

WAC 173-226-240 Revocation of coverage under a general permit.

(1) The director may terminate coverage under a general permit for cause. Cases where coverage under a general permit may be terminated include, but are not limited to, the following:

- (a) Violation of any term or condition of the general permit;
- (b) Obtaining coverage under a general 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) A determination that the permitted activity endangers human health, safety, or the environment, or contributes to water or sediment quality standards violations;
- (e) Incorporation of an approved local pretreatment program into a municipality's permit;
- (f) Failure of the permittee to satisfy the public notice requirements of WAC 173-226-130(5);
- (g) Failure or refusal of the permittee to allow entry as required in RCW 90.48.090; or
- (h) Nonpayment of permit fees assessed pursuant to RCW 90.48.465.

(2) The director may require any discharger to apply for and obtain an individual permit, or to apply for and obtain coverage under another more specific general permit. In cases where the director requires any discharger to apply for an individual permit, or for another general permit, the discharger must be notified in writing that another permit is required. This notice shall include a statement of why another permit is being required, an application form, and a time limit for submitting the application.

(3) Any interested person may petition the director to require a discharger authorized by a general permit to apply for and obtain an individual permit.

(4) Any discharger authorized by a general permit may request to be excluded from coverage under a general permit by applying for an individual permit. The discharger shall submit to the director an application as described in WAC 173-220-040 with reasons supporting the request. The director shall either issue an individual permit or deny the request with a statement explaining the reason for denial.

(5) Where the department has determined that a discharger should no longer be covered under a general permit it shall notify the discharger in writing stating the reason(s) why coverage is no longer appropriate, and any actions required of the discharger in order for coverage under the general permit to remain effective.

(6) The discharger shall have thirty days to respond to any notification provided pursuant to subsection (5) of this section before coverage under a general permit shall be automatically revoked.

[Statutory Authority: Chapter 90.48 RCW. WSR 93-10-099 (Order 92-55), § 173-226-240, filed 5/5/93, effective 5/19/93.]