



Vermont Department of Environmental Conservation

Agency of Natural Resources

Commissioner's Office

One National Life Drive, Main 2 [phone] 802-828-1556

Montpelier, VT 05620-3520 [fax] 802-828-1541

June 24, 2015

Steve Groseclose, Senior Director
Risk Management, Sustainability & Real Estate
GLOBALFOUNDRIES U.S. 2 LLC
400 Stonebreak Road Extension
Malta, NY 12020

Dear Mr. Groseclose:

The State of Vermont, Department of Environmental Conservation (Department) is approving GLOBALFOUNDRIES U.S. 2, LLC (Global Foundries) request for the transfer of IBM's application for a permit to discharge. The application in question was received by the Department on March 25, 2008. As you are aware, IBM made a timely and complete application for renewal of its permit and as a result, under the Vermont Administrative Procedures Act, may continue to operate under the terms and conditions of the expired permit. See 3 V.S.A. § 814(b). As a part of its discharge from its wastewater treatment facility, IBM discharges phosphorous into the Winooski River. As a result of EPA's disapproval of the Lake Champlain Phosphorous TMDL the Department is not able to renew the permit at this time. In light of this extraordinary circumstance, the Department is approving the transfer of IBM's status under 3 V.S.A. § 814(b) to Global Foundries. This transfer is subject to the following:

1. Global Foundries agrees to conform to all terms and conditions of the permit number 3-1295 issued to IBM dated January 15, 2004, except those terms and conditions for the discharge which relates to the corrective action at the Facility that is covered by permit number 3-1559 issued to IBM on June 29, 2015.
2. Global Foundries consents to the jurisdiction of the courts of the State of Vermont.
3. Global Foundries agrees not to contest the Department's authority to enforce the permit that has been extended to it by this letter, the application of the permit to Global Foundries, or the application of any rule to Global Foundries in the context of an enforcement action brought to enforce the terms and conditions extended to Global Foundries pursuant to this approval. This provision does not prohibit Global Foundries from contesting whether the facts support the Department's allegation of a violation of the permit or rules.
4. Global Foundries agrees to respond promptly to any request by the Department for additional information to revise or update the pending application for a permit to discharge.

If Global Foundries violates any of the above terms, the transfer of IBM's status under 3 V.S.A. § 814 (b) is void.

Global Foundries
June 24, 2015
Page 2 of 2

Please feel free to contact Matthew A. Chapman, DEC General Counsel at matt.chapman@state.vt.us if you have questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'DKM', is written over the word 'Sincerely,'.

David K. Mears
Commissioner
Vermont Department of Environmental Conservation



Vermont Department of Environmental Conservation

Commissioner's Office

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Agency of Natural Resources

June 24, 2015

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Risk Management, Sustainability & Real Estate
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400 Stonebreak Road Extension
Malta, NY 12020

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Global Foundries
June 24, 2015
Page 2 of 2

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David K. Mears
Commissioner
Vermont Department of Environmental Conservation



State of Vermont

Mari

Department of Fish and Wildlife
Department of Forests, Parks and Recreation
Department of Environmental Conservation
State Geologist
RELAY SERVICE FOR THE HEARING IMPAIRED
1-800-253-0191 TDD>Voice
1-800-253-0195 Voice>TDD

**AGENCY OF NATURAL RESOURCES
Department of Environmental Conservation**

Wastewater Management Division
103 South Main Street - Sewing Bldg.
Waterbury, Vermont 05671-0405
Telephone: (802) 241-3822
Fax: (802) 241-2596
www.anr.state.vt.us/dec/ww/wwmd.cfm

March 19, 2004

Mr. Hank Geipel
IBM Corporation
1000 River Road
Essex Junction VT 05452

**SUBJECT: CORRECTED PAGE
Discharge Permit No. 3-1295**

Dear Mr Geipel:

On January 15, 2004 this office renewed the IBM Corporation's discharge permit 3-1295. Enclosed you will find a corrected page 2. This page has been changed to correct a typographical error. The Total Suspended Solids pounds per day, has been corrected from 437 monthly average to 437 maximum day, as discussed in the Fact Sheet of the original permit. Please replace the page you have on file with the one we have enclosed.

Our apologies for any inconvenience these corrected pages may have caused. If you have any questions, please contact Randy Bean at 802-241-3825.

Sincerely,

A handwritten signature in cursive script that reads 'Carole Fowler'.

Carole Fowler
Administration & Compliance Section

Enclosures: Corrected Page 2 of discharge permit 3-1295 renewed on January 15, 2004.

cc: Robert Moore, Conservation Law Foundation
Tom Tamayo, IBM
William Wandle, US EPA Region I



State of Vermont

MARI

Department of Fish and Wildlife
Department of Forests, Parks and Recreation
Department of Environmental Conservation
State Geologist
RELAY SERVICE FOR THE HEARING IMPAIRED
1-800-253-0191 TDD>Voice
1-800-253-0195 Voice>TDD
January 16, 2004

AGENCY OF NATURAL RESOURCES
Department of Environmental Conservation
Wastewater Management Division
103 South Main St. - Sewing Bldg.
Waterbury VT 05671-0405
Telephone: (802) 241-3822
FAX: (802) 241-2596

Hank Geipel
IBM
1000 River Road
Essex Jct., VT 05452

RE: Discharge Permit No. 3-1295 & Response Summary

Dear Mr. Geipel

Enclosed is your copy of Discharge Permit No. 3-1295 that has signed on been behalf of the Commissioner of the Department of Environmental Conservation. This permit authorizes discharges from your facility to the Winooski River.

Also enclosed is a Response Summary that addresses the comments submitted during the public notice period and at the public hearing. Several changes were made to the final permit as a result of these comments. Specifically the following modifications have been made.

1. The effluent limitations for copper and zinc have been reduced to reflect the contribution of these metals from downstream discharges and ensure that the lower Winooski River maintains compliance with the Vermont Water Quality Standards.
2. The Whole Effluent Toxicity (WET) Testing requirements have been modified and a two species WET test is now required during the summer.
3. Cyanide and oil and grease effluent limitations have been included. These limitations were inadvertently omitted from the draft permit.

If you have any questions regarding this permit, please contact Randy Bean at our office.

Sincerely,


Brian D. Kooiker, Chief
Direct Discharge and O&M Section

Enclosures

cc:

Robert Moore, Conservation Law Foundation
Tom Tamayo, IBM
Dennis Bryer, VT DEC, WWMD

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WASTEWATER MANAGEMENT DIVISION
103 SOUTH MAIN STREET, - THE SEWING BUILDING
WATERBURY, VERMONT 05671-0405

Permit No.: 3-1295
File No.: 04-06
PIN: EJ91-0002
NPDES No.: VT0000400

DISCHARGE PERMIT

In compliance with the provisions of the Vermont Water Pollution Control Act, as amended, (10 V.S.A. Chapter 47 §1251 et. seq), and the Federal Clean Water Act, as amended (33 U.S.C. § 1251 et. seq),

International Business Machines Corp
1000 River Road
Essex, Jct., VT 05452

(hereinafter referred to as the "permittee") is authorized, by the Secretary, Agency of Natural Resources, to discharge from a facility located at:

River Road
Essex Jct., Vermont

to the Winooski, Class B at the point of discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, III hereof.

This permit shall become effective on the date of signing

This permit and the authorization to discharge shall expire on September 30, 2008.

Signed this 15th day of January, 2004.

Jeffrey Wennberg, Commissioner
Department of Environmental Conservation

By Brian D. Kooiker
Brian D. Kooiker, Chief
Direct Discharge Section

PART I**A. EFFLUENT LIMITS** *corrected page 3/18/04*

1. During the period beginning on the date of signing and lasting through September 30, 2008, the permittee is authorized to discharge from outfall serial number S/N 001: sanitary and semi-conductor manufacturing wastewater. Such discharges shall be limited and monitored by the permittee as specified below:

DISCHARGE LIMITATIONS							
Effluent Characteristic	units (specified)	.....lbs/day.....		units (specified)		Monitoring Requirements	
	Annual Limitation	Monthly Average	Maximum Day	Monthly Average	Maximum Day	Measurement Frequency	Sample Type
Flow (Annual Avg)	8.0 MGD					Continuous	Daily avg, max, min
Ultimate Oxygen Demand ¹			2300			1 x weekly	Calculated
Total Suspended Solids			437		10.5 mg/l	1 x weekly	Composite
Biochemical Oxygen Demand ²		monitor only				1 x weekly	Composite
Total Kjeldhal Nitrogen ²		monitor only				1 x weekly	Composite
Total Phosphorus ^{3,4} (Total Annual Pounds)	12,193 lbs			0.8 mg/l		1 x weekly	Composite
Escherichia coli Bacteria					77/100 ml	1 x weekly	Grab
Total Ammonia (as N)				monitor only mg/l		2 x monthly	Grab
Iron				monitor only mg/l		1 x monthly	Composite
Cadmium ⁴		0.69	1.93	0.07 mg/l	0.11 mg/l	2 x annually	Composite
Chromium ⁴		114.09	184.81	1.71 mg/l	2.77 mg/l	2 x annually	Composite
Copper ⁴		5.14	7.18	2.07 mg/l	3.38 mg/l	2 x monthly	Composite
Lead ⁴		1.44	36.86	0.43 mg/l	0.69 mg/l	2 x monthly	Composite
Nickel ⁴		91.89	265.55	2.38 mg/l	3.98 m/l	2 x monthly	Composite
Silver ⁴		1.40	28.69	0.24 mg/l	0.43 mg/l	2 x annually	Composite

DISCHARGE LIMITATIONS

Effluent Characteristic	units (specified)	.....lbs/day.....		units (specified)		Monitoring Requirements	
	Annual Limitation	Monthly Average	Maximum Day	Monthly Average	Maximum Day	Measurement Frequency	Sample Type
Zinc ⁴		52.68	52.68	1.48 mg/l	2.61 mg/l	2 x monthly	Composite
Cyanide ⁴		5.00	21.35	0.65 mg/l	1.20 mg/l	2 x annually	Grab
Oil and Grease ⁴		1734.72	3469.44	26 mg/l	52 mg/l	2 x annually	Grab
Fluoride				17.4 mg/l	28.0 mg/l	2 x monthly	Composite
Hydrogen Peroxide				10.0 mg/l	15.0 mg/l	1 x weekly	Composite
Total Toxic Organics (TTO) (See Attachment D)					1.37 mg/l	1 x quarterly	Grab
Whole Effluent Toxicity, NOEL-C ^{5,6}				> 7%		2 x annually	Composite
pH				Between 6.5 and 8.5 Standard Units		1 x daily	Grab

Samples shall be collected at the final effluent sampling station, prior to discharge to the Winooski River.

- The Ultimate Oxygen Demand (UOD) limitation is only effective from June 1 through October 31 annually. UOD shall be calculated by the following formula:

$$\text{UOD lbs} = [(\text{BOD lbs} \times 1.43) + (\text{TKN lbs} \times 4.57)]$$
- Biochemical Oxygen Demand and Total Kjeldahl Nitrogen monitoring is only required from June 1 through October 31.
- Total Annual Pounds of Phosphorus shall be defined as the sum of all the Total Monthly Pounds of Phosphorus discharged for the calendar year. Total Monthly Pounds of Phosphorus discharged shall be calculated as follows:
 (Monthly Average Phosphorus Concentration) x (Total Monthly Flow) x 8.34 (See Total Phosphorus monitoring report form WR43-PO4.)
- The permittee shall comply with the pounds limitation or the concentration limitation, whichever is more restrictive.
- NOEL-C is the concentration of effluent in a sample that causes No Observed (Chronic) Effect (ie mortality or reduced growth to the test population at a 7 day exposure interval of observation).
- Whole Effluent Toxicity tests shall be conducted between June 1 through October 31. Refer to Condition I.F. for specific test requirements.

A. EFFLUENT LIMITS

2. During the period beginning on the date of signing and lasting through September 30, 2008, the permittee is authorized to discharge from outfall serial number S/N 002: Reverse Osmosis (R.O.) reject water, treater groundwater, and stormwater runoff (see Attachment B). Such discharges shall be limited and monitored by the permittee as specified below

20 Perm "O" **a. R.O. Reject Water**

DISCHARGE LIMITATIONS						
Effluent Characteristic	.....lbs/day.....		..other units (specified)..		Monitoring Requirements	
	Monthly Average	Maximum Day	Weekly Average	Maximum Day	Measurement Frequency	Sample Type
Flow				2.5 mgd	Continuous	Daily avg, max, min
Chloroform (See TTO Attachment D)					1 x quarterly	Grab
Total Residual Chlorine			0.48 mg/l	0.83 mg/l	1 x daily	Grab
pH			Between 6.5 and 8.5 Standard Units		2 x monthly	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the outfall of storm drain #2 (S/N 002). Samples shall not be collected during or immediately following a storm event. This discharge combines with stormwater and treated groundwater prior to discharging from outfall S/N 002.

"P" **b. Stormwater Runoff**

DISCHARGE LIMITATIONS						
Effluent Characteristic	.....lbs/day.....		..other units (specified)..		Monitoring Requirements	
	Monthly Average	Maximum Day	Weekly Average	Maximum Day	Measurement Frequency	Sample Type
Trichloroethylene				monitor only ug/l	1 x monthly	Grab
Tetrachloroethylene				monitor only ug/l	1 x monthly	Grab
1,1,1-trichloroethane				monitor only ug/l	1 x monthly	Grab
Total Dichloroethenes				monitor only ug/l	1 x monthly	Grab
Vinyl Chloride				monitor only ug/l	1 x monthly	Grab
Isopropyl Alcohol				monitor only ug/l	1 x monthly	Grab

DISCHARGE LIMITATIONS				
	.....lbs/day.....		..other units (specified)..	Monitoring Requirements
pH		Between 6.5 and 8.5 Standard Units		1 x monthly Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the outfall of storm drain #2 (S/N 002). Samples shall be collected during or immediately following a storm event unless no storm event occurs in the month. This discharge combines with R.O. reject water and treated groundwater prior to discharging from outfall S/N 002.

The discharge of stormwater runoff at this discharge point shall also be subject to Condition I.E. of this permit.

- c. Treated groundwater, air control pollution equipment, solvent still condensate, and similar wastestreams after review and approval by the Agency after treatment via an ozone and/or activated carbon treatment system.

DISCHARGE LIMITATIONS						
	.....lbs/day.....		..other units (specified)..		Monitoring Requirements	
Effluent Characteristic	Monthly Average	Maximum Day	Monthly Average	Maximum Day	Measurement Frequency	Sample Type
Flow				0.75 mgd	Continuous	Daily max
Trichloroethylene			81 ug/l		2 x monthly	Grab
Tetrachloroethylene			8 ug/l		2 x monthly	Grab
Vinyl Chloride			525 ug/l		2 x monthly	Grab
Total Dichloroethenes				monitor only ug/l	2 x monthly	Grab
Ethlybenzene				monitor only ug/l	2 x monthly	Grab
Total xylenes				monitor only ug/l	2 x monthly	Grab
pH		Between 6.5 and 8.5 Standard Units			2 x monthly	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the outfall of storm drain #2 (S/N 002). Samples shall not be collected during or immediately following a storm event. This discharge combines with R.O. reject water and stormwater prior to discharging from outfall S/N 002.

A. EFFLUENT LIMITS

3. During the period beginning on the date of signing and lasting through September 30, 2008, the permittee is authorized to discharge from outfall serial number S/N 004, 006, 007, 008, 011, 012, 013, and 017, Stormwater runoff, underdrain discharges, and intermittent non-contact cooling water. Such discharges shall be limited and monitored by the permittee as specified below

DISCHARGE LIMITATIONS						
Effluent Characteristic	.....lbs/day.....		..other units (specified)..		Monitoring Requirements	
	Monthly Average	Maximum Day	Weekly Average	Maximum Day	Measurement Frequency	Sample Type
Flow				as occurs	none	none
Trichloroethylene				monitor only ug/l	1 x quarterly	Grab
Tetrachloroethylene				monitor only ug/l	1 x quarterly	Grab
1,1,1-trichloroethane				monitor only ug/l	1 x quarterly	Grab
Total Dichloroethenes				monitor only ug/l	1 x quarterly	Grab
Vinyl Chloride				monitor only ug/l	1 x quarterly	Grab
Isopropyl Alcohol				monitor only ug/l	1 x quarterly	Grab
pH (excludes stormwater runoff) ¹	Between 6.5 and 8.5 Standard Units				1 x quarterly	Grab

Samples shall be taken at a convenient and representative location prior to discharge to the Winooski River.

1 If sample results exceed the pH effluent limitation, then the permittee shall notify the Department within 24 hours and collect a sample at a background location upstream of the outfall and 50 feet downstream of the outfall. If the downstream sample indicates no measurable difference from background conditions, the discharge will be deemed in compliance with this permit.

The discharge of stormwater runoff from all these discharge points shall also be subject to Condition I.E. of this permit.

Discharge Permit No. 3-1295

A. EFFLUENT LIMITS

4. During the period beginning on the date of signing and lasting through September 30, 2008, the permittee is authorized to discharge from outfall serial number S/N 009, 010, 014, 015, 016, 018, and 019, stormwater runoff only.

There are no effluent limitations or monitoring required for these discharge points. All these discharge points shall be subject to Condition I.E. of this permit.

5. The effluent limitation for Ultimate Oxygen Demand (UOD) is based on the Lower Winooski River Wasteload Allocation Order and shall be applicable from June 1st through October 31st only.
6. The effluent shall not have concentrations or combinations of contaminants including oil, grease, scum, foam, or floating solids that would cause a sheen or a visible discoloration of the receiving waters.
7. These discharge shall not cause or contribute to a violation of the water quality standards of the receiving waters.

B. WASTE MANAGEMENT ZONE

In accordance with 10 V.S.A. Section 1252, this permit hereby establishes a waste management zone that extends from the outfall of the International Business Machine Industrial Wastewater Treatment Facility in the Winooski River downstream 1.0 miles.

C. REAPPLICATION

Schedule 53 If the permittee desires to continue to discharge after the expiration date of this permit, he shall apply on the application forms then in use at least 180 days before the permit expires.

Reapply for a Discharge permit by March 31, 2008

D. OPERATING FEES

This discharge is subject to operating fees. The permittees shall submit the operating fees in accord with the procedures provided by the Secretary.

E. STORMWATER POLLUTION PREVENTION PLAN

1. *Schedule 4* Deadlines for Stormwater Pollution Prevention Plan Preparation and Implementation: By no later than June 30, 2004, the permittee shall develop and implement a Stormwater Pollution Prevention Plan (SWPPP). Attachment E provides the minimum requirement of a SWPPP for this facility.
2. Areas of the Facility Regulated: These areas include but are not limited to ground surfaces immediately adjacent to manufacturing areas, processing or material storage areas; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and materials remain and are

exposed to stormwater.

3. Areas of The Facility Not Regulated: These include areas located on facility lands separate from the facilities' industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from areas covered by this permit.
4. Signature and Plan Review: The SWPPP shall be signed by the permittee or a properly designated representative. A copy of the SWPPP shall be kept at the facility and shall be made available to the Secretary or a properly designated representative upon request.
5. The permittee shall amend SWPPP whenever there is a change in design, construction, operation, or maintenance at the facility which has a significant effect on the potential for the discharge of pollutants to the waters of the State or if the SWPPP cannot achieve the general objectives of controlling pollutants in storm water discharges associated with industrial activity.

F. WHOLE EFFLUENT TOXICITY TESTING

1. Annually, two Whole Effluent Toxicity Tests shall be conducted on S/N 001 and shall consist of the following:

Schedule #5

- a. One Whole Effluent Toxicity Test shall be conducted as a one specie (Ceriodaphnia dubia) chronic Whole Effluent Toxicity test and occur between January 1st and February 28th. A hydrogen peroxide analysis shall be conducted on the initial sample, the dilution water, and each aliquot of replenishment water. The results of this test shall be submitted with the appropriate WR-43 discharge monitoring report. *April 15*
- b. One Whole Effluent Toxicity Test shall be conducted as a two species (Pimephales promelas and Ceriodaphnia dubia) chronic Whole Effluent Toxicity test and occur between August 1st and September 30th. A hydrogen peroxide analysis shall be conducted on the initial sample, the dilution water, and each aliquot of replenishment water. The results of this test shall be submitted with the appropriate WR-43 discharge monitoring report. *NOV 15*

2. The tests shall be conducted as specified in: Lewis, PA, DJ Klemm, JM Lazorchak, TJ Norberg-King, WH Peltier, MA Heber (Editors). "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms" (Third Edition). EPA/600/4-91/002. July 1994.
3. Based upon the results of these tests or any other Whole Effluent Toxicity tests conducted on this discharge, this permit may be amended to include additional Whole Effluent Toxicity testing or require a Toxicity Reduction Evaluation be conducted.

G. MONITORING AND REPORTING

1. Sampling and Analysis

The sampling, preservation, handling, and analytical methods used shall conform to regulations published pursuant to Section 304(g) of the Clean Water Act, under which such procedures may be required. Guidelines establishing these test procedures have been published in the Code of Federal Regulations, Title 40, Part 136 (Federal Register, Vol. 56, No. 195, July 1, 1999 or as amended).

If applicable, *Escherichia coli* shall be tested using test method 9213 D, found in Standard Methods for the Examination of Water and Wastewater, 18th or subsequent edition(s).

Samples shall be representative of the volume and quality of effluent discharged over the sampling and reporting period. All samples shall be taken during normal operating hours. The permittee shall identify the effluent sampling location used for each discharge.

2. Reporting

The Permittee shall submit monitoring results as specified on a Discharge Monitoring Report (Form WR-43). Reports shall be submitted by the 15th day of each month, beginning with the month following the effective date of this permit.

If, in any reporting period, there has been no discharge, the permittee shall submit that information by the report due date.

Signed copies of these, and all other reports required herein, shall be submitted to the Secretary at the following address:

Agency of Natural Resources
Department of Environmental Conservation
Wastewater Management Division
103 South Main Street, The Sewing Building
Waterbury, Vermont 05671-0405

All reports shall be signed:

- a. In the case of corporations, by a principal executive officer of at least the level of vice president, or his/her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the permit form originates;
- b. In the case of a partnership, by a general partner;
- c. In the case of a sole proprietorship, by the proprietor;

- d. In the case of a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

3. **Recording of Results**

The permittee shall maintain records of all information resulting from any monitoring activities required including:

- a. The exact place, date, and time of sampling;
- b. The dates and times the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques and methods used including sample collection handling and preservation techniques;
- e. The results of all required analyses.
- f. The records of monitoring activities and results, including all instrumentation and calibration and maintenance records;
- g. The original calculation and data bench sheets of the operator who performed analysis of the influent or effluent pursuant to requirements of Section I.(A) of this permit.

The results of monitoring requirements shall be reported (in the units specified) on the Vermont reporting form WR-43 or other forms approved by the Secretary.

4. **Additional Monitoring**

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form WR-43. Such increased frequency shall also be indicated.

PART II

A. MANAGEMENT REQUIREMENTS

1. Facility Modification / Change in Discharge:

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant more frequently than or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition an enforcement action, including but not limited to civil and/or criminal enforcement actions pursuant to section 1274 and 1275 of the Vermont Water Pollution Control Act, administrative actions pursuant to 10 V.S.A., Chapter 201 and any other available and appropriate civil, criminal and/or administrative actions. Any anticipated facility expansions, production increases, or process modifications which will

result in new, different, or increased discharges of pollutants must be reported by submission of a new permit application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. Noncompliance Notification

In the event the permittee is unable to comply with any of the conditions of this permit due, among other reasons, to:

- a. breakdown or maintenance of waste treatment equipment (biological and physical-chemical systems including, but not limited to, all pipes, transfer pumps, compressors, collection ponds or tanks for the segregation of treated or untreated wastes, ion exchange columns, or carbon absorption units),
- b. accidents caused by human error or negligence, or
- c. other causes such as acts of nature,

the permittee shall notify the Secretary within 24 hours of becoming aware of such condition or by the next business day and shall provide the Secretary with the following information, in writing, within five (5) days:

- i. cause of non-compliance
- ii. a description of the non-complying discharge including its impact upon the receiving water;
- iii. anticipated time the condition of non-compliance is expected to continue or, if such condition has been corrected, the duration of the period of non-compliance;
- iv. steps taken by the permittee to reduce and eliminate the non-complying discharge; and
- v. steps to be taken by the permittee to prevent recurrence of the condition of non-compliance.

3. Operation and Maintenance

All waste collection, control, treatment, and disposal facilities shall be operated in a manner consistent with the following:

- a. The permittee shall, at all times, maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

- b. The permittee shall provide an operating staff which is duly qualified and sufficient in number to carry out the operation, maintenance, and testing functions required to insure compliance with the conditions of this permit; and
- c. The operation and maintenance of this facility shall be performed only by qualified personnel. The personnel shall be certified as required under the Vermont Water Pollution Abatement Facility Operator Certification Regulations.

4. **Quality Control**

The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at regular intervals to ensure accuracy of measurements, or shall ensure that both activities will be conducted.

The permittee shall keep records of these activities and shall provide such records upon request of the Secretary.

The permittee shall demonstrate the accuracy of the flow measurement device weekly and report the results on the monthly report forms. The acceptable limit of error is $\pm 10\%$.

The permittee shall analyze any additional samples as may be required by the Agency of Natural Resources to ensure analytical quality control.

5. **Bypass**

The diversion or bypass of facilities, necessary to maintain compliance with the terms and conditions of this permit, is prohibited, except where authorized under terms and conditions of an emergency pollution permit issued pursuant to 10 V.S.A. Section 1268.

6. **Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to waters of the State resulting from non-compliance with any condition specified in this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

7. **Records Retention**

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed, calibration and maintenance of instrumentation, and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, and shall be submitted to Department representatives upon request. This period shall be extended during the course of ongoing litigation regarding the discharge of pollutants or when requested by the Secretary.

8. Solids Management

Collected screenings, sludges, and other solids removed in the course of treatment and control of wastewaters shall be stored, treated and disposed of in accord with 10 V.S.A., Chapter 159 and with the terms and conditions of any certification, interim or final, transitional operation authorization or order issued pursuant to 10 V.S.A., Chapter 159 that is in effect on the effective date of this permit or is issued during the term of this permit.

9. Emergency Pollution Permits

Maintenance activities, or emergencies resulting from equipment failure or malfunction, including power outages, which result in an effluent which exceeds the effluent limitations specified herein, shall be considered a violation of the conditions of this permit, unless the permittee immediately applies for, and obtains, an emergency pollution permit under the provisions of 10 V.S.A., Chapter 47, Section 1268. **The permittee shall notify the Department of the emergency situation by the next working day.**

10 V.S.A., Chapter 47, Section 1268 reads as follows:

"When a discharge permit holder finds that pollution abatement facilities require repairs, replacement or other corrective action in order for them to continue to meet standards specified in the permit, he may apply in the manner specified by the secretary for an emergency pollution permit for a term sufficient to effect repairs, replacements or other corrective action. The permit may be issued without prior public notice if the nature of the emergency will not provide sufficient time to give notice; provided that the secretary shall give public notice as soon as possible but in any event no later than five days after the effective date of the emergency pollution permit. No emergency pollution permit shall be issued unless the applicant certifies and the secretary finds that:

- (1) there is no present, reasonable alternative means of disposing of the waste other than by discharging it into the waters of the state during the limited period of time of the emergency;
- (2) the denial of an emergency pollution permit would work an extreme hardship upon the applicant;
- (3) the granting of an emergency pollution permit will result in some public benefit;
- (4) the discharge will not be unreasonably harmful to the quality of the receiving waters;
- (5) the cause or reason for the emergency is not due to wilful or intended acts or omissions of the applicant."

Application shall be made to the Secretary of the Agency of Natural Resources, Department of Environmental Conservation, 103 South Main Street, Waterbury, Vermont 05671-0405.

10. Power Failure

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. Provide an alternative power source sufficient to operate the wastewater control facilities, or if such alternative power source is not in existence,
- b. Halt, reduce, or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

B. RESPONSIBILITIES**1. Right of Entry**

The permittee shall permit the Secretary or authorized representative, upon the presentation of proper credentials:

- a. to enter upon the permittee's premises in which an effluent source or any records required to be kept under terms and conditions of the permit are located;
- b. to have access to and copy any records required to be kept under the terms and conditions of the permit;
- c. to inspect any monitoring equipment or method required in the permit; or
- d. to sample any discharge of pollutants.

2. Transfer of Ownership or Control

This permit is not transferable without prior written approval of the Secretary. All application and operating fees must be paid in full prior to transfer of this permit. In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall provide a copy of this permit to the succeeding owner or controller and shall send written notification of the change in ownership or control to the Secretary. The permittee shall also inform the prospective owner or operator of their responsibility to make an application for transfer of this permit. This application must include at a minimum, a written statement from the prospective owner or operator certifying that::

- a. The conditions of the operation that contribute to, or affect, the discharge will not be materially different under the new ownership;
- b. The prospective owner or operator has read and is familiar with the terms of the permit and agrees to comply with all terms and conditions of the permit;

- c. The prospective owner or operator has adequate funding to operate and maintain the treatment system and remain in compliance with the terms and conditions of the permit; and
- d. The date of the sale or transfer.

The Department may require additional information dependent upon the current status of the facility operation, maintenance, and permit compliance.

3. Confidentiality

Pursuant to 10 V.S.A. 1259(b):

“Any records, reports or information obtained under this permit program shall be available to the public for inspection and copying. However, upon a showing satisfactory to the secretary that any records, reports or information or part thereof, other than effluent data, would, if made public, divulge methods or processes entitled to protection as trade secrets, the secretary shall treat and protect those records, reports or information as confidential. Any records, reports or information accorded confidential treatment will be disclosed to authorized representatives of the state and the United States when relevant to any proceedings under this chapter.”

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. violation of any terms or conditions of this permit;
- b. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

5. Toxic Effluent Standards

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the Federal Act for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the secretary shall revise or modify the permit in accordance with the toxic effluent standard and regulations or prohibition and so notify the permittee.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of legal action or relieve the

permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under 10 V.S.A. §1281.

7. Civil and Criminal Liability

Except as provided in, "Bypass" (Part II, paragraph A.5.), "Power Failure" (Part II, paragraph A.10.), and "Emergency Pollution Permits" (Part II, paragraph A.9.), nothing in this permit shall be construed to relieve the permittee from penalties for noncompliance pursuant to 10 V.S.A. §1274 and 10 V.S.A. Chapter 201 or criminal penalties for noncompliance pursuant to 10 V.S.A. §1275.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

9. Property Rights

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

10. Severability

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

11. Authority

This permit is issued under authority of 10 V.S.A. §1259 which states that: "No person shall *discharge any waste, substance, or material into waters of the State, nor shall any person discharge any waste, substance, or material into an injection well or discharge into a publicly owned treatment works any waste which interferes with, passes through without treatment, or is otherwise incompatible with those works or would have a substantial adverse effect on those works or on water quality, without first obtaining a permit for that discharge from the Secretary", and under the authority of Section 402 of the Clean Water Act, as amended.

PART III

A. OTHER REQUIREMENTS

This permit shall be modified, suspended or revoked to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b) (2) (C), and (D), 304(b) (2), and 307 (a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
2. Controls any pollutant not limited in the permit.

The permit as modified under this paragraph shall also contain any other requirements of the Vermont Water Pollution Control Act then applicable.

B. DEFINITIONS

For purposes of this permit, the following definitions shall apply.

The Act - The Vermont Water Pollution Control Act, 10 V.S.A. Chapter 47

Annual Average - The highest allowable average of daily discharges calculated as the sum of all daily discharges (mg/l, lbs or gallons) measured during a calendar year divided by the number of daily discharges measured during that year.

Average - The arithmetic means of values taken at the frequency required for each parameter over the specified period.

The Clean Water Act - The federal Clean Water Act, as amended.

Composite Sample - A sample consisting of a minimum of one grab sample per hour collected during a 24-hour period (or lesser period as specified in the section on Monitoring and Reporting) and combined proportionally to flow over that same time period.

Daily Discharge - The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling.

For pollutants with limitation expressed in pounds the daily discharge is calculated as the total pounds of pollutants discharged over the day.

For pollutants with limitations expressed in mg/l the daily discharge is calculated as the average measurement of the pollutant over the day.

Grab Sample - An individual sample collected in a period of less than 15 minutes.

Incompatible Substance (Pollutant) - Any waste being discharged into the treatment works which interferes with, passes through without treatment, or is otherwise incompatible with said works or would have a substantial adverse effect on these works or on water quality. This includes all pollutants required to be regulated under the Federal Clean Water Act.

Instantaneous Maximum - A value not to be exceeded in any grab sample.

Major Contributing Industry - One that: (1) has a flow of 50,000 gallons or more per average work day; (2) has a flow greater than five percent of the flow carried by the municipal system receiving the waste; (3) has in its wastes a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Act; or (4) has a significant impact, either singly or in combination with other contributing industries, on a publicly owned treatment works or on the quality of effluent from that treatment works.

Maximum Day (maximum daily discharge limitation) - The highest allowable "daily discharge" (mg/l, lbs or gallons).

Mean - The mean value is the arithmetic mean.

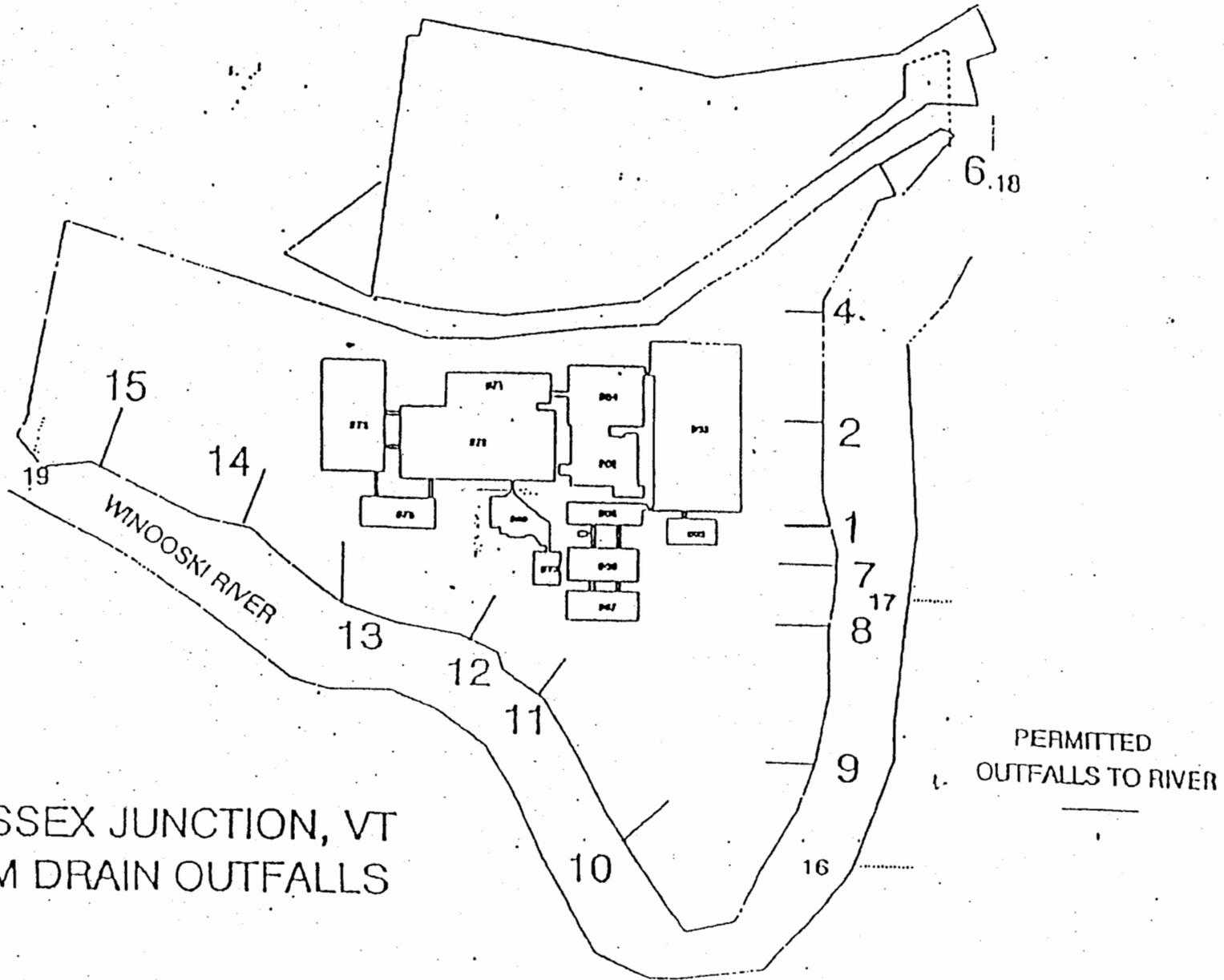
Monthly Average - (Average monthly discharge limitation) - The highest allowable average of daily discharges (mg/l, lbs or gallons) over a calendar month, calculated as the sum of all daily discharges (mg/l, lbs or gallons) measured during a calendar month divided by the number of daily discharges measured during that month.

NPDES - The National Pollutant Discharge Elimination System.

Secretary - The Secretary of the Agency of Natural Resources

State Certifying Agency Agency of Natural Resources
 Department of Environmental Conservation
 Wastewater Management Division
 103 South Main Street
 Waterbury, Vermont 05671-0405

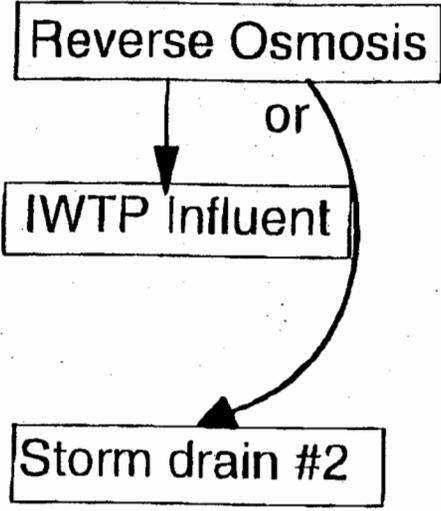
Weekly Average - (Average weekly discharge limitation) - The highest allowable average of daily discharges (mg/l, lbs or gallons) over a calendar week, calculated as the sum of all daily discharges (mg/l, lbs or gallons) measured during a calendar week divided by the number of daily discharges measured during that week.



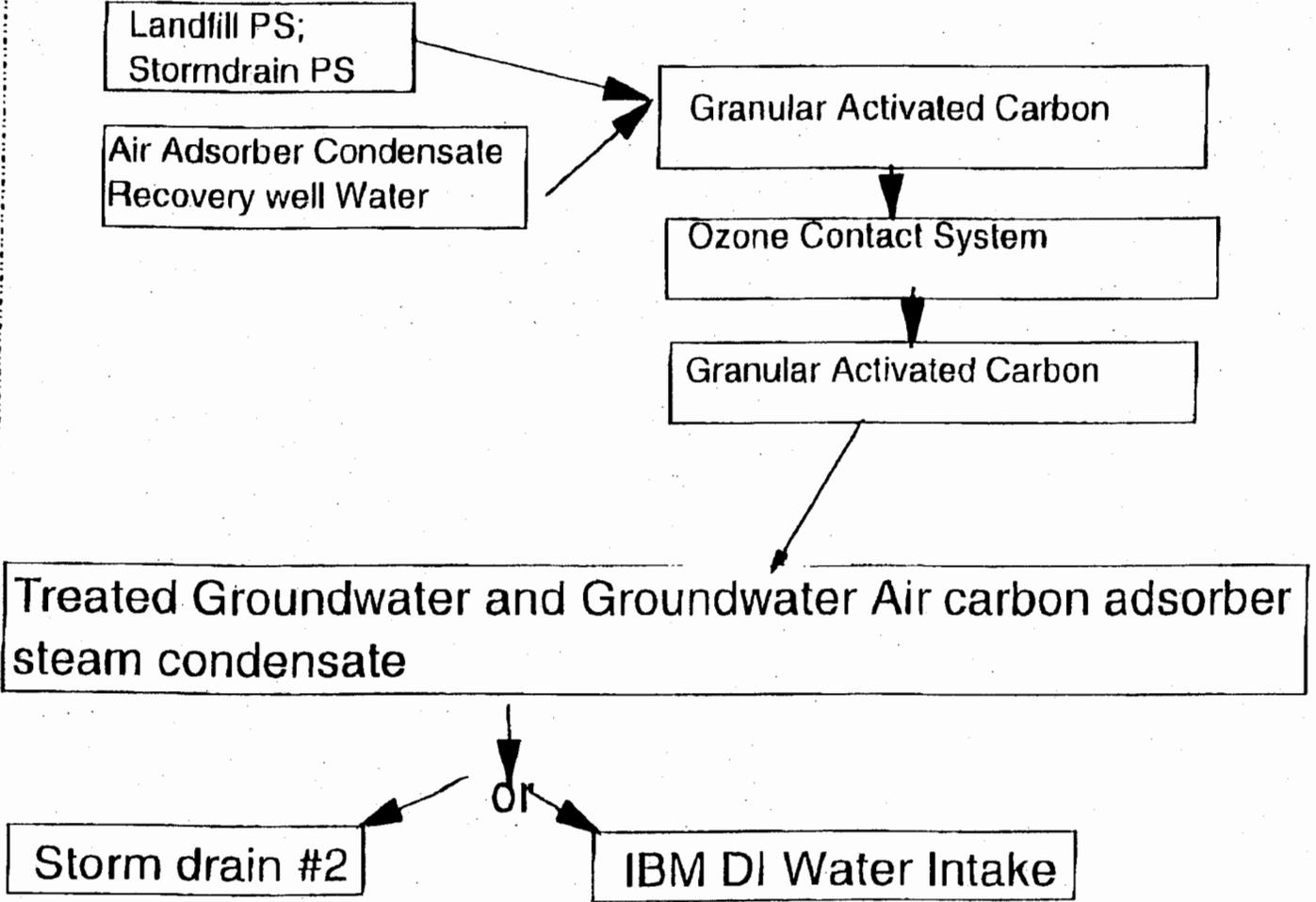
IBM ESSEX JUNCTION, VT
STORM DRAIN OUTFALLS

PERMITTED
OUTFALLS TO RIVER

Storm Drain 2



To SD #2 with prior notification of State NPDES Officer



ATTACHMENT C

Description of Water Source/Storm Drains

Storm Drain #

S/N002	Up to 2,160 gpm of RO Reject of tap water and filter backwash; approx. 520 gpm of treated groundwater and stormwater runoff, intermittent non-contact cooling water.
S/N004	Stormwater runoff.
S/N006	Stormwater runoff & natural stream
S/007	Stormwater runoff & intermittent non-contact cooling water.
S/N008	Stormwater runoff
S/N009	Stormwater runoff
S/N010	Stormwater runoff
S/N011	Stormwater runoff
S/N012	Stormwater runoff
S/N013	Stormwater runoff
S/N014	Stormwater runoff
S/N015	Stormwater runoff
S/N016	Stormwater runoff from Williston Complex Outfall #1 & natural stream
S/N017	Stormwater runoff from Williston Complex Outfall #2 & natural stream
S/N018	Stormwater runoff from off-site & natural stream
S/N019	Stormwater runoff from off-site & natural stream

ATTACHMENT D

Total Toxic Organics

The term "total toxic organics" means the sum of the concentrations for each of the following toxic organic compounds, which are found in the discharge (S/N 001) at a concentration greater than ten micrograms per liter (10 ug/l). The permittee will be required to report the analysis for those individual toxic organics listed below that are greater than ten micrograms per liter.

1,2,4-trichlorobenzene	di-n-butyl phthalate
chloroform*	anthracene
1,2-dichlorobenzene	butyl benzyl phthalate
1,3-dichlorobenzene	1,2-diphenylhydrazine
1,4-dichlorobenzene	1,1-dichloroethylene
ethylbenzene	2,4,6-trichlorophenol
1,1,1-trichloroethane	carbon tetrachloride
methylene chloride	1,2-dichloroethane
naphthalene	1,1,2-trichloroethane
2-nitrophenol	dichlorobromomethane
phenol	trichloroethylene
bis (2-ethylhexyl) phthalate	toluene
tetrachloroethylene	isophorone
2-chlorophenol	4-nitrophenol
pentachlorophenol	2,4-dichlorophenol

*Chloroform has been detected in the intake water, obtained from the Champlain Water District, in concentrations of 0.065 ppm. The source is chlorine used to disinfect the drinking water supply. The intake concentrations will continue to be included in the TTO calculations. Both the concentrations of chloroform from the intake water and from the permittee's wastewater will be shown on monthly monitoring reports. This will more accurately represent the permittee's actual contribution of chloroform to the wastewater discharge.

Attachment E

**Generalized Instructions For Preparation of a
Storm Water Pollution Prevention Plan (SWPPP)**

Contents

SECTION A. DEADLINES FOR PLAN PREPARATION AND IMPLEMENTATION

SECTION B. AREAS REGULATED

SECTION C. AREAS NOT REGULATED

SECTION D. SIGNATURE AND PLAN REVIEW

SECTION E. KEEPING PLANS CURRENT

SECTION F. CONTENTS OF PLAN

- 1 Pollution Prevention Team
- 2 Description of Potential Pollutant Services
 - a. Drainage
 - b. Inventory of Exposed Materials
 - c. Spills and Leaks
 - d. Sampling Data
 - e. Risk Identification and Summary of Potential Pollutant Sources
3. Measures and Controls
 - a. Good Housekeeping
 - b. Preventive Maintenance
 - c. Spill Prevention and Response Procedures
 - d. Inspections
 - e. Employee Training
 - f. Record-Keeping and Internal Reporting Procedures
 - g. Non-Storm Water Discharges
 - h. Sediment and Erosion Control
 - i. Management of Runoff
4. Comprehensive Site Compliance Evaluation
 - a. Visual Inspection

PREFACE

A Storm Water Pollution Prevention Plan (SWPPP) shall be developed for this facility. The USEPA report "Storm Water Management for Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices", report no. EPA 832-R-92-006 should be used to insure this requirement is met.

The Plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the Plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. The permittee shall implement the provisions of the Storm Water Pollution Prevention Plan required under this part as a condition of this permit.

A. DEADLINES FOR PLAN PREPARATION AND IMPLEMENTATION

The SWPPP for this facility shall be prepared and implemented within 180 days from the effective date of the permit unless otherwise specified

B. AREAS OF THE FACILITY REGULATED

These areas include but are not limited to ground surfaces immediately adjacent to manufacturing areas, processing or material storage areas, immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and materials remain and are exposed to storm water.

C. AREAS OF THE FACILITY NOT REGULATED

These include areas located on facility lands separate from the facility's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from areas covered by this permit.

D. SIGNATURE AND PLAN REVIEW

The Plan shall be signed in accordance with PART I. E.2. of this permit and shall be retained on-site at the facility in accordance with PART I.E.3. of this permit.

E. KEEPING PLAN CURRENT

The permittee shall amend the Plan whenever there is a change in design, construction, operation, or maintenance which has a significant effect on the potential for the discharge of pollutants to the waters of the State or if the Storm Water Pollution Prevention Plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Section F.2.e. (Description of Potential Pollutant Sources), below, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity.

F. CONTENTS OF PLAN

The Plan shall include, at a minimum, the following items:

1. **Pollution Prevention Team:** The Plan shall identify a specific individual or individuals within the facility organization as members of a Storm Water Pollution Prevention Team who are responsible for developing the Storm Water Pollution Prevention Plan and assisting the facility or Plant manager in its implementation, maintenance, and revision. The Plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's Storm Water Pollution Prevention Plan.
2. **Description of Potential Pollutant Sources:** The Plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants with dry weather flows from separate storm sewers draining the facility. The Plan shall identify all activities and significant materials which may be potentially significant pollutant sources. The Plan shall include, at a minimum:
 - a. **Drainage**
 - i. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Section F.2.c. (Spills and Leaks) below, have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing area and storage areas.
 - ii. For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of chemicals, quantity of chemicals used, produced or discharged, the likelihood of contact with storm water, and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.
 - b. **Inventory of Exposed Materials:** The Plan shall include an inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of, three years prior to the date of the issuance of this permit and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of, three years prior to the date of the issuance of this permit and the present; the location and description of existing structural and non-structural control measures to reduce pollutants in storm water runoff, and a description of any treatment the storm water receives.
 - c. **Spills and Leaks:** The Plan shall include a list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that

otherwise drain to a storm water conveyance at the facility after the date of three years prior to the effective date of this permit. Such a list shall be updated as appropriate during the term of the permit.

- d. **Sampling Data:** The Plan shall include a summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.
 - e. **Risk Identification and Summary of Potential Pollutant Sources:** The Plan shall include a narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concern shall be identified.
3. **Measures and Controls:** The permittee shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in the Plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:
- a. **Good Housekeeping:** Good housekeeping requires the maintenance of areas, which may contribute pollutants to storm water discharges, in a clean, orderly manner.
 - b. **Preventive Maintenance:** A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g. cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.
 - c. **Spill Prevention and Response Procedures:** Areas where potential spills, which can contribute pollutants to storm water discharges, can occur and their accompanying drainage points shall be identified clearly in the Storm Water Pollution Prevention Plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the Plan should be considered. Procedures for cleaning up spills shall be identified in the Plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.
 - d. **Inspections:** In addition to or as part of the comprehensive site evaluation required under Section F.4. (Comprehensive Site Compliance Evaluation) below, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the Plan. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.
 - e. **Employee Training:** Employee training programs shall inform personnel responsible for implementing activities identified in the Storm Water Pollution Prevention Plan or otherwise responsible for storm water management, at all levels of responsibility, of the components and goals of the Storm Water Pollution Prevention Plan. Training should address topics such as spill response, good housekeeping and material management practices. The Plan shall identify

periodic dates for such training.

- f. Record-Keeping and Internal Procedures: A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the Plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the Plan.
 - g. Non-Storm Water Discharges: Except for flows from fire fighting activities, sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the Plan. The Plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.
 - h. Sediment and Erosion Control: The Plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.
 - i. Management of Runoff: The Plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The Plan shall provide measures that the permittee determines to be reasonable and appropriate and these measures shall be implemented and maintained. The potential of various sources at the facility which contribute pollutants to storm water discharges, associated with industrial activity (see F.2.e - Description of Potential Pollutant Sources) above shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetated swales and filter strips, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.
4. Comprehensive Site Compliance Evaluation. The appropriate responsible individual(s) shall conduct site compliance evaluations at least once per year. The compliance evaluation shall verify that the description of the potential pollutant sources identified in Section F.2.e. is accurate and that the storm water management controls identified in Section F.3.i are being implemented and are adequate. Necessary revisions to the Plan shall be made as a result of the inspection. A report summarizing the annual inspection must be prepared and kept on file with the Plan.
- a. Visual inspections: The storm water management system and locations of areas which are exposed to precipitation or storm water, including but not limited to fueling stations, vehicle and equipment maintenance and/or cleaning areas, material handling areas, material storage areas, processing areas, and disposal areas must be visually inspected at appropriate intervals identified in the Plan. The inspection shall determine:
 - i. if there is a potential for pollutants to enter the storm water management system;
 - ii. if there is evidence that pollutants have entered the storm water management system;
 - iii. if other non-storm water discharges are present;
 - iv. whether existing measures to reduce pollutant loadings are adequate and properly implemented; and
 - v. whether additional control measures are necessary.