



Hear ye, hear ye! The Commonwealth of Kentucky has finally re-issued the KPDES General Permit for the Discharge of Stormwater Runoff Associated with Industrial Activities

By Kyle R. Hagen, P.E./May 2013

The Kentucky Division of Water (DOW) has finally re-issued the Kentucky Pollutant Discharge Elimination System (KPDES) general permit for the discharge of stormwater runoff associated with industrial activities (KYR000000). This new KPDES general permit will cover all industrial facilities that need to obtain new coverage; need to renew an existing coverage such as those facilities currently operating under the expired General KPDES Permit for Storm Water Point Source Discharges – Other Facilities (expired on September 30, 2007); or need to modify an existing coverage. In addition, any facility which has previously obtained coverage under the individual KPDES stormwater discharge permits (IPs) between October 1, 2007 and June 1, 2013, may be eligible for coverage under this new KPDES general permit, assuming that they are not excluded and qualify for coverage.

This new KPDES General Permit was signed on May 1, 2013 and will become effective on June 1, 2013. The following are the timeframes for electronic submittal of the Notice of Intent (NOI) to operate a new, existing or modified facility under this new KPDES General Permit:

- a) Initial coverage for a new facility requires electronic submittal of the NOI 15 days prior to commencement of discharge.
- b) Initial coverage for an existing facility requires electronic submittal of the NOI 15 days after the effective date, June 1, 2013, of the new KPDES General Permit.
- c) Modification of existing coverage to address facility modifications requires electronic submittal of the NOI 15 days prior to the modification of the facility.
- d) For facilities with existing coverage granted prior to September 30, 2007 under the previous KPDES General Permit, the NOI is required within 90 days of the effective date, June 1, 2013, of the new KPDES General Permit to renew coverage.

The new KPDES General Permit continues to have non-numeric requirements for Flow, TSS, Oil & Grease and pH but does have some numeric thresholds for various toxic pollutants if you have reason to believe that toxic pollutants have been or shall be discharged in excess of the notification levels provided in the new KPDES General Permit. In addition, the new KPDES general permit has new requirements such as electronic reporting of the Discharge Monitoring Reports (DMRs) submitted by July 28th and January 28th of each year, outfall signage is required

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for discharges to the Ohio River and recommended for all others and noncompliance reporting to the DOW within 24-hours of the permittee becoming aware for any noncompliance.

Lastly, the new KPDES General Permit includes new requirements for the content of the Stormwater Pollution Prevention Plan (SWPPP) (titled Best Management Practices Plan in the previous expired KPDES general permit). Some of these new requirements include maintaining a daily precipitation log; maintaining a control measure maintenance and repairs log; creation of a Stormwater Pollution Prevention Team; preparing a schedule or procedure for regular pickup and disposal of waste materials; preparing preventative maintenance procedures such as regular inspections, testing and maintenance; and performing an Annual Site Assessment conducted by the SWPPP Team. The previously authorized facilities that submit an NOI for coverage under this new KPDES General Permit are allowed **180 days (6 months)** to update their existing SWPPP to reflect any modifications required by the permit.

The entire permit and links to the electronic NOI can be found in the following online press release from the Division of Water: <http://kydep.wordpress.com/2013/05/06/division-of-water-re-issues-industrial-stormwater-general-permit/>



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