## Appendix D - Notice of Intent (NOI) Form

Part 7.B requires you to use the IPDES E-Permitting System to prepare and submit your Notice of Intent (NOI). However, if the DEQ grants you a waiver to use a paper NOI form, and you elect to use it, you must complete and submit the following form.

Submission of this NOI constitutes notice that the operator requests authorization to discharge pursuant to the IPDES Multi-Sector General Permit (MSGP). Submission of this NOI also constitutes notice that the operator meets the eligibility conditions of Part 1.A of the MSGP for the facility. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage.

IDAHO **Department of Environmental Quality**

**Multi-Sector General Permit(MSG) Notice of Intent**

12/28/2016

## Facility Information

Application Id:

Facility/Site Name:

Facility/Site Physical Address:

Latitude Decimal Degrees:

Longitude Decimal Degrees:

## Permit Information

Are you a new discharger or a new source? ◯ **Yes** ◯ **No**

Is the receiving water impaired? ◯ **Yes** ◯ **No**

Which of the options in 1.1.6.2.a-c does your facility meet?

Upload Receiving Water Eligibility supporting documents

Have stormwater discharges from your facility been covered previously under a NPDES/IPDES permit? ◯ **Yes** ◯ **No**

Please enter previous NPDES/IPDES permit number(s)?

Do you have a pending enforcement action related to industrial stormwater by EPA, a state, or a citizen? ◯ **Yes** ◯ **No**

## Facility

Are you requesting coverage under this NOI as a "federal operator"? ◯ **Yes** ◯ **No**

Is the facility located on Tribal lands? ◯ **Yes** ◯ **No**

What is the facility ownership?

Estimated area of industrial activity at your facility exposed to stormwater (to the nearest quarter acre):

Please provide a brief description of the facility's processes and operations.

Identify the 4-digit Standard Industrial Classification (SIC) code that best represents the products or services rendered for which your facility is primarily engaged, as defined in the MSGP, and

the applicable sector and subsector of you primary industrial activity.

SIC Codes:

NAICS Code:

Sector:

Sub Sector:

Identify applicable sectors and subsectors of any co-located industrial activity for which you are requesting coverage:

Sector:

Sub Sector:

If you are a Sector A (Timber Products) facility, do you manufacture, use or store creosote or creosote-treated wood in areas that are exposed to precipitation? ◯ **Yes** ◯ **No**

If you are a Sector S (Air Transportation) facility, do you anticipate using more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis? ◯ **Yes** ◯ **No**

If you are a sector G, H or J (Metal Mining, Coal Mining, or Mineral Mining) facility, do you anticipate performing earth-disturbing activities prior to active mining as described in Parts 8.G.3.2.b, 8.H.3.2.b, or 8.J.3.2.b? ◯ **Yes** ◯ **No**

If you are a Sector G (Metal Mining) facility, do you have discharges from waste rock and overburden piles? ◯ **Yes** ◯ **No**

Is your facility presently inactive and unstaffed and are there no industrial materials or activity exposed to stormwater?* ◯ **Yes** ◯ **No**
**The requirement for benchmark monitoring does not apply at a facility that is active and unstaffed, provided that there are no industrial materials or activities exposed to stormwater. Note that if your facility becomes inactive and unstaffed and/or industrial materials activities become exposed to stormwater during the permit term, you must submit an NOI modification to reflect the change.*

Are there stormwater discharges from paved surfaces? ◯ **Yes** ◯ **No**
Has the paved surface been sealed or will be resealed with coal-tar sealcoat? ◯ **Yes** ◯ **No**

**For operators in Subsector J3, does the facility conduct phosphate mining or phosphate ore processing activities?** ☐ Yes ☐ No

## Discharge Information

☐ I confirm that I understand that the MSGP only authorizes the allowable stormwater discharges in Part 1.1.2. and the allowable non-stormwater discharges listed in Part 1.1.3. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring IPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.1.2 and 1.1.3 will be discharged, they must be covered under another IPDES permit. Required field.

Federal Effluent Limitation Guideline

Are you requesting permit coverage for any of the following stormwater discharges? ◯ **Yes** ◯ **No**
Identify which effluent limitation guidelines apply to your stormwater dirscharges:

| 40 CFR Part/Subpart | Eligible Discharges | Affected MSGP Sector | New Source Date | Check if Applicable |
|---|---|---|---|---|
| Part 411, Subpart C | Runoff from material storage piles at cement manufacturing facilities. | E | 2/20/1974 | ☐ |
| Part 418, Subpart A | Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874) | C | 4/8/1974 | ☐ |
| Part 423 | Coal pile runoff at steam electric generating facilities. | O | 11/19/1982<br>10/8/1974 | ☐ |
| Part 429, Subpart I | Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas | A | 1/26/1981 | ☐ |
| Part 436, Subpart B,C, or D | Mine dewatering discharges at crushed stone mines, construction sand and gravel mines, or industrial sand mines. | J | N/A | ☐ |
| Part 443, Subpart A | Runoff from asphalt emulsion facilities | D | 7/28/1975 | ☐ |
| Part 445, Subparts A & B | Runoff from hazardous waste and non-hazardous waste landfills | K,L | 2/2/2000 | ☐ |
| Part 449 | Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1000 or more annual non-propeller aircraft departures. | S | 6/15/2012 | ☐ |

1. NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore wastewaters generated by Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

### Receiving Water Information

☐ I fully understand the implication of IDAPA 58.01.25.100.01 and accept responsibility for ensuring that all other necessary approvals, authorizations, or permits have been obtained.

| Outfall | Latitude | Longitude | Name of the first water of the U.S. that receives stormwater directly from the outfall and/or from the MS4 | If the receiving water is impaired (on the CWA 303(d) list) list the pollutants that are causing the impairment | Is there a TMDL for this receiving water body? | TMDL Name/TMDL ID | Pollutants for the TMDL | Is This outfall a bypass? | Is this substantially identical to another discharge point |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | ○ Yes ○ No | ○ Yes ◉ No (If yes) Name of Outfall: |
| | | | | | | | | ○ Yes ○ No | ○ Yes ◉ No (If yes) Name of Outfall: |

| Outfall | Latitude | Longitude | Name of the first water of the U.S. that receives stormwater directly from the outfall and/or from the MS4 | If the receiving water is impaired (on the CWA 303(d) list) list the pollutants that are causing the impairment | Is there a TMDL for this receiving water body? | TMDL Name/TMDL ID | Pollutants for the TMDL | Is This outfall a bypass? | Is this substantially identical to another discharge point |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | ◯ Yes ◯ No | ◯ Yes ◉ No (If yes) Name of Outfall: |

*To search for TMDL information, please refer to the following links. The Integrated Report Mapper will allow you to zoom into your discharge location to identify exact TMDL impairments for that segment. It is recommended that the TMDL table is also referenced (secondary check).*

*DEQ Integrated Report: https://mapcase.deq.idaho.gov/wq2016/*

*DEQ Table of Subbasin Assessments, TMDLs, Implementation Plans, and Five-Year Reviews: https://www.deq.idaho.gov/waterquality/surfacewater/tmdls/table-of-sbas-tmdls/*

Does the facility discharge into a Municipal Separate Storm Sewer System (MS4)? ◯ Yes ◯ No

Select the MS4 to which you discharge, if known:

Do you discharge to any waters of the U.S. that are designated by the state under it's antidegradation policy as a Tier 2 water (water quality exceeeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water ◯ Yes ◯ No

1. Water Sources: (Check as many as are applicable)

- ☐ Tier 2 - Provide the names of receiving waters:
- ☐ Tier 3 - (Outstanding National Resource Waters)*

*You are ineligible for coverage if you are a new discharger or new source to waters designated as Tier 3 (outstanding national resource waters) for antidegradation purpose under 40CFR 131.13(a)(3).

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? ◯ Yes ◯ No

What is the hardness of your receiving water(s) (see Appendix J)?

Does your facility discharge to a federal CERCLA site listed in Appendix P? ◯ Yes ◯ No

Did you notify DEQ in advance of filing your NOI, and did DEQ determine that you are eligible for permit coverage pursuant to Part 1.14.10*? ◯ Yes ◯ No

*Note: If you discharge to a federal CERCLA site listed in Appendix P, you are ineligible for coverage under this permit unless you notify DEQ in advance and DEQ determines you are eligible for coverage under this Part, DEQ may evaluate whether you have included adequate controls and/or procedures to ensure that your discharge will not lead to recontamination of aquatic media a the CERCLA site such that it will cause or contribute to an exceedance of a water quality standard.

## Stormwater Pollution Prevention Plan (SWPPP)

Has the SWPPP been prepared in advance filing this NOI, as required? ◯ **Yes** ◯ **No**

SWPPP Contact **(Required)**

| | |
|---|---|
| First Name: | Middle Initial: |
| Last Name: | Professional Title: |
| Phone: | Email: |

☐ SWPPP Preparer **(Optional)**

| | |
|---|---|
| First Name: | Middle Initial: |
| Last Name: | Professional Title: |
| Phone: | Email: |

SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following two options. Select one of the options and provide the required information*.

*Note You are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.

◉ Option 1: Maintain a current copy of your SWPPP on an internet page (URL): Provide the web address URL:

◯ Option 2: Provide the following information from you SWPPP.

A. Describe your onsite industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams), and potential spill and leak areas:

B. List the pollutants or pollutant constituents associated with each industrial activity exposed to stormwater that could be discharged in stormwater and only authorized non-stormwater discharges listed in Part 1.13:

C. Describe the control measures you will employ to comply with the non-numeric technology-based effluent limits required in Part 2.12 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 5.2.4):

D. Provide a schedule for good housekeeping and maintenance (see Part 5.2.5.1) and a schedule for all inspections required in Part 4 (see Part 5.2.5.2)

Upload signed cover sheet and map of site:

◯ Option 3: Upload your SWPPP to this NOI.

| List of Uploaded Documents | Size (MB) |
|---|---|
| No records to display | |

## Endangered Species Protection:

Using the instructions in Appendix E of the MSGP, identify the criterion under which you are eligible for coverage under this permit.

NOTE: You must use the information from the USFWS IPaC and NOAA Species Directory (see MSGP, Appendix E) when determining the presence of ESA listed species and critical habitat. Attaching aerial images of the site to this NOI is helpful to DEQ, EPA, USFWS and NMFS in confirming eligibility under this criterion. When evaluating the potential effects of your activities, you must consider effects to listed species or critical habitats within the "action area" of your facility, as identified by the USFWS IPaC and/or the NOAA Species directory. Note: NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.

Refer to ipac.ecosphere.fws.gov for help with determining the presence of ESA listed species and critical habitat.

**Criterion A: No ESA-listed species and/or critical habitat present in action area.**
Attach a description of the basis for selecting this criterion and provide documentation supporting your eligibility determination in your SWPPP. [Basis statement content: A basis statement supporting the selection of this criterion must identify the USFWS and NMFS information sources used. State resources are not acceptable. Attaching aerial images of the site to this NOI is helpful to DEQ, USFWS, and NMFS in confirming eligibility under this criterion.
Additionally, you must complete and attach the sections of Appendix E of the MSGP that pertain to Criterion A Eligibility Requirements.

| List of Uploaded Documents | Size (MB) |
|---|---|
| No records to display | |

**Criterion B: Eligibility requirements met by another operator under the MSGP.**
Provide the NPDES ID from the other operator's notification of authorization under this permit:

If certification is based on another MSGP operator's certification under criterion C, attach the relevant supporting information required (i.e., permit tracking number, industrial activity SWPPP, a description of the basis for the criterion selected). [Basis statement content: A basis statement supporting the selection of this criterion must identify the eligibility criterion of the other MSGP NOI, the authorization date, and confirmation that the authorization is effective.]
Additionally, you must complete and attach the sections of Appendix E of the MSGP that pertain to Criterion B Eligibility Requirements.

| List of Uploaded Documents | Size (MB) |
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| No records to display | |

**Criterion C(1): Facility eligible for Criterion C in the previously issued MSGP with NO CHANGE to listed species, critical habitat, or action area**
Attach a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP. [Basis statement content: A basis statement supporting the selection of this criterion must provide the USFWS and/or NMFS resources consulted that helped you determine that there are no additional species and/or critical habitat under the jurisdiction of the Services in your action area.]

| List of Uploaded Documents | Size (MB) |
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| No records to display | |

○ **Criterion C(2): Facility eligible for Criterion C in the previously issued MSGP with CHANGES to listed species, critical habitat, or action area.**

Attach a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.
[Basis statement content: A basis statement supporting the selection of this criterion must identify the following:

1. A description of the changes in the facility's action area (if applicable).
2. The USFWS and/or NMFS resources consulted that helped you determine that additional species and/or critical habitat have been listed/designated by either of the Services in your action area.
3. What ESA-listed species and/or designated critical habitat are located in your "action area".
4. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed.
5. A description of EPA approved measures you will implement or will continue to implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.]

Additionally, you must complete and attach the sections of Appendix E of the MSGP that pertain to Criterion C2 Eligibility Requirements. DEQ will provide this information to NMFS and USFWS for review for 30 additional days prior to the standard 30-day review for all NOIs.

| List of Uploaded Documents | Size (MB) |
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| No records to display | |

○ **Criterion C(3): ESA listed species and/or designated critical habitat likely to occur, but discharges not likely to adversely affect them.**

Attach a description of the basis for the criterion you selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.
[Basis statement content: A basis statement supporting the selection of this criterion must identify the following:

1. The USFWS and NMFS information resources and expertise (e.g., state or federal biologists) used to arrive at this conclusion. Any supporting documentation should explicitly state that both ESA-listed species and designated critical habitat under the jurisdiction of the USFWS and/or NMFS were considered in the evaluation.
2. The ESA-listed species and/or designated critical habitat are located in your "action area."
3. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).
4. A description of DEQ-approved measures you will implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.
5. A statement affirming that "I agree to implement any additional measures determined by DEQ to be necessary to ensure that my discharges and/or discharge-related activities will not have likely adverse effects on listed species and critical habitat."
6. If DEQ granted you a waiver from electronic reporting, the date you sent completed Criterion C Eligibility form to EPA.]

Additionally, you must complete and attach the sections of Appendix E of the MSGP that pertain to Criterion C3 Eligibility Requirements. DEQ will provide this information to NMFS and USFWS for review for 30 additional days prior to the standard 30-day review for all NOIs. After evaluation of your Criterion C Eligibility Form, DEQ may require additional measures that you must implement to avoid or eliminate likely adverse effects on ESA-listed species and/or critical habitat from discharges and discharge-related activities.

| List of Uploaded Documents | Size (MB) |
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**Criterion D: ESA section 7 consultation has successfully concluded.**

To certify eligibility under this criterion, both of the following conditions must be met:

1. A consultation has concluded and the consultation has address the effects of your industrial discharge related activities on all ESA-listed threatened or endangered species and all designated critical habitat in your action area. The results of the consultation must be either of the following:
   a. A biological opinion and/or conference opinion that concludes that the action in question (taking into account the effects of your facility's discharges and discharge-related activities) is not likely to jeopardize the continued existence of ESA-listed species, or result in the destruction or adverse modification of designated critical habitat; or
   b. Written concurrence from the applicable Services with a finding that your facility's discharges and discharge-related activities are not likely to adversely affect ESA-listed species or designated critical habitat.
2. You must verify that the consultation does not warrant reinitiation under 50 CFR §402.16. If reinitiation of consultation is required, in order to be eligible under this criterion you must ensure consultation is reinitiated and the result of the consultation must be consistent with Criterion D (a), or (b) above.

**If any of the above are not true, you may not select criterion D**

Attach a description of the basis for selecting this criterion and provide documentation supporting your eligibility determination in your NOI and SWPPP, including the Biological Opinion (or ECO tracking number) or concurrence letter. You must include copies of the correspondence between yourself and the USFWS and/or NMFS in your SWPPP and your NOI. [Basis statement content: A basis statement supporting the selection of this criterion should identify the federal action agencies involved, the field office/regional offices providing that consultation, any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the consultation was completed.]
Additionally, you must complete and attach the sections of Appendix E of the MSGP that pertain to Criterion D Eligibility Requirements.

| List of Uploaded Documents | Size (MB) |
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| No records to display | |

**Criterion E: Issuance of Section 10 permit.**

Attach copies of the correspondence between yourself and the participating agencies in your SWPPP and your NOI. [Basis statement content: A basis statement supporting the selection of this criterion should identify whether USFWS or NMFS or both agencies provided a section 10 permit, the field office/regional offices providing permits, any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the permit was granted.]
Additionally, you must complete and attach the sections of Appendix E of the MSGP that pertain to Criterion E Eligibility Requirements.

| List of Uploaded Documents | Size (MB) |
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| No records to display | |

Briefly justify your criterion selection below.

## State/Environmental Laws

1. Nothing in this permit shall be constructed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation.
2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

## Fees

Coverage is not effective until payment has been received by DEQ. Application fees are non-refundable.
Please identify how you will pay fees:

- ○ Electronic Payment through Tyler Technologies
- ○ Mail Payment

To make a payment go to the Fee Management on your E-Permitting Home Page