



STATE OF NEVADA

Department of Conservation & Natural Resources

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

DIVISION OF ENVIRONMENTAL PROTECTION

Colleen Cripps, Ph.D., Administrator

FACT SHEET (pursuant to NAC 445A.236)

Permit Type: Subsurface disposal to groundwaters of the state of Nevada via vertical wells and subsurface stormwater distribution systems that are designed to dispose of stormwater below the ground surface. This permit is written under the Nevada Underground Injection Control (UIC) program pursuant to Nevada Administrative Code (NAC) 445A 810-925.

Permit Number: GUSW

Permit Objective: The Nevada Division of Environmental Protection (NDEP) is proposing to issue a general permit for stormwater discharges to the groundwater via Stormwater Drainage Wells (SWDW). This SWDW General Permit establishes Notice of Intent (NOI) requirements, water quality limitations, prohibitions and management for two (2) separate discharge categories. This permit will ensure infiltration or injection of fluids into the ground does not result in the degradation of groundwater.

Description of Discharge: GUSW authorizes stormwater discharges to groundwater only. Surface water discharges to waters of the State are not authorized by this permit. Permitted activities include discharges to groundwater via SWDWs. SWDWs are typically shallow disposal wells designed to receive rain water or melted snow from paved areas including parking lots, streets, residential subdivisions, building roofs and highways. A SWDW is a Class V (e.g. subclass 5D2) injection well and includes any of the following:

- Vertical wells - According to Nevada Administrative Code (NAC) 445A.838, a well is defined as any dug hole or bored, drilled or driven shaft whose depth is greater than the largest surface dimension;
- Subsurface stormwater distribution systems - An assemblage of perforated pipes or other mechanisms that distribute stormwater below the ground surface. Perforated pipe is defined as a pipe designed to discharge water through small, multiple, closely spaced orifices or nozzles placed in a segment of its circumference. A stormwater distribution system is considered to be subsurface if the disposal system is covered by soil, asphalt, or concrete; and
- Other similar subsurface mechanisms used to distribute stormwater below the ground surface.

This general permit has been developed to permit two types of discharge activities under one permit. These two discharge categories are 1) Minimal Risk Stormwater Discharges and 2) Moderate Risk Stormwater Discharges, and are listed below:

Discharge Category 1 - Minimal Risk Stormwater Discharges: This category is established to provide coverage for sites that discharge stormwater which when managed properly has a minimal risk to degrade groundwaters of the State. The following conditions must be met for an applicant to receive coverage under this category.

- Groundwater depth is greater than 5 feet below bottom of SWDW;
- SWDW is greater than 1000 feet from the closest public water system well; and
- The discharge must be solely from stormwater runoff and not come into contact with other wastes or discharges not associated with stormwater runoff.

Discharge Category 2 - Moderate Risk Stormwater Discharges: This category is established to provide coverage for sites whose discharge has a moderate risk to degrade groundwaters of the State. Permitted activities covered under Category 2 include any of the following site conditions:

- Groundwater depth is less than 5 feet below bottom of SWDW;
- SWDW is less than 1000 feet from the closest public water system well;
- The discharge has the potential to come into contact with other wastes or discharges not associated with stormwater runoff; and/or
- Any eligible discharge which NDEP determines is a moderate risk to groundwater and shall include water quality sampling.

Discharges not covered by this permit include, but are not limited to:

- Discharges to surface waters of the State;
- Discharges which are covered under the National Pollutant Discharge Elimination System (NPDES);
- Discharges from SWDWs that are within 150 feet of a public water system well;
- Discharges from mining process activities;
- Discharges of commercial/industrial process water and waste;
- Discharge of domestic/sanitary waste;
- Discharge of antifreeze, degreasers, detergents, fuels, alcohol and solvents from dumping;
- Discharges to open trenches filled with gravel that are wider than they are deep;
- Discharge of fluid which degrades the physical, chemical or biological quality of the aquifer into which the fluid is discharged, pursuant to Nevada Administrative Code (NAC) 445A.850;
- Discharges of fluid related to motor vehicle maintenance (NAC 445A.8491-8499);
- Discharges authorized by other NDEP permits; and
- Discharges not authorized under this permit;

Certification of Discharge: In order to protect the groundwaters of the state of Nevada, the following permit requirements are established:

- For Category 2 discharges only, sample results must be submitted annually as defined in A.3.2. of the permit.
- Water sample monitoring must include analysis for substances as defined in Part A.2. of the permit. Underground Injection Control (UIC) Form U230 shall be submitted with all water samples. The form can be found at http://ndep.nv.gov/bwpc/docs/uicform_u230_uicfieldsamplesheet.pdf
- Sample results must be submitted in a manner that is consistent with all permit conditions.

Reporting: In order to protect the groundwaters of the state of Nevada, the following reporting requirements were established:

Discharge Category 1 - Minimal Risk Stormwater Discharges: There are no annual reporting requirements for Category 1 dischargers. Upon general permit renewal (approximately five years from the previous permit issue date), NDEP will require the Permittee to submit an updated NOI, facility activities summary report and Attachment 1 from the permit (if applicable) in accordance of Part A.3.2. of the permit.

Discharge Category 2 - Moderate Risk Stormwater Discharges: Reports are required to be submitted annually for discharges under Category 2. The annual report shall consist of the permit number, name of the facility, results from semi-annual sampling and a certification statement and signature. The annual report shall be submitted to the Division by January 28th of each year.

***Note:** Category 2 dischargers shall also submit a summary report as required for Category 1 dischargers.

Permit Requirements and Rationale: NDEP believes that the water discharge in this general permit can be efficiently regulated under a general permit rather than using individual permits. General permits in Nevada are issued by the Administrator of NDEP under an approved program, operating in accordance with the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC). Approved discharges involve substantially similar operations with respect to the nature of the discharge activities.

This SWDW General Permit intends to protect groundwaters of the state of Nevada from eligible discharges. GUSW requires installation of Best Management Practices (BMPs) for both Category 1 and 2 discharges, and annual reporting for only Category 2 discharges. These requirements will ensure the site is performing at a level that minimizes water pollution and protects public health and the environment.

Qualifying dischargers shall not begin to discharge until the Division has received and approved the original complete and signed NOI and applicable fees. Existing dischargers who are covered under a current NDEP permit may continue to discharge until the valid permit expires. Existing dischargers who do not have a current NDEP permit will be required to submit an NOI and application fee within 180 days following the effective date of this permit. Dischargers who are not granted coverage under this general permit because of the nature, quality and quantity of the proposed discharge, may apply for an individual discharge permit.

Treatment Devices: It is common for sites to use treatment devices (i.e. oil/water separators, settling basins, etc.) to treat the water before discharging. Treatment devices are not mandatory; however, if the Permittee cannot meet permit limitations, the site may be required to implement or install additional treatment devices. All required inspection and disposal practices are listed in Part B.1 of the permit. The treatment device(s) shall be pumped once the total depth of oil, grease, sand and other debris exceeds twenty percent of the total depth as measured from the base of the device to the top of the fluid. The Permittee must dispose of all sludge in a manner approved by the State and the county in which the facility is located.

Best Management Practices Plan: The Permittee shall develop and implement a BMP Plan for the discharge operation covered under this permit. A description of what needs to be included in the BMP Plan is listed in Part B.2 of the permit. The BMP Plan does not need to be submitted to NDEP for review, but must be kept on site or reasonably available upon request by NDEP or other local agencies.

Permit Limitation Rationale: The Division has established the following monitoring requirements to ensure that the receiving waters are not degraded as a result of the site discharges.

TPH: TPH is not one individual contaminant (compound), but rather a range of Gas (GRO), Diesel (DRO) and Oil-Range (ORO) Petroleum Hydrocarbons (e.g., C₆ - C₄₀) found in petroleum.

BTEX: BTEX denotes the petroleum-derived compounds of benzene, ethylbenzene, toluene and xylenes common to gasoline and petroleum-derived fuels. BTEX may come in contact with stormwater runoff through vehicle spills and leaks.

Nitrate and Nitrite as N: Fertilizers and atmospheric deposition can contribute nitrate and nitrite to stormwater runoff flows. The state's Total Nitrogen standard of 10.0 mg/l is applied to this general permit.

pH: This parameter denotes the acidity or alkalinity of water. For reference, the pH of distilled water is 7.0 SU.

Procedures for Public Comment:

The Notice of the Division's intent to issue a general permit authorizing the Permittee to discharge to the groundwater of the state of Nevada, subject to the conditions contained within the permit, is being sent to the Reno Gazette-Journal, Nevada Appeal, Las Vegas Review Journal, Elko Daily Free Press, Battle Mountain Bugle, Mineral County Independent News, North Lake Tahoe Bonanza, Eureka Sentinel, Lovelock Review Miner, Moapa Valley Progress, Pahrump Valley Times, Lahontan Valley News, The Record Courier, Tonopah Times, Humboldt Sun, and the Mason Valley News for publication. The notice is being mailed to interested persons on our mailing list. Anyone wishing to comment on the proposed permit can do so in writing until 5:00 P.M. **April 15, 2013**, a period of 30 days following the date of the public notice. The comment period can be extended at the discretion of the Administrator.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected interstate agency, or any interested agency, person or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator determines to be appropriate. All public hearings must be conducted in accordance with NAC 445A.238.

The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to NRS 445A.238.

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