Discharge Monitoring Reports, or said certifications, shall be submitted to the Director of the NPDES program at the address of the appropriate Regional Office listed in Part VI.B.1. of the permit.

(1) Additional Notification. In addition to filing copies of discharge monitoring reports in accordance with paragraph b. (above), coal-mining related facilities with at least one storm water discharge associated with industrial activity through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of discharge monitoring reports to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph b. (above).

c. Visual Examination of Storm Water Quality. Coal mining-related facilities shall perform and document a visual examination of a representative storm water discharge at the following frequencies: quarterly for active areas under SMCRA bond located in areas with average annual precipitation over 20 inches; semi-annually for inactive areas under SMCRA bond, and active areas under SMCRA bond located in areas with average annual precipitation of 20 inches or less; visual examinations are not required at inactive areas not under SMCRA bond.

(1) Examinations shall be conducted in each of the following periods for the purposes of visually inspecting storm water runoff or snow melt: Quarterly— January through March; April through June; July through September; and October through December. Semiannually-January through June and

July through December.

(2) Examinations shall be made of samples collected within the first 60 minutes (or as soon thereafter as practical, but not to exceed two hours) of when the runoff or snow melt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and 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 the samples. 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. Where practicable, the same individual will carry out the collection and examination of discharges for the life of the permit.

(3) Visual examination reports must be maintained onsite in the pollution prevention plan. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

(4) When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfalls provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explaining in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.

(5) 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 and retain this documentation onsite with the records of 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, hurricanes, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

(6) When a discharger is unable to conduct visual storm water examinations at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. The facility must maintain a certification with the pollution prevention plan stating that the site is inactive and unstaffed so that performing visual

examinations during a qualifying event is not feasible.

I. Storm Water Discharges Associated With Industrial Activity From Oil and Gas Extraction Facilities

1. Discharges Covered Under This Section

a. Coverage. This permit covers all existing point source discharges of storm water associated with industrial activity to waters of the United States from oil and gas facilities listed under Standard Industrial Classification (SIC) Major Group 13 which are required to be permitted under 40 CFR 122.26. These include "* * * oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contract with or that has come into contact with any overburden raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations.' Contaminated storm water discharges from petroleum refining or drilling operations that are subject to nationally established BAT or BPT guidelines found at 40 CFR 419 and 435 respectively are not included. Industries in SIC Major Group 13 include the extraction and production of crude oil, natural gas, oil sands and shale; the production of hydrocarbon liquids and natural gas from coal; and associated oil field service, supply and repair industries.

When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility (co-located industrial activities). The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

b. Limitations. Storm water discharges associated with industrial activity from inactive oil and gas operations occurring on Federal lands where an operator cannot be identified are not covered by this permit.