

**AUTHORIZATION TO DISCHARGE UNDER
THE OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**PERMIT NUMBER: OK0038253
ID NUMBER: I-55001050**

In compliance with the Oklahoma Pollutant Discharge Elimination System (OPDES) Act, 27A O.S. §2-6-201 *et seq.*, Oklahoma Uniform Environmental Permitting Act, 27A O.S. §2-14-101 *et seq.*, and the rules of the Oklahoma Department of Environmental Quality promulgated thereunder,

Acme Brick Company
500 East Memorial Rd.
Oklahoma City, OK 73114

is authorized to discharge from their facility, located in the:

NW¼ of Section 15, Township 13N, Range 3WIM
Oklahoma County, Oklahoma
or at 500 E. Memorial Road, Oklahoma City, OK 73114

to receiving waters identified as: an unnamed tributary to the Deep Fork of the Canadian River, stream segment 520710, Water Body ID OK520710020075_00, in Oklahoma County, Oklahoma

from:

Outfall 001:

Latitude 35° 36' 13.50" N, Longitude 97° 30' 25.74" W (GPS: NAD83)
NW¼, SE¼, NW¼, Section 15, Township 13N, Range 3WIM,
Oklahoma County, Oklahoma

and:

Outfall 002:

Latitude 35° 36' 01.36" N, Longitude 97° 30' 29.97" W (GPS: NAD83)
NW¼, NE¼, SW¼, Section 15, Township 13N, Range 3WIM,
Oklahoma County, Oklahoma

in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III, hereof.

The above referenced facility is also authorized to retain wastewater in two flow-through surface impoundments (F01 and F02), as described in the Appendix. Surface impoundments shall be maintained in accordance with Parts I, II, and IV, hereof.

Issuance of this permit in no way or in any respect affects the permittee's civil or criminal responsibility regarding disposal and/or discharges of wastewater, except with respect to the permittee's legal responsibility under the OPDES Act and Department Rules.

This permit replaces and/or supersedes OPDES Permit No. OK0038253 that became effective on August 1, 2011 and expires July 31, 2016.

This permit shall become effective on _____.

This permit and the authorization to operate the disposal system shall expire at midnight, on _____.

This is to certify that the wastewater discharges set forth in this permit comply with the requirements of Oklahoma's Water Quality Standards, as amended, provided the permittee does not exceed the effluent limitations set forth in this permit.

Issued this ____ day of _____, 2016.

For Oklahoma Department of Environmental Quality,

Carol Paden, P.E., Manager
Industrial Permits Section
Water Quality Division

Shellie Chard-McClary, Director
Water Quality Division

**PART I
 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall 001 and 002

Limitations, Reporting Requirements and Monitoring

During the period beginning the effective date and lasting through the expiration date, the permittee authorized to discharge from Outfall 001 and Outfall 002. The discharge will consist of mine dewatering wastewater from the mining area accumulated in two flow-through surface impoundments F01 and F02.

Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Limitations – Outfalls 001 and 002

PARAMETERS	DISCHARGE LIMITATIONS			
	MASS LOADING LIMITS (lbs/day unless otherwise specified)		CONCENTRATION LIMITS (mg/L unless otherwise specified)	
	MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
Flow STORET: 50050	Report (MGD)	Report (MGD)	--	--
Total Suspended Solid (TSS) STORET: 00530	--	--	--	90
pH STORET: 00400	N/A	N/A	between 6.5 and 9.0 s.u.	

Monitoring Requirements – Outfall 001

PARAMETERS	MEASUREMENT FREQUENCY *	SAMPLE TYPE
Flow	Daily	Estimate
Total Suspended Solids	1/month	Grab
pH	1/month	Grab

* When discharging.

NOTE: See Parts II and III for Additional Requirements.

There shall be no discharge of a visible sheen of oil or globules of oil or grease on or in the water. Oil and grease shall not be present in quantities that adhere to stream banks and coat bottoms of watercourses. Surface waters of the State shall be maintained free from oil and grease and taste and odors.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The discharge shall not contain chemical, physical, or biological substances in concentrations that are irritating to skin or sense organs or are toxic or cause illness upon ingestion by human beings.

Samples for Outfall 001 taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 001: East property line in the southeast corner of facility at end of pipe,
NW¼, SE¼, NW¼, Section 15, Township 13N, Range 3WIM, Oklahoma County, Oklahoma,
or at Latitude 35° 36' 13.50"N, Longitude 97° 30' 25.74"W (GPS: NAD83).

Samples for Outfall 002 taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 002: East property line in the southeast corner of facility at end of pipe,
NW¼, NE¼, SW¼, Section 15, Township 13N, Range 3WIM, Oklahoma County, Oklahoma,
or at Latitude 35° 36' 01.36"N, Longitude 97° 30' 29.97"W (GPS: NAD83).

SECTION B. SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule: None.

SECTION C. REPORTING OF MONITORING RESULTS

Monitoring results shall be reported in accordance with the provisions of Part III. E.4 of the permit. Monitoring results obtained during the previous month shall be summarized and reported on the Discharge Monitoring Report (DMR) forms due to the Oklahoma Department of Environmental Quality, Water Quality Division, Wastewater Compliance Tracking Section postmarked or received no later than the 15th day of the following month. If no discharge occurs during the reporting period, DMR forms stating "No Discharge" shall be submitted according to the above schedule.

The first report is due on _____.

PART II OTHER PERMIT REQUIREMENTS

A. REGULATORY NOTICE

The permittee is hereby given notice that this permit is in all respects subject to compliance with and actions under any and all applicable and relevant terms, conditions, provisions and requirements, and any and all amendments of the laws of the state of Oklahoma, the rules of the Oklahoma Department of Environmental Quality, and Oklahoma's Water Quality Standards. The absence of any express reference within this permit of any particular statutory requirement, rule(s), regulation(s), or standard(s) shall in no respect be deemed or construed to exempt or preclude the application of such requirement, rule(s), regulation(s), or standard(s) to this permit or the permittee. By the Director's approval, grant and issuance of this permit, permittee acknowledges receipt of true, correct, and current copies of Oklahoma's Water Quality Standards, and the rules of the Oklahoma Department of Environmental Quality, provided, however, that permittee further acknowledges that any and all amendments thereto shall become part of this permit.

B. REOPENER CLAUSE

This permit may be reopened for modification or revocation and reissuance to require additional monitoring and/or effluent limitations where actual or potential exceedances of state water quality criteria are determined to be the result of the permittee's discharge to the receiving water(s), or a Total Maximum Daily Load is established for the receiving stream(s), or when required as technology. Modification or revocation and reissuance of the permit shall follow regulations listed at 40 CFR 124.5.

C. LABORATORY CERTIFICATION

All laboratory analyses for the parameters specified in this permit must be performed by a laboratory certified by the Oklahoma Department of Environmental Quality for those parameters.

D. ANALYTICAL REQUIREMENTS

Unless otherwise specified in this permit, effluent and/or upstream monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136 in effect on the effective date of this permit. Appendices A, B, and C to 40 CFR Part 136 are specifically referenced as part of this requirement. Amendments to 40 CFR Part 136 promulgated and incorporated by reference into OAC 252:606 after the effective date of this permit shall supersede these requirements as applicable.

E. SURFACE IMPOUNDMENT REQUIREMENTS

A minimum freeboard of three (3) feet for surface impoundments F01 and F02 shall be maintained.

The permit may be reopened to implement and/or require impoundment modifications, additions, extensions, and/or operational changes; additional monitoring and reporting (including but not necessarily limited to soil sampling); reclassification of wastes; sludge management plans; best management practices; closure plans; remediation and/or remediation plans; monitoring wells and/or subsurface monitoring plans; and/or other appropriate actions.

At such time as surface impoundments F01 and/or F02 are to be permanently taken out of service or at such time as the contents of F01 and/or F02 pose a risk to the environment or waters of the state, the owner or operator of the facility shall follow all closure requirements contained in OAC 252:616-13.

In all other respects, F01 and F02 shall be subject to standard conditions for surface impoundment contained in OAC 252:616, Subchapters 5, 7, and 13, including but not limited to requirements for construction, operation, maintenance, monitoring, and closure.

F. LAND APPLICATION

Not Applicable

G. OTHER DISPOSAL METHODS

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a state approved industrial waste disposal site or to a company for recycling.

If any such industrial wastes are removed from the facility, the permittee shall keep accurate records which include the following information:

- a. Name and address of company hauling waste.
- b. The type and amount of waste hauled.
- c. The final disposal site of waste hauled.

Upon request, the above records shall be made available to the staff of the Department for inspection, review, and copying.

APPENDIX

Description of Wastewater Treatment/Disposal Surface Impoundments (S.I.s)

Classification OAC 252:616-1-2		Liner Requirements OAC 252:616-7-2(b)	Holding Capacity and/or Dimensions OAC 252:616-7-1(6) ^b	Wastewater Destination
S.I. ^a	Wastewater			
F01	Mine dewatering wastewater and stormwater runoff from mining area Class III	Native soil – clay	~ 7,000,000 gallons 300'x200'x25'	Outfall 001
F02	Mine dewatering wastewater and stormwater runoff from mining area Class III	Native soil – clay	~ 7,000,000 gallons 300'x200'x25'	Outfall 002

^a Designation F refers to a flow-through surface impoundment.

^b Based on information provided in application. Freeboard requirements in Part I.E must be met.

Location of Surface Impoundments

S.I.	Legal Location	General Location and Description
F01	NE¼, NE¼, NW¼, Section 15, T13N, R3WIM, Oklahoma County, Oklahoma	South and West of the main office
F02	SW¼, SW¼, NW¼, Section 15, T13N, R3WIM, Oklahoma County, Oklahoma	North of the main office

