the monitoring reports required under paragraph *b.* below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations. EPA does not expect facilities to be able to exercise this certification for indicator parameters, such as TSS and BOD.

b. Reporting Requirements. Permittees are required to submit all monitoring results obtained during the second and fourth year of permit coverage within 3 months of the conclusion of each year. For each outfall, one Discharge Monitoring Report must be submitted per storm event sampled. For facilities conducting monitoring beyond the minimum quarterly requirements an additional Discharge Monitoring Report Form must be filed for each analysis.

c. Quarterly Visual Examination of Storm Water Quality. Quarterly visual inspections of a storm water discharge from each outfall are required at primary metals facilities. The examination must be of a grab sample collected from each storm water outfall. The examination of storm water grab samples shall include any observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, or other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on these samples.

The examination must be made at least once per quarter during the term of the permit during daylight unless there is insufficient rainfall or snow-melt to runoff. Whenever practicable, the same individual should carry out the collection and examination of discharges throughout the life of the permit to ensure the greatest degree of consistency possible. Grab samples shall be collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff begins discharging. Reports of the visual examination include: the examination date and time, examination personnel, visual quality of the storm water discharge, and probable sources of any observed storm water contamination. The visual examination reports must be maintained onsite with the pollution prevention plan.

When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (e.g., drought, extended frozen conditions, etc.).

EPA realizes that if a facility is inactive and unstaffed it may be difficult to collect storm water discharge samples when a qualifying event occurs. Today's final permit has been revised so that inactive, unstaffed facilities can exercise a waiver of the requirement to conduct quarterly visual examination.

EPA believes that this quick and simple assessment will allow the permittee to approximate the effectiveness of his/her plan on a regular basis at very little cost. Although the visual examination cannot assess the chemical properties of the storm water discharged from the site, the examination will provide meaningful results upon which the facility may act quickly. The frequency of this visual examination will also allow for timely adjustments to be made to the plan. If BMPs are performing ineffectively, corrective action must be implemented. A set of tracking or follow-up procedures must be used to ensure that appropriate actions are taken in response to the examinations. The visual examination is intended to be performed by members of the pollution prevention team. This hands-on examination will enhance the staff's understanding of the storm water problems on that site and the effects of the management practices that are included in the plan.

*G. Storm Water Discharges Associated With Industrial Activity From Metal Mining (Ore Mining and Dressing)*⁴³ *Facilities*

1. Industrial Profile

On November 16, 1990 (55 FR 47990), the U.S. Environmental Protection Agency (EPA) promulgated the regulatory definition of "storm water discharges associated with industrial activity." This definition included point source discharges of storm water from eleven major categories of facilities, including: "(i) facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under

40 CFR subchapter N * * * ." and "* * * (iii) facilities classified as Standard Industrial Classifications 10 through 14 (metal mining industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(l) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of noncoal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or that has come into contact with, any overburden, raw material, intermediate products, finished products, by-products or waste products located on the site of such operations.

This section of today's general permit only applies to the portions of categories (i) and (iii) identified by 40 CFR Part 440 and the metal mining industry (Standard Industrial Classification (SIC) code 10). SIC code 10 includes establishments primarily engaged in mining, developing mines, or exploring for metallic minerals (ores). This group also includes all ore dressing and beneficiating operations, whether performed at mills operated in conjunction with the mines served or at mills, such as custom mills, operated separately. Common activities at these mills include: crushing, grinding, and separation by gravity concentration, magnetic separation, electrostatic separation, flotation, or leaching 44. The following is a listing of the types of mining/milling facilities that are covered under SIC code 10: Iron Ores (SIC Code 1011); Copper Ores (SIC Code 1021); Lead and Zinc Ores (SIC Code 1031); Gold Ores (SIC Code 1041); Silver Ores (SIC Code 1044); Ferroalloy Ores, Except Vanadium (SIC Code 1061); Uranium-Radium-Vanadium Ores (SIC Code 1094); and Miscellaneous Metal Ores, Not Elsewhere Classified (SIC Code 1099).

This section does not cover any discharge subject to effluent limitation guidelines, including storm water that combines with process wastewater and mine drainage. Storm water that does not come into contact with any overburden, raw material, intermediate product, finished product, by-product, or waste product located on the site of

⁴³ For the purposes of this part of the fact sheet, the term "metal mining" includes all ore mining and/or dressing and beneficiating operations, whether performed at mills operated in conjunction with the mines served or at mills, such as custom mills, operated separately.

⁴⁴ For more information on metal mines/mills see EPA, Effluent Guidelines Division. November 1982. "Development Document for Effluent Limitations Guidelines and Standards for the Ore Mining and Dressing Point Source Category." EPA 440/1–82/ 061.