Stormwater Pollution Prevention Plan

Developed by the Northwest Marine Trade Association for use by NMTA Members

[Insert boatyard name and address here.]

Prepared in accordance with the Boatyard General Permit of Washington State, effective September 1, 2022.

Certification

Certification by Responsible Company Official: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system design to assure that qualified personnel properly gathered and evaluated the information. Based on my inquiry of the person or persons who manage the systems 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_____ Title_____

Signature_____

Date_____

Note: this template for a boatyard stormwater pollution prevention plan was prepared for the express use of the Northwest Marine Trade Association and its boatyard members. The Responsible Company Official certifying this boatyard-specific stormwater pollution prevention plan is entirely responsible for the final product.

Issue date: 10/14/2022

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LIST OF ABBREVIATIONS AND ACRONYMS

µg/L	micrograms per liter
BMPs	Best Management Practices
DMR	Discharge Monitoring Report
Ecology	Washington State Department of Ecology
EPA	United States Environmental Protection Agency
mg/L	milligrams per liter
MSD	marine sanitation device
N/A	not applicable
NAICS	North American Industry Classification System
NTU	nephelometric turbidity unit
NWTPH-Dx	Northwest diesel-range total petroleum hydrocarbon extended
POTW	publicly owned treatment works
SMMWW	Stormwater Management Manual for Western Washington
SPCCP	Spill Prevention, Control, and Countermeasures Plan
SU	standard unit
SWMM	Stormwater Management Manual
SWPPP	stormwater pollution prevention plan
TCLP	toxicity characteristic leaching procedure
TSS	total suspended solids
WQWebPortal	Water Quality Permitting Portal

[Add or delete abbreviations/acronyms and their definitions as text is updated.]

1.0 MONITORING REQUIREMENTS

The Washington State Boatyard General Permit (Permit; provided as Attachment 6) monitoring requirements applicable to **Boatyard Name** are provided in this section of the stormwater pollution prevention Plan (SWPPP).

The facility SWPPP coordinator (see Worksheet A) is responsible for conducting Permit-required monitoring or delegating responsibility for monitoring to facility staff. Sampling is to be conducted within the first 12 hours of discharge during a storm event. Samples should be collected and handled in a manner directed by the chosen accredited laboratory and in line with the analytical method for each sample. Samples will be held on ice and delivered or shipped to the chosen accredited laboratory as quickly as possible and within the hold times of the parameters being analyzed.

1.1 Stormwater Sampling

The facility stormwater discharge location(s) are shown on the Site Map and are: __**SW1, SW2**_____.

The designated stormwater sampling location(s) are shown on the Site Map and are: __**SW1**_____.

See additional discussion of monitoring requirements, including substantially identical discharge locations and areas that do not perform industrial activities, in Section 3.2 of this SWPPP.

Required sampling months each year are **January, March, April, May, October,** and **November.**

Table 1. Stormwater Sampling Requirements for Discharge to Surface Water

Parameter	Units	Benchmark Value (to surface water)	Analytical Method	Laboratory Quantitation Level
Turbidity	NTU	25	EPA 180.1/Meter	0.5
pH	Standard Units	Between 6.0 and 9.0	Meter/Paper	±0.5
Oil Sheen	Yes/No	No Visible Oil Sheen	N/A	N/A
Copper, Total *[Select the applicable receiving water; delete others]*	µg/L	Marine Water: 44 Tidally Influenced Streams: 36 Western Streams: 45 Eastern Streams: 60 Lakes: 32	EPA 200.8	2.0
Zinc, Total	µg/L	90	EPA 200.8	2.5
Petroleum Hydrocarbons mg/L (Diesel Fraction)		10	NWTPH-Dx	0.25
Discharge Limits *[Parameters below apply only to dischargers to 303(d)-listed impaired waters or to Puget Sound Sediment Cleanup Sites. Review your coverage letter from the Washington State Department of Ecology. Delete all rows below that are not applicable.]*				
pH	SU	[see Ecology letter]	Meter/Paper*	

Copper, Total	µg/L	[see Ecology letter]	EPA 200.8	
Lead, Total	µg/L	[see Ecology letter]	EPA 200.8	
Zinc, Total	µg/L	[see Ecology letter]	EPA 200.8	
TSS	mg/L	30	SM2540-D	5.00

*See page 12 of Permit for monitoring details.

If you have stormwater discharge to ground (infiltration,) retain the table below and renumber as needed. If not, then delete.

Table 2. Stormwater Sampling Requirements for Discharge to Ground

Parameter	Units	Maximum Daily Value for Infiltration	Analytical Method	Laboratory Quantitation Level
Copper, Total	µg/L	Ground: 1000	EPA 200.8	2.0
Zinc, Total	µg/L	Ground: 1020	EPA 200.8	2.5

1.2 Pressure Wash Wastewater Discharge Sampling

If no pressure washing is performed or if a closed-loop-zero-discharge system is used, replace the text and table in Section 1.2 with a simple statement of that fact.

If discharge is to a delegated publicly owned treatment works (POTW; e.g., King County), replace text and table below with your specific sewer discharge permit requirements.

The facility pressure-wash wastewater sampling location is shown on the Site Map and is: **_PW1**

Required sampling months each year are **June, July, August, and September.**

Table 3. Pressure Wash Wastewater Sampling Parameters and Discharge Limits

Parameter	Units	Daily Maximum Value	Analytical Method	Laboratory Quantitation Level
pH	Standard Units	Between 5.0 and 9.0	Meter/Paper*	±0.5
Copper, Total	mg/L	2.4	EPA 200.8	2.0
Lead, Total	mg/L	0.69	EPA 200.8	0.5
Zinc, Total	mg/L	2.61	EPA 200.8	2.5

*See page 12 of Permit for monitoring details.

1.3 Reporting Monitoring Results

Sampling results must be submitted no later than 28 days after the end of the monitoring month. Results are to be submitted on Discharge Monitoring Reports (DMRs) through the Washington State Department of Ecology's (Ecology's) online Water Quality Permitting Portal (WQWebPortal):

https://secureaccess.wa.gov/myAccess/saw/select.do

The Permittee must submit a DMR for each calendar month during which monitoring is required, whether or not a discharge occurred. If the facility did not discharge during a given monitoring period, the Permittee must submit a completed DMR with "No Discharge" entered as the DMR Reporting Code. Submission of DMRs must be completed by no later than the 28th day of the month following the completed monitoring period. See pages 43-45 of the Permit for reporting and records retention information.

1.4 Response to Sampling Results

An exceedance of a **wastewater discharge limit** or a **stormwater discharge limit** is considered to be a permit violation, and the issue causing the exceedance must be identified and resolved right away.

Level One Response – An exceedance of a stormwater discharge benchmark value requires a Level One Response for evaluation of operational source control Best Management Practices (BMPs), as outlined on pages 29–30 of the Permit. A Level One Response Form needs to be completed and submitted with the DMR for that monitoring month.

Level Two Response – Exceeding a benchmark value for a single parameter for any **three** required sampling months during a calendar year triggers the need to complete a Level Two Structural Source Control Report for each parameter exceeded. See pages 30-31 of the Permit for full requirements.

Level Three Response – Exceeding a benchmark value for a single parameter for any **four** required sampling months during a calendar year triggers the need to complete a stormwater treatment Engineering Report for each parameter exceeded. See pages 31-32 of the Permit for full requirements.

1.5 Reporting Spills and Occurrences of Non-Compliance

In the event of a spill or a discharge not authorized by the Permit that may endanger health or the environment, Ecology and other entities must be notified (per Condition S9.E on pages 45-47 of the Permit). A non-compliance notification form is provided as Worksheet G to assist with that reporting.

2.0 SITE MAP, FORMS, AND WORKSHEETS

Important parts of the SWPPP are the Site Map, monitoring forms, and worksheets, as noted below.

2.1 Figure 1 – Site Map

A copy of the Site Map is provided on the next page of the SWPPP and shows facility stormwater drainage and discharge as well as other facility details. The required elements of the Site Map are listed on pages 35-36 of the Permit.

2.2 Monitoring-Related Forms

Forms are provided to document visual site inspections, responses to any monthly benchmark exceedances, and stormwater-sample collection information. In addition, worksheets are provided to identify and document facility BMPs. SWPPP records are to be retained for at least five (5) years.

2.2.1 Weekly Site Inspection Form

A visual inspection of the entire site must be completed at least once per week following Condition S6.E on pages 27-28 of the Permit. Use the Boatyard Site Inspection Checklist in Attachment 1 to record the inspection. The SWPPP coordinator shall complete the weekly site inspection or direct an employee of the facility to complete the weekly site inspection.

2.2.2 Level One Response Form

For any exceedance of a stormwater benchmark value in a monitoring month, complete a Level One Response Form (Attachment 2) and submit it with the DMR for that monitoring month.

2.2.3 Stormwater Sample Collection Form

Use the Stormwater Sample Collection Form (Attachment 3) when collecting stormwater samples.

2.2.4 Worksheets

Some key information related to facility Permit compliance is consolidated into a set of worksheets that will need to be kept updated:

- **Worksheet A –** Pollution Prevention Team
- **Worksheet B –** Areas with Potentially Exposed Industrial Activity
- **Worksheet C –** List of Significant Spills and Leaks
- **Worksheet D –** Non-Stormwater Miscellaneous Discharges and Monitoring
- **Worksheet E –** Employee Training (to be completed at least annually)
- **Worksheet F –** Identification and Response to Illicit Discharges
- **Worksheet G** – Spill and Non-Compliance Notification.

Those worksheets are provided as Attachment 4.

[Insert the Site Map on this page.]

3.0 FACILITY DESCRIPTION AND SAMPLING AREAS

Facility details and further description of site monitoring and sampling procedures are provided in this section.

3.1 Facility Description

The facility is covered by Washington State's Boatyard General Permit. The facility conducts Boat Building and Repairing (North American Industry Classification System [NAICS] Code 336612, Boat Building and Code No. 811490, Other Repair and Maintenance) *[Change as applicable]*. Activities conducted at the facility include:

- Pressure washing;
- Bottom and top side painting;
- Engine, prop, shaft, and rudder repair;
- Hull welding and grinding;
- Hull repair, joinery, and bilge cleaning;
- Fuel and lubrication repair and replacement;
- Buffing and waxing;
- Marine sanitation device (MSD) repair and replacement; and
- Other activities necessary to maintain or construct a vessel.

[Add other activities conducted at the boatyard if they are considered to be industrial in nature.]

The facility covers an area of _____ acres, approximately _____ percent of which is impervious surface (asphalt, concrete, etc.) and _____ percent is buildings. The yard has capacity for maintenance of up to _____ vessels at any given time. Approximately _____ vessels are hauled out of the water per year and about _____ vessels are pressure washed each year. While this activity is conducted year-round, the majority of the work takes place in the spring, summer, and fall. Regular business hours for the work yard are Monday through Friday from _____ a.m. to _____ p.m. *[Note that regular business hours are also the times at which you would be expected to be available for stormwater sampling.]*

An inventory of potentially exposed industrial activities and materials is provided in Worksheet B. Other relevant facility information is also provided in the other Worksheets.

3.2 Areas Sampled

[Choose whichever of the following two sentences is applicable to your yard and delete the other.]

All areas of the facility where facility stormwater runoff discharges to surface water or infiltrates to ground are sampled.

The facility has non-industrial areas where stormwater runoff discharges to surface water or infiltrates to ground that is not sampled, and certification that the area is non-industrial is in Attachment 5.

[If there are discharge locations that are substantially identical, include a description of them and justification for why only one of those discharges is sampled.]

3.2.1 Health and Safety

Monitoring personnel are trained in proper safety procedures. Stormwater monitoring is not required if there are unsafe conditions, but employee training should still address that monitoring may subject sampling personnel to hazardous conditions, such as the following:

- Hazardous weather conditions (e.g., wind, lightning, flooding);
- Sampling in confined spaces (e.g., manholes);
- Physical hazards (e.g., traffic, falling objects, sharp edges, slippery footing); and
- Lifting injuries from opening or removing access panels and manhole covers, etc.

4.0 BEST MANAGEMENT PRACTICES (BMPs)

Both mandatory and adaptive BMPs are referenced and discussed in this section of the SWPPP.

Employees are to be trained at least annually on the contents of the SWPPP, including the BMPs for the facility. Worksheet E should be used to record each training.

4.1 Mandatory Boatyard BMPs

The Permit identifies mandatory BMPs, and those are implemented at this facility. The mandatory BMPs in this SWPPP are listed in Condition S3 of the Permit (starting on page 19 of the Permit):

- Requirement for use of a vacuum sander
- Use of tidal grids
- In-water vessel maintenance and repair
- Upland vessel maintenance and repair
- Solids management
- Paint and solvent use
- Oils, bilge water, and engine/motor cooling water management
- Sacrificial anode (zincs) management
- Chemical management
- Wash pad decontamination
- Sewage and gray water discharges
- Oversight of do-it-yourselfers and independent contractors
- Dry docks and graving docks.

These BMPs are part of a written agreement with do-it-yourselfers, vendors/subcontractors, and independent contractors, and that agreement includes a process for excluding repeat offenders from its facility. These mandatory BMPs are also posted conspicuously within the work areas.

The facility has safeguards that prevent the contribution of pollutants to stormwater by non-boatyard employees. The weekly boatyard site inspection checklist (Attachment 1) includes required observations of any work by non-boatyard individuals. *Include a description of who (contractors, vendors, do-it-yourselfers) are allowed to perform industrial activities at the facility and describe any other safeguards that are in place to prevent non-boatyard employees from contributing to pollutants in stormwater discharges.*

4.2 Operational Source Control BMPs

Potentially relevant BMPs from Ecology's Stormwater Management Manual for Western Washington (SMMWW; Ecology 2019a):

- S401 BMPs for the Building, Repair, and Maintenance of Boats and Ships

- S412 BMPs for Loading and Unloading Areas for Liquid or Solid Material
- S420 BMPs for Painting/Finishing/Coating of Vehicles/Boats/Buildings/Equipment
- S431 BMPs for Washing and Steam Cleaning Vehicles/Equipment/Building Structures
- S434 BMPs for Dock Washing
- S439 BMPs for In-Water and Over-Water Fueling
- S447 BMPs for Roof Vents
- S454 BMPs for Preventive Maintenance / Good Housekeeping.

In addition to the BMPs included from the SMMWW, the Permit specifically requires the following preventive maintenance BMPs:

- Clean catch basins when the depth of debris reaches 60% of the sump depth. In addition, the Permittee must keep the debris surface at least 6 inches below the outlet pipe. Records of this maintenance shall be kept as described in S9.B.
- Maintain ponds, tanks/vaults, catch basins, swales, filters, oil/water separators, drains, and other stormwater drainage/treatment facilities in accordance with the maintenance standards set forth in the applicable Stormwater Management Manual.
- Inspect all equipment and vehicles during weekly site inspections for leaking fluids such as oil, antifreeze, etc. Take leaking equipment and vehicles out of service or prevent leaks from spilling on the ground until repaired.
- Clean up spills and leaks immediately (e.g., using absorbents, vacuuming, etc.) to prevent the discharge of pollutants.

All good housekeeping and preventive maintenance BMPs will be completed on daily, weekly, or monthly schedules depending on the specific task.

The above standard BMPs are implemented at the facility. This SWPPP will be updated if there are any site-specific implementation details or unique differences from the standard protocols in the BMPs.

[Review the standard BMPs linked above and add descriptions of any site-specific differences.]

[Add descriptions of any additional source control BMPs that you implement at your facility.]

4.2.1 Decontamination BMPs

BMPs for decontamination of wash pads, dry docks, and/or graving docs are provided in Condition S3 of the Permit. For decontamination of the pressure wash pad at this facility, the following steps will be followed:

- Ensure pressure washing activity is fully completed.
- The pressure wash operator will use a pressure wash hose to wash down the pad to the sump.

- The operator will open the valve to allow stormwater to drain to surface water only after visual inspection confirms that the wash pad is free of paint chips and other solid debris.
- Accumulated solids must be removed from the sump by shovel, shop vac, or vactor truck before the sump reaches 60-percent fill below an outlet level.
- The solids collected for disposal will be properly characterized to determine whether or not it qualifies as a state dangerous waste and will be disposed of based on the characterization.

[Revise the above list as appropriate to your facility. Add descriptions of any additional source control BMPs that you implement at your facility.]

4.2.2 Illicit Discharges BMPs

Illicit (unpermitted) discharges of pressure wash process wastewater, domestic wastewater, and noncontact cooling water to stormwater sewers or to surface waters and ground waters of the state are examined throughout the facility and documented in Worksheet F if found. Such illicit discharges are eliminated following recommended BMPs from Volume IV of Ecology's SWMM for Western Washington:

- Conduct a field survey of buildings, particularly older buildings, and other industrial areas to locate storm drains from buildings and paved surfaces. Note where these join the public storm drain(s).
- During non-stormwater (dry weather) conditions, inspect each storm drain for non-stormwater discharges. Record all such discharges.
- Identify all connections of illicit discharges to storm drains or to surface waters and take the actions necessary to eliminate such discharges.

In the event illicit discharges are identified, BMPs for responding are as follows:

- Eliminate unpermitted wastewater discharges to storm sewer, ground water, or surface water.
- Convey unpermitted discharges to a sanitary sewer if allowed by the local sewer authority, or to other approved treatment.
- Obtain appropriate state and local permits for these discharges.

Any identified illicit discharge at the facility should be recorded using Worksheet F.

4.2.3 Spill Prevention and Emergency Cleanup Plan

The following BMPs are provided in the Permit and are adhered to at this facility:

- Store all hazardous substances, petroleum/oil liquids, and other chemical solid or liquid materials that have potential to contaminate stormwater on an impervious surface that is surrounded with a containment berm or dike that is capable of containing 10% of the total enclosed container volume or 110% of the volume contained in the largest container, whichever is greater, or use double-walled tanks.

- Prevent precipitation from accumulating in containment areas by using a roof or equivalent structure or include a plan on how it will manage and dispose of accumulated water if a containment area cover is not practical.
- Locate spill kits within 25 feet of all stationary fueling stations, fuel transfer stations, mobile fueling units, and used oil storage/transfer stations. At a minimum, spill kits shall include:
    - Oil absorbents capable of absorbing 15 gallons of fuel. Facilities with a Spill Prevention, Control, and Countermeasures Plan (SPCCP) must have enough oil absorbents capable of absorbing the minimum anticipated spill amount or potential discharge volume identified in that plan if more than 15 gallons.
    - A storm drain plug or cover kit.
    - A non-water containment boom, a minimum of 10 feet in length with a 12-gallon absorbent capacity.
    - A non-metallic shovel.
    - Two 5-gallon buckets with lids.
- Do not lock shut-off fueling nozzles in the open position. Do not "top-off" tanks being refueled.
- Block, plug, or cover storm drains that receive runoff from areas where fueling, during fueling.
- Use drip pans or equivalent containment measures during all petroleum transfer operations.
- Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas).
- Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible. Drain fluids from equipment and vehicles prior to on-site storage or disposal.
- Maintain a spill log that includes the following information for chemical and petroleum spills: date, time, amount, location, and reason for spill; date/time cleanup completed, notifications made, and staff involved.

[Add relevant site-specific details, such as whether or not there are any stationary fueling stations, fuel transfer stations, mobile fueling units, or used oil storage/transfer stations that require the specific spill kits listed above. You may delete items that are not applicable to your facility.*]*

4.3 Enhanced/Additional BMPs

Structural source control BMPs and stormwater treatment BMPs that are implemented at the facility are described in the subsections below. These BMPs will be updated as may be necessary based on triggering and implementing Level Two or Level Three Responses.

4.3.1 Structural Source Control BMPs

Specific structural source control BMPs that are implemented at the facility are:

[List any structural source control BMPs here, such as roofed areas, bermed areas, storage sheds with secondary containment, recent repaving/resurfacing, etc.]

4.3.2 Treatment BMPs

Specific stormwater treatment BMPs that are implemented at the facility are:

[List any stormwater treatment BMPs implemented at your facility here and specify how the treatment BMPs were chosen. For any treatment system in place, add a reference to an associated Operation and Maintenance Manual for that system, if available, and the expected performance of each treatment BMP.]

[Keep only one of the paragraphs below, for either Western or Eastern Washington, based on the location of the boatyard. Delete the unneeded paragraph.]

Design, construction, and operation of treatment BMPs will be in accordance with Volume V of the Stormwater Management Manual for Western Washington (Ecology 2019).

Design, construction, and operation of treatment BMPs will be in accordance with Chapter 5 of the Stormwater Management Manual for Eastern Washington (Ecology 2019).

4.3.3 Vessel Deconstruction BMPs

[Delete Section 4.3.3 if your boatyard does not perform boat deconstruction.]

[For facilities that deconstruct vessels, the SWPPP must include a description of the BMPs used when deconstructing vessels. This must include BMPs in accordance with the requirements of the permit, from initial deconstruction activity through completion of deconstruction activity. For any deconstruction activity that takes place on a dry dock or barge, the SWPPP must include BMPs that demonstrate compliance with Condition S3.M.]

5.0 REFERENCES AND RESOURCES

[Keep only one of the Ecology 2019 references below, for either Western or Eastern Washington, based on the location of the boatyard. Delete the unneeded reference.]

Ecology. 2019. *Stormwater Management Manual for Western Washington*. Publication No. 19-10-021. Washington State Department of Ecology. July. Available at 2019 Stormwater Management Manual for Western Washington.

Ecology. 2019. *Stormwater Management Manual for Eastern Washington*. Publication No. 18-10-044. Washington State Department of Ecology. August. Available at 2019 Stormwater Management Manual for Eastern Washington (SWMMEW).

Ecology's Boatyard General Permit:

https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Boatyard-general-permit

Ecology's Stormwater Management Manuals (SWMMs) and BMPs:

https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Stormwater-manuals

Ecology's water quality web portal for DMRs and other permit submittals:

https://secureaccess.wa.gov/myAccess/saw/select.do

ATTACHMENT 1

Boatyard Site Inspection Checklist

BOATYARD SITE INSPECTION CHECKLIST

Boatyard Name:		Date:		Time:	
Permit No.:	WAG-03-	Inspector:			
G=Good; F=Fair; P=Poor		Y=Yes; N=No			
Site BMPs: *Complete only sections that apply to site.*	**Overall Condition**	**Need Repair?**	**Comments/Observations**		
Wash Pad Containment and Decontamination					
● Is all pressure wash wastewater prevented from entering surface waters or stormwater drains that lead to surface waters?	**G F P**	**Y N**			
● Is washwater spray contained within the wash pad area? Are side curtains deployed if needed?	**G F P**	**Y N**			
● Is the wash pad cleaned of all debris, paint waste, sludge, or other solids each time before stormwater is allowed to drain to surface water?	**G F P**	**Y N**			
Boat Hull Repair Area(s)					
● Are remaining particles, dust, and chips collected each day?	**G F P**	**Y N**			
● Are areas where sanding occurs kept dry?	**G F P**	**Y N**			
● Are the asphalt surfaces in work areas clean? (schedule sweeping contractor if needed)	**G F P**	**Y N**			
In-Water Vessel Maintenance/Repair					
● Are the repairs, modifications, or coating of topside or superstructure surface limited to 25% of vessel surface(s)?	**G F P**	**Y N**			
● Are drop cloths, tarps, or other devices used to: collect or contain solids or liquids, and prevent release into surface water?	**G F P**	**Y N**			
● Is clean up of all collected materials done daily to prevent release into surface water?	**G F P**	**Y N**			
● Is the cleaning, repair or coating of any part of vessels hull prevented?	**G F P**	**Y N**			
Upland Vessel Maintenance Repair					
● During and after sanding, scraping, sandblasting, painting, and/or coating are all solids, dust, drips and/or oils collected and properly managed to prevent release into surface water?	**G F P**	**Y N**			
● Are drop cloths, tarps, or other devices used around vessel(s) to collect or contain solids and prevent release to surface water?	**G F P**	**Y N**			
● Is clean up of all collected materials done daily to prevent release into surface water?	**G F P**	**Y N**			
● Are the vessel work areas kept dry?	**G F P**	**Y N**			
● For any non-boatyard employee work, are they following the applicable BMPs?	**G F P**	**Y N**			

BOATYARD SITE INSPECTION CHECKLIST

Site BMPs: *Complete only sections that apply to site.*	**Overall Condition**	**Need Repair?**	**Comments/Observations**
Visual Assessment of Any Dry Boat Storage Areas (within or contiguous with an industrial area)			
● Have any industrial operations (e.g., fueling, exterior cleaning, pressure washing) been observed in dry boat storage or other non-boatyard areas since the last inspection? *[if so, stop activity and report to Ecology within 30 days]*	**G F P**	**Y N**	
Solids Management			
● At all work, storage and service area(s) of boatyard: are particles, oils, dusts, flakes, chips, drips, or other solids collected and properly managed to prevent entry into surface water? Cleanup daily?	**G F P**	**Y N**	
● Are solids kept dry as possible during collection?	**G F P**	**Y N**	
● Are sediment traps installed in all storm drains to intercept and retain solids before discharge to surface waters?	**G F P**	**Y N**	
● Are sediment traps, storm drains, and catch basins inspected weekly?	**G F P**	**Y N**	
● Are sediment traps, storm drains, and catch basins cleaned routinely to prevent solids entry into surface waters?	**G F P**	**Y N**	
●Are railways and dry docks cleaned of all solids prior to being submerged?	**G F P**	**Y N**	
Paint and Solvent Use			
● Are drip pans, drop cloths, tarps, or other devices used during surface prep, paint and solvent transfer, paint mixing & application to prevent release into surface water?	**G F P**	**Y N**	
● Is painting of hull surface (except minor touch up with non-metallic paints) prevented over surface water?	**G F P**	**Y N**	
● Is paint and solvent mixing done at secure locations onshore or onboard vessel(s)?	**G F P**	**Y N**	
● Are paints containing tributyltin prohibited from use on hull, outboard motor and/or outdrives on vessel(s) less than 82 feet?	**G F P**	**Y N**	
Sacrificial Anode (Zincs) Management			
● Are you ensuring zincs used as anodes are NOT disposed into surface waters and are stored in covered containers and recycled?	**G F P**	**Y N**	

BOATYARD SITE INSPECTION CHECKLIST

Site BMPs: *Complete only sections that apply to site.*	**Overall Condition**	**Need Repair?**	**Comments/Observations**
Oils & Bilge Water Management			
● Are hydraulic fluids, oily wastes, and petroleum products prevented from entering surface waters?	**G F P**	**Y N**	
● Is there visible sheen on surface waters?	**G F P**	**Y N**	
● Are bilge waters containing solvents, detergents, emulsifying agents or dispersants prevented from entering surface waters?	**G F P**	**Y N**	
● Are drip pans and other containment devices used during all petroleum transfer operations to prevent spills/leaks?	**G F P**	**Y N**	
● Are absorbent pads/booms available during petroleum transfer operations?	**G F P**	**Y N**	
Chemical Management			
● Are solid chemical products, solutions, paints, oils, solvents, acids, caustic solutions, and waste materials, *including used batteries and lead and copper waste*, stored under cover on impervious surface?	**G F P**	**Y N**	
● All chemical liquids stored on durable impervious surface capable of containing 110% of total tank and/or container volume?	**G F P**	**Y N**	
Sewage & Gray Water Discharges			
● Are vessel owners notified in writing that this permit prohibits discharge of sewage *(including galley water)* into surface waters?	**G F P**	**Y N**	
● Is vessel sanitary waste discharged to sanitary sewer or to holding tanks?	**G F P**	**Y N**	
● Is a list of contractors providing holding tank pump-out services made available to customers?	**G F P**	**Y N**	
Condition of Stormwater Treatment Equipment			
● If a media filter or other treatment equipment is used, is it in good condition and properly functioning?	**G F P**	**Y N**	

Will existing BMPs previously listed in this checklist need to be modified or removed? Will new BMPs be installed? YES ☐ NO ☐
If you checked YES, list the action items to be completed in this table, noting the reason(s) maintenance is needed and schedule for maintenance:

Actions to be Completed and Locations of BMPs that need maintenance	**Date Completed/ Initials**

(If you have more than four actions, attach separate sheet(s) as necessary.)

BOATYARD SITE INSPECTION CHECKLIST

STORMWATER AND PRESSURE WASH WASTEWATER DISCHARGES OFF SITE

- If the stormwater discharge is off site, inspect all discharge locations. Are oil sheens, flakes, chips, floating materials, solids, visible "cloudiness," or discolored stormwater leaving the site? YES ☐ NO ☐
- Is there evidence of illicit discharges such as domestic or process wastewater leaving the site with stormwater? YES ☐ NO ☐
- Is pressure wash water mixing with stormwater and/or leaving the site? YES ☐ NO ☐
- Did you take water quality samples as part of this inspection? YES ☐ NO ☐
- Does the SWPPP Site Map need to be modified to better reflect site conditions? YES ☐ NO ☐

If you answered YES to any of the above:

- Record the observations(s) below (attach separate sheet, if necessary), AND
- List the "action items to be completed" above (as necessary).

DESCRIPTION OF STORMWATER DISCHARGE(S) LEAVING SITE:

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND PERMIT COMPLIANCE

Is the boatyard in compliance with the SWPPP and permit requirements? YES ☐ NO ☐

If you answered NO to the above question:

- Write the tasks necessary to bring the site into compliance on the "Actions to be Completed" table above, and include the dates each job WILL BE COMPLETED.
- Have you reported the non-compliance to the Dept. of Ecology? YES ☐ NO ☐
- Do you need to modify your SWPPP? YES ☐ NO ☐

Sign the following certification:

"I certify under penalty of law that this report and all attachments are 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."

☐ The facility is in compliance with the terms and conditions of the SWPPP and the Boatyard General Permit.

☐ The facility is out of compliance with the terms and conditions of the SWPPP and the Boatyard General Permit. This report includes the remedial actions that must be taken to meet the requirements of the SWPPP and permit, including a schedule of implementation of the remedial actions.

Inspector's Name – Printed	Inspector's Signature	Inspector's Title	Date

ATTACHMENT 2

Level One Response Form
Boatyard General Permit

DEPARTMENT OF ECOLOGY
State of Washington

Level One Response Form
Boatyard General Permit

Complete and submit to Ecology this Level One Response Form along with the associated Discharge Monitoring Report (DMR) when any monitoring result exceeds a benchmark, as required by the Boatyard General Permit.
A separate Level One Response is required for each exceedance for each parameter.

Facility Name:

Permit Number:

Site Address:

Mailing Address:

Monitoring Period: Month: Year:

Benchmark Exceedance:

Monitoring Point ID: Sampling Date:

Parameter: Result: Benchmark: Units:

The Permittee must take all the following actions each time a monitoring result for any parameter exceeds the applicable benchmark value.

1.) Conduct a Level One Inspection of the permitted facility as promptly as possible after the monitoring results are available:
Date Sample Results Received:

Level One Inspection Date:

2.) Inspection Components:

(a) Identify and evaluate possible source(s) of the parameter in the stormwater discharge:

1.

2.

3.

4.

5.

6.

7.

(b) Identify the source and operational control method(s) that may reduce the stormwater contamination:

1.

2.

3.

4.

5.

6.

7.

(c) Identify the improvements and changes to the stormwater pollution prevention plan (SWPPP):

1.

2.

3.

4.

3.) Summarize the inspection results, the remedial actions taken or planned to correct the problems, the schedule of when those actions will be implemented, and the improvements and changes that will be made to the SWPPP.

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.

Printed Name & Title of Responsible Signatory:

Signature: Date:

Phone Number:

If you need this document in a format for the visually impaired, call the Water Quality Program at 360-407-6600.
Persons with hearing loss, call 711 for Washington Relay Service.
Persons with a speech disability, call 877-833-6341.

Submit this completed form to Ecology via the "Water Quality Permitting Portal" at: http://www.ecy.wa.gov/programs/wq/permits/paris/portal.html, unless you have an Electronic Reporting Waiver.

If you do have an Electronic Reporting Waiver, mail this completed form to the appropriate Ecology Office listed below.

Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, or Yakima Counties Washington State Department of Ecology Attn: Water Quality Permit Coordinator Central Regional Office 1250 West Alder Street Union Gap, WA 98903-0009	*Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, or Whitman Counties* Washington State Department of Ecology Attn: Water Quality Permit Coordinator Eastern Regional Office 4601 North Monroe Street, Suite 202 Spokane, WA 99205-1295
Island, King, Kitsap, San Juan, Skagit, Snohomish, or Whatcom Counties Washington State Department of Ecology Attn: Water Quality Permit Coordinator Northwest Regional Office 3190 160th Avenue SE Bellevue, WA 98008-5452	*Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, or Wahkiakum Counties* Washington State Department of Ecology Attn: Water Quality Permit Coordinator Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775

ATTACHMENT 3

Stormwater Sample Collection Form

Stormwater Sample Collection Form

Date: _____ **Sampling Locations:** ___SP1, SP2 (enter your own sampling point IDs_____
Weather Conditions: _____

STORMWATER SAMPLING: According to the Boatyard General Permit condition S6.A.1, Permittee shall collect stormwater samples within the first 12 hours of stormwater discharge events. If it is not possible to collect a sample within the first 12 hours of a stormwater discharge event, the Permittee must collect the sample as soon as practicable after the first 12 hours, and keep documentation with the sampling records explaining why they could not collect samples within the first 12 hours; or if it is unknown (e.g., discharge was occurring during start of regular business hours). Permittees need not sample outside of regular business hours, during unsafe conditions, or during quarters where there is no discharge, but must still submit a Discharge Monitoring Report each reporting period.

1. Time of sampling (should be within 12 hours after discharge begins):	SP1: SP2:
2. Did sampling occur within the first 12 hours of discharge?	☐ Yes ☐ No ☐ Unknown
3. If the answer to question 2 is no, explain why a sample was not collected within the first 12 hours.	
4. Sampling method to collect a representative sample (e.g., "grab sample from catch basin by hand"):	
5. Sampling parameters for laboratory analysis: total copper, total zinc, petroleum hydrocarbons (diesel fraction), turbidity, pH, others: _____	
6. Oil sheen present?	SP1: ☐ Yes ☐ No SP2: ☐ Yes ☐ No
7. Result of field measurements (pH/Turbidity):	SP1: pH: _____ SU Turbidity: _____ NTU SP1: pH: _____ SU Turbidity: _____ NTU
8. If used, field meters calibrated to meter calibration standards prior to sampling?	☐ Yes ☐ No ☐ N/A
9. Comments (i.e., visual observations, unusual circumstances):	

Name of sampler: _____

Signature of sampler: _____ Date: _____

ATTACHMENT 4

Worksheets

A. Pollution Prevention Team
B. Areas with Potentially Exposed Industrial Activity
C. List of Significant Spills and Leaks
D. Non-Stormwater Miscellaneous Discharges and Monitoring
E. Employee Training
F. Identification and Response to Illicit Discharges
G. Spill and Non-Compliance Notification

Pollution Prevention Team	**Worksheet A** **Completed by: _____** **Title: _____** **Date: _____**

Responsible Official:_____ Title:_____

Team Leader:_____ Phone:_____

Responsibilities:

_____

_____

_____

(1)_____ Title:_____

Responsibilities: Phone:_____

_____

_____

_____

(2)_____ Title:_____

Responsibilities: Phone:_____

_____

_____

_____

(3)_____ Title:_____

Responsibilities: Phone:_____

_____

_____

_____

(4)_____ Title:_____

Responsibilities: Phone:_____

_____

_____

_____

Areas with Potentially Exposed Industrial Activity	Worksheet B Completed by:_____ Title:_____ Date:_____

List areas or activities on the facility where industrial activities occur that have the potential to contribute pollutants to stormwater leaving the facility. List materials that are used or stored in these areas/activities and potential pollutants that may come from each area/activity.

Industrial Area or Activity	Materials Used/Stored in this Area or Activity	Potential Stormwater Pollutant from Area or Activity	Likelihood of being present in your stormwater discharge. If yes, describe reason.
Storage, loading & unloading of dry bulk materials or liquids		Copper, zinc, turbidity, petroleum hydrocarbons	
Outdoor vessel repair areas that generate dust and particulates		Copper, zinc, turbidity, petroleum hydrocarbons	
Vessel pressure wash pad		Copper, zinc, turbidity, petroleum hydrocarbons	
Galvanized roofs or other surfaces exposed to air emissions from enclosed vessel repair		Copper, zinc, turbidity	
Onsite waste management or storage		Copper, zinc, turbidity, petroleum hydrocarbons	
Fueling and vehicle maintenance and/or cleaning		Copper, zinc, turbidity, petroleum hydrocarbons	

Edit or add rows as needed to include other applicable activities or materials.

List of Significant Spills and Leaks	Worksheet C Completed by:_____ Title:_____ Date:_____

List all spills and leaks of toxic or hazardous pollutants that were significant. Significant spills and leaks include, but are not limited to, release of oil or hazardous substances in excess of reportable quantities. Although not required, it is recommended to list spills and leaks of non-hazardous materials. List here any spills or leaks of pollutants that have occurred during the three years prior to the effective date of the permit (including any pollutants no longer handled onsite).

Date	Location (as indicated on site map)	Description				Response Procedure		Preventive Measure Taken
		Type of Material	Quantity	Source, If Known	Reason for Spill/Leak	Amount of Material Recovered	Material No Longer Exposed to Stormwater (Yes/No)	

Non-Stormwater Miscellaneous Discharges and Monitoring	**Worksheet D** **Completed by:** _____ **Title:** _____ **Date:** _____

List non-stormwater discharges that occur at the facility. For each specify volume, frequency of discharge, expected duration of discharge and Best Management Practices employed to assure they are uncontaminated. Such discharges are conditionally approved provided they are in compliance with all applicable discharge limitations, including compliance with state water quality standards.

Discharge From	Volume	Frequency	Duration	BMP
Fire Fighting Activities				
Fire protection system testing and maintenance				
Dechlorinated potable water				
Uncontaminated condensate				
Uncontaminated groundwater				
Dewatering activities				

List discharge events in the log below.

Date	Discharge Location (as indicated on the site map	Method Used to Test or Evaluate Discharge	Describe Results from Test for Presence of Non- Stormwater Discharge	Identify Potential Significant Sources	Person who Conducted the Test

Employee Training	Worksheet E Completed by:_____ Title:_____ Date:_____

SWPPP training is to be conducted annually for employees that are involved with outdoor industrial activities or are involved with stormwater monitoring and is to include an overview of the SWPPP, spill response, good housekeeping, material management practices, and stormwater monitoring responsibilities. Employees make a difference in complying with the SWPPP and preventing contamination of stormwater. Training is to be conducted in person or over videoconference in order to show visual aids (SWPPP, site map, BMPs) and should also include a discussion of recent spills, occurrences of non-compliance, or near misses.

Employee Printed Name	Signature

Identification and Response to Illicit Discharges	Worksheet F Completed by:_____ Title:_____ Date:_____

Record all illicit discharges identified during the inspection of facility, along with a brief description of how each illicit discharge connects to the stormwater sewer or surface and/or ground waters of the state and a plan to eliminate each illicit discharge.

Illicit Discharge Identified	Description of how discharge connects to waters of the state	Plan to eliminate discharge	Discharge eliminated?

Worksheet G

Spill and Non-Compliance Notification

In the event of a spill or a discharge not authorized by this general permit which may endanger health or the environment, the Permittee must immediately notify:

- The Washington Military Department, Emergency Management Division, at (800) 258-5990,
- The United States Coast Guard, National Response Center, at (800) 424-8802, and
- The appropriate Ecology regional office:

Counties	Ecology Office Location
Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, and Yakima	**Ecology Central Regional Office** Water Quality Program 1250 West Alder Street Union Gap, WA 98903-0009 509-575-2490 TDY: 711 or 1-800-833-6341
Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman	**Ecology Eastern Regional Office** Water Quality Program North 4601 Monroe Spokane, WA 99205-1295 509-329-3400 TDY: 711 or 1-800-833-6341
Island, King, Kitsap, San Juan, Skagit, Snohomish, and Whatcom	**Ecology Northwest Regional Office** Water Quality Program 15700 Dayton Ave. N. Shoreline, WA 98133 206-594-0000 TDY: 711 or 1-800-833-6341
Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum	**Ecology Southwest Regional Office** Water Quality Program P.O. Box 47775 Olympia, WA 98504-7775 360-407-6300 TDY: 711 or 1-800-833-6341

In addition to a spill or unauthorized discharge, in the event the Permittee is unable to comply with any of the other permit terms and conditions due to any cause, the Permittee must:

- Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any noncompliance and submit the results to Ecology within 5 days after becoming aware of the violation;
- Notify the regional Ecology facility inspector orally of the failure to comply within 24 hours from the time the Permittee becomes aware of the noncompliance; and
- Submit a detailed written report electronically via the Water Quality Permitting Portal to Ecology within 5 days from the time the Permittee becomes aware of the noncompliance. The report should describe the nature of the violation, including exact dates and times, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the additional sampling, and any other pertinent information. Permittees who are unable to submit electronically (e.g., those who do not have an Internet connection) must contact their Ecology regional permit administrator at the locations provided above to request a waiver. Permittees with waivers must submit hardcopy paper reports to be received by Ecology no later than within 5 days of the time the Permittee became aware of the noncompliance.

Name:	Witness (if applicable):
Organization/Company:	Permit number:
Date and time of occurrence:	Date of notification:

Description of non-compliance occurrence:

_____

_____

_____

Action taken or planned to be taken to correct non-compliance occurrence:

_____

_____

_____

Steps taken or planned to be taken to prevent a recurrence of non-compliance:

_____

_____

_____

Was the occurrence on non-compliance a spill or a discharge not authorized by this general permit which may endanger human health or the environment? _____
If so, were the appropriate organizations immediately notified? _____

If the occurrence of non-compliance was not potentially endangering of human health or the environment, was the regional Ecology facility inspector orally notified of the non-compliance within 24 hours from the time the Permittee became aware of the noncompliance? _____

Was sampling and analysis completed after the occurrence of non-compliance was corrected? _____
If no, why? _____
If yes, attach the results of the additional sampling to this report and submit to Ecology

"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 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: Signature: Date:

ATTACHMENT 5

Certification of No Sampling for Non-Industrial Areas of the Facility

Certification of No Sampling for Non-Industrial Areas of the Facility

As indicated on the Site Map, this facility has areas where there are no industrial activities and where stormwater sampling is not conducted. Non-industrial areas of the facility may be excluded from discharge monitoring ***only*** if:

The area is used solely for the dry storage of boats, the Permittee certifies in the facility SWPPP that no boatyard or any other industrial activities occur there; and no possibility exists for stormwater runoff to flow from an industrial area onto the storage area; **or**

The Permittee certifies in the facility SWPPP that, within the area, none of the following materials or activities are, or will be in the foreseeable future, exposed to precipitation or stormwater runoff:

i. Boatyard materials and activities, including, but are not limited to, any boatyard activities listed in S1.A.

ii. Material handling equipment or activities, industrial machinery, raw materials, intermediate products, byproducts, and final products, or waste products. Material handling activities include storage, loading and unloading, transport, or conveyance of any raw materials, intermediate product, by-product, final products, or waste products.

iii. 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 stormwater.

iv. Materials or residuals from spills or leaks on the ground or in stormwater inlets.

v. Materials or products from past industrial activity.

vi. Material handling equipment (except adequately maintained vehicles).

vii. Materials or products during loading, unloading, or transporting activities.

viii. Materials or products stored outdoors (except final products intended for outside use, e.g., new cars, where exposure to stormwater does not result in the discharge of pollutants).

ix. Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers.

x. Materials or products handled or stored on roads or railways owned or maintained by the discharger.

xi. Waste material (except waste in covered, non-leaking containers, e.g., dumpsters).

xii. Application or disposal of process wastewater.

xiii. Particulate matter or visible deposits of residuals from roof stacks or vents not otherwise regulated, i.e., under an air quality control permit, and evident in the stormwater outflow

<u>Certification</u>

Certification by Responsible Company Official: I certify that the above is true and correct.

Name_____ Title_____

Signature_____

Date_____

ATTACHMENT 6

Boatyard General Permit

Errata

For the Boatyard General Permit Issued on July 20, 2022 and effective on September 1, 2022

September 1, 2022

Ecology corrected two dates and added two clarifications in Table 1. The changes are listed below with deleted text in ~~red strikethrough~~ text and the updated text in blue underlined text.

Table 1: Summary of Permit Submittals and Monitoring Requirements

Permit Section	Submittal (a)	Frequency	Submittal Date
S1	Request for Modification of Permit Coverage	As necessary	As necessary
S1	Transfer of Permit Coverage	As necessary	Thirty days before expected transfer
S2 S9	Discharge Monitoring Report (DMR): Pressure-Wash Wastewater Monitoring Results	Once per month in June, July, August, and September	First DMR: ~~September~~ October 28, 2022 Then, DMR: Twenty-eighth day of the month following the sample collection month
S6 S9	Discharge Monitoring Report (DMR): Stormwater Runoff Monitoring Results	Once per month in October, November, January, March, April, and May	First DMR: ~~October~~ November 28, 2022 Then, DMR: Twenty-eighth day of the month following the sample collection month

Issuance Date: July 20, 2022
Effective Date: September 1, 2022
Expiration Date: August 31, 2027

BOATYARD GENERAL PERMIT

A National Pollutant Discharge Elimination System (NPDES) and
State Waste Discharge General Permit for Stormwater and Wastewater Discharges
Associated with Boatyards

State of Washington
Department of Ecology
Olympia, Washington

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, § 1251 et seq.

Until this permit expires, is modified, or is revoked, Permittees that have properly obtained coverage by this permit are authorized to discharge in accordance with the special and general conditions which follow.

DEPARTMENT OF ECOLOGY
State of Washington

Vincent McGowan, P.E.
Water Quality Program Manager
Washington State Department of Ecology

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TABLE OF CONTENTS

LIST OF TABLES

ADA ACCESSIBILITY

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request ADA Accommodation, contact Water Quality Reception at 360-407-6600. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's accessibility webpage[1] for more information.

For document translation services, call Water Quality Reception at 360-407-6600. Por publicaciones en espanol, por favor llame Water Quality Reception al 360-407-6600.

[1] https://ecology.wa.gov/About-us/Accessibility-equity/Accessibility/

SUMMARY OF PERMIT SUBMITTALS AND MONITORING REQUIREMENTS

Table 1: Summary of Permit Submittals and Monitoring Requirements

Permit Section	Submittal (a)	Frequency	Submittal Date
S1	Request for Modification of Permit Coverage	As necessary	As necessary
S1	Transfer of Permit Coverage	As necessary	Thirty days before expected transfer
S2 S9	Pressure-Wash Wastewater Monitoring Results	Once per month in June, July, August, and September	First DMR: September 28, 2022 Then, DMR: Twenty-eighth day of the month following the sample collection month
S6 S9	Stormwater Runoff Monitoring Results	Once per month in October, November, January, March, April, and May	First DMR: October 28, 2022 Then, DMR: Twenty-eighth day of the month following the sample collection month
S7	Level One Response – Operational Source Control BMPs	One or two exceedances of a benchmark or limit value	Along with the corresponding DMR
S7	Level Two Response – Structural Source Control BMPs	Three exceedances of a benchmark or limit value	Three months from DMR due date
S7	Level Three Response – Treatment BMPs	Four exceedances of a benchmark or limit value	Three months from DMR due date
S9	Notification of Non-Compliance	As necessary	Immediately by phone Within 5 days by written report
S9	Additional Monitoring Results	As necessary	Twenty-eighth day of the month following the sample collection month
S9 S10	Notification of Spills or Other Discharges	As necessary	Immediately by phone Within 5 days by written report
S10	Notification of Planned Bypass	As necessary	As necessary
G1	Notice of Change in Signatory Authorization	As necessary	Prior to or upon document submittal
G6	Permit Application Supplement or Notification of Significant Change in Process or Discharge	As necessary	Sixty days prior to the planned change
G14	Application for permit coverage renewal	Once during the permit term	March 5, 2027
G20	Other Information	As necessary	As necessary

(a) Electronic submittal is required via the Water Quality Permitting Portal.
More information is available at Ecology's WQWebPortal guidance web page[2].

[2] https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance

SPECIAL CONDITIONS

S1. PERMIT COVERAGE REQUIRED

This statewide general permit applies to boatyards that discharge stormwater runoff from areas with industrial activity directly to the ground, to a surface waterbody, or to a storm sewer system that drains to a surface waterbody. This general permit also regulates process wastewater from boatyards, unless the wastewater is discharged to a municipal sanitary sewer operated by a sewer authority (POTW) with a delegated pretreatment program. The geographic area covered by this general permit is the entire State of Washington, except for Federal and Tribal lands and waters as specified in Condition S1.B (Exemption from Coverage).

A. Boatyard Activities Requiring Coverage under This Permit

All boatyards in the State of Washington must apply for coverage under this permit and must comply with all conditions specified in this permit, as applicable to their facility, unless exempted by the following section.

A boatyard, as defined for the purpose of this permit, is a facility engaged in the construction, repair, or maintenance of small vessels, where 85% of those vessels are 65 feet or less in length, or the boatyard generates more than 85% of its gross receipts working on those vessels. Services typically provided include, but are not limited to:

(a) pressure washing hulls

(b) painting and coating

(c) engine and propulsion system repair or replacement

(d) hull repair

(e) joinery

(f) bilge cleaning

(g) fuel and lubrication system repair or replacement

(h) welding and grinding of the hull

(i) buffing and waxing

(j) marine sanitation device (MSD) repair and replacement

(k) vessel deconstruction

(l) exterior cleaning activities that produce wastewater containing soaps or other pollutants

(m) other activities necessary to maintain a vessel

All areas of the boatyard where any of these activities or materials have the potential to be exposed to precipitation or stormwater runoff are subject to this permit. For example, any area designated as a boat storage area where occasional boat work is done and exposed to

precipitation or stormwater runoff is subject to all permit controls, Best Management Practices (BMPs), and monitoring. This definition includes mobile and do-it-yourself activities.

B. Exemption from Coverage

1. Limited Services

Facilities that provide only the following services do not require coverage under this permit:

(a) Use of tidal grids solely for emergency repair or for inspection by marine surveyors;

(b) Minor engine repair or maintenance within the engine space without vessel haul-out;

(c) Minor repairs or modifications to the vessel rigging or superstructure (topside) limited to 25% of the topside surface;

(d) Topside cleaning, detailing, and bright work;

(e) Electronics servicing and maintenance; or

(f) MSD servicing and repair without vessel haul-out.

2. Indian Country

Discharges from facilities located on "Indian Country" as defined in 18 U.S.C. §1151, except portions of the Puyallup Reservation as noted below, are not covered by this general permit. Indian Country includes:

(a) All land within any Indian Reservation, including rights-of-way running through the reservation. This includes all Federal, Tribal, and Indian and non-Indian privately-owned land within the reservation.

(b) All off-reservation Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

(c) All off-reservation Federal trust lands held for Native American Tribes.

Puyallup Exception: Following the Puyallup Tribes of Indian Land Settlement Act of 1989, 25 U.S.C. §1773; this general permit does apply to surface water on land held in trust by the Federal Government.

3. Federal Facilities

The following discharges are not covered by this permit:

(a) Discharges from activities operated by any department, agency, or instrumentality of the Federal Government of the United States.

(b) Discharges from activities (i) Located on federally-owned sites; and (ii) Operated by an entity, such as a private contractor performing industrial activity on behalf of or under the direction of any department, agency, or instrumentality of the Federal Government of the United States.

4. Vessel Deconstruction

   This general permit does **not** cover vessel deconstruction activities that take place in the water or on a floating dry dock or barge, **unless** within the boundaries of your facility. For vessel deconstruction activities that take place outside the boundaries of a permittee's facility, the boatyard must obtain either an individual permit or the vessel deconstruction general permit.

5. Coverage Under Another Permit

   Facilities exempted from this permit may require coverage under the Industrial Stormwater General Permit or an individual permit.

C. Conditional "No Exposure" Exemption

A facility engaged in boatyard activity may qualify for a Conditional "No Exposure" Exemption (CNE) if there is no exposure of boatyard materials or activities to rain, snow, snowmelt, and/or runoff. Facilities that discharge wastewater to a non-delegated POTW do not qualify for a Conditional "No Exposure" Exemption. Boatyard materials and activities include, but are not limited to, any boatyard activities listed in S1.A, material handling equipment or activities, industrial machinery, raw materials, intermediate products, byproducts, and final products, or waste products. Material handling activities include storage, loading and unloading, transport, or conveyance of any raw materials, intermediate product, by-product, final products, or waste products. Facilities that conduct boatyard activities exclusively indoors may qualify for a conditional exemption from coverage under this permit in accordance with 40 CFR Part 122.26 (g). To acquire a Conditional No Exposure Exemption, a facility or Permittee must complete the following steps:

(a) Submit a completed Request for a Conditional No Exposure Exemption form to Ecology.

(b) Certify that none of the following materials or activities are, or will be in the foreseeable future, exposed to precipitation or stormwater runoff:

   i. 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 stormwater.

   ii. Materials or residuals from spills or leaks on the ground or in stormwater inlets.

   iii. Materials or products from past industrial activity.

   iv. Material handling equipment (except adequately maintained vehicles).

   v. Materials or products during loading, unloading, or transporting activities.

   vi. Materials or products stored outdoors (except final products intended for outside use, e.g., new cars, where exposure to stormwater does not result in the discharge of pollutants).

vii. Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers.

viii. Materials or products handled or stored on roads or railways owned or maintained by the discharger.

ix. Waste material (except waste in covered, non-leaking containers, e.g., dumpsters).

x. Application or disposal of process wastewater (unless otherwise permitted).

xi. Particulate matter or visible deposits of residuals from roof stacks or vents not otherwise regulated, i.e., under an air quality control permit, and evident in the stormwater outflow.

(c) Submit to on-site facility inspection(s) by Ecology to verify compliance with all "no exposure" conditions.

(d) Receive from Ecology written approval of this exemption. Regardless of whether a facility meets all of the conditions to quality for a Conditional No Exposure Exemption, Ecology may require a facility to obtain coverage under this permit if Ecology determines the facility is a significant contributor of pollutants to waters of the State in accordance with Condition S1.D (Significant Contributors of Pollutants).

(e) Facilities that are granted a Conditional No Exposure Exemption must submit a new completed Request for a Conditional No Exposure Exemption form to Ecology once every 5 years, and may again undergo inspection by Ecology.

(f) If, during the term of this general permit, fees are established under Chapter 173-224 WAC for processing applications for this exemption or for administering this exemption, the Permittee must pay the assessed fees by the dates due.

(g) Ecology will automatically terminate permit coverage when it grants a Conditional No Exposure Exemption to a permitted facility.

(h) If a change occurs at an exempt facility that results in the exposure of boatyard activities or industrial materials to precipitation or stormwater runoff, the facility must immediately apply for and obtain a permit.

D. Significant Contributors of Pollutants

Ecology may require a facility to obtain coverage under this permit if Ecology determines the facility:

(a) Is a significant contributor of pollutants to waters of the State, including groundwater;

(b) May reasonably be expected to cause a violation of any water quality standard; or

(c) Conducts boatyard or other related industrial activity, or produces stormwater runoff with characteristics similar to other boatyards or related industrial activities.

E. Obtaining Permit Coverage

Unpermitted facilities that require coverage under this permit shall submit to Ecology, a complete and accurate ***Notice of Intent (NOI)*** using Ecology's Water Quality Permitting Portal – Permit Coverage Notice of Intent form as follows:

(a) Existing Facilities

i. Unpermitted existing facilities that require coverage under this permit shall submit a complete and accurate permit application to Ecology.

ii. Existing facilities means a boatyard facility that begins activities that result in a discharge or a potential discharge to waters of the State prior to the effective date of this general permit, September 1, 2022 and meets the Permit Coverage renewal requirement in WAC 197-11-800 (13) (i).

(b) New Facilities

i. New facilities means a boatyard facility that begins activities that result in a discharge or a potential discharge to waters of the State on or after the effective date of this general permit, September 1, 2022. All unpermitted new facilities shall:

(1) Submit a complete and accurate permit application to Ecology at least 60 days before the commencement of stormwater or process wastewater discharge from the facility.

ii. The application shall include certification that the facility has met the applicable public notice and ***State Environmental Policy Act (SEPA)*** requirements in WAC 173-226-200(3)(f).

(c) Electronic Submittal

Use the Water Quality Permitting Portal (WQWebPortal) to submit a complete application for coverage to Ecology. To access the WQWebPortal, you must first register for Secure Access Washington (SAW). For more information about the WQWebPortal or SAW, visit Ecology's WQWebPortal guidance webpage[3].

F. Modification of Permit Coverage

1. Any facility with coverage under this general permit that intends to implement a change in processes from those identified on the application for coverage, change its discharge location, or request an alternate sampling protocol, must request a modification of

[3] https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance

coverage by submitting a revised application for coverage or a supplement to the existing application, clearly indicating the proposed change.

2. The Permittee must give advance notice to Ecology at least 60 days prior to commencement of significant process changes or any facility expansions, production increases, or other planned changes that may result in noncompliance with permit limits or conditions. Significant process changes include a substantially increased discharge of pollutants or a change in the nature of the discharge of pollutants.
3. The applicant must also complete the public notice requirements of WAC 173-226-130(5) before receiving modification of permit coverage.
4. The facility must have its Stormwater Pollution Prevention Plan (SWPPP) updated and implemented to reflect the change before commencement of any process change.
5. The applicant must comply with the State Environmental Policy Act (SEPA) as applicable to the proposed significant process change.

G. Transfer of Permit Coverage

This permit coverage may be transferred to a new Permittee if:

(a) The Permittee notifies Ecology at least 30 days in advance of the proposed transfer date;

(b) The type of industrial activities and practices remain substantially unchanged.

(c) The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them; and

(d) Ecology does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke permit coverage.

S2. DISCHARGE LIMITS

A. Boatyards Discharging Pressure-Wash Wastewater to a Non-Delegated POTW

1. Limits

Permittees are authorized to discharge treated pressure-wash wastewater to a municipal sanitary sewer operated by a sewer authority (POTW), which does not have a delegated pretreatment program, in accordance with the following effluent limits (Table 2), monitoring schedule, and permit conditions, and upon written acceptance of the municipality. These discharges must meet the limits in Table 2 unless the POTW has more stringent limits or monitoring in which case the more stringent limits and monitoring requirements will apply. The Permittee must notify Ecology of the more stringent POTW limits.

Table 2: Limits for Discharges of Treated Pressure-Wash Wastewater or Stormwater Runoff to Non-Delegated POTWs

Parameter	Units	Daily Maximum Value [a]	Analytical Method	Laboratory Quantitation Level	Minimum Sampling Frequency
Copper, Total	mg/L	2.4	EPA 200.8	2.0	Once in each of the months of June, July, August, and September
Lead, Total	mg/L	0.69	EPA 200.8	0.5	Once in each of the months of June, July, August, and September
Zinc, Total	mg/L	2.61	EPA 200.8	2.5	Once in each of the months of June, July, August, and September
pH	Standard Units	Between 5.0 and 9.0	Meter [b]	±0.5	Once in each of the months of June, July, August, and September

a. Maximum daily effluent limit is the highest allowable daily discharge. The daily discharge is the arithmetic average measurement of the pollutant over a day. Averaging does not apply to pH, which must be reported as the highest and lowest values if more than one sample is taken in a day.
b. Permittees shall use either a calibrated pH meter consistent with EPA 9040 or an approved state method.

2. General Prohibitions

(a) The Permittee must not discharge pressure-wash wastewater or other process wastewaters directly to any water of the State through stormwater drainage conveyances or otherwise.

(b) The Permittee must not introduce into the POTW any pollutant(s), which cause pass through, upset, or interference. In addition, any discharges to a POTW must meet the discharge restrictions of 40 CFR 403.

(c) The discharge of dangerous wastes, as defined in Chapter 173-303 WAC, is prohibited.

(d) The Permittee must not dilute the wastewater discharge with stormwater or increase the use of potable water, process wastewater, or non-contact cooling water, or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the benchmarks or limits contained in this permit.

B. Boatyards Discharging Stormwater Runoff from Areas with Industrial Activity to a Non-Delegated POTW

Permittees may discharge stormwater runoff to a non-delegated POTW only upon special approval by Ecology. The Permittee must submit a request to Ecology demonstrating:

(a) That no other option is feasible;

(b) That the POTW has excess wet season hydraulic capacity (no sanitary sewer overflows or treatment system bypasses);

(c) That the POTW is willing to accept the discharge; and

(d) How it will reduce the amount of stormwater runoff sent to the POTW by separating uncontaminated water and discharging it directly.

The request must also certify that the Permittee routinely practices all BMPs applicable to the boatyard.

The limits, upon approval of the discharge by Ecology, are the same as provided in Condition S2.A (Boatyards Discharging Pressure-Wash Wastewater to a Non-Delegated POTW) unless the POTW has more stringent limits or monitoring in which case the more stringent limits and monitoring requirements will apply. The Permittee must notify Ecology of the more stringent POTW limits. Ecology may impose additional requirements in the approval for this discharge, such as flow equalization and characterization of any uncontaminated water discharges.

C. Boatyards Discharging Treated Pressure-Wash Wastewater or Stormwater Runoff to a Delegated POTW

Permittees may discharge pressure-wash wastewater or stormwater runoff to a sanitary sewer system operated by a municipality with a delegated pretreatment program provided they receive a discharge authorization from the delegated municipality and authorization from all other applicable local sewerage authorities. Limits and monitoring and reporting requirements will be determined by the municipality. All Permittees discharging pressure-wash wastewater or stormwater runoff to a delegated municipal sanitary sewer system must comply with any applicable sewer use ordinances adopted by the municipality and/or local sewerage authority operating the sewer system.

The applicable limits and monitoring schedules for discharges to a POTW to which Ecology has delegated the authority to issue discharge permits are those limits and schedules specified in the permit issued by that POTW to cover the individual boatyard.

D. Boatyards Discharging Stormwater Runoff to Waters of the State

The Permittee is authorized to discharge stormwater runoff from areas with industrial activity and conditionally approved non-stormwater discharges listed in Condition S5 (Non-Stormwater Miscellaneous Discharges) to waters of the State. All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit.

1. General Prohibitions:

   All facilities must manage stormwater discharges to prevent each of the following:

   (a) The discharge of synthetic, natural, or processed oil, or oil-containing products;

   (b) The discharge of floating materials;

   (c) The discharge of process wastewater, and

   (d) A visible change in turbidity or color in the receiving water.

2. Benchmarks

The benchmarks in Table 3 apply to facilities discharging stormwater runoff from areas with industrial activity to any surface water bodies in the State. If the Permittee's discharge exceeds a benchmark, the Permittee must take the actions specified in Condition S7 (Response to Monitoring Results that Exceed Benchmarks).

Table 3: Stormwater Benchmarks and Sampling Requirements for discharges to Surface Waters of the State

Parameter	Units	Benchmark Value	Analytical Method	Laboratory Quantitation Level [a]	Minimum Sampling Frequency
Turbidity	NTU	25	EPA 180.1 /Meter	0.5	Once in each of the months of October, November, January, March, April, and May
pH	Standard Units	Between 6.0 and 9.0	Meter/Paper [b]	±0.5	Once in each of the months of October, November, January, March, April, and May
Oil Sheen	Yes/No	No Visible Oil Sheen	N/A	N/A	Once in each of the months of October, November, January, March, April, and May
Copper, Total	µg/L	Marine Water: 44 Tidally Influenced Streams: 36 Western Streams: 45 Eastern Streams: 60 Lakes: 32	EPA 200.8	2.0	Once in each of the months of October, November, January, March, April, and May
Zinc, Total	µg/L	90	EPA 200.8	2.5	Once in each of the months of October, November, January, March, April, and May
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-Dx	0.25	Once in each of the months of October, November, January, March, April, and May

a The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method, it must report the test method and QL on the discharge monitoring report.

b. Permittees shall use either a calibrated pH meter or narrow-range pH indicator paper with a resolution not greater than ± 0.5 SU.

Facilities discharging stormwater runoff from areas with industrial activity to an infiltration basin or trench lined with absorptive media must comply with the applicable limits in Table 4. The discharge point to ground and all parts of the basin or trench must be located at least 200 feet from the water's edge.

Table 4: Stormwater Limits and Sampling Requirements for discharges to Ground

Parameter	Units	Maximum Daily Value	Analytical Method	Laboratory Quantitation Level [a]	Minimum Sampling Frequency
Copper, Total	µg/L	Ground: 1000	EPA 200.8	2.0	Once in each of the months of October, November, January, March, April, and May
Zinc, Total	µg/L	Ground: 1020	EPA 200.8	2.5	Once in each of the months of October, November, January, March, April, and May

a The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method, it must report the test method and QL on the discharge monitoring report.

E. Boatyards Discharging to Impaired Waters

1. General Requirements for Discharges to Impaired Waters

   Permittees that discharge to a 303(d)-listed waterbody (Category 5), or an impaired waterbody with an applicable TMDL (Category 4A), or a pollution control program for sediment cleanup (i.e., a Category 4B sediment-impaired waterbody), either directly or indirectly through a stormwater drainage system, shall conduct sampling and inspections in accordance with Conditions S6, S7, and S8.

   Existing facilities that discharge to an impaired waterbody on the current U.S. EPA-approved 303(d) list must not cause further permanent impairment of any 303(d)-listed water body for any listed parameter.

2. Eligibility for Coverage of New Discharges to Impaired Waters

   Facilities that meet the definition of new discharger and discharge to a 303(d)-listed waterbody (Category 5), or an impaired waterbody with an applicable TMDL (Category 4A), or a pollution control program for sediment cleanup (i.e., a Category 4B sediment-impaired waterbody) are not eligible for coverage under this permit unless the facility:

   (a) Prevents all exposure to stormwater of the pollutant(s) for which the waterbody is impaired, and retains documentation of procedures taken to prevent exposure onsite with its SWPPP; or

   (b) Documents that the pollutant(s) for which the waterbody is impaired is not present at the facility, and retains documentation of this finding with the SWPPP; or

   (c) Provides Ecology with data showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard, and retain such data onsite with its SWPPP. The facility must provide data and other technical information to Ecology sufficient to demonstrate:

i. For discharges to waters without an EPA approved or established TMDL, that the discharge of the pollutant for which the water is impaired will meet instream water quality criteria at the point of discharge to the waterbody; or

ii. For discharges to waters with an EPA approved or established TMDL, that there are sufficient remaining wasteload allocations in an EPA approved or established TMDL to allow industrial stormwater discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with water quality standards.

Facilities are eligible for coverage under this permit if Ecology issues permit coverage based upon an affirmative determination that the discharge will not cause or contribute to the existing impairment.

3. Additional Sampling Requirements and Effluent Limits for Discharges to Certain Impaired Waters and Puget Sound Sediment Cleanup Sites

(a) Permittees discharging to a 303(d)-listed waterbody (Category 5), either directly or indirectly through a stormwater drainage system, shall comply with the applicable sampling requirements and numeric effluent limits in Table 5. If a discharge point is subject to an impaired waterbody effluent limit for a parameter that also has a benchmark, the effluent limit supersedes the benchmark, unless a compliance schedule is in effect. Permittees discharging to a 303(d) – listed waterbody (Category 5) or Puget Sound Sediment Cleanup Site who were not assigned an 303(d) list impaired waterbody or Puget Sound Sediment Cleanup Site limit, at the time of 2016 permit coverage shall comply with the applicable sampling requirements and numeric effluent limits in Table 5 as soon as possible, but no later than July 1, 2025, when the compliance schedule expires.

i. For purposes of this condition, "applicable sampling requirements and effluent limits" means the sampling and effluent limits in Table 5 that correspond to the specific parameter(s) the receiving water is 303(d)-listed for at the time of permit coverage, and/or total suspended solids (TSS) if the waterbody is 303(d)-listed (Category 5) for sediment quality at the time of permit coverage.

ii. Permittees discharging to a Puget Sound Sediment Cleanup Site, either directly or indirectly through a stormwater drainage system, shall comply with this section:

(1) Permittees shall sample the discharge for total suspended solids (TSS) in accordance with the limits in Table 5.

(2) Permittees shall remove accumulated solids from storm drain lines (including inlets, catch basins, sumps, conveyances lines, and oil/water separators) on or beneath your facility at least once in the term of the permit.

Permittees shall conduct line cleaning operations (e.g., jetting, vacuuming, removal, loading, storage, and/or transport) using BMPs to prevent discharges of storm drain solids to surface waters of the State.

Removed storm drain solids and liquids shall be disposed of in accordance with applicable laws and regulations and documented in the SWPPP.

(b) If a Permittee can demonstrate, based on video inspection, in-line storm drain solids sampling, or other documentation, that storm drain line cleaning is not necessary to prevent downstream sediment contamination or recontamination, Ecology may waive this requirement by approving a modification of permit coverage. The Permittee shall record the results of each storm drain line cleaning in a report or checklist and keep the records on-site for Ecology review. The Permittee shall ensure each report documents cleaning and includes:

i. Time and date of the cleaning.

ii. Locations cleaned.

iii. Company or personnel who performed the cleaning.

iv. Name, title, and signature of the person conducting the line cleaning; and the following statement: "*I certify that this report is true, accurate, and complete, to the best of my knowledge and belief.*"

Table 5: Sampling and Effluent Limits Applicable to Discharges to 303(d)-listed Waters and Puget Sound Sediment Cleanup Sites that are not Category 5 for Sediment Quality

Parameter	Units	Maximum Daily[a] Freshwater	Maximum Daily[a] Marine	Analytical Method [b]	Laboratory Quantitation Level [c]	Minimum Sampling Frequency
pH	SU	[g]	Between 7.0 and 8.5	Meter [d]	±0.1	Once in each of the months of October, November, January, March, April and May
TSS [e]	mg/L	30	30	SM2540-D	5	Once in each of the months of October, November, January, March, April and May
Copper, Total	µg/L	[f]	5.8	EPA 200.8	2.0	Once in each of the months of October, November, January, March, April and May
Lead, Total	µg/L	[f]	220.8	EPA 200.8	0.5	Once in each of the months of October, November, January, March, April and May
Zinc, Total	µg/L	[f]	95.1	EPA 200.8	2.5	Once in each of the months of October, November, January, March, April and May

a. Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day; this does not apply to pH.

b. Or other equivalent method with the same reporting level.

c The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the discharge monitoring report.

d. Permittees shall use either a calibrated pH meter consistent with EPA 9040 or an approved state method.

e Permittees who discharge to a 303(d)-listed waterbody (Category 5) for sediment quality or to a Puget Sound Sediment Cleanup Site shall sample discharge for TSS.

f. Site-specific effluent limitation will be set at water quality standard in Chapter 173-201A-240 WAC at the time of permit coverage.

- Copper = ((0.960)(e(0.9422[ln(hardness)] - 1.464))).
- Lead = 0.791)(e(1.273[ln(hardness)] - 1.460)) at hardness = 100. Conversion factor (CF) of 0.791 is hardness dependent. CF is calculated for other hardness's as follows: CF = 1.46203 - [(ln hardness)(0.145712)].
- Zinc = (0.978)(e(0.8473[ln(hardness)] + 0.8604))

g. The effluent limit for a Permittee who discharges to a freshwater body 303(d)-listed for pH is: Between 6.0 and 8.5, if the 303(d)-listing is for high pH only; Between 6.5 and 9.0, if the 303(d)-listing is for low pH only; and Between 6.5 and 8.5 if the 303(d)-listing is for both low and high pH. All pH effluent limits are applied end-of-pipe.

F. Boatyards Discharging to Lined Evaporative Pond or Above Ground Tanks

Permittees east of the crest of the Cascade Mountains may discharge pressure-wash wastewater or process wastewater to an Ecology-approved lined evaporative pond or pre-manufactured above ground tank.

At a minimum, the Permittee must comply with the following Best Management Practices:

(a) Constructed wastewater ponds must maintain a minimum setback distance of 100 feet from surface waters of the State.

(b) Prior to construction and operation of the pond or tank, the Permittee must submit an Engineering Report and Operation and Maintenance Manual, in accordance with Chapter 173-240 WAC. The Permittee must notify Ecology at the time the pond or tank is in place and operational. The submittal must include:

i. The design and construction data for all devices and structures that are to be installed, including a characterization of the wastewater influent and the sizing calculations of the evaporation pond or tank.

ii. A description of the evaporation structure process and operation, including a flow diagram.

iii. The types and amounts of chemicals used in the treatment process, if any.

iv. A proposed schedule for construction and implementation.

v. A statement expressing sound engineering justification (through the use of pilot plant data, results from similar installations, and/or scientific evidence) that the proposed structure is not reasonably expected to discharge wastewater to waters of the State.

vi. The Engineering Report must be prepared and certified by a licensed professional engineer.

(c) Ensure that the pond or tank does not overflow, leak, or otherwise escape containment at any time. Permittees shall take all necessary actions to prevent overflow. All above ground tanks shall comply with the requirements in S8.B3.f – Spill Prevention and Emergency Cleanup Plan (SPECP).

(d) Conduct inspections of the pond or tank and in accordance with the Operation and Maintenance Manual and all requirements in S6. E – Visual Inspection Requirements.

(e) Replace or repair the liner or tank if substantial deterioration or leaks are found.

(f) The Permittee must ensure any evaporation pond or tank complies with all applicable sections of this permit. This includes but is not limited to Monitoring (S8.B.2), Preventative Maintenance (S8.B.3.e), and all Reporting and Recordkeeping Requirements (S10).

S3. MANDATORY BEST MANAGEMENT PRACTICES

Permittees must prepare a handout describing these best management practices (BMPs) and provide copies to all employees, contractors, boat owners, and other customers, as appropriate. The Permittee must post these BMPs conspicuously within the work areas and incorporate them into the facility's SWPPP, as required by Condition S8 (Stormwater Pollution Prevention Plan).

A. Vacuum Sander Required

1. Permittees must use a vacuum sander or rotary tool meeting minimum performance standards for all antifouling paint removal. The Permittee may petition Ecology for use of an alternative to this requirement for vacuum sanding/grinding.
2. The process for approval of alternatives is:
   (a) The Permittee must request consideration of an alternative by a letter to Ecology with a conceptual proposal and justification that the proposal will be equivalent to vacuum sanding/grinding. Ecology will respond with an approval to proceed or a denial.
   (b) After Ecology approves the conceptual proposal, the Permittee must submit details of the proposal including size, construction materials, equipment specifications, site plan with location, operational procedures, and any evidence that the proposal will be equivalent to vacuum sanding/grinding. Ecology may

require a site visit by an Ecology inspector prior to a decision on the proposed alternative. Ecology will then again respond with approval or denial for construction.

B. Tidal Grids

Permittees may use tidal grids only for emergency repair and marine surveying. Tidal grids must not be used for surface preparation, painting, routine maintenance, or other non-emergency uses.

C. In-Water Vessel Maintenance and Repair

1. Cleaning, repair, modifications, and surface preparation, coating, or finishing of any portion of a vessel's hull while the vessel is afloat is prohibited. If this work is necessary, then the Permittee must haul the vessel out onto a dry dock, the upland portion of a facility covered by this general permit, or another facility covered by an individual permit issued in accordance with the provisions of Chapter 173-220 WAC.
2. Only minor in-water repair, modification, surface preparation, or coating of topside or superstructure is allowed, limited to 25% of the topside surface. When stripping, sanding, scraping, sandblasting, painting, coating and/or varnishing any deck or superstructure of a vessel in-water, Permittees must collect all particles, oils, grits, dusts, flakes, chips, drips, sediments, debris, and other solids to prevent their release into the environment and entry into waters of the State.
3. Permittees must securely fasten drop cloths, tarpaulins, drapes, shrouding, or other protective devices between various portions of the vessel or between the vessel and the dock, pier, boathouse, bulkhead, or shoreline to collect all such materials. No work from a float, a barge, or another boat is allowed. The Permittee must clean up all collected materials daily to prevent their release into the environment and entry into waters of the State.

D. Upland Vessel Maintenance and Repair

1. When cutting, welding, stripping, sanding, scraping, sandblasting, painting, coating, and/or varnishing any portion of a vessel, Permittees must collect and manage all particles, oils, grits, dusts, flakes, chips, overspray, drips, sediments, debris, and other solids to prevent their release into the environment and entry into waters of the State.
2. Permittees must securely anchor or fasten drop cloths, tarpaulins, structures, drapes, shrouding or other protective devices around the vessel, as necessary, to collect all such materials. These protective devices should be secured in such a way that they remain in place during all weather conditions. The Permittee must routinely cleanup all collected materials or wastes and manage them appropriately to prevent their release into the environment and entry into waters of the State.

E. Solids Management

1. The Permittee must control and collect all particles, oils, grits, dusts, flakes, chips, overspray, drips, sediments, debris, and other solids from work, service, and storage areas of the boatyard to prevent their release into the environment and entry into waters of the State. When solids-generating activity is occurring, the minimum collection frequency is once per day and prior to tidal inundation. The Permittee must avoid wetting the solids during collection and must not wash solids into any surface water or into a stormwater collection system. Hull recoating work conducted on a marine railway should occur only if the boat is positioned at least one boat length from the high water level. In any case, the Permittee must ensure that all debris from working on the boat while it is on the marine railway structure is contained by or at the structure and may not escape to the environment.
2. The Permittee must clean marine railways and dry docks of all solids and garbage prior to submergence to prevent such materials from washing into waters of the State. The Permittee must install sediment traps in all storm drains to intercept and retain solids prior to their discharge into waters of the State. The Permittee must visually inspect sediment traps, storm drains, and catch basins weekly and clean these devices, either manually or with a vacuum device, on a routine basis to prevent the entry of solids into waters of the State.

F. Paint and Solvent Use

1. The Permittee must use all paints and solvents in such a manner as to prevent their release into the environment and entry into waters of the State.
   (a) The Permittee must use appropriate spill kits, drip pans, drop cloths, tarpaulins, or other protective devices during surface preparation, paint and solvent transfer, paint mixing, and application unless those activities are completely enclosed in a building. Painting of the hull surface over or near water is prohibited except for minor touchup, such as the vessel numbers, with non-metallic paints.
   (b) When painting decks or superstructure, the Permittee must place paint cans in a drip pan on top of a drop cloth or tarpaulin.
   (c) The Permittee must mix paints and solvents only at secure locations onshore or onboard a vessel.
   (d) Solvent and paint containers must be kept securely closed at all times when not in use.
2. Paints containing tributyltin are prohibited from use on any vessel less than 25 meters in length (82 feet) except as applied by a licensed applicator for the painting of aluminum hulls of a vessel that is less than 25 meters in length, and for the painting of outboard motors and out drives of vessels less than 25 meters in length.
3. Only persons with a current Washington State Department of Agriculture pesticide applicator's license may purchase, handle, and apply tributyltin.

G. Oils, Bilge Water, and Engine/Motor Cooling Water Management

1. The Permittee must not discharge hydraulic fluids, oily wastes, and petroleum products to waters of the State.
2. Bilge water and engine/motor cooling water discharges must not cause any visible sheen in waters of the State.
3. The Permittee must not discharge bilge or engine/motor cooling water to waters of the State if it has solvents, detergents, emulsifying agents, or dispersants.
4. If a vessel is moved prior to pumping out the bilge, the Permittee must use absorbent pads to prevent the discharge of oils to waters of the State.
5. The Permittee must use drip pans or other containment devices during all petroleum product transfer operations to catch incidental leaks and spills. Absorbent pads and/or booms must be available during petroleum transfer operations occurring over water.

H. Sacrificial Anode (Zincs) Management

The Permittee must not dispose of zincs used as sacrificial anodes into waters of the State. The Permittee must store spent zincs in a covered container and properly dispose of or recycle them.

I. Chemical Management

1. The Permittee must store all of the following under cover on an impervious surface: solid chemical products, chemical solutions, paints, oils, solvents, acids, caustic solutions, and waste materials, including used batteries and lead and copper waste.
2. The Permittee must securely close lids on all chemical containers including solid chemical products, chemical solutions, paints, oils, solvents, acids, caustic solutions, and waste materials at all times when not in use.

J. Wash Pad Decontamination

Prior to actively pumping or passively discharging any stormwater from the pressure-wash pad to waters of the State, the Permittee must clean the pad of all debris, paint waste, sludge, and other solids. The Permittee must then pressure wash the entire pad into the collection sump and clean the pad and sump of all debris, wastewater, and other solids before the next high tide that would inundate any part of the wash pad or sump. The Permittee must document the procedures, personnel, and equipment used to meet this requirement in the facility's SWPPP in accordance with S8.B.3(k).

No Permittee may construct a new wash pad in any area of the facility subject to inundation due to tides.

K. Sewage and Gray Water Discharges

The Permittee must notify all owners of vessels moored for repair or under repair at a permitted facility in writing that this permit prohibits the discharge of sewage (including

discharges from the vessel's galley) into waters of the State. Sanitary waste must be discharged to either the sanitary sewer or into a holding tank. The Permittee must make available to customers a list of contractors providing holding tank pump-out services.

L. Oversight of Do-It-Yourselfers and Independent Contractors

The Permittee must ensure that all individuals who service marine vessels or any other motor-driven vehicle or otherwise conduct boatyard activities at its facility, whether employed by the boatyard or not, implement all of the mandatory BMPs described in Condition S3 (Mandatory Best Management Practices). Whether through signage and education, denial of access, or some other means, the Permittee must exercise control over all potential sources of pollutants at its facility. Do-it-yourselfers and independent contractors who fail to implement all the required or appropriate BMPs must be prohibited from working at the boatyard. The Permittee must document its compliance with this BMP by:

(a) Describing in the SWPPP the Permittee's procedures for communicating the required practices to non-boatyard individuals;

(b) Describing in the SWPPP the Permittee's procedures for providing oversight of non-boatyard individuals, e.g., by conducting regularly scheduled inspections of their work area(s) and activities;

(c) Maintaining written agreements with those non-boatyard individuals that they will implement all of the mandatory BMPs; and

(d) Describing in the SWPPP the process for excluding repeat offenders from its facilities.

M. Dry Docks and Graving Docks

1. When performing boatyard activities on vessels in a dry dock or graving dock, permittees shall comply with all requirements in S3.D.
2. The Permittee must not conduct any boatyard activities on a dry dock that is located outside their facility, unless covered by another permit such as the Vessel Deconstruction General Permit.
3. Prior to actively pumping or passively discharging any stormwater from a dry dock to waters of the State, the Permittee must clean the dock of all debris, paint waste, sludge, and other solids. The Permittee must pressure-wash the entire dry dock into a wastewater collection system and clean the dry dock and collection system of all debris, wastewater, and other solids before the permittee sinks or floods any part of the dock.
4. Permittees must not flood docks with any particles, oils, grits, dusts, flakes, chips, overspray, drips, sediments, debris, or other solids the dock floor.
5. Prior to flooding, the Permittee must remove floatable and low density waste, such as wood, plastic, and miscellaneous trash, such as paper, insulation, and packaging, from the dock floors.
6. The Permittee must document the procedures, personnel, and equipment used to meet this requirement in the facility's SWPPP in accordance with S8.B.3(k).

S4. COMPLIANCE WITH WATER QUALITY STANDARDS

1. Permittees must comply with Washington State surface water quality standards (Chapter 173-201A WAC), sediment management standards (Chapter 173-204 WAC), ground water quality standards (Chapter 173-200 WAC), and human health-based water quality criteria in the National Toxics Rule (40 CFR 131.36). Compliance with water quality standards means that stormwater discharges by a facility with permit coverage must not cause or contribute to a violation of water quality standards in the receiving water.
2. Prior to discharging stormwater and non-stormwater to waters of the State, the Permittee must apply all known, available, and reasonable methods of prevention, control, and treatment (AKART). To comply with this condition, the Permittee must prepare and implement an adequate SWPPP, with all applicable and appropriate BMPs, including the BMPs necessary to meet the standards identified here in this condition, and must install and maintain the BMPs in accordance with the SWPPP, applicable stormwater technical manuals, and the terms and conditions of this permit.

S5. NON-STORMWATER MISCELLANEOUS DISCHARGES

The categories and sources of non-stormwater discharges identified below are conditionally approved, provided the non-stormwater discharge complies with all applicable discharge limits in Condition S2 (Discharge Limits), including compliance with State water quality standards. The Permittee must address the following discharges (except from fire-fighting activities) in the facility SWPPP, as described in Condition S8 (Stormwater Pollution Prevention Plan).

(a) Discharges from fire-fighting activities;

(b) Fire protection system flushing, testing, and maintenance;

(c) Discharges of potable water including water line flushing, provided that the Permittee de-chlorinates the water line flushing wastewater prior to discharge;

(d) Uncontaminated air conditioning or compressor condensate;

(e) Landscape watering and irrigation drainage;

(f) Uncontaminated groundwater or spring water; and

(g) Uncontaminated discharges associated with dewatering of foundations, footing drains, or utility vaults.

S6. MONITORING REQUIREMENTS

Samples and measurements taken to meet the requirements of this general permit must represent the volume and nature of the monitored discharge within the monthly monitoring period, including representative sampling during bypasses, upsets, and maintenance-related conditions that may affect effluent quality.

A. General Sampling Requirements

1. Sample Timing and Frequency

   (a) The Permittee shall sample the discharges from each designated location at least as frequently as is required in S2.

   (b) During a given sampling period, Permittees shall collect stormwater samples within the first 12 hours of stormwater discharge events. If it is not possible to collect a sample within the first 12 hours of a stormwater discharge event, the Permittee must collect the sample as soon as practicable after the first 12 hours, and keep documentation with the sampling records (Condition S9.C) explaining why they could not collect samples within the first 12 hours; or if it is unknown (e.g., discharge was occurring during start of regular business hours).

   (c) The Permittee shall obtain representative samples, which may be a single grab sample, a time-proportional sample, or a flow-proportional sample.

   (d) Permittees need not sample outside of regular business hours, during unsafe conditions, or during months where there is no discharge, but shall submit a Discharge Monitoring Report each reporting period (Condition S9.A).

   (e) Permittees monitoring more than once per month shall average all of the monitoring results for each parameter (except pH and visible oil sheen) and compare the average value to the benchmark value. However, if Permittees collect more than one sample during a 24-hour period, they must first calculate the daily average of the individual grab sample results collected during that 24-hour period; then use the daily average to calculate a monthly average.

2. Sample Location(s)

   (a) The Permittee shall designate sampling location(s) at the point(s) where it discharges stormwater or wastewater associated with boatyard activities off-site.

   (b) Ecology may require that sampling points which are located in areas where unsafe conditions prevent regular sampling, be moved to areas where regular sampling can occur.

   (c) The Permittee shall notify Ecology of any changes or updates to sample locations, discharge points, and/or outfalls by submitting a "Boatyard General Permit Discharge/Sample Point Update Form" to Ecology. The Permittee may be required to provide additional information to Ecology prior to changing sampling locations.

3. Substantially Identical Stormwater Discharge Points

   The Permittee shall sample each distinct point of discharge off-site except as otherwise exempt from monitoring as a substantially identical stormwater discharge point. If applicable, the Permittee is only required to monitor applicable parameters at one of the substantially identical discharge points.

B. Pressure Wash Effluent to Sanitary Sewer

See Condition S2.A (Boatyards Discharging Pressure-Wash Wastewater to a Non-Delegated POTW) or Condition S2.C (Boatyards Discharging Treated Pressure-Wash Wastewater or Stormwater Runoff to a Delegated POTW) as applicable for the required monitoring frequency.

C. Discharges to Waters of the State (including surface and ground)

The Permittee must monitor discharges of stormwater runoff from the areas of the facility where industrial activity has the potential to be exposed to precipitation or stormwater runoff. Non-industrial areas of the facility may be excluded from discharge monitoring ***only*** if:

(a) The area is used solely for the dry storage of boats, the Permittee certifies in the facility SWPPP that no boatyard or any other industrial activities occur there; and no possibility exists for stormwater runoff to flow from an industrial area onto the storage area; **or**

(b) The Permittee certifies in the facility SWPPP that, within the area, none of the following materials or activities are, or will be in the foreseeable future, exposed to precipitation or stormwater runoff:

i. Boatyard materials and activities, including, but are not limited to, any boatyard activities listed in S1.A.

ii. Material handling equipment or activities, industrial machinery, raw materials, intermediate products, byproducts, and final products, or waste products. Material handling activities include storage, loading and unloading, transport, or conveyance of any raw materials, intermediate product, by-product, final products, or waste products.

iii. 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 stormwater.

iv. Materials or residuals from spills or leaks on the ground or in stormwater inlets.

v. Materials or products from past industrial activity.

vi. Material handling equipment (except adequately maintained vehicles).

vii. Materials or products during loading, unloading, or transporting activities.

viii. Materials or products stored outdoors (except final products intended for outside use, e.g., new cars, where exposure to stormwater does not result in the discharge of pollutants).

ix. Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers.

x. Materials or products handled or stored on roads or railways owned or maintained by the discharger.

xi. Waste material (except waste in covered, non-leaking containers, e.g., dumpsters).

xii. Application or disposal of process wastewater.

xiii. Particulate matter or visible deposits of residuals from roof stacks or vents not otherwise regulated, i.e., under an air quality control permit, and evident in the stormwater outflow.

The Permittee must collect samples from a location or locations affected by boatyard related activities and as noted on the application for coverage. If stormwater runoff from the industrial areas of a facility occurs as sheet flow, then the Permittee must construct a collection point to collect an adequate sample volume. If stormwater runoff discharges do not occur during the sampling period, then the Permittee must indicate that on the Discharge Monitoring Report (DMR) for that monitoring period. Stormwater runoff must be monitored in accordance with the monitoring schedule listed in Tables 3-5.

D. Analytical Procedures

Monitoring data required by Ecology in this general permit or by order must be prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, *Accreditation of Environmental Laboratories*.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this general permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136. The required detection and quantitation levels are listed in Tables 2-5.

The Permittee must ensure laboratory results comply with the detection limit and quantitation level specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results for the effluent, the Permittee may use that method for analysis. If the Permittee uses an alternative method, it must report the test method and quantitation level on the DMR. If the Permittee is unable to obtain the required quantitation level due to matrix effects, the Permittee must report the matrix-specific method detection limit and quantitation level on the DMR.

E. Visual Inspection Requirements

1. Inspection Frequency and Personnel

   (a) The Permittee must conduct and document a visual inspection of the entire site once per week when boatyard activities are occurring at the site. These visual inspections must occur at both the industrial areas and any dry boat storage or non-industrial areas as defined in S6.C within or areas contiguous with an industrial area.

   (b) The Permittee must ensure that inspections are conducted by qualified personnel.

2. Inspection Components

(a) Each inspection must include:

i. Observations made at stormwater runoff sampling locations and areas where stormwater runoff associated with boatyard activity is discharged off-site; to waters of the State, or to a storm sewer system that drains to waters of the State.

ii. Observations for the presence of floating materials, visible oil sheen, discoloration, turbidity, odor, etc. in the stormwater runoff discharge(s). If these pollutants are observed, the source must be found and the pollutant discharge stopped. The observation and source control efforts must be recorded in the inspection report.

iii. Observations for the presence of illicit discharges such as domestic wastewater or process wastewater (including leachate).

(1) If an illicit discharge is discovered, the Permittee must notify Ecology within 24 hours.

(2) The Permittee must eliminate the illicit discharge as soon as practicable, but in no case later than within 30 days of its discovery. The Permittee must also follow all of the applicable requirements of Condition S9.E (Noncompliance Notification).

iv. An assessment of any dry boat storage areas or non-industrial areas for whether any industrial operations had occurred there since the last inspection. Such operations include, but may not be limited to, any of the activities listed in Special Condition S1.A or S6.C, fueling, and/or exterior cleaning activities that produce wastewater containing soaps or other pollutants. If the Permittee finds that industrial activities have occurred in the storage or non-industrial area, the Permittee must cause those activities to cease immediately and report the occurrence to Ecology as soon as practicable, but in no case later than within 30 days of its discovery.

v. A verification that the descriptions of potential pollutant sources required under this permit are accurate.

vi. A verification that the site map in the SWPPP reflects current conditions.

vii. An assessment of all BMPs that have been implemented, noting all of the following:

(1) Probable effectiveness of the inspected BMPs in controlling pollutants.

(2) Locations of BMPs that need maintenance.

(3) The reason(s) maintenance is needed and a schedule for maintenance.

(4) Locations where additional or different BMPs are needed and the rationale for the additional or different BMPs.

viii. An assessment of all stormwater or wastewater conveyances including ditches, pipes, catch basins, vaults, evaporation ponds or tanks, swales, etc.

3. Inspection Results

(a) The Permittee shall record the results of each inspection in an inspection report or checklist and keep the records on-site for Ecology review. The Permittee shall ensure each inspection report documents the observations, verifications, and assessments required in Condition S6.E (Visual Inspection Requirements) and includes:

i. Time and date of the inspection

ii. Locations inspected

iii. Certification that the facility is in compliance with the SWPPP and the permit, identification of any incidents of non-compliance found during the inspection, and a schedule for implementing the remedial actions that the Permittee plans to take to resolve those non-compliance issues and to prevent future occurrences. Name, title, and signature of the person conducting the site inspection; and the following statement: *"I certify that this report is true, accurate, and complete, to the best of my knowledge and belief."*

iv. Certification and signature of the person described in Condition G17.A or a duly authorized representative of the facility, in accordance with Condition G17.B (Signatory Requirements).

4. Reports of Non-Compliance

(a) The Permittee shall prepare reports of non-compliance identified during an inspection in accordance with the requirements of Condition S9.E.

S7. RESPONSE TO MONITORING RESULTS THAT EXCEED BENCHMARKS

A. Benchmark Responses

The following responses are required when any monitoring result exceeds a benchmark value in a sampling period. Benchmark exceedances are counted during a calendar year. Benchmark exceedances counted under the prior Boatyard General Permit do not count as exceedances during the effective term of this permit.

1. Level One Response – Operational Source Control BMPs

Permittees that exceed an applicable benchmark value(s) in Table 3, for any one or two required sampling months, during a calendar year shall complete a Level One Corrective Action for each parameter exceeded in accordance with the following actions. For example, if a single sample for a monitoring period yields analytical results exceeding benchmarks for total copper and total zinc, then a Level One Response is required for each

parameter. A Level One Response is not required after three or four monthly exceedances for the same benchmark.

(a) Conduct an inspection of the permitted facility as promptly as possible after the monitoring results become available;

(b) In addition to the elements identified in Condition S6.D (Visual Inspection Requirements), the inspection must:

i. Identify and evaluate possible sources of the exceeding parameter in the discharge,

ii. Review the SWPPP and ensure that it fully complies with Permit Condition S3, and contains the applicable BMPs from the appropriate Stormwater Management Manual.

iii. Identify source/operational control methods by which the contamination can be reduced, and

iv. Evaluate which improvements or changes to the SWPPP are necessary to control the exceeding parameter;

v. Make appropriate revisions to the SWPPP to include additional operational source control BMPs with the goal of achieving the applicable benchmark value(s) in future discharges.

(c) Summarize the inspection results in a Level One Response Form, including remedial actions taken or planned, place them in the SWPPP, described in Condition S8 (Stormwater Pollution Prevention Plan), and Submit a copy of the completed Level One Response Form to Ecology at the same time as submitting the corresponding DMR.

2. Level Two Response – Structural Source Control BMPs

Permittees that exceed an applicable benchmark value in Table 3 (for a single parameter), for any three required sampling months during a calendar year shall complete a Level Two Response for each parameter exceeded, at any stormwater monitoring location (e.g., two copper exceedances from one monitoring location and one copper exceedance from another monitoring location), must perform the following actions. Alternatively, the Permittee may skip the Level Two Response and complete a Level Three Response instead in accordance with Condition S7.A.3.

(a) Review the SWPPP and ensure that it fully complies with Permit Condition S8.

(b) Make appropriate revisions to the SWPPP to include additional structural source control BMPs with the goal of achieving the applicable benchmark value(s) in future discharges.

(c) Investigate all available and applicable stormwater treatment BMPs to reduce contaminant levels below the permit benchmark values.

(d) Prepare a Level Two Structural Source Control Report outlining potential stormwater control structures that may be appropriate at that location.

(e) Submit the Level Two Structural Source Control Report to Ecology within three months of reporting the third value above a benchmark.

(f) Fully implement the Level Two Structural Control Report within 6 months of reporting the third value above a benchmark. If installation of necessary structural source control BMPs is not feasible by the 6 month deadline, Ecology may approve additional time, by approving a Modification of Permit Coverage.

During the 6 month reporting and implementation period, or while a time extension is in effect, benchmark exceedances (for the same parameter) do not count towards additional Level Two or Three Responses.

3. Level Three Response – Treatment BMPs

Permittees that exceed an applicable benchmark value in Table 3 (for any single parameter), for any four required sampling months, at any stormwater monitoring location, shall complete a level Three Response for each parameter exceeded.

(a) Treatment

i. The Permittee must prepare an Engineering Report that includes the following items, at a minimum:

(1) Brief summary of the treatment alternatives considered and the reasons the proposed option was selected. The report must include cost estimates of ongoing operation and maintenance, including disposal of any spent media.

(2) The basic design and construction data for all treatment devices and structures that are to be installed, including a characterization of the stormwater runoff influent and the sizing calculations of the treatment units.

(3) A description of the treatment process and operation, including a flow diagram.

(4) The types and amounts of chemicals used in the treatment process, if any.

(5) A proposed schedule for implementation of the preferred option.

(6) Results expected from the treatment process, including the predicted characteristics of the stormwater runoff discharge.

(7) A statement expressing sound engineering justification (through the use of pilot plant data, results from similar installations, and/or scientific evidence) that the proposed treatment is reasonably expected to meet the permit benchmarks and limits.

(8) The Engineering Report must be prepared and certified by a licensed professional engineer.

ii. The Permittee must submit the Engineering Report to Ecology within three months of reporting the fourth monitoring result above a benchmark. Failure to submit an acceptable Engineering Report may result in an order, penalty, or both. The Permittee must notify Ecology at the time the new or

modified treatment BMP is in place and operational. Level One and Level Two Reports are not required for benchmark exceedances for the same parameter(s) that may occur during the period the preferred option is being put into place and started up.

iii. Full implementation of the Engineering Report must be completed within 12 months of the time when Ecology accepts the Engineering Report.

iv. Starting at 15 months after the date of the fourth exceedance, the next benchmark exceedance for that parameter shall count as the first level 1 benchmark exceedance. The Permittee shall then complete the appropriate responses for all future benchmark value exceedances as defined in S7.

(b) Demonstration that Treatment is Not Feasible or Not Necessary

If installation of necessary treatment BMPs is not feasible by the Level 3 deadline, Ecology may approve additional time by approving a Modification of Permit Coverage. If installation of treatment BMPs is not feasible or necessary to prevent discharges that may cause or contribute to violation of a water quality standard, Ecology may waive the requirement for treatment BMPs by approving a Modification of Permit Coverage. Ecology may subsequently approve modification of the permit in accordance with Condition S1.C (Modification of Permit Coverage) if the Permittee:

i. Requests such a modification,

ii. Fulfills all the requirements specified in Condition S1.C, and

iii. Demonstrates to Ecology's satisfaction that one or more of the following conditions apply:

(1) Installation of necessary treatment BMPs is not feasible by the Level Three deadline, up to a maximum of 15 months following reporting the fourth monitoring results above a benchmark.

(2) Installation of treatment BMPs is not feasible or not necessary to prevent discharges that may cause or contribute to violation of a water quality standard.

In this context, "not necessary" means that even without the installation of additional treatment BMP(s), the permitted discharges would not cause or contribute to a violation of water quality standards. Likewise, "not feasible" means that specific local conditions would prevent the Permittee from installing the BMP(s), such as the Permittee's landlord or the local fire marshal refusing to allow the installation. "Not feasible" does not include a Permittee's financial limitations. RCW 90.48.520 states, "*In no event shall the discharge of toxicants be allowed that would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria.*"

B. Implementation of Source Control and Treatment BMPs from Previous Permit

In addition to the Corrective Action Requirements of S7, Permittees shall implement any applicable Level 1, 2 or 3 Responses required by the previous Boatyard General Permit(s). Permittees shall continue to operate and/or maintain any BMPs related to benchmark responses implemented prior to the effective date of this permit.

S8. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Every facility covered by this permit must prepare and maintain a Stormwater Pollution Prevention Plan (SWPPP), which is developed specifically for its facility. The SWPPP must be consistent with requirements defined in this permit, and be fully implemented and updated as necessary to maintain compliance with permit conditions. The SWPPP must include those BMPs necessary to achieve the limits and benchmarks in Condition S2 (Discharge Limits).

New facilities must develop and implement a SWPPP before beginning operation. However, some components of a SWPPP are added over time and cannot be included in the first SWPPP. The Permittee must update the SWPPP as required by the general permit and as needed to reflect significant process changes before those changes occur.

The Permittee must document the technical basis for the selection of all stormwater BMPs within the SWPPP. The SWPPP must document how stormwater BMPs were selected, the pollutant removal performance expected from the selected BMPs and the technical basis which supports the performance claims for the selected BMPs. Ecology assumes this documentation is a demonstration the selected BMP will comply with water quality standards and satisfy the State AKART requirements and the Federal technology-based treatment requirements under 40 CFR Part 125.3. See Condition S8.A.3 (Proper Selection and Use of Stormwater Management Manuals) for an exception to the requirements of this paragraph.

A. General Requirements

1. Public Access and Signature

   (a) The Permittee must retain the SWPPP and permit on site or within reasonable access to the site and, upon request, make it immediately available to Ecology or the local jurisdiction.

   (b) A copy of the SWPPP must be provided to Ecology within 14 days of receipt of a written request for the SWPPP from Ecology.

   (c) A copy of the SWPPP or access to the SWPPP must be provided to the public when requested in writing. Upon receiving a written request from the public for the Permittee's SWPPP, the Permittee must either:

      i. Provide a copy of the SWPPP to the requestor within 14 days of receipt of the written request; or

      ii. Provide access to the SWPPP within 14 days of receipt of the written request at a mutually agreed upon location for viewing and/or copying of

the SWPPP. The Permittee will provide reasonable access to copying services for which a reasonable fee may be charged; or

iii. Provide a URL in your NOI where your SWPPP can be found, and maintain your current SWPPP at this URL, you will have complied with the public availability requirements for the SWPPP. To remain current, you must post any SWPPP modifications, records, and other reporting elements required for the permit term at the same URL as the main body of the SWPPP.

The responsible party as identified in Condition G17 (Signatory Requirements) must sign the SWPPP and all of its modifications.

2. Enhanced/Additional Best Management Practices

The Permittee must provide in the SWPPP an implementation schedule of any additional or enhanced BMPs required due to an Ecology notice, facility changes, self-inspection, or monitoring results that exceed benchmark values for one to three times, as described in Condition S7 (Response to Monitoring Results that Exceed Benchmarks). The Permittee must complete and enter a schedule for implementation (plan) into the SWPPP within 30 days of a determination of necessary improvements or exceedance of benchmark values. BMPs identified in the plan must be implemented with diligence. The Permittee must complete non-capital BMPs within 2 weeks after completing the plan and capital BMPs within 6 months. Enhanced/additional BMPs must comply with Condition S8.A.3 (Proper Selection and Use of Stormwater Management Manuals). This paragraph does not apply to a Level Two or a Level Three Response triggered by four or more exceedances of the same benchmark. Complying with this provision does not limit the potential liability for enforcement action where the Permittee has failed to implement required BMPs or where discharges of stormwater runoff violate water quality standards.

Ecology may notify the Permittee when the SWPPP does not meet one or more of the minimum requirements of this Condition or when the SWPPP is not adequate to assure compliance with standards. The Permittee must modify the SWPPP and the BMPs to correct the deficiencies identified in the notice within 30 days of the notice or receipt of the inspection report.

The Permittee must modify the SWPPP whenever there is a change in design, construction, operation, or maintenance of any BMP which cause(s) the SWPPP to be less effective in controlling the pollutants.

This permit requires the Permittee to conduct visual monitoring. This monitoring may identify BMPs that are inadequate or pollutant sources that are not identified or poorly described in the SWPPP. When visual monitoring identifies inadequacies in the SWPPP, due to the actual discharge of or potential to discharge a significant amount of any pollutant, the Permittee must modify the SWPPP and adjust the BMPs to correct the deficiency.

3. Proper Selection and Use of Stormwater Management Manuals

Permittees who select BMPs from an Ecology-approved stormwater management (Stormwater manuals - Washington State Department of Ecology[4]) manual must clearly specify the stormwater management manual in their SWPPP. Permittees who choose to use BMPs from approved stormwater management manuals do not have to demonstrate the technical basis for the BMPs as set forth in the introductory paragraphs of this section.

4. Other Pollution Control Plans

   The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their facility. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit and must meet the availability requirements of the SWPPP, described in Condition S8.A.1 (Public Access and Signature). A Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70A.214 RCW, is an example of such a plan.

B. SWPPP Contents and Requirements

The SWPPP must contain a detailed assessment of the entire facility and a detailed description of the BMPs. The Permittee must clearly identify in the plan any parts of the SWPPP which it wants to claim as Confidential Business Information. At a minimum, the SWPPP must include the following:

1. Facility Assessment

   The facility assessment must include a description of the entire facility, a detailed site map, and an inventory of facility activities, equipment, and materials that contribute to or have the potential to contribute pollutants to stormwater. The assessment must be as complete as possible (including incidental sources such as tire wear or equipment leaks) and must be updated to reflect substantive changes at the facility. The SWPPP must address each potentially significant pollutant source with BMPs that will eliminate or reduce the potential to contaminate stormwater through source control or treatment.

   (a) Facility Description: The facility description must describe the activities conducted at the site, the general layout of the facility, including buildings and storage of raw materials, and the flow of goods and materials through the facility. It must include seasonal variations, including peaks in production and any changes in work based on season or weather.

   (b) Site Map: The site map must be drawn to an identified scale that indicates the relative distances between significant structures and drainage systems. It must be of sufficient size and identify the following significant features:

      i. The scale or include relative distances between significant structures and drainage systems.

      ii. The size of the property in acres.

[4] https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Stormwater-manuals

iii. The location and extent of all buildings, structures and all impervious surfaces.

iv. Direction of stormwater flow (use arrows).

v. Locations of all structural source control BMPs.

vi. Locations of all receiving water (including wetlands and drainage ditches) in the immediate vicinity of the facility.

vii. Locations of all stormwater conveyances including ditches, pipes, catch basins, vaults, ponds, swales, etc.

viii. Locations of actual and potential pollutant sources.

ix. Locations of all stormwater monitoring points.

x. The stormwater drainage areas for each stormwater discharge point off site (including discharges to groundwater).

xi. Locations of stormwater inlets and outfalls with a unique identification number for each sampling point and discharge point, indicating any that are identified as substantially identical, and identify, by name, any other party other than the Permittee that owns any stormwater drainage or discharge structures.

(c) Industrial Activities: The inventory of industrial activities must identify all areas associated with industrial activities which have been or may potentially be sources of significant amounts of pollutants, including the following:

i. Loading and unloading of dry bulk materials or liquids.

ii. Outdoor storage or staging of materials or products.

iii. Outdoor work and repair areas, including any do-it-yourself areas.

iv. Dust- or particulate-generating processes.

v. Roofs or other surfaces exposed to air emissions from an enclosed vessel repair or a process area.

vi. On-site waste treatment, storage, or disposal.

vii. Vehicle and vessel fueling, maintenance, and/or cleaning (includes washing).

viii. Roofs or other surfaces composed of materials that may be mobilized by stormwater (e.g., galvanized or copper roofs).

(d) Inventory of Materials: The inventory of materials must include the following:

i. A list of all the types of materials handled at the site that potentially may be exposed to precipitation or runoff and could result in stormwater pollution of a significant amount.

ii. A short narrative for each material describing the potential of the pollutant to be present in stormwater discharges.

iii. A narrative description of any potential sources of pollutants of a significant amount from past activities; significant materials that were previously handled, treated, stored, or disposed of in a manner to allow ongoing exposure to stormwater. The Permittee must update this narrative when data become available to verify the presence or absence of these pollutants.

iv. The method and location of any on-site storage or disposal; and a list of significant spills and significant leaks of toxic or hazardous pollutants.

(e) Non-Stormwater Miscellaneous Discharges, identified in Condition S5 (Non-Stormwater Miscellaneous Discharges): These discharges must be specified as to volume, frequency of discharge, expected duration of discharge, and BMPs to assure they are uncontaminated. Visual monitoring must be included in the plan described in Condition S8.B.2 (Monitoring Plan).

2. Monitoring Plan

The SWPPP must include a monitoring plan. The plan must identify all the points of discharge of pressure-wash wastewater, process wastewater, and stormwater runoff to the sanitary sewer, to surface water, to an infiltration basin or trench, or to a storm drain system. If there is more than one point where stormwater runoff discharges, then the plan must include a discussion of how the Permittee has determined which point(s) of discharge are to be monitored and which substantially identical discharge point(s) will not be monitored.

(a) The SWPPP must contain the following documentation of why specified parameters are not to be monitored at each discharge point, if applicable:

i. General industrial activities conducted in the drainage area of each discharge point.

ii. Exposed materials located in the drainage area of each discharge point that are likely to be significant contributors of pollutants to stormwater runoff discharges.

iii. Impervious surfaces in the drainage area that could affect the percolation of stormwater runoff into the ground (e.g., asphalt, crushed rock, grass).

iv. Best management practices conducted in the drainage area of each discharge point.

v. Location(s) of the discharge point(s) the Permittee will not monitor because the pollutant concentrations are substantially identical to another discharge point that is being monitored.

vi. Reasons why the Permittee expects the discharge points to discharge substantially identical effluents.

(b) The plan must identify who is responsible for monitoring and how monitoring will be conducted to comply with permit conditions. The monitoring plan must address stormwater sampling requirements and visual inspections. Records of these inspections must be kept as attachments to the SWPPP. The plan must include the following:

i. Identification of all points of discharge;

ii. The checklist to be used for visual monitoring;

iii. The person (or position) who conducts stormwater sampling;

iv. Where samples will be taken;

v. Parameters for analysis and the analytical methods to be employed;

vi. Procedures for sample collection and handling;

vii. Procedures for sending samples to lab; and

viii. Procedure for submitting monitoring results to Ecology.

3. Best Management Practices

The SWPPP must include a description of the best management practices (BMPs) in addition to those specified in Condition S3 (Mandatory Best Management Practices) that are necessary for the facility to eliminate or reduce the potential to contaminate stormwater. BMPs must be considered to regulate peak flow and volume of stormwater discharge.

The SWPPP must document how the Permittee selected stormwater treatment BMPs, the pollutant removal performance expected from each treatment BMP, the technical basis that supports the performance claims for the selected treatment BMPs, and an assessment of how the selected treatment BMPs will comply with State water quality standards and satisfy the technology-based treatment requirements of 40 CFR Part 125.3 and Chapter 90.48 RCW.

Permittees who choose to follow the stormwater management practices, or their functional equivalents, contained in approved stormwater management manuals(Stormwater manuals - Washington State Department of Ecology[5]), including the proper selection, implementation, and maintenance of appropriate BMPs, are presumed to have satisfied the demonstration requirement of the previous paragraph.

Many BMPs are common to all facilities. The categories listed below must be included in the SWPPP. The Permittee must identify in the SWPPP the BMP categories listed below and implement those BMPs to meet the following requirements:

(a) Operational Source Control BMPs

[5] https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Stormwater-manuals

The SWPPP must include those Operational Source Control BMPs listed as "applicable" in Ecology's Stormwater Management Manual (SWMM), approved stormwater technical manuals chosen per Condition S8.A.3 (Proper Selection and Use of Stormwater Management Manuals), or other guidance documents or manuals approved in accordance with Condition S8.A.3.

(b) Structural Source Control BMPs

The SWPPP must include the Structural Source Control BMPs listed as "applicable" in Ecology's SWMM, approved stormwater technical manuals chosen per Condition S8.A.3 (Proper Selection and Use of Stormwater Management Manuals), or other guidance documents or manuals approved in accordance with Condition S8.A.3.

(c) Pollution Prevention Team

The SWPPP must include a BMP that identifies specific individual(s) by name or by title within the plant organization responsible for developing the SWPPP and assisting the plant manager in its implementation, maintenance, and modification. The activities and responsibilities of the team must address all aspects of the facility's SWPPP.

(d) Good Housekeeping

The SWPPP must include a BMP(s) that defines ongoing maintenance and cleanup, as appropriate, of areas which may contribute pollutants to discharges of stormwater runoff. The SWPPP must include the schedule/frequency for completing each housekeeping task.

(e) Preventive Maintenance

The SWPPP must include a BMP(s) to inspect and maintain the stormwater drainage and treatment systems (if any), and equipment and systems that could fail and result in contamination of stormwater runoff. The SWPPP must include the schedule and frequency for completing each maintenance task and the person(s) or position(s) responsible for preventive maintenance. The Permittee must:

i. Clean catch basins when the depth of debris reaches 60% of the sump depth. In addition, the Permittee must keep the debris surface at least 6 inches below the outlet pipe. Records of this maintenance shall be kept as described in S9.B.

ii. Maintain ponds, tanks/vaults, catch basins, swales, filters, oil/water separators, drains, and other stormwater drainage/treatment facilities in accordance with the maintenance standards set forth in the applicable Stormwater Management Manual.

iii. Inspect all equipment and vehicles during weekly site inspections for leaking fluids such as oil, antifreeze, etc. Take leaking equipment and vehicles out of service or prevent leaks from spilling on the ground until repaired.

iv. Clean up spills and leaks immediately (e.g., using absorbents, vacuuming, etc.) to prevent the discharge of pollutants.

(f) Spill Prevention and Emergency Cleanup Plan (SPECP)

The SWPPP must include a BMP(s) to identify areas where potential spills can contribute pollutants to discharges of stormwater runoff. The BMP(s) must specify material handling procedures, storage requirements, and cleanup equipment and procedures, as appropriate. The SWPPP may include excerpts of plans prepared for other purposes (e.g., Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the CWA), where those excerpts meet the intent of this requirement. This section must include:

i. A description of the reporting system which the Permittee plans to use to immediately alert facility managers and all appropriate legal authorities, in the event of a spill or unpermitted discharge which may endanger health or the environment. Condition S9 (Reporting and Recordkeeping Requirements) provides the contact information for those authorities.

(1) A description of preventive measures and facilities, including an overall facility plot plan showing drainage patterns, which prevent, contain, or treat spills or unpermitted discharges. The use of dispersants and emulsifiers is prohibited without specific approval from the Director of the Department of Ecology.

(2) A list of all oils and chemicals used, processed, or stored at the facility which may be spilled or discharged into waters of the State.

ii. The SPECP shall specify BMPs for material handling procedures, storage requirements, cleanup equipment and procedures, and spill logs, as appropriate. The Permittee shall:

(1) Store all hazardous substances, petroleum/oil liquids, and other chemical solid or liquid materials that have potential to contaminate stormwater on an impervious surface that is surrounded with a containment berm or dike that is capable of containing 10% of the total enclosed container volume or 110% of the volume contained in the largest container, whichever is greater, or use double-walled tanks.

(2) Prevent precipitation from accumulating in containment areas by using a roof or equivalent structure or include a plan on how it will manage and dispose of accumulated water if a containment area cover is not practical.

(3) Locate spill kits within 25 feet of all stationary fueling stations, fuel transfer stations, mobile fueling units, and used oil storage/transfer stations. At a minimum, spill kits shall include:

- Oil absorbents capable of absorbing 15 gallons of fuel. Facilities with a Spill Prevention, Control, and Countermeasures Plan (SPCCP) must have enough oil absorbents capable of absorbing the minimum anticipated spill amount or potential discharge volume identified in that plan if more than 15 gallons.
- A storm drain plug or cover kit.

- A non-water containment boom, a minimum of 10 feet in length with a 12-gallon absorbent capacity.
- A non-metallic shovel.
- Two 5-gallon buckets with lids.

(4) Not lock shut-off fueling nozzles in the open position. Do not "top-off" tanks being refueled.

(5) Block, plug or cover storm drains that receive runoff from areas where fueling, during fueling.

(6) Use drip pans or equivalent containment measures during all petroleum transfer operations.

(7) Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas).

(8) Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible. Drain fluids from equipment and vehicles prior to on-site storage or disposal.

(9) Maintain a spill log that includes the following information for chemical and petroleum spills: date, time, amount, location, and reason for spill; date/time cleanup completed, notifications made and staff involved.

iii. Employee Training: The SWPPP shall include BMPs to provide SWPPP training for employees who have duties in areas of industrial activities subject to this permit. At a minimum, the training plan shall include:

(g) The content of the training.

i. An overview of what is in the SWPPP.

ii. How employees make a difference in complying with the SWPPP and preventing contamination of stormwater.

iii. Spill response procedures, good housekeeping, maintenance requirements, and material management practices.

iv. How the Permittee will conduct training.

v. The frequency/schedule of training. The Permittee shall train employees annually, at a minimum.

vi. A log of the dates on which specific employees received training.

(h) Oversight of Do-It-Yourselfers and Independent Contractors

The SWPPP must include a BMP(s) that describes how the Permittee will ensure that all individuals ***not*** employed by the boatyard who service marine vessels or any other

motor-driven vehicle or otherwise conduct boatyard activities at its facility have been educated about required practices to control and prevent the release of pollutants to waters of the State, including at a minimum all the mandatory BMPs listed in Section S3 (Mandatory Best Management Practices). The Permittee must prohibit do-it-yourselfers and independent contractors who fail to implement all the required practices and BMPs from working at the boatyard.

The Permittee must document its compliance with this BMP by

i. Describing in the SWPPP the Permittee's procedures for communicating the required practices to non-boatyard individuals;

ii. Describing in the SWPPP the Permittee's procedures for providing oversight of non-boatyard individuals, e.g., by conducting regularly scheduled inspections of their work area(s) and activities;

iii. Maintaining written agreements with those non-boatyard individuals that they will implement all of the mandatory BMPs; and

iv. Describing in the SWPPP the process for excluding repeat offenders from its facilities.

(i) Inspections and Recordkeeping

The SWPPP must include documentation of procedures to assure compliance with permit requirements for inspections and recordkeeping. At a minimum, it must include all of the following:

i. Identify personnel who inspect designated equipment and areas as required in Condition S6 (Monitoring Requirements);

ii. Provide a tracking or follow-up procedure to ensure that a report is prepared and any appropriate action taken in response to visual monitoring;

iii. Define how the Permittee will comply with signature requirements and records retention identified in Condition S9 (Reporting and Recordkeeping Requirements); and

iv. Include certification of compliance with the SWPPP.

(j) Decontamination Documentation

The SWPPP must include documentation of procedures used to assure compliance with permit requirement S3.J (Wash Pad Decontamination) and S3.M (Dry Docks and Graving Docks). At a minimum the SWPPP must:

i. Identify personnel who are responsible for decontamination of wash pads, dry docks, or graving docks.

ii. Describe the procedure(s) used to thoroughly clean the pad, sump, dry docks, or graving docks.

iii. Identify equipment and materials to be used in the decontamination process.

(k) Illicit Discharges

The SWPPP must include measures to identify and eliminate the discharge of process wastewater, domestic wastewater, and other illicit discharges, to stormwater sewers, or to waters of the State. The Permittee can find BMPs to identify and eliminate the discharge of process wastewater, domestic wastewater, and other illicit discharges in Volume IV of Ecology's SWMM for Western Washington and Chapter 8 of the SWMM for Eastern Washington.

(l) Vessel Deconstruction BMPs

For facilities that deconstruct vessels, the SWPPP must include a description of the BMPs used when deconstructing vessels. This must include BMPs for in accordance with the requirements of the permit, beginning with initial deconstruction activity until all deconstruction activity is complete. For any deconstruction activity that takes place on a dry dock or barge, the SWPPP must include BMPs that demonstrate compliance with Condition S3.M.

S9. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee must report in accordance with the following conditions. False reporting is a violation of this permit.

A. Reporting

Unless otherwise specified in this permit, the Permittee must use the on-line, "Water Quality Permitting Portal" to submit all permit-required reports by the specified due dates (more information is located at Ecology's WQWebPortal guidance webpage[6] Permittees unable to submit electronically (e.g., those who do not have an Internet connection) must contact their Washington State Department of Ecology regional permit administrator at the locations provided in Condition S9.E (Noncompliance Notification) to request a waiver and to obtain instructions on how to provide hardcopy paper versions of the required reports and documentation.

Where another condition of this permit requires submission of hardcopy paper documentation, the Permittee must ensure that the submission is postmarked or received by Ecology no later than the specified due date. The Permittee must submit hardcopy paper documentation to the water quality permit coordinator at the appropriate address provided in Condition S9.E (Noncompliance Notification).

The Permittee must submit a discharge monitoring report (DMR) for each calendar month during which monitoring is required, whether or not a discharge occurred. If the facility did not discharge during a given monitoring period, the Permittee must submit a completed DMR with

[6] https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance

"No Discharge" entered as the DMR Reporting Code. Submission of DMRs must be completed by no later than the 28th day of the month following the completed monitoring period.

All DMRs must contain the following information:

(a) Include data for each of the parameters for which monitoring is required by Condition S6 (Monitoring Requirements) and as required by the DMR entry screen or hardcopy paper form. Report a value for each day sampling occurred and for the monthly values.

(b) If the Permittee did not discharge wastewater or stormwater runoff during a given monitoring period, enter the "No Discharge" reporting code.

(c) Record onto the DMR those analytical values reported as "less than the detection limit" by entering "<" followed by the numeric value of the detection limit (e.g., < 2.0). If the method used did not achieve the detection limit or quantitation level identified in Condition S6.C (Analytical Procedures), report the actual detection limit and quantitation level in the DMR comments section or other location provided.

(d) Report the analytical test method used in the DMR comments section or other location provided if the laboratory used an alternate method not specified in the permit and as allowed in Condition S6.D (Analytical Procedures).

The Permittee must submit monitoring results in accordance with the minimum sampling frequencies specified in Conditions S2 (Discharge Limits) and S6 (Monitoring Requirements) and must submit all data collected to Ecology. If the permittee discharges process wastewater or stormwater runoff to a POTW and the POTW wishes to receive monitoring data, then DMRs must also be provided to the POTW at the same time they are sent to Ecology. The Permittee must summarize and report monitoring data collected during the previous month or sample period on a form provided, or otherwise approved, by Ecology. The Permittee must ensure that the report is postmarked or received by Ecology no later than the 28th day of the month following the sample collection month. Hardcopy written report(s) must be sent to the appropriate regional office of Ecology.

B. Records Retention

1. The Permittee shall retain the following documents onsite for a minimum of five years:

(a) A copy of this permit.

(b) A copy of the permit coverage letter.

(c) Records of all sampling information specified in Condition S9.C.

(d) Inspection reports including documentation specified in Condition S6. E.

(e) Any other documentation of compliance with permit requirements.

(f) All equipment calibration records.

(g) All BMP maintenance records.

(h) All original recordings for continuous sampling instrumentation.

(i) Copies of all laboratory reports as described in Condition S6.D.

(j) Copies of all reports required by this permit.

(k) Records of all data used to complete the application for this permit.

2. The Permittee shall extend the period of records retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee, or when requested by Ecology.
3. The Permittee shall make all plans, documents, and records required by this permit immediately available to Ecology or the local jurisdiction upon request; or within 14 days of a written request from Ecology.

C. Recording Results

For each measurement or sample taken, the Permittee must record all of the following information:

(a) Date, exact place, method, and time of sampling;

(b) Name of the individual who performed the sampling or measurement;

(c) Dates the analyses were performed;

(d) Name of the person(s) who performed the analyses;

(e) Analytical techniques or methods used; and

(f) Results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant at a designated sampling point (addressed in Condition S6 (Monitoring Requirements)) more frequently than required by this general permit using test procedures specified by Condition S6.C (Analytical Procedures), then it must include the results of this monitoring along with the data submitted in its monthly DMRs, as an electronic attachment or submittal to the Ecology Water Quality Permitting Portal. A Permittee with a waiver due to its inability to submit electronically must submit the additional monitoring data on a paper hardcopy to the appropriate address provided in Special Condition S9.E (Noncompliance Notification).

E. Noncompliance Notification

In the event of a spill or a discharge not authorized by this general permit which may endanger health or the environment, the Permittee must immediately notify:

(a) The appropriate Ecology regional office,

(b) The Washington Military Department, Emergency Management Division, at (800) 258-5990, and

(c) The United States Coast Guard, National Response Center, at (800) 424-8802.

This notification procedure must be included in the SWPPP as noted in Condition S8.B.3(f) (Spill Prevention and Emergency Cleanup Plan). The phone numbers of Ecology regional permit administrators are provided below.

Table 6: Ecology Office Locations

Ecology Office Location	Counties
Ecology Central Regional Office Water Quality Program 1250 West Alder Street Union Gap, WA 98903-0009 509-575-2490 TDY: 711 or 1-800-833-6341	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, and Yakima
Ecology Eastern Regional Office Water Quality Program North 4601 Monroe Spokane, WA 99205-1295 509-329-3400 TDY: 711 or 1-800-833-6341	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman
Ecology Northwest Regional Office Water Quality Program 15700 Dayton Ave. N. Shoreline, WA 98133 206-594-0000 TDY: 711 or 1-800-833-6341	Island, King, Kitsap, San Juan, Skagit, Snohomish, and Whatcom
Ecology Southwest Regional Office Water Quality Program P.O. Box 47775 Olympia, WA 98504-7775 360-407-6300 TDY: 711 or 1-800-833-6341	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum

In addition to a spill or unauthorized discharge, in the event the Permittee is unable to comply with any of the other permit terms and conditions due to any cause, the Permittee must:

(a) Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any noncompliance and submit the results to Ecology within 5 days after becoming aware of the violation;

(b) Notify the regional Ecology facility inspector orally of the failure to comply within 24 hours from the time the Permittee becomes aware of the noncompliance; and

(c) Submit a detailed written report electronically via the Water Quality Permitting Portal to Ecology within 5 days from the time the Permittee becomes aware of the noncompliance. The report should describe the nature of the violation, including exact dates and times, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the additional sampling, and any other pertinent information. Permittees who are unable to submit electronically (e.g., those who do not have an Internet connection) must contact their Ecology regional permit administrator at the locations provided above to request a waiver. Permittees with waivers must submit hardcopy paper reports to be

received by Ecology no later than within 5 days of the time the Permittee became aware of the noncompliance.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Discharges to a Delegated Municipal Sanitary Sewer System

Permittees who discharge treated pressure-wash wastewater to a delegated municipal sanitary sewer system must maintain records of their contractual agreement with the municipality, including the conditions of discharge. These records must be available for Ecology inspection.

S10. BYPASS

A. Bypass Procedures

This permit prohibits a bypass which is the intentional diversion of waste streams from any portion of a treatment facility. Ecology may take enforcement action against a Permittee for a bypass unless one of the following circumstances (1, 2, or 3) applies.

1. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions.

   Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limits or other conditions of this general permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least 10 days before the date of the bypass.

2. Bypass which is unavoidable, unanticipated, and results in noncompliance with this general permit.

   This bypass is permitted only if all three of the following conditions are met:

   (a) Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause 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.

   (b) No feasible alternatives to the bypass exist, such as:

      i. The use of auxiliary treatment facilities.

      ii. Retention of untreated wastes.

      iii. Stopping production.

iv. Maintenance during normal periods of equipment downtime, but not if the Permittee should have installed adequate backup equipment in the exercise of reasonable engineering judgment to prevent a bypass.

v. Transport of untreated wastes to another treatment facility.

(c) Ecology is properly notified of the bypass as required in Condition S9E (Noncompliance Notification).

3. If bypass is anticipated and has the potential to result in noncompliance with this general permit.

(a) The Permittee must notify Ecology at least 30 days before the planned date of bypass. The notice must contain:

i. A description of the bypass and its cause.

ii. An analysis of all known alternatives that would eliminate, reduce, or mitigate the need for bypassing.

iii. A cost-effectiveness analysis of alternatives, including comparative resource damage assessment.

iv. The minimum and maximum duration of the bypass under each alternative.

v. A recommendation as to the preferred alternative for conducting the bypass.

vi. The projected date of bypass initiation.

vii. A statement of compliance with SEPA.

viii. A request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated.

ix. Details of the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

(b) For probable construction bypasses, the Permittee must notify Ecology of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during the project planning and design process. The project-specific engineering report, facility plan, and plans and specifications must include details of probable construction bypasses to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.

(c) Ecology will consider the following prior to approving or denying the request:

i. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.

ii. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

iii. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public must be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under RCW 90.48.120.

B. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

S11. SOLID WASTE MANAGEMENT

The Permittee must manage all solid waste materials to prevent the release of leachate into waters of the State.

S12. REPORTING FOR INVASIVE SPECIES CONTROL

The Permittee must quarantine a boat/vessel identified as a carrier of any prohibited invasive species (level 1, 2, or 3) listed under Chapter 220-640 WAC or quarantined plants listed in Chapter 16-752 WAC. This list includes zebra mussels and quagga mussels, which represent a significant threat to the integrity of Waters of the State. The permittee must notify the appropriate Washington Fish and Wildlife Regional Office within 24 hours when these species are identified on a vessel. The boat/vessel must not be released, re-launched, pressure washed, or have its bilge pumped until it has been cleared by the U.S. Fish and Wildlife Service or the Washington State Department of Fish and Wildlife.

S13. TERMINATION OF COVERAGE UNDER THIS PERMIT

A. Conditions Required for Ecology Approval

Ecology may approve a Permittee's request for termination of its coverage under this permit when the Permittee meets either condition 1 or 2:

1. All discharges of process wastewater, including pressure-wash wastewater, have been eliminated because the facility no longer generates process wastewater, or the facility has

redirected its process wastewater to a sanitary sewer system operated by a municipality with a delegated pretreatment program, provided the Permittee has received a discharge authorization from the delegated municipality and authorization from all other applicable local sewerage authorities.

AND

All discharges of stormwater runoff from areas with industrial activity have been eliminated because the facility has redirected that stormwater runoff to a sanitary sewer system operated by a municipality with a delegated pretreatment program, provided the Permittee has received a discharge authorization from the delegated municipality and authorization from all other applicable local sewerage authorities.

2. The Permittee sells or otherwise legally transfers responsibility for the industrial activity at the boatyard.

B. Procedure for Obtaining Termination of Coverage

1. The Permittee shall complete a Notification of Termination (NOT) request form provided by Ecology or available from the website at Notice of Termination Request Boatyard General Permit (wa.gov)[7].

   (d) The Permittee shall sign the NOT Request form in accordance with the signatory requirements specified in General Condition G17 (Signatory Requirements).

2. The Permittee shall submit the completed NOT request form to Ecology either:

   (a) Electronically through the Ecology Water Quality Permitting Portal; or

   (b) If Ecology has issued a waiver due to the Permittee's inability to submit electronically, on a paper hardcopy sent to the appropriate address provided in Special Condition S9.E (Noncompliance Notification).

[7] https://apps.ecology.wa.gov/publications/SummaryPages/ECY070549.html

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit must be consistent with the terms and conditions of this general permit. The discharge of any pollutant more frequently than, or at a concentration in excess of that authorized by this general permit, must constitute a violation of the terms and conditions of this general permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee must, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and 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 this permit.

G3. RIGHT OF ENTRY

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

(a) To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;

(b) To have access to and copy at reasonable times any records that must be kept under the terms of this permit;

(c) To inspect at reasonable times any monitoring equipment or method of monitoring required in this permit;

(d) To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and

(e) To sample at reasonable times any discharge of pollutants.

G4. PERMIT COVERAGE REVOKED

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the Director of Ecology may require any discharger authorized by this permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

(a) Violation of any term or condition of this permit;

(b) Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;

(c) Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;

(d) A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;

(e) Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC; or

(f) Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within 90 days from the time of revocation and is submitted along with a complete individual permit application form.

G5. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

(a) When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;

(b) When effluent limitation guidelines or standards are promulgated pursuant to the Federal Water Pollution Control Act or Chapter 90.48 RCW, for the category of dischargers covered under this permit;

(c) When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or

(d) When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G6. REPORTING A CAUSE FOR MODIFICATION

A Permittee who knows, or has reason to believe, that any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G5 (General Permit Modification and Revocation) or 40 CFR 122.62, must report such plans, or such information, to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this permit will be required. Ecology may then require submission of a new application for coverage under this, or another general permit, or an application for an individual permit. Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new application for coverage has been approved and corresponding permit has been issued.

G7. TOXIC POLLUTANTS

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G8. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G9. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit excuses the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G10. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G11. PAYMENT OF FEES

The Permittee must submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit coverage or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

G12. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater must not be re-suspended or reintroduced for discharge to State waters.

G13. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this general permit may request to be excluded from coverage under this general permit by applying for an individual permit. The discharger must submit to the Director of Ecology an application as described in WAC 173-220-040 or WAC 173-216-070,

whichever is applicable, with reasons supporting the request. These reasons must fully document how an individual permit will apply to the applicant in a way that the general permit cannot. Ecology may make specific requests for information to support the request. The Director will either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to this general permit, the applicability of this general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G14. DUTY TO REAPPLY

All Permittees covered by this general permit who wish to continue their permitted activities and discharges beyond the expiration date of this general permit must submit a new application for coverage under this general permit, or an application for an individual permit, at least 180 days prior to the expiration date of this general permit. When a Permittee has submitted a timely and sufficient application for the renewal of coverage under this general permit, the expiring general permit remains in effect and enforceable until Ecology:

(a) Denies the application;

(b) Issues a replacement permit; or

(c) Cancels the expired general permit.

Coverage under an expired general permit for Permittees who fail to submit a timely and sufficient application expires on the expiration date of the general permit.

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit will be deemed guilty of a crime, and upon conviction be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation. Any person who violates the terms and conditions of a waste discharge permit incurs, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation is considered a separate and distinct offense, and in case of a continuing violation, every day's continuance will be deemed to be a separate and distinct violation.

G16. SIGNATORY REQUIREMENTS

(a) All permit applications and requests for permit modification, transfer, or termination must be signed and certified when submitted to Ecology by:

i. In the case of a municipal, State, or other public facility, by either a principal executive officer or ranking elected official.

ii. In the case of a corporation, by a responsible corporate officer of at least the level of vice president.

iii. In the case of a partnership, by a general partner.

iv. In the case of a sole proprietorship, by the proprietor.

(b) All reports required by this permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

i. The authorization is made in writing by a person described above and submitted to Ecology.

ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

(c) Changes to authorization. If an authorization under Paragraph B.2 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 requirements of Paragraph B.2 above must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.

(d) Certification. Any person signing a document under this section must 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 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 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.

G17. APPEALS

The terms and conditions of the boatyard general permit are subject to appeal. There are two different appeal categories.

(a) The permit terms and conditions as they apply to the appropriate class of dischargers are subject to appeal within 30 days of issuance of this general permit in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC; and

(b) The applicability of the permit terms and conditions to an individual discharger are subject to appeal in accordance with Chapter 43.21B RCW within 30 days of the effective date of coverage of that discharger. An appeal of the coverage of the boatyard general permit to an individual discharger is limited to the applicability or non-applicability of the boatyard general permit to that same discharger. Appeal of permit coverage of an individual discharger will not affect the coverage of any other individual dischargers. If the terms and conditions of the boatyard general permit are found to be inapplicable to any discharger(s), the matter will be remanded to Ecology for consideration of issuance of an individual permit or permits.

G18. SEVERABILITY

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

G19. REPORTING OTHER INFORMATION

When the Permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to Ecology, the Permittee must promptly submit such facts or information.

G20. DUTY TO COMPLY

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and may be grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of permit renewal.

DEFINITIONS

When used in this permit, the following terms have the meanings as given below.

303(d) list means the list of Category 5 waterbodies periodically prepared by Ecology and approved by the U.S. EPA. This list specifies the waters of the State of Washington that are not meeting the water quality standards as given in Chapter 173-201A. This list is available at Assessment of state waters 303d - Washington State Department of Ecology [8]. The list applicable to discharges covered by this permit is the list approved by the U.S. EPA at the time of facility coverage under this permit.

Approved Stormwater Management Manual means a stormwater manual produced by Ecology or the U.S. EPA that contains best management practices appropriate for the discharges covered by this permit. Manuals produced by trade organizations may be approved if reviewed by Ecology, subjected to public comment, and posted on the appropriate Ecology web site.

AKART is an acronym for "all known, available, and reasonable methods of prevention, control, and treatment." AKART represents the most current methods of preventing, controlling, or abating the pollutants associated with a discharge that can be installed or used at a reasonable cost. AKART is a process of engineering and economic decision-making.

Arithmetic average means the sum of a list of numbers divided by the number of numbers in the list.

Benchmark means a pollutant concentration based on performance of source control best management practices (BMPs), treatment BMPs, or water quality criteria. Benchmarks are set to achieve AKART and meet water quality standards. Benchmark as used in this permit allows a period of adaptive management with increasing levels of effort or treatment to comply with the permit values.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural, and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: facility site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage. In this permit BMPs are further categorized as operational source control, structural source control, and treatment BMPs.

Bilge water means water from a boat's bilge spaces, whether single- or double-hulled.

Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117, and 100-4; and 33 USC 1251 et seq.

Composite sample means a homogenous mixture of material that reasonably characterizes the nature or quality of a monitored discharge or environmental medium that varies over time or space. Creation of the sample from a temporally varying source (e.g., a wastewater stream) may involve continuous sampling or collection of discrete samples and their combination on a

[8] https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d.

"time-composited" or "flow-proportional" basis. A time-composited sample consists of identical volumes of wastewater collected from constant time intervals. A flow-proportional sample may consist of a combination of either variable sample volumes, collected over constant time intervals, or constant sample volumes, collected over variable sampling intervals, proportional to the stream flow.

Daily discharge means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants with limits expressed as concentration, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

Date of coverage means the date that an individual boatyard is authorized to discharge under the conditions of this general permit.

Deconstruction activity means dismantling of a vessel so that no part is left intact or undisturbed or otherwise not impacted, to the extent that it cannot be reconstructed or readily identified as an existing portion of the original hull or superstructure. The vessel is reduced such that it has no value except for its basic material content. Deconstruction Activity does not include disturbance incidental to vessel retrieval.

Discharge [of a pollutant] means any addition of any pollutant or combination of pollutants to waters of the State of Washington from any point source. This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Discharge Monitoring Report (DMR) is the report that the Permittee must send to Ecology on a periodic basis set by the permit to report on the monitoring requirements of the permit.

Ecology means the Washington State Department of Ecology.

Existing facility means a facility that is not a "new facility."

Grab sample means a single sample or measurement taken at a specific time or over as short period of time as is feasible.

Groundwater means water in a saturated zone or stratum beneath the land surface or a surface waterbody.

Hazardous substance means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or 173-303-100.

Hot work means riveting, welding, burning or fire or spark producing operations (29 CFR 1915.4).

Hull means the body or frame of a ship or boat. It is a central concept in water vessels. The hull is essentially what keeps the water from entering the boat and acts as the walls and floor of the vessel.

Illicit discharge means any discharge that is not composed entirely of stormwater except; (1) discharges authorized pursuant to a separate NPDES permit, or (2) conditionally authorized non-stormwater discharges identified in Condition S5.

Industrial activity means any of the activities among (1) The ten categories of industrial activities identified in 40 CFR 122.26 (b) (14) (i to ix; and xi); or (2) any activities identified by Ecology as significant contributors of pollutants. Industrial activities include, but are not limited to: manufacturing; processing; and raw, intermediate, and finished materials handling and storage areas at an industrial plant.

Interference means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(a) Inhibits or disrupts a publicly-owned treatment works (POTW), its treatment processes or operations, or its sludge processes, use, or disposal; and

(b) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA); the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act. (40 CFR 403.3)

Leachate means water or other liquid that has been contaminated by dissolved or suspended materials due to contact with a solid material or a gas.

Maximum daily discharge limit means the highest allowable "daily discharge."

Method detection limit means the minimum concentration of an analyte (substance) that can be measured and reported with a 99% confidence that the analyte concentration is greater than zero as determined by the procedure set forth in Appendix B of 40 CFR Part 136.

Minimum performance standards [for vacuum sanding] means:

(a) Sander or Rotary Tool–

i. 98% dust extraction

i. Suitable for lead abatement work

ii. Electric or air powered

(b) Vacuum –

i. Static water lift = 60 inches minimum

ii. Air flow = 116 cfm minimum

iii. Power = 900 watts minimum

iv. Filter = 1-micron cartridge minimum

(1) Recommended = 5-micron bag filter, plus a 1-micron cartridge filter, plus a 0.5-micron filter

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the State from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington State Department of Ecology.

New discharge(r) means a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New facility means a boatyard facility that begins activities that result in a discharge or a potential discharge to waters of the State on or after the effective date of this general permit.

Non-delegated POTW means a publicly-owned treatment works (POTW) for which Ecology authorizes the industrial discharges to the POTW.

Operational source control BMP means schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial practices to prevent or reduce the pollution of waters of the State. Not included are BMPs that require construction of pollution control devices.

Pass through means a discharge to a publicly-owned treatment works (POTW) which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement
of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation). (40 CFR 403.3)

Permittee means a boatyard facility that has obtained coverage under this general permit.

Pollutant means discarded dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, domestic sewage sludge (biosolids), munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste. This term does not include dredged or fill material discharged in accordance with a permit issued under Section 404 of the Federal Water Pollution Control Act.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the State; including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the State as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, or welfare; or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; or to livestock, wild animals, birds, fish, or other aquatic life.

Pressure washing means the use of a water pressure washer to remove paint, grime, or biological growth from the hull of a vessel. Pressure washing includes the practice of mechanical or hand scrubbing and rinsing with low-pressure water from a hose.

Pressure-wash wastewater means the wastewater resulting from pressure washing.

Process wastewater 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. Stormwater that commingles with process wastewater becomes process wastewater. This definition of process wastewater does not include non-stormwater discharges conditionally approved under Condition S5 (Non-Stormwater Miscellaneous Discharges).

Publicly-Owned Treatment Works (POTW) means a treatment works as defined by Section 212 of the Clean Water Act (CWA), which is owned by a state or municipality (as defined by Section 502(4) of the CWA). This definition includes any devices and systems used in the storage, treatment, recycling, or reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW. The term also means the municipality, as defined in Section 502(4) of the CWA, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

Puget Sound Sediment Cleanup Site means Category 4B (Sediment) portions of Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer), Dalco Passage and East Passage, Duwamish Waterway (including East and West Waterway), Eagle Harbor, Elliot Bay, Hood Canal (North), Liberty Bay, Rosario Strait, Sinclair Inlet, and Thea Foss Waterway; Category 5 (Sediment) portions of the Duwamish Waterway; Category 4A (Sediment) portions of Bellingham Bay (Inner); and the Everett/Port Gardener and Port Angeles Harbor sediment cleanup areas, as mapped on Ecology's ISGP website.

Reasonable potential means a process in which an effluent is projected or calculated to cause an excursion of a water quality criterion at the point of compliance in the receiving water based on a number of factors including, as a minimum, the four factors listed in 40 CFR 122.44(d)(1)(ii).

Receiving water means the waterbody at the point of discharge. If the discharge is to a stormwater conveyance system, either surface or subsurface, the receiving water is the waterbody into which the stormwater conveyance system discharges.

Representative [sample] means a sample of the discharge that accurately characterizes stormwater runoff generated in the designated drainage area of the facility.

Responsible Corporate Officer means either:

(a) 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

(b) The manager of one or more manufacturing, production, or operating facilities, provided:

i. The manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating

and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations;

ii. The manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and

iii. Where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (40 CFR 122.22)

Runoff means that portion of rainfall or snowmelt water not absorbed into the ground that becomes surface flow.

Sediment means the fragmented material that originates from the weathering and erosion of rocks, unconsolidated deposits, or unpaved yards, and is transported by, suspended in, or deposited by water.

Severe property damage means substantial physical damage to property, damage to the 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.

Significant amount means an amount of a pollutant in a discharge that is amenable to AKART; or an amount of a pollutant that has a reasonable potential to cause a violation of surface or groundwater quality standards or sediment management standards.

Significant contributor of pollutant(s) means a facility determined by Ecology to be a contributor of a significant amount of pollutant(s) to waters of the State.

Significant process change means any modification of the facility that would:

(a) Add different pollutants of a significant amount to the discharge; or

(b) Increase the pollutants in the stormwater discharge by a significant amount; or

(c) Add a new industrial activity (SIC) that was not previously covered; or

(d) Add additional impervious surface or acreage such that stormwater discharge volume would be increased by 25% or more; or

(e) Change significantly the frequency of an activity from that specified on the application for coverage of this permit.

Source control BMP means operational activities, or physical, structural, or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater.

Sheet flow means runoff which flows over the ground surface as a thin, even layer, and not concentrated in a channel.

SIC means the U.S. Standard Industrial Classification code assigned to businesses by the U.S. Department of Labor. SIC codes are being replaced by the NAICS code system.

Site means the location of the activity that is defined as a boatyard (see Condition S1.A).

Solid waste means all putrescible and non-putrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities. This includes all liquid, solid, or semisolid materials which are not the primary products of public, private, industrial, commercial, mining, or agricultural operations. Solid waste includes but is not limited to sludge from wastewater treatment plants, septage from septic tanks, wood waste, dangerous waste, and problem wastes.

Staging area means an industrial area where materials, including trucks, boats, autos, and other heavy equipment, are temporarily placed for convenience before or immediately following work activities.

Storm drain means an engineered opening for stormwater to enter a storm sewer system.

Storm sewer means a sewer that is specifically designed to carry stormwater.

Stormwater runoff means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a stormwater drainage system into a defined surface waterbody or a constructed infiltration facility.

Superstructure means the structure consisting of the part of a vessel above the main deck.

SWMM means Ecology's *Stormwater Management Manual for Western Washington* (July 2019, Ecology Publication Number 19-10-021) and *Stormwater Management Manual for Eastern Washington* (August 2019, Ecology Publication Number 18-10-044).

Stormwater Pollution Prevention Plan (SWPPP) means a written plan to implement measures to identify, prevent, and control the contamination from point source discharges of stormwater.

Structural source control BMPs means physical, structural, or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater.

Substantially identical discharge point means a discharge point that shares all the following characteristics with another discharge point:

(a) The same general industrial activities conducted in the drainage area of the discharge point.

(b) The same type of exposed materials located in the drainage area of the discharge point that are likely to be significant contributors of pollutants to stormwater discharges.

(c) The same type of impervious surfaces in the drainage area that could affect the percolation of stormwater runoff into the ground (e.g., asphalt, crushed rock, grass).

(d) The same best management practices conducted in the drainage area of the discharge point.

Topside means that part of a vessel above the wales (horizontal members that aid in wall/form reinforcement and distribution of forces).

Tidal grid means a series of wooden or concrete beams laid on tidal land near the high tide line. The grid is used with blocking to support the boat during low tide. Tidal grids should be used only for emergency work on the hull or steering mechanism, and not for refinishing hull paint.

Treatment BMP means best management practices that are intended to remove pollutants from stormwater.

Turbidity means the optical property that causes light to be scattered and absorbed rather than transmitted in straight lines through a water sample. Turbidity in water is caused by suspended matter, such as clay, silt, finely divided organic and inorganic matter, soluble colored organic compounds, and plankton and other microscopic organisms.

Upset means:

(a) An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limits due to 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.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limits if the requirements of Paragraph (3) of this definition are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is a final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

i. An upset occurred and that the Permittee can identify the cause(s) of the upset;

ii. The permitted facility was at the time being properly operated;

iii. The Permittee submitted notice of the upset as required in 40 CFR 122.41(1)(6)(ii)(B)
(24-hour notice); and

iv. The Permittee complied with any remedial measures required in the permit.

(d) Burden of proof. In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof. (40 CFR 122.41(n))

Vacuum sanding means:

(a) Sander or Rotary Tool

i. 98% dust extraction

ii. Suitable for lead abatement work

iii. Electric or air powered

(b) Vacuum

i. Static water lift = 60 inches minimum

ii. Air flow = 116 cfm minimum

iii. Power = 900 watts minimum

iv. Filter = 1-micron cartridge minimum

(1) Recommended filtration = 5-micron bag filter, plus a 1-micron cartridge filter, plus a 0.5-micron filter

Visual monitoring means an inspection by the Permittee of the permitted facility to determine, to the extent that can be determined visually, that BMPs are in place and effective at controlling pollutants in stormwater runoff. Visual monitoring includes observations to detect the presence of an oil sheen in stormwater runoff.

Water quality standards means the Water Quality Standards for Surface Waters of the State of Washington, Chapter 173-201A WAC; Ground Water Quality Standards (Chapter 173-200 WAC); Sediment Management Standards (Chapter 173-204 WAC); and human health-based criteria in the National Toxics Rule (40 CFR 131.36).

Water's edge means the ordinary high water mark (freshwater), or the mean higher high tide level (marine water).

Waters of the State means lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the State of Washington.