



Fact Sheet

1200-Z Stormwater Permit Monitoring Variance Request

Background

Facilities registered under the Oregon Department of Environmental Quality's 1200-Z National Pollutant Discharge Elimination System Industrial Stormwater General Permit are required to collect and analyze stormwater samples each year. For applicable statewide and sector-specific benchmarks, the permit requires facilities to collect two samples between July 1 and Dec. 31, and two samples between Jan. 1 and June 30.

Stormwater samples must be collected at least 14 days apart. A registrant may collect more samples than the minimum frequency specified in the permit.

Registrants are required to report all stormwater sampling data collected at a monitoring event to DEQ quarterly, using DEQ's electronic reporting system, Your DEQ Online. For sites located in agent's jurisdictions, report on DEQ approved form found at your agent's website.

What if there is no discharge of stormwater?

If your facility was unable to collect any of the required samples because there was no stormwater discharged at your monitoring location, then you may submit a Monitoring Variance Request with your DMR.

What is a monitoring variance request?

Under Schedule B.8 of the permit, registrants may request a monitoring variance for missed samples due to no storm events of sufficient magnitude to produce run-off during regular business hours of operation and safe conditions.

For each missed sample, the facility must report "No Discharge" or a "NODI" code on the DMR. Additionally, for each missed sample due to no discharge, the facility must provide supporting data and analysis demonstrating why the monitoring did not occur.

Schedule B.8 of the permit suggests types of information that could be provided in support of a variance request. These include, but are not limited to:

- State or federally declared drought year in your area
- Demonstrate rainfall was 20 percent or more below the three-year average for your area
- Photo documentation, rain gauge data, detention basin storage volumes, storm infiltration rate of retention capacity.

The declaration of a drought year does not allow for missed sampling events.

What is supporting data and analysis?

Each 1200-Z facility has different characteristics which may impact flows. Therefore, the type of data and analysis that may be used to demonstrate a condition of “no discharge” varies by site. What follows are some general concepts and examples of the type of data and analysis that could support a monitoring variance.

Following good engineering practice, a facility can provide a hydrologic analysis assessing when a site is likely to discharge. This analysis should estimate runoff volumes generated during various storm conditions using the site-specific stormwater infrastructure. Assume saturated soil conditions and include pond detention and infiltration capacity. Demonstrate that the stormwater infrastructure maintains enough capacity to prevent discharges under defined storm scenarios.

Calculations and rainfall records should be submitted for the requested monitoring variance time. Facilities may install rain gauges, track site rainfall events, keep a discharge log, install a discharge sensor, and photograph site conditions to corroborate site stormwater modeling and support the variance request.

After review of any data and analysis provided by the registrant, if DEQ or the agent has evidence contradicting the registrant’s no discharge claim, failure to complete the required monitoring may be a permit violation.

Example

The following is an example of an analysis done for a hypothetical site claiming no discharge for an entire year. This is only an illustration, and not intended to specify a required analytical method.

Facility ABC consistently conducts their required monthly visual monitoring, especially during large rain events, and has not observed stormwater discharging from its large detention pond outlet. The pond outlet is the only stormwater monitoring location at their facility. The detention pond has a capacity of 80,000 gallons. Based on the size of the site, amount of impervious surface, the infiltration rate of the detention pond, and other calculations, ABC would not have a discharge unless the facility experienced a 25-year/24-hour storm event, which is 5.5 inches in 24 hours. A review of the local rainfall data shows that over the course of the 1200-Z monitoring year, the four highest 24-hour rainfall events were 2.67 inches, 3.41 inches, 3.58 inches, and 4.78 inches on dates, with two large storm events before December 31 and two after Jan. 1. ABC should enter those four dates into the DMR as “No Discharge” and provide the data and calculations demonstrating the no discharge condition.

Facility ABC includes this analysis in its Stormwater Pollution Control Plan, includes a discussion of this analysis in its employee education training events, and ensures facility personnel still conduct and document the visual monitoring of the discharge point during and after rain events to determine if stormwater is discharging.

Even with this analysis, if stormwater discharges from the pond, Facility ABC must monitor the discharge.

Variance Request Submittal

A request for a monitoring variance must be submitted on February 15 and August 15 with the DMR for each missed sample. In addition, if a facility has an actual discharge, monitoring must be conducted regardless of any monitoring variances granted in previous quarters.

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Alternate formats

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