

WASTEWATER FROM THE OUTSIDE WASHING OF VEHICLES,
EQUIPMENT AND OTHER OBJECTS

Fact Sheet

WPDES Permit No. WI-0059153-3

March 2009

GENERAL DESCRIPTION OF OPERATIONS COVERED UNDER THIS PERMIT

Outside washing of vehicles, equipment (such as construction equipment) and other objects is a common practice in the state of Wisconsin. Outside washing is done for cosmetic purposes, proper operation and as a beginning step for further maintenance procedures (i.e., painting). This general permit (GP) has been created to address those situations where a discharge to a sanitary sewer connected to a Publicly Owned Treatment Works (POTW) or an onsite system is not an available or preferred option for an outside washing operation.

This permit provides answers in a consistent manner to questions that have arose about outside washing and steam cleaning of vehicles, construction equipment, recreational equipment, lawnmowers, buildings, engines, truck hauling compartments, and similar objects.

This GP contains best management practices designed to prevent degradation of surface waters and/or groundwater. Surface waters are defined in s. NR 102.03(6), Wis. Adm. Code as "all natural and artificial named and unnamed lakes and all naturally flowing streams within the boundaries of the state, but not including cooling lakes, farm ponds, and facilities constructed for the treatment of wastewater." A discharge to surface waters includes ditches, storm sewers, and pipes that convey wastewater to creeks, streams, rivers, and lakes. Groundwater is defined in s. NR 140.05(9), Wis. Adm. Code, as waters of the state "occurring in a saturated subsurface geological formation of rock or soil." A discharge to groundwater in Wisconsin includes infiltration or seepage of wastewater via irrigation, drain fields, ditches, and ponds that may impact the water beneath the ground surface.

1. APPLICABILITY CRITERIA

This WPDES general permit is unique from most other WPDES permits in that it is designed to cover discharges of washwater from outside washing operations listed below, without requiring facilities to apply for the permit. While a facility does not need to apply for the permit or receive Department approval prior to commencing operations, the facility is required to meet the applicability criteria and implement the Best Management Practices (BMPs) contained in the permit. If the Department has contact with a permittee regarding washing activities, the Department employee will ensure the individual is given a copy of this permit and document the event in the Department's database Event Tracker for future possible enforcement actions. In addition, the Department employee may require, by letter, that a copy of applicable BMPs be maintained at the site where the washing is being performed.

It is important to note that facilities that discharge their wastewater to a Publicly Owned Treatment Works (POTW), either directly via a drain or pump or via containerizing and hauling the wastewater, do not need this permit. However, discharges to a POTW are subject to the requirements associated with that particular POTW. This permit does not require a discharge to a POTW; however, there may be instances where discharge to a POTW may be a facility's preferred option

Facilities that discharge their wastewater to an approved alternative onsite wastewater treatment system that discharges to a subsurface soil absorption system designed to treat the wastes, are also not covered by this permit. However, discharges to these systems would be subject to requirements associated with the WPDES permit for the treatment system.

1.1. Activities Covered

This permit is applicable to a wide variety of outside washing activities where the water is not directed to a sanitary sewer. Discharges from washing activities regulated by this permit typically contain contaminants that can be addressed by Best Management Practices (BMPs) prior to discharge to surface waters and/or groundwater.

1.1.1. Vehicle and Equipment Washing

An example of vehicle or equipment washing operations regulated by this permit include truck terminals where the entire fleet of trucks is washed at one time or new and used car lots where the cars are periodically cleaned to enhance their appearance. Washing may be done by the dealership or, as is often the case, by a contract washer. This permit would also cover highway or county maintenance areas where mowing and maintenance equipment is routinely washed outside.

It is not the Department's intent to regulate certain washing activities, such as the common practice of homeowners washing their own vehicles and homes or not-for-profit fund raising events. However, on request, we will provide anyone with a copy of the BMPs and encourage these practices.

1.1.2. Hauling Compartments Containing Inert or Readily Biodegradable Material

The washing of hauling compartments must be limited to compartments containing inert or biodegradable material. The washing of the inside of trucks poses a greater environmental risk than washing the outside surfaces because of the wide variety of material that may have been in the truck. Therefore, it is important to know what material was hauled last in the truck. In many operations, such as a gravel quarry or ready-mixed concrete trucks and chutes, the hauled commodity is inert and always the same so the appropriate BMP for that specific material can be easily implemented. When washing trucks or railroad cars in which the previous cargo is unknown, more caution is necessary to avoid creating a serious pollution problem. If in doubt, the washwater should be contained and hauled to a Publicly Owned Treatment Works (POTW).

1.1.3. Recreational and Lawn Equipment

Outside washing of golf carts, fertilizing equipment, lawn-mowing equipment, and boats are other examples of activities that are covered under this permit. Rinsing-in-place of boats, trailers, and other aquatic equipment associated with Department requirements for aquatic species controls are not regulated by this permit.

1.1.4. Nonemergency Degreasing

Occasional discharges from a degreasing operation (once a month on average, over a six month period) and emergency degreasing performed in association with equipment malfunction that are treated for oil and grease removal are not considered a significant environmental threat and are allowed under this permit. Examples of occasional, nonemergency degreasing include degreasing done as part of routine maintenance or degreasing that occurs continually in the same location or a designated degreasing area.

1.1.5. Emergency Degreasing

Emergency degreasing applies to situations where towing or moving a malfunctioning vehicle or piece of equipment to a maintenance area is impractical either because of field conditions or time constraints. An example of such a situation is where a piece of construction equipment fails in a remote location or far from a maintenance area and in-field degreasing is necessary to repair the equipment in a timely manner. Degreasing of a malfunctioning vehicle or piece of equipment where time and proximity to a maintenance

area allow the vehicle or equipment to be moved to the designated maintenance area is not considered emergency degreasing. In addition, discharges from continual degreasing of malfunctioning vehicles or equipment in the same area are not considered emergency degreasing. Degreasing of malfunctioning vehicles or equipment that occurs in areas set aside for maintenance or degreasing is also not considered emergency degreasing. Restrictions on the number of emergency degreasings allowed have not been included in the permit because with the implementation of Best Management Practices and the fact that emergency degreasing should not occur in the same area, environmental impacts are expected to be minimal.

The Department recognizes that although nondegreasing washing operations (i.e., cosmetic washing designed to make an object look and function better by removing dirt, mud, sand, debris, or deicing agents such as road salt) may result in incidental contact with oil and grease, this is not considered a discharge from a degreasing operation.

1.1.6. Commercial Building Washing

Commercial building washing is also covered under this permit. While this is not intended to cover homeowners washing their individual residences, it does apply to residence and building washing conducted as part of a commercial washing operation. Building washers should be aware of the potential of lead being washed off of buildings and other structures. It is unclear at this time as to why, but elevated levels of lead have been found in the wastewater from the washing of brick buildings in the older industrial part of a city. It is believed that together with the lead spewed out by vehicles in heavy traffic areas when gasoline still contained lead and the possibility of nearby smoke stacks dispersing lead as part of its emissions, lead has accumulated in these certain areas. If a building washer plans on working in an area that has the potential of high lead levels, they should contact the local municipality to see if high lead levels have been discovered in the area. If no information is known, testing should be done prior to beginning operations to ensure the wastewater is handled appropriately.

1.2. Activities not Covered

1.2.1. Activities Covered by Another WPDES Permit or Trans 401

Facilities already addressing washing activities through another WPDES permit do not require additional coverage under this permit. This is intended to avoid duplicate permitting of washing activities. Other general permits may already address or may be able to address washwater discharges, such as WPDES Permit Numbers WI-S067849 and S067857 (Tier 1 and Tier 2 Industrial Storm Water Discharge permits, respectively), WI-0067831 (Construction Site Storm Water Discharge Permit), WI-S058831 (Storm Water Associated with Recycling of Scrap and Waste Materials), WI-S059145 (Storm Water Associated with the Dismantling of Vehicles for Parts Selling and Salvage) and WI-0046515 (Nonmetallic Mining Operations).

For example, if a construction site has erected an erosion control device such as a silt fence or a retention pond in accordance with the general permit for Construction Sites (WI-0067831) and all vehicle washing is done so that any settleable solids are caught in the control devices associated with the construction site, the washwater would already be addressed by that permit and would not require additional coverage under the Outside Washing permit. However, if the washing of vehicles and equipment operating at a site is being done off-site and is not truly associated with the construction site, the Outside Washing permit would apply to the washing activity.

As another example, if a truck terminal has a general permit for storm water, they will be submitting a pollution prevention plan. In that plan, they could list outside truck washing as a continuing activity and specify which BMPs are being implemented to address discharges of truck washwater. This will achieve

the Department's objective, which is to minimize discharge of pollutants to waters of the State and coverage under the Outside Washing permit is not necessary.

The same logic holds for washing activities on projects that are covered under Trans 401. If the erosion control plans address discharges of washwater, additional coverage under the Outside Washing permit is not necessary.

For the most part, it is not expected that BMP plans that have already been submitted to the Department need to be updated to include specific provisions for vehicle and equipment washing activities. If the BMPs that are being implemented under a BMP plan already address vehicle and equipment washing, a modified BMP plan is not required. However, future submittals of plans required under other permits should specifically address vehicle and equipment washing. In addition, if a BMP plan does not adequately address vehicle and equipment washing, the BMP plan should be updated immediately.

1.2.2. Nonemergency Degreasing Operations Occurring more than once a Month at a Given Site

Degreasing operations typically involve the use of steam cleaning or high pressure water cleaning and are intended to remove accumulated petroleum products, such as oil and grease, from areas that are normally lubricated (for example, hydraulic pumps, axles, and semi-tractor fifth wheels). Frequent discharges from routine degreasing require more oversight than that provided for under this permit and thus, is not covered by this permit. The concern is that when degreasing activities occur regularly at the same location, there is an increased risk of petroleum products, such as fuel oil, impacting aquatic life in a surface water or seeping to groundwater and impacting groundwater. Many operations cleaning engines or other oily equipment are housed in a building and connected to a wastewater treatment system.

1.2.3. Permanent (i.e., non-mobile) Facilities Washing Vehicles on a Commercial Basis

Permanent commercial car washes cannot be covered under this permit. Because of the number of vehicles, frequency of washing, and possible long term impacts associated with these types of operations, discharges from these facilities require review and oversight not provided by this general permit.

1.2.4. Degreasing Operations Using Halogenated Hydrocarbon Degreasing Agents

Chemical degreasing with solvents, such as trichlorethylene, poses a high risk of water contamination and is not allowed under this permit.

1.2.5. Other limiting circumstances

Certain environmental conditions dictate more stringent requirements than those provided by this general permit. Discharges to wetlands may require coverage under an individual permit and discharges to outstanding and exceptional surface waters require coverage under an individual permit.

Proper containment and disposal of lead-based paints, asbestos and other pollutants of concern need to be addressed prior to work being initiated. Washwater from the high pressure washing of buildings with asbestos siding, asbestos shingles or lead based paint likely can not be covered underneath this permit due to the health risk associated with these materials. Contact the Department's Bureau of Air Management at (608) 266-7718 for further information. A separate permit may be required depending on the specific circumstances.

2. BEST MANAGEMENT PRACTICES (BMPs)

BMPs must be implemented to protect groundwater and surface waters. The BMPs outlined in this permit are designed to address pollutants typically associated with washwater discharges. These include Oil and Grease, Suspended Solids/Particulates, Detergents, Plant and Animal Wastes, Chemical Brighteners/Cleaners and Road Deicing Agents. The goal of a given BMP is to ensure that harmful quantities of a given pollutant do not enter surface waters or groundwater.

2.1. Total Suspended Solids

Solids and particulates are a primary concern for discharges to surface waters. Solids and particulates can cover stream beds and affect fish and plant life as well as being unsightly. Solids and particulates are not a significant concern when it comes to discharges to groundwater since soils serve as a natural filter to remove these contaminants. Therefore, the preferred BMP for handling washwater containing solids and particulates, is to direct washwater to a seepage area, such as a grassy area, so that solids are trapped by the soil as the washwater seeps to groundwater.

However, if discharging to seepage is not an option, discharges to surface waters must be treated for solids removal. BMPs for solids removal are designed to separate the solids from the washwater by (1) slowing down the velocity of the washwater or holding the washwater for a period of time to allow solids to settle out or (2) trapping the solids in a filter prior to discharge to surface waters. Settling can be accomplished in a number of ways. Temporary settling basins can be constructed of sandbags or straw bales, a temporarily blocked off storm drain, or a low spot in the terrain. A settling tank is an example of a more permanent settling basin. When the same site is used to wash many vehicles over an extended period of time, a permanent settling basin will probably be easier to manage. Removal of solids by filtration usually entails the use of a silt fence or other similar structure. Collected solids must be periodically removed from settling and filtration areas to ensure continued settling and filtration capacity and to avoid solids carry over to surface waters during periods of high flow.

Paint chips removed from buildings with high-pressure water must be settled from washwater prior to discharge and disposed of in a sanitary landfill. When lead-based paint is peeled from a building with high-pressure water, special precautions are necessary to collect the lead paint chips and washwater. Contact local health officials or this Department for special requirements for lead based paint removal.

In general, solids associated with washing operations may contain pollutants that can pose an environmental problem if they were to be landspread or improperly landfilled. Therefore, the Department currently requires that solids removed from washing sites be disposed of in a licensed landfill, unless a determination has been made exempting the solids from this requirement. Such an exemption exists for clean concrete and gravel materials, which are exempt from solid waste requirements, as long as they are not disposed of in an environmentally sensitive area. Clean concrete and gravel materials can be disposed of in a construction and demolition landfill. If a facility has specific questions regarding the disposal of solids associated with a washing operation, it should contact the local Department Waste Management Specialist.

Standard Practice for all Washing Operations: For the most part, it is preferred that washing activities occur in areas where there is adequate soil to provide a barrier between the washing operation and the groundwater or surface water in the area. Soils act as a natural filter and can help degrade certain pollutants. Areas composed of highly permeable materials such gravel or coarse sand, while acceptable, do not provide the filtering and treatment benefits of grass or less permeable soils. For certain pollutants, such as oil and grease, soil does not provide treatment. If treatment for oil and grease is necessary in addition to other contaminants, treatment for oil and grease shall always occur prior to washwater being

discharged to groundwater or surface waters. In addition, washing areas shall be properly maintained to prevent erosion off-site and erosion that would result in carry over of sediments to area surface waters.

2.2. Detergents

Comments received from affected parties have indicated that it does not seem workable or practical to prohibit the use of detergents for cleaning and since treatment for surfactant removal is impractical, BMPs for detergents include (1) requiring the use of biodegradable detergents and (2) limiting the use or amount of detergent to the maximum extent possible. Most detergents used in washing activities contain a surfactant and may contain small quantities of phosphorus. Phosphorus contributes to algae growth in surface waters, thus making it important to limit the amount of phosphorus discharged to lakes and streams. Surfactants can be detrimental to surface waters because even biodegradable surfactants reduce the dissolved oxygen concentration in the surface water as they degrade. Although surfactants can impact groundwater quality, the preferred method of discharge for washwater containing detergents is to direct washwater to a seepage area, such as a grassy area.

However, if discharging to seepage is not an option, in addition to the BMPs listed above, only low phosphate, less than 0.5%, or nonphosphate detergents can be used in washing operations with discharges to surface waters. The discharge shall be free of visible foam.

The Department recommends that if a high volume washing operation requires detergents or other cleaning chemicals, the wastewater should be directed to a sanitary sewer or some other type of wastewater treatment system.

2.3. Nonbiodegradable degreasers

Degreasing chemicals that contain halogenated hydrocarbon can not be used in conjunction with this permit. Chemical degreasing with solvents, such as trichlorethylene, poses a high risk of water contamination and is not allowed under this permit. These chemicals should not be discharged to any plumbing system; rather wiping off and disposal as a solid waste is preferred.

Also, the use of a biodegradable paint or varnish stripper does not mean this material is safe to be washed down a storm drain. The resulting material that is washed off will contain whatever was removed and will need to be collected and disposed of in a sanitary sewer

2.4. Chemical Brighteners/Cleaners

Comments received from truck washers explained that it is common practice to spray acid and other chemical cleaners on the outwardly visible metal components of semi-trailers during the washing operation in order to loosen dirt and enhance appearance. The Department is concerned that mismanagement of these types of chemical brighteners could cause metal ions to be washed off in the washwater and/or significantly change the pH of the washwater discharge. However, it is believed that with careful chemical management (which is to be accomplished by limiting application of the brighteners to only the aforementioned metal components and limiting quantities of brighteners applied), the discharge will be acceptable. A significant change in the wastewater pH indicates excessive use of cleaning chemicals. The operator is encouraged to periodically monitor the pH of the wastewater during this phase of the washing process and to develop a plan to minimize the use of chemical brighteners.

2.5. Oil and Grease:

A discharge of oil and grease poses an environmental concern to both surface waters and to groundwater. Some of the concerns for surface waters include the impairment of activities of aquatic plants and animals. For groundwater, the concern is the petroleum products will not be filtered out by the soil and

will eventually seep into the groundwater. Very small amounts of petroleum can negatively impact groundwater. Therefore, there is no real preferred discharge option for discharges contaminated with oil and grease. Treatment must be provided to remove the oil and grease prior to discharge. Once the oil and grease has been removed, the washwater can be discharged to groundwater or surface waters.

There are two primary methods of removing oil and grease. A good system will be able to remove all visible oil to the point where there is no visible oil sheen floating on the surface of the washwater. This would be equivalent to 15 mg/L oil and grease or less in a laboratory analysis. One system is a gravity oil/water separator, which provides a tank where washwater slows down and allows oil, grease, and other petroleum products to float to the top. The petroleum then can be skimmed off, collected, and disposed of properly while the treated washwater is discharged to groundwater or surface waters. Another method is to use an absorbent material that will selectively absorb petroleum from water. This material could be placed directly in the water channel through which the washwater is discharged or placed directly on the surface of the washwater where the oil and grease has accumulated prior to discharge to surface waters or seepage to groundwater.

Oil/water separator devices need to be serviced periodically to removed collected oil and grease. Absorbent materials will need periodic servicing which could mean replacing the media or squeezing out the collected oil so that the material is rejuvenated. Wastes collected from the servicing of oil and grease treatment systems must be disposed of at a Department regulated operation. The local Department Waste Management Specialist can provide the best information on how to dispose of this type of waste.

Washwater with an oil and grease sheen resulting from incidental contact with an engine or oily piece of equipment that is not the result of intentional degreasing is most easily treated with an oil absorbent material, such as an oil/water boom, although an oil/water separator device can be used. Incidental contact should not result in significant amount of oil and grease being present in the washwater.

Washwater from degreasing operations (nonemergency or emergency steam or high-pressure water degreasing of engines or oily pieces of equipment) can contain a large amount of oil and grease. Since nonemergency degreasing can be planned, it shall occur on an impermeable surface (concrete, asphalt, or other impermeable barrier such as thick plastic sheeting) so that the water can be collected or containerized. Given that emergency degreasing occurs without notice and under varying site conditions, it is recognized that an impermeable surface may not always be available. Washwater from emergency degreasing shall be collected or containerized to the maximum extent possible, most likely by using thick plastic sheeting. If possible, water that could not be collected or containerized and forms puddles of water should be treated with an oil absorbent material if oil sheen is present.

A possible discharge option is to haul containerized degreasing washwater to a POTW, if allowed by the POTW. Any collected/containerized washwater that is discharged to groundwater or surface waters shall be treated with an oil/water separator or oil absorbent material, such as an oil/water boom, prior to discharge.

Another common practice is to wash out kitchen ventilation systems to remove cooking oil and grease. The grease and oil must be removed from the wastewater before it reaches a storm sewer or waters of the state.

2.6. Road Deicing Agents:

One of the primary reasons for washing vehicles and equipment in the winter is to remove road salt, which is generally sodium chloride, and other road deicing agents that have accumulated on the bodies of the vehicle and equipment. This can result in a significant quantity of chloride ions being dissolved in the washwater. Chloride ions cannot be removed by settling or filtering and there is no effective way of removing them from washwater. Chloride ions can have a detrimental effect on both surface waters and

groundwater. A concentration of 750 mg/L is the level of concern for discharges to surface waters. This is approximately the concentration at which chloride can be toxic to aquatic life as a result of short-term exposure (acute toxicity). Impact on aquatic life associated with long term exposure (chronic toxicity) to chloride is lower than 750 mg/L, but since washing operations are intermittent, chronic toxicity is not considered a significant concern.

For discharges to groundwater from washing operations, 250 mg/L is the level of concern based on the enforcement standard for drinking water which is Wisconsin's groundwater quality standard from NR 140 Wis. Adm. Code. This assumes that there will be no dilution of the washwater as it percolates down through the soil and mixes with groundwater. More study is needed to determine if chlorides discharged from vehicle washing are near these concentration levels. Operators are encouraged to discharge washwater with high chloride concentrations to a POTW, if allowed by the POTW. Where this is not possible, reducing the amount of chloride discharged to surface waters or groundwater can be accomplished by limiting the frequency and number of vehicles and equipment washed at a site. In addition, vehicles and equipment associated with road deicing should have deicing agents removed from areas where they have accumulated, typically by sweeping. The removed deicing agents shall be collected and handled in accordance with ch. TRANS 277, Wis. Adm. Code.

3. OTHER PERMIT REQUIREMENTS

Discharge Monitoring: There are a number of pollutants of concern in water from washing operations (e.g., suspended solids, chlorides, and oils and grease). Comments received from commercial pressure washers and other affected operators expressed doubts about obtaining representative wastewater samples for chemical analysis. The very nature of how objects are washed makes the pollutant concentration in the water leaving the wash area quite variable. Also, if a sample and chemical analysis were required, it would likely be an extra cost to the operator that would provide highly variable and unreliable data. In addition, the applicability criteria of this permit have been designed so that this permit deals primarily with activities and contaminants where BMPs provide relative assurance of contaminant control. The reliance will be on visual observance of the washwater discharge to determine the effectiveness of BMPs, such as no visible sheen for oil and grease (which equates about to 15 mg/L or less of oil and grease) or no visible impact in terms of color and turbidity (this equates to about 40 mg/L or less of total suspended solids).

Although monitoring is not required as part of the permit, operators are encouraged to sample periodically for parameters of concern to determine the effectiveness of their BMPs. In cases where the Department investigates a washing operation due to a complaint or suspects a water quality problem, we may collect samples of the waste stream. With the pollutant limits mentioned above as a reference, the Department will make a determination of compliance with the GP.

Other Permits: Other permits or approvals may be required of the discharger. The discharger is responsible for obtaining necessary approvals.

4. Surface Water Standards, Antidegradation, and Groundwater Standards

The discharges from facilities eligible for this permit are not expected to exceed any surface water or groundwater standards. Facilities with discharges that have a reasonable potential to violate surface water quality standards or groundwater quality standards would normally require the increased oversight and monitoring found in a site-specific individual permit. If an outside washing operation would proposed a new or significantly increased pollutant discharge, evaluation of the proposed increase would begin via notification to the Department in a new request for general permit coverage or via notification of a planned change under standard requirement 4.6 of the permit. Upon notification of the proposed new or increased discharge, the Department would evaluate the proposed new or increased pollutant discharge amount to insure the antidegradation requirements of NR 207 are met. In a case where significant

lowering of water quality is proposed, the Department may require the permittee to evaluate a variety of options to insure there is no significant lowering of water quality occurs in the receiving water, such as improved wastewater treatment effectiveness, wastewater reuse, directing the discharge to a seepage area, an alternate discharge location, process changes to reduce the pollutant discharge level, pollutant prevention activities, etc.

5. Standard Requirements

The "Standard Requirements" are a group of requirements that apply to all dischargers and are conditions associated with a WPDES general permit.

6. Requirements for Discharges to 303(d) Listed Impaired Surface Waters and TMDL allocations

If a facility discharges a pollutant of concern to an 303(d) listed impaired water body, the pollutant discharge needs to be minimized as much as possible as part of an overall state effort to reduce the pollutant loading to the water body. The 303(d) list of Wisconsin impaired water bodies may be identified by contacting the Department or by searching for the 303(d) list on the Department's Internet site. The current link to the 303(d) list is: <http://dnr.wi.gov/org/water/wm/wqs/303d/>. For an existing outside washing operation, the most common pollutant of concern may be a total suspended solids (TSS) discharge to a sediment impaired water body. The above Department internet page contains county based maps that show the location of Wisconsin waters impaired by excessive sediment/solids levels.

The permit requires that an annual check be conducted, by February 15th each calendar year, to determine whether the permittee discharges process wastewater to a section 303(d) listed impaired water body. If so, the permittee shall evaluate, within 180 days of the annual check, whether additional control measures and practices could be used to voluntarily minimize, with the goal of elimination, the discharge of pollutant(s) of concern that contribute to the impairment of the water body. The permittee should keep a record of the amount of pollutant discharge reduction that has been voluntarily achieved. The exact amount of pollutant reduction will be legally established in the State and Federal Approved Total Daily Maximum Load (TMDL) allocation established for the discharge.

Federal Statutes, 40 CFR 122.4, prohibit the issuance of a WPDES permit to a new source or new discharger that will contribute to a violation of a water quality standard in a 303(d) listed water. Also, an increased discharge of a pollutant of concern that would cause or contribute to a violation of a water quality standard in a 303(d) listed water is not to be allowed. Therefore, this general permit specifies that a permittee may not establish a new pollutant of concern discharge to a 303(d) listed impaired water body or significantly increase the discharge of a pollutant of concern to an impaired water body unless the new or increased discharge does not contribute to the receiving water impairment, or the new discharge is consistent with a Department finalized total maximum daily load (TMDL) allocation for the impaired water body. The general permit can not be used if this requirement is not met for a new discharge. For a new outside washing operation requesting coverage under this general permit, the Department will evaluate the proposed new pollutant discharge amount and receiving water to determine if the above requirement can be met. A variety of options may be available to insure any proposed new discharge does not contribute to the receiving water impairment such as on-site capture of the pollutant of concern, an alternate discharge location, wastewater reuse opportunities, directing the discharge to a seepage area, enhanced treatment options so the discharge would meet the water quality standard, etc.

If an existing outside washing operation would proposed a significant increase in a pollutant of concern discharge to an impaired water body, evaluation of the proposed increase would begin via notification to the Department of a planned change under standard requirement 5.6 of the permit. Upon notification of the proposed increase, the Department would evaluate the proposed increased pollutant discharge amount and receiving water to determine if the above requirement can be met. A variety of options may be available to insure any proposed increased discharge does not contribute to the receiving water

impairment such as on-site capture of the pollutant of concern, an alternate discharge location, wastewater reuse opportunities, directing the discharge to a seepage area, enhanced treatment options so the discharge would meet the water quality standard, etc.

The permit requires that a permittee conduct an annual check, by February 15th each calendar year, to determine whether its facility discharges process wastewater to a water body that has a State and Federal Approved TMDL. If so, the permittee would be required to assess whether the TMDL wasteload allocation for the facility's discharge is being met through the existing wastewater treatment controls or whether additional control measures are necessary. A proposed TMDL implementation plan would need to be submitted to the Department within 180 days of the TMDL annual check for any facilities regulated by State and Federal Approved TMDL. A permittee's assessment of whether a TMDL wasteload allocation can be met shall focus on the process wastewater treatment effectiveness and the adequacy of maintenance and implementation of any pollution prevention controls. Affected facilities are encouraged to implement any needed wastewater treatment system changes as soon as possible. However, compliance with the State and Federal Approved TMDL would not be legally required until the approved TMDL limits are included in a general or site-specific WPDES permit. The Department is not aware of any outside washing operation wastewater discharge to a State and Federal Approved TMDL allocation finalized prior to the effective date of this permit (April 1, 2009).

Respectfully Submitted,



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