

July 1, 2009

«FirstName» «LastName»
«Company»
«Address1»
Sitka, Alaska 99835

Dear «Title» «LastName»,

This letter is to inform you of recent changes regarding Environmental Protection Agency (EPA) regulations in relation to storm water and activities of business operating in industrial facilities, such as the Sawmill Cove Industrial Park.

The EPA requires that certain business activities be covered under an Industrial Storm Water Permit. Storm Water Permits are part of the National Pollution Discharge Elimination System (NPDES). We have attached a reference website to assist you in determining if your business activities require a permit or qualify for a No Exposure Certification Waiver. The website is: www.pneac.org/stormwater/.

As the operator of a business at Sawmill Cove Industrial Park it is your responsibility for determining your status with the EPA and to comply with the NPDES program.

To help you determine if your business qualifies for a No Exposure Certification Waiver there is a guide on the website: www.pneac.org/stormwater/13pl.cfm.

The EPA is stepping up its NPDES program verification and there can be costly penalties for non-compliance.

Best regards,



Final National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Sources

EPA Regions 1, 2, 3, 5, 6, 9, and 10 issued a new Stormwater Multi-Sector General Permit (MSGP). The MSGP, which became effective on September 29, 2008, requires industrial facilities to implement and maintain site-specific stormwater control measures and to develop stormwater pollution prevention plans (SWPPP). The MSGP regulates the discharge of stormwater from an estimated 4100 industrial facilities in 29 different industrial sectors. The new permit offers several changes from its predecessor, including: easier to understand discharge requirements; fast and easy electronic filing of Notices of Intent (NOIs) and monitoring reports; web-based tools for locating waterbodies and determining impairment status; and updated monitoring, inspection, and corrective action schedules. The new permit replaces the MSGP 2000 that expired on October 30, 2005.

Background

Section 405 of the Water Quality Act of 1987 (WQA) added section 402(p) of the Clean Water Act (CWA), which directed the Environmental Protection Agency (EPA) to develop a phased approach to regulate stormwater discharges under the NPDES program. EPA published a final regulation on the first phase on this program on November 16, 1990, establishing permit application requirements for “stormwater discharges associated with industrial activity.” See 55 FR 48063. EPA defined the term “stormwater discharge associated with industrial activity” in a comprehensive manner to cover a wide variety of facilities. See 40 CFR 122.26(b)(14).

Under this authority, EPA Regions 1, 2, 3, 5, 6, 9, and 10 have issued the new MSGP covering 29 industrial sectors. The previous version of the MSGP, the MSGP 2000, expired on October 30, 2005. Dischargers that were previously covered by the MSGP 2000 have been covered by an administrative continuance, and will continue to be covered in this manner, until their authorization under the new permit. These dischargers will need to submit an NOI to be covered under the new MSGP by no later than January 5, 2009.

The MSGP provides specific requirements for preventing contamination of stormwater discharges from industrial facilities listed in the sectors shown below:

Sector A – Timber Products	Sector P – Land Transportation
Sector B – Paper and Allied Products Manufacturing	Sector Q – Water Transportation
Sector C – Chemical and Allied Products Manufacturing	Sector R – Ship and Boat Building or Repairing Yards
Sector D – Asphalt Paving and Roofing Materials Manufactures and Lubricant Manufacturers	Sector S – Air Transportation Facilities
Sector E – Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing	Sector T – Treatment Works

Sector F – Primary Metals	Sector U – Food and Kindred Products
Sector G – Metal Mining (Ore Mining and Dressing)	Sector V – Textile Mills, Apparel, and other Fabric Products Manufacturing
Sector H – Coal Mines and Coal Mining-Related Facilities	Sector W – Furniture and Fixtures
Sector I – Oil and Gas Extraction and Refining	Sector X – Printing and Publishing
Sector J – Mineral Mining and Dressing	Sector Y – Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries
Sector K – Hazardous Waste Treatment Storage or Disposal	Sector Z – Leather Tanning and Finishing
Sector L – Landfills and Land Application Sites	Sector AA – Fabricated Metal Products
Sector M – Automobile Salvage Yards	Sector AB – Transportation Equipment, Industrial or Commercial Machinery
Sector N – Scrap Recycling Facilities	Sector AC – Electronic, Electrical, Photographic and Optical Goods
Sector O – Steam Electric Generating Facilities	Sector AD – Reserved for Facilities Not Covered Under Other Sectors and Designated by the Director

About this Permit

The final permit offers several changes from the MSGP 2000, including:

- Reorganized permit that clearly spells out: (1) requirements affecting the installation of stormwater controls to meet technology-based and water quality-based effluent limits, (2) inspection and effluent monitoring requirements, and (3) the development of the stormwater pollution prevention plans (SWPPPs).
- New requirements to annually report inspection findings and the results of corrective actions to EPA.
- Improved tools for identifying receiving waters and notifying EPA of the location of impaired waterbodies and the pollutants of concern.
- Fast and easy electronic submission of NOIs through the e-NOI system operated by Headquarters, with automated email explanations and reminders of monitoring requirements.
- Electronic submission of monitoring results under the e-NOI system.

As part of the Agency’s commitment to providing compliance assistance and reducing the burden on permittees, EPA is also publishing sector-specific fact sheets and a new monitoring guide, which will be available shortly.

Additional Information

For further information, visit the Office of Wastewater Management web page at: www.epa.gov/npdes/stormwater/msgp, contact Greg Schaner at (202) 564-0721, or send questions via email to EPA’s stormwater permit mailbox: SWpermit@epa.gov.



**NO EXPOSURE CERTIFICATION for Exclusion from
NPDES Storm Water Permitting**

C. Exposure Checklist

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future?
(Please check either "Yes" or "No" in the appropriate box.) **If you answer "Yes" to any of these questions
(1) through (11), you are not eligible for the no exposure exclusion.**

	Yes	No
1. Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to storm water	<input type="checkbox"/>	<input type="checkbox"/>
2. Materials or residuals on the ground or in storm water inlets from spills/leaks	<input type="checkbox"/>	<input type="checkbox"/>
3. Materials or products from past industrial activity	<input type="checkbox"/>	<input type="checkbox"/>
4. Material handling equipment (except adequately maintained vehicles)	<input type="checkbox"/>	<input type="checkbox"/>
5. Materials or products during loading/unloading or transporting activities	<input type="checkbox"/>	<input type="checkbox"/>
6. Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to storm water does not result in the discharge of pollutants)	<input type="checkbox"/>	<input type="checkbox"/>
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers	<input type="checkbox"/>	<input type="checkbox"/>
8. Materials or products handled/stored on roads or railways owned or maintained by the discharger	<input type="checkbox"/>	<input type="checkbox"/>
9. Waste material (except waste in covered, non-leaking containers [e.g., dumpsters])	<input type="checkbox"/>	<input type="checkbox"/>
10. Application or disposal of process wastewater (unless otherwise permitted)	<input type="checkbox"/>	<input type="checkbox"/>
11. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the storm water outflow	<input type="checkbox"/>	<input type="checkbox"/>

D. Certification Statement

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from NPDES storm water permitting.

I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)).

I understand that I am obligated to submit a no exposure certification form once every five years to the NPDES permitting authority and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the NPDES permitting authority, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under an NPDES permit prior to any point source discharge of storm water from the facility.

Additionally, 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 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.

Print Name:

Print Title:

Signature: _____

Date: