

# Earth Disturbance Activities at Industrial Sites

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# What Are Industrial NPDES Permits?

For discharges of industrial wastewater from manufacturing, commercial or other facilities, alone or in combination with stormwater discharges to surface waters of the Commonwealth.

## Common Types of Industrial NPDES Permits

- ▶ Individual NPDES - Process and Non-Process WW, Treated Wastewaters, Stormwater
- ▶ Individual Stormwater NPDES - Stormwater Only Discharges, Contaminated, Treated, or Located in an HQ Watershed.
- ▶ General NPDES Permits
  - ▶ PAG-03 - Stormwater Associated with Industrial Activity (No Exposure Certification)
  - ▶ PAG-05 - Groundwater Treatment Systems for Petroleum Contaminated Groundwater
  - ▶ PAG-10 - Hydrostatic Testing of Tanks and Pipelines

# How To Know if a Site is Contaminated?

- ▶ Review historic environmental records and past industrial activity.
- ▶ Compliance records and DMRs from the facility's NPDES permit.
- ▶ Act II cleanup and remediation records if available.
- ▶ Conduct supplemental soil sampling, soil borings and stormwater runoff sampling to identify any pollutants of concern.

# Common Industrial Pollutants

- ▶ Metals: Aluminum, Iron, Manganese, Lead, Mercury
- ▶ Oils & Grease and Volatile Organic Compound's from Fuel Spills: Diesel, Gasoline, Heating Oil and other fuel related pollutants; MTBE, benzene, toluene, ethylbenzene, xylenes, Trichloroethylene, phenolics, naphthalene.
- ▶ Polychlorinated Biphenyls (PCBs)
- ▶ Radioactivity: Generally referred to DEPs Rad Protection program for evaluation.

# What Pollutant Levels to Consider?

PA Code Chapter 93 Water Quality Criteria for water

Medium-Specific Concentrations (Act II) standards for soil

# Typical Permitting Process - ECB Review

- ▶ Developer submits an application for a general construction NPDES permit to County Conservation District. Applicant should indicate if the project is located at an Act II site and/or contamination is present.
- ▶ CCD will notify DEPs Waterways & Wetlands (W&W) Program if contamination is present.
- ▶ W&W will consult with the Department's Environmental Cleanup and Brownfields (ECB) Program.
- ▶ If the site has contamination left in place, either an individual construction NPDES permit application should be requested or a soil and groundwater management plan should be submitted as part of the general permit application.
- ▶ The submitted plan should be reviewed by ECB.
- ▶ ECB should provide a response to W&W stating general knowledge of the site, providing any comments on the plan, and any restrictions on the site not addressed by the plan.
- ▶ W&W will determine if the site needs an Individual or General construction NPDES permit.

# Typical Permitting Process - Clean Water Review

If W&W identifies the potential for discharges of contaminated wastewater during the construction project, the proposal will be forwarded to DEP's Clean Water Program for evaluation.

Approvals to Discharge contaminated wastewaters associated with construction activity will typically fall under one of two scenarios..

**Active Industrial Facility with NPDES permit** - Discharges of construction wastewater (treated or untreated) may be approved by amending the existing Industrial NPDES permit.

**Inactive or Historic Industrial Facility without NPDES permit** - Discharges may be approved by letter or with supplemental BMPs added to the E&S permit.

# Additional Requirements Typical for Contaminated Wastewater Management

- ▶ Installation of supplemental BMPs to control the discharge of pollutants
- ▶ Collection and onsite treatment with discharge
- ▶ Supplemental monitoring requirements
- ▶ Collection and disposal at an approved facility
- ▶ Development and submission of a Soil Management Plan



# Components of A Soil Management Plan

- ▶ Description and specific location of contamination.
- ▶ Description and specific location(s) of any engineering controls onsite used for Act 2 approval.
- ▶ Description of any environmental covenants, Activity and Use Limitations, or Post-Remediation Care Plans under Act 2.
- ▶ Site development details indicating where contamination may be encountered, including utility installation (drawings are helpful).
- ▶ Excavated soil management procedures (stockpile locations and specifications, contaminated versus uncontaminated stockpiles, reuse or disposal criteria, reuse locations, disposal locations).
- ▶ Handling procedures for encountered groundwater.
- ▶ Erosion & Sedimentation Control Plan proposed BMPs and controls (can attach E&S plan but should have language of how specific controls will be used to prevent discharge of contaminated media).
- ▶ Current and proposed storm water discharge locations and any proposed sampling to verify controls are working.
- ▶ Worker safety requirements (may be a separate Health and Safety Plan).
- ▶ Designation of person(s) responsible for plan implementation.

Questions?