

## STORM WATER GROUP PERMIT ISSUED

The Storm Water Multi-Sector Group Permit was issued by the EPA in the Sept. 29, 1995 Federal Register (Vol. 60, No. 189, Pgs. 50,803-51,320.) The permit covers textile mills and apparel and other fabric product manufacturing facilities. The group permit applies to those states not having NPDES authorization. Those states include the following New England states: **Maine, Massachusetts, and New Hampshire.** The EPA has provided the Multi-Sector General Permit to the NPDES authorized states to consider this permit for their permitting needs.

Those companies wanting to have their facilities covered by the permit must file a Notice of Intent (NOI) by **December 30 of this year.**

- 1) To apply for coverage under the Group Permit you must certify that your storm water discharges and management practices are not likely to have an adverse impact on **endangered species.**
- 2) A second certification must be provided with regards to **Historic Preservation.**
- 3) Operators of storm water discharges that discharge through a large or medium municipal separate storm sewer system must notify the municipal operator of the discharge. A copy of the NOI must be sent to the municipal operator as well.
- 4) Non-Storm water discharges are prohibited under this permit.
- 5) Co-located industrial activities are authorized provided the industrial facility complies with the pollution prevention plan and monitoring requirements for each co-located activity.
- 6) All facilities covered by the multi-sector permit must prepare and implement a **Storm Water Pollution Prevention Plan (SWPPP)** within 270 days of the effective date of the permit, October 1, 1995. There

are four primary steps involved in the development and implementation of a SWPPP:

- a) Formation of an internal pollution prevention team
  - b) Assessment of potential storm water pollution
  - c) Selection and implementation of appropriate management practices and controls, and
  - d) Periodic evaluation of the effectiveness of the plan.
- 7) The multi-sector permit contains special requirements for facilities subject to EPCRA Section 313 reporting requirements. Specifically, a list of 175 chemicals has been classified by the EPA as Section 313 water priority chemicals. Engineering practices and controls are specified as requirements for areas and activities where these chemicals are stored, handled and used.

The special requirements set forth for industrial activities from textile mills and apparel and other fabric product manufacturing facilities are summarized below:

- a) **Applicability:** The storm water regulations under this definition include facilities under Standard Industrial Classifications 22 and 23.
- b) **SWPPP:** This permit contains slightly different requirements pertaining to the contents of SWPPP.
- c) **Monitoring Requirements:** Monitoring requirements are limited to quarterly visual examination of storm water discharges. These visual examinations are to be documented and will include observations related to the sample color, odor, clarity, floating solids, foam, oil, sheen, etc. There are no analytical monitoring requirements or numeric limits.

### *How does this compare with the baseline permit?*

- 1) **SWPPP:** SWPPPs were required to be prepared by April 1, 1993. Facilities were to implement these Plans by Oct. 1, 1993. Therefore, **any facility opting for the baseline general permit must be sure to have the storm water plan developed and implemented prior to filing an NOI or will be in immediate non-compliance with these requirements.**

- 2) Monitoring Requirements: For those facilities subject to EPCRA Section 313 annual reporting requirements, semi-annual testing is required if one or more water-priority chemicals are reported by the facility.

In summary, the NTA's group permitting efforts provided great benefits to the textile mills. The multi-sector general permit contains no analytical monitoring requirements because the data submitted by these groups indicated that there was minimal potential for the discharge of pollutants from these industrial facilities. Also, the facility operational and engineering practices described in the Part I and II applications provided assurances to the EPA that effective management practices were largely in place. As a result, the multi-sector permit is a permit that does not impose an undue burden upon these facilities.

The first step in the process is to file completed NOI forms by December 30, 1995. This involves certifications with regards to **endangered species** and **historic preservation**. This will require some initial effort on the part of each individual facility. The second step is to prepare and implement effective **SWPPP** by June 29, 1996. The third step will be to perform the quarterly visual monitoring of storm water discharges at each mill and maintaining of records of all monitoring activities. The SWPPP must be updated periodically and/or revised to reflect changes and corrective measures as necessary.

For more information contact David Trumbull at NTA at 617-542-8220.

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## POSSIBLE ACTION ON CLEAN AIR ACT

**Senator Lauch Faircloth** (R-NC) has advocated a number of limited amendments to the Clean Air Act, and may be filing legislation by the end of the year. The Amendments would affect Title V Operating Permits, monitoring requirements, certain hazardous air pollutant requirements, and the definition of "potential to emit." If enacted the changes would allow facilities more flexibility in operating under their Title V Permit.

Major overhaul of the Clean Air Act has not been seen as likely in the 104th Congress. It is not clear whether the

limited amendments advanced by Sen. Faircloth have the needed support in the Senate.

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## EUROPEAN ECOLABELING DELAYED, FOR NOW

The European Union's attempt to pass an ecolabel for certain textile products has been delayed after strong objections were voiced by the American textile industry. The United States government is now looking at European proposals for ecolabeling to determine whether such proposals would, if enacted, erect trade barriers in violation of the World Trade Organization's rules.

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## EPA FUNDS TEXTILE METALS STUDY

EPA has agreed that preliminary evidence presented by the textile industry supports the industry's position that the metals in textile discharges are so bound in the dye molecules that they are not an environmental concern. EPA has committed \$70,000 toward a study being coordinated by ATMI to determine whether metals in textile effluent ought to be treated differently. This project has the potential to offer significant relief to textile manufacturers. The American Textile Foundation, ATMI's educational and research arm has committed \$40,000 to the project. NTA, along with various state textile associations and dye stuff suppliers have also made significant monetary commitments to this project.

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## SUPERFUND

Superfund reform legislation has been filed in both the House and the Senate. The bills address many of the issues sought by industry: limiting retroactive liability, replacing joint and several liability with a more equitable proportional liability, and capping the number of new sites to be listed.

**Senator Bob Smith** (R-NH) has taken the lead in the Senate with his bill (S. 1285). **Representative Mike Oxley** (R-OH) has filed H.R. 2500 in the House. In October, **Senator John Chafee** (R-RI), Chairman of the Committee on Environment and Public Works, has indicated to NTA that we can expect to see reform of Superfund passed in the Senate. Mr. Oxley's bill has been passed by the House Commerce Subcommittee.

The Clinton Administration has expressed concerns about aspects of the bills as currently written.