Issuance Date: June 20, 2024
Effective Date: August 1, 2024
Expiration Date: July 31, 2029

VESSEL DECONSTRUCTION GENERAL PERMIT

National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Discharges Associated with Vessel Deconstruction Activity

State of Washington
Department of Ecology
Olympia, WA 98504

In compliance with the provisions of
Chapter 90.48 Revised Code of Washington
(State of Washington Water Pollution Control Act)
and
Title 33 United States Code, Section 1251 et seq.
The Federal Water Pollution Control Act (The Clean Water Act)

Until this permit expires, is modified, or revoked, Permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions that follow.

DEPARTMENT OF ECOLOGY
State of Washington

Vincent McGowan, P.E.
Water Quality Program Manager
Washington State Department of Ecology

SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions within this permit for additional submittal requirements. Appendix A provides a list of definitions. Appendix B provides a list of acronyms.

Table 1: Summary of Permit Report Submittals

Permit Section	Submittal	Frequency	First Submittal Date
S2.A.1	Permit Application (Notice of Intent)	Once	For new Permittees: At least 60 days prior to work starting. For current permittees, an updated NOI must be submitted by February 29, 2020
S2.A.2	Beginning of Deconstruction Notice Form including: • Deconstruction and Site Management Plan • Solid Waste Disposal Plan	As necessary	At least 21 days prior to work starting for vessels less than 65' and being deconstructed on a drydock, barge, or land. At least 30 days prior to work starting for vessels greater than 65' or being deconstructed in water
S2.A.3	Completion of Deconstruction Notice Form	As necessary	As necessary
G9	Transfer of Coverage	As necessary	As necessary
S6.A	Non-routine Discharge Request	As necessary	As necessary
S11.A	Discharge Monitoring Reports (DMRs)	Monthly	Within 15 days of applicable monitoring period
S13	Notice of Termination	As necessary	As necessary
G2	Notice of Change in Authorization	As necessary	As necessary
G6	Permit Application for Substantive Changes to the Discharge	As necessary	As necessary
G8	Application for Permit Renewal	Once a permit cycle	No later than 180 days before expiration
G20	Notice of Planned Changes	As necessary	As necessary
G22	Reporting Anticipated Non-Compliance	As necessary	As necessary

Table 2: Summary of Required On-Site Documentation

Permit Condition(s)	Document Title
S11.F.1.a	Permit Coverage Letter
S11.F.1.b	Approval Letter to Begin Deconstruction if applicable
S11.F.1.c	Vessel Deconstruction General Permit
S11.F.1.d	Site Logbook
S11.F.1.e	Deconstruction and Site Management Plan (DSMP) if applicable
S10.B	Solid Waste Control Plan if applicable

TABLE OF CONTENTS

SUMMARY OF PERMIT REPORT SUBMITTALS 1
SPECIAL CONDITIONS 1
S1. PERMIT COVERAGE 1
S2. PERMIT ADMINISTRATION 3
S3. COMPLIANCE WITH STANDARDS 5
S4. EFFLUENT LIMITS 6
S5. SAMPLING REQUIREMENTS 8
S6. NON-ROUTINE DISCHARGES 11
S7. DISCHARGES TO 303(D) OR TMDL WATER BODIES 14
S8. SITE INSPECTION REQUIREMENTS 15
S9. DECONSTRUCTION AND SITE MANAGEMENT PLAN 16
S10. SOLID AND LIQUID WASTE DISPOSAL 24
S11. REPORTING AND RECORDKEEPING REQUIREMENTS 24
S12. PERMIT FEES 27
S13. NOTICE OF TERMINATION 28
GENERAL CONDITIONS 29
G1. DISCHARGE VIOLATIONS 29
G2. SIGNATORY REQUIREMENTS 29
G3. RIGHT OF INSPECTION AND ENTRY 30
G4. GENERAL PERMIT MODIFICATION AND REVOCATION 30
G5. REVOCATION OF COVERAGE UNDER THE PERMIT 30
G6. REPORTING A CAUSE FOR MODIFICATION 31
G7. COMPLIANCE WITH OTHER LAWS AND STATUTES 31
G8. DUTY TO REAPPLY 31
G9. TRANSFER OF GENERAL PERMIT COVERAGE 31
G10. REMOVED SUBSTANCES 32
G11. DUTY TO PROVIDE INFORMATION 32
G12. OTHER REQUIREMENTS OF 40 CFR 32
G13. ADDITIONAL MONITORING 32
G14. PENALTIES FOR VIOLATING PERMIT CONDITIONS 32
G15. UPSET 33
G16. PROPERTY RIGHTS 33
G17. DUTY TO COMPLY 33
G18. TOXIC POLLUTANTS 33
G19. PENALTIES FOR TAMPERING 34
G20. REPORTING PLANNED CHANGES 34
G21. REPORTING OTHER INFORMATION 34
G22. REPORTING ANTICIPATED NON-COMPLIANCE 35
G23. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER THE PERMIT 35
G24. APPEALS 35
G25. SEVERABILITY 36
G26. BYPASS PROHIBITED 36
APPENDIX A – DEFINITIONS 39
APPENDIX B – ACRONYMS 45

TABLE OF TABLES

Table 1: Summary of Permit Report Submittals 1
Table 2: Summary of Required On-Site Documentation 2
Table 3: Stormwater Effluent Limits 7
Table 4: Drydock Effluent Limits 8
Table 5: Drydock Sampling Requirements 10
Table 6: Non-Routine Monitoring and Reporting Requirements 12

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[1] https://ecology.wa.gov/About-us/Accessibility-equity/Accessibility

SPECIAL CONDITIONS

S1. PERMIT COVERAGE

A. Permit Area

This Vessel Deconstruction General Permit (VDGP) covers all areas of Washington State, except for federal and Tribal lands and waters as specified in Special Condition S1.D.

B. Who May Apply for Coverage

Any state government entity, non-governmental organization, or private entity may apply for coverage to conduct vessel deconstruction activities at a specific location. Washington State government agencies holding permit coverage may, in turn, contract with other state or local government entities, non-governmental organizations, or private entities to conduct activities outlined in this permit. Either the **Permittee** or contractor (per individual agreement) may carry out notification, monitoring, reporting, documentation, planning, and other administrative permit tasks.

C. Operators Required to Seek Coverage Under this General Permit

1. **Operators** of the following deconstruction activities are required to seek coverage under this VDGP:
    a. **Deconstruction activity** involving dismantling any portion of a vessel **hull, topside**, or **superstructure** while the vessel is over water, on a **drydock**, on a barge, or on land in the event a drydock or barge cannot be utilized, and it is not feasible to transport the vessel to a facility with individual or other general NPDES permit coverage for this work.
    b. The Washington State Department of Ecology (**Ecology**) may also require any operator of vessel deconstruction activity to obtain coverage under this permit if Ecology determines the activity:
        i. Is a significant contributor of **pollutants** to waters of the State of Washington;

        or

        ii. May reasonably be expected to cause a violation of any **water quality** standard.
2. Operators of the following activities are not required to seek coverage under this VDGP (unless specifically required under Special Condition S1.C.1.b above):
    a. Vessel deconstruction activities that discharge all **stormwater** and non-stormwater to **ground water** (in compliance with ground water standards) or municipal **combined sewer** or **sanitary sewer** and have no discharge to either **surface waters of the state** or a **storm sewer system** that drains to **surface waters of the State**.

b. Vessel deconstruction activities that occur within a facility with an individual permit for this work or at a facility with Boatyard General Permit coverage.

c. Vessel rigging, repairs, minor modifications, and disturbances incidental to vessel retrieval not including **deconstruction** activities as defined in Appendix A.

D. Limits on Coverage

Ecology may require any **discharger** to apply for and obtain coverage under an individual permit or another more specific general permit. Such alternative coverage will be required when Ecology determines that this VDGP does not provide adequate assurance that water quality will be protected, or there is a reasonable potential for the project to cause or contribute to a violation of water quality standards.

The following discharges are not covered by this permit:

1. Discharges from facilities located on "Indian Country" as defined in 18 U.S.C. §1151, except portions of the Puyallup Reservation as noted below. Indian Country includes:
   a. All land within any Indian Reservation notwithstanding the issuance of any patent and including rights-of-way running through the reservation. This includes all federal, tribal, and Indian and non-Indian privately owned land within the reservation.
   b. All off-reservation Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.
   c. All off-reservation federal trust lands held for Native American Tribes.

   Puyallup Exception: Following the Puyallup Tribes of Indians Land Settlement Act of 1989, 25 U.S.C. §1773; the permit does apply to land within the Puyallup Reservation except for discharges to surface water on land held in trust by the federal government.
2. Discharges from activities operated by any department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government of the United States, or another entity, such as a private contractor, performing industrial activity for any such department, agency, or instrumentality.
3. Discharges from any **site** covered under an existing NPDES individual permit.
4. Discharges from a site where an applicable **Total Maximum Daily Load** (TMDL) requirement specifically precludes or prohibits discharges.
5. New discharges to a waterbody listed pursuant to Section 303(d) of the CWA, unless the Permittee meets the requirements of Special Condition S7.A.

S2. PERMIT ADMINISTRATION

A. Permit Application Forms

1. Notice of Intent Form/Timeline

    a. Operators of new or previously unpermitted deconstruction activities must submit a complete NOI at least 60 days before discharging from deconstruction activities and must submit it on or before the date of the first public notice (see Special Condition S2.B below for details). The 30-day public comment period required by WAC 173-226-130(5) begins on the publication date of the second public notice. Ecology will respond to the **applicant** in writing.

        i. If the NOI is incomplete, public comments have been received, or more information is necessary to determine whether coverage under the general permit is appropriate, Ecology will notify the applicant in writing and identify the issues that must be resolved before a decision can be reached.

        ii. If the NOI is approved, permit coverage in **inactive status** begins on the date specified in the permit coverage letter. In no case will the permit coverage effective date be sooner than the 31st day after the receipt of the complete NOI, or the close of the 30-day public comment period.

    b. Permittees must notify Ecology regarding any changes to the information provided on the NOI by submitting an updated NOI. Examples of such changes include, but are not limited to,

        i. changes to the Permittee's mailing address,

        ii. changes to the on-site contact person information, and/or

        iii. changes to the location or type of deconstruction activity as noted on the NOI.

    c. Permittees submitting an updated NOI which includes changes to the location or type of deconstruction activity as noted on the NOI must satisfy public notice requirements in WAC 173-226-130(5).

2. Beginning of Deconstruction Notice Form/Timeline

    a. Permittees must submit a complete Beginning of Deconstruction Notice with the required accompanying documentation at least 21 days before discharging from deconstruction activities for vessels under 65' and being deconstructed on a drydock, on a barge, or on land. Permittees must submit a complete Beginning of Deconstruction Notice with the required accompanying documentation at least 30 days before discharging from deconstruction activities for vessels over 65' or being deconstructed in water. Ecology may allow for shorter timelines when feasible.

        i. If the Beginning of Deconstruction Notice is incomplete or more information is necessary to determine whether the permit coverage can be made **active**, Ecology will notify the applicant and identify the issues that must be resolved before a decision can be reached.

        ii. If the Beginning of Deconstruction Notice is approved, Ecology will notify the permittee in writing that the permit coverage is active. In no case shall the permittee discharge without written notification that the permit is active.

        iii. The Beginning of Deconstruction Notice Form shall include certification that the facility has complied with the **State Environmental Policy Act (SEPA)** requirements in WAC 173-226-200(3)(f)(ii).

        iv. Ecology may allow for shorter timelines when feasible.

3. Completion of Deconstruction Notice Form

    a. Permittees must submit a Completion of Deconstruction Notice Form which will return the permit to an inactive status. This form shall be submitted when:

        i. The vessel has been either completely deconstructed or moved to an NPDES permitted facility for final deconstruction, the Permittee has removed all temporary **best management practices** (BMPs), and all discharges associated with deconstruction activity have been eliminated; or

        ii. The vessel has been sold and/or transferred (per General Condition G9), and the Permittee no longer has operational control of the deconstruction activity.

        iii. The project has been cancelled and no vessel deconstruction activities have taken place and the vessel will not be deconstructed.

    b. The inactive status is effective on the 31st **calendar day.**

B. Public Notice

1. For **new operation**s or previously unpermitted deconstruction activities, the applicant must publish a public notice at least one time each week for two consecutive weeks, at least 7 days apart, in a newspaper with general circulation in the county where the deconstruction is to take place. The notice must contain:

    a. A statement that “The applicant is seeking coverage under the Washington State Department of Ecology’s Vessel Deconstruction NPDES and State Waste Discharge General Permit."

    b. The location of the deconstruction activity.

    c. The name and address of the applicant.

    d. The type of deconstruction activity that will result in a discharge (for example, in-water deconstruction, deconstruction on a barge, drydock, etc.).

    e. The name of the **receiving water**(s) to which the activity will discharge.

    f. The statement: "Any persons desiring to present their views to the Washington State Department of Ecology regarding this application, or interested in Ecology’s action on this application, may notify Ecology in writing no later than 30 days of the last date of publication of this notice. Ecology reviews public comments and considers whether discharges from this project would cause a measurable change in receiving water quality, and, if so, whether the project is necessary and in the overriding public interest according to Tier II antidegradation requirements under WAC 173-201A-320. Comments can be submitted to:

    Department of Ecology
    Attn: Water Quality Program, Vessel Deconstruction
    PO Box 47696,
    Olympia, WA 98504-7696”

S3. COMPLIANCE WITH STANDARDS

A. Discharges must not cause or contribute to a violation of surface water quality standards (Chapter 173-201A WAC), **ground water** quality standards (Chapter 173-200 WAC), **sediment** management standards (Chapter 173-204 WAC), and human health-based criteria in the Federal water quality criteria applicable to Washington (40 CFR Part 135.45). Discharges not in compliance with these standards are not authorized.

B. Prior to the discharge of stormwater and non-stormwater to waters of the State, the Permittee must apply all known, available, and reasonable methods of prevention, control, and treatment (**AKART**). This includes the preparation and implementation of an adequate **Deconstruction and Site Management Plan** (DSMP), with all appropriate BMPs installed and maintained in accordance with the DSMP and the terms and conditions of this permit.

C. Ecology presumes that a Permittee complies with water quality standards unless discharge monitoring data or other site-specific information demonstrates that a discharge causes or contributes to a violation of water quality standards, when the Permittee complies with the following conditions. The Permittee must fully:

1. Comply with all permit conditions, including planning, sampling, monitoring, reporting, waste management, and recordkeeping conditions.
2. Implement BMPs contained in this permit (Special Condition S9.C.1-12), or BMPs that are demonstrably **equivalent** to BMPs contained in this permit, including the proper selection, implementation, and maintenance of all applicable and appropriate BMPs for on-site **pollution** control.

S4. EFFLUENT LIMITS

A. Stormwater Effluent Limits

Permittees must comply with the stormwater effluent limits in Table 3 for all discharges to surface waters of the State.

Table 3: Stormwater Effluent Limits

Parameter	Units	Maximum Daily Effluent Limit		Analytical Method	Laboratory Quantitation Level[1]
		Fresh Water	Marine		
Oil Sheen	Yes/No	No visible sheen	No visible sheen	N/A	N/A
Oil and Grease	mg/L	5	5	EPA 1664 A or B	5
Turbidity	NTU	25	25	EPA 180.1 Meter	0.5
TSS	mg/L	30	30	SM2540-D	5
pH	Standard Units	Must be between 6.5 and 8.5	Must be between 7.0 and 8.5	Meter[2]	±0.5
Copper, Total	µg/L	7.2	5.8	EPA 200.8	2.0
Zinc, Total	µg/L	53	95	EPA 200.8	2.5
Lead, Total	µg/L	3.2	14	EPA 200.8	0.5

1 The Permittee must ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method, it must report the test method and QL on the discharge monitoring report.

2 Permittees must use SM4500-H+B

B. Drydock Effluent Limits

Subject to compliance with the terms and conditions of this permit, Permittees are authorized to discharge drydock floodwater to surface waters of the State. Permittees must comply with drydock effluent limits in Table 4.

Table 4: Drydock Effluent Limits

Parameter	Maximum Daily Limit[1]	Analytical Method	Laboratory Quantitation Level[2]
The drydocks must be free of debris prior to flooding.			
Oil Sheen	No visible sheen	N/A	N/A
Oil and Grease	5 mg/L	EPA 1664 A or B	5 mg/L
Turbidity	5 NTU above background turbidity[3]	EPA 180.1 Meter	0.5 NTU

1 The maximum daily effluent limitation is defined as the highest allowable daily discharge.
2 The Permittee must ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method, it must report the test method and QL on the discharge monitoring report.
3 If background turbidity is greater than 50 NTU, the turbidity of the drydock floodwater must not exceed a 10% increase over background turbidity.

S5. SAMPLING REQUIREMENTS

A. Stormwater Associated with Deconstruction and Deconstruction Support Activity

1. Subject to compliance with the terms and conditions of this permit, Permittees are authorized to discharge **stormwater** associated with deconstruction activity to waters of the State. This authorization also includes stormwater discharge from support activities related to the permitted deconstruction site (for example, support barges, off-site equipment staging yards, material storage areas, etc.) provided:

    a. The support activity relates directly to the permitted deconstruction site that is required to have a NPDES permit; and

    b. The support activity is not a commercial operation serving multiple unrelated deconstruction projects, and does not operate beyond the completion of the deconstruction activity; and

    c. Appropriate controls and measures are identified in the Deconstruction and Site Management Plan (DSMP) for the discharges from the support activity areas.

2. Stormwater Sampling Frequency

    a. The Permittee must sample all discharge locations once every **calendar week** when stormwater (or authorized non-stormwater) discharges from the site.

    b. Samples must be representative of the flow and characteristics of the discharge.

    c. Sampling is not required when there is no discharge during a calendar week.

    d. Sampling is not required outside of normal working hours or during unsafe conditions.

    e. If the Permittee is unable to sample during a monitoring period, the Permittee must include a brief explanation in the monthly Discharge Monitoring Report (DMR).

    f. Sampling is not required before deconstruction of the hull or superstructure begins.

3. Stormwater Sampling Locations

    a. Sampling is required at all points where stormwater associated with deconstruction activity is discharged, prior to entry into waters of the state.

    b. The Permittee must identify all sampling point(s) in the DSMP and update as needed.

4. Stormwater Sampling Documentation

    For each stormwater sample taken, the Permittee must record and retain the following information:

    a. Sample date and time

    b. Sample location

    c. Method of sampling, and method of sample preservation, if applicable.

    d. Individual who performed the sampling

B. Drydock Effluent

Before each drydock flood event, the drydock must be free of all debris and employ BMPs in Special Condition S9.C. Permittees must comply with the sampling frequency and sample type identified in Table 5 for all drydock floods.

Table 5: Drydock Sampling Requirements

Parameter	Minimum Sampling Frequency[1]	Sample Type[2]
The drydocks must be free of debris prior to flooding.		
Oil Sheen	Each flood	Visual
Oil and Grease	Each flood	Grab
Turbidity	Each flood	Grab[3]

1 Samples must be obtained each time the drydock is flooded with water following the initial flooding to secure the vessel on the drydock.
2 Grab samples of floodwater must be taken at the water surface as the drydock is lowered and the water is between 3 and 6 feet above the drydock deck. The sampling location must be in line with the end of the wingwall and near the center of the drydock.
3 Background turbidity samples must be taken from the apron of the drydock within one hour prior to flooding the drydock, or at another time and location agreed to by the Department.

C. Conditionally Authorized Non-Stormwater Discharges

The categories and sources of non-stormwater discharges identified below are authorized conditionally, provided the discharge is consistent with the terms and conditions of this permit:

a. Discharges from emergency fire-fighting activities, not including water used to prevent fires, or water used for cooling when torches are in use for cutting.

b. Potable water, including **uncontaminated** water line flushing.

c. Uncontaminated air conditioning or compressor condensate.

d. Non-routine discharges in accordance with Special Condition S6.

The DSMP must adequately address all authorized non-stormwater discharges, except for discharges from emergency fire-fighting activities, and must comply with Special Condition S3. At a minimum, discharges from potable water must undergo the following: dichlorination to a concentration of 0.1 parts per million (ppm) or less, and pH adjustment to within 6.5 – 8.5 standard units (su), if necessary.

D. Prohibited Discharges

The following discharges to waters of the State are prohibited:

1. Hydroblast or pressure wash wastewater;
2. Hydraulic fluid;
3. Oily wastes;
4. **Grey water**;
5. **Ballast water,** if from a region with aquatic invasive species**;**
6. Ship sanitary wastes;
7. Solvents;
8. Industrial stormwater or process water from piers and docks;
9. **Dangerous wastes** as defined in Chapter 173-303 WAC; and
10. Water used to prevent fires, or water used for cooling when torches are in use for cutting, unless authorized under Special Condition S6.

E. Laboratory Accreditation

1. The Permittee must ensure that all analytical data required by Ecology is prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC.
2. **Turbidity**, oil sheen, and pH are exempt from this requirement, unless the laboratory must be registered or accredited for any other parameter.

S6. NON-ROUTINE DISCHARGES

Any discharges not identified in Special Conditions S4 and S5 must be addressed in accordance with the terms and conditions of this section.

A. Beginning on the effective date of this permit, the Permittee is authorized to discharge non-routine wastewater on a case-by-case basis if approved by Ecology per S6.C. Prior to any such discharge, the Permittee must contact Ecology and provide the following information:

1. The proposed discharge location;
2. The nature of the activity that will generate the discharge;
3. Any alternatives to the discharge, such as reuse, storage, or recycling of the water;
4. The total volume of water it expects to discharge;
5. The results of the chemical analysis of the water;
6. The date of the proposed discharge;
7. The expected rate of discharge, in gallons per minute; **and**

8. Any additional information requested by Ecology in writing.

B. The Permittee must analyze the water for all constituents limited for discharge and report them as required by Special Conditions S4 and S5, above. The Permittee must analyze for the following parameters:

Table 6: Non-Routine Monitoring and Reporting Requirements

Pollutant & CAS No. ***(if available)***	**Analytical Protocol**	**Detection Level (DL)[1]** ***µg/L unless specified***	**Quantitation Level (QL)[2]** ***µg/L unless specified***
Turbidity	EPA 180.1 Meter		0.5 NTU
Total Suspended Solids	SM2540-D		5 mg/L
Dissolved oxygen	SM4500-OC/OG		0.2 mg/L
pH	SM4500-H^+ B	N/A	N/A
Oil and Grease (HEM) (Hexane Extractable Material)	EPA 1664 A or B	1,400	5,000
Settleable Solids	SM2540-F		500 (or 0.1 mL/L)
Total Hardness	SM2340B		200 as CaCO3
Chemical Oxygen Demand (COD)	SM5220-D		10 mg/L
Antimony, Total (7440-36-0)	EPA 200.8	0.3	1.0
Arsenic, Total (7440-38-2)	EPA 200.8	0.1	0.5
Beryllium, Total (7440-41-7)	EPA 200.8	0.1	0.5
Cadmium, Total (7440-43-9)	EPA 200.8	0.05	0.25
Chromium, Total (7440-47-3)	EPA 200.8	0.2	1.0
Copper, Total (7440-50-8)	EPA 200.8	0.4	2.0
Lead, Total (7439-92-1)	EPA 200.8	0.1	0.5
Mercury, Total (7439-97-6)	EPA 1631E	0.0002	0.0005
Nickel, Total (7440-02-0)	EPA 200.8	0.1	0.5
Selenium, Total (7782-49-2)	EPA 200.8	1.0	1.0

Pollutant & CAS No. *(if available)*	Analytical Protocol	Detection Level (DL)[1] *µg/L unless specified*	Quantitation Level (QL)[2] *µg/L unless specified*
Silver, Total (7440-22-4)	EPA 200.8	0.04	0.2
Thallium, Total (7440-28-0)	EPA 200.8	0.09	0.36
Zinc, Total (7440-66-6)	EPA 200.8	0.5	2.5
Tributyltin (688-73-3)	Krone, 1988	0.005	0.020
PCB-1242 (53469-21-9) [3]	EPA 608.3	0.065	0.195
PCB-1254 (11097-69-1)	EPA 608.3	0.065	0.195
PCB-1221 (11104-28-2)	EPA 608.3	0.065	0.195
PCB-1232 (11141-16-5)	EPA 608.3	0.065	0.195
PCB-1248 (12672-29-6)	EPA 608.3	0.065	0.195
PCB-1260 (11096-82-5)	EPA 608.3	0.065	0.195
PCB-1016 (12674-11-2) [3]	EPA 608.3	0.065	0.195

1. Detection level (DL) or detection limit means the minimum concentration of an analyte (substance) that can be measured and reported with a 99% confidence that the analyte concentration is greater than zero as determined by the procedure given in 40 CFR part 136, Appendix B.
2. Quantitation Level (QL) also known as Minimum Level of Quantitation (ML) – The lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that the lab has used all method-specified sample weights, volumes, and cleanup procedures. The QL is calculated by multiplying the MDL by 3.18 and rounding the result to the number nearest to (1, 2, or 5) x 10n, where n is an integer. (64 FR 30417).

   ALSO GIVEN AS:

   The smallest detectable concentration of analyte greater than the Detection Limit (DL) where the accuracy (precision & bias) achieves the objectives of the intended purpose. (Report of the Federal Advisory Committee on Detection and Quantitation Approaches and Uses in Clean Water Act Programs Submitted to the US Environmental Protection Agency, December 2007). The Permittee must ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method, it must report the test method and QL on the discharge monitoring report.
3. PCB 1016 & PCB 1242 – You may report these two PCB compounds as one parameter called PCB 1016/1242.

The analysis must also include any parameter deemed necessary by Ecology. All discharges must comply with the effluent limits as established in Special Condition S4 and S5 of this permit, water quality standards, and any other limits imposed by Ecology.

C. The discharge cannot proceed until Ecology has reviewed the information provided and has authorized the discharge by letter to the Permittee or by an Administrative Order. Once approved and if the proposed discharge is to a municipal storm sewer system, the Permittee must obtain prior approval from the municipality and notify it when it plans to discharge.

D. Ecology may use an administrative order or permit modification to require additional monitoring and reporting requirements for non-routine discharges and/or post - deconstruction receiving waters, per General Condition G13.

S7. DISCHARGES TO 303(D) OR TMDL WATER BODIES

A. Limits on Coverage for New Discharges to TMDL or 303(d)-listed Waters

Operators of new vessel deconstruction discharges to a **303(d)-listed water** body, or a waterbody with an applicable TMDL, are not eligible for coverage under this permit unless the operator:

1. Prevents exposing stormwater to pollutants for which the water body is impaired, and retains documentation in the DSMP that details procedures taken to prevent exposure on site; or
2. Documents that the pollutants for which the water body is impaired are not present at the site, and retains documentation of this finding within the DSMP; or
3. Provides Ecology with data indicating the discharge is not expected to cause or contribute to an exceedance of a water quality standard and retains such data on site with the DSMP. The operator must provide data and other technical information to Ecology that sufficiently demonstrate:
    a. For discharges to waters without an EPA-approved or -established TMDL, that the discharge of the pollutant for which the water is impaired will meet in-stream water quality criteria at the point of discharge to the water body; or
    b. For discharges to waters with an EPA-approved or -established TMDL, that there is sufficient remaining wasteload allocation in the TMDL to allow deconstruction stormwater discharge and that existing dischargers to the water body are subject to compliance schedules designed to bring the water body into attainment with water quality standards.

Operators of deconstruction sites are eligible for coverage under this permit if Ecology issues permit coverage based upon an affirmative determination that the discharge will not cause or contribute to the existing impairment.

S8. SITE INSPECTION REQUIREMENTS

A. Site Inspections

The Permittee's (operator's) daily site inspections must include all areas disturbed or otherwise impacted by deconstruction activities, all BMPs, and all discharge points.

1. The Permittee must examine any discharges visually for the presence of turbidity, discoloration, floating materials, and oil sheen. The Permittee must evaluate the effectiveness of BMPs and determine if it is necessary to install additional BMPs, or to maintain, or repair existing BMPs.

Based on the results of the inspection, the Permittee must correct the problems identified by:

   a. Reviewing the DSMP for compliance with Special Condition S9 and making appropriate revisions within 24 hours of the end of the inspection.

   b. Immediately beginning the process of fully implementing and maintaining appropriate **source** control and/or **treatment BMPs** as soon as possible, addressing the problems no later than within 24 hours of the inspection. If installation of necessary treatment BMPs is not feasible within 24 hours, Ecology may approve additional time when an extension is requested by a Permittee within the initial 24-hour response period.

   c. Documenting BMP implementation and maintenance in the site logbook.

2. The Permittee must inspect all areas disturbed or otherwise impacted by deconstruction activities, all BMPs, and any discharge points at least once every calendar day during deconstruction activities. The Permittee may reduce the inspection frequency for temporarily stabilized sites to once every calendar week. Permit coverages in an inactive status do not require inspections.

3. The Permittee must have staff knowledgeable of the BMPs in the DSMP. The inspector must have the skills to assess the:

   a. Site conditions and deconstruction activities that could impact the quality of stormwater, or authorized non-stormwater or non-routine discharges, and

   b. Effectiveness of BMPs used on the site.

4. The DSMP must identify the inspector, who must be present on site or on-call at all times.

5. The Permittee must summarize the results of each inspection in an inspection report or checklist and enter the report/checklist into, or attach it to, the site logbook. At a minimum, each inspection report or checklist must include:

a. Inspection date and time.

b. Weather information, the general conditions during inspection and the approximate amount of precipitation since the last inspection, and precipitation within the last 24 hours.

c. A summary or list of all implemented BMPs.

d. A description of the locations of:

   i. BMPs inspected.

   ii. BMPs that need maintenance and why.

   iii. BMPs that failed to operate as designed or intended, and

   iv. Where additional or different BMPs are needed, and why.

e. A description of any discharges from the site. The Permittee must note the presence of turbidity, odor, discoloration, floating materials, and oil sheen, as applicable.

f. Any water quality monitoring performed during inspection.

g. General comments and notes, including a brief description of any BMP repairs, maintenance or installations made following the inspection.

h. A summary report and a schedule of implementation of the remedial actions that the Permittee plans to take if the site inspection indicates that the site is out of compliance. The remedial actions taken must meet the requirements of the DSMP and the permit.

i. The name, title, and signature of the person conducting the site inspection, a phone number or other reliable method to reach this person, and the following statement: "I certify that this report is true, accurate, and complete to the best of my knowledge and belief."

S9. DECONSTRUCTION AND SITE MANAGEMENT PLAN

The Permittee must properly implement a Deconstruction and Site Management Plan (DSMP) prepared by a **qualified marine professional**(s). The DSMP must include **best management practices** (BMPs) for deconstruction activity in accordance with the requirements of this permit beginning with initial deconstruction activity until all deconstruction activity is complete and permit termination eligible.

A. The Permittee's DSMP must meet the following objectives:

1. To implement BMPs to identify, reduce, eliminate, and prevent stormwater and sediment contamination and water pollution from deconstruction activity.

2. To prevent violations of surface water quality, groundwater quality, and sediment management standards.

B. General Requirements

1. The DSMP must include a narrative and drawings of site layout and any engineered specifications. All BMPs must be clearly referenced in the narrative and marked on the drawings. The DSMP narrative must include documentation to explain and justify the pollution prevention decisions made for the project. Documentation must include:
    a. Information about the vessel (size, type, historical uses, condition, etc.)
    b. Decontamination assessment including testing verification as applicable for the anticipated waste streams identified on the Beginning Deconstruction form (e.g., asbestos, oil and fuel, polychlorinated biphenyls (PCBs), lead, mercury, etc.)
    c. The 12 elements of a DSMP in Special Condition S9.C.1-12, including BMPs used to address each element.
    d. Deconstruction phasing/sequence and general BMP implementation schedule.
    e. The actions to be taken if the BMP performance goals are not achieved – for example, a contingency plan for additional treatment or storage of stormwater that would violate water quality standards if discharged.
    f. A listing of the qualified marine professional(s) who contributed to the DSMP.
2. The Permittee must modify the DSMP if the owner/operator, or the applicable state, local, or federal authority determines during inspections or investigations that the DSMP is, or would be, ineffective in eliminating or significantly minimizing pollutants in discharges from the vessel. The Permittee must then:
    a. Review the DSMP for compliance with Special Condition S9 and make appropriate revisions within 24 hours of the inspection or investigation.
    b. Immediately begin the process to fully implement and maintain appropriate source control and/or treatment BMPs as soon as possible, addressing the problems no later than 24 hours from the inspection or investigation. If installation of necessary treatment BMPs is not feasible within 24 hours, Ecology may approve additional time when an extension is requested by a Permittee within the initial 24-hour response period.
    c. Document BMP installation and maintenance in the site logbook.
3. The Permittee must modify the DSMP whenever there is a change in design, construction, operation, or maintenance at the deconstruction site that has, or could have, a significant effect on the discharge of pollutants to waters of the state. Modifications must be reviewed by a qualified marine professional.

C. Best Management Practices (BMPs)

The Permittee must include each of the 12 elements below in Special Condition S9.C.1-12 in the narrative of the DSMP and implement them unless site conditions render the element unnecessary and the exemption from that element is clearly justified in the DSMP.

1. Control of large solid materials
    a. Prior to drydock flooding and rainfall sufficient to generate runoff, the Permittee must remove floatable and low-density waste, such as wood, plastic, and miscellaneous trash, such as paper, insulation, and packaging, from the vessel, drydock, and barge decks, if applicable.
2. Control and cleanup of grinding and cutting debris.
    a. Confine dust and debris to deconstruction areas to the maximum extent feasible during grinding and cutting activities. Feasible methods of control include installing barriers or curtains around the vessel.
    b. Secure and arrange barriers such as plastic or flame-retardant blankets from the vessel, barge, or temporary structures around the vessel to prevent the fugitive emissions of paint chips, slag, dust, and debris. Barriers must be capable of capturing and containing debris until removal and proper disposal.
    c. Securely anchor and fasten tarpaulins, blankets, and sheeting so they remain in place during wind and storm conditions.
    d. Consider other feasible innovative procedures, as appropriate, to improve the effectiveness of controlling fugitive emissions. Such innovative methods may include metal shears and other applicable technologies.
    e. Clean up paint chips, slag, and other loose materials as a regular part of the deconstruction activities to the extent maximally feasible, to prevent their entry into waters of the state. The minimum collection frequency is once per day when solids generating activity is occurring.
    f. Store collected debris and dangerous wastes in secondary containment under cover in a designated area or properly dispose of off-site in compliance with state and local regulations.
    g. Adopt innovations and procedures to improve the effectiveness of cleanup operations where they are feasible, appropriate and the Permittee can demonstrate they prevent the discharge of pollutants to water.

h. Additional BMPs when vessel is deconstructed on a barge or drydock.

i. Set the vessel in ways to maximize accessibility to the floor of the barge or drydock beneath the vessel for collection of debris.

ii. Discharge of water from the drydock to surface water is prohibited after the vessel is loaded and until deconstruction is complete and the drydock is cleared of all debris, cleaned by manual or mechanical sweeping and vacuuming followed by low-pressure washing to remove fine grit and debris. All wastewater including, but not limited to, process wastewater, contaminated stormwater, and rinse water must be collected and disposed of off-site.

iii. The collection sumps must be emptied and cleaned prior to flooding. The collection sump waste must be disposed of in accordance with Solid Waste regulations.

iv. Clean the barge or drydock on a regular basis to minimize the possibility that stormwater runoff will carry debris into receiving water.

v. Do not flood or sink drydocks with standing piles of debris on drydock floor.

vi. Take photographs and maintain them in the site logbook to demonstrate the condition of the drydock floor prior to flooding. Documentation accompanying the photographs must include the date of flooding, the date of the photograph, and the name of the photographer. The Permittee may use a videotape that documents the same information in place of a photograph collection.

3. BMPs for work below the waterline

a. The Permittee must not clean any portion of the vessel's hull below the waterline while the vessel is afloat.

4. BMPs for floats used for in-water vessel deconstruction.

Floats are free-floating, unattached work platforms capable of moving back and forth along the length of the ship and around its hull. The Permittee must:

a. Maintain a minimum of 1 foot of freeboard at the lowest point of the float during all phases of deconstruction.

b. Maintain this minimum 1 foot freeboard requirement with all scaffolding configurations and number of persons onboard the float.

c. Take all necessary precautions while onboard the float to prevent solvents, cleaning materials, petroleum products, all other liquids and unsecured materials from entering into water from the float.

d. Provide secondary containment for any container greater than one gallon holding any liquid product when used onboard a float.

5. A float must be used when transferring any material over the water to prevent any material that falls from entering the water, any material captured on the float must be removed daily.

6. Oil, grease, solvents, and fuel spills prevention and containment

   a. The Permittee must not discharge oil or other **hazardous substances** and dangerous wastes to waters of the state, except as specifically authorized by this permit. The Permittee must:

      i. Prevent oil, grease, or fuel spills from reaching drainage systems or surface waters.

      ii. Promptly cleanup after it detects oil, grease, or fuel spill.

      iii. Deploy appropriate containment booms around the vessel prior to commencing deconstruction activity. Store additional containment booms and absorbents so it can immediately deploy them in the event of a spill.

      iv. Train all personnel that may participate in cleanup of spills in the use and deployment of cleanup equipment.

   b. In the event of an accidental discharge of oil or hazardous substances and or dangerous wastes into waters of the state or onto land with a potential for entry into waters of the state, the Permittee must immediately notify Ecology's Spill Response Section and the United States Coast Guard. The Permittee must not use emulsifiers or dispersants in or upon the waters of the state without prior approval from Ecology. The Permittee must:

      i. Immediately commence and complete cleanup efforts. Cleanup takes precedence over normal work.

      ii. Properly dispose of spilled material and used cleanup material.

      iii. Follow an approved spill control plan or the specific instructions of an on-scene coordinator to cleanup oil or hazardous substances and/or dangerous wastes.

      iv. Use drip pans or other protective devices for all oil transfer operations to catch incidental spills and drips from hose nozzles, hose racks, drums, or barrels.

      v. Provide oils and fuel storage tanks with secondary containment.

7. Contact between water and debris.

The Permittee must:

a. Capture for treatment and proper disposal any fire prevention water that has contacted slag, grit, spent abrasives, paint chips, and other debris.

b. Incorporate appropriate methods to prevent accumulation of debris in drainage systems and promptly remove debris to prevent its discharge with stormwater.

8. Maintenance of hoses, soil chutes, and piping

The Permittee must:

a. Immediately replace or repair leaking connections, valves, pipes, hoses, and soil chutes carrying either water or wastewater.

b. Tightly connect soil chute and hose connections to vessels and to receiving lines or containers and maintain them as leak free as practicable.

9. Chemical storage

The Permittee must store solid chemicals, chemical solutions, compressed gas cylinders and systems, paints, oils, solvents, acids, caustic solutions, and waste materials, including used batteries, in a manner which will prevent inadvertent exposure to stormwater or entry of these materials into waters of the state, including ground water. Storage methods must prevent spills due to overfilling, tipping, or rupture. In addition, the Permittee must use the following practices:

a. Store all liquid products on durable impervious surfaces and within bermed containment capable of containing 110% of the largest single container in the storage area.

b. Store waste liquids under cover; e.g., tarpaulins, roofed structures, etc.

c. Clearly designate all waste storage areas for waste oil or dangerous waste, and keep these areas segregated from new product storage.

d. Segregate and secure incompatible or reactive materials in separate containment areas to prevent inadvertent mixing and reaction of spilled chemicals.

e. All containment structures and containers must be compatible with the materials and wastes being contained and stored/accumulated.

f. Transport off-site for disposal concentrated waste or spilled chemicals at a facility approved by Ecology or the appropriate county health authority in accordance with solid waste disposal requirements of Special Condition S10.

g. Prevent the discharge of concentrated waste, dangerous wastes or spilled chemicals to any sewer or state waters.

10. Recycling of spilled chemicals and rinse water

The Permittee must:

a. Recycle any intercepted chemical spill back to the appropriate chemical solution tank or clean it up and dispose of it properly.

b. Handle, recycle, or dispose of any intercepted chemical spill in such a manner as to prevent its discharge into waters of the state.

11. Oils, bilge, ballast, and dewatering water management

All non-stormwater discharges must comply with the requirements of Special Condition S6. Non-routine Discharges.

a. The Permittee must not discharge hydraulic fluids, oily wastes, and petroleum products to waters of the state.

b. **Bilge water** discharges must not cause any visible sheen in waters of the state.

c. **Ballast water** discharges must not introduce an aquatic invasive species into waters of the state.

d. If solvents, detergents, emulsifying agents, or dispersants have been added to the bilge, bilge waters must not be discharged to waters of the state.

12. Hot work management

All activities at the permitted site must have the appropriate permits for those uses. The Permittee must obtain appropriate local or other applicable jurisdictional permits including those necessary for any **hot work** conducted at the site and comply with applicable health and safety requirements.

a. Ensure that a qualified marine professional oversees all hot work.

b. Collect, store, and properly dispose of all spent metal cutting and welding materials. Do not dispose of materials such as welding and cutting rods and fluids to waters of the state.

13. Manage the project.

The Permittee must phase deconstruction to the maximum degree practicable to insure availability of facilities and equipment necessary for complete deconstruction of the vessel. Final deconstruction in the water is prohibited under this permit.

a. Ensure availability of a drydock, barge, crane, or other equipment necessary to complete final deconstruction of the vessel hull.

b. Ensure sufficient structural integrity remains in the vessel hull to allow removal from the water for final deconstruction.

c. Maintain sufficient **ballast** and freeboard to keep the remaining hull afloat until it can be removed from the water for final deconstruction.

d. Insure applicable BMPs are used to prevent the remaining hull from becoming inundated by rainfall.

D. Documentation Requirements

The Permittee must comply with documentation requirements for any operations of one hour or more in duration on any working day. The Permittee must:

1. Maintain a site logbook that contains a record of the implementation of the DSMP and other permit requirements, including the installation and maintenance of BMPs, site inspection, and any monitoring conducted.
2. Take one or more representative photographs of all vessel deconstruction BMPs which the Permittee implements.
3. Date all photographs and maintain them in a logbook, with all necessary descriptive narrative of the BMPs.
4. Make documentation records available to an Ecology inspector upon request.
5. Maintain records for at least 3 years, in accordance with S11.B of this permit.

E. Education Requirements

To facilitate the consistent and effective implementation of the BMPs described in the DSMP, the Permittee must:

1. Develop a program for training its employees and all contractors who work at the site on BMPs, and the environmental concerns related to this permit. Permittees can accomplish this in a variety of ways and should determine the method that works best for their company. For example, some companies find that regular safety meetings are a convenient time to discuss BMP implementation successes or problems in order to obtain employee input on better ways of accomplishing pollution prevention.
    a. The program must document compliance with all applicable safety standards including applicable requirements of Chapter 296-304 WAC and 29 CFR 1915.

F. Map Contents and Requirements

The Permittee's DSMP must also include a vicinity map or general location map (for example, a USGS quadrangle map, a portion of a county or city map, or other appropriate map) with enough detail to identify the location of the deconstruction site and receiving waters.

The DSMP must also include a legible site map (or maps) showing the entire deconstruction site. The following features must be identified, unless not applicable due to site conditions:

1. Locations of structural and nonstructural controls (BMPs) identified in the DSMP.
2. Locations of off-site material, stockpiles, waste storage, and vehicle/equipment storage areas.

3. Locations of all surface water bodies, including wetlands.
4. Locations where stormwater or non-stormwater discharges off-site and/or to a surface water body, including wetlands.
5. Location of water quality sampling station(s) if sampling is required by state or local permitting authority.

S10. SOLID AND LIQUID WASTE DISPOSAL

A. Solid Waste Handling

1. The Permittee must handle and dispose of solid and liquid wastes generated by deconstruction activity, such as demolition debris, deconstruction materials, contaminated materials, and waste materials from deconstruction activities in accordance with:
    a. Special Condition S3, Compliance with Standards
    b. WAC 173-216-110
    c. Chapter 173-303 WAC
    d. Other applicable regulations

B. Solid Waste Control Plan

1. The Permittee must prepare, implement, and retain on-site, a solid waste control plan. The plan may be incorporated into the DSMP and must:
    a. Include at a minimum a description, source, anticipated generation rate, and disposal method for solid and dangerous wastes generated by the Permittee. All anticipated waste streams must be addressed.
    b. Describe procedures to be used for hazardous substances and dangerous waste identification, sampling, analysis, abatement, handling, storage, transport, and disposal.
    c. Include hazardous substances inspection results.
    d. Not conflict with local or state solid or dangerous waste regulations.

S11. REPORTING AND RECORDKEEPING REQUIREMENTS

A. Discharge Monitoring Reports

Permittees required to conduct water quality sampling in accordance with Special Conditions S4, S5, and S6 and/or G13 (Additional Sampling) must submit the results to Ecology. DMRs are not required while the permit is inactive.

Permittees must submit monitoring data using Ecology's WQWebDMR program. To find out more information and to sign up for WQWebDMR go to: WQWebPortal guidance[2].

Permittees unable to submit electronically (for example, those who do not have an internet connection) must contact Ecology to request a waiver and obtain instructions on how to obtain a paper copy DMR at:

Mailing Address
Department of Ecology
Water Quality Program
Attn: Vessel Deconstruction Permit
PO Box 47696
Olympia, WA 98504-7696

Permittees who obtain a waiver not to use WQWebDMR must use the forms provided to them by Ecology; submittals must be mailed to the address above. Permittees must submit DMR forms to be received by Ecology within 15 days following the end of each month.

If there was no discharge during a given monitoring period, all Permittees must submit a DMR as required with “no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee must retain records of all monitoring information (site logbook, sampling results, inspection reports/checklists, etc.), Deconstruction and Site Management Plan, and any other documentation of compliance with permit requirements for the entire life of the deconstruction project and for a minimum of three (3) years following the termination of permit coverage. Such information must include all calibration and maintenance records, and records of all data used to complete the application for this permit. This period of retention must be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

C. Recording Results

For each measurement or sample taken, the Permittee must record the following information:

1. Date, place, method, and time of sampling or measurement.
2. The first and last name of the individual who performed the sampling or measurement.
3. The date(s) the analyses were performed.
4. The first and last name of the individual who performed the analyses.
5. The analytical techniques or methods used.

[2] https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance

6. The results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Special Conditions S4, S5, and S6 of this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit which may cause a threat to human health or the environment, or exceed any numeric effluent limitation including exceedances resulting from unanticipated **bypass** or upset, the Permittee must:

1. Immediately, in no case more than 24 hours of becoming aware of the circumstances, notify Ecology of the failure to comply by calling the applicable Regional office phone number, found on the Report a spill of oil or hazardous materials[3] website.
2. Immediately take action to prevent the discharge/pollution, or otherwise stop or correct the noncompliance.
3. Submit a written report to Ecology within five (5) days of the time the Permittee becomes aware of a reportable event. The report must contain:
    a. A description of the noncompliance and its cause
    b. The period of noncompliance including exact dates and times
    c. If the noncompliance has not been corrected, the anticipated time it is expected to continue.
    d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Ecology may waive the written report on a case-by-case basis upon request if the Permittee has submitted a timely oral report.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply. Refer to Section G14 of this permit for specific information regarding non-compliance.

[3]https://ecology.wa.gov/footer-pages/report-an-environmental-issue/report-a-spill

F. Access to Plans and Records

1. The Permittee must retain the following permit documentation (plans and records) on site, or within reasonable access to the site, for use by the operator or for on-site review by Ecology or the local **jurisdiction**:
    a. Permit Coverage Letter
    b. Approval Letter to Begin Deconstruction
    c. Vessel Deconstruction General Permit
    d. Site Logbook
    e. Deconstruction and Site Management Plan (DSMP)
2. The Permittee must address written requests for plans and records listed above (Special Condition S11.F.1) as follows:
    a. The Permittee must provide a copy of plans and records to Ecology within 14 days of receipt of a written request from Ecology.
    b. The Permittee must provide a copy of plans and records to the public when requested in writing. Upon receiving a written request from the public for the Permittee's plans and records, the Permittee must either:
        i. Provide a copy of the plans and records to the requester within 14 days of a receipt of the written request; or
        ii. Notify the requester within 10 days of receipt of the written request of the location and times within normal business hours when the plans and records may be viewed; and provide access to the plans and records within 14 days of receipt of the written request; or
        iii. If you provide a URL in your NOI where your plans and records can be found and maintain your current plans and records at this URL, you will have complied with the public availability requirements. To remain current, you must post any modifications to the plans and records, or other reporting elements required for the permit term at the same URL.

S12. PERMIT FEES

The Permittee must pay permit fees assessed by Ecology. Fees for wastewater discharges covered under this permit are established by Chapter 173-224 WAC.

S13. NOTICE OF TERMINATION

The site is eligible for termination of coverage at any point when the permit is in an inactive status. Permittees wanting to terminate permit coverage must submit a complete and accurate Notice of Termination (NOT) form, signed in accordance with General Condition G2, to:

Department of Ecology
Water Quality Program – Vessel Deconstruction
PO Box 47696
Olympia, WA 98504-7696

The termination is effective on the date Ecology receives the NOT form, unless Ecology notifies the Permittee within 30 days of receipt that the Permittee is denied because the permit is not in an inactive status.

Permittees transferring the vessel to a new owner or operator/permittee are required to complete and submit the Notice of Transfer form to Ecology but are not required to submit a Notice of Termination form for this type of transaction.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit must be consistent with the terms and conditions of this general permit. Any discharge of any pollutant more frequent than or at a level in excess of that identified and authorized by the general permit must constitute a violation of the terms and conditions of this permit.

G2. SIGNATORY REQUIREMENTS

A. All permit applications must bear a certification of correctness to be signed:

1. In the case of corporations, by a responsible corporate officer;
2. In the case of a partnership, by a general partner of a partnership;
3. In the case of sole proprietorship, by the proprietor; or
4. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

B. All reports required by this permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Ecology.
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

C. Changes to authorization. If an authorization under paragraph G2.B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph G2.B.2 above must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under this section must make the following certification:

"*I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations*."

G3. RIGHT OF INSPECTION AND ENTRY

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records are kept under the terms and conditions of this permit.

B. To have access to and copy – at reasonable times and at reasonable cost – any records required to be kept under the terms and conditions of this permit.

C. To inspect – at reasonable times – any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.

D. To sample or monitor – at reasonable times – any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the **Clean Water Act**.

G4. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification, revocation and reissuance, or termination include, but are not limited to, the following:

A. When a change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit.

B. When effluent limitation guidelines or standards are promulgated pursuant to the CWA or Chapter 90.48 RCW, for the category of dischargers covered under this permit.

C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved, or

D. When information is obtained that indicates cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G5. REVOCATION OF COVERAGE UNDER THE PERMIT

Pursuant to Chapter 43.21B RCW and Chapter 173-226 WAC, the **Director** may terminate coverage for any discharger under this permit for cause. Cases where coverage may be terminated include, but are not limited to, the following:

A. Violation of any term or condition of this permit.

B. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts.

C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

D. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.

E. A determination that the permitted activity endangers human health or the environment or contributes to water quality standards violations.

F. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC.

G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable.

The Director may require any discharger under this permit to apply for and obtain coverage under an individual permit or another more specific general permit. Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G6. REPORTING A CAUSE FOR MODIFICATION

The Permittee must submit a new application, or a supplement to the previous application, whenever a material change to the vessel deconstruction activity or in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application must be submitted at least sixty (60) days prior to any proposed changes. Filing a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G7. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit will be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G8. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G9. TRANSFER OF GENERAL PERMIT COVERAGE

Coverage under this general permit is automatically transferred to a new discharger, if all of the following conditions are met:

A. A written agreement (Transfer of Coverage Form) between the current discharger (Permittee) and new discharger, signed by both parties and containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to Ecology.

B. The type of industrial activities and practices remain substantially unchanged.

C. Ecology does not notify the Permittee and new discharger of the need to submit a new application for coverage under the general permit or for an individual permit pursuant to

Chapters 172-216, 173-220, and 173-226 WAC.

D. Ecology does not notify the current discharger (Permittee) and new discharger of Ecology's intent to revoke coverage under the general permit. If this notice is not given, the transfer is effective on the date specified in the written agreement.

G10. REMOVED SUBSTANCES

The Permittee must not re-suspend or reintroduce collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater to the final effluent stream for discharge to state waters.

G11. DUTY TO PROVIDE INFORMATION

The Permittee must submit to Ecology, within a reasonable time, all information that Ecology may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee must also submit to Ecology, upon request, copies of records required to be kept by this permit [40 CFR 122.41(h)].

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G14. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G15. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:

1. an upset occurred and that the Permittee can identify the cause(s) of the upset;
2. the permitted facility was being properly operated at the time of the upset;
3. the Permittee submitted notice of the upset as required in Special Condition S11.E., and
4. the Permittee complied with any remedial measures required under this permit.

In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G16. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G17. DUTY TO COMPLY

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G18. TOXIC POLLUTANTS

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G19. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this condition, punishment shall be a fine of not more than $20,000 per day of violation, or imprisonment of not more than four (4) years, or both.

G20. REPORTING PLANNED CHANGES

The Permittee must, as soon as possible, give notice to Ecology of planned physical alterations, modifications, or additions to the permitted deconstruction activity. The Permittee should be aware that, depending on the nature and size of the changes to the original permit, a new public notice and other permit process requirements may be required. Changes in activities that require reporting to Ecology include those that will result in:

A. The permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b).

B. A significant change in the nature or an increase in quantity of pollutants discharged.

C. A change in or addition of surface water(s) receiving stormwater or non-stormwater from the deconstruction activity.

D. A change in the deconstruction plans and/or activity that affects the Permittee's monitoring requirements in Special Conditions S4 and S5.

Following such notice, permit coverage may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G21. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to Ecology, it must promptly submit such facts or information.

G22. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee must give advance notice to Ecology by submission of a new application or supplement thereto at least forty-five (45) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, must be scheduled during non-critical water quality periods and carried out in a manner approved by Ecology.

G23. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER THE PERMIT

Any discharger authorized by this permit may request to be excluded from coverage under the general permit by applying for an individual permit. The discharger must submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. These reasons will fully document how an individual permit will apply to the applicant in a way that the general permit cannot. Ecology may make specific requests for information to support the request. The Director will either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to the vessel deconstruction general permit, the applicability of the vessel deconstruction general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G24. APPEALS

A. The terms and conditions of this general permit, as they apply to the appropriate class of dischargers, are subject to appeal by any person within 30 days of issuance of this general permit, in accordance with Chapter 43.21B RCW, and Chapter 173-226 WAC.

B. The terms and conditions of this general permit, as they apply to an individual discharger, are appealable in accordance with Chapter 43.21B RCW within 30 days of the effective date of coverage of that discharger. Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or non-applicability to that individual discharger.

C. The appeal of general permit coverage of an individual discharger does not affect any other dischargers covered under this general permit. If the terms and conditions of this general permit are found to be inapplicable to any individual discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

G25. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

G26. BYPASS PROHIBITED

This permit prohibits a bypass, which is the intentional diversion of waste streams from any portion of a treatment facility.

Storm events that exceed the hydraulic design criteria of stormwater treatment systems may bypass the treatment system when Ecology has determined the system meets AKART requirements provided the bypass does not cause an exceedance of water quality criteria.

Ecology may take enforcement action against a Permittee for a bypass unless one of the following circumstances (A, B, or C) applies.

A. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

B. This permit authorizes a bypass if it allows for essential maintenance and does not have the potential to cause violations of limits or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten (10) days before the date of the bypass.

C. B. Bypass is unavoidable, unanticipated, and results in noncompliance of this permit.

This permit authorizes such a bypass only if:

1. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
2. No feasible alternatives to the bypass exist, such as:
    - The use of auxiliary treatment facilities.
    - Retention of untreated wastes.
    - Stopping production.
    - Maintenance during normal periods of equipment downtime, but not if the Permittee should have installed adequate backup equipment in the exercise of reasonable engineering judgment to prevent a bypass.
    - Transport of untreated wastes to another treatment facility.
3. The Permittee has properly notified Ecology of the bypass as required

in Special Condition S11.E of this permit.

C. If bypass is anticipated and has the potential to result in noncompliance of this permit.

1. The Permittee must notify Ecology at least thirty (30) days before the planned date of bypass. The notice must contain:

   - A description of the bypass and its cause.
   - An analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing.
   - A cost-effectiveness analysis of alternatives including comparative resource damage assessment.
   - The minimum and maximum duration of bypass under each alternative.
   - A recommendation as to the preferred alternative for conducting the bypass.
   - The projected date of bypass initiation.
   - A statement of compliance with **SEPA**.
   - A request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated.
   - Details of the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

2. For probable construction bypasses, the Permittee must notify Ecology of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during the project planning and design process. The project-specific engineering report as well as the plans and specifications must include details of probable construction bypasses to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.

3. Ecology will consider the following prior to issuing an administrative order for this type of bypass:

    - If the bypass is necessary to perform construction or
    - maintenance-related activities essential to meet the requirements of this permit.
    - If feasible alternatives to bypass exist, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
    - If the Permittee planned and scheduled the bypass to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. Ecology will give the public an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Ecology will approve a request to bypass by issuing an administrative order under RCW 90.48.120.

APPENDIX A – DEFINITIONS

303(d) Listed Waters means the list of Category 5 waterbodies periodically prepared by Ecology and approved by the U.S. EPA. This list specifies the waters of the State of Washington that are not meeting the water quality standards as given in Chapter 173-201A WAC. This list is available at Assessment of state waters 303d - Washington State Department of Ecology. The list applicable to discharges covered by this permit is the list approved by the U.S. EPA at the time of facility coverage under this permit.

Active status refers to the permit coverage status when a vessel has been identified for deconstruction or is currently being deconstructed: a Beginning of Deconstruction Notice form has been submitted to and approved by Ecology and a Completion of Deconstruction Notice form has not yet been submitted.

AKART is an acronym for "all known, available, and reasonable methods of prevention, control, and treatment." AKART represents the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants and controlling pollution associated with a discharge.

Applicant means an **operator** seeking coverage under this permit.

Ballast water means any water and suspended matter taken on board a vessel to control or maintain, trim, draught, stability, or stresses of the vessel, regardless of how it is carried.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: stormwater associated with deconstruction activity, drydock flooding, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Bilge water means the wastewater from a variety of sources that accumulates in the lowest part of the vessel (the bilge).

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

Calendar Day means a period of 24 consecutive hours starting at 12:00 midnight and ending the following 12:00 midnight.

Calendar Week (same as **Week**) means a period of seven consecutive days starting at 12:01 a.m. (0:01 hours) on Sunday.

Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; USC 1251 et seq.

Combined Sewer means a sewer which has been designed to serve as a sanitary sewer and a storm sewer, and into which inflow is allowed by local ordinance.

Composite Sample means a mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite" (collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.

Contaminant means any hazardous substance that does not occur naturally or occurs at greater than natural background levels. See definition of “hazardous substance” and WAC 173-340-200.

Dangerous waste means wastes that designate as dangerous waste or hazardous waste under WAC 173-303-070 through 173-303-100. The term “Dangerous Wastes” includes federal Hazardous Wastes and wastes regulated only by Washington State.

Deconstruction Activity means dismantling of a vessel so that no part is left intact or undisturbed or otherwise unimpacted, to the extent that it cannot be reconstructed or readily identified as an existing portion of the original hull or superstructure. The vessel is reduced such that it has no value except for its basic material content. Deconstruction Activity does not include disturbance incidental to vessel retrieval.

Deconstruction and Site Management Plan means a documented plan to implement measures to identify, prevent, and control the contamination of point source discharges of wastewater.

Department means the Washington State Department of Ecology.

Director means the Director of the Washington Department of Ecology or the Director’s authorized representative.

Discharger means an owner or operator of any facility or activity subject to regulation under Chapter 90.48 RCW or the Federal Clean Water Act.

Domestic Wastewater means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such ground water infiltration or surface waters as may be present.

Drydock means a floating structure that can be submerged to allow a vessel to enter and then floated to raise the vessel and the floor of the drydock out of the water.

Ecology means the Washington State Department of Ecology.

Equivalent BMPs means operational, source control, treatment, or innovative BMPs which result in equal or better quality of stormwater discharge to surface water or to ground water than BMPs selected from this permit.

Ground Water means water in a saturated zone or stratum beneath the land surface or a surface water body.

Grey Water means galley, bath, and shower water, as well as wastewater from lavatory sinks, laundry, and water fountains.

Hazardous Substance means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or 173-303-100.

Hot work means riveting, welding, burning or fire or spark producing operations (29 CFR 1915.4).

Hull means the body or frame of a ship or boat. It is the central concept in water vessels. The hull is essentially what keep the water from entering the boat and acts as the walls and floor of the vessel.

Inactive status refers to the permit coverage status when there are no vessel deconstruction activities occurring: a Beginning of Deconstruction Notice form has not yet been submitted or a Completion of Deconstruction Notice form has been submitted for a vessel / project.

Jurisdiction means a political unit such as a city, town or county; incorporated for local self-government.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the State from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

New Operation means an operation that begins activities that result in a discharge, or a potential discharge to waters of the state.

Notice of Intent (NOI) means the application for, or a request for coverage under this general permit pursuant to WAC 173-226-200.

Notice of Termination (NOT) means a request for termination of coverage under this general permit as specified by Special Condition S13 of this permit.

Nephelometric Turbidity Units (NTU) means a unit measuring the lack of clarity or the turbidity of water. Water containing 1 milligram of finely divided silica per liter has a turbidity of 1 NTU.

Operator means any party associated with a deconstruction project that meets either of the following two criteria:

- The party has operational control over deconstruction plans and specifications, including the ability to make modifications to those plans and specifications; or
- The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with a DSMP for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the DSMP or comply with other permit conditions).

Outfall means the location where the site's stormwater discharges to surface water or leaves the site. It also includes the location where stormwater is discharged to surface waterbodies within a site but does not include discharges to on-site stormwater treatment/infiltration devices or stormwater conveyance systems.

Permittee means individual or entity that receives notice of coverage under this general permit.

pH means a liquid's measure of acidity or alkalinity. A pH of 7 is defined as neutral. Large variations above or below this value are considered harmful to most aquatic life.

Point source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, and container from which pollutants are or may be discharged to surface waters of the State. This term does not include return flows from irrigated agriculture. (See Fact Sheet for further explanation.)

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, domestic sewage sludge (biosolids), munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste. This term does not include sewage from vessels within the meaning of section 312 of the CWA, nor does it include dredged, or fill material discharged in accordance with a permit issued under section 404 of the CWA.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the State; including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the State as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare; or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; or to livestock, wild animals, birds, fish or other aquatic life.

Process wastewater means any non-stormwater which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product (40 CFR 122.1). If stormwater commingles with process wastewater, the commingled water is considered process wastewater.

Qualified Marine Professional means an industry recognized professional such as a naval architect, marine engineer, or a marine chemist with the knowledge and skills to assess conditions and activities that could impact water quality and evaluate the effectiveness of best management practices required by this permit. Conditions and activities that could impact water quality include and are not limited to, applicable safety and health requirements, hot work requirements, and vessel stability and structural integrity.

Receiving water means the water body at the point of discharge. If the discharge is to a storm sewer system, either surface or subsurface, the receiving water is the water body to which the storm system discharges. Systems designed primarily for other purposes such as for ground water drainage, redirecting stream natural flows, or for conveyance of irrigation water/return flows that coincidentally convey stormwater are considered the receiving water.

Representative sample means a stormwater or wastewater sample which represents the flow and characteristics of the discharge. Representative samples may be a grab sample, a time-proportionate **composite sample**, or a flow proportionate sample.

Sanitary sewer means a sewer which is designed to convey domestic wastewater.

Sediment means the fragmented material that originates from the weathering and erosion of rocks or unconsolidated deposits, and is transported by, suspended in, or deposited by water.

Sedimentation means the depositing or formation of sediment.

Sensitive area means a water body, wetland, stream, aquifer recharge area, or channel migration zone.

SEPA (State Environmental Policy Act) means the Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment.

Significant Amount means an amount of a pollutant in a discharge that is amenable to available and reasonable methods of prevention or treatment; or an amount of a pollutant that has a reasonable potential to cause a violation of surface or ground water quality or sediment management standards.

Significant Contributor of Pollutants means a facility determined by Ecology to be a contributor of a **significant amount**(s) of a pollutant(s) to waters of the State of Washington.

Site means the land or water area where any "facility or activity" is physically located or conducted.

Source control BMPs means physical, structural or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. A few examples of source control BMPs are prompt removal of debris from drainage systems, maintenance of work areas, constructing roofs over storage and working areas, and collection and proper disposal of metal cutting and welding materials.

Storm drain means any drain which drains directly into a **storm sewer system**, usually found along roadways or in parking lots.

Storm sewer system means a means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains designed or used for collecting or conveying stormwater. This does not include systems which are part of a **combined sewer** or Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

Stormwater means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a stormwater drainage system into a defined surface water body, or a constructed infiltration facility.

Superstructure means the structure consisting of the part of a ship above the main deck.

Surface Waters of the State includes lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

Topside means that part of a vessel above the wales (horizontal members that aid in wall/form reinforcement and distribution of forces); now in yachts sometimes understood as the part between the waterline and deck, or the freeboard.

Total Maximum Daily Load (TMDL) means a calculation of the maximum amount of a pollutant that a water body can receive and still meet state water quality standards. Percentages of the total maximum daily load are allocated to the various pollutant sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The TMDL calculations must include a "margin of safety" to ensure that the water body can be protected in case there are unforeseen events or unknown sources of the pollutant. The calculation must also account for seasonable variation in water quality.

Total Suspended Solids (TSS) means an analytical laboratory measurement of the concentration of solids suspended in water.

Treatment BMPs means BMPs that are intended to remove pollutants from stormwater. A few examples of treatment BMPs are oil/water separators, sand filters, and media filters.

Turbidity means the clarity of water expressed as nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

Uncontaminated means free from any contaminant, as defined in MTCA cleanup regulations. See definition of “contaminant” and WAC 173-340-200.

Waste Load Allocation (WLA) means the portion of a receiving water’s loading capacity that is allocated to one of its existing or future point sources of pollution. WLAs constitute a type of water quality-based effluent limitation (40 CFR 130.2[h]).

Water quality means the chemical, physical, and biological characteristics of water, usually with respect to its suitability for a particular purpose.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the State" as defined in Chapter 90.48 RCW, which include lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

APPENDIX B – ACRONYMS

AKART	All Known, Available, and Reasonable Methods of Prevention, Control, and Treatment
BMP	Best Management Practice
CFR	Code of Federal Regulations
CWA	Clean Water Act
DMR	Discharge Monitoring Report
DSMP	Deconstruction and Site Management Plan
EPA	Environmental Protection Agency
FR	Federal Register
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
RCW	Revised Code of Washington
SEPA	State Environmental Policy Act
TMDL	Total Maximum Daily Load
USC	United States Code
USEPA	United States Environmental Protection Agency
WAC	Washington Administrative Code
WQ	Water Quality