Guidance on the Industrial Stormwater Permit for Transportation Sectors

The Land, Water, and Air Transportation Sectors have many unique permit applicability and sector-specific requirements compared with other sectors. This guidance document will help transportation facilities be better equipped to comply with the Industrial Stormwater Multi-Sector General Permit (permit) requirements.

Applicability: Determining Which Transportation Sector Activities are Regulated

Industrial Activities Authorized. If the facility's activities are either a "Narrative" activity, or fall within a "Primary Standard Industrial Classification (SIC) code" listed in Appendix D, permit coverage is required.

Second, a facility should determine whether it is primarily engaged in one of the industrial activities that fall within the transportation sectors. See Table 1 for additional guidance.

Third, if the facility falls on one of the transportation sectors, a transportation facility must be conducting vehicle maintenance to be required to obtain permit coverage, with the exception of Subsector P4 Warehousing and Storage (SIC Codes 4221, 4222 and 4225). See Table 1 for more information.

Table 1. Transportation activities requiring Industrial Stormwater Multi-Sector General Permit coverage

Sector	Subsectors and SIC codes	Vehicle maintenance required for permit coverage?
Sector P: Land Transportation and Warehousing	**P1:** Rail Transportation Facilities (SIC codes 4011,4013)	Yes
	P2: Petroleum Bulk Oil Stations and Terminals (SIC code 5171)	Yes
	P3: Motor Vehicle Facilities (SIC codes 4111, 4119, 4121, 4131, 4141, 4142, 4151, 4173, 4212, 4213, 4214, 4215, 4226, 4231, 4311)	Yes
	P4: Warehousing and Storage: General Warehousing, Farm Product Warehousing, Refrigerated Warehousing (SIC codes 4221, 4222, 4225)	No
Sector Q: Water Transportation	**Q1:** Water Transportation Facilities (SIC codes 4412, 4424, 4432, 4449, 4481, 4482, 4489, 4491, 4492, 4493, 4499)	Yes
S: Air Transportation	**S1:** Airports that use more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis. (SIC codes 4512, 4513, 4522, 4581)	Yes
	S2: Airports that use less than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or less of urea on an average annual basis. (SIC codes 4512, 4513, 4522, 4581)	Yes

Definitions

Co-located activities: If a facility is regulated for a Narrative Activity or Primary SIC code, all additional applicable industries activities are also regulated within the facility boundary. For example, if a waste hauling company (with vehicle maintenance) is across the street from a landfill and the owner and operator is the same for both companies, the facility boundary would be drawn around both properties and considered one facility; both activities are regulated under permit and only one application is required. The entire landfill area is regulated, as well as the vehicle maintenance activities for the waste hauling company.

Facility: In the Industrial Stormwater Multi-Sector Permit, "facility" means land which has common ownership and is the location of a single corporation, business or publicly-owned operation, with a portion engaged in an industrial activity as defined by 40 CFR § 122.26(b)(14)(i)-(xi), except (x), even if land parcels are separated by a roadway, fence line or similar boundary.

Minnesota Pollution Control Agency • 520 Lafayette Rd. N., St. Paul, MN 55155-4194 • www.pca.state.mn.us
651-296-6300 • 800-657-3864 • TTY 651-282-5332 or 800-657-3864 • Available in alternative formats

SIC Code: The primary SIC code is based on the code producing the largest revenue at the facility. If revenue data is not available, base this decision on the SIC code with the largest number of employees. If using employee data is not possible, use the SIC code representing the largest volume of production.

Storm-resistant shelter: Storm-resistant shelters include completely roofed and walled buildings or structures, as well as structures with only a top cover but no side coverings, provided the material under the structure is not otherwise subject to any run-on and subsequent runoff of stormwater.

Vehicle maintenance: This includes vehicle rehabilitation, mechanical repairs, painting, fueling, lubrication, equipment cleaning and/or deicing (air transportation sector only).

If a facility is **not** conducting vehicle maintenance, no application is required to be submitted. The permit only applies to the areas where vehicle maintenance activities are being conducted.

Note: Transferring petroleum products from bulk storage tanks into tanker trucks at petroleum bulk storage facilities is not considered vehicle maintenance. The act of fueling the tanker truck into the fuel tank is considered vehicle maintenance.

Commonly Asked Questions by Transportation Sector Facility Staff

I am regulated by the industrial stormwater permit. What do I need to do next?

1. Develop a SWPPP and choose stormwater control measures.
2. Apply for permit coverage.
3. Conduct monthly inspections.
4. Fill out an annual report.
5. Pay an annual fee.
6. Conduct monitoring.

What is the No Exposure exclusion? Can I certify for that?

The No Exposure exclusion allows industrial facilities, including municipal facilities, with materials and activities that are entirely sheltered from stormwater, to certify they have a condition of No Exposure. Facilities that can certify for No Exposure do not have to develop a SWPPP, conduct inspections, fill out the annual report, pay the annual fee or conduct monitoring.

Visit www.pca.state.mn.us/industrialstormwater for more information about the No Exposure exclusion.

However, many industrial activities that occur without the use of a storm-resistent shelter may prevent a facility from being able to certify for No Exposure. The Industrial Stormwater Program frequently receives questions from facilities about whether fueling stations can qualify for the No Exposure exclusion. It is unlikely that No Exposure can be met unless the following exposure issues have been addressed:

- a canopy or cover over the fueling area
- berms to prevent run on, or run off of fuel spills
- sloping the fueling area land to contain fuel spills

Any facility attempting to certify for the No Exposure exclusion must ensure that all activities and materials are either indoors or covered by a storm-resistent shelter.

If all vehicle maintenance and equipment cleaning operations occur indoors at a transportation facility is a permit application required to be submitted?

Yes. However, the facility would need to consider all areas at the facility where vehicle maintenance is being conducted, including: storage areas of materials used in vehicle maintenance or equipment cleaning operations and holding yards or parking lots used to store vehicles awaiting maintenance. If a facility has other co-located industrial activities, those areas also need to be indoors or within a storm-resistent shelter to qualify for No Exposure.

See Table 2 for scenarios requiring and not requiring permit coverage. For more applicability scenarios, see the Applicability Guidance Document available at www.pca.state.mn.us/industrialstormwater.

Table 2. Scenarios of facilities that do and do not need permit coverage

Topic	Scenario	Regulated?
Onsite Warehouses	If a facility is conducting a regulated industrial activity (ex: widget manufacturing company) and they warehouse pre-assembly parts/final products onsite, they are considered a co-located Sector P with other activities.	Yes
Off-site Warehouses	Off-site warehouses that store pre-assembly parts/final products not considered "auxiliary," and it does not assume the main or "parent" (main) facility's activity, therefore it does not need permit coverage.	No
Auxiliary Facilities	If an onsite or offsite "auxiliary" facility cannot be classified a facility by its own SIC code, it assumes SIC of main or "parent" facility it supports.	Yes
Auxiliary Facilities	Exceptions – these keep own SIC code and are never labeled as auxiliary: • long-distance trucking (4213) • water transportation (44xx)	Yes
Waste Collection and Hauling activities	This sector applies to facilities primarily engaged in the collection and hauling of waste. This sector only applies to that portion of the facility where vehicle and equipment maintenance or equipment cleaning occurs. If a facility is primarily engaged in hauling and collection of solid waste and has vehicle maintenance, permit coverage is required. Vehicle maintenance includes vehicle rehabilitation, mechanical repairs, painting, fueling, lubrication, and equipment cleaning operations.	Yes
Gas Stations	Primary SIC code 5541	No
Automotive repair shops	Primary SIC Code 75xx	No
Private School bus operations	Private contract school bus services are required to apply for an NPDES permit for their stormwater discharges.	Yes
Public School Bus Operations	The SIC Manual states that "school bus establishments operated by educational institutions should be treated as auxiliaries" to the educational establishment (SIC code 4151). Because the SIC code assigned to educational institutions is 82xx, municipally-operated school bus establishments would not be required to apply for an NPDES permit for their stormwater discharges.	No
Police cars, fire trucks and snow plows	Police, fire protection and snow plowing activities are classified under SIC code 92xx (public order and safety). Therefore, even a maintenance facility primarily engaged in servicing those vehicles would not need permit coverage.	No
Maintenance garages	Maintenance garages that are primarily engaged maintaining vehicles related road maintenance (i.e., winter plowing, dump trucks, heavy equipment graders, front-end loaders, or tractors) are not regulated. Vehicles used for road maintenance and construction, and the facilities that maintain these trucks and equipment, are classified under SIC code 16xx (heavy construction other than building construction) would not need a permit coverage. Most public works or maintenance garages would likely be classified as SIC code 16 regardless of whether or not maintenance of those vehicles is conducted at the facility.	No
Other maintenance shops	Small engine maintenance shops that primarily engage in repairing small engines, such as lawn maintenance equipment and snow blowers, etc., do not need permit coverage.	No
Off-site vehicle maintenance facilities for regulated facilities	If a facility has a primary SIC code and/or narrative activities at a regulated facility and there are off-site supporting facilities such as local or long distance trucking vehicle maintenance or truck fueling or a truck washing facility, these off-site facilities should apply for the permit. With the exception of long distance trucking (SIC 4213), stevedoring (4491), water transportation (44xx) or pipeline transportation (46xx), an off-site supporting facility assumes the SIC code of the parent facility it supports and the Owner/Operator must apply for the permit for this off-site facility. This off-site facility assumes the SIC code of the parent facility it supports, and therefore, also the Sector and monitoring requirements of the parent facility it supports.	Yes
Airport de-icing operations	Vehicle maintenance shops or equipment cleaning facilities or airport de-icing operations. Only the vehicle maintenance or equipment cleaning areas or airport de-icing operations must be addressed in the application.	Yes

Where Can I get More Information and Guidance?

Visit the industrial stormwater program's website, www.pca.state.mn.us/industrialstormwater to:

- Download a copy of the permit and application materials.
- Access additional sector-specific fact sheets.
- Download a copy of industrial stormwater monitoring requirements and best management practices.
- Subscribe to the Industrial Stormwater Program Updates E-mail List.

To hear recorded industrial stormwater technical information, call the Stormwater Hotline at 651-757-2119 or 800-657-3804 (non-metro only). Program staff are available during regular weekday business hours at 800-657-3864.