservation Program (see below for applicability); and
- The appropriate fee.

1.2.4.1 Modifications to Projects Part of a Larger Common Plan

For projects part of a larger common plan per Parts 1.1.5 and 5, and referenced at ARM 17.30.1102, the permittee may request a modification to reduce the area covered under the General Permit if:

- The areas requested to be removed from coverage under the General Permit have achieved final stabilization, or
- There is a new owner/operator of a specific parcel(s) and the new owner/operator has obtained coverage under the General Permit.
    - As part of the SWC Modification Package, the owner/operator of record (i.e. the current permittee) must include the authorization number for the parcel(s) with a new owner/operator and a provide a map showing the parcel(s) with coverage under a new authorization.

Until DEQ grants the modification, the owner/operator of record remains responsible for compliance with the terms of the authorization under the General Permit, including fees and/or violations.

1.2.4.2 Sage Grouse Consultation Requirements for Modifications

If the project is within designated sage grouse habitat, any modification due to a change in disturbed acreage requires verification from the Montana Sage Grouse Habitat Conservation Program that may require a consultation letter and/or updates to a consultation letter. If the modification request is outside of sage grouse habitat, no consultation is required.

1.2.5 Resubmittal and Administrative Processing

DEQ may request a resubmittal of a NOI-SWC form, SWPPP, any required records, and any associated fees. Administrative processing fees may be assessed for DEQ reviews.

1.3 Transfer of Coverage

Permittees may request a transfer ownership or change the name of the entity that holds an authorization under the General Permit by submitting a Storm Water Construction Permit Transfer Notification form (PTN-SWC) and the corresponding fee. The PTN-SWC must be submitted at least 30 days before the effective date of the proposed transfer. Submittal constitutes written notice to DEQ under the Montana Water Quality Act that the new owner/operator assumes responsibility and liability for all the terms and conditions, including permit fees. The PTN-SWC form may not be used to transfer coverage to a new or different construction site, activity, or location.

The PTN-SWC form may only be used to transfer an entire project authorized under the General Permit to a new single owner/operator. For projects that are part of a larger common plan, it is more appropriate to modify (see Part 1.2.4) or terminate (see Part 1.4) an authorization if there will be several new owner/operators.

Until DEQ determines the submitted PTN-SWC form and the transfer to the new owner/operator a complete, the owner/operator of record remains responsible for compliance with the terms of the authorization under the General Permit, including fees and/or violations.

1.4 Termination of Coverage

Permittees may request termination of coverage under the General Permit after achieving "final stabilization" per Parts 3.8 and 5. In addition to achieving final stabilization, permittees must also complete the following prior to termination:

- Removal of all temporary storm water conveyances/channels and other temporary BMPs;
- Removal of all construction equipment and vehicles from the site; and
- Cessation of all potential pollutant-generating activities due to the construction activity.

To request that permit coverage be terminated, the permittee must submit a Notice of Termination for Storm Water Discharges Associated with Construction Activity General Permit (NOT-SWC) to DEQ. A complete NOT-SWC form must be signed by an authorized signatory meeting the requirements in 4.18.1. See Part 1.4.1 for additional termination requirements for projects part of a larger common plan.

Coverage under the General Permit remains in effect until DEQ reviews and processes the NOT-SWC. The permittee is responsible for payment of annual fees for each calendar year covered under the General Permit. Failure to submit a NOT-SWC will result in accrual of annual permit fees. The permittee is responsible for complying with the terms of the General Permit until notified by DEQ that the authorization is terminated.

1.4.1 Terminations for Projects Part of a Larger Common Plan

Projects part of a larger common plan may request to terminate coverage under the General Permit in the following instances:

- The entire site meets the requirements in Part 1.4, above; or
- Each parcel has met the requirements in Part 1.4 or has a new owner/operator who has obtained coverage under the General Permit.

For projects part of a larger common plan, the NOT-SWC form must include:

- The authorization number for the parcel(s) with a new owner/operator, and
- A map showing:
  - The parcel(s) with coverage under a new authorization,
  - The parcel(s) that have achieved final stabilization, and
  - The owner/operator for each parcel.

If a one or more parcels part of the larger common plan have not reached final stabilization and do not have coverage under a General Permit authorization for a new owner/operator, then the authorization may not be terminated. The permittee may request a modification to permit authorization, per Part 1.2.4

Coverage under the permit remains in effect until the Department processes a NOT-SWC form. The permittee is responsible for payment of annual fees for each calendar year covered under the permit. Failure to submit a NOT-SWC will result in accrual of annual permit fees. The permittee is responsible for complying with the terms of this permit until notified by the Department that the authorization is terminated.

1.5 Public Sign

The permittee must post a sign to publicly display confirmation of coverage under the General Permit. The sign must be posted starting on the authorization date and remain posted until permit authorization is terminated.

At a minimum the sign must:

- Use a large, readable font (at least 1" lettering);
- Be visible from the nearest road;
- Include the MPDES SWC authorization number for the project;
- Include the statement "Request project information from Montana DEQ Water Protection Bureau at (406) 444-3080"; and
- Include the statement "File a complaint at deq.mt.gov/reporting."

Sign location:

- The public sign must be posted at the construction site's entrance/exit, or most visible entrance/exit if there are multiple access points.
- For linear projects, the sign must be posted at the entrance to the equipment laydown, material storage, or job trailer location or at the entrance/exit(s) of the most active portion of the project.

1.6 Storm Water Rainfall Erosivity Waiver

The Storm Water Rainfall Erosivity Waiver (Erosivity Waiver) is an optional alternative to obtaining coverage under the General Permit for discharges associated with construction activity.

Construction activities must meet the following requirements to be eligible for coverage under the Erosivity Waiver:

- Total area of "disturbance related to construction activity" (disturbance), as defined in Part 5, is less than five acres;
- Disturbance related to construction activity starts after March 1 and reaches "final stabilization" (per Parts 3.8 and 5) before November 30th of a given calendar year;
- The project's Rainfall Erosivity (R) Factor is less than five during the period of construction activity; and
- The Erosivity Waiver request includes the entire construction project.
    - The Erosivity Waiver is not available for individual filings, phases, or portions of a construction project or site. A project that is part of a larger common plan is only eligible for an Erosivity Waiver if the entire development meets the conditions listed above.

To request a Waiver, the "owner/operator" (as defined in Part 5) must submit an Erosivity Waiver Request form, applicable attachments, and the associated fee to DEQ. A project is not waived from coverage under the General Permit until DEQ receives a complete application and issues an Erosivity Waiver Confirmation Letter.

Those covered by an Erosivity Waiver are not required to submit a Notice of Termination (NOT) to end coverage, however construction activities and associated discharge are only authorized for the date range listed in the Erosivity Waiver Confirmation Letter. If the project changes, and any of the above criteria are not met, the project no longer qualifies for an Erosivity Waiver and the owner/operator must apply for and obtain coverage under the General Permit.

Any discharge of storm water associated with small construction activity not covered by either the General Permit or an Erosivity Waiver may be considered an unpermitted discharge under the Montana Water Quality Act. DEQ may notify any owner/operator covered by an Erosivity Waiver that they must obtain General Permit coverage.

2. Effluent Limitations, Monitoring, and Reporting Requirements

2.1 Technology-Based Effluent Limitations

Technology based effluent limits must be achieved through the good engineering practices and appropriate selection, design, implementation, installation, and maintenance of best management practices (BMPs) for all authorized storm water discharges associated with construction activities. To meet this requirement, the permittee must comply with all conditions in Part 2.1 and Part 3, and any other state or local requirements, regardless of stringency.

2.1.1 Universal Requirements for Best Management Practices

a. The permittee must select, design, install and maintain BMPs that address:
   1. The amount, frequency, intensity, and total duration of precipitation;
   2. Quantity and quality of storm water runoff including peak flow rates and total storm water volume;
   3. Characteristics of soils (including soil type and particle size) that are present at the construction project area(s); and
   4. Select BMPs appropriate to the timeframe and seasons in which the construction project will be completed.

b. The permittee must complete the following for all BMPs:
   1. Document all BMPs in the SWPPP, SWPPP site map(s), and/or inspection records.
   2. Select, implement, and install all BMPs in accordance with good engineering practices and design specifications;
   3. Complete implementation and installation of BMPs appropriate to each phase of construction before or at the start of each major construction activity;
   4. Maintain BMPs in effective operating condition;
   5. Before terminating permit coverage, remove temporary BMPs or transition temporary BMPs to permanent BMPs.

2.1.2 Erosion and Sediment Controls

a. To minimize soil erosion, the permittee must:
   1. Stabilize ditches, swales, channels, and outlets;
   2. Minimize erosion within the perimeter and interior of construction project area; and
   3. Divert storm water runoff from disturbed areas to sediment removal BMPs.

b. To minimize sediment discharges, the permittee must:
   1. Construct storm water retention and detention facilities during initial site grading activities;
   2. Minimize erosion at outlets and conveyance channels;
   3. Protect downstream properties and waterways by controlling volume and velocity within the construction project area;
   4. Protect all storm drain inlets;
      i. If the permittee has the authority to access offsite the storm drain inlets, he must protect offsite inlets which convey storm water flow from the construction site to a state surface water;
   5. Protect infrastructure, including infiltration facilities from sedimentation during active construction; and
   6. Stabilize and remove accumulated sediment from areas of disturbance, including storm water retention and detention facilities.

c. To minimize offsite sediment transport, the permittee must:
   1. Minimize vehicle/equipment entrances and exits to the construction project area; and
   2. Manage vehicle/equipment entrances and exits, equipment laydown, and material storage areas with stabilization techniques.

d. To minimize soil disturbance and maintain natural buffers, the permittee must:
   1. Limit areas of disturbance and soil exposure;
   2. Mark and maintain clearing limits before disturbing soils and during construction activities;
   3. Maintain topsoil;
   4. Provide a natural (such as vegetated) buffer within the construction project area;
   5. Maintain natural buffers around "state waters" as defined in Part 5; and
   6. Direct storm water runoff to vegetated areas.

e. To minimize the disturbance of steep slopes of 15% or greater, the permittee must:
   1. Design and construct cut-and-fill slopes to minimize erosion;
   2. Divert off site storm water or ground water away from slopes and disturbed areas; and
   3. Prevent storm water run on from impacting sediment removal BMPs.

2.1.3 Soil Stabilization

a. Temporary soil stabilization measures must include:
   1. Stabilization of disturbed areas immediately for any portion of the construction project that will remain inactive for 14 or more calendar days with erosion control BMPs.

b. Final stabilization measures must include:
   1. Use erosion control BMPs (including post construction BMPs) to stabilize disturbed areas within any portion of the project that have completed clearing, grading, excavation, or other earth disturbing activities.

2.1.4 Dewatering

a. For "construction dewatering" activities the permittee must:
   1. Control ground water, surface water, and/or accumulated storm water dewatering activities to prevent discharges to state waters; and
   2. Obtain authorization under the Construction Dewatering General Permit or an individual permit prior to discharge of dewatering effluent to state surface waters. See Part 3.6.

2.1.5 Pollution Prevention Measures

a. To implement pollution prevention measures that effectively manage and dispose of all pollutants in a way that does not cause contamination of storm water, the permittee must:
   1. Provide cover, containment, and protection for all chemicals, liquids, petroleum products, and construction materials, products, and wastes;
   2. Use spill prevention and control measures for vehicle maintenance and fueling;
   3. Maintain appropriate spill kits; clean up spills and leaks immediately; and report appropriate quantities in accordance with Part 4;
   4. Prevent discharge of equipment wash water and clean-out wastes, and designate these activities away from and state waters and their conveyances;
   5. Apply fertilizers and herbicides per manufacturers' requirements; and
   6. Prevent discharges of concrete products.

2.1.6 Surface Outlets

a. The permittee must ensure discharge of the highest quality water using structures that withdraw water from the surface from basins and impoundments as follows:
   1. Retention facilities must have a surface outlet installed for active construction.
   2. Detention facilities must be designed to prevent discharges from bottom outlets during active construction.
   3. When discharging from impoundments such as sediment basins and traps, outlet structures must be utilized that withdraw water from the surface.

2.1.7 Prohibited Discharges

a. The following discharges are prohibited:
   1. Wastewater from washout of concrete;
   2. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
   3. Fuels, oils, or other potential pollutants used in vehicle and equipment operation and maintenance;
   4. Soaps or solvents used in vehicle and equipment washing or external building wash down;
   5. Storm water discharges of disturbed, contaminated soils; and
   6. Toxic or hazardous substances from a spill or other release including the disturbance and/or removal of contaminated soils.

2.2 Water Quality-Based Effluent Limitations

2.2.1 Water Quality Standards

Storm water discharges regulated under this permit must be controlled as necessary to meet applicable numeric and narrative water quality standards. A storm water discharge associated with construction activity may not cause or contribute to an exceedance of applicable water quality standards.

If at any time the permittee becomes aware, or DEQ determines, that a storm water discharge causes or contributes to an exceedance of applicable water quality standards, the permittee must take corrective action as required in Part 2.4. Additionally, DEQ may require the permittee to obtain coverage under an individual permit, if information indicates the discharges are not controlled as necessary to meet applicable water quality standards.

2.2.2 Storm Water Discharges to Impaired Waterbodies

The permittee must identify if storm water discharges from their construction activity will discharge to impaired waterbodies. Information on impaired waterbodies may be obtained from DEQ. The permittee must consider all impairments and the presence of the corresponding pollutants of concern in their proposed discharges. Storm water-related pollutants contributing to impairments generally include sediment, suspended solids and turbidity, and any secondary sources of pollutants based on construction materials and support activities.

Permittees will be informed if any additional controls are necessary for discharges to protect beneficial uses or to be consistent that the assumptions of any available TMDL wasteload allocation. Such additional controls must be identified within the permittees SWPPP. In certain cases, DEQ may require a facility to obtain coverage under a MPDES individual permit.

Discharges of pollutants of concern to impaired waterbodies are eligible for coverage under this General Permit if consistent with approved TMDLs and assigned WLAs, and the requirements outlined below.

2.2.2.1 Discharges to an Impaired Waterbodies with No Approved TMDL

For regulated storm water discharges associated with construction activity under this permit, the SWPPP must include a section that describes BMPs that target and reduce any discharges of the identified pollutants of concern to the corresponding impaired waterbodies. Under this subsection of the General Permit, the permittee need only to include the identified pollutants of concern in its SWPPP if the waterbodies are listed as impaired for such pollutants.

2.2.2.2 Discharges to an Impaired Waterbodies with an Approved TMDL

For regulated storm water discharges associated with construction activity, the SWPPP must include a section that describes BMPs that target and reduce any discharges of the identified pollutants of concern to the corresponding impaired waterbodies. Under this subsection of the General Permit, the permittee need only include the identified pollutants of concern in its SWPPP if the waterbodies are listed as impaired for such pollutants. The section submitted by the permittee must ensure that all discharges are

consistent with the assumptions of any applicable TMDL wasteload allocation. All EPA approved TMDL wasteload allocations applicable to MPDES-regulated storm water construction activities are incorporated by reference into this permit.

2.3 Inspections

2.3.1 Person(s) Responsible for Conducting and Documenting Inspections

Inspections must be performed by a SWPPP Administrator as defined in Part 3.2.

2.3.2 Frequency of Inspections

Inspections must be performed in accordance with the inspection schedule in Part 2.3.3 or the inspection schedule in 2.3.4, unless the construction site or areas of the construction site meet the conditions for a reduction in inspection frequency as defined in Part 2.3.5. Inspections must be conducted during the construction project's normal business hours. The inspection schedule must be documented in the SWPPP. Any changes to the inspection schedule must be documented in the SWPPP or corresponding inspection report.

2.3.3 Weekly Routine Inspections

If the weekly inspection schedule is chosen, a SWPPP Administrator must do all of the following:

- Conduct a routine inspection at least once every 7 calendar days;
- Document any changes to the inspection schedule, even during periods of noncompliance, in the SWPPP or corresponding inspection report.

2.3.4 Biweekly Routine and Post-Storm Event Inspections

If a biweekly and post-storm event inspection schedule is chosen, a SWPPP Administrator must do all of the following:

- Conduct a routine inspection at least once every 14 calendar days;
- Conduct and a post-storm event inspection within 24-hours of the end of a rainfall event of 0.25 inches or greater and within 24-hours of runoff from snowmelt (i.e., any snowmelt event resulting in a discharge); and
- Use one of the following methods to determine the amount of rainfall resulting from a storm event:

  (1) Maintain a rain gage on site, or

  (2) Obtain storm event information from a weather service representative of the site's location.
- For any day of rainfall 0.25 inches or greater, record the method of rainfall determination and the total rainfall measured in a calendar day.
- A post-storm event inspection may be used as a biweekly routine inspection, but the biweekly routine inspections must commence again no later than 14 calendar days after the last post-storm event inspection.
- Document any changes to the inspection schedule, even during periods of noncompliance, in the SWPPP or corresponding inspection report.

2.3.5 Reductions in Inspection Frequency

The inspection schedules in Parts 2.3.3 and 2.3.4 may be temporarily reduced to a routine inspection once every 30 calendar days for either the entire construction site or a portion of it. For any reduction in inspection frequency, the requirements in a (below) must be followed and the conditions of b or c must be met.

a. For any reduction to inspection frequency:
   1. The change to the inspection schedule must be documented in the SWPPP or corresponding inspection report;
   2. BMPs must remain in place as identified in the SWPPP and/or inspection report, and SWPPP site map(s); and
   3. For a reduction in inspection frequency for a portion of the site, the portion of the construction site with reduced inspection frequency must be identified on updated SWPPP site map(s).

b. The entire site is eligible for a reduction in inspection frequency if:
   1. All construction activities at the site are temporarily inactive or shutdown and all areas of disturbance have achieved "temporary stabilization" as defined in Part 5; or
   2. Earthwork and construction activities are completed at the site, and erosion and sediment controls are implemented or installed to establish "final stabilization" per Parts 3.8 and 5.

c. A portion of the site is eligible for a reduction in inspection frequency if one of the following conditions is met and the portions of the construction site with reduced inspection frequency are identified on updated SWPPP site map(s):
   1. A portion of the site is temporarily inactive or shutdown and that portion has achieved "temporary stabilization" as defined in Part 5; or
   2. A portion of the site is completed and erosion and sediment controls are implemented or installed to establish "final stabilization" per Parts 3.8 and 5.

2.3.6 Severe Winter Conditions Delay

a. A delayed inspection may be allowed if an inspection is not possible due to:
   1. Remote site access;
   2. Severe winter condition; and
   3. Temporary work shutdown at the site due to severe winter weather.

b. In the event of a delayed inspection, the following are required:
   1. Documentation of the cause of the delayed inspection must be included in the corresponding inspection report and SWPPP, accordingly.
   2. A substitute inspection must be performed to compensate for the delayed inspection and follow requirements in accordance with Part 2.3.7.
   3. Inspections must resume as soon as the site is accessible. Delays are self-determined on a case-by-case basis with appropriate documentation, and determination is subject to review during a DEQ compliance evaluation inspection.

2.3.7 Inspection Requirements

Inspections conducted under Parts 2.3.3, 2.3.4, and 2.3.5 must comply with the inspection requirements in Part 2.3.7, below.

a. At a minimum, the following areas must be inspected:
   1. All areas disturbed by the construction activity;
   2. All pollutant sources generated by the construction activity;
   3. Material and waste storage areas exposed to rainfall or snowmelt;
   4. Support activities exposed to rainfall or snowmelt;
   5. Entrance and exit locations to the construction activity;
   6. Site perimeter;
   7. All areas where storm water flows onto and within the construction project area; and
   8. Discharge locations and if impaired waterbodies were impacted.

b. At a minimum, the inspection report must include:
   1. The MPDES permit authorization number;
   2. The inspection date and time;
   3. Name(s) of the SWPPP Administrator(s) completing the inspection;
   4. Weather conditions at the time of the inspection;
   5. The type of inspection based on Parts 2.3.3, 2.3.4, 2.3.5, and 2.3.6;
   6. Changes in the inspection schedule;
   7. Major construction activities at the time of the inspection;
   8. Pollutant sources present at the time of the inspection;
   9. BMPs implemented or installed at the time of the inspection;
   10. Description of all BMPs requiring maintenance;
   11. Corrective actions per Part 2.4 including a description of implementation including dates that the corrective action(s) were completed;
   12. Discharges of sediment or other pollutants;
   13. Instances of noncompliance; and
   14. Certification and signature.

c. Inspection reports must be signed and certified by a SWPPP Administrator based on the requirements in Part 4.15.

d. Inspection records must be maintained as required by Part 2.5.

e. Maintenance, repair, replacement, or installation of new BMPs determined necessary during site inspections to address ineffective or inadequate BMPs must be conducted in accordance with Part 2.3.8.

2.3.8 BMP Maintenance, Replacement, and Failures

a. All BMPs must be maintained in effective operating condition.

b. If inspections identify BMPs that are not in effective operating condition:
   1. Maintenance must be documented and performed by the close of the next business day.
      i. If this timeframe is "infeasible" (as defined in Part 5), document rationale and provide a schedule of events with a maintenance timeframe making BMPs operational within seven (7) calendar days.
   2. If new or replacement BMPs are required to be implemented or installed or if additional BMPs are necessary, these additional measures must be implemented or installed by no later than seven (7) calendar days from the time of discovery.
      i. If this timeframe is infeasible (as defined in Part 5), document rationale and provide a schedule of events with a timeframe making BMPs operational as soon as feasible after the 7-day timeframe.

c. All changes in the design, implementation, or installation of erosion and sediment controls or other BMPs must be documented according to Part 3.12.2.

2.4 Corrective Actions

Corrective actions are actions a SWPPP Administrator takes to:

- Repair, modify, or replace any BMP used at the site;
- Install new or additional BMPs;
- Immediately clean up, dispose of, and, under Part 4, report spills, releases, and other deposits; and
- Remedy a permit violation or noncompliance.

If any of the following conditions occur, a SWPPP Administrator must review and revise the selection, design, installation, implementation, and maintenance of BMPs to ensure the condition is eliminated and will not be repeated in the future:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another MPDES permit) occurs at the site;

- A SWPPP Administrator or DEQ determines that the BMPs are not adequate enough for the discharge as it causes or contributes to an exceedance of applicable water quality standards;
- A SWPPP Administrator or DEQ determines that modifications to the BMPs are necessary to meet the requirements in Part 2;
- A SWPPP Administrator or DEQ determines that the BMPs are not properly selected, designed, installed, operated, and/or maintained; or
- A failure of erosion or sediment controls resulting in sediment, solids, or other wastes being discharged from the site. Upon identification of sediment, solids, or other wastes lost or discharged from the site, the material must be cleaned up and placed back on site, or otherwise disposed of in an acceptable manner.
- A SWPPP Administrator must document the completed corrective actions in the corresponding inspection report, and complete any updates to the SWPPP site map(s). In addition, these changes can be updated in the SWPPP for the permittee to maintain consistency with their internal records.

2.5 Recordkeeping

At the identified site, the primary SWPPP Administrator must retain:

- A copy of the General Permit;
- A copy of the completed and signed NOI-SWC form including modification submittals;
- A copy of DEQ's confirmation letter;
- A copy of the signed SWPPP, including revisions and updates, and attachments;
- BMP installation, design, and maintenance specifications/standards for all BMPs installed and detailed in the SWPPP and/or inspection records;
- SWPPP site map(s) reflecting up-to-date site conditions
- SWPPP Administrator and Preparer documentation under Part 3.2;
- All inspection records required under Part 2.3, 2.4, 3.11, and 3.12;
- All reports of noncompliance under Part 4; and
- Sage Grouse consultation letter, as applicable.

These documents are to be made available at the site immediately upon request from a DEQ representative, EPA official, or local official. These records are to be maintained by the permittee for a period of three years from the date of termination.

2.6 Reporting

2.6.1 Notification of SWPPP Administrator Changes

The permittee must notify DEQ in writing of any change to the SWPPP Administrator's name, mailing address, and/or telephone number within 15 calendar days of the change. Notification can be submitted using Attachment A or other written correspondence sent to DEQ.

2.6.2 Noncompliance Reporting

Any instance of noncompliance must be reported to DEQ as required by Part 4.23.

3. Storm Water Pollution Prevention Plan (SWPPP)

3.1 SWPPP General Requirements

3.1.1 SWPPP Definition

The SWPPP is a document that must be developed, implemented, and maintained in accordance with good engineering selection and design, hydrologic principles, and pollution control practices to minimize and control potential pollutants in storm water associated with construction activity.

3.1.2 SWPPP Minimum Requirements

At a minimum, the SWPPP must have the following components:

- Include the information specified in Part 2 and Part 3 of the General Permit;
- Provide a site description of the nature of the construction activity that includes identification and details of the major construction activities and project area characteristics;
- Identify and describe all potential pollutant sources which may affect the quality of storm water discharges associated with the construction activity;
- Identify and describe the BMPs to be used to reduce potential pollutants in storm water discharges associated with the construction activity and to ensure compliance with the effluent limitations in the General Permit;
- Identify and describe the measures which will be used to achieve final stabilization; and
- Identify and clearly describe the inspection and maintenance procedures implemented at the site to maintain BMPs identified in the SWPPP in good and effective operating condition.

3.1.3 SWPPP Implementation

The SWPPP must be implemented as follows:

- The SWPPP must be implemented in accordance with the primary SWPPP Administrator's up-to-date field copy;
- SWPPP implementation must initiate at the start of ground disturbance associated with the construction activity;
- The SWPPP must be maintained to reflect up-to-date site conditions through documented revisions and updates in accordance with Part 3.12.2. Inspection reports, logs, and the SWPPP site map may supplement the SWPPP to reflect the most up-to-date site conditions; and
- SWPPP implementation must continue until final stabilization of all construction activity-related ground disturbance is achieved and permit coverage has been terminated.

3.2 SWPPP Preparer and Administrator

SWPPP Preparers and Administrators must obtain certification from a course approved by DEQ and maintain a valid certification by meeting the requirements in Parts 3.2.1, 3.2.2, and 3.2.3, as applicable to their role. Consistent with standard industry practice, a SWPPP Preparer or Administrator certification is valid no more than 3 years after date of certification. Training providers issue certifications complete with expiration dates.

Validation of SWPPP Preparer and Administrator certification will be determined at the time a NOI-SWC Package is submitted or during a regulatory inspection. Valid certification demonstrating the minimum requirements for the SWPPP Preparer and Administrator(s) must be maintained with the SWPPP, and must include the following:

- Name(s), title(s), phone number(s), and email address(es) of SWPPP Preparer and Administrator(s); and
- Date and name of provider of course(s).

3.2.1 SWPPP Preparer and Administrator Minimum Requirements

DEQ identified minimum requirements for SWPPP Preparers and Administrators so that the quality of storm water discharges is controlled and the effluent limitations in Part 2 are complied with.

To adequately serve their assigned roles and maintain valid certification, SWPPP Preparers and Administrators must understand and be able to apply the following concepts:

- General Permit requirements including, but not limited to: applicability, application procedures, SWPPP elements, standard conditions, and termination conditions;
- Local permitting requirements;
- Sage Grouse requirements based on location of the project;
- Principles and practices of erosion and sediment controls and pollution prevention, including the minimum criteria for BMPs defined in Part 2.1;
- Construction site assessment and planning skills including knowledge and identification of major construction activities, phases of construction activities and all support activities, and the potential pollutants generated based on the scope of the project;
- Development, selection, and implementation skills for all BMPs on the site, including final stabilization measures, required by this permit based on appropriate design, installation, function, and location; and how they are to be maintained and/or repaired according to developed and/or manufacturers plans and specifications;
- Development, selection, and implementation skills for pollution prevention controls and BMPs required by the General Permit;
- Development and implementation skills for procedures and associated documentation for all inspections, maintenance, and required recordkeeping to include when and how to conduct inspections, record applicable findings, take corrective actions, and, when appropriate, report violations and/or noncompliance; and
- Ability to develop and update the SWPPP site map(s) required by the General Permit.

3.2.2 SWPPP Preparer

A SWPPP Preparer is a designated individual who is responsible for planning and development of the SWPPP prior to submission of the NOI-SWC Package. The permittee must specify a SWPPP Preparer in the NOI-SWC form and the SWPPP.

The SWPPP Preparer(s) must:

- Develop and document all aspects of the SWPPP, starting with the initiation of construction activities, and lasting until final stabilization is achieved and the permit authorization is terminated;
- Meet minimum requirements in Part 3.2.1 and obtain valid certification before the submittal of the NOI-SWC Package to DEQ.

3.2.3 SWPPP Administrator

A SWPPP Administrator is a designated individual who is responsible for developing, implementing, maintaining, revising, and updating the SWPPP. The permittee must specify at least one SWPPP Administrator in the NOI-SWC form and the SWPPP. For new employees hired after the submission of the NOI-SWC Package, the minimum requirements and valid certification must be completed before assuming SWPPP Administrator responsibilities. Validation of certification will be determined during an inspection. Valid certification demonstrating the minimum requirements for the SWPPP Administrator(s) must be maintained with the SWPPP.

The SWPPP Administrator(s) must:

- Address all aspects of the SWPPP, initiating with the start of construction activities, and lasting until final stabilization is achieved and the permit authorization is terminated;

- Apply knowledge of erosion and sediment controls and pollution prevention to assess site conditions and determine the effectiveness of selected BMPs;
- Meet minimum requirements in Part 3.2.1 and obtain valid certification before the submittal of the NOI-SWC Package to DEQ;
- Individuals seeking to assume the SWPPP Administrator responsibilities after the start of a project must first meet the minimum requirements Part 3.2.1 and obtain valid certification;
- Meet the duly authorized representative requirements as defined in Part 4.18 to sign inspection documents and other reports.

3.3 Site Description

a. The SWPPP must include of all of the following:

1. A description of the nature of the construction activity and what is being constructed;
2. A description of all support activities and associated storm water discharges dedicated to the construction activity including but not limited to: material borrow areas, material fill areas, concrete or asphalt batch plants, equipment staging areas, access roads/corridors, material storage areas, and material crushing/recycling/processing areas;
3. The total area of the site (in acres), and the area of the site (in acres) expected to undergo construction-related disturbance (including all construction-related support activities);
4. A description of the character and erodibility of soil(s) and other earth material to be disturbed at the site, including cut/fill material to be used;
5. For construction-related disturbance of five acres or more of total land area:
   i. An estimate of the runoff coefficient of the site, both before and after construction, including a source for the estimate; and
   ii. An estimate of the increase in impervious area after the construction activity is completed;
6. The names and impairment status of receiving state surface waters and a description of the size (drainage area), type, and location of each point source discharge or outfall with connectivity.
   i. If there is no distinguishable point source discharge or outfall to the receiving state surface waters, a description of storm water runoff flow and drainage patterns into the receiving state surface waters.
   ii. If the discharge is to unnamed drainage, the name of the first named waterbody downstream of the site that will receive the discharge.
   iii. If the discharge is to a municipal separate storm sewer system (MS4), the location of the MS4 outlet where the storm sewer discharges into receiving state surface waters.
   iv. If there is no distinguishable point source discharge or outfall to the receiving state surface waters, a description of storm water runoff flow and drainage patterns into the receiving state surface waters.
7. A brief description of the existing natural cover and vegetation at the site and an estimate of the percent density of vegetative ground cover.

3.4 Identification of Potential Pollutant Sources

All potential pollutant sources, including soils, materials, and activities, within the scope of the entire construction project must be evaluated for the potential to contribute pollutants to storm water discharges. The SWPPP must identify those sources determined to have the potential to contribute pollutants to storm water discharges, and these sources must be controlled through BMP selection and implementation, as required in Part 3.5, below.

The permittee must identify all potential pollutant sources within lists provided for soils, materials, and activities within the SWPPP. In addition, the permittee must identify and list the following:

- Other potential pollutant sources from soils, activities, and materials not already identified the SWPPP;
- Other non-storm water discharges if present; and
- Any additional potential pollutant sources.

3.5 Selection of Best Management Practices (BMPs)

The SWPPP must document the selection of BMPs based on the potential pollutant sources identified in Part 3.4 above that have been installed and implemented at the site to achieve the effluent limits in Parts 2.1 and 2.2. All BMPs must be designed, installed, and implemented, and maintained according to published specifications. A copy of specifications must be maintained on-site and be accessible upon request. Specification sources must be identified in the SWPPP and kept up-to-date. Any departures from the specifications must reflect good engineering practices and must be documented in the SWPPP or corresponding inspection reports.

The permittee must identify all selected BMPs within the SWPPP including:

- Erosion control BMPs;
- Sediment control BMPs;
- Run on/runoff control BMPs;
- Administrative controls; and
- Post construction controls.

In addition, the permittee must select and list the following:

- Additional BMPs not already identified in the SWPPP and likely to be used at the construction project;
- Local sediment and erosion controls including a description of requirements;
- BMPs that target and reduce discharges of the identified pollutants of impairment to impaired waterbodies as required under Part 2.2; and
- Sage Grouse controls (The consultation letter attached to the SWPPP will meet the requirements for this section in Part 2.5).

3.6 Dewatering

All dewatering practices and BMPs associated with dewatering must be identified in the SWPPP and SWPPP site map(s) as required under Part 3.10.

- Ground water, surface water, and/or accumulated storm water due to dewatering practices which *will* discharge (or have the potential to discharge) to state surface waters are not authorized under the SWC General Permit and must obtain authorization under the MPDES General Permit for Construction Dewatering (CDGP) or an individual MPDES permit, as applicable. The CDGP applies to discharges that include in-stream dewatering, surface area dewatering, and ground water dewatering (See "Construction Dewatering" definition in Part 5).

3.7 Major Construction Activity and BMP Phasing

A major construction activity is defined as any distinct construction related disturbance or pollutant generating activity that occurs within the schedule of activities associated with the project. Major construction activities are often referred to as construction phases.

For each major construction activity, the SWPPP must:

- Identify the activity;
- Document the activity and associated BMP phasing using a table or narrative description;
- Include a list of all the construction related tasks (i.e. the series of steps) necessary to complete the activity;
- Provide an estimated timeframe (from initiation to completion) of the activity;
- Document the selected BMPs throughout the succession of each major construction activity until the site reaches final stabilization;
- Identify BMP phasing of major construction activities the SWPPP site map(s) as required under Part 3.10.

3.8 Final Stabilization

The SWPPP must clearly describe all procedures and BMPs used to ensure that "final stabilization" (as defined in Part 5) is achieved.

To achieve final stabilization a permittee must:

- Uniformly establish vegetative cover or equivalent permanent physical erosion reduction methods over the entire disturbed area, without any relatively bare areas based on the pre-disturbance conditions;
- Establish vegetative cover to density of at least 70% of pre-disturbance levels, or implement equivalent permanent physical erosion reduction methods;
- For vegetative cover, use perennial plants adapted to site conditions; and
- Utilize final stabilization measures that can provide erosion control equivalent to pre-existing site conditions.

In addition to achieving final stabilization, the permittee must have completed the items listed in Part 1.4 to be eligible to terminate coverage under the General Permit.

3.9 Post-Construction Storm Water Management

The SWPPP must clearly describe any BMPs which will be used to control storm water and potential pollutants in storm water discharges that will occur after construction operations have been completed at the site, including any applicable local requirements. If a temporary BMP will be transitioned to a post-construction BMP, the SWPPP must clearly describe the transition process and how the BMP will be maintained. Where practicable, DEQ supports the use of low impact development (LID) and green infrastructure BMPs that allow for infiltration, evapotranspiration, or capture for reuse storm water runoff generated from the majority of expected storm events post-construction.

3.10 Site Map

The SWPPP must include at least one legible site map/plan of sufficient scale and size which clearly display site conditions. Multiple SWPPP site maps/plans are encouraged for clarity.

a. At a minimum, the SWPPP site maps/plans must include the following:
   1. Site boundaries to include the perimeter of common plans of development;
   2. Locations and types of all dedicated construction activity support areas (including off-site) such as access-related work, earth material borrow areas, equipment staging areas, materials storage areas, temporary concrete or asphalt batch plants, and any areas used for fill placement;
   3. Locations where ground-disturbing activities will occur, noting any BMP phasing of major construction activities;
   4. Preconstruction topography of the site including showing state surface waters which will receive storm water runoff from the site.
   5. Any receiving state surface waters listed as impaired;
   6. Labeled outfalls with drainage pattern(s) and flow directions (use arrows) of storm water and authorized non-storm water flow onto, over, and from the site property before and after major grading activities, including lines showing boundaries between different drainage areas;
   7. Storm water, and allowable non-storm water discharge locations and types, including the locations of any storm drain inlets and where storm water or allowable non-storm water will be discharged to state surface waters;
   8. MS4s including the identification of applicable outlets, where the construction activity's storm water discharges flow into them;
   9. Locations and sources of run-on to the site from adjacent property that may contain potential pollutants (including sediment);
   10. Locations of areas of cut and fill;
   11. Locations of areas which are to remain undisturbed including vegetative buffer areas;
   12. Locations of existing natural cover and vegetation or other pre-existing ground stabilization measures before construction (such as forest, pasture, lawn, pavement, structures);

13. Approximate slopes before and after major grading activities. Note areas of steep slopes both before and after grading;
14. Locations where sediment, soil, or other construction and building materials will be stockpiled;
15. Locations of fueling, vehicle and equipment maintenance, and/or vehicle cleaning and washing areas;
16. Locations of concrete washout and other waste management areas;
17. Locations of ground water or other construction dewatering activities and discharges (see Part 3.6);
18. Designated points on the site where vehicles will exit onto paved roads;
19. Locations of other potential pollutant-generating activities not specified elsewhere;
20. Locations of all structural and non-structural BMPs for potential pollutants other than sediment;
21. Locations and specific types of all temporary or permanent erosion and sediment control BMPs;
22. Locations and specific types of all BMPs, including impoundments or conveyances such as retention and detention ponds, ditches, pipes, and swales;
23. Locations of structures and other impervious surfaces upon completion of construction;
24. Location(s) of the public sign(s);
25. Map scale;
26. North arrow; and
27. Map legend.

3.11 Inspection and BMP Maintenance Procedures

In the SWPPP, the permittee must identify which self-inspection schedule Part 2.3.2 they are following. The SWPPP must identify and clearly describe the inspection and maintenance procedures implemented to maintain BMPs identified in the SWPPP, in good and effective operating condition. These documented procedures must comply with the inspection requirements in Part 2.3 and correspond with BMP maintenance specifications. Refer to Parts 2.3.8, 2.4, 3.5, and 0 for related BMP maintenance requirements.

3.12 SWPPP Revisions and Updates

The permittee must maintain the SWPPP and SWPPP site map(s) to reflect inspections (per Part 2.3) and corrective actions (per Part 2.4).

3.12.1 Conditions Triggering Revisions and Updates

a. The following conditions trigger required revisions and updates to the SWPPP:
   1. When there is a change in design, construction, operation, or maintenance of the site, which would require the implementation of new, additional, or revised BMPs; or
   2. If the SWPPP proves to be ineffective in achieving the general objectives of controlling potential pollutants in storm water discharges associated with construction activity; or
   3. DEQ determines that the BMPs are not properly selected, designed, installed, operated, and/or maintained; or
   4. When BMPs are no longer necessary and are removed.

b. If a permittee is applying for a renewal or modification of their authorization, as described in Part 1.2.3 and 1.2.4, respectively, an updated SWPPP including all associated maps, diagrams, details, plans, and records must be submitted.

3.12.2 Revision and Update Options

The permittee must document how revisions and updates to the SWPPP will be maintained to reflect current site conditions. SWPPP site map(s) must reflect any revisions or updates to the SWPPP or from corresponding inspection reports. Inspection reports may be used to supplement the SWPPP to reflect revisions and updates.

Revisions and updates must be made before changes in the site conditions except for BMP changes addressing installation/implementation. BMP changes addressing installation/implementation must be made as soon as practicable, but in no case more than 72 hours after the changes occur at the site.

The permittee may use any of the three options below to document revisions and updates to the SWPPP:

(1) Revisions and updates directly to the SWPPP and the SWPPP site map(s). Updates to the SWPPP must include additional pages attached the SWPPP which include the time, date, and SWPPP Administrator authorizing the change; or

(2) Revisions and updates reflected through inspection records, and the SWPPP site map(s); or

(3) Revisions and updates reflected through a log, and the SWPPP site map(s). Log entries must include the time and date of the change(s) in the field; an identification of the BMP(s) removed or added; the location(s) of those BMP(s); and the name of the SWPPP Administrator authorizing the change.

4. Standard Conditions

4.1 Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Montana Water Quality Act and is grounds for enforcement action; for termination under the General Permit; for revocation and reissuance of a confirmation letter; for a modification requirement; or for denial of coverage under the General Permit (new or renewed). The permittee shall give the department advance notice of any planned changes at the permitted facility or of an activity which may result in permit noncompliance.

4.2 Penalties for Violations of Permit Conditions

The Montana Water Quality Act at MCA 75-5-631 provides that in an action initiated by the department to collect civil penalties against a person who is found to have violated a permit condition of this Act is subject to a civil penalty not to exceed $25,000. Each day of violation constitutes a separate violation.

The Montana Water Quality Act at MCA 75-5-632 provides that any person who willingly or negligently violates a prohibition or permit condition of the Act is guilty of an offense, and upon conviction, is subject to a fine not to exceed $25,000 per day of violation or imprisonment for not more than one year, or both, for the first conviction. Following an initial conviction, any subsequent convictions subject a person to a fine of up to $50,000 per day of violation or by imprisonment for not more than two years, or both.

The Montana Water Quality Act at MCA 75-5-611 provides for administrative penalties not to exceed $10,000 for each day of violation and up to a maximum not to exceed $100,000 for any related series of violations. Except as provided in permit conditions “Bypass of Treatment Facilities” and “Upset Conditions”, nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.

4.3 Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The reapplication must be submitted at least 30 days before the expiration date of this permit.

4.4 Need to Halt or Reduce Activity not a Defense

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

4.5 Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

4.6 Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

4.7 Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

4.8 Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege.

4.9 Duty to Provide Information

The permittee shall furnish to the department, within a reasonable time, any information which the department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the department, upon request, copies of records required to be kept by this permit.

4.10 Inspection and Entry

The permittee shall allow the head of the department, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and as otherwise authorized by the Montana Water Quality Act, any substances or parameters at any location; and
- Sample, or monitor at reasonable times for the purpose of assuring permit compliance, any substances or parameters at any location.

4.11 Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the department. As required by the Clean Water Act, applications, permits and effluent data shall not be considered confidential.

4.12 Reporting Requirements- Monitoring and Monitoring Reports

The department may require a permittee to monitor in addition to any conditions in this permit, on a case-by-case basis. If monitoring is required, the department will specify monitoring requirements to include, and not limited to, storm water sampling, analytical testing, and an evaluation of monitoring results, recording, and reporting. Monitoring results must be reported on a discharge monitoring report (DMR) or as required by the department. Monitoring results must be reported at the intervals specified.

If the permittee monitors any pollutant more frequently than required, using approved test procedures, the results of this monitoring must be included in the calculation and reporting of data submitted in the DMR. Calculations for all limitations which require averaging of measurements must utilize an arithmetic mean unless otherwise specified by the department.

4.13 Monitoring and Records- Representative Sampling

Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

4.14 Monitoring and Records- Retention of Records

The permittee shall retain records of all monitoring information including all calibrations and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report, or application. This period may be extended by request of the department at any time.

4.15 Monitoring and Records- Records Content

Records of monitoring information must include:

- The date, exact place, and time of sampling or measurements;
- The individual(s) who performed the sampling or measurements;
- The date(s) analyses were performed;
- The individual(s) who performed the analyses;
- The analytical techniques or methods used; and
- The results of such analyses.

4.16 Monitoring and Records- Test Procedures

Monitoring must be conducted according to test procedures approved under Title 40 of the Code of Federal regulations (40 CFR) Part 136, unless other test procedures have been specified in this permit, confirmation letter, or by the department.

4.17 Monitoring and Records-Penalties for Falsification of Reports and Tampering

The Montana Water Quality Act at MCA 75-5-633 provides that any person who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method, or makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than $25,000 per violation, or by imprisonment for not more than six months per violation, or by both.

4.18 Signatory and Authorized Representative Requirements

All applications, reports or information submitted to the department shall be signed and certified in accordance with ARM 17.30.1323.

4.18.1 Signatory Authority

All NOI-SWC application forms (including modifications and renewals), NOT, and PTN documents must be signed by an individual with signatory authority defined below:

a. For a corporation, a responsible corporate officer. A responsible corporate officer means:
   1. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
   2. The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a partnership or sole proprietorship, a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency, either a principal executive officer or ranking elected official. A principal executive officer of a federal agency includes:
   1. The chief executive officer of the agency; or
   2. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

4.18.2 Duly Authorized Representative

The SWPPP, inspections reports, and other documents required by the General Permit that are not identified as needing the signature of a signatory authority in Part 4.18.1 may be signed by either an individual with signatory authority or a duly authorized representative of that person. A person is a duly authorized representative only if:

a. Authorization is made in writing by an individual with signatory authority (Part 4.18.1);
b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position.)
c. The written authorization is submitted to the department.

4.18.2.1 Changes to Duly Authorized Representative

If an authorization, described above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the above requirements must be submitted to the department prior to or together with any reports, information, or applications to be signed by an authorized representative.

4.18.3 Certification:

Any person signing a document under Part 4.18.1 or 4.18.2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

4.19 Reporting Requirements - Planned Changes

The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility, activity, or operation.

Notice is required only when:

- The alteration or addition to the permitted facility, activity, or operation may meet one of the criteria for determining whether a facility is a new source; or
- The alteration or addition could significantly change the nature or increase the quantity of pollutant discharged. This notification applies to pollutants which are not subject to effluent limitations in the permit.

4.20 Reporting Requirements- Anticipated Noncompliance

The permittee shall give advance notice to the department of any planned changes in the permitted facility/activity/operation which may result in noncompliance with permit requirements. The permittee shall notify as soon as possible by phone and provide with the following information, in writing, within five (5) days of becoming aware of such condition:

- A description of the discharge and cause of noncompliance; and
- The period of noncompliance including exact dates and times, or if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the non-complying discharge.

4.21 Reporting Requirements- Transfers

Permit coverage is not transferable to any person except after notice is given to the department and a transfer fee is paid. The Permit Transfer Notification (PTN-SWC) form provided by the department must be completed and must be received by the department at least 30 days prior to the anticipated date of transfer. The form must be signed by both the existing owner/operator and the new owner/operator following the signatory requirements of Part 4.18.

4.22 Reporting Requirements- Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim, and final requirements contained in any compliance schedule of this permit or required by the department shall be submitted no later than 14 days following each schedule date.

4.23 Reporting Requirements- Twenty-four Hour Reporting

The permittee shall report any serious incident of noncompliance affecting the environment. Any information must be provided orally within 24 hours from the time the permittee first becomes aware of the following circumstances:

- Any noncompliance which may seriously endanger health or the environment;
- Any unanticipated bypass which exceeds any effluent limitation in the permit;
- Any upset which exceeds any effluent limitation in the permit; or
- As applicable, violation of a maximum daily discharge limit of any pollutant listed by the department in the General Permit or confirmation letter.

A written submission shall also be provided within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:

- A description of the noncompliance and its cause;
- The period of noncompliance, including exact dates and times;
- The estimated time noncompliance is expected to continue if it has not been corrected; and
- Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

4.23.1 Oral Notification

The report shall be made orally to the Water Protection Bureau at (406) 444-5546 or the Office of Disaster and Emergency Services at (406) 324-4777.

4.23.2 Waiver of Written Notification Requirement

The department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the Water Protection Bureau, by phone, (406) 444-5546. Written reports shall be submitted to the following address:

Montana Department of Environmental Quality
Water Protection Bureau
PO Box 200901
Helena, Montana 59620-0901

4.24 Reporting Requirements- Other Noncompliance

Instances of noncompliance not required to be reported within 24 hours shall be reported as soon as possible. The reports shall contain the information listed above for written submissions under Part 4.23.

4.25 Reporting Requirements- Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application package, or submitted incorrect information in a permit application package or any report to the department, it shall promptly submit such facts or information.

4.26 Bypass

Intentional diversions of untreated waste streams from any portion of a treatment facility are prohibited unless:

- The bypass does not cause effluent to exceed effluent limitations and is necessary for essential maintenance to ensure efficient operation; or

- The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage; or
- There are no feasible alternatives;
- And the proper notification is submitted.

Bypass is prohibited and the department may take enforcement action against a permittee for a bypass. If the permittee knows in advance of the need for anticipated bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass. The department may approve an anticipated bypass, after considering its adverse effects. The permittee shall submit notice of an unanticipated bypass as required under Part 4.23.

4.27 Upset Conditions

An upset may be used as an affirmative defense in actions brought to the permittee for noncompliance with a technology-based effluent limitation. The permittee (who has the burden of proof) must have operational logs or other evidence showing:

- When the upset occurred and its causes;
- That the facility was being operated properly;
- Proper notification was made; and
- Remedial measures were taken as required by the duty to mitigate standard condition.

4.28 Fees

The permittee is required to submit payment of an annual fee as set forth in ARM 17.30.201. If the permittee fails to pay the annual fee within 90 days after the due date for the payment, the department may:

- Impose an additional assessment computed at the rate established under ARM 17.30.201: and,
- Suspend the processing of the application for a permit or authorization or, if the nonpayment involves an annual permit fee, suspend the permit, certificate or authorization for which the fee is required. The department may lift suspension at any time up to one year after the suspension occurs if the holder has paid all outstanding fees, including all penalties, assessments and interest imposed under this sub-section. Suspensions are limited to one year, after which the permit will be terminated.

4.29 Removed Substances

Collected screenings, grit, solids, sludges, or other pollutants removed in the course of treatment shall be disposed of in such a manner so as to prevent any pollutant from entering any waters of the state or creating a health hazard.

4.30 Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

4.31 Severability

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

4.32 Reopener Provisions

This permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations (and compliance schedule, if necessary), or other appropriate requirements if one or more of the following events occurs:

- Water Quality Standards: The water quality standards of the receiving water(s) to which the permittee discharges are modified in such a manner as to require different permit conditions than contained in this permit.
- Water Quality Standards are Exceeded: If it is found that water quality standards or trigger values in the receiving stream are exceeded either for parameters included in the permit or others, the department may modify the permit conditions or water management plan.
- TMDL or Wasteload Allocation: TMDL requirements or a wasteload allocation is developed and approved by the department and/or EPA for incorporation in this permit.
- Water Quality Management Plan: A revision to the current water quality management plan is approved and adopted which calls for different effluent limitations than contained in this permit.

4.33 Toxic Pollutants

The permittee shall comply with effluent standards or prohibitions established for toxic pollutants which are present in the discharge, within any specified timeframe within rule or thereof, and even if the General Permit or confirmation letter has not yet been modified to incorporate such standard or prohibition for the toxic pollutant.

5. General Definitions and Abbreviations

"Act" means the Montana Water Quality Act, Title 75, Chapter 5, MCA.

"Best management practices" ("BMPs") means a schedule of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of state surface waters. 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.

"Board" means the Montana Board of Environmental Review established by 2-15-3502, MCA.

"CFR" means the Code of Federal Regulations.

"Clean Water Act" means the federal legislation at 33 USC 1251, et seq.

"Construction dewatering" means the action of pumping or actively removing ground water, surface water, and/or accumulated storm water from a construction site or other related activities. MPDES General Permit for Construction Dewatering applies to the discharge of construction dewatering effluent to state surface water with increased sediment and turbidity as the primary pollutants of concern, including:

- *In-stream dewatering*: cofferdams, drill hole or pylon development;
- *Surface area dewatering*: water pumped from disturbed surface areas (foundations, trenches, excavation pits, vaults, sumps, or other similar points of accumulation associated with a construction site or related activities where sediment-laden ground water, surface water, and/or storm water inflow must be removed); and
- *Ground water dewatering*: water discharged from well development, well pump tests, or pumping of ground water from a construction site or other related activities.

"Department" means the Montana Department of Environmental Quality. Established by 2-15- 3501, MCA.

"Disturbance related to construction activity" means areas that are subject to clearing, excavating, grading, stockpiling earth materials, and placement/removal of earth material performed during construction projects.

"Ephemeral stream" means a stream or part of a stream that flows only in direct response to precipitation in the immediate watershed or in response to the melting of a cover of snow and ice and whose channel bottom is always above the local water table.

"EPA" or **"US EPA"** means the United States Environmental Protection Agency.

"Facility or activity" means any MPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the MPDES program.

"Final stabilization" as defined at ARM 17.30.1102(5), means the time at which all soil-disturbing activities at the site have been completed, and a vegetative cover has been established with a density of at least 70% of the pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed. Final stabilization using vegetation must be accomplished using seeding mixtures or forbs, grasses, and shrubs that are adapted to the conditions of the site. Establishment of a vegetative cover capable of providing erosion control equivalent to pre-existing conditions at the site will be considered final stabilization.

"General permit" means a MPDES permit issued under ARM 17.30.1341 authorizing a category of discharges under the Act within a geographical area.

"Indian country" as defined at 40 CFR § 122.2, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the

limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

"Infeasible" means not economically possible or economically practicable in light of best industry practices.

"Larger common plan of development or sale (larger common plan)" means a project where multiple separate and distinct construction activities may be taking place at different times and/or schedules but remain related under one common plan. A "common plan" is defined as any announcement or piece of documentation (including, but not limited to a sign, public notice or hearing, sales pitch, advertisement, drawing, engineering plan, permit application, zoning request, or schematic) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur within a specific geographic area. Construction activities which form a larger common plan of development or sale may have areas of disturbance which are not physically connected.

"Montana pollutant discharge elimination system (MPDES)" means the system developed by the Board and DEQ for issuing permits for the discharge of pollutants from point sources into state surface waters. The MPDES is specifically designed to be compatible with the federal NPDES program established and administered by the EPA.

"Owner or operator" (or **owner/operator**) as defined at 75-5-103, MCA, means a person who owns, leases, operates, controls, or supervises a point source.

"Point source" as defined at ARM 17.30.1102, means a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Pollutant" as defined at ARM 17.30.1102, means dredged spoil, 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 wastes discharged into water. The terms "sewage," "industrial waste," and "other wastes" as defined at 75-5-103, MCA, are interpreted as having the same meaning as pollutant.

"Process wastewater" as defined at ARM 17.30.1102, means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

"Receiving state surface waters" means the initial surface water body which receives the discharge from the site. See definitions of "state waters" and "surface waters" below.

"Regional Administrator" is the administrator of the EPA Region with jurisdiction over federal water pollution control activities in the State of Montana.

"Runoff coefficient" as defined at ARM 17.30.1102, means the fraction of total rainfall that will appear at the conveyance as runoff.

"Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Site" as defined at ARM 17.30.1102, means the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

"State waters" as defined at 75-5-103, MCA, means a body of water, irrigation system, or drainage system, either surface or underground. The term does not apply to:

- Ponds or lagoons used solely for treating, transporting, or impounding pollutants; or
- Irrigation waters or land application disposal waters when the waters are used up within the irrigation or land application disposal system and the waters are not returned to state waters.

"Storm water" as defined at ARM 17.30.1102, means storm water runoff from precipitation, snowmelt runoff, and surface runoff and drainage.

"Storm water discharge associated with construction activity" as defined at ARM 17.30.1102, means a discharge of storm water from construction activities that result in the disturbance of equal to or greater than one acre of total land area. Construction activities include clearing, grading, excavation, stockpiling earth materials, and other placement or removal of earth material performed during construction projects. Construction activity includes the disturbance of less than one acre of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more.

- Regardless of the acreage of disturbance resulting from a construction activity, this definition includes any other discharges from construction activity designated by the DEQ pursuant to ARM 17.30.1105(1)(f).
- For construction activities that result in disturbance of less than five acres of total land area, the acreage of disturbance does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
- For construction activities that result in disturbance of five acres or more of total land area, this definition includes those requirements and clarifications stated in ARM 17.30.1102(29)(a), (b), (d) and (e).

"Storm Water Pollution Prevention Plan (SWPPP)" as defined at ARM 17.30.1102, means a document developed to help identify sources of pollution potentially affecting the quality of storm water discharges associated with a facility or activity, and to ensure implementation of measures to minimize and control pollutants in storm water discharges associated with a facility or activity. DEQ determines specific requirements and information to be included in a SWPPP based on the type and characteristics of a facility or activity, and on the respective MPDES permit requirements.

"Surface waters" as defined at ARM 17.30.1102, means any waters on the earth's surface, including but not limited to streams, lakes, ponds, reservoirs, and irrigation and drainage systems. Water bodies used solely for treating, transporting, or impounding pollutants shall not be considered surface water.

"Temporary stabilization" means a condition where exposed soils or disturbed areas are provided a temporary vegetative and/or non-vegetative protective cover to prevent erosion and sediment loss. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place to re-disturb this area.

"Total maximum daily load" or **"TMDL"** as defined at 75-5-103, MCA, means the sum of the individual waste load allocations for point sources and load allocations for both nonpoint sources and natural background sources established at a level necessary to achieve compliance with applicable surface water quality standards.

"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.

"Waste load allocation" as defined at ARM 17.30.1102, means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources.

"Waste pile" means any non-containerized accumulation of solid, non-flowing waste that is used for treatment or storage.