requirements provided the discharger makes a certification for a given outfall, on a pollutant-by-pollutant basis, that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, significant materials from past industrial activity that are located in areas of the facility that are within the drainage area of the outfall are not presently exposed to storm water and will not be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to EPA in lieu of monitoring reports required under Part XI of the permit. The permittee is required to complete any and all sampling until the exposure is eliminated. If the facility is reporting for a partial year, the permittee must specify the date exposure was eliminated. If the permittee is certifying that a pollutant was present for part of the reporting period, nothing relieves the permittee from the responsibility to sample that parameter up until the exposure was eliminated and it was determined that no significant materials remained. This certification is not to be confused with the low concentration sampling waiver. The test for the application of this certification is whether the pollutant is exposed, or can be expected to be present in the storm water discharge. If the facility does not and has not used a parameter, or if exposure is eliminated and no significant materials remain, then the facility can exercise this certification.

The permit does not allow facilities with discharges subject to numeric effluent limitations to submit alternative certification in lieu of the compliance monitoring requirements in Sections VI.C., XI.C.6., XI.D.5., XI.E.5., and XI.J.5. The permit also does not allow air transportation facilities subject to the analytical monitoring requirements under Section XI.S.5. to exercise an alternative certification.

A facility is not precluded from exercising the alternative certification in lieu of analytical monitoring requirements in the fourth year of permit coverage, even if that facility failed to qualify for a low concentration waiver in year two. EPA encourages facilities to eliminate exposure of industrial activities and significant materials where practicable.

4. Reporting and Retention Requirements

Permittees are required to submit all analytical monitoring results obtained during the second and fourth year of

permit coverage within three months of the conclusion of the second and fourth year of coverage of the permit. For each outfall, one Discharge Monitoring Report Form must be submitted per storm event sampled. For facilities conducting monitoring beyond the minimum requirements an additional Discharge Monitoring Report Form must be filed for each analysis. The permittee must include a measurement or estimate of the total precipitation, volume of runoff, and peak flow rate of runoff for each storm event sampled. Permittees subject to compliance monitoring requirements are required to submit all compliance monitoring results annually on the 28th day of the month following the anniversary of the publication of this permit. Compliance monitoring results must be submitted on signed Discharge Monitoring Report Forms. For each outfall, one Discharge Monitoring Report form must be submitted for each storm event sampled.

Permittees are not required to submit records of the visual examinations of storm water discharges unless specifically asked to do so by the Director. Records of the visual examinations must be maintained at the facility. Records of visual examination of storm water discharge need not be lengthy. Permittees may prepare typed or hand written reports using forms or tables which they may develop for their facility. The report need only document: the date and time of the examination; the name of the individual making the examination; and any observations of color, odor, clarity, floating solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution.

The location for submittal of all reports is contained in the permit. Consistent with Office of Management and Budget Circular A–105, facilities located on the following Federal Indian Reservations, which cross EPA Regional boundaries, should note that permitting authority for such lands is consolidated in one single EPA Region.

- a. Duck Valley Reservations lands, located in Regions IX and X, are handled by Region IX.
- b. Fort McDermitt Reservation lands, located in Regions IX and X, are handled by Region IX.
- c. Goshute Reservation lands, located in Regions VIII and IX, are handled by Region IX.
- d. Navajo Reservation lands, located in Regions VI, VIII, and IX, are handled by Region IX.
- e. Ute Mountain Reservation lands, located in Regions VI and VIII, are handled Region VIII (no areas in Region

VIII are receiving coverage under this permit).

Pursuant to the requirements of 40 CFR 122.41(j), today's permit requires permittees to retain all records for a minimum of 3 years from the date of the sampling, examination, or other activity that generated the data.

5. Sample Type

The discussion below is a general description of the sample type required for monitoring under today's permit. Certain industries have different requirements, however, so permittees should check the industry-specific requirements in Part XI. of today's permit to confirm these requirements. Grab samples may be used for all monitoring unless otherwise stated. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval may be waived by the permittee where the preceding measurable storm event did not result in a measurable discharge from the facility. The 72-hour requirement may also be waived by the permittee where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample must be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger must submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. A minimum of one grab is required. Where the discharge to be sampled contains both storm water and non-storm water, the facility shall sample the storm water component of the discharge at a point upstream of the location where the nonstorm water mixes with the storm water, if practicable.

6. Representative Discharge

The permit allows permittees to use the substantially identical outfalls to reduce their monitoring burden. This representative discharge provision provides facilities with multiple storm water outfalls, a means for reducing the number of outfalls that must be sampled and analyzed. This may result in a substantial reduction of the resources required for a facility to comply with analytical monitoring requirements. When a facility has two or more outfalls