



ARKANSAS
Department of Environmental Quality

October 11, 2010

Jon R. Harrison, General Manager
Caterpillar Inc. - North American Motor Grader Facility
9201 Faulkner Lake Road
North Little Rock, AR 72117

RE: NPDES Permit Number AR0051454, AFIN 60-01529

Dear Mr. Harrison:

During a review of the subject NPDES Permit, the following typographical errors were identified. In accordance with 40 CFR 122.63(a), the Department has made the following changes to the permit.

1. Part 3, Section 3.5.5. Some of the numbered references were not in proper sequence. The Department has corrected the numbering in Part 3.5.5.
2. Part 3, Section 3.5.6. Some of the numbered references were not in proper sequence. The Department has corrected the numbering in Part 3.5.6.
3. Part 3, Section 3.5.8. Some of the numbered references were not in proper sequence. The Department has corrected the numbering in Part 3.5.8.
4. Part 6, Section 6.4. The part/section references indicate the presence of a section 7.9 and 7.9.2. There is no 7.9 or 7.9.2 in the permit. The reference has been corrected to be 7.6 and 7.6.2.

Please replace the original pages with the enclosed modified pages. If you have any questions concerning this matter or need additional information, please feel free to contact the NPDES Permits Section at (501) 682-0622.

Sincerely,

Steven L. Drown
Chief, Water Division

SD;jh

Enclosure

cc: David Ramsey, ICIS Program Coordinator, Enforcement Branch
Eric Fleming, Branch Manager, Field Services Branch
Electronic File

PART 3
STORMWATER POLLUTION PREVENTION PLANS (SWPPP)

- 3.1 The facility shall prepare a SWPPP for your facility within 60 days of the effective date of this permit. The SWPPP must:
- a. Identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges from your facility;
 - b. Describe and ensure implementation of practices which you will use to reduce the pollutants in stormwater discharges from the facility; and
 - c. Assure compliance with the terms and conditions of this permit.

The Permittee must update the SWPPP as necessary in order to maintain compliance with permit conditions.

- 3.3 **Enhanced/Additional Best Management Practices (BMPs):** The Permittee shall provide a schedule in the SWPPP for implementation of any additional or enhanced BMPs that are necessary because of a notice from ADEQ, facility changes, or self-inspection. Complying with this provision does not limit the potential liability for enforcement action where the Permittee has failed to implement required BMPs or where stormwater discharges violate water quality standards. ADEQ may issue a notice to the Permittee when the SWPPP does not meet one or more of the minimum requirements of the permit or when it is not adequate to assure compliance with water quality standards. The Permittee shall modify the SWPPP and the BMPs to correct the deficiencies identified in the notice. ADEQ may require additional BMPs where the Permittee exceeds benchmark values for required sampling. The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation or maintenance of any BMP which cause(s) the SWPPP to be less effective in controlling the pollutants.
- 3.4 **Other Pollution Control Plans:** The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their facility. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit if the other plans are not regulated through other programs and must meet the availability requirements of the SWPPP.
- 3.5 **Contents of SWPPP.** The SWPPP shall include, at a minimum, the following elements:
- 3.5.1 **Facility Information.** Each SWPPP shall include the facility name, permit number, facility physical address, and the facility's SIC and NAICS codes.
 - 3.5.2 **Stormwater Pollution Prevention Team.** Each SWPPP shall identify a specific

individual or position within the facility's organization as members of a Stormwater Pollution Prevention Team that are responsible for developing the SWPPP and assisting the facility or plant manager in its implementation, maintenance, and revision. The SWPPP shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's SWPPP.

Please note that common positions (i.e. secretary, operator, etc) may not be used. A specific position or individuals name must be listed.

3.5.3 **Facility Description:** The facility description will describe the industrial activities conducted at the site (detailed process description), the general layout of the facility including buildings and storage of raw materials, and the flow of goods and materials through the facility. It should include seasonal variations including peaks in production and any changes in work based on season or weather (e.g. moving work outdoors on dry days).

3.5.4 **Site map.** Provide a map showing the following as necessary:

- a. the size of the property in acres;
- b. the location and extent of significant structures and impervious surfaces;
- c. directions of stormwater flow (use arrows);
- d. locations of all existing structural control measures;
- e. locations of all receiving waters in the immediate vicinity of the facility;
- f. locations of all stormwater conveyances including ditches, pipes, and swales;
- g. locations of potential pollutant sources;
- h. locations of all stormwater monitoring points;
- i. locations of stormwater inlets and outfalls, with a unique identification code for each outfall, indicating if one or more outfalls is being treated as "substantially identical", and an approximate outline of the areas draining to each outfall;
- j. Municipal Separate Storm Sewer Systems (MS4), where the stormwater discharges to them (if applicable);
- k. locations and descriptions of all non-stormwater discharges identified;
- l. locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage, or disposal of wastes; liquid storage tanks; processing and storage areas; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; transfer areas for substances in bulk; and machinery; and
- m. locations and sources of run-on to the site from adjacent property that contains significant quantities of pollutants.

3.5.5 **Description of potential pollutant sources.** Each SWPPP shall provide a description of potential sources which may be reasonably expected to add significant amounts of pollutants to stormwater discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each SWPPP shall identify all activities and significant materials which may potentially be significant pollutant sources. Each SWPPP shall include, at a minimum;

3.5.5.1 **Industrial Activities.** The inventory of industrial activities will identify all areas associated with industrial activities which have been or may potentially be sources of significant amounts of pollutants, including the following:

- a. Loading and unloading of dry bulk materials or liquids;
- b. Outdoor storage of materials or products;
- c. Outdoor manufacturing and processing;
- d. Dust or particulate generating processes;
- e. Roofs or other surfaces exposed to air emissions from a manufacturing building or a process area;
- f. On-site waste treatment, storage or disposal;
- g. Vehicle and equipment fueling, maintenance and/or cleaning (includes washing); and
- h. Roofs or other surfaces composed of materials that may be mobilized by stormwater (e.g. galvanized or copper roofs).

3.5.5.2 **Inventory of Exposed Materials.** An inventory of the types of materials handled at the site that potentially may be exposed to precipitation shall be provided. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored, or disposed of in a manner to allow exposure to stormwater after the date of three years prior to the effective date of this permit, method and location of on-site storage and disposal; materials management practices employed to minimize contact of these materials with stormwater runoff between the time of three years prior to the effective date of this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in stormwater runoff; and a description of any treatment the stormwater receives.

3.5.5.3 **Spills and Leaks.** A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas exposed to precipitation or that otherwise drain to a stormwater conveyance at the facility after the date of three years prior to the effective date of this permit. This list shall be updated as appropriate during the term of the permit.

3.5.5.4 **Sampling Data.** A summary of existing discharge sampling data

describing pollutants in stormwater discharges from the facility, including a summary of sampling data collected during the term of this permit.

3.5.5.5 Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources at the following areas: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concern shall be identified.

3.5.6 Measures and Controls. Each facility covered by this permit shall develop a description of stormwater management controls appropriate for the facility and implement such controls. The appropriateness and priorities of controls in the SWPPP shall reflect identified potential sources of pollutants at the facility. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications. Note that a permittee may deviate from such manufacturer's specifications where justification is provided for such deviation and include documentation of the rationale in the part of the SWPPP that describes the control measures. If control measures are found not to be achieving their intended effect of minimizing pollutant discharges, the control measures must be modified as expeditiously as practicable.

The following should be considered when selecting and designing control measures:

- a. preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
- b. using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in stormwater discharges;
- c. assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
- d. minimizing impervious areas at the facility and infiltrating runoff onsite (including bio-retention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;
- e. attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- f. conserving and/or restoring of riparian buffers will help protect streams from stormwater runoff and improve water quality; and

- g. using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

For Guidance on potential pollutant sources and controls that should be considered in development of the SWPPP for a specific type of industry, refer to EPA's Multi-Sector General Permit (available online via link at (<http://www.epa.gov/region6/6wq/npdes/sw/industry/index.htm>)). The description of stormwater management controls shall address the following minimum components, including a schedule for implementation.

3.5.6.1 **Best Management Practices (BMPs).** The SWPPP must include a description of the best management practices (BMPs) that are used by the facility to eliminate or reduce the potential to contaminate stormwater. BMPs must also be considered to regulate peak flow and volume of stormwater discharge.

3.5.6.2 **Minimize Exposure.** Exposure of potential pollutant sources in manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff should be minimized by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, one should pay particular attention to the following:

- a. use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- b. locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas);
- c. clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- d. use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;
- e. use spill/overflow protection equipment;
- f. drain fluids from equipment and vehicles prior to on-site storage or disposal;
- g. perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and
- h. ensure that all washwater drains to a proper collection system (i.e., not the stormwater drainage system).

3.5.6.3 **Good Housekeeping.** Good housekeeping requires exposed areas that are potential sources of pollutants in stormwater discharges in a clean, orderly manner.

3.5.6.4 **Preventive Maintenance.** A preventive maintenance program shall involve inspection and maintenance of stormwater management devices (cleaning oil/water separators, catch basins, etc.) as well as inspecting and testing plant equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to waters, and ensuring appropriate maintenance of such equipment and systems.

3.5.6.5 **Spill Prevention and Response Procedures.** The facility must minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. Areas where potential spills can occur that can contribute pollutants to stormwater discharges and their accompanying drainage points shall be identified clearly in the SWPPP. At a minimum, the following should be implemented:

- a. Procedures for plainly labeling containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides," etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
- b. Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
- c. Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of the stormwater pollution prevention team; and
- d. Procedures for notification of appropriate facility personnel and emergency response agencies. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, one must notify the National Response Center (NRC) at (800) 424-8802 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as their is knowledge of the discharge. Contact information must be in locations that are readily accessible and available.

3.5.6.6 **Employee Training.** Employee training programs shall inform personnel responsible for implementing activities identified in the stormwater pollution prevention plan or otherwise responsible for stormwater

management at all levels of responsibility of the components and goals of the SWPPP. Training should address topics such as spill response, good housekeeping, and material management practices. The SWPPP shall identify periodic dates for such training and records of training must be maintained with the SWPPP. Training records that are maintained electronically (i.e. database, etc) do not need to be maintained with the SWPPP, but must be accessible upon request.

3.5.6.7 **Erosion and Sediment Control.** The SWPPP shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

3.5.6.8 **Management of Run-on and Runoff.** The SWPPP shall contain a narrative consideration of the appropriateness of traditional stormwater management practices (practices other than those which control the source of pollutants) used to divert, infiltrate, reuse, or otherwise manage stormwater runoff in a manner that reduces pollutants in stormwater discharges from the site. The SWPPP shall provide that measures determined to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to stormwater discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures. Appropriate measures may include but are not limited to: vegetative swales and practices reuse of collected stormwater (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

3.5.7 **Authorized Non-Stormwater Discharges.** Except for flows from sources of non-stormwater listed in this permit that are combined with stormwater discharges associated with industrial activity must be identified in the SWPPP. The SWPPP shall identify and ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge.

3.5.8 **Evaluations and Inspections.**

3.5.8.1 **Visual Site Inspections.** Qualified facility personnel shall be identified to conduct routine facility inspections of all areas of the facility where industrial materials or activities are exposed to stormwater, all stormwater control measures used to comply with this permit, and stormwater outfalls (if accessible) for the presence of floating materials, visible sheen, discoloration, turbidity, odor, etc. Inspections should be performed not less than four (4) times a year.

At least one of the four required inspections must be conducted during a period when a stormwater discharge is occurring.

One inspection shall check for the presence of non-stormwater discharges, such as domestic wastewater, non-contact cooling water, or process wastewater (including leachate), to the stormwater drainage system that are not authorized under this general permit. This shall be done preferably during dry weather, when it is easier to find non-stormwater discharges. If a non-stormwater discharge is discovered, the Permittee shall notify ADEQ and eliminate the illicit discharge within 30 days.

The permittee must document the findings of each visual inspection performed and maintain this documentation onsite with the SWPPP. At a minimum, documentation of each site inspection must include: date of inspection, personnel making the inspection, major observations, and a summary of actions that need to be taken as a result of the inspection.

3.5.8.2 **Comprehensive Site Compliance Evaluation.** Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the SWPPP, in no case less than once per year.

- a. Areas contributing to a stormwater discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit and SWPPP, or whether additional control measures are needed. Structural stormwater management measures, sediment and control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are properly maintained and operated correctly. A visual inspection of equipment needed to implement the spill response shall be conducted.
- b. Based on the results of the inspection, the description of potential pollutant sources identified in the SWPPP in accordance with Description of Potential Pollutant Sources of this permit and pollution prevention measures identified in the SWPPP in accordance with Measures and Controls of this permit shall be revised as appropriate within 30 days of such inspection. Implementation of any changes to the SWPPP made shall be performed in a timely manner, but in no case more than 90 days from the inspection.
- c. A report summarizing the scope of the inspection, personnel making the inspection, date(s) of the inspection, major observations relating to the implementation of the SWPPP, and actions taken shall be made and retained as part of the SWPPP in accordance with Part 3.12.1. The

report shall be signed in accordance with Part 7.6 of this permit.

- d. The annual comprehensive site compliance evaluation may also be used as one of the routine inspections, as long as all requirements of both types of inspections are have been fulfilled.

3.5.9 **Recordkeeping and Internal Reporting Procedures.** A description of incidents such as spills or other discharges, along with other information describing the quality and quantity of stormwater discharges shall be included in the SWPPP required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the SWPPP.

3.5.10 **Certification.** All SWPPP must contain a certification per Part 7.6.3. of this permit and must be signed in accordance with the provisions of 40 CFR 122.22, as adopted by reference in APCEC Regulation No. 6, and Part 7.6 of this permit.

PART 6

MONITORING AND RECORDS

6.1 Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge during the entire monitoring period. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Director. Intermittent discharges shall be monitored.

6.2 Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals frequent enough to insure accuracy of measurements and shall insure that both calibration and maintenance activities will be conducted. An adequate analytical quality control program, including the analysis of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory. At a minimum, spikes and duplicate samples are to be analyzed on 10% of the samples.

6.3 Penalties for Tampering

The Arkansas Water and Air Pollution Control Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under the Act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for not more than one (1) year or a fine of not more than ten thousand dollars (\$10,000) or by both such fine and imprisonment.

6.4 Reporting of Monitoring Results

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form. Permittees are required to use preprinted DMR forms provided by ADEQ, unless specific written authorization to use other reporting forms is obtained from ADEQ. Monitoring results obtained during the monitoring period shall be summarized and reported on a DMR form postmarked no later than the 25th day of the month following the completed reporting period to begin on the effective date of the permit. Duplicate copies of DMR forms signed and certified as required by Part 7.6. and all other reports required by Part 7.6.2., shall be submitted to the Director at the following address:

Permits Enforcement Branch
Water Division
Arkansas Department of Environmental Quality

5301 Northshore Drive
North Little Rock, AR 72118-5317

If permittee uses outside laboratory facilities for sampling and/or analysis, the name and address of the contract laboratory shall be included on the DMR.

6.5 Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated on the DMR.

6.6 Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

6.7 Record Contents

Records and monitoring information shall include:

- 6.7.1. The date, exact place, time and methods of sampling or measurements, and preservatives used, if any;
- 6.7.2. The individuals(s) who performed the sampling or measurements;
- 6.7.3. The date(s) and time analyses were performed;
- 6.7.4. The individual(s) who performed the analyses;
- 6.7.5. The analytical techniques or methods used; and
- 6.7.6. The measurements and results of such analyses.

Harmon, Jennifer

From: Billy E. Wren [Wren_Billy_E@cat.com]
Sent: Tuesday, September 28, 2010 9:19 AM
To: Harmon, Jennifer
Cc: Katina Stephens
Subject: AR0051454, AFIN: 60-01529 - Caterpillar Inc. - NAMG

Jennifer,

Per our conversation earlier today, here is a summary of the permit reference issues identified in Caterpillar Inc. - NAMG Stormwater Permit that we would like to have corrected. If these corrections can be made, please send myself and Katina Stephens (Stephens_Katina@cat.com) the revised version of the permit with these changes. If for some reason the changes cannot be made without going to public comment, please email or give me a call.

Issue

1. Part 2 of Caterpillar Inc.- NAMG's Stormwater Permit is not included in the permit posted on ADEQ's website. Please update permit on ADEQ's website to include Part 2.
2. Part 3, Section 3.5.5. Some of the numbered reference are not in proper sequence. Please update permit to reflect proper numbering sequence in this section.
Current Sequence: 3.5.5, 3.5.5.1, 3.6.5.2, 3.6.5.3, 3.6.5.4, 3.6.5.5. Should be: 3.5.5, 3.5.5.1, 3.5.5.2, 3.5.5.3, 3.5.5.4, 3.5.5.5.
3. Part 3, Section 3.5.6. Some of the numbered reference are not in proper sequence. Please update permit to reflect proper numbering sequence in this section.
Current Sequence: 3.5.6, 3.5.6.1, 3.6.6.2, 3.6.6.3, 3.6.6.4, 3.6.6.5, 3.6.6.6, 3.6.6.7, 3.6.6.8 Should be: 3.5.6, 3.5.6.1, 3.5.6.2, 3.5.6.3, 3.5.6.4, 3.5.6.5, 3.5.6.6, 3.5.6.7, 3.5.6.8.
4. Part 3, Section 3.5.8. Some of the numbered reference are not in proper sequence. Please update permit to reflect proper numbering sequence in this section.
Current Sequence: 3.5.8, 3.5.8.1, 3.6.10.2. Should be: 3.5.8, 3.5.8.1, 3.5.8.2
5. Part 6, Section 6.4. The part/section references indicates the presence of a section 7.9 and 7.9.2. There is no 7.9 or 7.9.2 in the permit. This part/section reference should be **7.6** and **7.6.2**.

Thank you for your time and attention to this matter.

Billy E. Wren
Caterpillar Inc.
Corporate EHS
Regional Support Manager - Mid-South
wren_billy_e@cat.com
(662) 893-5736 (Office)

10/4/2010