



# ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM (AZPDES)

## FACT SHEET

for

### AZPDES General Permit for De Minimis Discharges to Waters of the United States (AZG2016-001)

#### INTRODUCTION

This Fact Sheet relates to the Arizona Department of Environmental Quality (ADEQ) 2016 AZPDES General Permit for De Minimis Discharges. Hereinafter, the terms “permit” or “De Minimis General Permit” or “DMGP” will be used. “Department” refers to ADEQ unless otherwise specified. This general permit is applicable to De Minimis discharges in Arizona except for those in Indian Country as defined by Federal law (Title 18 USC §1151); those tribal areas continue to be the jurisdiction of EPA Region 9. (See discussion of Part I.A., below, for further details).

This permit replaces the previous AZPDES De Minimis General Permit (AZG2010-001) which was issued by ADEQ on April 27, 2010, for a five-year term. The 2010 DMGP will remain administratively continued until the effective date of the 2016 DMGP. The new permit is also being issued for a five-year term, expiring in 2021 on the anniversary of the permit effective date. Pursuant to Arizona Administrative Code (A.A.C.) R18-9-C905, ADEQ may modify or revoke and reissue this permit before it expires if certain conditions presented in 40 CFR 122.62(a) or (b) are met.

This Fact Sheet is written in an informal style that does not necessarily reflect verbatim the actual language used in the permit. It is intended to help the regulated community and other readers understand the intent and basis of the actual permit language. If any discrepancy exists between this summary and the actual DMGP language, permittees must comply with the DMGP as written.

#### BACKGROUND

Under Arizona Revised Statutes (A.R.S.) Title 49, Chapter 2, Article 3.1, it is unlawful to discharge to waters of the United States (U. S.) except in conformance with an AZPDES permit. “Waters of the U. S.” is defined in 40 CFR122.2 and generally refers to surface waters (not ground water).

There are two basic types of AZPDES permits: individual permits and general permits. An individual permit is typically issued for discharges from a single facility for a multi-year period, and often requires a lengthy period for review and issuance. As an alternative to individual permits, Arizona’s AZPDES

regulations authorize the issuance of general permits (A.A.C. R18-9-C901) for categories of discharges located within common geographic areas, that:

- Involve the same or substantially similar types of operations;
- Discharge the same types of wastes or engage in the same types of disposal practices;
- Require the same effluent limitations, operating conditions, or standards;
- Require the same or similar monitoring; and
- Are more appropriately controlled under a general permit than under an individual permit.

A general permit is a cost-effective and efficient means for ADEQ to authorize discharges from a large number of similar facilities or sites, while ensuring consistency in permit conditions for similar discharges. This approach also benefits an applicant by significantly shortening the time necessary to obtain permit coverage, compared with the individual AZPDES permit process.

Accordingly, ADEQ has developed the DMGP to allow a range of De Minimis discharges to be authorized under one general permit. These include discharges from maintenance of potable water systems, well development, aquifer testing, hydrostatic testing of pipelines, subterranean dewatering, and other projects (see Part I.B., below). These are discharges which, if properly managed, will not have significant impacts on water quality or the environment. Eligible discharges are generally infrequent, of low volumes, or of short durations (less than 30 consecutive days unless otherwise authorized in writing by ADEQ). They require similar best management practices (BMPs) to minimize any pollutants. They typically involve a limited set of pollutants (suspended sediment, trace metals, chlorine, oil and grease, high or low pH, bacteria, or organic debris), and require similar monitoring based on the type of waterbody receiving the discharge. All of these factors make these types of discharges more appropriately controlled under a general permit than under individual AZPDES permits.

NOTE: When the requirements of a general permit do not adequately address the activity at a facility or if ADEQ determines that the discharge is a significant contributor of pollutants, an individual permit may be required so that permit conditions can be customized to the discharge site (DMGP Part V.P.). Application requirements for individual AZPDES permits are found at A.A.C. R18-9-B901.

## **CHANGES in 2016 DMGP from 2010 DMGP**

Below is a summary of most of the substantive changes in the 2016 DMGP from the 2010 DMGP. Unless stated otherwise, numbering is as shown in the 2016 DMGP. **Additional changes made following the public comment period for the draft 2016 permit are listed in the accompanying “Response to Comments” (RTC) document.** An overall “SUMMARY OF PERMIT CONDITIONS” follows this section.

### **1. Changes pertaining to multiple sections:**

- Provisions on timing and process for authorizations (Part II.B. in the 2010 DMGP) have been moved and are now integrated into the appropriate sections of the “Application for Coverage” section (**Parts II.A.3, -4, -8, -9, and -12**) in the 2016 DMGP. “EXCEPTIONS” to such timing are still listed in **Part II.B.**
- References to timing that were stated in “business days” in the 2010 DMGP have been changed to calendar days. “Five (5) business days” has been changed to “seven (7) calendar days” (**Parts II.A.3.a. and II.C.2.**). “Thirty (30) business days” has been changed to “thirty (30) calendar days” (**Parts II.A.3.b., II.A.8., and III.A.2.c.**), effectively reducing the length of time specified.

2. **I.B.4.c.** For hydrostatic test water from used oil/gas facilities: subject to Specific Approval, the permit allows alternative handling of such discharges that would not be subject to an APP Type 1.03 General Permit (involving a lined impoundment). An example would be releasing the test water into tanks for subsequent sampling and analysis prior to discharge.
3. **I.B.4.e. and I.B.5.** The 2016 DMGP allows coverage for discharges of Class A or B reclaimed water (in addition to Class A+ or B+) if authorized under a specific approval. The lack of “+” means the reclaimed water is not subject to the total nitrogen limitation of 10 mg/L that applies to Class A+ and Class B+ under Arizona reclaimed water quality standards (A.A.C. R18-11-303). Note that there are limitations on the types of receiving waters for eligible discharges of Class A and B reclaimed water (Parts I.C.7. and I.C.8.).
4. **I.B.6.** The 2010 DMGP allowed discharges covered under this section (charitable non-commercial car washes, building and street wash water, etc.) to be made only to ephemeral or effluent-dependent waters or non-DWS-use canals. Per stakeholder comments, compliance with this restriction may be difficult to determine when such discharges are made via a storm sewer system that has outfalls to various types of receiving waters. To provide a clearer means of delineation, the DMGP allows discharges from the listed sources if the site of the activity is not within ¼ mile of perennial or intermittent waters or Outstanding Arizona Waters (OAWs). The permit also states that discharges must be minimized to the extent practicable. As in the 2010 DMGP, such discharges are not authorized to be made to DWS use canals.
5. **I.B.6.a.** For air conditioning condensate, the “residential” qualifier has been removed per stakeholder comment that ADEQ’s stormwater general permits do not have this restriction. Evaporative cooler overflows remain specified as residential; commercial and industrial facilities should be able to prevent them.
6. **I.B.6.b., Charitable non-commercial car washes.** “*Biodegradable soap*” has been changed to “*phosphate-free cleaning agents formulated specifically for exterior car washing, that do not contain organic (carbon-based) solvents*”. This change reflects the usage of the term “soap” for various preparations that may be used for washing cars. Few of these preparations are true soaps (*i.e.*, derived from animal or vegetable fats). It is not ADEQ’s intention to specify “soap” in that specific sense. The term “biodegradable” has been removed because it can have several definitions and may be subject to false product claims. A technical definition of “biodegradable” would not be workable for users of this permit, since technical product information on biodegradability is not often readily available. “Phosphate-free” has been added in light of nutrient criteria that apply to many Arizona surface waters (A.A.C. R18-11-109(F)). The restriction against “organic (carbon based) solvents” is intended to prevent the discharge of solvent-based cleaners to surface waters, in accordance with DMGP Part I.C.5.
7. **I.B.6.c., Building and street wash water.** “*Biodegradable soap*” has been changed to “*phosphate-free cleaning agents that do not contain organic (carbon-based) solvents*”. See Change Item I.B.6.b., above, for explanation.

8. The DMGP specifies the following additional BMPs in consideration of the changes to potential receiving waters in **Part I.B.6.**, discussed above.
- **I.B.6.b.** To minimize runoff from charitable non-commercial car wash events, the permit requires that water must be used in the least amount necessary to do the job. It also specifies certain types of cleaning agents (if any are used), as discussed above.
  - **I.B.6.c.** The permit specifies discharges from exterior building washing. For building and street wash water, both the 2010 DMGP and the 2016 permit require any accumulations of pollutants to be removed prior to washing that would result in a discharge. The permit specifies that any such materials must be disposed of properly after removal. It also specifies certain types of cleaning agents (if any are used), as discussed above. This Fact Sheet provides clarification about the intent of DMGP coverage for discharges from street washing (see discussion of Part I.B.6. under SUMMARY OF PERMIT CONDITIONS.)
  - **I.B.6.d.** The 2010 DMGP required swimming pool drainage to be dechlorinated or debrominated before release from the permittee's premises, but did not specify applicable chlorine/bromine levels. In the 2016 DMGP, "dechlorination/debromination" means free chlorine/bromine is measured at "0" with a pool test kit, or total residual chlorine/bromine is measured at or below 0.02 mg/L with a more sensitive test device.
9. **I.C., Limitations on coverage.** The following have been added to the Limitations on Coverage (types of discharges for which DMGP coverage is not available):
- **I.C.3.** Discharges of reclaimed water from impoundments or water features, except for discharges necessary for maintenance or repair (subject to Specific Approval). This limitation is not new in practice but has been added to make it clear that discharges of reclaimed water from impoundments or water features normally require *individual* AZPDES permits, except as indicated.
  - **I.C.4.** Discharges resulting directly from pipeline breaks or leaks. This limitation is not new in practice and was explained in the AZPDES Fact Sheet for the 2010 DMGP, but it has not been widely understood. The intent of stating it in the permit is to make this information clear to permittees and prospective applicants. An exception has been made for potable water pipelines in accordance with DMGP Part I.B.1.c. (as explained in the RTC document).
  - **I.C.8.** Discharges of Class A or B reclaimed water to impaired waters for which nitrogen or phosphorus is listed as a cause of impairment in *Arizona's Integrated 305(b) Assessment and 303(d) Listing Report*; or to perennial waters with nutrient standards in A.A.C. R18-11-109(F), Nutrient criteria. See discussion of Part I.C.8. under "SUMMARY OF PERMIT CONDITIONS" in this Fact Sheet.
10. **I.C.7.** In accordance with I.B.4.e. and I.B.5. above, Class A or B reclaimed water is no longer categorically excluded from coverage.
11. **II.A.1.** Holders of existing authorizations under the 2010 DMGP will not have to submit new Notices of Intent (NOIs). Coverage will automatically transfer to the 2016 DMGP, subject to the conditions in **Part III.A.1.**

12. **II.A.2.** Language has been adjusted to correspond with changes to **Part I.B.6.**, discussed above.
13. **II.A.3. and -4.** Submittal of the BMPP to ADEQ will no longer be routinely required with the NOI for single-source discharges to perennial or intermittent waters, provided the discharge point is not within ¼ mile of an OAW or impaired water. For discharge points to any surface water within ¼ mile of an OAW or impaired water, BMPP submittal will be required. These proposed provisions are consistent with SWPPP submittal requirements in ADEQ's 2013 Construction General Permit.
14. **II.A.3.a. and -b.** For discharges to ephemeral or effluent-dependent waters or non-DWS use canals at discharge points within ¼ mile of perennial or intermittent waters, the timing of authorization will be thirty (30) days instead of seven (7) days, to coordinate with the revision of **Part III.B.10.** This will allow time for review of the water quality data or rationale required for discharges within the ¼ mile threshold.
15. **II.A.5.** Providers of Class A and B reclaimed water will be eligible for Areawide DMGP coverage. (Only Class A+ and B+ were allowed in the 2010 DMGP). This corresponds with changes pertaining to reclaimed water in DMGP Part I. Note that there are limitations on the types of receiving waters for eligible discharges of Class A and B reclaimed water (Parts I.C.7. and I.C.8.)

With regard to areas that may be covered in an Areawide authorization, terminology has been changed from "water supply service area" to "public water system" (PWS) for conformance with statutory definition, now referenced in Part VII.B. Since "public water system" is a more specific term meaning a system providing potable water, this proviso now also includes "reclaimed water system" as an area that may be covered.

16. **II.A.6.** Hydrostatic testing of pipelines/vessels that have been used to transport oil or gas were not eligible for Projectwide coverage under the 2010 DMGP. The 2016 DMGP allows Projectwide coverage for them, for better oversight and consistency of monitoring requirements, etc. (compared with multiple single-source NOIs).
17. **II.A.10. (1<sup>st</sup> paragraph).** This item cites DMGP Part V.G., Property Rights. It has been added to emphasize that the DMGP does not convey the right to discharge to property or facilities not owned or operated by the permittee, such as a storm sewer system or canal. Permission for any such use of a property or facility is between the applicant and the affected owner or operator, and is separate from a DMGP authorization to discharge to waters of the U.S.
18. **II.A.10. (2<sup>nd</sup> paragraph).** The 2010 DMGP required the applicant to send a copy of the NOI to the owner/operator of any affected storm sewer or other conveyance. Changes:
  - Rather than a copy of the NOI, the applicant will be required to send a copy of the discharge authorization.
  - The permit requires a copy to be sent if the discharge will enter a regulated municipal separate storm sewer system (MS4). The discussion of DMGP Part II.A. in this Fact Sheet clarifies that owners/operators of MS4s and other conveyances may have their own conditions for use of their facilities. Those conditions may include sending a copy of the discharge authorization, whether or not the facility is a regulated MS4.

19. **II.D.** This new section addresses fees for DMGP coverage. AZPDES program fees were established by rule effective July 1, 2011 (18 A.A.C. 14, Article 1). The permit states the categories and fees assigned to various types of DMGP coverage under A.A.C. R18-14-109. State agencies are exempt from paying these fees (A.R.S. §49-203(A)(8)).
20. **II.E.1.** The 30-day deadline for submitting a Notice of Termination (NOT) has been removed, except as provided in DMGP Part II.E.2. For NOT submittals involving sampling results, 30 days is often not enough time. A universal deadline is now unnecessary because most permittees submit NOTs as soon as possible, knowing they will be billed an annual fee later if this is not done.
21. **II.E.2.** Detail has been added to the item on NOT requirements when there is a change of ownership or responsibility for a discharging facility, reflecting A.A.C. R18-9-C904. The permit modification listed for item **II.E.1.**, above, does not apply in this case, since the 30-day deadline for NOT submittal is specified in rule. Language has been added to clarify that submittal of a NOT is not required when there is a change of responsible official within the organization that holds a discharge authorization.
22. **III.A.1.** See note for **Part II.A.1.**, above. For existing, non-terminated discharge authorizations under the 2010 DMGP, no NOI will be required but the BMPP will have to be updated as necessary within 120 days of the effective date of the 2016 DMGP. The permittee will not have to submit the updated BMPP to ADEQ unless specifically requested by the Department. The BMPP update will not be required if a NOT is submitted within the 120 days.
23. **III.B.10.d.** Like the 2010 DMGP, the 2016 DMGP requires the NOI to include discharge sampling results or other representative water quality data for discharges to perennial, intermittent, or effluent-dependent waters (EDWs), OAWs, or impaired waters. The 2010 DMGP also required such data submittal for discharges “that may reasonably be expected to reach such waters” although made directly to ephemeral waters or non-DWS use canals. Because of the uncertainty involved in determining when the latter proviso would apply, it has been removed from the 2016 DMGP.

Instead, the DMGP requires such water quality data submittal generally when discharge points are within ¼ mile of perennial or intermittent waters, EDWs, OAWs, or impaired waters. To allow flexibility for proposed discharges that are within the ¼-mile threshold but clearly would not reach such waters, the permit allows ADEQ to waive the water quality data requirement upon a sufficient showing by the applicant. For proposed discharges outside the ¼-mile threshold, ADEQ may require water quality data submittal with the NOI in specific cases.

24. **III.B.10., “EXCEPTION”.** For Areawide, Facilitywide, or Projectwide NOIs, the 2010 DMGP has certain restrictions on the use of “Table 2 - Unspecified Discharge Locations” for discharges to impaired waters or OAWs. The 2016 permit allows Table 2 to be used for applicable types of discharges to impaired waters, subject to ADEQ approval. The permit still has the original restrictions on the use of Table 2 for discharges to OAWs.
25. **III.B.16.** A complete NOI must include payment of the appropriate fee, if applicable (see note pertaining to Part II.D., above).
26. **III.C.** As in the 2010 DMGP, this section provides ADEQ’s main office address for NOI submittal. However, faxing has been deleted as a mode of NOI submittal for consistency with NOI fee payment requirements, and to ensure ADEQ receives the original signed document. The permit reflects

current procedure which allows NOIs to be submitted only by mail, delivery service, or hand-delivery. However, language has been added to allow for other submittal methods in the future.

27. **IV.A.3.** This section has been modified to clarify that a new NOI must be filed when responsibility for discharge activities are transferred to another person (as defined in Part VII.B.), but not when there is a change of responsible official within the organization that holds the authorization. In that case an amended NOI must be filed to provide the new official's information and signature.
28. **IV.D.2.c.iv.** This section now specifies the minimum elements to be included in a dechlorination treatment plan, if used. Like the 2010 DMGP, the 2016 permit allows a treatment plan as an alternative to conducting the low-level total residual chlorine (TRC) monitoring normally required for discharges to certain surface water types. Detail has been provided to remove uncertainty as to what ADEQ will require in such a treatment plan.
29. **IV.D.2.c.vi.** In the 2010 DMGP this item stated the permittee must control total residual chlorine (TRC) according to the canal owner/operator's requirements. The language has been modified to indicate simply that any dechlorination requirements for discharges to non-DWS use canals are up to the canal owner/operator.
30. **IV.D.3.** This new proviso clarifies that the permittee may incorporate flexibility into the BMPP by identifying several types of controls from which the operator may select for a given type of discharge.
31. **V.K.3.** This section has been modified to reflect the above-referenced change in **Part IV.A.3.** (a change of responsible official within permittee's organization requires an amended NOI rather than a new NOI).
32. **V.M.** The 2010 DMGP language indicating that any AZPDES discharge also required an Aquifer Protection Permit has been deleted. ARS §49-241(B) no longer includes "point source discharges to navigable waters" in the list of facilities requiring an APP (2010 Laws).
33. **VII.B., Definitions.**
  - "Discharge point" – This definition has been added to clarify that the term, for purposes of the DMGP, means the point where a discharge enters a water of the U.S.
  - "Municipal Separate Storm Sewer System" (MS4) – a link to ADEQ's web site listing of regulated Phase I and Phase II MS4s has been added to this definition for convenience.
  - "Public water system" – This added definition references the definition in Arizona Revised Code § 49-352(B). See explanation above pertaining to **Part II.A.5.**
34. **Appendix A, Part A.1., Monitoring Requirements.** The second paragraph has been added to emphasize the requirement that any required sampling must be representative of the discharge. This language is the same as in Part IV.E.(1)(c), in both the 2010 DMGP and the 2016 permit.

## SUMMARY OF PERMIT CONDITIONS

The “Part” numbers below refer to those in the 2016 DMGP.

**Definition of “De Minimis discharge”:** A fundamental provision of the DMGP is the definition of De Minimis discharge found in **Part VII.B.** of the permit. As defined, a De Minimis discharge is a discharge to waters of the U.S. which:

- meets the applicable surface water quality standards;
- is a low-flow and/or low-frequency event, or is otherwise determined by ADEQ to be appropriate for DMGP coverage;
- is conducted with appropriate BMPs in accordance with Part IV.D. of the permit; and
- does not last continuously for longer than 30 days unless written approval for a longer discharge is issued in advance by the Department.

Proposed discharges must be consistent with this definition in order to be eligible for DMGP coverage, and are also subject to the “Limitations on Coverage” discussed below (Part I.C. of the permit).

### Part I.A. Permit Area and Applicability

The DMGP is applicable within the State of Arizona, except for Indian Country. Indian Country, as defined in U. S. Code Title 18 §1151, includes all land within the limits of any Indian reservation under the jurisdiction of the United States government, all dependent Indian communities within the borders of the U. S., and all Indian allotments to which the Indian titles have not been extinguished. ADEQ does not have permitting authority in Indian Country, even on private fee lands. Operators in Indian Country must pursue permitting through U.S. EPA Region 9 or federally recognized tribes granted “treatment as state” status or primacy by U.S. EPA over specific environmental programs.

For discharges in Indian Country that may reasonably be expected to reach waters of the U.S. within State lands, the operator should check with ADEQ regarding the need for AZDPES permit coverage.

### What discharges need coverage?

Under A.R.S. § 49-255.01, any discharge to waters of the U.S. (regulated surface waters) requires coverage under an AZPDES permit, unless excluded from permit requirements under A.A.C. R18-9-A902.G., or as part of a remedial action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. Section 9621(e)(1)] and associated regulations [(40 CFR 300.400(e)(1))]. For eligible discharges, one of the options for obtaining coverage is via the DMGP. Certain non-stormwater discharges may be allowable under the general permits for construction or industrial stormwater. An individual AZPDES permit application is also an option, but the process of obtaining DMGP coverage is generally much simpler and quicker. Regardless of which permit option is chosen, permit coverage must be in place at the time of discharge.

Discharges to retention basins outside of waters of the U.S. with no potential to reach waters of the U.S. do not need AZPDES coverage. Such discharges may, however, require an Aquifer Protection Permit.

## **Discharges to Municipal Separate Storm Sewer Systems (MS4s) or other conveyances**

Discharges made to waters of the U.S. by way of a Municipal Separate Storm Sewer System (MS4) or another conveyance require AZPDES permit coverage. However, a DMGP authorization does not confer any right or permission to utilize the MS4 or conveyance to conduct discharges (DMGP Part II.A.10.). Any such permission or conditions for use of the facility are solely under the authority of the MS4 or conveyance operator. Prospective applicants for DMGP coverage should contact the operator of any affected MS4 or conveyance in advance for permission to use the facility.

If ADEQ issues a DMGP authorization for discharges that may enter a regulated MS4, the permittee must send a copy of the authorization to the owner/operator of the MS4 (DMGP Part II.A.11.). A link to ADEQ's web page listing of regulated MS4s (Phase I and Phase II) is provided in DMGP Part VII.B., under the definition of "Municipal Separate Storm Sewer System".

### **Part I.B. Activities Eligible for Authorization.**

This permit provides coverage for the following types of discharge activities, subject to the terms and conditions of the permit:

- **I.B.1. Potable water systems:** discharges associated with the operation of potable water systems, such as disinfection and flushing activities, hydrostatic testing, pressure releases, overflows, wells that have been approved by ADEQ for drinking water use, and military Tactical Water Purification System (TWPS) operations of thirty (30) days or less.
- **I.B.2. Subterranean dewatering:** discharges associated with subterranean dewatering, except for discharges from vaults and from mining activities. Discharges from vaults may be considered for coverage under the Specific Approval provision of Part I.B.7.
- **I.B.3. Well development and maintenance, and aquifer testing:** discharges associated with drilling, development, maintenance, or rehabilitation of non-potable water wells, wells being developed for potable use, or piezometers; and discharges from water supply or water quality investigations. NOTE: discharges from soil and groundwater remediation projects are subject to the limitation in Part I.C.1., discussed below.
- **I.B.4. Hydrostatic testing (other than for potable water systems):**

Source water for eligible hydrostatic testing discharge is generally limited to groundwater, surface water, or potable water. However, for discharges to ephemeral or effluent-dependent waters or non-DWS use canals, the use of Class A+ or B+ reclaimed water is routinely eligible. Discharge of Class A or B reclaimed water may be allowable under a Specific Approval (Part I.B.7.). For perennial, intermittent, or impaired surface waters, occasional short-term discharges of reclaimed water (Class A+, A, B+, or B) may be allowable subject to Specific Approval (Part I.B.7.). Dechlorination may be required in order for reclaimed water to meet the applicable surface water quality standard for TRC. NOTE: Discharges of reclaimed water are subject to the "Limitations on Coverage" stated in Parts I.C.7. and 8.

Eligible hydrostatic testing activities include:

- Discharges associated with testing of new pipelines, tanks or vessels; or components of sewer systems or reclaimed water systems.

- Discharges associated with the testing of pipes, tanks, or vessels that have been previously used to transport oil or gas, provided the conditions of a Type 1.03 General Permit or an individual permit under Aquifer Protection Permit rules (A.A.C. R18-9-B301.C.) have been met, and the water quality has been found to meet all applicable surface water quality standards. The 2016 permit allows for Specific Approval of alternative handling of such discharges that would not be subject to an APP Type 1.03 General Permit (*i.e.*, that would not involve releases to an impoundment). An example would be containing the test water in tanks for subsequent sampling and analysis prior to discharge.
- **I.B.5. Reclaimed water systems:** discharges from reclaimed water systems utilizing Class A+ or B+ reclaimed water, relating to post repair flushings and pressure releases when the discharges are to ephemeral or effluent-dependent waters, or non-DWS use canals. Discharges of Class A or B reclaimed water may be allowable under a Specific Approval (Part I.B.7.).

For perennial, intermittent, or impaired waters, occasional short-term discharges reclaimed water (Class A+, A, B+, or B) may be allowable subject to Specific Approval. Dechlorination may be required in order for reclaimed water to meet the applicable surface water quality standard for TRC. NOTE: Discharges of reclaimed water are subject to the "Limitations on Coverage" stated in Parts I.C.7. and 8.

- **I.B.6. Other:** The permit provides coverage for the types of discharges described in Part I.B.6. with no requirement for NOI submittal (Part II.A.2.), provided the site of the activity is not within ¼ mile of perennial or intermittent waters or Outstanding Arizona Waters (OAW), and discharges are not made to DWS-use canals. Discharges must be minimized to the extent practicable. The covered discharge types are:

- Uncontaminated air conditioning condensate or overflow from residential evaporative coolers.
- Discharges from charitable noncommercial car wash events when only the exterior of the vehicles are being washed, using water alone or in combination with phosphate-free cleaning agents formulated specifically for exterior car washing, that do not contain organic (carbon-based) solvents. Cleaning agents, if any, must be used according to label instructions. Water must be used only in the amount needed to do the job, to avoid unnecessarily increasing the discharge.
- Street wash water or exterior building washing, using water alone or in combination with phosphate-free cleaning agents that do not contain organic (carbon-based) solvents. Accumulations of pollutants, if present, must be removed and disposed of properly before conducting washing activities that would result in a discharge. Examples would be removal of loose materials (bird nests, roofing gravel) prior to washing of buildings or roofs; removal of debris prior to street washing; and cleanup of crime/trauma scenes prior to pavement washing that would result in a discharge.

For purposes of the DMGP, street wash water is intended to include water from washing streets and sidewalks, but not from washing other areas such as parking lots or automobile service stations. Street wash water does not include water collected in a

street sweeper or other device as a result of mechanized sweeping or washing operations. Such material must be routed for appropriate disposal and not discharged.

- Freshwater swimming pool drainage that has been dechlorinated/debrominated before release from the permittee's premises. The permit specifies criteria for sufficient dechlorination or debromination: either **1)** free chlorine is measured at "0" with a pool test kit, or **2)** total residual chlorine (TRC) is measured at or below 0.02 mg/L with a more sensitive test device. Pool drainage discharges must be visually clear, colorless, and free of suspended solids, floating material, and debris.
- **I.B.7. Specific approvals:** This category is for types of discharge activities that are not specifically listed for routine coverage in the DMGP, but are determined to be De Minimis and approved in writing by ADEQ.

### **Part I.C. Limitations on Coverage.**

In the 2016 DMGP the following types of discharges are not authorized. These are the same as in the 2010 DMGP unless cross-referenced to an item in the "CHANGES" section, above:

1. Discharges from soil and/or groundwater remediation activities, other than well installation, well development, purging, limited aquifer testing, and backflushing of injection wells (DMGP Part I.B.3.).
2. Discharges of industrial process water or from ongoing operation of permanent domestic or industrial water or wastewater treatment plants.
3. Discharges of reclaimed water from impoundments or water features, except for discharges necessary for maintenance or repair (subject to Specific Approval). (See item for **I.C.3** in "CHANGES" section, above.)
4. Discharges resulting directly from breaks or leaks from pipelines, except from potable water pipelines as described in Part I.B.1.c. AZPDES permits generally do not cover discharges resulting from pipeline breaks or leaking lines/facilities, except for discharges associated with repairs. ADEQ considers releases from pipeline breaks and leaks to be types of "spills" and thus inappropriate for routine permit coverage. An exception has been made in the 2016 DMGP for potable water pipelines because of their established and documented water quality. When breaks or leaks of any kind result in discharges to waters of the U.S., they should be halted as soon as practicable and remediated as necessary.
5. Discharges that include solvents, caustic agents, halogenated hydrocarbons (other than disinfection by-products), biocides or other pollutants, which are not readily biodegradable or are present in concentrations that could adversely affect water quality or aquatic life.
6. Discharges from vehicle washes other than those specified in Part I.B.6. Such discharges (including those from commercial mobile car washes) would not meet the requirements of a Type 3.03 General Permit under Arizona's Aquifer Protection Permit rules, which do not allow discharges to surface waters from these facilities (A.A.C. R18-9-D303.C.2). If discharges to surface waters from a mobile car wash operation were proposed, an individual APP permit would be required. An individual AZPDES permit (rather than a DMGP authorization) would

also be required because of the level of treatment that would be necessary for compliance with the SWQS.

7. Discharges of reclaimed water other than Classes A+, A, B+, or B; and discharges of reclaimed water to OAWs and waters with the domestic water source (DWS) designated use.
8. Discharges of Class A or B reclaimed water to impaired waters for which nitrogen or phosphorus is listed as a cause of impairment in *Arizona's Integrated 305(b) Assessment and 303(d) Listing Report*, or to perennial waters listed with nutrient standards (total nitrogen and/or total phosphorus) in the surface water quality standards (SWQS) at A.A.C. R18-11-109(F). By definition, De Minimis discharges must meet all applicable SWQS, but Class A or B reclaimed waters would not meet the nutrient standards. With regard to the above-referenced impaired waters, proposed discharges exceeding nutrient standards would not meet antidegradation criteria under A.A.C. R18-11-107 and are therefore inappropriate for DMGP coverage.

NOTE: For the above-referenced receiving waters, any discharge under the DMGP must meet all applicable SWQS including those for nitrogen and phosphorus. Although discharges of Class A+ and B+ reclaimed water to such receiving waters are not categorically excluded from DMGP coverage, they are subject to specific approval as stated in Parts I.B.4. and 5. Applicants proposing such discharges would be required to submit water quality test results for total nitrogen and total phosphorus with their NOIs, along with results for other regulated parameters as directed by ADEQ.

9. Discharges from any source for which Effluent Limitation Guidelines have been established per CWA Section 304(b).
10. Discharges required to be authorized under a stormwater permit issued per CWA Section 402(p) (Municipal and Industrial Stormwater).
11. Discharges required to be authorized under other general permits, such as the AZPDES Pesticide General Permit (No. AZPGP2011-001).
12. Discharges that cause or contribute to exceedances of Arizona water quality standards.
13. Discharges that are not in conformance with any approved Total Maximum Daily Load (TMDL).

## **Part II.A. Application for Coverage and Timing of Authorizations**

**II.A.1.** Discharges that were authorized under the 2010 DMGP and have not been terminated will automatically transfer to coverage under the 2016 DMGP, subject to the conditions in **Part III.A.**

**II.A.2.** Discharges listed in DMGP Part I.B.6. (charitable non-commercial car washes, dechlorinated swimming pool drainage, etc.) and meeting the stated criteria are automatically authorized without submittal of a NOI. The DMGP does not require water quality monitoring or preparation of a BMPP for these discharges, but they are subject to all other applicable DMGP conditions.

**The remainder of Part II.A.** addresses the application process and timing of authorization for various types of discharges and coverage that require NOI submittal:

**Single-source discharge coverage (Parts II.A.3. and II.A.4.)** is for discharges from one type of discharge activity (as listed in Part I.B. of the permit) at one discharge location. Authorization is requested by submitting a complete and accurate Single-source De Minimis NOI (as described in Part III.B.). If the discharge point is within ¼ mile of an OAW or impaired water, a copy of the BMPP must be submitted with the NOI for review by ADEQ. Both short-term and long-term activities may be eligible for single-source coverage.

**Areawide coverage (Part II.A.5)** is for municipalities, water utilities, military facilities conducting Tactical Water Purification System training, and providers of Class A+, A, B+, or B reclaimed water. Note that discharges of reclaimed water are subject to the “Limitations on Coverage” stated in Parts I.C.7 and -8. This type of coverage may include multiple discharge activities from multiple locations, and may remain in place throughout the term of the DMGP. Areawide coverage must be requested using the multipurpose “Areawide, Projectwide, Facilitywide” NOI form (or equivalent) provided by ADEQ. The NOI may include eligible discharges within a municipality, public water system (PWS), reclaimed water system, or military facility. Different types of discharge activities may be included in one NOI; for example, a utility operating a PWS and a reclaimed water system in a community may include discharges from both systems in the same NOI. If two or more PWSs provide service in contiguous areas and are operated by the same entity, the applicant may request approval from ADEQ to include them in one Areawide NOI.

**Projectwide coverage (Part II.A.6.)** is for discharges at multiple locations associated with a specific project that is not eligible for Areawide coverage (above). It may remain in place for a short period or throughout the term of the DMGP if needed. EXAMPLES: discharges of hydrostatic test water at several locations along a natural gas pipeline; discharges from multiple wells used for a hydrogeologic investigation or ground water monitoring. Projectwide coverage must be requested using the multipurpose “Areawide, Projectwide, Facilitywide” NOI form (or equivalent) provided by ADEQ.

**Facilitywide coverage (Part II.A.7.)** is for commercial, industrial, governmental, or other facilities that provide their own water supply for potable use, irrigation, or fire suppression. EXAMPLE: a prison that operates its own water supply. Facilitywide coverage must be requested using the multipurpose “Areawide, Projectwide, Facilitywide” NOI form (or equivalent) provided by ADEQ.

**Timing of authorization** is specified in **Parts II.A.3., II.A.4., II.A.8., and II.B.** for the corresponding types of discharges or coverage. The effective date of authorization to discharge, after the date ADEQ receives a complete and accurate NOI, varies partly according to the type of waterbody that receives the discharge. See DMGP Part VII for definitions for ephemeral, effluent-dependent, intermittent, and perennial waters; non-DWS use canals; DWS use canals; OAWs; and impaired waters. For many types of discharge or coverage, authorization takes effect a specific number of calendar days after NOI submittal (either 7 days or 30 days), unless ADEQ notifies the applicant otherwise. For other types, discharges are authorized only upon receipt of written approval from ADEQ (*i.e.*, discharges within ¼ mile of an OAW or impaired water; specific approvals; discharges lasting longer than 30 days continuously; and discharges potentially reaching Indian Country.)

For discharges listed with a specific number of days for authorization (Parts II.A.3. and II.A.8), authorization to discharge is not automatic within those timeframes if a submitted NOI is incomplete or incorrect or if discharge(s) is/are not eligible for coverage. At any point, ADEQ may deny coverage under this permit and require submittal of an application for an individual AZPDES permit based on a review of the NOI or other relevant information.

**About the NOI process (Parts II.A.3. – II.A.11.):**

With the exceptions listed in **II.A.1.** and **II.A.2.** above, authorization to discharge under this permit must be requested by submitting a NOI to ADEQ, using the form specified by ADEQ for this purpose.

The applicant identified in the “Certification” section of the NOI must be a person having control of those activities related to the subject discharge which are necessary to ensure compliance with the conditions of this permit, and who takes responsibility for such compliance. In accordance with the definition of “operator” in Part VII of the permit, the applicant will be the same as the operator or owner/operator listed on the NOI form.

Note that the applicant may be an individual or any type of organization listed in the definition of “person” (DMGP Part VII.B., per A.R.S. §49-201(27)). Part V.K. of the permit specifies signatory requirements for various types of organizations including sole proprietorships.

It is essential that the signer of the NOI understands the applicant/permittee is liable for adherence to the conditions of the permit, which include potential civil and criminal penalties for noncompliance as stated in Part VI of the permit. Where there is more than one party involved in a project (for example, a hydrogeologic consultant performing an aquifer test for a municipality), the applicant may be either party, but must have sufficient fiscal and technical control to ensure compliance with permit conditions. Such control may be direct or by means of a contract with the other party, but the responsibility always belongs to the applicant/permittee.

The preparation of a Best Management Practices Plan (BMPP) is part of the NOI process for all applicants. Unless specifically requested by ADEQ, submittal of the BMPP is not required for single-source NOIs for discharge points that are not within ¼ mile of an OAW or impaired water. All other NOIs must be submitted with a copy of the BMPP.

Each NOI submitted for coverage under the DMGP is assigned a reference number which becomes an Authorization Number if and when coverage takes effect. If approved, a printed discharge authorization is sent to the permittee confirming coverage and specifying any conditions applicable to the discharge. For authorizations that take place 7 calendar days after NOI submittal per the terms of the DMGP, the letter may be issued as a follow-up after the authorization takes effect.

**For discharges to MS4s or other conveyances (Part II.A.10):**

For discharges into (or having the potential to reach) a regulated MS4, the 2016 DMGP (Part II.A.10.) requires the applicant to send a copy of the discharge authorization to the MS4 operator. A link to ADEQ’s web page listing of regulated MS4s is provided in DMGP Part VII.B., under “Municipal Separate Storm Sewer System”. It is the permittee’s responsibility to ascertain the correct office address for making this submittal to the MS4.

The applicant should be aware that owners/operators of MS4s and other conveyances (including those that are not regulated MS4s) may have their own conditions for use of the conveyance. As stated in Part II.A.10., the DMGP does not convey the right to discharge to private or public property not owned or operated by the permittee, including a municipal separate storm sewer system, canal, or irrigation system (see DMGP Part V.G., Property Rights). The applicant should contact the MS4 or other conveyance operator in advance of the discharge to obtain permission, and to determine whether there are any such conditions or local permit requirements. The

owner/operator of an affected facility may require the permittee to send them a copy of the discharge authorization, whether or not the facility is a regulated MS4.

### **Part II.C. Modification of Coverage.**

This section of the permit provides for minor amendments to NOIs for single-source discharges and additions to Areawide, Projectwide, and Facilitywide authorizations; and lists the applicable timing of authorization for the submitted changes.

### **Part II.D. Fees.**

AZPDES program fees were established by rule effective July 1, 2011. This section is included as required under A.A.C. R18-14-109 which addresses flat fees associated with AZPDES general permits. The fees applicable to DMGP submittals are listed in the permit. As of the date of 2016 DMGP issuance there is no fee for submitting an amended NOI (Part II.C.1.), or for adding discharge locations to an Areawide, Projectwide, or Facilitywide authorization (Part II.C.2.). State agencies are exempt from these fees (A.R.S. §49-203(A)(8)).

### **Part II.E. Termination of Coverage.**

Notices of Termination (NOTs) provide ADEQ with a mechanism to track the status of discharges which have been covered by the permit. The permittee must submit a complete De Minimis NOT after the subject discharges have permanently ceased or coverage has been obtained under another AZPDES permit. If there is a change in ownership or responsibility for the discharge activity to another entity, the NOT must be submitted within thirty (30) days after the transfer occurs. In that case the new owner or responsible party must submit a NOI and obtain discharge authorization from ADEQ before conducting discharges.

The NOT must be submitted using the form specified by ADEQ for this purpose, or a reproduction thereof, and sent to the address on the form unless ADEQ specifies another mode of submittal. Monitoring results must be submitted with the NOT if required by Appendix A, Part B.1.a. of the permit, or by a condition in an authorization issued by ADEQ for the discharge. If the discharge entered a regulated MS4, the permittee must send a copy of the NOT to the MS4 operator at the time it is submitted to the Department.

### **Part III.A. Notice of Intent Requirements - Deadlines for Notification.**

This section of the DMGP addresses the required timing of submittals required under the 2016 DMGP.

- For discharges that were authorized under the 2010 DMGP and have not been terminated: unless ADEQ notifies the permittee to the contrary, a new NOI is not required, and discharge authorization will transfer automatically to the 2016 DMGP subject to the conditions in DMGP Part III.A.1. Revisions to the existing BMPP must be made, as needed, to comply with Part IV.D. of the 2016 permit within 120 days after the effective date of the 2016 DMGP. The revised BMPP need not be submitted unless specifically requested by ADEQ.
- For discharges that were not previously authorized under the 2010 DMGP, the applicant must submit a complete and accurate NOI far enough in advance to allow for the authorization timeframes specified in Parts II.A. and -B. of the permit.

### **Part III.B. Contents of NOI.**

This section of the DMGP lists the information and items that must be included in a complete Notice of Intent submittal.

**Part III.B.9.** The Arizona Department of Water Resources (ADWR) well registration number is required if the proposed discharge is from a well. All wells in the State of Arizona must be registered with the ADWR (A.R.S. § 45-593). For a new well, registration occurs as part of the authorization to drill. Occasionally the registration number is not known to the applicant at the time the De Minimis NOI is being prepared. The applicant may indicate this on the NOI, and then submit the information to ADEQ as soon as possible.

**Part III.B.10.d.** Submittal of discharge sampling results or other representative water quality data with the NOI is generally required for discharge points within ¼ mile of perennial or intermittent waters, EDWs, OAWs, or impaired waters. To allow flexibility for proposed discharges that are within the ¼-mile threshold but clearly would not reach such waters, the permit allows ADEQ to waive the water quality data requirement upon a sufficient showing by the applicant. For proposed discharges outside the ¼-mile threshold, ADEQ may require water quality data submittal with the NOI in specific cases.

**“For discharges with unspecified locations”, at end of Part III.B.10.** Areawide, Projectwide, or Facilitywide applicants may summarize certain information for unspecified discharge locations such as fire hydrants and line repairs, if the affected surface water is ephemeral or a non-DWS use canal. The “EXCEPTIONS” state certain restrictions on summarizing information for discharges to OAWs. For other surface water types, the use of summary data for unspecified discharge locations may be allowable, subject to advance approval by ADEQ.

### **Part IV. Special Conditions.** Special Conditions include the following:

- A. Requirements to prevent or minimize adverse effects on human health, the environment, or the surface water that receives the discharges. For example, if frequent discharges are made to an ephemeral wash, the permittee must avoid causing potential downstream impacts such as persistent ponding (vector hazard). This section also contains a proviso regarding non-transferability of DMGP authorizations.
- B. Discharge prohibitions, including those that would violate numeric or narrative surface water standards, or aquifer water quality standards. NOTE: Because the aquifer water quality standards apply to water quality in aquifers, Part IV.B.4.g. is understood to refer to violation of an AWQS in ground water.
- C. The requirement for discharges to comply with the water quality limitations in Appendix A of the DMGP, and for certain responses to any exceedance of action levels.
- D. Best Management Practices Plan (BMPP) requirements include prevention of erosion, scour, and sedimentation from the discharge; dechlorination where appropriate; circumstances requiring BMPP revision and resubmittal; appropriate signature; and accessibility and retention of the BMPP. The permittee may incorporate flexibility into the BMPP by identifying several types of controls from which the operator may select for a given type of discharge.

The permittee must ensure all discharges meet the applicable numeric limit for total residual chlorine (TRC) (see Appendix A, Tables A – C) at the point where the discharge enters the affected surface water.

**Part IV.D.2.c.iv.:** As in the 2010 DMGP, discharges to perennial, intermittent, and effluent-dependent waters have a TRC limit of 19 µg/L based on the SWQS for those water types. As an alternative to requiring measurement of TRC to such low levels, the permit allows the permittee to include a treatment plan in the BMPP specifying dechlorination methods that will ensure compliance. Such a plan could call for using sufficient (but not excessive) dechlorination chemicals to meet the permit limit. The permit outlines the elements of a dechlorination treatment plan (Part IV.D.2.c.iv.). Please see discussion of Appendix A, Part A, in this Fact Sheet regarding equipment sensitivity requirements for any TRC field screening the permittee chooses to conduct under such a treatment plan.

For discharges to ephemeral waters: if chlorine levels potentially exceed the usual TRC range found in potable water (800 – 1,500 µg/L), ADEQ recommends that BMPs be employed to reduce TRC to such potable levels (or lower) prior to discharge. The numeric TRC discharge limitation of 4,000 µg/L for ephemeral waters is based on the human health designated use of partial body contact. It may not be adequately protective of the aquatic and wildlife–ephemeral designated use, for which a numeric SWQS has not been established.

The permit allows flexibility regarding dechlorination methods. In addition to dissipation and chemical dechlorination, ADEQ will consider proposed alternative methods such as natural TRC attenuation via flow through an MS4. Consideration of such alternative methods would require that sufficient information is submitted to document the effectiveness of the alternative method, and that the owner/operator of any affected MS4 or conveyance has been notified of the proposed discharge.

- E. **Monitoring and Reporting.** This section specifies that Appendix A of the permit (Monitoring & Reporting Program) applies to all covered discharges except those specified in Part I.B.6. . Unless specified otherwise by ADEQ, or as provided in Appendix A, Part A.7., minimum monitoring must be conducted as indicated under “Monitoring Requirements” in Appendix A, Tables A through D, depending on the discharge activity and the type of receiving water. The results of required monitoring must be maintained by the permittee as indicated in Appendix A and submitted to ADEQ if required (Appendix A, Part B. 1). All results must be available for review by ADEQ upon request. See further discussion under “**Appendix A: Monitoring and Reporting Program**”, below.

This section also contains requirements for advance reporting of changes which may result in noncompliance with the permit; for reporting within 24 hours on any noncompliance which may endanger human health or the environment; and for written follow-up reporting on such noncompliance. Other instances of noncompliance must be reported annually, or with the Notice of Termination if not reported previously. The permittee must submit corrected or additional information promptly if the permittee becomes aware that the information in the NOI or any other report to ADEQ was incorrect or incomplete.

## Part V. Standard Permit Conditions

Federal regulations require all AZPDES permits to contain the standard conditions specified at 40 CFR 122.41. (Provisions for bypass and upset have been removed as they are applicable mainly to treatment plants that are subject to technology based effluent limits, and are not applicable to the DMGP.) Part V. of the permit contains those conditions and certain others arising from Arizona law. They include provisions on the following, among others:

- discharge authorization does not authorize any injury to private property or invasion of personal rights, nor any infringement of any existing laws or regulations (V. G.)
- inspection and entry by ADEQ representatives (V. I.)
- signatory requirements for forms and documents required by this general permit (V. K.)

## Part VI. Penalties for Violation of Permit Conditions

This part advises the regulated community of the appropriate legal authorities and potential civil and criminal penalties for violation of any provision of the AZPDES statutes and rules, or of a permit or discharge limitation issued under them, including this general permit.

## Part VII. Definitions, Acronyms, and Abbreviations

The permit contains a list of acronyms and abbreviations as well as definitions of statutory, regulatory and other terms important for understanding the permit and its requirements (See related items in “CHANGES” section, above).

## Appendix A: Monitoring & Reporting Program

**Appendix A, Part A** gives the requirements for discharge monitoring (by reference to the “Monitoring Requirements” sections in Appendix A, Tables A – D); field screening; analytical sampling if required; photographic documentation if applicable; and record keeping. There are exceptions to monitoring requirements for discharges from potable water systems under certain circumstances (Appendix A, Part A.7.)

For discharges to perennial, intermittent, or effluent-dependent waters and involving chlorine, a limit of detection (LOD) at or below 0.019 mg/L (corresponding to the 19 µg/L TRC permit limit) would be necessary to demonstrate compliance through analytical monitoring alone. Laboratory methods for TRC can achieve that LOD and lower, but equipment designed for field use may not be able to do so reliably. Due to the short hold times allowed for chlorine samples (15 minutes or less), laboratory analysis may not be feasible.

In these situations the alternative means of compliance is to implement a dechlorination treatment plan that has been developed as part of the permittee’s BMPP (DMGP Part IV.D.2.c.iv.). Field screening with the LOD of equipment that utilizes Hach Method 8167 or equivalent (Appendix A . Part A.3., Table 1) may be included in the dechlorination treatment plan. Hach Method 8167 is a US EPA-accepted method commonly used in DPD colorimeters designed for field TRC testing, with an approximate range of 0.02 – 2.0 mg/L Cl<sub>2</sub>. The permittee is responsible for calibrating the equipment according to the manufacturer’s instructions.

**Appendix A, Part B** addresses reporting of monitoring results and retention of records. With certain exceptions (Appendix A, Part B.1.c.), the results of any required monitoring for discharges

that last longer than 4 days continuously or discharge more than 0.50 million gallons in any one day must be submitted to ADEQ with the NOT if coverage is terminated. For long-term (non-terminating) authorizations, any required reporting for discharges conducted prior to January 1, 2020, must be submitted to ADEQ by February 28, 2020, unless specified otherwise by ADEQ. Permittees with long-term coverage who have no required reporting under this section must notify the Department accordingly by the same date.

The exceptions to reporting requirements (Appendix A, Part B.1.c.) are as follows:

- Submittal is not required for photographic documentation conducted pursuant to Appendix A, Part A.5., unless specifically requested by ADEQ.
- If the only numeric monitoring required for the discharge was for flow rate and duration of flow, submittal of monitoring results is not required unless specifically requested by ADEQ.

These exceptions are new in the 2016 DMGP. They were added because ADEQ has gathered sufficient information from such submittals during past DMGP permit terms, and no longer needs to receive this information routinely. However, the permittee must still retain the above monitoring data and any required photographic documentation (Appendix A, Part B.4.a.), and make them available to ADEQ upon request (Part IV.E.2.a.). ADEQ may require additional reporting as appropriate in specific cases.

Federal rules require submittal of monitoring results at least once a year under AZPDES permits (40 CFR 122.44(i)(2)). However, exceptions are allowed for permits that require reporting of monitoring results less frequently provided the permittee reports all instances of noncompliance at least annually, unless subject to earlier reporting (40 CFR 122.44(i)(5)). The 2016 DMGP does require reporting of non-compliance once a year (DMGP Part IV.E.2.d.). One-time due dates for data submittals were considered sufficient for long-term permittees under the 2004 and 2010 DMGPs because review of their BMPPs and any discharge water quality issues are a required part of the initial NOI process for Areawide, Facilitywide, and Projectwide applicants. After years of experience with administering this program, ADEQ has not identified a need for more frequent routine reporting. However, if more frequent submittals would be appropriate in specific situations, ADEQ can require them on a case-by-case basis (Appendix A, Part B.1.b.).

Records of all monitoring must be maintained for 3 years from the date of permit expiration or the date an NOT is submitted, and must be made available to ADEQ on request. The BMPP and a copy of the DMGP must be retained at the discharge site when actively discharging, with certain exceptions for Areawide, Facilitywide, and Projectwide authorizations.

**Electronic reporting.** The US EPA has published a final regulation that requires electronic reporting and sharing of Clean Water Act National Pollutant Discharge Elimination System (NPDES) program information instead of the current paper-based reporting (*Federal Register*, Vol. 80, No. 204, October 22, 2015). Beginning December 21, 2016 (one year after the effective date of the regulation), the Federal rule requires permittees to make electronic submittals of any monitoring reports and forms called for in their permits. The requirement takes effect for other NPDES-related documents and reports on December 21, 2020. ADEQ or US EPA will provide advance notification about specific requirements and procedures for electronic reporting before these requirements take effect.

ADEQ will post information about electronic reporting on the De Minimis General Permit web page (<http://www.azdeq.gov/environ/water/permits/gen.html#demi>). Permittees and other interested parties should also subscribe to the “De Minimis General Permit (DMGP)” list-serv topic to receive email updates on this subject. The list-serv subscription system is accessed by clicking the “**Subscribe to ADEQ Topics**” button on the ADEQ home page at <http://www.azdeq.gov/>.

**Appendix A, Tables A – D**, are organized according to the type(s) of waterbody that receives the discharge:

- ephemeral waters or non-DWS use canals (Table A);
- effluent-dependent waters (Table B);
- perennial or intermittent waters or DWS use canals (Table C); and
- OAW or impaired waters (Table D).

Each table is divided into two sections:

- “Discharge Limitations and Action Levels” (pursuant to DMGP Part IV.C.). Permitted discharges must meet the Discharge Limitations in the applicable table. The listed Action Levels are triggers for the permittee to respond as described in DMGP Part IV.C. The parameters with Discharge Limitations or Action Levels are **not necessarily required for monitoring for a given discharge** (see explanation and “Monitoring Requirements” section in each table). However, the permittee is responsible for ensuring that these limits are met and may wish to document compliance.

Some of the Discharge Limitations are listed with “no numeric limit”, and a footnote referring to the narrative water quality standards quoted in DMGP Part IV.B.4.- 8. These narrative standards are based on A.A.C. R18-11-108(A), and prohibit discharges of pollutants in amounts or combinations that would have various harmful effects on water quality or designated uses. An example would be a potential discharge with high suspended sediment and turbidity (cloudiness). Although the DMGP does not have numeric limits for suspended sediment or turbidity, best management practices must be used so that such discharges will comply with the narrative standards pertaining to bottom deposits (DMGP Part IV.B.4.a.).

Similarly, the numeric Action Levels for oil and grease (10 mg/L) and methyl tertiary-butyl ether (MTBE, 20 µg/L) are based on the narrative standards quoted in DMGP Part IV.B.6. and IV.B.4.c., respectively.

For “COCs” (Constituents of Concern) that may be identified by ADEQ or the permittee, but are not specifically listed in Tables A - D, the permit limitation is the same as the applicable numeric Surface Water Quality Standard (SWQS, 18 A.A.C 11, Article 1), if a numeric standard exists. Where no numeric standard exists, the narrative standards quoted in DMGP Part IV.B.4.- 8 still need to be considered.

- “Monitoring Requirements” (pursuant to Appendix A, Part A.). This section of each table gives the minimum monitoring parameters and frequencies for various types of discharges. They vary according to discharge activity and receiving water. Flow rate and duration of flow are required in most cases, along with selected parameters for various types of discharge activities. Exceptions for potable water systems (Appendix A, Part A.7.) are cited in each table. Any known “constituents of concern (COCs) must be monitored unless otherwise provided by the Director. An option for summary reporting is provided in a footnote to each table, for unplanned discharges or those that occur on a frequent/regular basis.