



Minnesota Pollution Control Agency

General Permit

STATE OF MINNESOTA

Minnesota Pollution Control Agency Metro District/Regular Facilities

National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) General Storm Water Permit for Industrial Activity Permit MN G611000

ISSUANCE DATE: November 1, 1997 EXPIRATION DATE: October 31, 2002

This permit satisfies the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq.), 40 CFR 122, 123, and 124, as amended, et. seq.; Minn. Stat. chs. 115 and 116, as amended, and Minn. Rules ch. 7001. Owners or operators of facilities identified in 40 CFR 122.26(b)(14)(i) through (ix) and (xi) are covered under this permit if they have provided a complete permit application.

A facility engaged in industrial activity, and meeting the terms and conditions of this permit is permitted to discharge storm water to the waters of the state, as authorized by the State of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency. The goal of this permit is to protect water quality in accordance with Minnesota and U.S. statutes and rules.

This permit shall become effective on the issuance date identified above, and supersedes the previous general permit MN G610000 issued for these facilities. This permit expires at midnight on the expiration date identified above.

Signature: _____

John N. Holck, Manager *for*
Operations and Planning/Major Facilities
South District

Peder A. Larson
Commissioner
Minnesota Pollution Control Agency

If you have questions on this permit, including the specific permit requirements, permit reporting or permit compliance status, please contact:

**Minnesota Pollution Control Agency
Industrial Storm Water Permit Program
520 Lafayette Road North
St. Paul, MN 55155-4194
Telephone (651) 757-2090
Fax (651) 282-6247
Telephone Device for the Deaf (TTY): (651) 282-5332**

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I. APPLICABILITY CRITERIA

I.A. Application for Coverage

- I.A.1. Except as provided under Part I.B., facilities discharging storm water associated with industrial activity as defined in 40 CFR 122.26(b)(14) are eligible for coverage under this permit.
- I.A.2. The permit will become effective 48 hours after the postmarked date of the completed permit application. A completed permit application must indicate that a Storm Water Pollution Prevention Plan has been completed, and must be signed and dated by an authorized individual, and must be accompanied by a check or money order for the amount of the application fee. Failure to submit a complete and accurate application will result in the facility being denied coverage under the permit.
- I.A.3. Permittees will receive a “Notice of Industrial Storm Water Permit Coverage” card acknowledging permit coverage within 30 days after the postmarked date of the completed permit application. The “Notice of Industrial Storm Water Permit Coverage” card must be posted at any one of the following locations:
- a. loading dock area;
 - b. vehicle fueling and maintenance area;
 - c. bulletin board or other display area visible to employees;
 - d. wherever an MPCA Hazardous Waste Registration Card or County Hazardous Waste License is displayed;
 - e. other area where facility employees are likely to be.
- I.A.4. A permit applicant or Permittee may request an individual permit to authorize discharge of storm water.

I.B. Facilities Not Covered

- I.B.1. Facilities in which all **storm water discharges** associated with industrial activity are addressed under an existing individual or industry-specific general **NDPES** permit are not eligible for coverage under this permit. Facilities in which a portion of the industrial **storm water discharges** are covered under an individual or industry-specific general **NPDES** permit are not eligible for coverage under this permit for those **storm water discharges**.
- I.B.2. **Storm water discharges** associated with construction activities except **storm water discharges** from asphalt plants, concrete plants, and sand

and/or gravel operations located at construction sites are not eligible for coverage under this permit.

- I.B.3. Sites for which Environmental Assessment Worksheets or Environmental Impact Statements are required, in accordance with Minn. R. ch. 4410, are not eligible for coverage under this permit until that environmental review is completed.

II. SPECIAL REQUIREMENTS

II.A. Storm Water Pollution Prevention Plan

The Permittee shall develop and implement a Storm Water Pollution Prevention Plan (Plan) to address the specific conditions at the industrial facility. The goal of the Plan is to eliminate or minimize contact of **storm water** with **significant materials** that may result in pollution of the runoff. If contact cannot be eliminated or reduced, **storm water** that has contacted **significant material** should be treated before it is **discharged** from the site. The Plan requires completion of items II.A.1. - II.A.9. indicated below. The Plan is not to be submitted to the Agency but is to be retained at the facility. Permittees covered under the previous version of this permit must revise their Plan, if necessary, to comply with the requirements of this permit. The following are general requirements of the Plan:

- II.A.1 Complete a drainage map. The map should indicate the following items at or adjacent to the facility:
- a. drainage areas and directions of **storm water** runoff (indicated by arrows);
 - b. discharge outfalls from the site (structures that carry **storm water** runoff from the facility such as ditches or storm sewers);
 - c. the name and location of **waters of the state** that receive facility **storm water** runoff (if waters of the state are too distant from the facility to be indicated on the site map, indicate the name, direction and shortest distance to the lake, river, stream or wetland that receives runoff from your site);
 - d. areas where **significant materials** are exposed to **storm water**;
 - e. locations of storm sewer inlets and an indication of which, if any, structures have floor drains or loading dock drains that are connected to storm sewers; and

- f. locations and types of **Best Management Practices (BMPs)** currently installed at the facility to reduce or eliminate pollutants to **storm water**.

II.A.2. Complete an inventory of exposed **significant materials**. Indicate the types of significant materials handled or stored at the site that may potentially contact **storm water**. The following are examples of materials that, if exposed to **storm water**, must be included in the inventory:

- a. raw materials, such as fuels; solvents; petroleum products; detergents; plastic pellets; materials used in food processing or production; stockpiled sand, salt or coal;
- b. by-products or intermediate products, such as wood dust, chips or bark; screened limestone, taconite or gravel by-product, recycled blacktop;
- c. finished materials, such as metallic products, including scrap metal and recycled or scrap motor vehicle parts, old process equipment/machinery, taconite pellets;
- d. waste products, such as ashes, sludge, solid and liquid waste, slag;
- e. hazardous substances designated under section 101(14) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA);
- f. any chemical the facility is required to report under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA).

II.A.3. Evaluate facility areas for exposure of **significant materials to storm water**. In creating the inventory of exposed **significant materials**, the Permittee must, at a minimum, evaluate the following areas at the industrial site (as well as other areas where appropriate) to determine whether or not **significant materials** are exposed in these areas:

- a. vehicle and equipment maintenance, parking and storage areas including fueling and washing/cleaning areas, to determine if there is discolored soil in these areas as a result of fuel and lubricant leaks and spills;
- b. liquid storage tanks and other bulk material stockpile areas;
- c. loading and unloading areas;

- d. outdoor manufacturing, processing or storage areas and industrial plant yards, to determine if there is discolored soil in these areas as a result of leaked or spilled solvents, fuels, or lubricants;
- e. dust or particulate generating areas including dust collection devices that may release dust;
- f. rooftops contaminated by industrial activity or operation of a pollution control device;
- g. on-site waste disposal areas, such as waste ponds, dumpsters, solid waste storage or management areas; and
- h. exposed (non-vegetated) soil areas where there is a potential for erosion to occur.

II.A.4. Describe appropriate **BMPs**, including **structural** and **non-structural BMPs**, that will be used at the facility to minimize or eliminate pollution of storm water at the site. The description must include an objective for each **BMP**, as well as a description of how to evaluate proper functioning of the **BMP** and any maintenance requirements of the **BMP**. **BMPs** should target **significant materials** and areas identified in II.A.2. and II.A.3. of the permit. The following general categories of **BMPs** shall be considered and one or more shall be incorporated into the facility's Plan if **significant materials** are exposed to storm water on-site:

- a. Source reduction: reduce or eliminate the **significant materials** that are exposed to **storm water**. Materials management practices should be evaluated to determine if and how inventories of exposed materials can be reduced or eliminated. This can include clean-up of old equipment yards, periodic checking of dust control equipment to ensure there is no accumulation of dust in the area around the control equipment, removal and treatment of petroleum contaminated soil, consolidation of materials from many different areas into one area, and training employees regarding proper handling and disposal of materials. **Significant materials** may also be moved indoors or covered with a tarp or structure to eliminate contact with precipitation.
- b. Diversion: divert **storm water** drainage away from exposed **significant materials** through use of curbing, berms, sewers or other forms of drainage control or elevate exposed **significant material** above surrounding drainage.
- c. Treatment: where contact of **storm water** with **significant materials** is unavoidable, use treatment devices to reduce the

concentration and amount of pollutants in the **discharged storm water**. Such devices include oil/water separators, storm water detention/retention ponds, and vegetated swales.

- II.A.5. Evaluate all **discharge** conveyances from the site (storm sewers, pipes, tile lines, ditches, etc.) to determine if liquids other than **storm water** are being **discharged** from these devices. This should be done during dry weather when **storm water discharge** is not occurring. The evaluation should cover sewer inlets and floor drains to determine which inlets/drains are connected to sanitary sewer lines, storm sewer lines, or septic tanks/drainage fields; appropriate methods such as dye or smoke testing or video imaging should be used to determine the source of discharges. The Plan must certify that **discharges** from the site have been evaluated for the presence of **non-storm water discharges**. The certification shall indicate the date of testing, location of testing, describe the method used to determine the source of **discharges** and the results of testing. **Discharge** of non-storm water (such as sanitary sewer or floor drain connections to storm sewers) is not authorized by this permit; before such **discharge** may continue, authorization under an appropriate **NPDES** permit must be obtained.
- II.A.6. Develop a preventive maintenance program. The program must require regular inspection and maintenance of **storm water** management devices (e.g. cleaning oil/water separators and catch basins), as well as inspecting and testing plant equipment and systems to uncover conditions that could cause breakdowns or failures resulting in **discharges** of pollutants (e.g. hydraulic leaks, torn bag-house filters) to surface waters.
- II.A.7. Develop a spill prevention and response procedure. In order to develop this procedure, Permittees should evaluate where spills have occurred and where they have the potential to occur. Determine drainage points for potential spill areas and develop appropriate spill prevention and containment measures, should a spill occur. Detailed procedures for cleaning-up spills shall be identified and made available to appropriate personnel. If your facility has any other spill contingency plan that satisfies the above requirements, that plan may be incorporated by reference into this Plan to satisfy this requirement.
- II.A.8. Develop and implement an employee training program to inform appropriate personnel of the components and goals of the Plan. Training shall address spill response, good housekeeping and materials management practices. The Plan shall identify periodic dates for such training.
- II.A.9. Identify personnel responsible for managing and implementing the Plan as well as those responsible for the reporting requirements of this permit.

This should include the facility contact person as indicated on the permit application. Identified personnel must be available at reasonable times of operation.

II. B. Recommended BMPs.

The following table indicates recommended **BMPs** that would eliminate or reduce contact of **significant materials**, areas, and or activities with storm water or would treat storm water that has contacted **significant material**. Other appropriate methods that will eliminate or reduce contact, or treat storm water are acceptable. Permittees must collect and dispose of wastes in accordance with appropriate federal, state, and local requirements.

<i>Material, Area, or Activity</i>	<i>Recommended BMPs to reduce or eliminate contact or treat runoff</i>
storage areas/stockpiled materials (for materials including raw, intermediate and finished product)	<ul style="list-style-type: none"> • Cover and/or enclose stored materials to prevent contact. • Divert storm water around storage areas. • Stack/pile material to minimize surface area exposed to precipitation. • Practice good housekeeping measures such as frequent removal of debris. • Install treatment measures to remove pollutants from runoff prior to discharge from the site.
waste storage areas	<ul style="list-style-type: none"> • Minimize waste generated at the site. • Store indoors or in covered dumpsters or under other types of cover. • Divert storm water around areas. • Install treatment devices to remove pollutants from runoff prior to discharge from the site.
loading/unloading and other material handling areas loading/unloading and other material handling areas (continued)	<ul style="list-style-type: none"> • Cover loading and unloading areas. • Divert storm water around areas. • Where dust is likely to be generated during material handling, install equipment or change methods of handling to minimize or eliminate dust generation. • If liquid materials are being loaded or unloaded and if loading/unloading areas drain to storm sewer inlets, prevent material from getting into the storm sewer inlets.

<i>Material, Area, or Activity</i>	<i>Recommended BMPs to reduce or eliminate contact or treat runoff</i>
	<ul style="list-style-type: none"> • Install treatment measures to remove pollutants from runoff prior to discharge from the site.
outdoor storage tanks or drums of fuel, lubricants, solvents.	<ul style="list-style-type: none"> • Store drums inside (if allowed by Fire Marshall or insurer). • Prepare and train appropriate employees in dealing with spills and leaks properly, use dry clean-up methods when possible. • Install impervious surface underneath drums. • Prevent run-on to and runoff from tank and drum storage areas, provide adequate containment to hold spills and leaks.
obsolete equipment stored outside	<ul style="list-style-type: none"> • When possible, dispose of unused equipment properly, or move indoors. • Drain fluids from equipment. • Cover equipment. • Divert storm water around equipment.
floor, sink, or process wastewater connected to a storm sewer	<ul style="list-style-type: none"> • Inspect and test floor, sink and process wastewater drains for proper connections and remove any connections to storm sewers or waters of the state.
<p>exterior vehicle and equipment washing</p> <p>exterior vehicle and equipment washing (continued)</p>	<ul style="list-style-type: none"> • Conduct washing indoors or in a covered area. • Contain and recycle washwaters. • Discharge washwaters to sanitary sewer with permission of the receiving wastewater treatment authority. • Do not allow off-site discharge of washwater. • Evaluate washwater from steam cleaning of parts contaminated with oils, greases or solvents that is not recycled to determine if it is hazardous. Dispose of hazardous sludge and washwater appropriately.
fueling areas	<ul style="list-style-type: none"> • Minimize run-on of storm water into the fueling area. • Use dry clean-up methods for fuel area

<i>Material, Area, or Activity</i>	<i>Recommended BMPs to reduce or eliminate contact or treat runoff</i>
	<p>rather than hosing down the fuel area.</p> <ul style="list-style-type: none"> • Train appropriate employees on proper fueling practices. • Install treatment devices to remove pollutants from runoff before it discharges from the site.
<p>vehicle and equipment dismantling and maintenance</p>	<ul style="list-style-type: none"> • Prevent spills during dismantling process. • Contain any leaking or dripping fluids. • Store dismantled vehicles and equipment and parts out of concentrated storm water flows (ditches, channels). • Cover parts that have been contaminated with oils, greases or solvents. • Store batteries in a nonleaking, covered container. • Promptly transfer used fluids to the proper closed container; empty drip pans when they fill.
<p>spills of liquid material</p>	<ul style="list-style-type: none"> • Stop the source of the spill immediately. • Contain the liquid until cleanup is complete. • Deploy oil containment booms if the spill may reach waters of the state or drainageways to waters of the state. • Cover the spill with absorbent material. • Dispose of cleanup materials properly. • Report the spill to the Duty Officer, when appropriate.
<p>areas of the facility with unstabilized soils subject to erosion.</p> <p>areas of the facility with unstabilized soils subject to erosion (continued)</p>	<ul style="list-style-type: none"> • Minimize run-on from adjacent areas. • Seed and mulch or sod low traffic areas. • Stabilize high traffic areas including vehicle entrances, exits, loading, unloading and vehicle storage areas. • Prevent sediment from unstabilized areas from leaving the site. • Install treatment devices to remove pollutants from the runoff prior to discharge from the site.
<p>surface preparation, paint removal and paint spraying</p>	<ul style="list-style-type: none"> • Enclose, cover, or contain blasting, sanding, and spray painting activities to the extent practical.

<i>Material, Area, or Activity</i>	<i>Recommended BMPs to reduce or eliminate contact or treat runoff</i>
	<ul style="list-style-type: none"> • Collect spent abrasives routinely and store under a cover to await proper disposal. Evaluate spent abrasives and removed paint to determine if it is hazardous. Test waste material for lead content and dispose of waste material properly.

II.C. Implementation Schedule

Permittees covered under the previous version of this permit are required to meet the implementation schedule identified in that permit for **non-structural** and **structural BMPs** identified in the Plan developed under that permit. Any **non-structural** or **structural BMPs** that were identified in the Plan that is developed/modified for this permit shall comply with the following schedule:

II.C.1. Implement **non-structural BMPs** that are identified in the Plan within 12 months of receiving permit coverage.

II.C.2. Implement **structural BMPs** identified in the Plan within 18 months of receiving permit coverage

II.D. Inspections and Maintenance

II.D.1. Site inspections shall be conducted at least once every two months during non-frozen conditions. Inspections shall be conducted by an appropriately trained person at the facility site. The purpose of inspections is to: 1) determine whether **structural** and **non-structural BMPs** require maintenance or changes, and 2) evaluate the completeness and accuracy of the Plan. At least one inspection during a reporting period shall be conducted while **storm water** is **discharging** from the facility. Inspections may be documented using an inspection form provided by the MPCA. The following compliance items will be inspected, and documented where appropriate:

- a. evaluate the facility to determine that the Plan accurately reflects site conditions as described in Part II.A. of the Permit - document any inaccuracies;
- b. evaluate the facility to determine whether new exposed materials have been added to the site since completion of the Plan - document any new significant materials;

- c. during the inspection conducted during the runoff event, observe the runoff to determine if it is discolored or otherwise visibly contaminated - document observations;
- d. determine if the **non-structural** and **structural BMPs** as indicated in the Plan are installed and functioning properly, in accordance with the implementation schedule indicated in Part II.C. of the Permit.

II.D.2. Indicate the date and time of the inspection as well as the name of the inspector on the inspection form.

II.D.3. If conditions are observed at the site that require changes in the Plan, such changes shall be made to the Plan prior to submission of the annual report for that calendar year.

II.D.4. If the findings of a site inspection indicate that **BMPs** are not meeting the objectives as identified in Part II.A. and Part II.B. of the permit, corrective actions must be initiated within 30 days and the **BMP** restored to full operation as soon as field conditions allow.

II.E. Reporting

For each year of permit coverage the Agency shall provide an annual report form to Permittees; the annual report must be completed and submitted by Permittees to the following address for each year of permit coverage:

MPCA
Industrial Storm Water Permit Program
520 Lafayette Road
St. Paul, MN 55155-4194

Annual reports are due no later than March 31 and may be sent as early as January 1 of each year. The first annual report shall cover the time period since the facility received coverage under the permit to December 31st of the reporting year. Subsequent annual reports shall cover the calendar year since the previous reporting period.

II.F. Records

The Plan shall be retained for the duration of the permit. A copy of the Plan shall remain on the permitted site whenever Permittee staff are available on the site, and be available upon request. The Permittee shall maintain the following records for the period of permit coverage:

- dates of inspections;
- findings of inspections;
- corrective actions taken;
- documentation of all changes to the Plan;
- a copy of annual reports.

II.G. Notification

If the Permittee **discharges** storm water into a municipal storm sewer, the Permittee shall notify the operator of the municipal storm sewer of the existence of this permit.

II.H. Extension of Deadlines

A Permittee may request an extension for implementation of the **non-structural BMP** and **structural BMP** requirements in the Plan within twelve (12) and eighteen (18) months after the Permittee has received coverage under the permit, respectively. A Permittee may also request an extension for corrective actions required under Part II.D.4 of this permit. Requests must be made in writing to the Industrial Storm Water Permit Program. After review of the extension request, the MPCA will provide a written response either approving or denying the extension request.

II.I. Requests for Termination of Coverage

Permittees regulated by **40 CFR 122.26(b)(14)(xi)** may request discontinuation of permit coverage by contacting the **Agency** to request an inspection by an MPCA staff member to certify that storm water does not contact significant material at the facility. The request should be directed to the MPCA, Industrial Storm Water Permit Program, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

II.J. Summary of Required Activities and Submittals

II.J.1. Develop a Plan, in accordance with Parts II.A. and II.B. of the permit prior to submitting a permit application.

II.J.2. Implement **non-structural BMPs** within 12 months of receiving permit coverage; implement **structural BMPs** called for in the Plan within 18 months of receiving permit coverage.

II.J.3. Inspect the industrial facility to assure compliance with the Plan once every two months as required by Part II.D. of the permit. Document all inspections, maintain **BMPs** and update the Plan as required by Part II.D.

of the permit. At least one inspection each calendar year must occur at a time when storm water is being discharged from the site.

II.J.4. Submit annual reports by no later than March 31 of each year for the previous calendar year as required by Part II.E. of the permit.

III. STANDARD REQUIREMENTS

III.A. Response

The Permittee shall, when requested by the **Commissioner**, submit within a reasonable time the information and reports that are relevant to compliance with this permit, including the Plan, inspection reports, annual reports, and BMP plans and specifications.

III.B. Prohibition

III.B.1. All **discharges** of **storm water** associated with industrial activity shall be composed entirely of **storm water**. Discharges of any material other than **storm water** are prohibited unless authorized under a separate **NPDES** permit.

III.B.2. A **discharge** containing a hazardous substance in an amount equal to or in excess of the reporting quantity established under either 40 CFR 117 or 40 CFR 302 shall be reported to the MPCA.

III.B.3. This permit does not authorize the **discharge** of hazardous substances or oil resulting from an on-site spill.

III.B.4. This permit does not authorize non-storm water discharge through a storm sewer conveyance system or any other conveyance system.

III.C. Transfer Ownership or Control

No permit may be assigned or transferred by the holder without the approval of the **Commissioner**. In the event of any changes in control or ownership of the facility, a request for permit transfer (form provided by the MPCA), signed by both parties shall be sent to the **Agency** (Attn: MPCA, Industrial Storm Water Permit Program, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194). If the permit transfer is approved, any succeeding owner or controller also shall comply with the terms and conditions of this permit.

III.D. Issuance of Individual Permit

In considering whether it is appropriate to issue an individual permit, the Commissioner shall consider:

III.D.1 whether the operations, emissions, activities, discharges, or facilities of the permit applicant or Permittee have characteristics creating the potential for significant environmental effects;

III.D.2. whether the Permittee has been in compliance with the terms of the general permit and applicable statutes and rules; and

III.D.3. whether the operations, emissions, activities, discharges, or facilities have been altered such that they no longer fit within the category covered by the general permit.

III.E. Permit Reapplication

This permit and its authorization shall expire at midnight, five years from the date of issuance (see date indicated on cover letter of the permit). In order to receive authorization to discharge storm water beyond the expiration date, the Permittee shall reapply to the Agency no later than 180 days prior to expiration.

III.F. Right of Entry

Upon presentation of credentials, the agency, or an authorized employee or agent of the agency, shall be allowed:

III.F.1. to enter at reasonable times upon the Permittee's premises where a **storm water discharge** from an industrial facility or other portion thereof is located for the purpose of obtaining information, examination of records, conducting surveys or investigations;

III.F.2. to bring such equipment upon the Permittee's premises as is necessary to conduct such surveys and investigations;

III.F.3. to examine and copy any books, papers, records, or memoranda pertaining to the **storm water discharge**; and

III.F.4. to sample and monitor any substances or parameters at any location.

III.G. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance with the terms and conditions provided herein.

III.H. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the initiation of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Section 311 or the Act and Minn. Stat chs. 115 and 116, as amended, and any rules adopted thereunder.

III.I. Liability Exemption

This permit authorizes the Permittee to perform the activities described herein within the conditions set forth. In issuing this permit, the State/Agency assumes no responsibility for any damage to persons, property or the environment caused by the activities authorized or undertaken pursuant to this permit. To the extent the state/agency may have any liability for the activities of its employees, that liability is explicitly limited to that provided in the Torts Claim Act, Minn. Stat. § 3.736.

III.J. Minnesota Laws

Nothing in this permit shall be construed to preclude the installation of any legal or administrative proceedings or relieve the Permittee from any responsibilities, liabilities, or penalties for violation of effluent and water quality limitations not included in this permit or applicable laws or regulations.

III. K. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

III.L. Severability

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

III.M. NPDES/SDS Rule

Minn. Rules pts. 7001.0150, subp. 3 and 7001.1090, subp. 1.A,B,C,H,I are incorporated by reference into this permit. This permit does not require the submittal of a data monitoring report.

III.N. Other Statutes, Rules and Ordinances

The Agency's issuance of a permit does not release the Permittee from any liability, penalty or duty imposed by Minnesota or federal statutes or local ordinances, except the obligation to obtain the permit.

III.O. More Stringent Rules

The Agency's issuance of a permit does not prevent the future adoption by the Agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards or orders against the Permittee.

III.P. Agency Obligation

The Agency's issuance of a permit does not obligate the Agency to enforce local laws, rules or plans beyond that authorized by Minnesota Statutes.

IV. DEFINITIONS

“**40 CFR 122.26(b)(14)(xi)**” refers to the portion of the Code of Federal Reference that indicates which facilities are not eligible for permit coverage, provided there is no storm water contact with significant material occurring at the facility. Refer to the permit application instructions for a list of these “discretionary” facilities.

“**Agency**” means the Minnesota Pollution Control Agency (MPCA)

“**Best Management Practices**” (BMP) means practices to prevent or reduce the pollution of the waters of the state, including schedules of activities, prohibitions of practices, and other management practices and also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from material storage, as defined in Minn. Rules pt. 7001.1020, subp. 5.

Examples of BMPs can be found in **Protecting Water Quality in Urban Areas**, MPCA 1989, and **Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices**, U.S. EPA 1992.

“**Commissioner**” means the Commissioner, or other Agency staff as authorized by the Commissioner, of the Minnesota Pollution Control Agency.

“**Discharge**” means the conveyance, channeling, runoff, or drainage of storm water, including snow melt, from a site.

“**Impervious Surface**” means a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include rooftops; sidewalks; patios; driveways; parking lots; storage areas; and concrete, asphalt, or gravel roads.

“**Non-storm water discharge**” means any discharge not comprised entirely of storm water except discharges authorized by a NPDES permit.

“**Non-structural BMPs**” refers to practices that will reduce or eliminate pollutants to storm water and do not require installation of permanent structural devices to treat runoff. Examples of non-structural BMPs include but are not limited to parking lot and street sweeping; employee training; changing material handling practices; installation of silt fence, minimizing materials exposed to storm water through inventory reduction, tarping, or moving of material indoors.

“**NPDES**” means “**National Pollutant Discharge Elimination System**” which is the program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under sections 307, 318, 402, and 405 of the Clean Water Act, United States Code, title 33, sections 1317, 1328, 1342, and 1345.

“**Significant Materials**” includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges. When determining whether a material is significant, the physical and chemical characteristics of the material should be considered (e.g. the material’s solubility, transportability, and toxicity characteristics) to determine the material’s pollution potential.

“**Storm water**” means storm water run off, snow melt runoff, and surface runoff and drainage.

“**Structural BMPs**” refers to the installation of devices that will reduce or eliminate pollutants to storm water through installation of permanent structural devices to treat or control runoff. Examples of structural BMPs include but are not limited to installation of storm water diversion berms or channels; sedimentation basins (retention or detention basins); oil/water separators; grit chambers; roofs, awnings or buildings to cover significant material.

“**Waters of the State**” means all streams, lakes, ponds, marshes, wetlands, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.