Oklahoma Department of Environmental Quality
Water Quality Division

OPDES Multi-Sector General Permit

OKR05

for Stormwater Discharges from Industrial Activity within the State of Oklahoma

Original Effective Date: July 5, 2022

Modified Effective Date: November 1, 2023

OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY

OPDES Multi-Sector General Permit OKR05
for Stormwater Discharges Associated with Industrial Activity within the State of Oklahoma

Authorization to Discharge under the Oklahoma Pollutant Discharge Elimination System Act

In compliance with the Federal Clean Water Act (CWA), as amended (33 U.S.C. § 1251, *et seq.*), Oklahoma Administrative Code (OAC) 252:606-1-3(b)(3)(L), which adopts and incorporates by reference Title 40 Code of Federal Regulations (C.F.R.) § 122.26, and the Oklahoma Pollutant Discharge Elimination System (OPDES) Act, Title 27A Oklahoma Statutes (O.S.) § 2-6-201, *et seq.*, as amended, except as provided in Part 1.9 of this permit, owners/operators of stormwater discharges associated with industrial activity described by their Standard Industrial Classification (SIC) Code or Industrial Activity Code specified in Part 1.6 of this permit are authorized to discharge stormwater in accordance with the conditions and requirements set forth herein. Only those owners/operators of stormwater discharges from industrial activities who submit a Notice of Intent (NOI) along with other documents listed in Part 1.10.2 of this permit and who receive an authorization in accordance with this permit are authorized to discharge stormwater from their industrial activity within the state of Oklahoma.

This permit is a modification issued by the Oklahoma Department of Environmental Quality (DEQ) and shall become effective on November 1, 2023. This permit replaces the permit issued on June 3, 2022. This permit and the authorization to discharge stormwater shall expire at midnight on July 4, 2027.

Signed and issued on this 27th day of October, 2023.

for Karen Steele

Shellie R. Chard, Director
Water Quality Division

Michael B. Moe

Michael B. Moe, P.E., Engineering Manager
Municipal Discharge and Stormwater Permits Section
Water Quality Division

OPDES Multi-Sector General Permit OKR05

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for Stormwater Discharges from Industrial Activity

Part 1 Eligibility, Coverage, and Application

1.1 Coverage under this Permit

This general permit (a.k.a. permit) authorizes discharges of allowable stormwater per Part 1.2 and/or allowable non-stormwater per Part 1.3 associated with your[1] primary industrial activity, as defined in Part 9 of this permit, provided your primary industrial activity is included in Table 1-3 of Part 1.6 or you are notified by DEQ that you are required to obtain coverage under Sector AD of this permit. The Standard Industrial Classification (SIC) Codes or Industrial Activity Codes (e.g., HZ, SE, LF, TW) for different industrial activities are listed in Table 1-3.

An industrial facility must be located within the boundaries of or discharge to waters of the state of Oklahoma to be covered under this permit.

Any discharges that are not in compliance with the eligibility conditions of this permit are not authorized by the permit. You must obtain an individual or alternative general permit to be covered for those ineligible discharges or take necessary steps to eliminate the discharge or make the discharges eligible for coverage.

Permit eligibility must be maintained to discharge under this permit.

1.2 Allowable Stormwater Discharges

The following stormwater discharges are authorized by this permit provided such discharges are in compliance with the terms and conditions of this permit, unless otherwise made ineligible under Part 1.9:

1. Stormwater discharges associated with industrial activity for any primary industrial activities and co-located industrial activities, as defined in 40 C.F.R. §§ 122.26(b)(14)(i)-(ix), and (xi),[2] and summarized in Table 1-3, which includes 29 sectors of industrial activities, except for any stormwater discharges specifically prohibited in Part 10;
2. Stormwater discharges designated by DEQ as needing a stormwater permit as provided in Sector AD;
3. Stormwater discharges that are not otherwise required to obtain OPDES permit/authorization but are mixed with discharges that are authorized under this permit; and
4. Stormwater discharges from facilities subject to any stormwater-specific effluent limitations guidelines listed in Table 1-1 that also meet all the eligibility requirements of this permit.

[1] Terms like “you” and/or “your” are used in this permit to refer to the party or parties that are facility owners/operators, applicants, permittees, etc.

[2] OAC 252:606-1-3(b)(3)(L) adopts and incorporates by reference 40 C.F.R. § 122.26.

Table 1-1 Stormwater-Specific Effluent Limitation Guidelines

Regulated Discharges	40 C.F.R. Section	MSGP Sector & SIC Code
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429 Subpart I	A 2411
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products, or waste products	Part 418 Subpart A	C 2874
Runoff from asphalt emulsion facilities	Part 443 Subpart A	D 2951 & 2952
Runoff from material storage piles at cement manufacturing facilities	Part 411 Subpart C	E 3241
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436 Subparts B, C, & D	J 1422-1429, 1442, & 1446
Runoff from hazardous waste and non-hazardous waste landfills	Part 445 Subpart A & B	K & L
Runoff from coal storage piles at steam electric generating facilities	Part 423	O
Runoff from airfield pavement areas where deicing/anti-icing activities occur at existing and new airports	Part 449 [1]	S 4512-4581

[1] 40 C.F.R. Part 449 applies only to airports with 1,000 or more annual non-propeller aircraft departures. However, this effluent limitation requirement is extended based on Best Professional Judgment (BPJ) to all existing and new airports based on the 2011 and subsequent versions of the OKR05 general permits and anti-backsliding provisions of 40 C.F.R. § 122.44(l)(1).

1.3 Allowable Non-Stormwater Discharges

The following are the only non-stormwater discharges authorized for all sectors of industrial activities under this permit provided the non-stormwater components of the discharges are in compliance with the effluent limits set forth in Part 2 and Part 10 and are not already authorized in a separate OPDES permit:

1. Potable water, including uncontaminated water from drinking fountains, water lines, and/or fire hydrant flushings;
2. Landscape water provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved manufacturers' instructions and/or labeling;
3. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors, steam condensate that externally forms on steam lines, and condensate from the outside storage of refrigerated gases or liquids;
4. Uncontaminated ground water or spring water;
5. External building washdown/power wash water that does not use soaps, detergents or hazardous cleaning products (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols); that does not contain leachable hazardous substances (e.g., paint or caulk containing polychlorinated

biphenyls (PCBs)); and where appropriate control measures have been implemented to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);

6. Irrigation drainage;
7. Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part 4.2.3), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
8. Foundation or footing drains where flows are not contaminated with process materials or contaminated groundwater;
9. Discharges from emergency/unplanned fire-fighting activities. You shall take measures, as soon as practicable, to reduce any such pollutant releases to avoid or minimize the impacts on water quality and to ensure public health and safety; and
10. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., piped cooling tower blowdown, drains).

In addition, the following non-stormwater discharges are authorized for Sector A: discharges from the spray-down of lumber and wood product storage yards where no chemical additives are used in the spray-down waters and no chemicals are applied to the wood during storage, provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits requirements in Part 2 (see also Sector A of Part 10).

The following non-stormwater discharges are authorized for earth-disturbing activities conducted prior to active mining activities for Sector J: water used to wash vehicles and equipment, provided that there is no discharge of oil-sheen, soaps, solvents, or detergents used for such purposes; water used to control dust; and dewatering water that has been treated by an appropriate control under Part 10.J.6.1 (see also Sector J of Part 10).

Any non-stormwater discharges not listed in Part 1.3, shall be considered unauthorized and must be eliminated to obtain coverage under this permit or must be covered by a separate individual permit or another general permit.

1.4 Requirements for Military Installations and Other State Facilities

Stormwater discharges from military installations or other state facilities or institutions that conduct any industrial activities described by a primary SIC Code or an Industrial Activity Code that is listed in Table 1-3 and Part 10 of this permit, or that otherwise meet the conditions described in Part 1.2 relating to the need for a permit, must either be authorized under this permit or an individual OPDES permit or an alternative general permit. For example, the SIC Code for military installations is 9711 and the SIC Code for universities is 8821, neither of which is listed in this permit; however, the need for a permit will be based on individual activities that occur at the installation.

Other state facilities (i.e., stand-alone facilities) that conduct activities described under Part 1.2 of this permit must meet the conditions of this permit for those regulated activities. For example, a city-operated landfill would be described by industrial activity code LF and would need a permit, and a county-operated bus maintenance facility would fall under SIC Codes 4111 or 4173 and would also need a permit.

1.5 Area of Coverage where EPA/Other Agency is the Permitting Authority in Oklahoma

EPA Region 6 or another Oklahoma state agency is the permitting authority for the discharges in Table 1-2 below.

Table 1-2 Areas of Coverage where EPA or Another Agency is the Permitting Authority within the State of Oklahoma

Any activity in Indian Country within the state of Oklahoma.	EPA Region 6
Oil and Gas Extraction under SIC Codes 1311, 1381, 1382, and 1389 (**Note:** DEQ has authority over the Natural Gas Liquids sector identified under SIC Code 1321[3] and over Oil Field Service Maintenance Yards under SIC Code 1389).	
Pipelines, Except Natural Gas under SIC Group 46, except pipelines within certain facilities regulated by DEQ[4]; and Gas Production and Distribution under SIC Group 492.	
Petroleum Bulk Stations and Terminals under SIC Code 5171.	
Agricultural Production and Services identified under SIC Groups 01, 02 and 07; Forestry identified under SIC Group 08; Fishing, Hunting, and Trapping identified under SIC Group 09, except Fish Hatcheries and Preserves identified under SIC Code 0921, where DEQ has jurisdiction.	ODAFF

[3] Stormwater discharges from field activities or operations associated with oil or gas exploration, production, processing or treatment operations, or transmission facilities are exempted from NPDES/OPDES permit coverage in accordance with 40 C.F.R. § 122.26(c)(1)(iii), unless they meet certain criteria. For additional detail, see Part 10, Sector I – Oil and Gas Extraction.

[4] DEQ is the permitting authority for pipelines within natural gas liquid extraction plants, refineries, reclaiming facilities (with certain exceptions), mineral brine processing plants, and petrochemical manufacturing plants.

If you are within one of the above areas of coverage, you must apply either to the EPA Region 6 Office or the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) to obtain an authorization to discharge stormwater associated with industrial activity.

1.6 Facilities and Activities Covered

Permit eligibility is limited to discharges from facilities in the sectors of industrial activities summarized in Table 1-3. These sectors' descriptions are based on SIC Codes and Industrial Activity Codes. References to sectors in this permit (e.g., sector-specific monitoring requirements) refer to these groupings. Specific instructions and requirements for individual sectors are found in Part 10 of this permit.

Table 1-3 Sectors of Industrial Activity Covered by this Permit

SIC Code or Activity Code [1]	Activity Represented [2]
Sector A: Timber Products	
2411	Log Storage and Handling
2421	General Sawmills and Planing Mills
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood (see also Sector W)
2441	Nailed and Lock Corner Wood Boxes and Shook

SIC Code or Activity Code [1]	Activity Represented [2]
2448	Wood Pallets and Skids
2449	Wood Containers, Not Elsewhere Classified
2451, 2452	Wood Buildings and Mobile Homes
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products, Not Elsewhere Classified
Sector B: Paper and Allied Products	
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652-2657	Paperboard Containers and Boxes
2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
Sector C: Chemical, Allied Products, and Refining	
2812-2819	Industrial Inorganic Chemicals
2821-2824	Plastics, Synthetic, and Resins - Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass
2833 -2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; in vitro and in vivo Diagnostic Substances; Biological Products, except Diagnostic Substances
2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861-2869	Industrial Organic Chemicals
2873-2879	Agricultural Chemicals
2891-2899	Miscellaneous Chemical Products
2911	Petroleum Refineries
3952 (limited to list of inks and paints)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors
Sector D: Asphalt Paving, Roofing Materials And Lubricants	
2951, 2952	Asphalt Paving and Roofing Materials
2992, 2999	Miscellaneous Products of Petroleum and Coal

SIC Code or Activity Code [1]	Activity Represented [2]
Sector E: Glass, Clay, Cement, Concrete, and Gypsum Products	
3211	Flat Glass
3221, 3229	Glass and Glassware, Pressed or Blown
3231	Glass Products Made of Purchased Glass
3241	Hydraulic Cement
3251-3259	Structural Clay Products
3261-3269	Pottery and Related Products
3271-3275	Concrete, Gypsum, and Plaster Products
3281	Cut Stone and Stone Products
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
Sector F: Primary Metals	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
3321-3325	Iron and Steel Foundries
3331-3339	Primary Smelting and Refining of Nonferrous Metals
3341	Secondary Smelting and Refining of Nonferrous Metals
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
3363-3369	Nonferrous Foundries (Castings)
3398, 3399	Miscellaneous Primary Metal Products
Sector G: Metal Mining (Ore Mining and Dressing)	
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041, 1044	Gold and Silver Ores
1061	Ferroalloy Ores, Except Vanadium
1081	Metal Mining Services
1094, 1099	Miscellaneous Metal Ores
Sector H: Coal Mines and Coal Mining Related Facilities	
1221, 1222, 1231, 1241	Coal Mines and Coal Mining-Related Facilities
Sector I: Oil and Gas Extraction	
1321	Natural Gas Liquids Extraction Plants
1389	Oil and Gas Field Service Maintenance Yards [3]

SIC Code or Activity Code [1]	Activity Represented [2]
Sector J: Mineral Mining and Dressing	
1411	Dimension Stone
1422, 1423, 1429	Crushed and Broken Stone, Including Rip Rap
1442	Construction Sand and Gravel
1446	Industrial Sand
1455, 1459	Clay, Ceramic, and Refractory Materials
1474, 1475, 1479	Chemical and Fertilizer Mineral Mining
1481	Nonmetallic Minerals Services, Except Fuels
1499	Miscellaneous Nonmetallic Minerals, Except Fuels
Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities	
HZ	Hazardous Waste Treatment, Storage, or Disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA
Sector L: Landfills and Land Application Sites	
LF	All Landfills and Land Application Sites that receive or have received any industrial wastes, including those that are subject to regulation under Subtitle D of RCRA, except Municipal Solid Waste Landfill Areas closed in accordance with 40 C.F.R. § 258.60
Sector M: Automobile Salvage Yards	
5015	Automobile Salvage Yards
Sector N: Scrap Recycling Facilities	
5093	Scrap Recycling and Waste Recycling Facilities
Sector O: Steam Electric Generating Facilities	
SE	Steam Electric Generating Facilities, including coal handling sites

SIC Code or Activity Code [1]	Activity Represented [2]
Sector P: Land Transportation and Warehousing	
4011, 4013	Railroad Transportation
4111-4173	Local and Highway Passenger Transportation
4212-4231	Motor Freight Transportation and Warehousing
4311	United States Postal Service
Sector Q: Water Transportation	
4412-4499	Water Transportation
Sector R: Ship and Boat Building or Repairing Yards	
3731, 3732	Ship and Boat Building or Repairing Yards
Sector S: Air Transportation	
4512, 4513, 4522, 4581	Air Transportation Facilities
Sector T: Treatment Works	
TW	Treatment Works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that is located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 C.F.R. Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the CWA.
Sector U: Food and Kindred Products	
2011-2015	Meat Products
2021-2026	Dairy Products
2032-2038	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
2041-2048	Grain Mill Products
2051-2053	Bakery Products
2061-2068	Sugar and Confectionery Products
2074-2079	Fats and Oils
2082-2087	Beverages
2091-2099	Miscellaneous Food Preparations and Kindred Products
2111-2141	Tobacco Products

SIC Code or Activity Code [1]	Activity Represented [2]
Sector V: Textile Mills, Apparel, and Other Fabric and Leather Product Manufacturing	
2211-2299	Textile Mill Products
2311-2399	Apparel and Other Finished Products Made from Fabrics and Similar Materials
3131-3199	Leather and Leather Products (see Sector Z for Leather Tanning and Finishing)
Sector W: Furniture and Fixtures	
2434	Wood Kitchen Cabinets
2511-2599	Furniture and Fixtures
Sector X: Printing and Publishing	
2711-2796	Printing, Publishing, and Allied Industries
Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries	
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052, 3053	Gaskets, Packing, and Sealing Devices, and Rubber and Plastics Hose and Belting
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
3081-3089	Miscellaneous Plastics Products
3931	Musical Instruments
3942-3949	Dolls, Toys, Games and Sporting and Athletic Goods
3951-3955 (except 3952 - see Sector C)	Pens, Pencils, and Other Artists' Materials
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991-3999	Miscellaneous Manufacturing Industries
Sector Z: Leather Tanning and Finishing	
3111	Leather Tanning and Finishing
Sector AA: Fabricated Metal Products	
3411-3499 (except 3479)	Fabricated Metal Products, except Machinery and Transportation Equipment, and Coating, Engraving, and Allied Services
3479	Fabricated Metal Coating and Engraving
3911-3915	Jewelry, Silverware, and Plated Ware

SIC Code or Activity Code [1]	Activity Represented [2]
Sector AB: Transportation Equipment, Industrial or Commercial Machinery	
3511-3599 (except 3571-3579)	Industrial and Commercial Machinery, except Computer and Office Equipment (see also Sector AC)
3711-3799 (except 3731, 3732)	Transportation Equipment, except Ship and Boat Building and Repairing (see also Sector R)
Sector AC: Electronic, Electrical, Photographic, and Optical Goods	
3571-3579	Computer and Office Equipment
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment
3812-3873	Measuring, Analyzing, and Controlling Instruments; Photographic and Optical Goods, Watches and Clocks
Sector AD: Non-Classified Facilities	
N/A	Other stormwater discharges designated by the Executive Director as needing a permit (see 40 C.F.R. §§ 122.26(a)(9)(i)(C) and (D)) or any facility discharging stormwater associated with industrial activity not described by any of the Sectors A-AC. **Note:** Facilities may not elect to be covered under Sector AD. Only the Executive Director may assign a facility to Sector AD.

[1] A complete list of SIC Codes can be obtained from the 1987 version of the SIC Manual that is available on the US Department of Labor's website. Conversion of SIC Codes to NAICS Codes (also known as *SIC to NAICS Crosswalk*) can be found on the North American Industry Classification System (NAICS) Association's website.

[2] Industrial stormwater fact sheets for each of the 29 industrial sectors regulated by the industrial stormwater permit are available on the EPA's website for use as guidance. Each fact sheet describes the types of facilities included in the sector, typical pollutants associated with the sector, and types of stormwater control measures that may be useful to minimize the discharge of the pollutants.

[3] All other facilities under SIC Code 1389 must obtain stormwater permit coverage from EPA.

1.7 Co-located Industrial Activities

If you have onsite co-located industrial activities, as defined in Part 9, that are described by a secondary SIC Code other than your primary SIC Code, you must comply with all the applicable sector-specific conditions found in Part 10 of this permit for each of these co-located industrial activities. The sector-specific requirements apply only to the portion of the facility where that specific sector of activity occurs, except where runoff from different activities combines before leaving the property.

An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the stormwater regulations and listed in Table 1-3.

If stormwater runoff from co-located industrial activities commingles, the monitoring requirements and effluent limitations from each sector that contributes runoff to the discharge must be met (irrespective of the actual discharge location).

1.8 Co-located Industrial Facilities

Multiple industrial facilities may be described as co-located if they share a common property boundary. The operator of each of the co-located facilities, as defined in Part 9, must individually obtain authorization to discharge under this permit. Each co-located facility will be issued a distinct authorization number. Each co-located industrial

facility operator may either develop a separate Stormwater Pollution Prevention Plan (SWP3), or may participate in a shared SWP3. Co-located industrial facilities that develop a shared SWP3 must develop the SWP3 to meet the requirements stated in Part 2 and Part 10 of this permit, in addition to the following:

1. The SWP3 must clearly list the name and authorization number (when known) for each facility that participates in the shared SWP3. Each participant in the shared SWP3 must certify the SWP3 according to Part 8.16 of this permit.
2. The SWP3 must clearly indicate which permittee is responsible for performing each shared element of the SWP3. If the responsibility for performing an element is not described in the SWP3, then each permittee is entirely responsible for performing the element within the boundaries of its facility and in any common or shared area.
3. The SWP3 must clearly describe responsibilities for meeting each element in shared or common areas. The site map must clearly delineate the boundaries around each co-located industrial facility and the boundaries around shared or common areas that are used by two or more facilities.

Co-located facilities may alternatively obtain a conditional exclusion based on no exposure, in accordance with Part 1.16 of this permit, if applicable.

1.9 Limitations on Coverage

The following discharges are not eligible to get coverage under this permit:

1.9.1 Stormwater Discharges Mixed with Non-Stormwater

Stormwater discharges that are mixed with non-stormwater discharges, other than those mixed with allowable non-stormwater discharges listed in Part 1.3 and/or those mixed with a discharge authorized by a different OPDES permit and/or a discharge that does not require OPDES authorization, are not eligible for coverage under this permit.

1.9.2 Stormwater Discharges Associated with Construction Activity

Stormwater discharges associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, are not eligible for coverage under this permit, unless in conjunction with mining activities or landfill sites as specified in Part 10, Sector J and Sector L of this permit.

1.9.3 Discharges Currently or Previously Covered by Another Permit

The following discharges are not authorized under this permit unless you have received written notification from DEQ specifically stating otherwise.

1. Stormwater discharges associated with industrial activity that are currently covered under an individual OPDES permit or an alternative OPDES general permit;
2. Discharges from facilities where any OPDES permit has been or is in the process of being denied, terminated, or revoked by DEQ;[3] and

[3] This does not apply to the routine reissuance of permits every 5 years. Upon request, DEQ may waive this exclusion if the operation of the facility has since passed to a different owner/operator and new circumstances at the facility justify a waiver.

3. Discharges previously covered by an individual permit or alternative general permit that has expired, or has been terminated at the request of the permittee, unless:

    a. All wastewater discharges under the individual permit have been eliminated and only stormwater discharges and eligible non-stormwater discharges remain (e.g., wastewater is now discharged to a municipal sanitary sewer);

    b. The individual permit did not contain site-specific numeric water quality-based limitations (except pH) developed for the stormwater component of the discharge; or

    c. The permittee includes any specific Best Management Practices (BMP) in the SWP3 for stormwater discharges required under the individual permit.

1.9.4 Stormwater Discharges Subject to Effluent Limitation Guidelines

You are not authorized for stormwater discharges subject to stormwater effluent limitation guidelines that are not included in Table 1-1.

1.9.5 Stormwater Discharge Compliance with Water Quality Standards

You are not authorized for stormwater discharges that the DEQ determines will cause, or have reasonable potential to cause or contribute to an exceedance of water quality standards. Where such determinations have been made, DEQ may notify you that an individual permit application is necessary in accordance with Part 1.14. However, DEQ may authorize your coverage under this permit after you have included appropriate controls and implementation procedures designed to ensure your discharge meets applicable water quality standards.

1.9.6 Discharges to Water Quality-Impaired Waters

1. If you are a new discharger or a new source, as defined in Part 9, you are not eligible for coverage under this permit to discharge stormwater to an impaired water, as defined in Part 9, unless you do one of the following:

    a. Prevent all exposure to stormwater of the pollutant(s) for which the waterbody is impaired, and retain documentation of procedures taken to prevent exposure onsite with your SWP3.

    b. Provide to DEQ appropriate technical information or other documentation to support your claim that the pollutant(s) for which the waterbody is impaired are not present at your site, and retain such documentation with your SWP3.

    If you discharge to an impaired water where a Total Maximum Daily Load (TMDL) or watershed plan in lieu of a TMDL has not been established, you must take all necessary actions to ensure that future discharges do not cause or contribute to an exceedance of a water quality standard and must document these actions in your SWP3. Oklahoma's 303(d) list of impaired waters is found in Appendix C of the Integrated Water Quality Assessment Report (IR), which is available on the DEQ's website.

2. You are not authorized to discharge any pollutant into any water for which a TMDL or watershed plan in lieu of a TMDL has been established unless your discharge is consistent with the TMDL or watershed plan. This provision applies only to discharges containing the pollutant(s) for which the waterbody is impaired.

    a. If a TMDL or watershed plan in lieu of a TMDL is established for any waterbody into which you discharge prior to the date that you submit an NOI, and if that TMDL or watershed plan includes a wasteload allocation (WLA) or load allocation (LA) for a pollutant likely to be discharged by the facility, your discharges must meet the requirements of the TMDL report or watershed plan and/or its associated implementation plan within any timeframe established in the TMDL report or watershed plan. Monitoring and reporting of the discharges may also be required as appropriate to ensure compliance with the TMDL or watershed plan.

b. If a TMDL or watershed plan in lieu of a TMDL is established for any waterbody into which you discharge after the date that you submit an NOI, you must incorporate any limitations, conditions, and requirements applicable to your discharges into your SWP3 to ensure that the WLA, LA and/or the TMDL's associated implementation plan will be met within any timeframe established in the TMDL report. Monitoring and reporting of the discharges may also be required as appropriate to ensure compliance with the TMDL or watershed plan.

Note: For discharges that enter a separate storm sewer system prior to discharge, the first water of the state to which you discharge is the waterbody that receives the water from the storm sewer system. (Separate storm sewer systems do not include combined sewer systems or sanitary sewer systems. Separate storm sewer systems include both municipal separate storm sewer systems (MS4) and non-municipal separate storm sewer systems.)

1.9.7 Endangered and Threatened Species and Critical Habitat Protection

DEQ has developed a program for the protection of endangered and threatened species and critical habitat in association with the U.S. Fish and Wildlife Services and the Oklahoma Department of Wildlife Conservation. This program lists federal and state sensitive waters and watersheds within the state of Oklahoma. A map of these waters and watersheds for the OKR05 permit is included in Appendix A. You must follow the instructions/ procedures described in Appendix A to determine if this section is applicable to your facility.

1. Coverage under this permit is available only if your stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities are not likely to adversely affect any species that are federally and state listed as endangered or threatened (listed), and are not likely to adversely affect habitat that is designated as critical habitat under the Endangered Species Act (ESA). Submission of a signed NOI will be deemed to constitute your certification of eligibility.

   Discharge-related activities include: activities which cause, contribute to, or result in stormwater point source pollutant discharges; and measures to control stormwater discharges including the siting, construction, and operation of BMPs to control, reduce, or prevent stormwater pollution.

2. If your industrial facility is located within a corridor/area of these sensitive waters and watersheds, you must mark the appropriate box in the Endangered Species area of the NOI. The U.S. Fish and Wildlife Service may contact you for additional information regarding your NOI and SWP3 as well.

3. Your stormwater discharges, allowable non-stormwater discharges, and discharge-related activities may have been addressed in another operator's certification of eligibility, which included your facility's activity. By certifying eligibility under this Part, you agree to comply with any measures or controls upon which the other operator's certification was based.

This permit provides for the possibility of multiple industrial facilities in the same vicinity. You should be aware that in some cases you may meet the permit eligibility requirements by relying on another permittee's certification of eligibility. However, the other permittee's certification must meet the permit eligibility requirements and address the effects from your stormwater discharges and stormwater discharge-related activities on the listed species and critical habitat. By relying on another's certification of eligibility, the other operator's certification must apply to the location of your facility and must address the effects from your stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities on the listed species and critical habitat.

This situation will typically occur where one industrial facility conducts a comprehensive assessment of effects on the listed species for that entire site, certifies eligibility, and that certification is relied upon by other owner/ operators in the vicinity. However, the applicant that considers relying on another operator's certification should carefully review that certification along with any supporting information. If the applicant does not believe that the other operator's certification provides adequate coverage for its stormwater discharges and stormwater discharge-related activities for its industrial facility, the applicant must provide its own independent certification.

If an operator goes through the federal ESA consultation process and obtains an authorization for stormwater discharges and later sells the facility, the new owner/operator may choose to rely on the previous ESA eligibility analysis. For example, if a developer obtains clearance under the ESA consultation process for an industrial park, future tenants in the industrial park may rely on the original ESA evaluation depending on the scope of activities considered.

1.9.8 Stormwater Discharges Subject to Antidegradation Water Quality Standards

You are not authorized for discharges that do not comply with the state's antidegradation policy for water quality standards.

Stormwater discharges to waterbodies or watersheds designated High Quality Water (HQW), Sensitive Public and Private Water Supply (SWS), or Sensitive Public and Private Water Supply with Reuse (SWS-r) are eligible for coverage under this permit, provided you undertake any additional control measures required by DEQ under Part 2.2.3.

Stormwater discharges to waterbodies or watersheds designated as Outstanding Resource Water (ORW) from point sources existing as of June 25, 1992, whether or not such discharges were permitted as point sources prior to June 25, 1992, are eligible for coverage under this permit, provided there is no increased load of any pollutants above levels of June 25, 1992, and you undertake any additional control measures required by DEQ under Part 2.2.3. If your facility is located within the watershed of a designated ORW, you must submit a certification of industrial existence using the **DEQ Form 606-006** along with your NOI.

Alternatively, DEQ may require you to apply for and/or obtain an alternative permit, i.e., either an individual permit or an alternative general permit, in accordance with Part 1.14.

New stormwater discharges to waterbodies or watersheds designated as ORW commencing from point sources after June 25, 1992, are not eligible for coverage under this permit.

1.9.9 Dischargers Notified of Permit Ineligibility

Unless otherwise specified by DEQ, you are not authorized for stormwater discharges after you have been notified that you do not meet the eligibility conditions of this permit.

1.9.10 Historic Properties Preservation

Coverage under this permit is available only if your stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities comply with the state of Oklahoma's Antiquities Act (Title 53 O.S. § 361) where applicable and the state of Oklahoma's Burial Desecration Law (Title 21 O.S. §§ 1168.0-1168.6), as well as with any other applicable local laws concerning the identification and protection of historic properties.

1.10 Obtaining an Authorization to Discharge

To obtain an authorization for stormwater discharges associated with industrial activity under this permit, you must be an operator of a primary industrial activity in a sector covered by this permit (see Table 1-3 in Part 1.6), meet the eligibility requirements in Part 1.2, and do the following:

1.10.1 Prepare Your SWP3 Prior to Submitting Your NOI

You must develop and implement an SWP3 according to the requirements in Part 6 of this permit or update an existing SWP3 consistent with Part 6 prior to submitting an NOI form to DEQ for coverage under this permit. The applicant/operator must sign and certify in accordance with Part 8.16 and include the certification page in the SWP3.

You must select, design, install, and implement stormwater control measures (SCM)/best management practices (BMP) in accordance with Part 2 and Part 10 of this permit to meet numeric and non-numeric effluent limits. Industrial stormwater fact sheets for each of the 29 industrial sectors regulated by the industrial stormwater permit are available on the EPA's website for use as guidance. Each fact sheet describes the types of facilities included in

the sector, typical pollutants associated with the sector, and types of stormwater control measures that may be useful to minimize the discharge of the pollutants.

Additional site-specific requirements may be applicable if your facility is located in a sensitive watershed (see Appendix A of this permit) or in a watershed with an approved TMDL report or watershed plan in lieu of a TMDL.

1.10.2 How to Submit Your NOI to Obtain Permit Coverage

You must submit the following to obtain coverage under this permit:

1. Complete and accurate NOI;
2. General location map of your facility;
3. Site map(s) of your facility; and
4. Payment for all applicable fees (including any outstanding annual fees from previous permit coverage).

You must submit all the items mentioned in Part 1.10.2 to DEQ by the applicable deadline included in Table 1-4. You must prepare a general location map of your facility in accordance with Part 6.2.2.4 and site map(s) of your facility in accordance with Part 6.2.2.5. All maps must be clearly legible.

You are required to submit your NOI and maps electronically to DEQ once the online NOI submission tool becomes available.

You must prepare a new SWP3 or update your existing SWP3[4] in accordance with the 2022 OKR05 permit prior to submitting an NOI to DEQ.

You are not required to submit a copy of the SWP3 to DEQ to obtain an authorization unless specifically requested by DEQ. However, DEQ may ask you to submit a copy of the SWP3 for review at any time. You must submit an updated version of your SWP3 within 14 days upon receipt of such request from DEQ.

If you had coverage for your facility under the 2017 OKR05 permit, and an authorization was issued by DEQ, you must reapply to DEQ for a new authorization under this permit.

You do not need separate authorizations for co-located industrial activities (as defined in Part 9), provided your SWP3 covers those activities for which you are an operator. However, the operator of each co-located industrial facility (as defined in Part 9) must individually submit an NOI and other required documents (see above) to obtain an authorization to discharge under this permit.

For owners/operators of industrial facilities that are not currently covered under this permit, submitting a complete and accurate NOI, general location map, site map(s) of your facility, and applicable fees to DEQ will not translate to automatic permit coverage.

You are not considered covered until you receive an authorization to discharge from DEQ.

1.10.3 NOI Form and Applicable Fees

You must use the NOI Form, **DEQ Form 606-002B**,[5] and certify that you prepared a new SWP3 or updated your existing SWP3 in accordance with the 2022 OKR05 permit.

The NOI certifies to DEQ that you are eligible for coverage according to Part 1.2 and provides information regarding your industrial activities and related discharges. Instructions for completing the NOI are also available on the NOI form.

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[4] DEQ has developed a SWP3 Template which is available on DEQ's website and which you may use to prepare or update your SWP3.

[5] Available on DEQ's website at www.deq.ok.gov. All other forms required by this permit are also available on this website.

The associated application fee and annual permit fee are established in OAC 252:606, which can be found on the DEQ's website.

You may send/attach a check payable to DEQ with the required fees at the time of NOI submittal. You may also pay the applicable permit fee using credit/debit card on the phone by calling DEQ Finance at (405) 702-1130.

1.10.4 Applicable Deadlines for Submitting an NOI

You must submit an NOI and other documents, see Part 1.10.2, in accordance with the deadlines described in the following Table 1-4:

Table 1-4 Deadlines for NOI Submittal

Category	Deadline
Owners/Operators of industrial activities that were authorized for coverage under the 2017 OKR05	90 days following the effective date of this permit.
New discharges or New owner/operators or Change of location of a facility	Receive authorization from DEQ prior to commencing operation of the facility with discharges of stormwater associated with industrial activity. An NOI must be submitted to DEQ at least 30 days prior to operation.

If you have missed the deadline provided in Table 1-4 to submit your NOI, any discharges from your industrial activity will be considered unauthorized under the CWA and the OPDES Act until they are covered by this permit or by a different OPDES permit.

DEQ may take enforcement action for any unpermitted discharges that occur between the commencement of discharging and discharge authorization. Discharges are not authorized if your NOI is incomplete or inaccurate or if you are ineligible for permit coverage.

1.10.5 Where to Submit an NOI

You must submit a completed and certified NOI along with other required documents, see Part 1.10.2, to the Environmental Complaints and Local Services (ECLS) Division of DEQ at the following address:

Stormwater Unit of ECLS, DEQ
P.O. Box 1677, Oklahoma City, OK 73101-1677

or fax it to: (405)702-6226

or email it to: ecls-stormwaterpermitting@deq.ok.gov

1.10.6 Additional Notification for NOI

If your facility discharges through an MS4, or into an MS4 that has been designated by the permitting authority, you must also submit a signed copy of the NOI to the MS4 operator. You may also be required to submit a copy of the SWP3 if requested by the MS4 operator.

1.11 Effective Date of Permit Coverage

You are not authorized to discharge stormwater and allowable non-stormwater under the terms and conditions of this permit until you have received an authorization from DEQ. DEQ may deny coverage under this permit and require submission of an application for an individual permit, or an alternative general permit based on a review of your NOI and/or other information.

Authorization to discharge is not automatically granted simply because you have mailed a completed NOI form to DEQ. If critical information is missing, incorrect information is included, the NOI form is unsigned, or if your discharge(s) is not eligible for coverage under this permit, you will be notified by email, phone or mail.

If you developed an SWP3 prior to submitting your NOI, if your NOI form is properly completed, you submitted other required documents per Part 1.10.2, and you are in compliance with all of the terms and conditions of this permit, you will receive an authorization along with its effective date by return mail or email.

1.12 End Date of Permit Coverage

Once your facility is covered under this permit, your coverage will last until the date:

1. You terminate permit coverage by submitting a Notice of Termination (NOT) and receive a termination letter from DEQ per Part 1.15;
2. You receive coverage under a different OPDES permit or a reissued or replacement version of this permit after it expires;
3. You fail to submit an NOI for coverage under a reissued or replacement version of this permit by the required deadline; or
4. You receive a formal permit decision by DEQ to terminate your authorization in accordance with Part 1.15.

1.13 Continuation of Coverage for Existing Permittees

If this permit is not reissued or replaced prior to its expiration date,[6] it will be administratively continued in accordance with 40 C.F.R. § 122.6 and remain in force and effect for discharges that were covered prior to expiration.

If you were authorized to discharge under the 2017 OKR05 permit prior to its expiration date, your authorization will automatically be administratively continued until the earliest of one of the following conditions:

1. You are authorized to discharge under this reissued permit or a replacement version of this permit following your timely and appropriate submittal of a complete and accurate NOI [7] ,
2. You submit and subsequently receive notification of approval of a NOT,
3. You are authorized to discharge under an individual permit or alternative general permit, or you receive a formal permit denial by DEQ for the facility's discharges, or
4. You receive a formal permit decision by DEQ not to reissue this permit, at which time DEQ will identify a reasonable time period for covered dischargers to seek coverage under an individual permit or an alternative general permit. Coverage under this permit will cease at the end of this time period.

1.14 Coverage under Alternative Permit

DEQ may require any person authorized by this permit to apply for and/or obtain an alternative permit, i.e., either an individual permit or an alternative general permit, in accordance with 40 C.F.R. §§ 122.64 and 124.5.

[6] DEQ reserves the right to modify or revoke and reissue this permit, in which case you will be notified of any relevant changes or procedures to which you may be subject.

[7] If you fail to submit a timely NOI, general location map, site map(s), and applicable fees for coverage under the reissued or replacement general permit, your coverage will automatically be terminated on the date that the NOI was due. DEQ may take appropriate enforcement action for any unpermitted discharge.

If DEQ requires you to apply for an alternative permit, DEQ will notify you in writing that a permit application or an NOI is required. This notification will include a brief statement of the reasons for this decision and will contain alternative permit application or NOI requirements, including deadlines for filing your application or NOI with DEQ.

1.14.1 Denial of Coverage for New or Previously Unpermitted Facilities

For new or previously unpermitted facilities, following the submittal of your NOI, you may be denied coverage under the 2022 OKR05 permit in which case you must apply for and/or obtain authorization to discharge under an alternative permit, per Part 1.14.

1.14.2 Loss of Authorization under the 2022 OKR05 Permit for Existing Permitted Facilities

If your stormwater discharges are covered under this permit, you may receive written notification that you must either apply for coverage under an individual permit or submit an application/NOI for coverage under an alternative general permit, per Part 1.14. In addition to the reasons for the decision and alternative permit application or NOI deadlines, the notice will include a statement that on the effective date of your alternative permit coverage, your coverage under the 2022 OKR05 permit will terminate.

DEQ may grant additional time to submit the application or NOI if you request it. If you fail to submit an alternative permit application or NOI as required by DEQ, then your authorization to discharge under the 2022 OKR05 permit is terminated at the end of the day DEQ required you to submit your alternative permit application or NOI.

DEQ may take appropriate enforcement action for any unpermitted discharge.

1.14.3 Operator Requesting Coverage under an Alternative Permit

You may request to be covered under an individual permit or alternative general permit rather than under this permit. In such a case, you must submit an individual permit or alternative general permit application in accordance with the requirements of 40 C.F.R. § 122.28(b)(3)(iii), with reasons supporting the request to DEQ.

The request may be granted by issuance of an individual permit or alternative general permit if your reasons are adequate to support the request. When you are authorized to discharge under an alternative permit, your authorization to discharge under the 2022 OKR05 is terminated on the effective date of the alternative permit.

1.15 Terminating Coverage

1.15.1 Submitting an NOT

If you wish to terminate permit coverage, you must submit a complete and accurate NOT form, **DEQ Form 606-003,** to DEQ. DEQ may perform a site inspection before processing your complete and accurate NOT form.

You are responsible for meeting all the terms and conditions of this permit until your authorization is terminated and you are notified by DEQ.

Your authorization to discharge under this permit terminates on the day that DEQ's termination letter is issued. Your NOT will be invalid if you submit an NOT form without meeting one or more of the conditions identified in Part 1.15.2.

1.15.2 When to Submit an NOT

You must submit an NOT form within 30 days after one or more of the following conditions have been met:

1. A new owner or operator has assumed responsibility for the facility; or
2. You have ceased operations at the facility and there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls per Part 2.1.2.5, if applicable; or
3. You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an OPDES permit.

Enforcement actions may be taken if you submit an NOT without meeting one or more of the conditions in this Part, unless you have obtained coverage under an alternative permit.

1.15.3 Where to Submit Your NOT

You must submit an NOT form either electronically to ecls-stormwaterpermitting@deq.ok.gov or by mail to the address in Part 1.10.5 of this permit.

1.16 Conditional Exclusion for No Exposure

If you are covered under this permit, or have a new industrial facility, and become eligible for a No Exposure Exclusion from permitting under 40 C.F.R. § 122.26(g), you may file a No Exposure Certification (NEC) form, **DEQ Form 606-004,** along with a general location map of your facility in accordance with Part 6.2.2.4 and site map(s) of your facility showing all the applicable features in Part 6.2.2.5. All maps must be clearly legible.

You are no longer required to have an authorization upon submission of a complete and accurate NEC form to DEQ and receipt of confirmation from DEQ, and you do not have to submit an NOT. A facility seeking the no exposure exclusion is not required to develop an SWP3.

DEQ may perform a site inspection to verify compliance with the no exposure exclusion. DEQ will issue a written or electronic notification to the facility that meets the no exposure exclusion requirements, as defined in Part 9. The exclusion from permit requirements is only available facility-wide and is not available for individual outfalls.

Generally, if any exposed industrial materials or activities are found on any portion of a facility, the facility is not eligible for the no exposure exclusion. If it is determined that you do not meet the requirements for NEC, your current authorization will remain in effect, or you will be required to submit an NOI for coverage under this permit.

Facilities that qualify for this exclusion and that used to contribute stormwater discharges to an MS4 shall provide a copy of the NEC form to the operator of the MS4.

You must submit an NEC form to DEQ once every 5 years. If you are currently covered by a no exposure exclusion, you must resubmit an NEC form to DEQ within 90 days following the effective date of this permit. You must submit the NEC form either electronically to ecls-stormwaterpermitting@deq.ok.gov or by mail to the address in Part 1.10.5.

If the facility terminates operation entirely after obtaining the conditional exclusion for no exposure, an NOT form must be submitted.

If you plan to make any changes to your facility that will result in failure to maintain a condition of no exposure at the facility, you must apply for permit coverage and receive an authorization before commencing any changes. The conditional exclusion for no exposure **is not transferable**.

1.17 Transfer of Permit Coverage

Coverage under this permit is not transferable to any other person or entity.

When the ownership or operational control of the facility changes, the previous operator must submit a complete and accurate NOT certified by the prior owner or operator, and the new operator must submit a complete and accurate NOI or NEC form certified by the new owner or operator to DEQ at least 30 days prior to taking over operational control of the facility.

The previous owner's coverage will not be terminated until the new owner or operator submits an NOI and receives an authorization. The new owner or operator to whom an authorization has been issued must comply with the terms and conditions of this permit. When the operational control of a portion of a facility changes, the new operator must submit an NOI or an NEC form, and the existing operator must revise its SWP3 and submit an NOI for modification.

However, if there are any changes in the company name (e.g., Company A changes name to ABC, Inc.), the operator of the facility must file an NOI form for amendment or modification, referencing the facility's assigned permit number, and a cover letter requesting a change of name. The original authorization number will be retained.

1.18 Signage Required

You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to your facility and at potentially impacted public access areas, within 60 days from the date of obtaining permit coverage. Public signage is not required where other laws or local ordinances prohibit such signage, in which case you must document in your SWP3 a brief explanation for why you cannot post a sign and a reference to the law or ordinance. You may not place signage in the right-of-way.

You must use a font large enough to be readily viewed from a public right-of-way and conduct periodic maintenance of the sign to ensure that it is legible, visible, and factually correct. At minimum, the sign must include (see Appendix C of this permit for a sample sign):

1. The OPDES permit/authorization number assigned to your NOI; and
2. A contact name and/or title, and phone number for obtaining additional facility information including the SWP3.

If there is any change in the contact information, you must update the sign within 14 days from the date of such change.

The sign or other notice must be posted or maintained at the facility until the facility has terminated permit coverage or the permit has expired, whichever occurs first.

1.19 Permit Compliance

Any non-compliance with any of the requirements of this permit constitutes a violation of this permit, and thus is a violation of the CWA.

As detailed in Part 5 (Corrective Actions) of this permit, failure to take any required corrective action constitutes an independent, additional violation of this permit, in addition to any original violation that triggered the need for corrective action. As such, any actions and time periods specified for remedying non-compliance do not absolve parties of the initial underlying non-compliance.

Where corrective action is triggered by an event that does not itself constitute permit non-compliance, there is no permit violation provided you take the required corrective action within the relevant deadlines established in Part 5.3.

Part 2 Control Measures and Effluent Limits

2.1 Control Measures

You must select, design, install, and implement stormwater control measures (including BMPs) to minimize (as defined in Part 9) pollutant discharges that address the selection and design considerations in Part 2.1.1, meet the non-numeric effluent limits in Part 2.1.2, meet limits contained in applicable numeric effluent limitations guidelines in Part 2.1.3 and Part 10, and meet the water quality-based effluent limits in Part 2.2.

The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications. Note that you may deviate from such manufacturer's specifications where you provide justification for such deviation and include documentation of your rationale with the SWP3 that describes your control measures, consistent with Part 6.2.5.

If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges to meet applicable water quality standards or any of the other non-numeric effluent limits in this permit, you must modify these control measures per the corrective action requirements in Part 5.

Regulated stormwater discharges from your facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at your facility.

2.1.1 Control Measure Selection and Design Considerations

You must consider the following when selecting and designing control measures:

1. Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
2. Using control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge;
3. Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical in designing effective control measures that will achieve the limits in this permit;
4. Minimizing impervious areas at your facility and infiltrating runoff onsite (including bio-retention cells, stormwater ponds, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care must be taken in designing such controls to avoid any groundwater contamination;
5. Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
6. Conserving and/or restoring riparian buffers will help protect streams from stormwater runoff and improve water quality;
7. Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants; and
8. Implementing structural improvements, enhanced pollution prevention measures, and other mitigation measures can reduce impacts from stormwater discharges from major storm events that cause extreme flooding conditions. Examples include the following:
    a. Reinforce materials storage structures to withstand flooding and additional exertion of force;
    b. Prevent floating of semi-stationary structures by elevating to the Base Flood Elevation (BFE, as defined in Part 9) level or securing with non-corrosive devices;

c. When a delivery of materials is expected, and a storm is anticipated within 48 hours, delay delivery until after the storm or store materials as appropriate (refer to emergency procedures);

d. Temporarily store materials and waste above the BFE level;

e. Temporarily reduce or eliminate outdoor storage;

f. Temporarily relocate any mobile vehicles and equipment to upland areas;

g. Develop scenario-based emergency procedures for major storms that are complementary to regular stormwater pollution prevention planning and identify emergency contacts for staff and contractors; and

h. Conduct staff training for implementing your emergency procedures at regular intervals.

Note: The FEMA Flood Map Service Center can be accessed through FEMA's website.

2.1.2 Non-Numeric Technology-Based Effluent Limits

You must comply with the following non-numeric effluent limits (except where otherwise specified in Part 10), as well as any sector-specific non-numeric effluent limits in Part 10:

2.1.2.1 Minimize Exposure

You must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff to minimize pollutant discharges. To achieve such minimization, these industrial materials and activities may be located inside or protected with storm resistant coverings, although significant enlargement of impervious surface area is not recommended. In minimizing exposure, you should specifically consider the following:

a. Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;

b. Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;

c. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;

d. Store leaky vehicles and equipment indoors or, if stored outdoors, use well-maintained drip pans and absorbents;

e. Use spill/overflow protection equipment;

f. Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray;

g. Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least *monthly* for leaks; and

h. Ensure that all wash water drains to a proper collection system (i.e., not the stormwater drainage system).

Note: The discharge of vehicle and equipment wash water, including tank cleaning operations, is not authorized by this permit. These wastewaters must be covered under a separate OPDES permit, or discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law.

2.1.2.2 Good Housekeeping

You must keep clean all exposed areas that are potential sources of pollutants. You must perform good housekeeping measures to minimize pollutant discharges, such as the following:

a. Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water;

b. Store materials in appropriate containers;

c. Keep all dumpster lids closed when not in use. For dumpsters and roll-off boxes that do not have lids and could leak, ensure that discharges have a control (e.g., secondary containment, treatment). Consistent with Part 1.3, this permit does not authorize dry weather discharges from dumpsters or roll-off boxes; and

d. Minimize the potential for waste, garbage and floatable debris to be discharged by keeping exposed areas free of such materials, or by intercepting them before they are discharged.

Plastic Materials Requirements: Facilities that handle pre-production plastic must implement appropriate control measures to eliminate discharges of plastic in stormwater. Examples of plastic materials required to be addressed as stormwater pollutants include plastic resin pellets, powders, flakes, additives, regrind, scrap, waste, and recycling.

Note: Examples of appropriate control measures for facilities that handle pre-production plastic include but are not limited to: installing a containment system, or other control, at each onsite storm drain discharge point down gradient of areas containing plastic material, designed to trap all particles retained by a 1-mm mesh screen; using a durable sealed container designed not to rupture under typical loading and unloading activities at all points of plastic transfer and storage; using capture devices, such as catch pans, tarps, berms or any other device that collects errant material, as a form of secondary containment during transfers, loading, or unloading plastic materials; having a vacuum or vacuum-type system available to employees for quick clean-up of fugitive plastic materials; and, for facilities that maintain outdoor storage of plastic materials, doing so in a durable, permanent structure that prevents exposure to precipitation that could cause the material to be discharged via stormwater.

2.1.2.3 Maintenance

You must develop a maintenance program for all the structural stormwater control measures and maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrial equipment and systems, to minimize pollutant discharges. This includes:

a. Performing inspections and preventive maintenance of stormwater drainage, source controls, structural controls/BMPs, treatment systems, and plant equipment and systems that could fail and result in contamination of stormwater;

b. Diligently maintaining non-structural control measures, e.g., keep spill response supplies available, personnel appropriately trained;

c. Inspecting and maintaining baghouses, if present, at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior baghouse; and

d. Cleaning catch basins when the depth of debris reaches half (1/2) of the sump depth and keeping the debris surface at least 6 inches below the lowest outlet pipe.

If you find that your control measures need routine maintenance, you must conduct the necessary maintenance immediately to minimize pollutant discharges. If you find that your control measures need to be repaired or replaced, you must immediately take all reasonable steps to prevent or minimize the discharge of pollutants until

the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be discharged during subsequent storm events.

Final repairs/replacement of stormwater controls should be completed as soon as feasible but must be no later than the timeframe established in Part 5.3 for corrective actions, i.e., within 14 days. If the completion of stormwater control repairs/replacement will exceed the 14-day timeframe, you may take the minimum additional time necessary to complete the maintenance, provided that you notify DEQ of your intention to exceed 14 days, and document in your SWP3 your rationale for your modified maintenance timeframe. If a control measure was never installed, was installed incorrectly, or not in accordance with Part 2 and/or Part 10, or is not being properly operated or maintained, you must conduct corrective action as specified in Part 5.

Note*:* In this context, the term immediately requires you to, on the same day you identify that a control measure needs to be maintained, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to take action, the initiation of action must begin no later than the following work day.

All reasonable steps means that the permittee has undertaken initial actions to assess and address the condition requiring the corrective action, including, for example, cleaning up any exposed material(s) that may be discharged in a storm event, e.g., through sweeping, vacuuming, or making arrangements, i.e., scheduling, for a new BMP to be installed on a later date.

2.1.2.4 Spill Prevention and Response

You must minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur to minimize pollutant discharges. You must conduct spill prevention and response measures, including but not limited to, the following:

a. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;

b. Use well-maintained drip pans and absorbents if leaky vehicles and/or equipment are stored outdoors;

c. Use spill/overflow protection equipment;

d. Plainly label containers (e.g., Used Oil, Spent Solvents, Fertilizers and Pesticides) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;

e. Implement procedures for material storage and handling, including the use of secondary containment for chemicals storage (see Part 2 on pages 7 and 8 of 2022 OKR05 fact sheet [8]) and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;

f. Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;

g. Keep spill kits onsite, located near areas where spills may occur or where a rapid response can be made; and

h. Notify appropriate facility personnel when a leak, spill, or other release occurs.

[8] A copy of the 2022 OKR05 fact sheet is available on the DEQ's website.

Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 C.F.R. Parts 110, 117, or 302, occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 or EPA Region 6 at 1-800-887-6063 and the DEQ Hotline at 1-800-522-0206 as soon as you have knowledge of the discharge.

Local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available.

Measures for cleaning up hazardous material spills or leaks must be consistent with OAC 252:205-3-2(f) and (g), which adopt and incorporate by reference applicable federal regulations in 40 C.F.R. Parts 264 and 265, respectively.

2.1.2.5 Erosion and Sediment Controls

You must minimize erosion by stabilizing exposed soils or installing other suitable erosion control measures, e.g., filter berms, sediment basins and rock dams, sediment traps and silt fence, vegetative buffer, etc., at your facility to minimize pollutant discharges and placing flow velocity dissipation devices at discharge locations, if applicable, to minimize channel and stream-bank erosion and scour in the immediate vicinity of discharge points.

You must also use other structural and non-structural controls as necessary to minimize the discharge of sediment.

If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose in your SWP3 and use them as specified by the manufacturer.

There are many resources available to help you select appropriate structural and non-structural BMPs for erosion and sediment control, including EPA's Stormwater Discharges from Construction Activity website.

2.1.2.6 Management of Stormwater Runoff

You must divert, contain, reuse, infiltrate, or otherwise reduce stormwater runoff using appropriate control measures to minimize pollutants in your discharges. Examples of such controls include: industrial stormwater pond, berm, rain water harvesting for reuse, rain garden, bioswales, permeable pavements, green parking, green roof, etc. Use of green infrastructure, as defined in Part 9, can be a cost-effective, resilient approach to manage wet weather impacts that can provide many water quality benefits.

In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with the EPA's Internet-based resources relating to runoff management, including the sector-specific *Industrial Stormwater Fact Sheet Series, National Menu of Stormwater BMPs,* and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas,* and any other applicable state resources. Information on *green infrastructure* is also available on the *EPA's website*.

2.1.2.7 Salt Storage Piles or Piles Containing Salt

You must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces, to minimize pollutant discharges.

You must implement appropriate control measures, e.g., good housekeeping, diversions, containment, to minimize exposure resulting from adding to or removing materials from the pile.

Piles do not need to be enclosed or covered pursuant to this permit if stormwater runoff from the piles is not discharged or if discharges from the piles are authorized under another OPDES permit.

2.1.2.8 Dust Generation and Vehicle Tracking of Industrial Materials

You must minimize generation of dust and offsite tracking of raw, final, or waste materials to minimize pollutant discharges.

2.1.2.9 Non-Stormwater Discharges

You must evaluate for the presence of any non-stormwater discharges. Any non-stormwater discharges not explicitly authorized in Part 1.3 or covered by another OPDES permit must be eliminated. This includes vehicle and equipment/tank wash water, except for those authorized in Part 10 for Sector J.

If not covered under a separate OPDES permit, wastewater, wash water and any other unauthorized non-stormwater must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or otherwise disposed of appropriately.

2.1.2.10 Employee Training

You must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of your stormwater pollution prevention team. You must ensure the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:

a. Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
b. Personnel who are responsible for the storage and handling of chemicals and materials that could become contaminants in stormwater discharges;
c. Personnel who are responsible for conducting and documenting inspections and monitoring as required in Part 3 and Part 4; and
d. Personnel who are responsible for taking and documenting corrective actions as required in Part 5.

You must train your employees/personnel in at least the following if related to the scope of their job duties, e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections:

a. An overview of what is in the SWP3;
b. Proper material management and handling practices for specific chemicals, fluids, and other materials used or commonly encountered at the facility;
c. Spill response and proper clean-up and reporting procedures;
d. Familiarization with good housekeeping, maintenance requirements, and associated stormwater control measures;
e. The location of all controls and BMPs on the site required by this permit, and how they are to be maintained;
f. Procedures and controls used to capture, contain, treat, and reuse stormwater to minimize pollutants in discharges;
g. Implementation of your emergency procedures during extreme weather and flooding conditions;
h. The proper procedures to follow with respect to the permit's pollution prevention requirements; and
i. When and how to conduct inspections, visual monitoring/assessment, stormwater sampling and monitoring, if required, record applicable findings, and take corrective actions.

The schedule for employee training sessions must be developed based on pollutant potential sources, employee turnover rate, and other factors the permittee determines are applicable.

Employee training must be conducted at least annually or more frequently if employee turnover is high.

2.1.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines

If you are in an industrial category subject to one of the effluent limitation guidelines identified in the following Table 2-1, you must meet the referenced effluent limits.

Table 2-1 Applicable Effluent Limitations Guidelines

Regulated Discharges	40 C.F.R. Part/ Subpart	Effluent Limitation
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429 Subpart I	See Part 10.A.6
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products	Part 418 Subpart A	See Part 10.C.4
Runoff from asphalt emulsion facilities	Part 443 Subpart A	See Part 10.D.4
Runoff from material storage piles at cement manufacturing facilities	Part 411 Subpart C	See Part 10.E.5
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436 Subparts B, C, & D	See Part 10.J.8
Runoff from hazardous waste landfills and non-hazardous waste landfills	Part 445 Subpart A & B	See Part 10.K.5 See Part 10.L.8
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 10.O.6
Runoff from airfield pavement areas where deicing/anti-icing activities occur	Part 449 [1]	See Part 10.S.6

[1] 40 CFR Part 449 applies only to airports with 1,000 or more annual non-propeller aircraft departures. However, this effluent limitation requirement is extended based on Best Professional Judgment (BPJ) to all existing and new airports based on the 2011 and subsequent versions of the OKR05 general permits and anti-backsliding provisions of 40 CFR § 122.44(l)(1).

2.1.4 Numeric Effluent Limitations for Coal Pile Runoff

If your facility has stormwater runoff from coal storage piles, you must comply with the effluent limitations identified in Table 2-2 below for all discharges containing the coal storage pile runoff, regardless of your industrial activity.

Table 2-2 Applicable Effluent Limitations for Coal Storage Pile Runoff

Parameter	Effluent Limitations
Total Suspended Solids (TSS)	50 mg/L[1], daily max.
pH	Between 6.5 s.u. - 9.0 s.u.

[1] Any untreated overflow from facilities designed, constructed, and operated to treat the volume of coal pile runoff which is associated with a 10-year, 24-hour rainfall event shall not be subject to the 50 mg/L limitation for TSS.

You must not intentionally dilute coal pile runoff with other stormwater or other flows to meet these limitations.

2.2 Water Quality-Based Effluent Limitations

2.2.1 Water Quality Standards

You must control your facility's discharge as necessary to meet applicable water quality standards of the state (i.e., your discharge must not cause or contribute to an exceedance of applicable water quality standards). DEQ expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards. If at any time you become aware, or DEQ determines, that your discharge does not meet applicable water quality standards, you must take appropriate corrective action(s) as required in Part 5 and document the corrective actions as required in Part 5.3.3.

DEQ may also require that you undertake additional control measures (to meet the narrative water quality-based effluent limits above) on a site-specific basis or require you to obtain coverage under an individual permit, if information in your NOI, required reports or SWP3, or from other sources indicates that your discharges are not controlled as necessary to meet applicable water quality standards.

2.2.2 Discharges to Water Quality-Impaired Waters

You are considered to discharge to an impaired water if your facility or discharge point is located within one mile of a receiving waterbody which is identified by DEQ on the latest Section 303(d) list as not meeting an applicable water quality standard, and:

1. Requires development of a TMDL or watershed plan in lieu of a TMDL, pursuant to section 303(d) of the CWA; and/or
2. Is addressed by an established TMDL or watershed plan in lieu of a TMDL.

For discharges that enter a separate storm sewer system prior to discharge, the first water of the state to which you discharge is the waterbody that receives the water from the storm sewer system. In such a case, you are considered to discharge to the impaired water if your facility is located within one mile of the separate storm sewer system outfall that discharges to the impaired water. Separate storm sewer systems include both MS4s and non-MS4s. Separate storm sewer systems do not include combined sewer systems or sanitary sewer systems.

You are not considered to discharge to an impaired water if your facility or discharge point is located within one mile of an impaired receiving waterbody, but the point of discharge (or the separate storm sewer system outfall if discharging to a separate storm sewer system) is outside the watershed of this waterbody.

If you discharge to an impaired water, you must document in your SWP3 how you will comply with the following requirements:

1. Implement and maintain stormwater controls/BMPs that will ensure that the 303(d) impairment caused by the identified pollutant(s) of concern for your receiving waters will not cause, have the reasonable potential to cause, or contribute to an in-stream exceedance of water quality standards. You must include the following information when developing or revising your SWP3:
    a. A list of the stormwater controls/BMPs you have implemented or will implement to reduce the pollutants of concern. Describe how you expect the selected controls to reduce the pollutants of concern;
    b. Identify potential significant sources of pollutants of concern entering your discharges including any allowable non-stormwater discharges (see Part 1.3) that contribute significant pollutants to impaired water(s); and
    c. Choose different stormwater controls/BMPs from EPA's menu or other similar sources that can be used for managing the identified pollutants in your discharges.

2. Where a discharge is already authorized under this permit and is later determined to cause, have the reasonable potential to cause, or contribute to the in-stream exceedance of an applicable water quality standard, DEQ will notify you. You must take all necessary actions to ensure that future discharges do not cause, have the reasonable potential to cause, or contribute to in-stream exceedance of a water quality standard and must document these actions in your SWP3. If an exceedance remains or recurs, the coverage under this permit may be terminated by DEQ, and DEQ may require an application for coverage under an individual permit or alternative general permit.

2.2.2.1 Existing Discharger to an Impaired Water with an Established TMDL

Discharge of a pollutant into any water for which a TMDL or watershed plan in lieu of a TMDL for that pollutant has been either established or approved by DEQ or EPA is prohibited, unless the discharge is consistent with any limitations, conditions, timeframes, or other requirements of that TMDL or watershed plan.

Your SWP3 must incorporate all the pollutants of concern associated with the impairments. At a minimum, the SWP3 shall include the following items:

a. List of specific stormwater controls/BMPs, including alternative BMPs, to be used to meet the requirements of the TMDL, watershed plan in lieu of a TMDL, and/or associated implementation plan. Summary information on some BMPs that may be considered for pollutant reduction can be found in the TMDL reports. Permittees are not limited to BMPs listed in these TMDL reports and should select appropriate BMPs that are expected to result in progress towards meeting the reduction goals established in the TMDL.

b. These BMPs shall be evaluated at least once per year to assess the effectiveness in reducing the discharge of pollutants of concern. The results of the evaluation shall be included in the Annual Comprehensive Site Compliance Evaluation Report (ACSCER) per Part 7.3.

b. If a selected BMP does not reduce the discharge of pollutants of concern, implement alternative BMP within one year of determining a BMP is ineffective.

c. Monitor all pollutants for which a WLA has been established for your facility at the frequencies established in the TMDL or watershed plan in lieu of a TMDL, or at a minimum of once per year. You must comply with the applicable monitoring requirements of Part 4.2.3.1. DEQ will inform you only if coverage under an individual permit is necessary per Part 1.2.

2.2.2.2 Existing Discharger to an Impaired Water without an Established TMDL

If you discharge to an impaired water without an established TMDL or watershed plan in lieu of a TMDL, you are still required to comply with Part 2.2.1, and you must comply with the monitoring requirements of Part 4.2.3.1. Note that the impaired waters monitoring requirements of Part 4.2.3.1 also apply where DEQ determines that your discharge is not controlled as necessary to meet applicable water quality standards in an impaired downstream water segment, even if your discharge is to a receiving water that is not identified as impaired according to Part 2.2.2.

2.2.2.3 New Discharger or New Source to an Impaired Water

If your authorization to discharge under this permit relied on Part 1.9.6 for a new discharger or a new source to an impaired water, you must implement and maintain any measures that enabled you to become eligible under Part 1.9.6, and modify such measures as necessary pursuant to any corrective actions per Part 5. You also must comply with Part 2.2.1 and the monitoring requirements of Part 4.2.3.1.

2.2.3 Anti-degradation Requirements for New Dischargers, New Sources, or Increased Discharges

If you are a new discharger or a new source, as defined in Part 9, and discharge to a waterbody or watershed designated HQW, SWS or SWS-r, or you are an existing discharger required to notify DEQ of an increased discharge consistent with Part 7.5, i.e., a planned changes report, and discharge directly to a waterbody or watershed designated HQW, SWS, SWS-r or ORW, DEQ may require that you undertake additional control measures as necessary to ensure compliance with the applicable antidegradation requirements, or notify you that an individual permit application is necessary in accordance with Part 1.14, or deny your permit application.

If you are a new discharger and discharge to a waterbody or watershed designated ORW commencing after June 25, 1992, you are not eligible for coverage under this permit.

2.3 Requirements Relating to Endangered Species and Historic Properties

If your eligibility under either Part 1.9.7 or Part 1.9.10 was made possible through your or another operator's agreement to undertake additional measures, you must comply with all such measures to maintain eligibility under this permit.

Note: If at any time you become aware, or DEQ determines, that your discharges and/or discharge-related activities have the potential to adversely affect listed species and/or critical habitat or historic properties, DEQ may inform you of the need to implement additional measures on a site-specific basis to meet the effluent limits in this permit, or require you to obtain coverage under an individual OPDES permit.

Part 3 Inspection Requirements

3.1 Routine Facility Inspections

During normal facility operating hours, you must conduct inspections of areas of the facility covered by the requirements in this permit, including, but not limited to, the following:

1. Areas where industrial materials or activities are exposed to stormwater;
2. Areas identified in the SWP3 and those that are potential pollutant sources (see Part 6.2.3);
3. Areas where spills and leaks have occurred in the past three years;
4. All discharge points; and
5. All *control measures* used to comply with both technology-based and water quality-based effluent limits contained in this permit.

Inspection Personnel: A qualified personnel, as defined in Part 9, who is familiar with the industrial activities performed at the facility, must perform the inspections. The qualified personnel may be a member of your stormwater pollution prevention team, or if the qualified personnel is a third-party you hire (i.e. a contractor), at least one member of your stormwater pollution prevention team must participate in the inspection. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

Things You Must Look for During an Inspection: During the inspection, the inspector must examine or look out for the following:

1. Industrial materials, residue or trash that may have or could come into contact with stormwater;
2. Leaks or spills from industrial equipment, drums, tanks and other containers;
3. Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
4. Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas;
5. Erosion of soils at your facility, channel and streambank erosion and scour in the immediate vicinity of discharge points;
6. Non-authorized non-stormwater or illicit discharges;
7. An assessment of all BMPs/control measures that have been implemented for their effectiveness;
8. BMPs/control measures needing replacement, maintenance or repair; and
9. Verification of the site map in the SWP3 to ensure that it reflects current conditions of the facility.

When an inspection occurs during a stormwater event or discharge, you must observe control measures implemented to comply with effluent limits to ensure they are functioning correctly. During this inspection, you must also observe all discharge points/outfalls, as defined in Part 9. If such discharge locations are inaccessible, you must inspect nearby downstream locations.

Inspection Frequency: The qualified personnel must conduct inspections at least quarterly, i.e., once each calendar quarter, or in some instances more frequently, e.g., monthly or weekly; see Part 10 of this permit for sector-specific inspection requirements. Increased frequency may be appropriate for some types of equipment, processes, and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater.

At least once each calendar year, the routine facility inspection must be conducted during a period when a stormwater discharge is occurring.

3.2 Routine Facility Inspection Documentation

You must document the findings of your facility inspections and maintain this report with your SWP3 as required in Part 6.2.10. Do not submit your routine facility inspection reports to DEQ, unless specifically requested to do so. However, you must summarize your findings in the Annual Report, i.e., ACSCER, per Part 7.3. Document all findings of your routine inspection on an Inspection Form, which must include at least the following information:

1. The inspection date and time;
2. The name(s) and signature(s) of the inspector(s);
3. Weather information and a description of any discharges occurring at the time of the inspection;
4. Any previously unidentified discharges and/or pollutants from the site;
5. All observations relating to the areas of materials or activities at the facility exposed to stormwater;
6. All observations relating to the implementation of control measures at the facility;
7. Any control measures needing maintenance, repairs, or replacement;
8. Any evidence of, or the potential for, pollutants entering the drainage system;
9. Observations regarding the physical condition of and around all outfalls, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
10. Any incidents of noncompliance observed;
11. Any additional control measures needed to comply with the permit requirements including any additional observation from the inspection; and
12. A statement, signed and certified in accordance with Part 8.16.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Part 5 of this permit.

3.3 Exceptions to Routine Facility Inspections for Inactive and Unstaffed Sites

The requirement to conduct facility inspections on a routine basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. Such a facility is only required to conduct site inspections once per year in accordance with Part 3.1.

To invoke this exception, you must include a statement in your SWP3 per Part 6.2.6.3 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater, in accordance with the substantive requirements in 40 C.F.R. § 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Part 8.16.

If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately resume routine facility inspections. If you are not qualified for this exception at the time you become authorized under this permit, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, you must include the same signed and certified statement as above and retain it with your records pursuant to Part 6.2.10.

Inactive and unstaffed facilities covered under Sector J (Mineral Mining and Dressing) are not required to meet the "no industrial materials or activities exposed to stormwater" standard to be eligible for this exception from routine inspections, per Part 10.J.6.

Part 4 Monitoring Requirements

You must collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in Part 4 and Part 8, and any additional sector-specific requirements in Part 10. Refer to Part 7 for reporting and recordkeeping requirements.

4.1 Monitoring Procedures

4.1.1 Monitored Outfalls

Applicable monitoring requirements apply to each outfall authorized by this permit, except as otherwise exempt from monitoring as a substantially identical outfall. If your facility has two or more outfalls that you believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s).

As required in Part 6.2.6.4, your SWP3 must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations.

The allowance for monitoring only one of the substantially identical outfalls is not applicable to any outfalls with numeric effluent limitations. You are required to monitor each outfall covered by a numeric effluent limit as identified in Part 4.2.2.

4.1.2 Commingled Discharges

If discharges that would otherwise be authorized under this permit commingle with discharges not authorized under this permit, you have two options:

1. The commingled discharges may be covered under an individual discharge permit. In such case, permit limits and/or monitoring requirements (including internal monitoring points) for the commingled discharges will be included in the individual discharge permit, and the commingled discharges will not be subject to this permit.
2. The authorized discharges may be covered under this permit and the non-authorized discharges covered under an individual discharge permit or another general permit. In such case, any required sampling of the authorized discharges under this permit must be performed at a point before they mix with the other, non-authorized waste streams, to the extent practicable.

4.1.3 Monitoring Requirements for Coal Storage Pile Runoff

If you discharge coal storage pile runoff, you must conduct effluent monitoring and collect grab samples and analyze the samples annually within the following time periods:

1. The yearly monitoring periods are from January 1 to December 31; or
2. If your permit becomes effective less than 1 month from the end of the yearly monitoring period, your first monitoring period starts with the next respective annual monitoring period.

4.1.4 Measurable Storm Events

You must conduct all required monitoring on a measurable storm event (defined as a storm that is greater than 0.1 inch in magnitude) that results in an actual discharge from your site and that follows the preceding measurable storm event by at least 72 hours (three days). The 72-hour (three days) storm interval does not apply if you are able to document that less than a 72-hour (three days) interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at your facility.

For each monitoring event, except snowmelt monitoring, you must identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event. It is recommended that the facility maintain an onsite rain gauge to determine when a qualifying rain event occurs. For snowmelt monitoring, you must identify the date of the sampling event.

4.1.5 Sample Type

You must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 4.1.4. You must collect samples within the first 30 minutes of a discharge associated with a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, you must collect the sample as soon as practicable after the first 30 minutes and keep documentation with the SWP3 explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, you must collect samples during a period with a measurable discharge.

Auto-samplers or passive samplers may be used to collect grab samples (also see note after Table 4-1). If auto-samplers or passive samplers are used, samples must be initiated during the first 30 minutes of a measurable storm event. If it is not possible to initiate auto-sampling or passive sampling within the first 30 minutes of a measurable storm event, you must initiate sampling as soon as possible after the first 30 minutes and keep documentation with the SWP3 explaining why it was not possible to initiate sampling within the first 30 minutes. You must submit all monitoring results to DEQ per Part 4.1.9.

Auto-samplers or passive samplers may not be used to measure parameters that have a short holding time for processing or that degrade or transform quickly such as pH, temperature, oil and grease (O&G), and chromium.

4.1.6 Monitoring Periods

Your monitoring requirements in this permit begin in the first full quarter following either October 1, 2022, or your date of discharge authorization, whichever date comes later.

For quarterly monitoring, you must monitor or conduct sampling at least once in each of the following three-month intervals:

January 1 – March 31; April 1 – June 30; July 1 – September 30; and October 1 – December 31.

For example, if you obtain permit coverage on September 2, 2022, then your first monitoring quarter is October 1 – December 31, 2022.

For annual monitoring, you must conduct annual monitoring during the period from January 1 to December 31. If your permit becomes effective less than one month from the end of the annual monitoring period, your first monitoring period starts with the next annual monitoring period.

4.1.7 Adverse Weather Conditions

When adverse weather conditions, as described in Part 4.2.1.3, prevent the collection of samples according to the relevant monitoring schedule, you must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt you from having to file an electronic Discharge Monitoring Report (eDMR) in accordance with your sampling schedule. You must indicate on the eDMR any failure to monitor during the regular reporting period.

4.1.8 Monitoring for Allowable Non-Stormwater Discharges

You are only required to monitor allowable non-stormwater discharges, as delineated in Part 1.3, when they are commingled with stormwater discharges associated with industrial activity.

4.1.9 Monitoring Reports

You must report all monitoring data listed in Part 4.2, except as provided in Part 4.2.1 and Part 4.2.3, electronically using the eDMR Tool that is available on DEQ's website. Instructions on how to register as a Preparer or Signatory for eDMRs, as well as how to prepare and submit eDMRs, can be found on DEQ's website. Assistance is also available by contacting DEQ at (405) 702-8100 or deqreporting@deq.ok.gov.

4.2 Required Monitoring

This permit includes four types of required monitoring, one or more of which may apply to your discharge:

1. Quarterly visual monitoring of stormwater discharges (see Part 4.2.1);
2. Annual effluent limitations guidelines monitoring (see Part 4.2.2);
3. Impaired waters monitoring (see Part 4.2.3); and/or
4. Other monitoring as required by DEQ (see Part 4.2.4).

When more than one type of monitoring for the same pollutant at the same outfall applies, e.g., total suspended solids once per year for an effluent limitation and once per year for impaired waters monitoring at a given outfall, you may use a single sample to satisfy both monitoring requirements, i.e., one sample satisfying both the annual effluent limitation sample and annual impaired water monitoring sample. All required monitoring must be conducted in accordance with the procedures described in Part 8.10 of this permit.

Note: Exceedance of an effluent limitation associated with the result of any analytical monitoring type required by this Part subjects you to the corrective action requirements of Part 5.1.

4.2.1 Quarterly Visual Monitoring of Stormwater Discharges

4.2.1.1 Quarterly Visual Monitoring Procedures

You must perform visual monitoring or assessment of stormwater discharges from your facility and must collect a stormwater sample from each outfall for visual assessment, except as noted in Part 4.2.1.3, once per quarter for the entire permit term.

These samples are not required to be collected consistent with 40 C.F.R. Part 136 procedures, but must be collected in such a manner that the samples are representative of the stormwater discharge. Grab samples shall be collected for quarterly visual monitoring. Guidance on *Industrial Stormwater Monitoring and Sampling* is also available at EPA's Stormwater Homepage.

You must conduct the visual monitoring or assessment, as defined in Part 9, during daylight hours:

a. On a sample collected in a clean, colorless glass or plastic container, and examined in a well-lit area as soon as possible but no later than 60 minutes, except as noted in Part 4.2.1.1 below, after collecting the sample;

b. On a sample collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, you must collect the sample as soon as practicable after the first 30 minutes and you must document why it was not possible to take the sample within the first 30 minutes. In the case of snowmelt, you must take a sample during a period with a measurable discharge from your site; and

c. For storm events, make the assessment on discharges that occur from a storm event that is greater than 0.1 inch in magnitude and that follows the preceding measurable storm event by at least 72 hours (three days). The 72-hour (three days) storm interval does not apply if you document that less than a 72-hour (three days) interval is representative for local storm events during the sampling period.

You must visually inspect or observe the sample for the following water quality characteristics:

a. Color;
b. Odor;
c. Clarity (diminished);
d. Floating Solids;
e. Settled Solids;
f. Suspended Solids;
g. Foam;
h. Oil Sheen; and
i. Other obvious Indicators of Stormwater Pollution.

Whenever the visual monitoring shows evidence of stormwater pollution, you must initiate the corrective action procedures in Part 5 of this permit.

The following Table is an ***example*** of what you should look for in a sample during a visual assessment:

Table 4-1 Visual Monitoring of Stormwater Discharges

Parameter	Method	Results
Color and Extent	Visual	Clear, yellow, red, blue, green, brown, black, milky, etc.
Odor	Smell	None, earthy, sewage, musky, rotten eggs, petroleum, etc.
Clarity or Turbidity	Come up with your own test such as: clean off the label from a 1-liter or similar size clear plastic or glass bottle, fill the bottle with the sample, and try to see things through it	1) can't see through the bottle 2) can see through but could not read newsprint 3) can see through and can read newsprint 4) pretty clear, but not as clear as bottled water 5) as clear as bottled water
Floating Solids	Visual	Yes/No - describe what they are.
Settled Solids	Use same 1-liter or similar size plastic or glass bottle	Tablespoons or cups of material or millimeters of solids on bottom **after at least 60 minutes**
Suspended Solids	Look through the container	Describe what do you see?
Foam	Visual	Yes - How thick is the foam? How much of the surface does it cover? What color is the foam? or No
Oil Sheen	Visual	Color and extent.
Other obvious Indicators of Stormwater Pollution	Indicate what you observed that would lead a reasonable person to believe that the stormwater was polluted	Describe what do you see?

Note: An automatic sampler or passive sampler is not recommended for collecting samples for quarterly visual monitoring. That is because, in addition to collecting the sample, it is important to make a note of anything you see at the discharge location that might influence the sample results. In addition, an automatic sampler or passive sampler cannot collect visual observations for the discharges from your facility. In case of unsafe sampling conditions, or a facility with several sampling locations, automatic samplers or passive samplers

may be used to collect samples within the first 30 minutes of discharge triggered by the measurable storm event. Such conditions must be documented in the SWP3.

4.2.1.2 Quarterly Visual Monitoring Documentation

You must document the results of your visual monitoring and maintain this documentation onsite with your SWP3 as required by Part 6.2.10. Your documentation of the visual monitoring must include, but not be limited to,

a. Sample location(s);
b. Sample collection date and time, and visual monitoring date and time for each sample;
c. Personnel collecting the sample and performing visual monitoring, and their signatures;
d. Nature of the discharge (i.e., runoff or snowmelt);
e. Results of observations of the stormwater discharge (see table 4-1);
f. Probable sources of any observed stormwater contamination;
g. Why it was not possible to take samples within the first 30 minutes, if applicable; and
h. A statement, signed and certified in accordance with part 8.16.

You are not required to submit your visual monitoring findings to DEQ, unless specifically requested to do so. However, you must summarize your findings in the ACSCER per Part 7.3.

Any corrective action required as a result of a quarterly visual monitoring event must be performed consistent with Part 5 of this permit.

4.2.1.3 Exceptions to Quarterly Visual Monitoring

Adverse Weather or No Rain Conditions: When adverse weather conditions prevent the collection of samples during a quarter, you must take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual monitoring for the quarter must be included with your SWP3 records as described in Part 6.2.10.

Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, severe storms, or situations that otherwise make sampling impractical, such as extended frozen conditions.

If no storm event resulted in runoff from the facility during a monitoring quarter, you are excused from visual monitoring for that quarter provided you document in your monitoring records that no qualifying runoff, as defined in Part 4.2.1.1, occurred. You must sign and certify the documentation in accordance with Part 8.16 of this permit.

Inactive and Unstaffed Sites: The requirement for quarterly visual monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater.

To invoke this exception, you must maintain a statement in your SWP3 per Part 6.2.6.3 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 C.F.R. § 122.26(g)(4)(iii).

The statement must be signed and certified in accordance with Part 8.16.

Substantially Identical Outfalls: If your facility has two or more outfalls that discharge substantially identical effluents, as documented in Part 6.2.4, you may conduct quarterly visual monitoring of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s), provided that you perform visual monitoring on a rotating basis of each substantially identical outfall throughout the period of your coverage under this permit.

If stormwater contamination is identified through visual monitoring performed at a substantially identical outfall, you must assess and modify your control measures as appropriate for each outfall represented by the monitored outfall.

4.2.2 Effluent Limitations Monitoring

4.2.2.1 Monitoring Based on Effluent Limitations Guidelines

Table 4-2 identifies the stormwater discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. An exceedance of the effluent limitation is a permit violation.

Beginning in the first full quarter following October 1, 2022, or your date of discharge authorization, whichever date comes later, you must monitor once per year (the yearly monitoring period is from January 1 to December 31) at each outfall containing the discharges identified in Table 4-2 for the parameters specified in the sector-specific Part 10 of this permit.

Table 4-2 Required Monitoring for Effluent Limits

Regulated Discharges	Effluent Limitation	Monitoring Frequency	Sample Type
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	See Part 10.A.6	1/year	Grab
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products	See Part 10.C.4	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 10.D.4	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 10.E.5	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 10.J.8	1/year	Grab
Runoff from hazardous waste landfills and non-hazardous waste landfills	See Part 10.K.5 See Part 10.L.8	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part 10.O.6	1/year	Grab
Runoff from airfield pavement areas where deicing/anti-icing activities occur	See Part 10.S.6	1/year	Grab

4.2.2.2 Substantially Identical Outfalls

You must monitor each outfall discharging runoff from any regulated activity identified in Table 4-2. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

4.2.2.3 Follow-up Actions if Discharge Exceeds Numeric Effluent Limitation

If any monitoring value exceeds a numeric effluent limitation contained in Part 4.2.2, you must submit an exceedance report to DEQ and conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing corrective action(s) taken in accordance with Part 5. Monitoring must be performed for any pollutants that exceed the effluent limit.

You must continue to monitor at least quarterly and submit quarterly eDMRs until your discharge is in compliance with the effluent limit or until DEQ waives the requirement for additional monitoring. You must include the results

of follow-up monitoring in the exceedance report (see Part 7.4). Once your discharge is back in compliance with the effluent limitation, you must inform DEQ regarding the compliance and start monitoring once per year.

A sampling result that exceeds a numeric effluent limit is a permit violation. The permittee shall immediately investigate the cause of the violation and take appropriate corrective action(s) to prevent future violations.

If an effluent limit is exceeded, permittees shall complete the following steps:

- Initiate modifications to the SWP3 to include additional structural controls/BMPs and document all corrective actions necessary to meet the applicable effluent limit, including improvements to BMPs immediately but no later than 14 days after discovery of an effluent limit violation.
- Install a new or repair an existing control measure to make it operational as soon as possible.
- If the permittee is unable to complete the installation or repair within 14 calendar days, the permittee shall document why it is infeasible within the 14-day timeframe and complete the necessary work as soon as practicable but no later than 28 days after discovery.

Include all documentation within or as an attachment to the SWP3. These time intervals are not grace periods but are reasonable schedules for documenting findings and for making repairs and improvements. These time intervals are in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

You are encouraged to use **EPA Sector-Specific Factsheets** for appropriate controls.

4.2.3 Discharges to Impaired Waters Monitoring [9]

Discharges to impaired waters must be monitored as described in Part 4.2.3.1. Impaired waters monitoring data is not required to be submitted to DEQ unless requested, but shall be used by the permittee as screening data to evaluate BMP effectiveness. DEQ may also use the data to demonstrate the facility's noncompliance with implementing effective BMPs, noncompliance with WLA or LA established in TMDL or watershed plans, and/or contribution to the impaired waters. However, monitoring data will not be used by DEQ for stream assessment or TMDL purposes.

Include all documentation related to impaired stream monitoring, additional BMP implementation, corrective actions, etc., within or as an attachment to the SWP3.

4.2.3.1 Permittees Required to Monitor Discharges to Impaired Waters

Discharges to impaired waters without an established TMDL or watershed plan in lieu of a TMDL

Beginning in the first full quarter following October 1, 2022, or your date of discharge authorization, whichever date comes later, you must monitor all pollutants for which the waterbody is impaired and for which a standard analytical method exists (see 40 C.F.R. Part 136) once per year at each outfall discharging stormwater to impaired waters without an established TMDL or watershed plan in lieu of a TMDL.

If a pollutant of concern is expressed in the form of an indicator or surrogate pollutant, you must monitor for that indicator or surrogate pollutant. For example, if the pollutant of concern for the impaired waterbody is suspended solids, turbidity or sediment/sedimentation, you must monitor for total suspended solids (TSS), or if the pollutant of concern is bacteria, you must monitor for *E. coli*.

No monitoring is required when a waterbody's biological communities are impaired (i.e., when a waterbody is listed on the 303(d) list as impaired based on fishes bio-assessments, macroinvertebrate bio-assessments, or other

[9] See Part 2.2.2 for definition of discharges to water quality-impaired waters.

biological criteria), but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or other non-pollutant. Permittees should consult with DEQ for any available guidance regarding required monitoring parameters under this part.

If the pollutant of concern is not detected and not expected to be present in your discharge, or it is detected but you have determined that its presence is caused solely by natural background sources, you may discontinue monitoring for that pollutant. As required by Part 6.2.10, to support a determination that the pollutant's presence is caused solely by natural background sources, you must document and maintain with your SWP3 the following information:

- Include an explanation of why you believe that the presence of the pollutant of concern in your discharge is not related to the activities or materials at your facility.
- Include data and/or studies that tie the presence of the pollutant of concern in your discharge to natural background sources in the watershed.

Natural background pollutants include those that occur naturally as a result of native soils, vegetation, wildlife, and/or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources that are not naturally occurring. However, you may be eligible to discontinue annual monitoring for pollutants that occur solely from these sources and should consult DEQ for related guidance (see Part 4 on pages 8-10 of the 2022 OKR05 factsheet[10]). You must notify DEQ regarding discontinuation of monitoring due to non-detection of a pollutant or due to the pollutant's presence being caused solely by natural background sources.

If the pollutant of concern is detected, the permittee shall continue to monitor for that pollutant and conduct the following steps:

- Initiate modifications to the SWP3 to include additional structural controls/BMPs and document all corrective actions necessary, including improvements to BMP, immediately but no later than 14 days after discovery of a pollutant of concern's detection.
- If the permittee is unable to complete the installation or repair within 14 calendar days, the permittee shall document why it is infeasible within the 14-day timeframe and complete the necessary work as soon as practicable but no later than 28 days after discovery.

Include all documentation within or as an attachment to the SWP3. These time intervals are not grace periods, but are reasonable schedules for documenting findings and for making repairs and improvements. These time intervals are in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

Discharges to impaired waters with an established TMDL or watershed plan in lieu of a TMDL

For stormwater discharges to waters for which there is an established TMDL or watershed plan in lieu of a TMDL prior to the date that you submit a NOI, and if that TMDL or watershed plan includes a WLA or LA for a parameter likely to be present in your discharge, your discharge must meet any limitations, conditions, or other requirements associated with that WLA, LA and/or TMDL within any timeframes established in the TMDL or watershed plan.

You must monitor all pollutants for which a WLA or LA has been established for your discharges at the frequencies established in the TMDL or watershed plan, or at a minimum of once per year.

[10] A copy of the OKR05 fact sheet is available on the DEQ's website.

You must adopt any WLAs assigned to your discharges specified in the TMDL, or similar targets in the watershed plan, as measurable goal in your SWP3. If the TMDL or watershed plan relies on a BMP-based approach, effective implementation of additional TMDL or watershed plan-related BMPs or control measures will be sufficient to implement applicable WLAs. If the TMDL or watershed plan specifies additional requirements, you must also meet these additional requirements.

If a TMDL or watershed plan in lieu of a TMDL is approved for any waterbody into which you discharge after the date that you submit an NOI, you must incorporate any limitations, conditions, and requirements applicable to the discharges into your SWP3 to ensure that the requirements of the implementation plan associated with the WLA, LA, and/or the TMDL will be met within any timeframes established in the TMDL or watershed plan.

4.2.3.2 Exception for Inactive and Unstaffed Sites

The requirement for impaired waters monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

1. Maintain a statement with your SWP3 stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater.
2. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable impaired waters monitoring requirements under Part 4.2 as if you were in your first year of permit coverage.

Note: This exception has different requirements for Sector J in Part 10.

4.2.4 Additional Monitoring Required by DEQ

DEQ may notify you of additional discharge monitoring requirements that DEQ determines are necessary to meet the permit's effluent limitations. Any such notice will briefly state the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

Part 5 Corrective Actions

5.1 Conditions Requiring SWP3 Review and Revision to Eliminate Problems

If any of the following conditions occur or are detected during an inspection, through monitoring or other means, or you are informed by DEQ, EPA, or the operator of the MS4 through which you discharge that any of the following conditions have occurred, you must review and revise, as appropriate, your SWP3 (e.g., sources of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation, and implementation of your control measures) so that the condition is eliminated and pollutant discharges are minimized.

1. An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another OPDES permit) occurs at your facility;
2. A discharge violates a numeric effluent limit;
3. Your control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this permit;
4. A required control measure was never installed, was installed incorrectly, or not in accordance with Part 2 and/or Part 10, or is not being properly operated or maintained; or
5. A routine inspection, visual monitoring, or comprehensive site evaluation shows evidence of stormwater pollution.

5.2 Conditions Requiring SWP3 Review to Determine if Modifications Are Necessary

If any of the following conditions occur, you must review your SWP3 to determine if modifications are necessary to meet the effluent limits in this permit.

1. Construction or a change in design, operation, or maintenance at your facility that significantly changes the nature of pollutants discharged in stormwater from your facility, or significantly increases the quantity of pollutants discharged; or
2. If the results of quarterly visual samples indicate that what you have observed would lead a reasonable person to believe that the stormwater was polluted.

5.3 Corrective Actions and Deadlines

5.3.1 Immediate Actions

If corrective action is needed, you must immediately[11] conduct an inspection to investigate the cause of the issue and take all reasonable steps (as defined in Part 9) necessary to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

5.3.2 Subsequent Actions

If you determine that additional actions are necessary beyond those implemented pursuant to Part 5.3.1, you must complete the corrective actions (e.g., install a new or modified control and make it operational, complete the repair)

[11] The term “immediately” requires you to, on the same day a condition requiring corrective action is found, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to initiate corrective action, the initiation of corrective action must begin no later than the following work day.

before the next storm event, if possible, and within 14 calendar days from the time of discovery of the corrective action condition.

Where your corrective actions result in changes to any of the controls or procedures documented in your SWP3, you must modify your SWP3 accordingly within 14 calendar days of completing corrective action work. This time interval is not a grace period; it is considered a reasonable time period for documenting your findings and for making repairs and improvements. This requirement is included to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

5.3.3 Corrective Action Report

You must document the existence of any of the conditions listed in Part 5.1 or Part 5.2 within 24 hours of becoming aware of such condition. You must include, at a minimum, the following information in your corrective action report:

1. Description of the condition triggering the need for corrective action review. For any spills or leaks, include a description of the incident that identifies the material, amount, location, and reason for the spill;
2. Date and time the condition was identified;
3. Whether any leaks, spills or other releases resulted in discharges of pollutants to waters of the state through stormwater or otherwise; and
4. Description of immediate actions taken pursuant to Part 5.3.1 to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up was completed, notifications made, and staff involved. Also include any measures taken to prevent the recurrence of such releases (see Part 2.1.2.4).

Within 14 days from the time of discovery of any of those conditions listed in Part 5.1 or Part 5.2, you must document the following information:

1. Summary of corrective actions taken or to be taken as a result of the conditions listed in Part 5.1 or Part 5.2 (or, for triggering events in Part 5.2, where you determine that corrective action is not necessary, the basis for this determination);
2. Dates and times when each corrective action was initiated and completed;
3. Notice of whether SWP3 modifications are required as a result of this discovery or corrective action; and
4. A statement signed and certified in accordance with Part 8.16 of this permit.

You are not required to submit your corrective action report to DEQ, unless specifically requested to do so. However, you must summarize your findings in the Annual Report per Part 7.3 and keep a copy of the corrective action report in the SWP3.

5.3.4 Effect of Corrective Action

If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation.

DEQ will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

5.3.5 Substantially Identical Outfalls

If the event triggering corrective action is associated with an outfall that had been identified as a **substantially identical outfall** (see Part 4.1.1 and Part 4.2.1.3), your review must assess the need for corrective action for all

related substantially identical outfalls. Any necessary changes to control measures that affect these other outfalls must also be made before the next storm event if possible, or as soon as practicable following that storm event. Any corrective actions must be conducted within the timeframes set forth in Part 5.3.

Part 6 Stormwater Pollution Prevention Plan

6.1 Stormwater Pollution Prevention Plan Requirements

You must prepare an SWP3 for your industrial facility/activity before submitting an NOI to DEQ for permit coverage. If you prepared an SWP3 for coverage under a previous version of this OPDES permit, you must review and update the SWP3 to implement all provisions of this permit prior to submitting your NOI.

The SWP3 may be developed by either a person on your staff or a third party you hire. In either case, the SWP3 must be developed by a qualified person, as defined in Part 9, who has conducted a site visit to assess the facility's activities that are exposed to stormwater, identify potential pollutant sources and locations, direction of stormwater flow through and from the facility, stormwater control measures, outfall locations and associated drainage areas before preparing the SWP3**.** For new facilities, the SWP3 preparer must visit the site within one year after construction is completed and make any necessary updates to the SWP3.

The SWP3 preparer must read Parts 1 through 8 and sector-specific permit requirements in Part 10 of the OKR05 permit before preparing the SWP3 to ensure that SWP3 meets all the requirements of the current OKR05 permit.

You must develop your SWP3 according to the requirements of this permit and in accordance with good engineering practices and to industry standards. However, use of a registered professional engineer for SWP3 preparation is not required by this permit. If any part of the SWP3 involves the practice of engineering[12], then those engineering practices and designs are required to be prepared by a registered professional engineer.

Part 6 of this permit does not contain stormwater control measures or effluent limitations; such control measures or limitations are contained in Part 2 and Part 10 of this permit. The SWP3 is intended to document the selection, design, and installation of different control measures to meet the permit's numeric, if applicable, and non-numeric effluent limits contained in Part 2 and Part 10 of this permit, as well as to document compliance with other permit requirements.

As distinct from the SWP3, the additional documentation requirements (see Part 6.2.10) are intended to document the implementation (including inspection, monitoring, maintenance, corrective action, reporting, and recordkeeping) of the permit requirements. The SWP3 must be signed and certified by the designated signatory of the operator/applicant per the signature requirements in Part 8.16.

Failure to develop and maintain a current SWP3 is a recordkeeping violation of the permit and is separate and distinct from a violation of any of the other substantive requirements in the permit, such as inspections, effluent limitations and monitoring, corrective action, reporting, and sector-specific requirements. Permittees who discharge stormwater to an MS4 shall also provide a copy of the SWP3 to the operator of that MS4 upon receiving a request from the MS4 operator.

[12] Statutes and Rules of Oklahoma State Board of Licensure for Professional Engineers & Land Surveyors, Section 472.2 "Definitions" states "practice of engineering means any service or creative work, the adequate performance of which requires engineering education, training and experience in the application of special knowledge of the mathematical, physical and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems, planning the engineering use of land and water, teaching of advanced engineering subjects or courses related thereto, engineering research, engineering surveys, engineering studies, and the inspection or review of construction for the purposes of assuring compliance with drawings and specifications; any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, chemical, environmental, hydraulic, pneumatic or thermal nature, insofar as they involve safeguarding life, health or property, and including such other professional services as may be necessary to the design review and integration of a multidiscipline work, planning, progress and completion of any engineering services."

You may develop your own format or use DEQ's **SWP3 Template**[13] to prepare your SWP3. If using DEQ's SWP3 template, you may edit it or include additional content as necessary to make your SWP3 site specific.

6.2 Contents of the SWP3

Your SWP3 must contain all of the following elements for coverage under this permit:

1. Stormwater Pollution Prevention Team (see Part 6.2.1);
2. Facility and Site Description (see Part 6.2.2);
3. Summary of Potential Pollutant Sources (see Part 6.2.3);
4. Identification and Justification for any Substantially Identical Outfalls (see Part 6.2.4);
5. Description of Stormwater Control Measures to Meet Technology-Based, Water Quality-Based Effluent Limitations, and any Applicable Sector-Specific Requirements (see Part 6.2.5);
6. Schedules and Procedures (see Part 6.2.6);
7. Documentation to Support Eligibility Considerations Under Other Federal Laws (see Part 6.2.7);
8. Operator's/Owner's Certification and Signature (see Part 6.2.8);
9. Required SWP3 Review and Modifications (see Part 6.2.9); and
10. Additional Documentation (see Part 6.2.10).

Where the SWP3 refers to procedures in other facility documents, such as a Spill Prevention, Control, and Countermeasures (SPCC) Plan or an Environmental Management System (EMS), copies of the relevant portions of those documents must be kept with the SWP3.

6.2.1 Stormwater Pollution Prevention Team

You must identify the staff members (by name and/or title) who comprise the facility's stormwater pollution prevention team, as well as their individual roles and responsibilities regarding to stormwater and their contact information.

Your stormwater pollution prevention team is responsible for overseeing development and modification of the SWP3, and for implementing and maintaining control measures and taking corrective actions when required, performing routine facility inspections and monitoring, supervising the housekeeping program, documenting changes to the SWP3, providing staff training, and communicating changes in the SWP3 to the people working on the site.

Each member of the stormwater pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWP3, and other relevant documents or information that must be kept with the SWP3.

[13] Available on DEQ's website at www.deq.ok.gov. Templates for the Inspection Report, Visual Monitoring Report, Corrective Action Report and other reports are also available on DEQ's website.

6.2.2 Facility and Site Description

Your SWP3 must include the following:

1. **Facility Description** - Include facility description, contact information, regular business hours along with any seasonal variations, SIC Code, facility location, facility area, and contact information (business name, address, phone number, and email address) of the SWP3 preparer.

2. **Activities at the Facility -** Provide a description of the nature of the industrial activities at your facility. At minimum, the description shall include manufacturing and processing, material handling activities including storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product; and vehicle and equipment fueling, maintenance and cleaning. Indicate the activities that occur indoors and that occur outdoors which could be exposed to stormwater or under cover but that could be exposed to run-on.

   Include total area of the facility along with total size of the impervious surfaces at the facility in acres. Indicate the total area of the facility that has industrial activity and/or significant materials in contact with stormwater in acres.

3. **Receiving Waterbody -** Provide the name of the nearest receiving water(s), including intermittent streams, dry sloughs, arroyos and the areal extent, and description of wetland or *other special aquatic sites* (see Part 9 for definition) that may receive discharges from your facility. Indicate which waterbodies are listed as impaired and whether a TMDL or watershed plan in lieu of a TMDL is established.

   List all the stormwater outfalls and identify each outfall by a unique 3-digit ID (e.g., 001, 002) from your facility along with the latitude and longitude in decimal degrees for each outfall and the name of the corresponding receiving waterbody.

   Indicate whether you are treating one or more outfalls as substantially identical under Parts 6.2.6.4, 4.1.1, and 4.2.1.3. If the facility is discharging into an MS4, indicate so and provide its name.

4. **General Location Map -** Provide a general location map (e.g., U.S. Geological Survey quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your stormwater discharges within 1 mile of your facility.

5. **Site Map** - Provide a clearly legible map or series of maps showing all the following features:

   a. Boundaries of the property and the size of the property in acres;
   b. Location and extent of significant structures (e.g. buildings, garages, storage tanks, fueling stations, machinery, etc.) and impervious surfaces (e.g., parking lots, paved or concrete pads) at the facility;
   c. Directions of stormwater flow (use arrows to show the directions of stormwater flow);
   d. Locations of all receiving waters in the immediate vicinity of your facility;
   e. Locations of potential pollutant sources identified under Part 6.2.3;
   f. Locations of areas of existing and potential soil erosion that could result in the discharge of a significant amount of turbidity, sediment, or other pollutants;
   g. Locations of all stormwater control measures (i.e., all structural BMPs);
   h. Locations of all stormwater conveyances including ditches, pipes, and swales;
   i. Locations where significant spills or leaks identified under Part 6.2.3.3 have occurred;
   j. Locations of all stormwater sampling/monitoring points, along with latitude and longitude of each sampling point;
   k. Locations and descriptions of all non-stormwater discharges;

l. MS4s and any discharge points where stormwater enters the MS4s' conveyance systems;

m. Areas of designated critical habitat for endangered or threatened species;

n. Locations of the following activities, where such activities are exposed to precipitation including fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage, or disposal of wastes; liquid storage tanks; processing and storage areas; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; transfer areas for substances in bulk; and machinery;

o. Locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants, if any (an evaluation of how the quality of the runoff impacts your stormwater discharges may be included); and

p. Locations of stormwater inlets and outfalls, with a unique identification code for each discharge point (e.g., Outfall 001, 002) and an approximate outline of the areas draining to each outfall. Indicate if there are any substantially identical outfalls.

The site map must clearly show the flow of stormwater runoff from each of the locations described above so that the final outfalls where the discharge leaves the facility's boundaries are clearly identified.

You must develop a series of maps if the amount of information would cause a single map to be difficult to read and interpret.

6.2.3 Potential Pollutant Sources

You must describe areas at your facility where industrial materials or activities are exposed to stormwater and/or from which allowable non-stormwater discharges originate. Industrial materials or activities include, but are not limited to, material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products.

Material handling activities include, but are not limited to, the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, and final product or waste product.

For structures located in areas of industrial activity, you must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of acid rain and/or other means.

6.2.3.1 Industrial Activities

You must include a list of all the industrial activities at the facility that are exposed to stormwater. Examples of these activities include:

a. Loading and unloading of dry bulk materials or liquids;

b. Outdoor storage of materials;

c. Outdoor liquid storage tanks;

d. Vehicle and equipment fueling;

e. Outdoor manufacturing process area;

f. Access roads, rail cars, and tracks;

g. Waste treatment, storage or disposal including waste ponds, dumpsters, solid waste storage or management;

h. Dust generating process and dust collection devices and vents; and

i. Vehicle and equipment maintenance and cleaning.

6.2.3.2 List of Pollutants

You must include a list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents, etc.) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from your facility.

The pollutant list must include all significant materials that have been handled, treated, stored or disposed, and that have been exposed to stormwater in the three years prior to the date of submission of an NOI to DEQ.

6.2.3.3 Spills and Leaks

You must identify and clearly document where potential spills and leaks could occur that could contribute pollutants to stormwater discharges, and the corresponding outfall(s) that would be affected by such spills and leaks.

You must document all significant spills and leaks of oil or toxic or hazardous substances that actually occurred at exposed areas, or that drained to a stormwater conveyance, in the three years prior to the date you submit an NOI to be covered under this permit and/or the date you prepare or amend your SWP3. Your list must also be updated if significant spills or leaks occurred in exposed areas of your facility during the previous permit period.

Note: Significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 C.F.R. § 110.6 and 40 C.F.R. § 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9602. This permit does not relieve you of the reporting requirements of 40 C.F.R. § 110, 40 C.F.R. § 117, and 40 C.F.R. § 302 relating to spills or other releases of oils or hazardous substances. Significant spills may also include releases of oil or hazardous substances that do not exceed reporting requirements.

6.2.3.4 Allowable Non-Stormwater Discharges

You must document that you have evaluated all sources of allowable non-stormwater that are/will be discharged under this permit. Documentation of your evaluation must include

a. Identification of each allowable non-stormwater source;

b. The location where it is likely to be discharged; and

c. Descriptions of appropriate BMPs for each source.

For flows from emergency firefighting activities, you must include an evaluation regarding potential releases of pollutants from the scene and measures that will be taken by the permittee, as soon as practicable, to reduce any such pollutant releases to avoid or minimize the impact on water quality and to ensure public health and safety.

If you include mist blown from cooling towers amongst your allowable non-stormwater discharges, you must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determine that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs you have selected to control such discharges.

6.2.3.5 Investigation of Unauthorized Non-Stormwater Discharges

You must document that you have inspected your entire facility for the presence of any unauthorized non-stormwater discharges. You must test or evaluate the presence of any unauthorized non-stormwater discharges (see Part 1.3 for the exclusive list of allowable non-stormwater discharges under this permit), including testing or inspecting (e.g., screening for dry weather flows) for the presence of any non-stormwater in your facility's storm sewer system.

Documentation of your testing or evaluation must include the following:

a. The date of the testing or evaluation,

b. A description of the test or evaluation criteria and testing method used,

c. Identification of significant sources of any unauthorized non-stormwater discharges,

d. A description of the results of any test or evaluation performed for the presence of any unauthorized non-stormwater discharges,

e. A list of the outfalls or onsite drainage points that were directly observed during the testing or evaluation, and

f. The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), or documentation that a separate OPDES permit was obtained. For example, *a floor drain was sealed, a sink drain was re-routed to sanitary, or an OPDES permit application was submitted for an unauthorized cooling water discharge.*

You must include a separate certification in the SWP3 that all discharges (i.e., outfalls) have been tested or evaluated for the presence of any unauthorized non-stormwater discharge (see Part 2.1.2.9 and Part 6.2.7.3).

6.2.3.6 Salt Storage Piles

You must document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes, if applicable.

6.2.3.7 Coal Storage Piles

You must document the location of any coal storage piles used for commercial or industrial purposes, if applicable (see also Part 2.1.4 for numeric effluent limitations).

6.2.3.8 Sampling Data Summary

You must include a brief summary of all stormwater discharge sampling data collected at the facility during the three years prior to the date of the submission of an NOI and include it in the SWP3.

The summary shall include a narrative description (and may include data tables/figures) that adequately summarizes the collected sampling data to support identification of potential pollution sources at your facility.

New dischargers and new sources must provide a summary of any available stormwater runoff data.

6.2.4 Substantially Identical Outfall(s)

You must document the following in your SWP3 if you plan to use the substantially identical outfall(s) (as defined in Part 9 of this permit) exception for your quarterly visual monitoring requirements in Part 4.2.1 or impaired waters monitoring requirements in Part 4.2.3 (see also Part 4.1.1):

1. Location of each of the substantially identical outfalls;
2. Description of the general industrial activities conducted in the drainage area of each outfall;
3. Description of the control measures implemented in the drainage area of each outfall;
4. Description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to stormwater discharges;
5. An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
6. Discuss why the outfalls are expected to discharge substantially identical effluents.

6.2.5 Description of Stormwater Controls to Meet Technology-Based and Water Quality-Based Effluent Limits

You must describe the type and location of the different stormwater control measures you have specifically chosen, designed, and/or implemented to comply with non-numeric and numeric effluent limits.

1. **Control measures to meet non-numeric technology-based effluent limits in Part 2.1.2**

   Describe the type of stormwater control measures that will be used to prevent or effectively reduce pollution in stormwater discharges from the facility. Provide detailed descriptions of the following minimum components:

   a. **Minimize Exposure** (see Part 2.1.2.1) - Describe controls or practices that will be used to minimize the exposure of industrial activities to rain, snow, snowmelt, and runoff. Describe where and how the controls or practices are being implemented at your facility.

   b. **Good Housekeeping** (see Part 2.1.2.2) – Describe what you will do to keep clean all exposed areas of the facility that are potential sources of pollutants. Common problem areas include, but are not limited to areas around trash containers, storage areas, and loading/unloading docks.

   c. **Maintenance** (see Part 2.1.2.3) – Describe what you will do to keep all of the control measures that are used to achieve the effluent limits in this permit, as well as all industrial equipment and systems, in effective operating condition to minimize pollutant discharges.

   d. **Spill Prevention and Response** (see Part 2.1.2.4) - Describe the structural and non-structural controls that will be used to minimize the chance of leaks, spills or other releases of hazardous chemicals. For preventing spills, include the control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. Specify clean-up equipment, procedures and spill logs, as appropriate, in the event of spills (also see Appendix B of this permit).

   e. **Erosion and Sediment Controls** (see Part 2.1.2.5) – Describe all the structural controls (such as vegetated cover, vegetated swale, contouring slopes, retention/detention basins, catch basins, check dams, and other similar structures), along with their locations, and non-structural controls that will be used to address soil erosion and sedimentation problems at the facility.

   f. **Stormwater Runoff Management** (see Part 2.1.2.6) - Describe the type of controls (such as berms, industrial stormwater ponds, infiltration systems, green infrastructure or other similar structures) that you will use at your site to divert, contain, reuse, infiltrate or otherwise reduce stormwater runoff or otherwise reduce pollutants in stormwater discharges. Describe the location at the facility where each control is implemented.

      DEQ encourages the use of *green infrastructure* (such as rainwater harvesting, rain garden, bioswales, permeable pavements, green streets, green parking, green roof, etc.) to manage stormwater runoff from your facility.

   g. **Salt Storage Piles or Piles Containing Salt** (see Part 2.1.2.7) – If applicable, describe appropriate control measures that you will use to minimize or prevent the discharge of stormwater from such piles.

   h. **Dust Generation and Vehicle Tracking of Industrial Materials** (see Part 2.1.2.8) - Describe the control measures and procedures that will be used to minimize generation of dust and offsite tracking of raw, final or waste materials to minimize pollutant discharges.

2. **Control measures to meet applicable sector-specific non-numeric effluent limits in Part 10**

   Describe all the appropriate control measures that will be used at your site to comply with any sector-specific requirements in Part 10 of this permit.

3. **Control measures to meet applicable numeric effluent limitations guidelines-based limits in Part 2.1.3**

   If applicable, describe all the appropriate control measures or procedures that will be implemented at your site to meet the effluent limitations guidelines-based limits.

4. **Control measures to meet applicable sector-specific numeric effluent limits in Part 10**

   If applicable, describe all the appropriate control measures or procedures that will be implemented at your site to meet the sector-specific numeric effluent limits.

5. **Control measures to meet applicable water quality-based effluent limits in Part 2.2**

   Describe the measures that will be implemented at your site to control industrial stormwater discharges to meet applicable water quality standards (i.e., your discharge must not cause or contribute to an exceedance of applicable water quality standards).

6. **Any additional measures that formed the basis of eligibility regarding threatened and endangered species, critical habitat, and/or historic properties in Part 2.3**

   Describe all the appropriate control measures or procedures to protect the threatened and endangered species, critical habitat, and/or historic properties from the pollutants in your stormwater discharge.

Regarding your stormwater control measures, you must also document, as appropriate:

1. How you addressed the selection and design considerations in Part 2.1.1; and
2. How they address the pollutant sources identified in Part 6.2.3.

6.2.6 Procedures and Schedules

6.2.6.1 Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 2

The following must be documented in your SWP3:

a. **Good Housekeeping** (see Part 2.1.2.2) – Describe how the selected practices in Part 6.2.5.1 will keep clean all exposed areas of the facility that are potential sources of pollutants and are appropriate for the facility to control pollution. Provide a schedule or the convention used for determining when pickup and disposal of waste materials occurs. Also provide a schedule for routine inspections for leaks and conditions of drums, tanks and containers. Maintain a housekeeping log or documentation in the SWP3.

b. **Spill Prevention and Response Procedures** (see Part 2.1.2.4) – Procedures for preventing and responding to spills and leaks, including notification procedures that will be/have been followed at the facility. You may reference the existence of other plans for Spill Prevention Control and Countermeasures (SPCC) developed for the facility under Section 311 (aka Section 1321) of the CWA or BMP programs otherwise required by an OPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review.

c. **Maintenance** (see Part 2.1.2.3) – Describe maintenance procedures, including regular inspections, testing, maintenance and repair of all control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line. The SWP3 shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 2.

d. **Erosion and Sediment Controls** (see Part 2.1.2.5) – Describe how the selected practices in Part 6.2.5.1 will minimize the discharge of sediment and are appropriate for the facility to control pollution. In addition, your SWP3 must include a maintenance program for all the structural BMPs at your facility to ensure effective operation. If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose.

e. **Stormwater Runoff Management** (see Part 2.1.2.6) – Procedures to divert, infiltrate, contain, reuse, or otherwise reduce stormwater runoff to minimize pollutants in your discharges.

f. **Salt Storage Piles or Piles Containing Salt** (see Part 2.1.2.7) – Procedures and schedules that you will use (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.

6.2.6.2 Pertaining to Control Measures Used to Comply with Sector Specific Effluent Limits in Part 10

Describe any procedures and schedules that will be used at your site to comply with any sector-specific requirements that apply to your facility in Part 10 of this permit. Describe the location at your site where each control and/or procedure will be implemented.

6.2.6.3 Pertaining to Inspections

You must document in your SWP3 your procedures for performing, as appropriate, the types of inspections specified by this permit (see Part 3).

You must identify the following information in your SWP3 for each type of inspection performed:

a. Person(s) or positions of person(s) responsible for inspections;

b. Schedules for conducting inspections, including tentative schedules during irregular stormwater runoff discharges (see Part 3.3); and

c. Specific items to be covered by the inspection, including schedules for specific outfalls.

If you are invoking the exception for inactive and unstaffed sites relating to routine facility inspections, you must include in your SWP3 the information to support this claim as required by Part 3.3 and Part 4.2.1.3.

6.2.6.4 Pertaining to Monitoring

You must document in your SWP3 procedures for conducting the following types of monitoring specified in this permit, see Part 4, where applicable to your facility, including:

a. Quarterly visual monitoring of stormwater discharges (see Part 4.2.1),

b. Annual effluent limitations guidelines monitoring (see Part 4.2.2),

c. Impaired waters monitoring (see Part 4.2.3), and

d. Other monitoring as required by DEQ (see Part 4.2.4).

For each type of monitoring, you must document the following in your SWP3:

a. Person(s) or position(s) of person(s) responsible for conducting stormwater sampling;

b. Locations where samples are collected, including any determination that two or more outfalls are substantially identical;

c. Parameters for sampling and the frequency of sampling for each parameter, if applicable;

d. Procedures for sample collection and handling;

e. Procedures for sending samples to a certified laboratory (including identifying the laboratory or laboratories to be used);

f. Schedules for monitoring at your facility, including schedule for alternative monitoring periods for climates with irregular stormwater runoff, see Part 4.1.6; and

g. Any numeric control values, e.g., effluent limitations guidelines, TMDL or watershed plan-related requirements, or other requirements, applicable to discharges from each outfall.

If you are invoking the exception for inactive and unstaffed sites for quarterly visual monitoring and/or impaired waters monitoring, you must include in your SWP3 the information to support this claim as required by Part 4.2.1.3 and Part 4.2.3.2.

6.2.6.5 Pertaining to Corrective Actions

You must document in the SWP3 your procedures for performing corrective actions, as appropriate, specified by this permit; see Part 5. You must identify the following information in your SWP3 for each corrective action performed:

a. Person(s) or positions of person(s) responsible for corrective action;

b. Description of the condition triggering the need for corrective action and the date the condition was identified;

c. Dates and times when each corrective action was initiated and completed;

d. Description of immediate actions taken pursuant to Part 5.3.1 to minimize or prevent the discharge of pollutants; and

e. Summary of corrective actions taken or to be taken as a result of the conditions listed in Part 5.1 or Part 5.2; or

f. For triggering events in Part 5.2 where you determine that corrective action is not necessary, the basis for this determination.

6.2.6.6 Pertaining to Employee Training

You must develop a training program for your employee(s) and provide training to all employees who are responsible for implementing or maintaining activities identified in the SWP3. Your employee training plan must include, at a minimum, all of the requirements set forth in Part 2.1.2.10, as well as the following elements:

a. The content of the training;

b. The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit; and

c. Records of training activities and attendance lists.

You must provide training regarding SWP3 compliance to all sub-contractors/personnel whose activities may generate or contribute to pollutants at the facility. Employee training shall be conducted at least annually, or more often if employee turnover is high.

In addition, you must provide training to those employees at the facility who are not directly responsible for implementing or maintaining activities identified in the SWP3, and who do not participate in the regular employee training program. At a minimum, these employees must be informed of the basic goals of the SWP3 and how to contact the stormwater pollution prevention team regarding stormwater issues.

6.2.7 Documentation to Support Other Eligibility Considerations

6.2.7.1 Documentation Regarding Endangered and Threatened Species and Critical Habitat Protection

You must keep with your SWP3 the documentation supporting your determination with regard to Part 1.9.7.

a. Information on Threatened or Endangered Species or Critical Habit

Include information on whether listed or endangered species, or critical habitat, are found in proximity to your facility (see Appendix A).

b. Determine if Your Facility is Within a Sensitive Water or Watershed

Examine the map in Appendix A to determine if your industrial facility is located within or outside a federal or state sensitive water or watershed.

c. Document the Results of Your Screening

Document your determinations regarding endangered or threatened species, or critical habitat, and the procedures followed.

d. Describe the Protection Measures Required

If your industrial facility is within a sensitive water or watershed, describe measures necessary to protect endangered or threatened species, or critical habitat, including any terms or conditions that are imposed under the eligibility requirements of Part 1.9.7. If you fail to describe and implement such measures, your discharges are ineligible for coverage under this permit.

6.2.7.2 Documentation Regarding Historic Properties

You must keep with your SWP3 the documentation supporting your determination with regard to Part 1.9.10.

6.2.7.3 Certification Regarding Unauthorized Non-Stormwater Discharges

You must include a separate certification in the SWP3 that all discharges, i.e., outfalls, have been tested or evaluated for the presence of any unauthorized non-stormwater discharge, see Part 2.1.2.9, and that such unauthorized non-stormwater discharges are not present or have been eliminated.

The certification must be signed in accordance with Part 8.16 of this permit, and must include, at a minimum, the information required by Part 6.2.3.5.

Failure to include a certification in the SWP3 regarding unauthorized non-stormwater discharges is a violation of the permit.

6.2.8 Operator/Owner Certification

The SWP3 must include a certification signed by the operator/owner and dated in accordance with Part 8.16 of this permit.

6.2.9 Required SWP3 Review and Modifications

You must review your SWP3 at least annually and modify your SWP3 if:

1. There is any construction or a change in design, operation, or maintenance at the facility that changes the nature of pollutants discharged in stormwater from your facility, or significantly increases the quantity of pollutants discharged;
2. Your control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this permit;

3. A required control measure was never installed, was installed incorrectly, or not in accordance with Part 2 and/or Part 10, or is not being properly operated or maintained; or
4. Whenever a routine inspection, visual monitoring or comprehensive site evaluation shows evidence of stormwater pollution.

After conducting annual review of your SWP3, you must update site map(s) of your facility for any changes that occurred during the past year.

You must modify your SWP3 based on the corrective actions and deadlines required under Part 5.3 and that you documented under Part 5.3.3.

Any modifications to your SWP3 must be signed and dated in accordance with Part 8.16.

6.2.10 Additional Documentation Requirements

You must maintain the following complete and up-to-date records with your SWP3 to demonstrate full compliance with permit conditions:

1. A copy of the NOI submitted to DEQ along with any correspondence exchanged between you and DEQ specific to authorization under this permit;
2. A copy of the DEQ authorization under the 2022 OKR05 permit;
3. A copy of this permit (an electronic copy easily available to SWP3 personnel is also acceptable);
4. Maintenance plan of structural stormwater controls/BMPs;
5. Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.1.2.3);
6. All inspection reports, including the Routine Facility Inspection Reports (see Part 3.2), Quarterly Visual Monitoring Reports (see Part 4.2.1), Discharge Monitoring Reports (DMRs) (see Part 4.2.2), and Annual Comprehensive Site Compliance Evaluation Reports (ACSCERs) (see Part 7.3);
7. Description of any deviations from the schedule for visual monitoring and/or other required monitoring and the reason(s) for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event) (see Part 4.2.1.3 and Part 4.1.5);
8. Corrective action documentation required per Part 5.3.3;
9. Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if you discharge directly to impaired waters, and that such pollutants were not detected in your discharge or were solely attributable to natural background sources (see Part 4.2.3.1); and
10. Documentation to support your claim that your facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 3.1), quarterly visual monitoring (see Part 4.2.1), and/or impaired waters monitoring (see Part 4.2.3).

6.3 SWP3 Availability

You must retain a complete copy of your current SWP3 required by this permit at the facility in any accessible format, along with the following associated documents:

1. A copy of the authorization;
2. Documentation of maintenance and repairs of control measures;

3. Records of all inspection reports;
4. All sampling and monitoring data;
5. Original copies of the laboratory reports, if any;
6. Corrective action documentations;
7. Completed Annual Comprehensive Site Compliance Evaluation Reports (ACSCER); and
8. Any other reports required by this permit.

A complete SWP3 includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 1.1 of this permit, as well as your signed and dated certification page.

Regardless of the format, the SWP3 and other associated documents must be immediately available to facility employees, DEQ, EPA, the staff of an MS4 into which you discharge, and representatives of the U.S. Fish and Wildlife Service (USFWS) at the time of an onsite inspection.

DEQ encourages you to make your SWP3 available to the public for viewing in any accessible format during normal business hours (except any confidential business information (CBI) or restricted information). If you do withhold CBI, you should clearly identify those portions of the SWP3 that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within DEQ, EPA, USFWS, or an MS4.

Part 7 Reporting and Recordkeeping

7.1 Reporting Monitoring Data to DEQ

You must submit all monitoring data collected pursuant to Part 4.2, except Part 4.2.1 and Part4.2.3, to DEQ electronically using the eDMR (electronic Discharge Monitoring Report) tool available on DEQ's website no later than the 15th day of the month after the end of the reporting period for all monitored discharge points/outfalls. If your facility does not have any discharges during the reporting period, you are still required to submit an eDMR to DEQ stating "No Discharge" each year by January 15.

Instructions on how to register as a Preparer or Signatory for eDMR, as well as how to prepare and submit eDMR, can be found on DEQ's website. Assistance is also available by contacting DEQ at (405) 702-8100 or deqreporting@deq.ok.gov.

If you collect samples more frequently than required by this permit, you must report all sampling results on your eDMR.

7.2 Reporting Monitoring Data to Regulated MS4

If you discharge stormwater associated with industrial activity through a regulated MS4, you must also submit signed copies of your DMR to the operator of the MS4 in accordance with dates in Part 4.1.

7.3 Annual Reporting Requirement

You must complete an Annual Comprehensive Site Compliance Evaluation Report (ACSCER) using the **DEQ Form 606-005**, which is available on the DEQ's website, each year by **March 1**, containing information generated from the past calendar year and retain a copy of the completed ACSCER with the SWP3. ACSCERs are not required to be submitted to DEQ, unless specifically requested by DEQ. However, completed ACSCERs must be maintained with the SWP3 and make it available to DEQ upon request. If your authorization becomes effective less than one month from the end of the yearly monitoring period, your first monitoring period starts with the next respective annual monitoring period. Failure to complete an ACSCER each year by March 1 will be considered a violation of the permit.

At a minimum, your documentation of the comprehensive site compliance evaluation must include operator information, facility location and the scope of the inspections/monitoring/corrective actions, the name(s) of personnel making the inspections/monitoring, the date(s) of the inspections/monitoring/corrective actions, and major observations relating to the implementation of the SWP3. Major observations should include:

1. A summary of your past year's routine facility inspection documentation (see Part 3.2) such as unidentified discharges of pollutants, control measures' maintenance, repair and/or replacement, any incidents of non-compliance observed, any additional control measures needed to comply with the permits, along with their locations, and any changes made to the SWP3 as a result of the inspections;
2. The location(s) of discharges of pollutants from the site, evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall(s), including flow dissipation measures to prevent scouring;
3. A summary of your past year's quarterly visual monitoring documentation (see Part 4.2.1 of the permit);
4. A summary of your past year's effluent limitation violations, if applicable;
5. A description of any incidents of noncompliance in the past year or currently ongoing or, if none, a statement that you are in compliance with the permit;
6. A summary of your past year's corrective action documentation (see Part 5.3.3). If corrective action is not yet completed at the time of submission of your annual report, you must describe the status of any outstanding corrective action(s);

7. A summary description of the annual review of your SWP3 and any SWP3 modifications that you made during the annual reporting year; and
8. A signed certification in accordance with Part 8.16 of this permit.

You must retain a record of actions taken in accordance with this Part as part of the SWP3 for at least three years from the date that permit coverage expires or is terminated. The inspection reports must identify any incidents of non-compliance.

Where an inspection report does not identify any incidents of non-compliance, the inspection report must contain a signed certification that the facility is in compliance with the SWP3 and this permit. Both the inspection report and any reports of follow-up actions must be signed in accordance with Part 8.16.

7.4 Exceedance Report for Numeric Effluent Limitations

If follow-up monitoring per Part 4.2.2.3 exceeds a numeric effluent limit, you must submit an exceedance report to DEQ no later than 30 days after you have received your laboratory results to the address listed in Part 1.10.5.

Your report must include:

1. Your DEQ authorization number;
2. Your facility name, physical address and location;
3. The name of the receiving water;
4. Monitoring data from this and the preceding monitoring event(s);
5. An explanation of the situation, including what you have done and intend to do (should your corrective actions not yet be complete) to correct the violation; and
6. An appropriate contact name and phone number.

7.5 Additional Reporting

You must submit any other reports required by DEQ to the address listed in Part 1.10.5. In addition to the reporting requirements specified in Part 7, you are also subject to the standard permit reporting provisions of Part 8.10.

You must submit the following reports to DEQ:[14]

1. **Reportable quantity spills** (see Part 2.1.2.4) – You must provide notification, as required under Part 2.1.2.4, as soon as you have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity;
2. **Planned changes** (see Part 8.10) – You must give written notice to DEQ promptly, no later than 30 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
3. **Anticipated noncompliance** (see Part 8.10) – You must give advance notice to DEQ of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit requirements. You may plan to implement appropriate stormwater controls, as necessary, to eliminate/reduce such noncompliance;

[14] If you discharge through an MS4, you must also submit copies of these reports to the MS4 operator.

4. **Compliance schedules** (see Part 8.10) – Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days after each schedule date;
5. **Other noncompliance** (see Part 8.10) – You must report all instances of noncompliance not reported in your annual report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and
6. **Other information** (see Part 8.10) – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your NOI, or that you submitted incorrect information in your NOI or in any report.

7.6 Recordkeeping and Retention

You must retain all the following documents for a period of at least three years from the date that your coverage under this permit expires or is terminated:

1. Copies of your SWP3 (including any modifications to it made during the term of this permit);
2. A copy of the NOI submitted to DEQ along with any correspondence exchanged between you and DEQ specific to coverage under this permit and records of all data used to complete the NOI;
3. A copy of the authorization/permit;
4. Documentation of maintenance and repairs of control measures;
5. Records of all inspection reports, all sampling and monitoring data including date of collection, method of sampling, measurement, evaluation, or inspection;
6. Original copies of laboratory reports, if any;
7. Corrective action documentations;
8. Completed Annual Comprehensive Site Compliance Evaluation Reports (ACSCER); and
9. Any other reports required by this permit.

This period may be extended by written notification from DEQ at any time. The permittee must submit any such records to DEQ upon request.

Part 8 Standard Permit Conditions

8.1 Duty to Comply

You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the CWA, the OPDES Act, and the Oklahoma Environmental Quality Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Penalties for violation of the permit conditions are provided below.

8.1.1 Criminal Penalties

1. **Negligent Violations:** The OPDES Act provides that any person who negligently violates permit conditions is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment in the county jail for not more than 1 year, or by both such fine and imprisonment (27A O.S. § 2-6-206(G)(1)).
2. **Knowing Violations:** The OPDES Act provides that any person who knowingly violates permit conditions is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment in the county jail for not more than 3 years, or both such fine and imprisonment (27A O.S. § 2-6-206(G)(2)).
3. **Knowing Endangerment:** The OPDES Act provides that any person who knowingly violates permit conditions, and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury, is subject to a fine of not more than $250,000, or imprisonment in the State Penitentiary for not more than 15 years, or by both (27A O.S. § 2-6-206(G)(3)).
4. **False Statement:** The OPDES Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or any other document filed or required to be maintained under the OPDES Act, is subject to a fine of not more than $10,000 or by imprisonment for not more than 2 years, or by both (27A O.S. § 2-6-206(G)(4)).

8.1.2 Civil Penalties

The OPDES Act provides that any person who violates a permit condition is subject to a civil penalty not to exceed $10,000 per day for each violation (27A O.S. § 2-6-206(F)).

8.1.3 Administrative Penalties

The OPDES Act provides that any person who violates a permit condition is subject to an administrative penalty of not more than $10,000 per day of violation for each day during which the violation continues. Total amount of such penalty shall not exceed $125,000 per violation (27A O.S. § 2-6-206 (E)).

8.2 Duty to Reapply

If you wish to continue an activity regulated by this permit after the expiration date of this permit, you must apply for and obtain an authorization as required by the new permit once DEQ issues it.

8.3 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

8.4 Duty to Mitigate

You must take all reasonable steps to minimize (as defined in the permit) or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

8.5 Proper Operation and Maintenance

You must, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you to achieve compliance with the conditions of this permit and with the requirements of your SWP3. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

8.6 Property Rights

The issuance of this permit does not convey any property rights of any sort or any exclusive privileges.

8.7 Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. Your filing of a request for a permit modification, revocation and reissuance, or termination, or your submittal of a notification of planned changes or anticipated noncompliance also does not stay any permit condition.

8.8 Duty to Provide Information

You must furnish to DEQ or an authorized representative within a reasonable time, any information which DEQ may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. You must also furnish to DEQ or an authorized representative, upon request, copies of records required to be kept by this permit.

8.9 Inspection and Entry

You must allow DEQ or an authorized representative (including an authorized representative of EPA), or in the case of a facility which discharges through a municipal separate storm sewer system (MS4), an authorized representative of the municipal owner/operator or the MS4 receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon your premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Access and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA and OPDES Act, any substances or parameters at any location.

8.10 Monitoring, Reporting, and Record Retention

8.10.1 Monitoring Requirements

1. Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.
2. Records of monitoring information must include the following:
    a. Date, exact place, and time of sampling or measurements;
    b. Individual(s) who performed the sampling or measurements;
    c. Time(s) analyses or observations were initiated;
    d. Date(s) analyses or observations were performed;

e. Individual(s) who performed the analyses or observations;

f. Analytical techniques or methods used; and

g. Results of such analyses or observations.

3. Monitoring must be conducted according to test procedures approved under 40 C.F.R. Part 136, unless other test procedures have been specified in this permit.

8.10.2 Reporting Requirements

1. **Planned changes**: You must give written notice to DEQ as soon as possible, but no later than 30 days, of any planned physical alterations or additions to the permitted facility. Notice is required only when the alteration or addition:

   a. May meet one of the criteria for determining whether a facility is a new source in 40 C.F.R. § 122.29(b); or

   b. Could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 C.F.R. § 122.42(a)(1).

2. **Anticipated noncompliance**: You must give advance notice to DEQ of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. **Transfers**: This permit is not transferable to any person. Where a facility wants to change ownership or the name of the permittee, the original permittee (the first owner or operators) must submit an NOT pursuant to Part 1.15. The new owner or operator must submit an NOI in accordance with Part 1.10.2 along with a copy of the NOT from the previous owner/operator.

4. **Monitoring reports**: Monitoring results must be reported at the intervals specified elsewhere in this permit.

   a. Pursuant to Part 4, all monitoring data listed in Part 4.2, except Part 4.2.1 and Part 4.2.3, collected must be submitted electronically to DEQ using eDMR tools available on the DEQ's website.

   b. If you monitor any pollutant more frequently than required by the permit using test procedures approved under 40 C.F.R. Part 136 or as specified in the permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the eDMR.

   c. Calculations for all limitations which require averaging of measurements must use an arithmetic mean. For averaging purposes, use a value of zero for any individual sample value which is determined to be less than the method detection limit (MDL). For sample values that fall between the MDL and the minimum quantifiable level (MQL) (i.e., a confirmed detection but below the level that can be reliably quantified), use a value of zero for DMR calculation and report the detection level in the appropriate location of the eDMR tool.

5. **Compliance schedules**: Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days after each schedule date.

6. **Other noncompliance**: You must report all instances of noncompliance at the time monitoring reports are submitted.

7. **Other information**: Where you become aware that you failed to submit any relevant facts in your NOI, or submitted incorrect information in your NOI or in any report to the permitting authority, you must promptly submit such facts or information to DEQ.

8.10.3 Record Retention

You must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date the permit expires or the date the permittee's authorization is terminated. This period may be extended by the request of DEQ at any time.

8.11 Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude DEQ of any legal action or relieve you from any responsibilities, liabilities, or penalties to which you are or may be subject under Section 311 of the CWA or Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980.

8.12 Severability

The provisions of this permit are severable, and if any provision of this permit, or the 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.

8.13 Requirements of Other Environmental Statutes or Regulations

No condition of this permit releases you from any responsibility or requirements under any other applicable environmental Statutes or Regulations.

8.14 Reopener Clause

8.14.1 Procedures for Modification or Revocation

Permit modification or revocation will be conducted according to OAC 252:606-1-3(b) which adopts and incorporates by reference 40 C.F.R. §§ 122.62-122.64 and § 124.5.

8.14.2 Water Quality Protection

If there is evidence indicating that the stormwater discharges authorized by this permit cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, you may be required to obtain an individual permit in accordance with Part 1.14 of this permit, or the permit may be modified to include different limitations and/or requirements.

8.14.3 Timing of Permit Modification

DEQ may elect to modify the permit prior to its expiration (rather than waiting for the new permit cycle) to comply with any new statutory or regulatory requirements, such as for effluent limitation guidelines that may be promulgated in the course of the current permit cycle.

8.15 Availability of Reports

You must retain a complete copy of your current SWP3 and any other reports/documents, as required by this permit, at the facility in any accessible format. A complete SWP3 includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 1.1 of this permit, as well as your signed and dated certification page. Regardless of the format, the SWP3 must be immediately available to facility employees, DEQ, EPA, the operator of an MS4 into which you discharge, and representatives of the U.S. Fish and Wildlife Service (USFWS) at the time of an onsite inspection.

8.16 Signatory Requirements

8.16.1 Signing NOI, NOT and NEC

Notice of Intent (NOI), No Exposure Certification (NEC), Notice of Termination (NOT), and Affidavit of No Discharge (AND) forms must be signed as follows:

1. **For a corporation -** by a responsible corporate officer; for the purpose of this section, a responsible corporate officer means:
    a. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
    b. The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit applications; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. **For a limited liability company (LLC)** – by any member, managing or otherwise.
3. **For a partnership** – by a general partner.
4. **For a sole proprietorship -** by the proprietor (owner).
5. **For a municipality, state, federal, or other public agency -** by a principal executive officer or ranking elected official; for purposes of this section, a principal executive officer of a federal agency includes:
    a. The chief executive officer of the agency; or
    b. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency, e.g., Regional Administrator of EPA.

8.16.2 Signing All Required Reports

All reports required by this permit, including the SWP3 and any changes to the SWP3, any compliance documentation required under this permit, including the Routine Facility Inspection Reports, Visual Monitoring Reports, eDMRs, Exceedance Reports, Corrective Action Reports, ACSCERs, any information/report(s) required by this permit, and any other information requested by DEQ or an authorized representative, must be signed by a person described in Part 8.16.1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. Authorization is made in writing by a person described in Part 8.16.1;
2. Authorization must specify either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
3. Signed and dated written authorization is included in the SWP3. A copy of the authorization must be submitted to DEQ.

8.16.3 Changes to Authorization

If the information on the NOI filed for permit coverage is no longer accurate because the industrial facility has been purchased by a different entity or a different operator has responsibility for the overall operation of the facility, a new NOI satisfying the requirements of Part 1.10 must be submitted to DEQ. However, if the only change that is occurring is a change in contact information or a change in the facility's address, the operator need only make a modification to the existing NOI submitted for authorization. The change in authorization must be submitted within the time frame specified in Part 1.10.4 and sent to the address specified in Part 1.10.5.

8.16.4 Certification

Any person signing documents in accordance with Part 8.16 must include 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 contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained 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."*

Part 9 Definitions

Applicant – any person who is contemplating or planning to submit an NOI for approval, or has submitted an NOI for approval and is waiting for authorization to discharge stormwater under the provisions of this permit.

All Reasonable Steps – means that the permittee has undertaken initial actions to assess and address the conditions requiring corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date.

Base Flood Elevation (BFE) – the computed elevation to which floodwater is anticipated to rise during the base flood. BFEs are shown on the Federal Emergency Management Agency's Flood Maps and on the flood profiles, which can be access through FEMA's Website.

Best Available Technology Economically Achievable (BAT) – the technology standard established by the CWA as the most appropriate means available on a national basis for controlling the direct discharge of toxic and nonconventional pollutants to navigable waters. BAT limitations in effluent guidelines, in general, represent the best existing performance of treatment technologies that are economically achievable within an industrial point source category or subcategory.

Best Conventional Pollutant Control Technology (BCT) – the best available technology modified to reflect only those technologies where the benefits of pollution control are greater than the costs, and applies to certain "conventional pollutants," including biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform, and pH."

Best Management Practices (BMPs) – schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Best Practicable Control Technology Currently Available (BPT) – the first level of technology standards established by the CWA to control pollutants discharged to waters of the U.S. BPT limitations in effluent guidelines are generally based on the average of the best existing performance by plants within an industrial category or subcategory.

Best Professional Judgment (BPJ) – the method used by permit writers to develop technology-based NPDES permit conditions on a case-by-case basis under Section 402(a)(1)(B) of the Clean Water Act that reflect "best available technology" and "best conventional technology," using all reasonably available and relevant data.

Co-located Industrial Activities – any industrial activities, excluding your primary industrial activity(ies), located onsite that are defined by the stormwater regulations at 40 C.F.R. §§ 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the stormwater regulations or identified by the SIC code list in Table 1-3.

Co-located Industrial Facilities – industrial facilities, having different operators, that are located on a common property or adjoining property and that conduct industrial activities described by one or more sectors of this permit.

Control Measures – any stormwater control or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the states. Stormwater control measures can be actions (including processes, procedures, schedules of activities, prohibitions on practices and other management practices), or structural or installed devices to minimize or prevent water pollution.

Conveyances – for the purposes of this permit, stormwater conveyances include any means for conveying a stormwater discharge, such as a drainage system, ditch, swale, pipe, sewer, or municipal separate storm sewer system (MS4). Conveyance also includes any natural channels or tributaries that carry stormwater runoff through and off the facilities property.

Corrective Action – for the purposes of this permit, any action taken, or required to be taken, to (1) repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

Critical Habitat – as defined in the Endangered Species Act at 16 U.S.C. § 1531 for a threatened or endangered species, (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of Section 4 of the Endangered Species Act, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of Section 4 of the Endangered Species Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

CWA – the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. § 1251, *et seq.,* which was enacted in 1948 and amended in 1972 and applicable regulations promulgated thereunder. The CWA made it unlawful to discharge any pollutant from a point source into the waters of United States, unless a permit was obtained.

Discharge – means, when used without qualification, the *discharge of a pollutant*.

Discharge of a Pollutant – any addition of any pollutant or combination of pollutants to the waters of the state from any point source, or any addition of any pollutant or combination of pollutants to the *waters of the state*. This includes additions of pollutants into waters of the state from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Discharge Point/Outfall – for the purposes of this permit, the location where collected and concentrated stormwater flows are discharged from the facility such that the first receiving waterbody into which the discharge flows, either directly or through a separate storm sewer system, is a water of the state. To put it simply, it is the location where stormwater exits your facility.

Discharge-Related Activity – activities that cause, contribute to, or result in stormwater and allowable non-stormwater point source discharges, and measures such as the siting, construction and operation of stormwater controls to control, reduce, or prevent pollution in the discharges.

Discharge to an Impaired Water – for the purposes of this permit, you are considered to discharge to an impaired water if your facility or discharge point is located within one mile of a receiving waterbody which is identified by DEQ on the 303(d) list as not meeting an applicable water quality standard, and requires development of a TMDL (pursuant to Section 303(d) of the CWA), or is addressed by an established TMDL or watershed plan in lieu of a TMDL, or is not in either of the above categories but the waterbody is covered by pollution control requirements that meet the requirements of 40 C.F.R. § 130.7(b)(1). For discharges that enter

a separate storm sewer system prior to discharge, the water of the state to which you discharge is the waterbody that receives the stormwater discharge from the separate storm sewer system. In such a case, you are considered to discharge to the impaired water if your facility is located within one mile of the separate storm sewer system outfall that discharges to the impaired water.

Effective Operating Condition – for the purposes of this permit, a stormwater control is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to minimize pollutant discharges.

Effluent Limitations – for the purposes of this permit, any of the requirements described in Part 2.

Effluent Limitations Guideline (ELG) – defined in 40 C.F.R. § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

Eligible Discharge – for the purposes of this permit, stormwater and allowable non-stormwater discharges that are authorized for coverage under this permit.

Endangered Species – defined in the Endangered Species Act at 16 U.S.C. § 1531 as any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insects determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man.

Executive Director – the chief administrator of the DEQ or an authorized representative.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an OPDES general or individual permit.

Facility or Activity – any OPDES point source (including land or appurtenances thereto) that is subject to regulation under the OPDES Act.

Feasible – means, for the purposes of this permit, technologically possible and economically practicable and achievable in light of best industry practices.

Flow-Weighted Composite Sample – a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

Grab Sample – a water sample that is collected at once, in a clean and clear glass or plastic container, from the specific water/stormwater source (from the facility's stormwater outfall(s)/discharge point(s).

Green Infrastructure – defined in Section 502 of the Clean Water Act as "...the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspirate stormwater and reduce flows to sewer systems or to surface waters."

Hazardous Materials or Hazardous Substances or Toxic Materials – for the purposes of this permit, any liquid, solid, or contained gas that contains properties that are dangerous or potentially harmful to human health or the environment. (See also 40 C.F.R. § 261.2.)

Historic Property – as defined in the National Historic Preservation Act regulations, any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic

Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

Immediately – means you must, on the same day you identify that a control measure needs to be maintained, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to take action, the initiation of action must begin no later than the following work day.

Impaired Water (or Water Quality Impaired Water) – for the purposes of this permit, waters identified by the state as not meeting an applicable water quality standard and requiring development of a TMDL (pursuant to Section 303(d) of the CWA), or being addressed by an established TMDL or watershed plan in lieu of a TMDL. For discharges that enter a separate storm sewer system prior to discharge, the first water of the state to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

Indian Country or Indian Country Lands – (1) All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; (2) All dependent Indian communities with the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and (3) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. (See also 40 C.F.R. § 122.2.)

Infeasible – means, for the purposes of this permit, not technologically possible or not economically practicable and achievable in light of best industry practices.

Industrial Activity – the 10 categories of industrial activities included in the definition of *stormwater discharges associated with industrial activity* as defined in 40 C.F.R. §§ 122.26(b)(14)(i)-(ix) and (xi).

Industrial Stormwater – stormwater runoff from industrial activity.

Minimize – to reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

Municipal Separate Storm Sewer (MS4) – is defined at 40 C.F.R. § 122.26(b)(8) as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- designed or used for collecting or conveying stormwater;
- that is not a combined sewer; and
- that is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 C.F.R. § 122.2. See also 40 C.F.R. §§ 122.26(b)(4) and (7).

New Discharger – a facility from which there is or may be a discharge of pollutants, that did not commence the discharge of pollutants at a particular site prior to August 13, 1979, which is not a new source, and which has never received an NPDES/OPDES permit for discharges at that site. (See 40 C.F.R. § 122.2.)

New Source – any building, structure, facility, or installation from which there is or may be a *discharge of pollutants*, the construction of which commenced:

- After promulgation of standards of performance under Section 306 of the CWA which are applicable to such source, or
- After proposal of standards of performance in accordance with Section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal. (See 40 C.F.R. § 122.2.)

NSPS – New Source Performance Standards.

No Exposure – means that all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. (See 40 C.F.R. § 122.26(g).)

Non-Stormwater Discharges – discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, pavement wash water, external building washdown, irrigation water, or uncontaminated ground water or spring water.

Notice of Intent (NOI) – the form required for authorization of coverage under the Multi-Sector General Permit OKR05.

Notice of Termination (NOT) – the form required for terminating coverage under the Multi-Sector General Permit OKR05.

Operator – any entity with a stormwater discharge associated with industrial activity that meets either of the following two criteria:

1. The entity has operational control over industrial activities, including the ability to make modifications to those activities; or
2. The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Outfall – see *Discharge Point*.

Oklahoma Water Quality Standards – State rules which establish classifications of uses of waters of the state, criteria to maintain and protect such classifications, and other standards or policies pertaining to the quality of such waters.

Permittee – the owner, operator or *you* in relation to any industrial facility eligible for or requiring an authorization under this permit.

Point Source – any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant – a partial listing from this definition includes: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. (See 40 C.F.R. § 122.2.)

Pollutant of Concern – a pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in the latest 303(d) list, a TMDL report, or watershed plan in lieu of a TMDL.

Primary Industrial Activity – any activity performed onsite which is (1) identified by the facility's primary SIC code and included in the descriptions of 40 C.F.R. §§ 122.26(b)(14)(ii), (iii), (vi), or (viii); or (2) included in the narrative descriptions of §122.26(b)(14)(i), (iv), (v), (vii), or (ix). Narrative descriptions in 40 C.F.R. § 122.26(b)(14) identified above include: (i) activities subject to stormwater effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 million gallons per day (mgd) or more.

Qualified Personnel – personnel who are knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, who possess the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.

Runoff – when rain or snow falls onto the earth, a portion of it seeps into the ground and most of it flows downhill as runoff. Runoff is part of the rain, snow melt, or irrigation water that appears in uncontrolled surface streams, rivers, drains or sewers.

Runoff Coefficient – the fraction of total rainfall that will appear at the conveyance as runoff.

Run-On – sources of stormwater that drain onto the regulated facility's property from land located upslope or upstream from the regulated facility in question.

Significant Materials – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges. (See 40 C.F.R. § 122.26(b)(12).)

Spill – for the purpose of this permit, the release of a hazardous or toxic substance from its container or containment.

Stormwater – stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Controls – see *Control Measures*.

Stormwater Discharges Associated with Construction Activity – for the purpose of this permit, a discharge of pollutants in stormwater runoff from areas where land-disturbing activities (e.g., clearing, grading, or excavating) occur, or where construction materials or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located. (See 40 C.F.R. §§ 122.26(b)(14)(x) and (15).)

Stormwater Associated with Industrial Activity – stormwater that, if allowed to discharge, would constitute *a discharge of stormwater associated with industrial activity* as defined at OAC 252:606-1-3(b) which adopts and incorporates by reference 40 C.F.R. § 122.26(b)(14).

Stormwater Pollution Prevention Team – the group of individuals responsible for oversight of the SWP3 development process, installation of different types of structural BMPs/stormwater controls, who will supervise and implement the housekeeping program, who will maintain the BMPs, document changes to the SWP3, provide staff training, and communicate the changes in the SWP3 to the people working on the site and oversight of compliance with the permit requirements. The individuals on the *Stormwater Pollution Prevention Team* must be identified in the SWP3.

Substantially Identical Outfalls - two or more outfalls that discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of their drainage areas. You may monitor the effluent of just one of these outfalls and report that the results also apply to the substantially identical outfall(s).

Storm Event – a precipitation event that results in a measurable amount of precipitation**.**

Total Maximum Daily Load (TMDL) – a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a margin of safety (MOS) and account for seasonal variations.

Upset – an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond your reasonable control. 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. (See 40 C.F.R. § 122.41(n)(1).)

Visual Assessment – the observation of stormwater discharges from the discharge points at a facility during and/or after a rain event or snow melt. It includes taking a sample at each discharge point, conducting a visual observation of the discharge, and assessing the sample in a well-lit area.

Waters of the State – all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, storm sewers and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof, including under all circumstances the waters of the United States which are contained within the boundaries of, flow through or border upon this state or any portion thereof. Waste

treatment systems, including treatment ponds or lagoons designed to meet federal and state requirements other than cooling ponds as defined in the Clean Water Act or rules promulgated thereto and prior converted cropland are not waters of the state. (See 27A O.S. § 1-1-201.)

Part 10 Sector Specific Requirements for Industrial Activity

You must comply with the requirements applicable to your industrial sector(s) in this Part, in addition to the requirements applicable to all facilities in Parts 1 through 8 and the appendices to this permit.

You must comply with Part 10 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Part 9. The sector-specific requirements apply to those areas of your facility where these sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

Sector-specific Industrial Stormwater Factsheets for each of the 29 industrial sectors regulated by the OKR05 permit are available on the EPA's website. Each fact sheet describes the types of facilities included in the sector, typical pollutants associated with the sector, and types of stormwater control measures used to minimize the discharge of the pollutants.

Sector A Timber Products

A.1 Covered Stormwater Discharges

The requirements in Sector A apply to stormwater discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified under Sector A in Table 1-3 of this permit.

A.2 Industrial Activities Covered by Sector A

The types of activities that permittees under Sector A are primarily engaged in:

1. Log storage or handling areas of timber cutting and pulpwood;
2. General sawmills and planing mills, including merchant, lath, shingle, cooperage stock, structural wood, plywood and veneer;
3. Producing lumber and wood basic materials;
4. Wood preserving;
5. Manufacturing finished articles made entirely of wood or related materials except wood kitchen cabinet manufacturers; and
6. Manufacturing wood buildings or mobile homes.

A.3 Limitation on Coverage

A.3.1 Prohibition of Discharges

Not covered by this permit*:* stormwater discharges from areas where there may be contact with the chemical formulations sprayed to provide surface protection. These discharges must be covered by a separate OPDES permit. (See also Part 1.9.)

A.3.2 Authorized Non-Stormwater Discharges

Also authorized by this permit, provided the non-stormwater component of the discharge is in compliance with the requirements in Part 2.1.2 (non-numeric effluent limits): discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray down waters and no chemicals are applied to the wood during storage. (See also Part 1.3.)

A.4 Additional Technology-Based Effluent Limits

Good Housekeeping: In areas where storage, loading and unloading, and material handling occur, perform good housekeeping to minimize the discharge of wood debris, leachate generated from decaying wood materials, and the generation of dust. (See also Part 2.1.2.2.)

A.5 Additional SWP3 Requirements

A.5.1 Drainage Area Site Map

Identify on the site map where any of the following may be exposed to precipitation or surface runoff: processing areas; treatment chemical storage areas; treated wood and residue storage areas; wet decking areas; dry decking areas; untreated wood and residue storage areas; and treatment equipment storage areas. (See also Part 6.2.2.)

A.5.2 Inventory of Exposed Materials

Where such information exists, if your facility has used chlorophenolic, creosote or chromium-copper-arsenic formulations for wood surface protection or preserving, document in your SWP3 the following: areas where contaminated soils, treatment equipment, and stored materials still remain, and the management practices employed to minimize the contact of these materials with stormwater runoff. (See also Part 6.2.3)

A.5.3 Description of Stormwater Management Controls

Describe and implement measures to address the following activities and sources: log, lumber and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment and vehicle maintenance, storage and repair areas. If your facility performs wood surface protection and preservation activities, address the specific control measures, including any BMPs, for these activities. (See also Part 2.1.)

A.5.4 Additional Inspection Requirements

If your facility performs wood surface protection and preservation activities, inspect processing areas, transport areas, and treated wood storage areas monthly to assess the usefulness of practices to minimize the deposit of treatment chemicals on unprotected soils in areas that will come into contact with stormwater discharges. (See also Part 3.1.)

A.6 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table A-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7)

Sector Table A-1 Timber Products Sector-Specific Effluent Limitation

Industrial Activity	Parameter	Numeric Limitation
Discharges resulting from spray down or intentional wetting of logs at wet decking storage areas (SIC Code 2411)	pH	6.5 - 9.0 s.u.
	Debris (woody material such as bark, twigs, branches, heartwood, or sapwood)	No Discharge of debris that will not pass through a 2.54 cm (1") diameter round opening

Sector B Paper and Allied Products

B.1 Covered Stormwater Discharges

The requirements in Sector B apply to stormwater discharges associated with industrial activity from Paper and Allied Products Manufacturing facilities, as identified by the SIC Codes specified under Sector B in Table 1-3 of this permit.

B.2 Industrial Activities Covered by Sector B

The types of activities that permittees under Sector B are primarily engaged in:

1. Manufacture of pulps from wood and other cellulose fibers and from rags;
2. Manufacture of paper and paperboard into converted products, i.e., paper coated off the paper machine, paper bags, paper boxes and envelopes; and
3. Manufacture of bags of plastic film and sheet.

B.3 Monitoring and Reporting Requirements

Quarterly Visual Monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector C Chemical and Allied Products Manufacturing

C.1 Covered Stormwater Discharges

The requirements in Sector C apply to stormwater discharges associated with industrial activity from Chemical and Allied Products Manufacturing facilities as identified by the SIC Codes specified under Sector C in Table 1-3 of this permit.

C.2 Industrial Activities Covered by Sector C

The types of activities that permittees under Sector C are primarily engaged in are manufacturing the following products:

1. Basic industrial inorganic chemicals;
2. Plastic, synthetic, and resins, synthetic rubbers, and cellulosic and other human-made fibers, except glass;
3. Soap and other detergents, including facilities producing glycerin from vegetable and animal fats and oils; specialty cleaning, polishing and sanitation preparations; surface active preparations used as emulsifiers, wetting agents and finishing agents, including sulfonated oils; and perfumes, cosmetics and other toilet preparations;
4. Paints (in paste and ready mixed form); varnishes; lacquers; enamels and shellac; putties, wood fillers, and sealers; paint and varnish removers; paint brush cleaners; and allied paint producers;
5. Industrial organic chemicals;
6. Industrial and household adhesives, glues, caulking compounds, sealants, and linoleum, tile and rubber cements from vegetable, animal or synthetic plastic materials; explosives; printing ink, including gravure, screen process and lithographic inks; miscellaneous chemical preparations such as fatty acids, essential oils, gelatin (except vegetable), sizes, bluing, laundry soaps, writing and stamp pad ink, industrial compounds such as boiler and heat insulating compounds, and chemical supplies for foundries;

7. Inks and paints, including china painting enamels, India ink, drawing ink, platinum paints for burnt wood or leather work, paints for china painting, artists' paints and artists' water colors; and
8. Petroleum Refining (SIC Code 2911).

C.3 Limitations on Coverage

C.3.1 Prohibition of Non-Stormwater Discharges

The following are not covered by this permit: non-stormwater discharges containing inks, paints or substances (hazardous, non-hazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; wash water from material handling and processing areas; and wash water from drum, tank or container rinsing and cleaning. (See also Part 1.3.)

C.4 Additional Technology-Based Effluent Limits

C.4.1 Good Housekeeping Measures

Common areas where good housekeeping practices should be followed include trash containers and adjacent areas, material storage areas, vehicle and equipment maintenance areas, and loading docks. Good housekeeping practices must include a schedule for regular pickup and disposal of garbage and waste materials and routine inspections of drums, tanks, and containers for leaks and structural conditions. Practices also include containing and covering garbage, waste materials, and debris. Involving employees in routine monitoring of housekeeping practices has proven to be an effective means of ensuring the continued implementation of these measures. (See also Part 2.1.2.2.)

C.4.2 Minimize Exposure

Where feasible, minimizing exposure of potential pollutant sources to precipitation is an important control option. Minimizing exposure prevents pollutants, including debris, from coming into contact with precipitation and can reduce the need for BMPs to treat contaminated stormwater runoff. It can also prevent debris from being picked up by stormwater and carried into drains and surface waters.

C.4.3 Erosion and Sediment Control

BMPs must be selected and implemented to limit erosion on areas of your site that, due to topography, activities, soils, cover, materials, or other factors are likely to experience erosion. Erosion control BMPs such as seeding, mulching, and sodding prevent soil from becoming dislodged and should be considered first. Sediment control BMPs such as silt fences, sediment ponds, and stabilized entrances trap sediment after it has eroded. Sediment control BMPs should be used to back up erosion control BMPs.

C.4.4 Management of Runoff

Your SWP3 must include a narrative evaluation of the appropriateness of stormwater management practices that divert, infiltrate, reuse, or otherwise manage stormwater runoff so as to reduce the discharge of pollutants. Appropriate measures are highly site-specific, but may include, among others, vegetative swales, collection and reuse of stormwater, inlet controls, snow management, infiltration devices, and wet retention measures. A combination of preventive and treatment BMPs will yield the most effective stormwater management for minimizing the offsite discharge of pollutants via stormwater runoff.

C.5 Additional SWP3 Requirements

C.5.1 Drainage Area Site Map

Identify on the site map where any of the following may be exposed to precipitation and surface runoff: processing and storage areas; access roads, rail cars and tracks; areas where substances are transferred in bulk; and operating machinery. (See also Part 6.2.2.)

C.5.2 Potential Pollutant Sources

Describe the following sources and activities that have potential pollutants associated with them: loading, unloading and transfer of chemicals; outdoor storage of salt, pallets, coal, drums, containers, fuels, and fueling stations; vehicle and equipment maintenance/cleaning areas; areas where the treatment, storage or disposal (on- or offsite) of waste/wastewater occurs; storage tanks and other containers; processing and storage areas; access roads, rail cars and tracks; areas where the transfer of substances in bulk occurs; and areas where machinery operates. (See also Part 6.2.3.)

C.6 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table C-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table C-1 Chemical and Allied Products Manufacturing Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Numeric Limitation
Runoff from Phosphate Fertilizer Manufacturing facilities that comes into contact with any raw materials, intermediate product, finished product, by-products or waste product (SIC Code 2874)	Total Phosphorus (as P)	105 mg/L, daily max.
		35 mg/L, 30-day avg.
	Fluoride	75 mg/L, daily max.
		25 mg/L, 30-day avg.

Sector D Asphalt Paving and Roofing Materials and Lubricant Manufacturers

D.1 Covered Stormwater Discharges

The requirements in Sector D apply to stormwater discharges associated with industrial activity from Asphalt Paving and Roofing Materials and Lubricant Manufacturers facilities as identified by the SIC Codes specified under Sector D in Table 1-3 of this permit.

D.2 Industrial Activities Covered by Sector D

The types of activities that permittees under Sector D are primarily engaged in are:

1. Manufacturing asphalt paving and roofing materials;
2. Portable asphalt plant facilities;

3. Manufacturing lubricating oils and greases; and
4. Products of petroleum and coal.

D.3 Limitations on Coverage

The following stormwater discharges associated with industrial activity are not authorized by this permit (See also Part 1.9):

Stormwater discharges (contaminated runoff) from petroleum refining facilities, including those that manufacture asphalt or asphalt products, that are subject to nationally established effluent limitation guidelines found in 40 C.F.R. Part 419 (Petroleum Refining). Contaminated runoff is defined as stormwater runoff which comes into contact with any raw material, intermediate product, finished product, by-product or waste product located on petroleum refinery property (See 40 C.F.R. § 419.11(g)).

Note: Stormwater discharges resulting from precipitation coming into contact with petroleum refinery property, classified under SIC Code 2911, will be covered under Sector C.

The following stormwater discharges associated with industrial activity are not authorized under Sector D:

1. Stormwater discharges from oil recycling facilities, which are covered under Sector N (See Part 10, Sector N); and
2. Stormwater discharges associated with fats and oils rendering, which are covered under Sector U (See Part 10, Sector U).

D.4 Additional SWP3 Requirements

D.4.1 Inspection

Inspect at least once per month. Special attention must be given to the following areas: material storage and handling areas, liquid storage tanks, hoppers/silos, vehicle and equipment maintenance, cleaning and fueling areas, material handling vehicles, equipment and processing areas. Appropriate corrective actions must be taken in response to the inspection. (See also Part 3.)

D.4.2 Final Stabilization

Ensure final stabilization is achieved. Ensure all industrial activities at the portable asphalt plant facilities have been completed and a uniform (e.g., evenly distributed, without large, greater than 10 square feet, bare areas) perennial vegetative cover with a density of 70% of the native background cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Establishing at least 70% of the natural cover of the native vegetation meets the vegetative cover criteria for final stabilization (e.g., if the native vegetation covers 50% of the ground, 70% of 50% would require 35% total cover for final stabilization).

D.5 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table D-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table D-1 Asphalt Paving and Roofing Materials and Lubricant Manufacturers Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Numeric Limitations
Discharges from asphalt emulsion facilities	Total Suspended Solids (TSS)	23 mg/L, daily max. 15 mg/L, 30-day avg.
	Oil & Grease	15 mg/L, daily max. 10 mg/L, 30-day avg.
	pH	6.5 - 9.0 s.u.

Sector E Glass Clay, Cement, Concrete, and Gypsum Products

E.1 Covered Stormwater Discharges

The requirements in Sector E apply to stormwater discharges associated with industrial activity from Glass, Clay, Cement, Concrete, and Gypsum Products facilities as identified by the SIC Codes specified under Sector E in Table 1-3 of this permit.

E.2 Industrial Activities Covered by Sector E

The types of activities that permittees under Sector E are primarily engaged in are either manufacturing the following products or performing the following activities:

1. Flat, pressed, or blown glass or glass containers;
2. Hydraulic cement;
3. Clay products including tile and brick;
4. Pottery and porcelain electrical supplies;
5. Concrete products;
6. Gypsum products;
7. Minerals and earths, ground or otherwise treated;
8. Non-clay refractories;
9. Lime manufacturing;
10. Cut stone and stone products;
11. Asbestos products; and
12. Mineral wool and mineral wool insulation products.

E.3 Additional Technology-based Effluent Limits

E.3.1 Good Housekeeping

As part of your good housekeeping program, prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust, or other significant material in stormwater from paved portions of the site that are exposed to stormwater. You may also need to sweep or vacuum paved surfaces of the site that are exposed to stormwater at regular intervals or use other equivalent measures (e.g., wash down the area and collect and/or treat and properly dispose of the washdown water) to minimize the potential discharge of these materials in stormwater. Indicate in your SWP3 the frequency of sweeping, vacuuming or other equivalent

measures. Determine the frequency based on the amount of industrial activity occurring in the area and the frequency of precipitation, but it must be performed at least once a week in areas where cement, aggregate, kiln dust, fly ash or settled dust are being handled or processed and may be discharged in stormwater. You must also prevent the exposure of fine granular solids (e.g., cement, fly ash, kiln dust) to stormwater, where practicable, by storing these materials in enclosed silos, hoppers, buildings or under other covering. (See also Part 2.1.2.2.)

E.4 Additional SWP3 Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 6.

E.4.1 Drainage Area Site Map

Identify the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier or other device used for the treatment of process wastewater, and the areas that drain to the treatment device. (See also Part 6.2.2.)

E.4.2 Final Stabilization

Ensure final stabilization is achieved. Ensure all industrial activities at the mobile concrete batch plant facilities have been completed and a uniform (e.g., evenly distributed, without large, greater than 10 square feet, bare areas) perennial vegetative cover with a density of 70% of the native background cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Establishing at least 70% of the natural cover of the native vegetation meets the vegetative cover criteria for final stabilization (e.g., if the native vegetation covers 50% of the ground, 70% of 50% would require 35% total cover for final stabilization).

E.4.3 Discharge Testing and Certification

For facilities producing ready-mix concrete, concrete block, brick or similar products, include in the non-stormwater discharge testing or evaluation a description of measures that ensure that process wastewater resulting from washing trucks, mixers, transport buckets, forms or other equipment is discharged in accordance with OPDES wastewater permit requirements or is recycled. This testing or evaluation must be certified in accordance with Part 8.16.

E.5 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table E-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table E-1 Glass, Clay, Cement, Concrete, and Gypsum Products Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Effluent Limitations
Discharges from material storage piles at cement manufacturing facility	Total Suspended Solids (TSS)	50 mg/L, daily max.
	pH	6.5 - 9.0 s.u.

Sector F Primary Metals

F.1 Covered Stormwater Discharges

The requirements in Sector F apply to stormwater discharges associated with industrial activity from Primary Metals facilities as identified by the SIC Codes specified under Sector F in Table 1-3 of this permit.

F.2 Industrial Activities Covered by Sector F

The types of activities that permittees under Sector F are primarily engaged in are:

1. Steel works, blast furnaces, and rolling and finishing mills including: steel wire drawing and steel nails and spikes; cold-rolled steel sheet, strip, and bars; and steel pipes and tubes;
2. Iron and steel foundries, including but not limited to: gray and ductile iron, malleable iron, steel investment, and steel foundries not elsewhere classified;
3. Primary smelting and refining of nonferrous metals, including: primary smelting and refining of copper and primary production of aluminum;
4. Secondary smelting and refining of nonferrous metals;
5. Rolling, drawing, and extruding of nonferrous metals, including: rolling, drawing, and extruding of copper; rolling, drawing and extruding of nonferrous metals except copper and aluminum; and drawing and insulating of nonferrous wire;
6. Nonferrous foundries (castings), including: aluminum die-casting; nonferrous die-casting, except aluminum; aluminum foundries; copper foundries; and nonferrous foundries, except copper and aluminum;
7. Miscellaneous primary metal products, not elsewhere classified, including: metal heat treating, and primary metal products not elsewhere classified; and
8. Activities covered include but are not limited to stormwater discharges associated with cooking operations, sintering plants, blast furnaces, smelting operations, rolling mills, casting operations, heat treating, extruding, drawing, or forging all types of ferrous and nonferrous metals, scrap and ore.

F.3 Additional Technology-based Effluent Limits

F.3.1 Good Housekeeping Measures

As part of your good housekeeping program, you must implement a cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust or debris may accumulate to minimize the discharge of pollutants in stormwater. The cleaning and maintenance program must encompass, as appropriate, areas where material loading and unloading, storage, handling and processing occur. (See also Part 2.1.2.2.)

Stabilize unpaved areas using vegetation or paving where there is vehicle traffic or where material loading and unloading, storage, handling and processing occurs, unless infeasible. For paved areas of the facility where particulate matter, dust or debris may accumulate, to minimize the discharge of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not exclusive): sweeping or vacuuming at regular intervals; and washing down the area and collecting and/or treating and properly disposing of the washdown water.

For unstabilized areas or for stabilized areas where sweeping, vacuuming, or washing down is not possible, to minimize the discharge of particulate matter, dust, or debris or other pollutants in stormwater, implement stormwater management devices such as the following, where determined to be feasible (list not exclusive): sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection, and other equivalent measures that effectively trap or remove sediment.

F.4 Additional SWP3 Requirements

F.4.1 Drainage Area Site Map

Identify in the SWP3 where any of the following activities may be exposed to precipitation or surface runoff: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, losses from coal and coke handling operations, etc., and could result in a discharge of pollutants in stormwater to waters of the state. (See also Part 6.2.2)

F.4.2 Inventory of Exposed Material

Include in the inventory of materials handled at the site that potentially may be exposed to precipitation and runoff, areas where there is the potential for deposition of particulate matter from process air emissions or losses during material handling activities. (See also Part 6.2.3.)

F.4.3 Additional Inspection Requirements

Conduct inspections routinely, or at least on a quarterly basis, and address all potential sources of pollutants, including (if applicable): air pollution control equipment (e.g., baghouses, electrostatic precipitators, scrubbers and cyclones) for any signs of degradation (e.g., leaks, corrosion or improper operation) that could limit their efficiency and lead to excessive emissions. Consider monitoring air flow at inlets and outlets (or use equivalent measures) to check for leaks (e.g., particulate deposition) or blockage in ducts. Also inspect all process and material handling equipment (e.g., conveyors, cranes and vehicles) for leaks, drips or the potential loss of material; and material storage areas (e.g., piles, bins or hoppers for storing coke, coal, scrap or slag, as well as chemicals stored in tanks and drums) for signs of material losses due to wind or stormwater runoff. (See also Part 3.1.)

F.5 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector G Metal Mining (Ore Mining and Dressing)

G.1 Covered Stormwater Discharges

The requirements in Sector G apply to stormwater discharges associated with industrial activity from active, temporarily inactive and inactive metal mining and ore dressing facilities, including mines abandoned on federal lands, as identified by the SIC Codes specified under Sector G in Table 1-3 of this permit. Coverage is required for stormwater discharges that have come into contact (directly or indirectly) with any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the operation.

1. ***Covered Discharges from Inactive Facilities:*** All stormwater discharges.
2. ***Covered Discharges from Active and Temporarily Inactive Facilities:*** Only the stormwater discharges from the following areas are covered:
    - Waste rock and overburden piles if composed entirely of stormwater and not combined with mine drainage;
    - Topsoil piles;
    - Offsite haul and access roads;

- Onsite haul and access roads constructed of waste rock, overburden or spent ore if composed entirely of stormwater and not combining with mine drainage;
- Onsite haul and access roads not constructed of waste rock, overburden or spent ore except if mine drainage is used for dust control;
- Runoff from tailings dams or dikes when not constructed of waste rock or tailings and no process fluids are present;
- Runoff from tailings dams or dikes when constructed of waste rock or tailings and no process fluids are present, if composed entirely of stormwater and not combining with mine drainage;
- Concentration building if no contact with material piles;
- Mill site if no contact with material piles;
- Office or administrative building and housing if mixed with stormwater from industrial area;
- Chemical storage area;
- Docking facility if no excessive contact with waste product that would otherwise constitute mine drainage;
- Explosive storage;
- Fuel storage;
- Vehicle and equipment maintenance area and building;
- Parking areas (if necessary);
- Power plant;
- Truck wash areas if no excessive contact with waste product that would otherwise constitute mine drainage;
- Unreclaimed, disturbed areas outside of active mining area;
- Reclaimed areas released from reclamation requirements prior to December 17, 1990; and
- Partially or inadequately reclaimed areas or areas not released from reclamation requirements.

3. ***Covered Discharges from exploration of Metal Mining and/or Ore Dressing Facilities:*** All stormwater discharges.

4. ***Covered Discharges from Facilities Undergoing Reclamation:*** All stormwater discharges.

G.2 Industrial Activities Covered by Sector G

The types of activities that permittees under Sector G are primarily engaged in:

- Developing mines, mining of ores, and exploring for metallic minerals (ores); and
- Ore dressing and beneficiating, whether performed at co-located, dedicated mills or separate (i.e., custom) mills.

G.3 Limitations on Coverage

G.3.1 Prohibition of Stormwater Discharges

Stormwater discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 C.F.R. Part 440) are not authorized by this permit. (See also Part 1.9.)

Note: Stormwater discharges from these sources are subject to 40 C.F.R. Part 440 if they are mixed with other discharges subject to Part 440. In this case, they are not eligible for coverage under this permit. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 C.F.R. Part 440 unless they: (i) drain naturally (or are intentionally diverted) to a point source; and (ii) combine with "mine drainage" that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this

permit would be available if the discharge composed entirely of stormwater does not combine with other sources of mine drainage that are not subject to 40 C.F.R. Part 440, and meets the other eligibility criteria contained in Part 1.2.

Operators bear the initial responsibility for determining if they are eligible for coverage under this permit, or must seek coverage under another OPDES permit. DEQ recommends that operators contact the relevant OPDES permit issuance authority for assistance to determine the nature and scope of the ''active mining area'' on a mine-by-mine basis, as well as to determine the appropriate permitting mechanism for authorizing such discharges.

G.3.2 Prohibition of Non-Stormwater Discharges

The following discharges are not authorized by this permit: adit drainage and contaminated springs or seeps from waste dumps that do not directly result from precipitation events. (The only authorized non-stormwater discharges are included in Part 1.3.)

G.4 Definitions

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 C.F.R. § 122.26(b)(14)(iii):

1. ***Mining Operation*** - For this permit, mining operations are grouped into two distinct categories, with distinct effluent limits and requirements applicable to each:

    a. Earth-disturbing activities conducted prior to active mining activities; and

    b. Active mining activities, which includes reclamation.

    Mining operations can occur at both active and inactive mining facilities, and temporarily inactive mining facilities.

2. ***Active Metal Mining Activities*** - Activities related to the extraction, removal or recovery of metal ore from the earth; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the active mining area. Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 10.G.5 have been met, and a well-delineated active mining area has been established, all activities (including any clearing, grading, and excavation) that occur within the active mining area are active mining activities.

3. ***Active Metal Mining Facility*** - A place where work or other activity related to the extraction, removal or recovery of metal ore is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.

4. ***Inactive Metal Mining Facility*** - A site or portion of a site where metal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable state or federal government agency.

5. ***Temporarily Inactive Metal Mining Facility*** - A site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable state or federal government agency.

G.5 Earth-disturbing Activities Conducted Prior to Active Mining Activities

Earth-disturbing activities conducted prior to active mining activities, including mine site preparation, construction of site access roads, construction of staging areas, activities associated with the exploration and construction phase of a mining operation (clearing, grading and excavation), expansion of the mine into undeveloped territory, and removal of overburden, are not considered part of mining operations. Stormwater discharges from these activities cannot be covered under this permit if these activities will disturb one or more acres of land. Coverage for these activities must be under the OPDES General Permit OKR10 for stormwater discharges associated with construction activity, or an individual permit. If the area of disturbance during the initial phase is less than one acre, you must continue to comply with the requirements of this permit.

G.5.1 Requirements for Activities Disturbing One or More Acres of Earth

If the one-acre limit as defined in Part 10.G.5 is attained, you must obtain an authorization from DEQ for stormwater discharges before you start your construction. The NOI form for coverage under OPDES Construction General Permit OKR10 can be downloaded from DEQ's website.

G.5.2 Cessation of Earth-disturbing Activities

If exploration phase clearing, grading and excavation activities are completed and no further mining activities will occur at the site, you must comply with the requirements for terminating your authorization under the OKR10 permit (i.e., stabilize the disturbed land and submit a Notice of Termination (NOT) which can be downloaded from DEQ's website). If further mining activities will occur you may opt for either of the following: maintain coverage under the OKR10 permit (i.e., maintain necessary BMPs, perform inspections, etc.) and apply for coverage under the OKR05 permit for those discharges associated with mineral mining and dressing activities that will occur under the active and reclamation phases; or terminate coverage under the OKR10 permit and apply for coverage under the OKR05 permit for all stormwater discharges from the site.

G.6 Additional Technology-based Effluent Limits for Active Mining Activities

The following requirements are applicable for active mining activities and do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in Part 10.G.5.

G.6.1 Employee Training

Conduct employee training at least annually at active and temporarily inactive facilities. (See also Part 2.1.2.10.)

G.6.2 Stormwater Controls

Apart from the control measures you implement to meet your Part 2 technology-based effluent limits, where necessary to minimize pollutant discharges in stormwater, implement the following control measures at your site. The potential pollutants identified in Section G.7.3 below shall determine the priority and appropriateness of the control measures selected. For mines subject to dust control requirements under state or county air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 2.1.2.8.

***Stormwater Diversions**:* Divert stormwater away from potential pollutant sources through implementation of control measures such as the following, where determined to be feasible (list not exclusive): interceptor or diversion controls (e.g., dikes, swales, curbs, berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and water-bars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

Sediment and Erosion Control (see also Part 2.1.2.5): At active and temporarily inactive sites consider a range of erosion controls within the broad categories of: flow diversion (e.g., swales); stabilization (e.g., temporary or permanent seeding); and structural controls (e.g., sediment traps, dikes, silt fences).

Management of Runoff (see also Part 2.1.2.6): Consider the potential pollutant sources when determining reasonable and appropriate measures for managing runoff.

Capping*:* When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.

Treatment*:* If treatment of stormwater (e.g., chemical or physical systems, oil-water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged, where feasible. Treated runoff may be discharged as a stormwater source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 C.F.R. Part 440).

G.7 Additional SWP3 Requirements

G.7.1 Nature of Industrial Activities

Briefly document in your SWP3 the mining and associated activities that can potentially affect the stormwater discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities. (See also Part 6.2.2)

G.7.2 Site Map

Document in your SWP3 the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each stormwater outfall within the facility with an indication of the types of discharges from the drainage areas; locations of all permitted discharges covered under an individual OPDES permit; outdoor equipment storage, fueling and maintenance areas; materials handling areas; outdoor manufacturing, storage or material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils or waste storage areas; location of mine drainage (where water leaves mine) or other process water; tailings piles and ponds (including proposed ones); heap leach pads; offsite points of discharge for mine drainage and process water; surface waters; and boundary of tributary areas that are subject to effluent limitations guidelines; and locations of reclaimed areas. (See also Part 6.2.2)

G.7.3 Potential Pollutant Sources

For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, identify the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. Consider these factors: the mineralogy of the ore and waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; vegetation of site (if any); history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock or overburden characterization data and test results for potential generation of acid rock. If any new data is acquired due to changes in ore type being mined, update your SWP3 with this information. (See also Part 6.2.3.)

G.7.4 Additional Inspection Requirements

Inspect active mining sites at least monthly. Inspect temporarily inactive sites at least quarterly unless adverse weather conditions make the site inaccessible. (See also Part 3.)

G.7.5 Employee Training

All employee trainings must be documented this in the SWP3. (See also Part 2.1.2.10.)

G.7.6 Discharge Testing and Certification

Test or evaluate all outfalls covered under this permit for the presence of specific mining-related but unauthorized non-stormwater discharges such as seeps or adit discharges, or discharges subject to effluent limitations guidelines

(e.g., 40 C.F.R. Part 440), such as mine drainage or process water. Keep a certification of unauthorized non-stormwater discharges with your SWP3.

Note: The requirements in Part 10.G.7 are not applicable to inactive metal mining facilities. There are no monitoring and reporting or impaired waters monitoring requirements for inactive and unstaffed sites.

G.8 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector H Coal Mines and Coal Mining Related Facilities

H.1 Covered Stormwater Discharges

The requirements in Sector H apply to stormwater discharges associated with industrial activity from Coal Mines and Coal Mining-Related facilities as identified by the SIC Codes specified under Sector H in Table 1-3 of this permit.

H.2 Industrial Activities Covered by Sector H

Stormwater discharges from the following portions of coal mines are covered under this permit:

1. Haul roads (non-public roads on which coal or coal refuse is conveyed);
2. Access roads (non-public roads providing light vehicular traffic within the facility property and to public roadways);
3. Railroad spurs, siding and internal haulage lines (rail lines used for hauling coal within the facility property and to offsite commercial railroad lines or loading areas);
4. Conveyor belts, chutes and aerial tramway haulage areas (areas under and around coal or refuse conveyer areas, including transfer stations); and
5. Equipment storage and maintenance yards, coal handling buildings and structures, and inactive coal mines and related areas (abandoned and other inactive mines, refuse disposal sites and other mining-related areas).

H.3 Limitations on Coverage

H.3.1 Prohibition of Non-Stormwater Discharges

Any discharges from pollutant seeps or underground drainage from inactive coal mines and refuse disposal areas that do not result from precipitation events; and discharges from floor drains in maintenance buildings and other similar drains in mining and preparation plant areas are not covered by this permit. (See also Part 1.9.)

H.3.2 Discharges Subject to Stormwater Effluent Guidelines

Stormwater discharges subject to an existing effluent limitation guideline at 40 C.F.R. Part 434 are not authorized by this permit. (See also Part 1.2.)

H.4 Definitions

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 C.F.R. 122.26(b)(14)(iii):

1. ***Mining operations*** - For this permit, mining operations are grouped into two distinct categories, with distinct effluent limits and requirements applicable to each:
    a. Earth-disturbing activities conducted prior to active mining activities; and

b. Active mining activities, which includes reclamation.

Mining operations can occur at both active and inactive mining facilities, and temporarily inactive mining facilities.

2. ***Earth-disturbing activities conducted prior to active mining activities*** – Consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities:

   a. Activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to access road construction); providing access to a mine site for vehicles and equipment (except when related to access road construction); other earth disturbances associated with site preparation activities on any areas where active mining activities have not yet commenced; and

   b. Construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc., and construction of access roads.

3. ***Active coal mining activities*** – Activities related to the extraction, removal or recovery, and preparation of coal; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the active mining area. Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use to meet applicable federal and state reclamation requirements.

4. ***Active coal mining area*** – A place where work or other activity related to the extraction, removal or recovery of coal is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.

5. ***Inactive coal mining facility*** – A site or portion of a site where coal mining and/or milling occurred in the past but there are no active mining operations occurring as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable state or federal agency. An inactive coal mining facility has an identifiable owner/operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an OPDES industrial stormwater permit.

6. ***Temporarily inactive coal mining facility*** – A site or portion of a site where coal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable state or federal agency.

7. ***Final Stabilization*** – A site or portion of a site is finally stabilized when it has implemented all applicable federal and state reclamation requirements.

H.5 Additional Technology-Based Effluent Limits

The following requirements do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in Part 10.H.4.3. These requirements only apply for the stormwater discharges from active mining activities:

H.5.1 Good Housekeeping Measures

As part of your good housekeeping program, implement control measures to minimize discharges of pollutants in stormwater, such as the following, where determined to be feasible (list not inclusive): using sweepers and covered storage; watering haul roads to minimize dust generation; and conserving vegetation to minimize erosion. For mines

subject to dust control requirements under state or county air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 2.1.2.8. (See also Part 2.1.2.2.)

H.5.2 Preventive Maintenance

Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections. (See also Part 2.1.2.3.)

H.6 Earth-disturbing Activities Conducted Prior to Active Mining Activities

Earth-disturbing activities conducted prior to active mining activities, including mine site preparation, construction of site access roads, construction of staging areas, activities associated with the exploration and construction phase of a mining operation (clearing, grading and excavation), expansion of the mine into undeveloped territory, and removal of overburden, are not considered part of mining operations. Stormwater discharges from these activities cannot be covered under this permit if these activities will disturb one or more acres of land. Coverage for these activities must be under the OPDES General Permit OKR10 for stormwater discharges associated with construction activity, or an individual permit. If the area of disturbance during the initial phase is less than one acre, you must continue to comply with the requirements of this permit.

H.6.1 Requirements for Activities Disturbing One or More Acres of Earth

If the one-acre limit as defined in Part 10.H.6 is attained, you must obtain an authorization from DEQ for the discharges of stormwater before you start your construction. The NOI form for coverage under OPDES General Permit OKR10 for stormwater discharges from construction activity can be downloaded from DEQ's website.

H.6.2 Cessation of Earth-disturbing Activities

If exploration phase clearing, grading and excavation activities are completed and no further mining activities will occur at the site, you must comply with the requirements for terminating your authorization under the OKR10 permit (i.e., stabilize the disturbed land and submit an NOT form, which can also be downloaded from the DEQ's Website). If further mining activities will occur, you may opt for either of the following: maintain coverage under the OKR10 permit (i.e., maintain necessary BMPs, perform inspections, etc.) and apply for coverage under the OKR05 permit for those discharges associated with coal mining and dressing activities that will occur under the active and reclamation phases; or terminate coverage under the OKR10 permit and apply for coverage under the OKR05 permit for all stormwater discharges from the site.

H.7 Additional SWP3 Requirements

H.7.1 Other Applicable Regulations

Most active coal mining-related areas (SIC Codes 1221-1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal-producing states to implement SMCRA through state SMCRA regulations. All SMCRA requirements regarding control of stormwater-related pollutant discharges must be addressed, and then documented in the SWP3 (directly or by reference).

H.7.2 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: haul and access roads; railroad spurs, siding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas; acidic spoil, refuse or unreclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants. (See also Part 6.2.2)

H.7.3 Potential Pollutant Sources

Document in your SWP3 where any of the following sources and activities have potential pollutants associated with them: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid or other potentially harmful liquids; and loading or temporary storage of acidic refuse or spoil. (See also Part 6.2.3.)

H.7.4 Additional Inspection Requirements

Perform routine inspections of active mining areas covered by this permit, corresponding with the inspections as performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative. SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements. Your inspection program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas. (See also Part 3.1)

H.7.5 Sediment and Erosion Control

As indicated in Part 10.H.6.1 above, SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements. (See also Part 2.1.2.5)

H.7.6 Annual Comprehensive Site Compliance Evaluation

Your evaluation program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are haul and access roads; railroad spurs, siding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas. (See also Part 7.3)

Note: The requirements in Part 10.H.7 are not applicable to inactive coal mining facilities.

H.8 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector I Oil and Gas Extraction

I.1 Covered Stormwater Discharges

Stormwater discharges from natural gas liquids extraction plants, identified under SIC Code 1321, are subject to DEQ jurisdiction under Title 27A O.S. § 1-3-101.E.7.a. However, stormwater discharges from field activities or operations associated with oil or gas exploration, production, processing or treatment operations, or transmission facilities are exempted from NPDES/OPDES permit coverage unless, in accordance with 40 C.F.R. § 122.26(c)(1)(iii), the facility:

1. Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 C.F.R. § 117.21 or 40 C.F.R. § 302.6 at any time since November 16, 1987;
2. Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 C.F.R. § 110.6 at any time since November 16, 1987; or
3. Contributes to a violation of a water quality standard.

Operators/owners with stormwater discharges from natural gas liquids extraction plants that do not meet the above exemption must submit an NOI to DEQ for authorization.

Stormwater discharges from oil field service maintenance yards identified under SIC Code 1389 are also under DEQ jurisdiction. Oil field service maintenance yards are facilities which serve as a base for oil field service operations (operations which provide services to the petroleum exploration and production industry but do not typically produce petroleum themselves) and at which equipment maintenance is performed outdoors. Operators/owners with stormwater discharges from oil field service maintenance yards must submit an NOI to DEQ for authorization. Stormwater discharges from field Oil and Gas Extraction under SIC Codes 1311, 1381, 1382, and 1389 (except oil field service maintenance yards, as noted above) are under EPA's jurisdiction (see Table 1-2). Operators/owners with stormwater discharges from crude petroleum and natural gas, drilling oil and gas wells, oil and gas field exploration services, and oil and gas field services not classified elsewhere must submit an NOI to EPA for authorization.

I.2 Industrial Activities Covered by Sector I

Stormwater discharges from the following portions of non-exempt natural gas liquid extraction plant activities are covered by this permit: production equipment and other machinery, raw materials, waste products and by-products, gas treatment units, finished products, storage areas, fuels and lubricants, waste treatment areas, access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products created by the facility. Stormwater discharges from oil field service maintenance yards at which equipment maintenance is performed outdoors are also covered by this permit.

I.3 Limitations on Coverage

I.3.1 Stormwater Discharges Subject to Effluent Limitation Guidelines

This permit does not authorize stormwater discharges from petroleum drilling operations that are subject to nationally established effluent limitation guidelines found at 40 C.F.R. Part 435. (See also Part 1.9.4.)

I.3.2 Non-Stormwater Discharges

Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit. Instead, wash water discharges must be authorized under a separate OPDES permit or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

I.4 Additional Technology-Based Effluent Limits

I.4.1 Vegetative Controls

Implement vegetative practices designed to preserve existing vegetation, where attainable, and re-vegetate open areas as soon as practicable after grade drilling. Implement appropriate vegetative practices, such as the following (list not exclusive): temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, and tree protection practices. Begin implementing appropriate vegetative practices on all disturbed areas within 14 days following the last activity in that area.

I.4.2 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

1. *Vehicle and Equipment Storage Areas*: Confine vehicles/equipment awaiting or having undergone maintenance to designated areas (as marked on site map). Describe and implement measures to prevent or minimize contaminants from these areas (e.g., drip pans under equipment, indoor storage, use of berms or dikes, or other equivalent measures).

2. *Material and Chemical Storage Areas*: Maintain these areas in good condition to prevent or minimize contamination of stormwater. Plainly label all hazardous materials.
3. *Chemical Mixing Areas*: Implement measures that prevent or minimize contamination of stormwater runoff from chemical mixing areas.

I.5 Additional SWP3 Requirements

You must comply with the following requirements in addition to the requirements listed in Part 6:

I.5.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: reportable quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; chemical mixing areas; construction and drilling areas; all areas subject to the effluent guidelines requirements for "No Discharge" in accordance with 40 C.F.R. § 435.32; and the structural controls to achieve compliance with the "No Discharge" requirements. (See also Part 6.2.2)

I.5.2 Potential Pollutant Sources

Also document in your SWP3 the following sources and activities that have potential pollutants associated with them: chemical, cement, mud, or gel mixing activities; and equipment cleaning and rehabilitation activities. In addition, include information about the RQ release that triggered the permit application requirements; the nature of the release (e.g., oil spill from a drum storage area); amount of oil or hazardous substance released; amount of substance recovered; date of the release; cause of the release (e.g., poor handling techniques and lack of containment in the area); areas affected by the release (i.e., land and water); procedure to clean up release; actions or procedures implemented to prevent or improve response to a release; and remaining potential contamination of stormwater from release (taking into account human health risks, the control of drinking water intakes, and the designated uses of the receiving water). (See also Part 6.2.3)

I.5.3 Additional Inspection Requirements

All erosion and sediment controls must be inspected either: 1) once every 7 calendar days or 2) once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater. For temporarily or permanently inactive Oil and Gas Extraction facilities that are remotely located and unstaffed, perform the inspection at least annually. (See also Part 3.1.)

I.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector J Mineral Mining and Dressing

J.1 Covered Stormwater Discharges

The requirements in Sector J apply to stormwater discharges associated with industrial activity from active and inactive non-metallic mineral mining and dressing facilities as identified by the SIC Codes specified under Sector J in Table 1-3 of this permit.

1. *Covered Discharges from Inactive Facilities:* All stormwater discharges.
2. *Covered Discharges from Active and Temporarily Inactive Facilities:* All stormwater discharges, except for most stormwater discharges subject to the existing effluent limitation guideline at 40 C.F.R. Part 436. In addition, mine dewatering discharges composed entirely of stormwater or uncontaminated

groundwater seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities are covered by this permit.

3. *Covered Discharges from Earth-Disturbing Activities Conducted Prior to Active Mining Activities:* All stormwater discharges.
4. *Covered Discharges from Sites Undergoing Reclamation*: All stormwater discharges.

J.2 Industrial Activities Covered by Sector J

The types of activities that permittees under Sector J are primarily engaged in are exploring for minerals (e.g., stone, sand, clay, chemical and fertilizer minerals, non-metallic minerals, etc.), and developing mines and the mining of minerals; mineral dressing; and non-metallic mineral services.

J.3 Limitations on Coverage

Most stormwater discharges subject to an existing effluent limitation guideline at 40 C.F.R. Part 436 are not authorized by this permit. The exceptions to this limitation, which are covered by this permit, are mine dewatering discharges composed entirely of stormwater or uncontaminated groundwater seepage from construction sand and gravel, industrial sand, and crushed stone mining facilities.

J.4 Definitions

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 C.F.R. § 122.26(b)(14)(iii):

1. ***Mining operations*** - For this permit, mining operations are grouped into two distinct categories, with distinct effluent limits and requirements applicable to each:
    a. Earth-disturbing activities conducted prior to active mining activities; and
    b. Active mining activities, which includes reclamation.

    Mining operations can occur at both active and inactive mining facilities, and temporarily inactive mining facilities.
2. ***Earth-disturbing activities conducted prior to active mining activities, construction of access and staging area*** – Consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities:
    a. Activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to access road construction); providing access to a mine site for vehicles and equipment (except when related to access road construction); other earth disturbances associated with site preparation activities on any areas where active mining activities have not yet commenced; and
    b. Construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc., and construction of access roads.
3. ***Active mineral mining activities*** – Activities related to the extraction, removal or recovery, and beneficiation of non-metallic minerals from the earth; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the active mining area. Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 10.J.6 have been met, and a well-delineated active mining area has been established, all activities

(including any clearing, grading, and excavation) that occur within the active mining area are active mining activities.

4. ***Active mineral mining area*** – A place where work or other activity related to the extraction, removal or recovery of non-metallic minerals is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.

   Note: Earth-disturbing activities described in the definition in Part 10.J.4.3 that occur on areas outside the active mining area (e.g., for expansion of the mine into undeveloped territory) are considered earth-disturbing conducted prior to active mining activities, and must comply with the requirements in Part 10.J.2.

5. ***Inactive mineral mining facility*** – A site or portion of a site where mineral mining and/or milling occurred in the past but there are no active mining operations occurring as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable state or federal agency. An inactive mineral mining facility has an identifiable owner/operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an OPDES industrial stormwater permit.
6. ***Temporarily inactive mineral mining facility*** – A site or portion of a site where non-metallic mineral mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable state or federal agency.
7. ***Final Stabilization*** – A site or portion of a site is finally stabilized when it has implemented all applicable federal and state reclamation requirements.

J.5 Additional Technology-Based Effluent Limits for Active Mining Activities

The following requirements are applicable for active mining activities and do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in Part 10.J.4.

J.5.1 Employee Training

Conduct employee training at least annually at active and temporarily inactive facilities. (See also Part 2.1.2.10.)

J.5.2 Stormwater Controls

Apart from the control measures you implement to meet the Part 2 technology-based effluent limits, where necessary to minimize pollutant discharges in stormwater, implement the following control measures at your site. The potential pollutants identified in Section J.7.3 below shall determine the priority and appropriateness of the control measures selected. For mines subject to dust control requirements under the state or county air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 2.1.2.8.

Stormwater Diversions: Divert stormwater away from potential pollutant sources through implementation of control measures such as the following, where determined to be feasible (list not exclusive): interceptor or diversion controls (e.g., dikes, swales, curbs, berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and water-bars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

Capping: When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.

Treatment: If treatment of stormwater (e.g., chemical or physical systems, oil-water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged, where feasible. Treated runoff may be discharged as a stormwater source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Mineral Mining and Processing Point Source Category (40 C.F.R. Part 436).

J.5.3 Discharge Testing and Certification

Test or evaluate all outfalls covered under this permit for the presence of specific mining-related but unauthorized non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 C.F.R. Part 436). Alternatively (if applicable), you may keep a certification with your SWP3, per Part 10.J.7.6. (See also Part 6.2.3.5)

J.6 Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities

Stormwater discharges from earth-disturbing activities conducted prior to active mining activities (defined in Part 10.J.4.2) are covered under this permit. For such earth-disturbing activities, you must comply with all applicable requirements in Parts 1-8 of this permit except for the technology-based effluent limits in Part 10.J.5 and Part 2.1.2, the inspection requirements in Part 10.J.7 and Part 3, and the monitoring requirements in Part 10.J.8 and Part 4. Authorized discharges from areas where earth-disturbing activities have ceased and stabilization as specified in Part 10.J.6.1.p, where appropriate, has been completed (stabilization is not required for areas where active mining activities will occur), are no longer subject to the Part 10.J.6 requirements. At such time, authorized discharges become subject to all other applicable requirements of this permit, including the effluent limits in Part 2.1.2 and Part 10.J.5, the inspection requirements in Part 3 and Part 10.J.7, and the monitoring requirements in Part 4 and Part 10.J.8.

J.6.1 Technology-Based Effluent Limits Applicable to All Earth-Disturbing Activities Conducted Prior to Active Mining Activities, Construction of Staging Area and Access Road

The following technology-based effluent limits apply to authorized discharges from all earth-disturbing activities conducted prior to active mining activities defined in Part 10.J.4. These limits supersede the technology-based limits listed in Part 2.1.2 and Part 10.J.5 of this permit.

a. ***Area of disturbance:*** You must minimize the amount of soil exposed during construction activities.

b. ***Erosion and sediment control design requirements***. You must:

- Design, install and maintain effective erosion and sediment controls to minimize the discharge of pollutants from construction activities. Account for the following factors in designing your erosion and sediment controls:
  - The expected amount, frequency, intensity and duration of precipitation;
  - The nature of stormwater runoff and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features;
  - The range of soil particle sizes expected to be present on the site.
- Direct discharges from your stormwater controls to vegetated areas of your site to increase sediment removal and maximize stormwater infiltration, including any natural buffers, unless infeasible. Use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.

- If any stormwater flow becomes or will be channelized at your site, you must design erosion and sediment controls to control both peak flowrates and total stormwater volume to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points.
- If you install stormwater conveyance channels, they must be designed to avoid unstabilized areas on the site and to reduce erosion, unless infeasible. In addition, you must minimize erosion of channels and their embankments, outlets, adjacent stream banks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

c. ***Natural buffers:*** For any stormwater discharges from construction activities within 50 feet (or 100 feet if the facility is located in a sensitive watershed) of a water of the state, you must comply with one of the following compliance alternatives:

- Provide a 50-foot (or 100-foot) undisturbed natural buffer between construction activities and the water of the state; or
- Provide an undisturbed natural buffer that is less than 50 feet (or 100 feet) supplemented by additional erosion and sediment controls, which in combination, achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer; or
- If it is infeasible to provide an undisturbed natural buffer of any size, implement erosion and sediment controls that achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer.

  Note: Refer to the "Buffer Guidance" requirements available in the OPDES General Permit OKR10 for Stormwater Discharges from Construction Activities.

There are exceptions when buffer requirements do not apply:

- There is no stormwater discharge from construction disturbances to a water of the state;
- The natural buffer has already been eliminated by pre-existing development disturbances;
- The disturbance is for the construction of a water-dependent structure or construction approved under a CWA section 404 permit; or
- For linear construction projects, you are not required to comply with the requirements if there are site constraints provided that, to the extent feasible, you limit disturbances within 50 feet (or 100 feet) of a water of the state and/or you provide supplemental erosion and sediment controls to treat stormwater discharges from any disturbances within 50 feet (or 100 feet) of a water of the state.

d. ***Erosion and sediment control installation requirement:***

- By the time construction activities commence, install and make operational down-gradient sediment controls.
- All other stormwater controls described in the SWP3 must be installed and made operational as soon as conditions on each portion of the site allow.

e. ***Perimeter controls.*** You must:

- Install sediment controls along those perimeter areas of your disturbed area that will receive stormwater, except where site conditions prevent the use of such controls (in which case, maximize their installation to the extent practicable).

- Remove sediment before it accumulates to one-half of the above-ground height of any perimeter control.

f. ***Sediment track-out:*** For construction vehicles and equipment exiting the site directly onto paved roads, you must:

- Use appropriate stabilization techniques to minimize sediment track-out from vehicles and equipment prior to exit;
- Use additional controls to remove sediment from vehicle and equipment tires prior to exit, where necessary; and
- Remove sediment that is tracked out onto paved roads by the end of the work day.

g. ***Native topsoil preservation:*** You must preserve native topsoil removed during clearing, grading, or excavation, unless infeasible. Store topsoil in a manner that will maximize its use in reclamation or final vegetative stabilization (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.

h. ***Soil or sediment stockpiles:*** You must:

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

i. ***Sediment basins:*** If you intend to install a single or multiple sediment basin(s) to treat stormwater from your earth-disturbing activities, you must:

- Provide overall storage for either (1) the 2-year, 24-hour storm, or (2) 3,600 cubic feet per acre drained, whichever is greater.
- Prevent erosion of (1) basin embankments by using stabilization controls (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin by using erosion controls and velocity dissipation devices.

j. ***Minimize dust:*** You must minimize the generation of dust through the appropriate application of water or other dust suppression techniques that minimize pollutants being discharged into surface waters.

k. ***Steep slopes:*** You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes. Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; for grading steep slopes prior to erecting the landfill office). Where steep slope disturbances are necessary, you can minimize the disturbances to steep slopes through the implementation of a number of standard erosion and sediment control practices, such as by phasing disturbances in these areas and using stabilization practices specifically for steep grades.

l. ***Soil compaction:*** Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/ equipment use in these areas to avoid soil compaction or use soil conditioning techniques to support vegetative growth. Minimizing soil compaction is not required where compacted soil is integral to the functionality of the site.

m. ***Dewatering practices:*** You are prohibited from discharging contaminated or turbid groundwater or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or other

similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems). Uncontaminated, non-turbid dewatering water can be discharged without being routed to a control.

You must also meet the following requirements for dewatering activities:

- No discharging visible floating solids or foam;
- Remove oil, grease and other pollutants from dewatering water via an oil-water separator or suitable filtration device (such as a cartridge filter);
- Utilize vegetated upland areas of the site, to the extent feasible, to infiltrate dewatering water before discharge. In no case shall waters of the state be considered part of the treatment area;
- Implement velocity dissipation devices at all points where dewatering water is discharged;
- Haul backwash water away for disposal or return it to the beginning of the treatment process; and
- Clean or replace the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

n. ***Erosion and sediment control maintenance requirements:*** You must:

- Ensure that all erosion and sediment controls remain in effective operating condition.
- Wherever you determine that a stormwater control needs maintenance to continue operating effectively, initiate efforts to fix the problem immediately after its discovery, and complete such work by the end of the next work day.
- When a stormwater control must be replaced or significantly repaired, complete the work as soon as practicable but no later than seven days.

o. ***Pollution prevention requirements:***

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that only the allowable non-stormwater discharges are those enumerated in Part 1.3):
  - Wastewater from washout of concrete;
  - Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
  - Fuels, oils, or other pollutants used for operation and maintenance of vehicles or equipment;
  - Soaps, solvents, or detergents used in vehicle or equipment washing;
  - Toxic or hazardous substances from a spill or other release.
- *Design and location requirements:* Minimize the discharge of pollutants from pollutant sources by:
  - Minimizing exposure;
  - Using secondary containment, spill kits, or other equivalent measures;
  - Locating pollution sources away from surface waters, storm sewer inlets, and drainage-ways;
  - Cleaning up spills immediately (do not clean by hosing area down).

- *Pollution prevention requirements for wash waters:* Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

Pollution prevention requirements for the storage, handling, and disposal of construction products, materials, and wastes: Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to stormwater. Minimization of exposure is not required in cases where the exposure to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).

p. ***Site stabilization requirements for earth-disturbing activities:*** You must comply with the following stabilization requirements except where the earth disturbances will become actively mined or the controls implemented at the active mining area will effectively control the disturbance.

- *Temporary stabilization of disturbed areas:* Stabilization measures must be initiated immediately in portions of the site where earth-disturbing activities performed for purposes of mine site preparation (as defined in Part 10.J.4) have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site where earth-disturbing activities performed for purposes of mine site preparation have permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until active mining activities commence.
- *Final stabilization of disturbed areas:* Stabilization measures must be initiated immediately where earth-disturbing activities performed for purposes of mine site preparation (as defined in Part 10.J.4) have permanently ceased, but in no case more than 14 days after the earth-disturbing activities have permanently ceased. Until final stabilization is achieved, temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, must be used.
- If using vegetative measures, by no later than 14 days after initiating stabilization:
  - Seed or plant the area, and provide temporary cover to protect the planted area;
  - Once established, vegetation must be uniform, perennial (if final stabilization), and cover at least 70% of stabilized area based on density of native vegetation without large (greater than 10 square feet) bare areas.
- If using non-vegetative stabilization, by no later than 14 days after initiating stabilization:
  - Install or apply all non-vegetative measures;
  - Cover all areas of exposed soil.

Note: For the purposes of this permit, DEQ will consider any of the following types of activities to constitute the initiation of stabilization: 1. Prepping the soil for vegetative or non-vegetative stabilization; 2. Applying mulch or other non-vegetative product to the exposed area; 3. Seeding or planting the exposed area; 4. Starting any of the activities in # 1 – 3 on a portion of the area to be stabilized, but not on the entire area; and 5. Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization.

J.6.2 Water Quality-Based Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities

If your site will discharge to an impaired water, a water that is identified as an aquatic resource of concern, or a water that is identified for higher-tier antidegradation protection, the following more stringent water quality-based limits apply to earth-disturbing activities conducted prior to active mining activities defined in Part 10.J.4.2, in addition to the water quality-based limits in Part 2.2 of this permit.

a. ***More rapid stabilization of exposed areas*** - Complete initial stabilization activities within seven calendar days of stopping construction work.

b. ***More frequent site inspections*** - Perform inspections every seven calendar days and within 24 hours of a storm event of 0.5 inches or greater.

J.6.3 Inspection Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities

The following requirements supersede the inspection requirements in Part 3 and Part 10.J.7 of this permit for earth-disturbing activities conducted prior to active mining activities defined in Part 10.J.4.2.

a. ***Inspection Frequency:*** You must inspect at least once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater. Inspections are only required during working hours. You may reduce the frequency of inspections to once per month in any area of your site where stabilization has occurred pursuant to Part 10.J.6.1.p.

b. ***Areas to be Inspected:*** At a minimum, you must inspect all disturbed areas; stormwater controls and pollution prevention measures; locations where stabilization measures have been implemented; material, waste, borrows, or equipment storage and maintenance areas; areas where stormwater flows; and points of discharge.

c. ***What to Check for During Inspections:*** At a minimum you must check whether all stormwater controls are installed, operational and working as intended; whether any new or modified stormwater controls are needed; for conditions that could lead to a spill or leak; for visual signs of erosion/sedimentation at points of discharge. If a discharge is occurring: the quality and characteristics of the discharge; and whether controls are operating effectively.

d. ***Inspection Report:*** Within 24 hours of an inspection, you must complete a report that includes the inspection date; name and title of inspector(s); summary of inspection findings; rainfall amount that triggered the inspection (if applicable); if it was unsafe to inspect a portion of the site, include documentation of the reason and the location(s); each inspection report must be signed; and keep a current copy of all reports at the site or at an easily accessible location.

J.6.4 Cessation of Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities

The requirements in Part 10.J.6 no longer apply for any earth-disturbing activities conducted prior to active mining activities as defined in Parts 10.J.4.2 where

a. earth-disturbing activities have ceased; and

b. stabilization has been met consistent with Part 10.J.6.1.p (not required for areas where active mining activities will occur).

J.7 Additional SWP3 Requirements for Mining Operations

You must comply with the following requirements in addition to the requirements listed in Part 6 (**Note:** The requirements in Part 10.J.7 are not applicable to inactive mineral mining facilities.):

J.7.1 Nature of Industrial Activities

Document in your SWP3 the mining and associated activities that can potentially affect the stormwater discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities**.** (See also Part 6.2.2.)

J.7.2 Site Map

Document in your SWP3 the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each stormwater outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual OPDES permit, if applicable; outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage dewatering or other process water; heap leach pads; offsite points of discharge for mine dewatering and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas. (See also Part 6.2.2.)

J.7.3 Potential Pollutant Sources

For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, document in your SWP3 the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. For example, phosphate mining facilities will likely need to document pollutants such as selenium, which can be present in significant amounts in their discharges. Consider these factors: the mineralogy of the waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with stormwater; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock drainage. (See also Part 6.2.3.)

J.7.4 Documentation of Control Measures

To the extent that you use any of the control measures in Part 10.J.5.2, document them in your SWP3 per Part 6.2.5. If control measures are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in your SWP3. If you are in compliance with dust control requirements under the state air quality permits, you must state (or summarize, as necessary) what the state or county air quality permit dust control requirements are and how you've achieved compliance with them.

J.7.5 Employee Training

All employee training(s) conducted in accordance with Part 10.J.5.1 must be documented with the SWP3.

J.7.6 Certification of Permit Coverage for Commingled Non-Stormwater Discharges

If you determine that you are able to certify, consistent with Part 10.J.5.3, that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate OPDES permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, you must retain such certification with your SWP3. This certification must identify the non-stormwater discharges, the applicable OPDES permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

J.7.7 Additional Inspection Requirements

Except for earth-disturbing activities conducted prior to active mining activities as defined in Parts 10.J.4.2, which are subject to Part 10.J.6.4, perform inspections at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters which are impaired for sediment or nitrogen must be inspected monthly. (See also Part 3.1.)

J.8 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table J-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table J-1 Active and Inactive Non-Metallic Mineral Mining and Dressing Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Numeric Limitation
Mine dewatering discharges at Crushed Stone, Construction Sand and Gravel, Industrial Sand and Mining Facilities (SIC Codes: 1422-1429, 1442, & 1446)	Total Suspended Solids (TSS)	45 mg/L, daily max 25 mg/L, 30-day avg.
	pH	6.5 - 9.0 s.u.

Sector K Hazardous Waste Treatment, Storage or Disposal Facilities

K.1 Covered Stormwater Discharges

The requirements in Sector K apply to stormwater discharges associated with industrial activity from Hazardous Waste Treatment, Storage or Disposal facilities (TSDFs) as identified by the Activity Code HZ specified under Sector K in Table 1-3 of this permit.

K.2 Industrial Activities Covered by Sector K

Stormwater discharges from facilities that treat, store or dispose of hazardous wastes, including those that are operating under interim status or a permit under Subtitle C of RCRA, are covered under Sector K.

Disposal facilities that have been properly closed and capped, and have no significant material exposed to stormwater, are considered inactive and do not require a permit.

K.3 Limitations on Coverage

K.3.1 Prohibition of Non-Stormwater Discharges

The following non-stormwater discharges are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater, and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

Note: The only non-stormwater discharges are authorized by this permit are listed in Part 1.3.

K.3.2 Limitations on Coverage for Facilities Providing Commercial TSDF Services

Coverage under this permit is limited to TSDFs that are self-generating or handle residential wastes only and to those facilities that only store hazardous wastes and do not treat or dispose of them. Coverage under this permit is not available to commercial hazardous waste disposal/treatment facilities that dispose and treat on a commercial basis any produced hazardous wastes (i.e., not their own) as a service provider to commercial or industrial generators. These types of facilities must apply for an individual permit from DEQ.

K.4 Definitions

1. ***Contaminated stormwater:*** Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 10.K.4.4. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.
2. ***Drained free liquids:*** Aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.
3. ***Landfill:*** An area of land or an excavation in which wastes are placed for permanent disposal, but that is not a land application or land treatment unit, surface impoundment, underground injection well, waste pile, salt dome formation, salt bed formation, underground mine, or cave as these terms are defined in 40 C.F.R. §§ 257.2, 258.2, and 260.10.
4. ***Landfill Wastewater:*** As defined in 40 C.F.R. Part 445 (Landfills Point Source Category), all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated ground water, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater, and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.
5. ***Leachate:*** Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.
6. ***Non-contaminated Stormwater:*** Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 10.K.4.4. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

K.5 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table K-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table K-1 Hazardous Waste Treatment, Storage or Disposal Specific Numeric Effluent Limitations

Industrial Activity	Parameter	Effluent Limitation[1]
Discharges from hazardous waste landfills subject to effluent limitations in 40 C.F.R. Part 445 Subpart A (see footnotes)	Biochemical Oxygen Demand (BOD_5)	220 mg/L, daily maximum 56 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum 27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum 4.9 mg/L, monthly avg. maximum
	Total Chromium	1.1 mg/L, daily maximum 0.46 mg/L, monthly avg. maximum
	Total Zinc	0.535 mg/L, daily max. 0.296 mg/L, monthly avg. maximum
	Total Arsenic	1.1 mg/L, daily maximum 0.54 mg/L, monthly avg. maximum
	Alpha Terpineol	0.042 mg/L, daily max. 0.019 mg/L, monthly avg. maximum
	Aniline	0.024 mg/L, daily max. 0.015 mg/L, monthly avg. maximum
	Benzoic Acid	0.119 mg/L, daily max. 0.073 mg/L, monthly avg. maximum
	Naphthalene	0.059 mg/L, daily max. 0.022 mg/L, monthly avg. maximum
	p-Cresol	0.024 mg/L, daily max. 0.015 mg/L, monthly avg. maximum
	Phenol	0.048 mg/L, daily max. 0.029 mg/L, monthly avg. maximum
	Pyridine	0.072 mg/L, daily max. 0.025 mg/L, monthly avg. maximum
	pH	6.5 – 9.0 s.u.

[1] As set forth at 40 C.F.R. Part 445 Subpart A, these numeric limitations apply to contaminated stormwater discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 C.F.R. Parts 264 (Subpart N) and 265 (Subpart N) except for any of the following facilities:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 C.F.R. Subchapter N as the industrial or commercial operation or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 C.F.R. Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

Sector L Landfills, Land Application Sites and Open Dumps

L.1 Covered Stormwater Discharges

The requirements in Sector L apply to stormwater discharges associated with industrial activity from Landfills and Land Application Sites as identified by the Industrial Activity Code LF specified under Sector L in Table 1-3 of this permit.

Once a landfill begins operations, stormwater discharges from continued development or closure of incremental landfill cells or final cell closure, perimeter drainage structure, access/haul road construction, cover soil operations, and soil borrow operations are authorized under this permit since these are normal aspects of landfill operations. Any construction or demolition of temporary non-impervious roads directly related to landfill operations is also subject to the requirements of this permit. DEQ may impose additional requirements depending on site-specific circumstances such as proximity to nearby waterways, extent of activities, pollutants of concern, and other considerations.

Note: A landfill is subject to the construction general permitting requirements during the time the landfill is initially constructed and prior to operation and must be covered under the OPDES Construction General Permit OKR10. For *Closed Landfills*, permit coverage is not required for a landfill that has received DEQ approval of final facility closure in accordance with DEQ's solid waste regulations (OAC 252:515). Closed or inactive landfills that are no longer in use, but that have not received final closure approval from DEQ (and hence have not begun post-closure monitoring), are still considered to be industrial activities and permit coverage must be maintained as an inactive landfill.

L.2 Industrial Activities Covered by Sector L

Stormwater discharges from facilities associated with waste disposal at landfills, and land application sites that receive or have received industrial waste, including sites subject to regulation under Subtitle D of RCRA, are covered under Sector L.

L.3 Limitations on Coverage

L.3.1 Prohibition of Non-Stormwater Discharges

The following discharges are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated groundwater, laboratory wastewater and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. (See also Part 1.3.)

L.3.2 Prohibition of Stormwater Discharges from Open Dumps

Stormwater discharges from open dumps as defined under RCRA are not authorized under this permit.

L.3.3 Prohibition of Stormwater Discharges

Stormwater discharges from a new landfill construction (prior to operation) are not authorized under this permit. Additionally, stormwater discharges from a separate section (for example, not contiguous or separated by a public road) of the landfill and/or facility construction are not authorized under this permit unless that separate section is incorporated in the SWP3 in accordance with the requirements of this permit. These activities require coverage under the OPDES Construction General Permit OKR10. Construction of permanent facility structures such as buildings and impervious parking lots or impervious roads that disturb greater than one acre in an existing landfill site are also subject to the OKR10 permit.

Permanent facility structures are defined as any structural improvements designed to remain until the landfill is closed.

L.4 Definitions

1. ***Contaminated stormwater*** – stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater (as defined in Part 10.L.4.3) that is subject to the landfills effluent limitations guidelines (40 C.F.R. Part 445). Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas. Additionally, stormwater that comes into direct contact with alternative daily cover may produce contaminated stormwater if the alternative cover is not managed in accordance with the landfill's Solid Waste permit.

2. ***Drained free liquids*** – aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

3. ***Landfill wastewater*** – as defined in 40 C.F.R. Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated ground water, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate; gas collection condensate; drained free liquids; laboratory-derived wastewater; contaminated stormwater; and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

4. ***Leachate*** – liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

5. ***Non-contaminated stormwater*** – stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off daily, intermediate, and/or final cover of the landfill.

6. ***New cell construction activities conducted once landfill operations begin*** –activities performed for purposes of construction of new landfill cells including: cutting new rights of way, providing access to landfill cells for vehicles and equipment, other earth disturbances associated with site preparation activities for the cell, and/or additional construction associated with the landfill cells.

L.5 Additional Technology-Based Effluent Limits

L.5.1 Preventive Maintenance Program

As part of your preventive maintenance program, maintain the following: all elements of leachate collection and treatment systems, to prevent commingling of leachate with stormwater; the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), to minimize the effects of settlement, sinking, and erosion. (See also Part 2.1.2.3.)

L.5.2 Erosion and Sedimentation Control

Provide temporary stabilization (e.g., temporary seeding, mulching, placing geotextiles on the inactive portions of stockpiles and/or installing and maintaining adequate downgradient stormwater controls/structural BMPs) for the following to minimize discharges of pollutants in stormwater: materials stockpiled for daily, intermediate, and final cover; inactive areas of the landfill; and landfill areas that have final covers but where vegetation has yet to be established. (See also Part 2.1.2.5.)

L.5.3 Good Housekeeping Measures

As part of your good housekeeping program, consider providing protected storage areas for pesticides, herbicides, fertilizer, and other significant materials. (See also Part 2.1.2.2.)

L.6 Requirements Applicable to New Cell Construction Activities Conducted Once Landfill Operations Begin

Stormwater discharges from new cell construction activities conducted once landfill operations begin (defined in Part 10.L.4.6) are covered under this permit. For such new cell construction activities, you must comply with all applicable requirements in Parts 1-8 and 10.L of this permit except for the technology-based effluent limits in Part 10.L.5 and Part 2.1.2, the inspection requirements in Part 10.L.7 and Part 3, and the monitoring requirements in Part 10.L.8 and Part 4. Authorized discharges from areas where new cell construction activities have ceased and stabilization, as specified in Part 10.L.6.1.p, has been completed (stabilization is not required for areas where landfill operations continue to occur), are no longer subject to the 10.L.6 requirements. At such time, authorized discharges become subject to all other applicable requirements in the OKR05 permit, including the effluent limits in Part 2.1.2 and Part 10.L.5, the inspection requirements in Part 3 and Part 10.L.7, and the monitoring requirements in Part 4 and Part 10.L.8.

L.6.1 Technology-Based Effluent Limits Applicable to All New Cell Construction Activities Conducted once the Landfill Operations Begin

The following technology-based effluent limits apply to authorized discharges from all new cell construction activities during landfill operations as defined in Part 10.L.4.6. These limits supersede the technology-based limits listed in Part 2.1.2 and Part 10.L.5 of this permit.

a. ***Area of disturbance -*** You must minimize the amount of soil exposed during new cell construction activities.

b. ***Erosion and sediment control design requirements -***

- Design, install and maintain effective erosion and sediment controls to minimize the discharge of pollutants from new cell construction activities, including stormwater controls/BMPs at or near the new cell construction activity location(s) and/or downgradient of the new cell construction activity location(s). In designing your erosion and sediment controls, you must account for
  - the expected amount, frequency, intensity and duration of precipitation;
  - the nature of stormwater runoff and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features; and
  - the range of soil particle sizes expected to be present on the site.
- Direct discharges from your stormwater controls to vegetated areas of your site to increase sediment removal and maximize stormwater infiltration, including any natural buffers, unless infeasible. Use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.
- If any stormwater flow becomes or will be channelized at your site, you must design erosion and sediment controls to control both peak flowrates and total stormwater volume to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points.
- If you install stormwater conveyance channels, they must be designed to avoid unstabilized areas on the site and to reduce erosion, unless infeasible. In addition, you must minimize erosion of channels and their embankments, outlets, adjacent stream banks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices

within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

c. ***Natural buffers -*** For any stormwater discharges from new cell construction activities within 50 feet (or 100 feet if the facility is located in a sensitive watershed) of waters of the state, you must comply with one of the following compliance alternatives:

- Provide a 50-foot (or 100-foot) undisturbed natural buffer between earth-disturbing/ construction activities and the water of the state;
- Provide an undisturbed natural buffer that is less than 50 feet (or 100 feet) supplemented by additional erosion and sediment controls, which in combination, achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer; or
- If it is infeasible to provide an undisturbed natural buffer of any size, implement erosion and sediment controls that achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer.

  Note: Refer to the "Buffer Guidance" requirements available in the OPDES General Permit OKR10 for Stormwater Discharges from Construction Activities.

  The following are exceptions to the Buffer Guidance:

  - There is no stormwater discharge from new cell construction disturbances to a water of the state;
  - The natural buffer has already been eliminated by pre-existing development disturbances;
  - The disturbance is for the construction of a water-dependent structure or construction approved under a CWA section 404 permit; and
  - For linear construction projects, you are not required to comply with the requirements if there are site constraints provided that, to the extent feasible, you limit disturbances within 50 feet (or 100 feet) of a water of the state and/or you provide supplemental erosion and sediment controls to treat stormwater discharges from any disturbances within 50 feet (or 100 feet) of a water of the state.

d. ***Erosion and sediment control installation requirement -***

- By the time new cell construction activities commence, install and make operational down-gradient sediment controls.
- All other stormwater controls described in the SWP3 must be installed and made operational as soon as conditions on each portion of the site allow.

e. ***Perimeter controls*** -

- Install sediment controls along those perimeter areas of your disturbed area that will receive stormwater, except where site conditions prevent the use of such controls (in which case, maximize their installation to the extent practicable).
- Remove sediment before it accumulates to one-half of the above-ground height of any perimeter control.

f. ***Sediment track-out -*** For construction vehicles and equipment exiting the site directly onto paved roads, you must

- use appropriate stabilization techniques to minimize sediment track-out from vehicles and equipment prior to exit;

- use additional controls to remove sediment from vehicle and equipment tires prior to exit, where necessary;
- remove sediment that is tracked out onto paved roads by the end of the work day.

g. ***Native topsoil preservation -*** You must preserve native topsoil removed during clearing, grading, or excavation, unless infeasible. Store topsoil in a manner that will maximize its use in reclamation or final vegetative stabilization (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.

h. ***Soil or sediment stockpiles -***

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

i. ***Sediment Basins -*** If you intend to install sediment basin(s) to treat and manage stormwater from your construction activities, you must

- provide overall storage for either (1) the 2-year, 24-hour storm, or (2) 3,600 cubic feet per acre drained, whichever is greater; and
- prevent erosion of (1) basin embankments using stabilization controls (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin using erosion controls and velocity dissipation devices.

j. ***Minimize dust -*** You must minimize the generation of dust through the appropriate application of water or other dust suppression techniques that minimize pollutants being discharged into surface waters.

k. ***Steep slopes -*** You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes. Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; for grading steep slopes prior to erecting the landfill office). Where steep slope disturbances are necessary, you can minimize the disturbances to steep slopes through the implementation of a number of standard erosion and sediment control practices, such as by phasing disturbances in these areas and using stabilization practices specifically for steep grades.

l. ***Soil compaction -*** Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/ equipment use in these areas to avoid soil compaction or use soil conditioning techniques to support vegetative growth. Minimizing soil compaction is not required where compacted soil is integral to the functionality of the site.

m. ***Dewatering practices -*** You are prohibited from discharging contaminated or turbid groundwater or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or other similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems). Uncontaminated, non-turbid dewatering water can be discharged without being routed to a control.

You must also meet the following requirements for dewatering activities:

- No discharging visible floating solids or foam;

- Remove oil, grease and other pollutants from dewatering water via an oil-water separator or suitable filtration device (such as a cartridge filter);
- Utilize vegetated upland areas of the site, to the extent feasible, to infiltrate dewatering water before discharge. In no case shall waters of the state be considered part of the treatment area;
- Implement velocity dissipation devices at all points where dewatering water is discharged;
- Haul backwash water away for disposal or return it to the beginning of the treatment process; and
- Clean or replace the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

n. ***Erosion and sediment control maintenance requirements -***

- Ensure that all erosion and sediment controls remain in effective operating condition.
- Wherever you determine that a stormwater control needs maintenance to continue operating effectively, initiate efforts to fix the problem immediately after its discovery, and complete such work by the end of the next work day.
- When a stormwater control must be replaced or significantly repaired, complete the work as soon as practicable but no later than seven days.

o. ***Pollution prevention requirements -***

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that the only allowable non-stormwater discharges are those enumerated in Part 1.3) include
  - wastewater from washout of concrete;
  - wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
  - fuels, oils, or other pollutants used for operation and maintenance of vehicles or equipment;
  - soaps, solvents, or detergents used in vehicle or equipment washing;
  - toxic or hazardous substances from a spill or other release.
- *Design and location requirements* - Minimize the discharge of pollutants from pollutant sources by
  - minimizing exposure;
  - using secondary containment, spill kits, or other equivalent measures;
  - locating pollution sources away from surface waters, storm sewer inlets, and drainage-ways; and
  - cleaning up spills immediately (do not clean by hosing area down).
- *Pollution prevention requirements for wash waters* - Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge.
- *Pollution prevention requirements for the storage, handling, and disposal of construction products, materials, and wastes* - Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to stormwater. Minimization of exposure is

not required in cases where the exposure to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).

p. ***Site stabilization requirements for new cell construction activities*** **-** You must comply with the following stabilization requirements except where the earth disturbances will become actively landfilled or the stormwater controls/BMPs implemented at the active landfill area effectively control stormwater discharges from the disturbed area.

- *Temporary stabilization of disturbed areas* - Stabilization measures must be initiated immediately in portions of the site where new cell construction activities performed for purposes of landfill site preparation/construction have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. Temporary stabilization measures include temporary seeding, mulching and/or installing and maintaining adequate downgradient stormwater controls/ structural BMPs. Temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until active landfilling activities commence.

- *Final stabilization of disturbed areas* - Stabilization measures must be initiated immediately where new cell construction activities performed for purposes of landfill site preparation/construction have permanently ceased, but in no case more than 14 days after the new cell construction activities have permanently ceased. Until final stabilization is achieved, temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, temporary seeding, mulching and/or installing and maintaining adequate downgradient stormwater controls/ structural BMPs, must be used.

- If using vegetative measures, within 14 days after initiating stabilization you must
  - seed or plant the area, and provide temporary cover to protect the planted area; and
  - establish uniform, perennial (if final stabilization) vegetation, and cover at least 70% of the stabilized area based on the density of native vegetation without large (greater than 10 square feet) bare areas.

- If using non-vegetative stabilization, within 14 days after initiating stabilization you must
  - install or apply all non-vegetative measures; and
  - cover all areas of exposed soil.

Note: For the purposes of this permit, DEQ will consider any of the following types of activities to constitute the initiation of stabilization: 1. Prepping the soil for vegetative or non-vegetative stabilization; 2. Applying mulch or other non-vegetative product to the exposed area; 3. Seeding or planting the exposed area; 4. Starting any of the activities in # 1 – 3 on a portion of the area to be stabilized, but not on the entire area; and 5. Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization.

Additional Note (Applicable to final stabilization of disturbed areas): Landfill construction and operational requirements are regulated by OAC 252:515. To invoke the regulatory requirements for soil borrow areas, final stabilization of landfill cells, and vegetative cover from OAC 252:515 in lieu of those in Part 10.6.1.p, you must continue to implement and maintain adequate stormwater control measures such as erosion control blankets, perimeter control, filter berms, silt dykes, sediment filters and sediment chambers, sediment basins and rock dams, sediment traps, or combination of such controls to treat and manage stormwater discharges from disturbed areas. Your SWP3 must describe appropriate control measures that

you will use to treat and manage stormwater discharges, showing their locations on the site map.

L.6.2 Water Quality-Based Requirements Applicable to New Cell Construction Activities Conducted Once Landfill Operation Begins

If your site will discharge to an impaired water, a water that is identified as an aquatic resource of concern, or a water that is identified for higher-tier antidegradation protection, the following more stringent water quality-based limits apply to new cell construction activities conducted once landfill operations begin, in addition to the water quality-based limits in Part 2.2 of this permit.

a. ***More rapid stabilization of exposed areas:*** Complete initial stabilization activities within seven calendar days of stopping new cell construction activities.

b. ***More frequent site inspections:*** Perform inspections once every seven calendar days and within 24 hours of a storm event of 0.5 inches or greater.

L.6.3 Inspection Requirements Applicable to New Cell Construction Activities Conducted Once Landfill Operation Begins

The following requirements supersede the inspection requirements in Part 3 and Part 10.L.7 of the MSGP for earth-disturbing activities conducted once landfill operation begins as defined in Part 10.L.4.6.

a. ***Inspection Frequency:*** You must perform inspections at least once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater. Inspections are only required during working hours. You may reduce the frequency of inspections to once per month in any area of your site where stabilization has occurred pursuant to Part 10.L.6.1.p.

b. ***Areas to be Inspected:*** At a minimum, you must inspect all disturbed areas; stormwater controls and pollution prevention measures; locations where stabilization measures have been implemented; material, waste, borrow, or equipment storage and maintenance areas; areas where stormwater flows; and points of discharge.

c. ***What to Check for During Inspections:*** At a minimum, you must check whether all stormwater controls are installed, operational and working as intended; whether any new or modified stormwater controls are needed; for conditions that could lead to a spill or leak; and for visual signs of erosion/sedimentation at points of discharge. If a discharge is occurring, you must also check the quality and characteristics of the discharge, and whether controls are operating effectively.

d. ***Inspection Report:*** Within 24 hours of an inspection, you must complete a report that includes the inspection date, name and title of the inspector(s), summary of inspection findings, and rainfall amount that triggered the inspection (if applicable). If it was unsafe to inspect a portion of the site, include documentation of the reason(s) and the location(s) that could not be inspected. Each inspection report must be signed, and a current copy of all reports must be kept at the site or at an easily accessible location.

L.6.4 Cessation of Requirements Applicable to New Cell Construction Activities During Landfill Operation

The requirements in Part 10.L.6 no longer apply for any new cell construction activities conducted during landfill operations as defined in Part 10.L.4.6 where

a. new cell construction activities have ceased; and

b. stabilization has been met consistent with Part 10.L.6.1.p (not required for areas where active landfill activities will occur).

L.7 Additional SWP3 Requirements

L.7.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: active and closed landfill cells or trenches; active and closed land application areas; locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff; and leachate collection and handling systems. (See also Part 6.2.2.)

L.7.2 Summary of Potential Pollutant Sources

Document in your SWP3 the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide, and pesticide application; earth and soil moving; waste hauling and loading or unloading; outdoor storage of significant materials, including daily, interim, and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; and failure or leaks from leachate collection and treatment systems. (See also Part 6.2.3.)

L.7.3 Additional Inspection Requirements

a. ***Inspections of Active Sites****:* Inspect operating landfills, and land application sites at least once every seven days. Focus on areas of landfills that have not yet been finally stabilized; active land application areas, areas used for storage of material and wastes that are exposed to precipitation, stabilization, and structural control measures; leachate collection and treatment systems; and locations where equipment and waste trucks enter and exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, or where the climate is arid or semi-arid, conduct inspections at least once every month.

b. ***Inspections of Inactive Sites:*** Inspect inactive landfills, and land application sites at least quarterly. Qualified personnel must inspect landfill stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas. (See also Part 3.1.)

L.7.4 Recordkeeping and Internal Reporting

Keep records with your SWP3 of the types of wastes disposed of in each cell or trench of a landfill. For land application sites, track the types and quantities of wastes applied in specific areas.

L.7.5 Non-Stormwater Discharge Certification

Certification must be included for the discharge test or evaluation for the presence of any leachate and vehicle wash water that are not authorized in Part 1.3 of this permit. (See also Part 6.2.3.5.)

L.8 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table L-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table L-1 Landfills and Land Application Sites Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Effluent Limitation[1]
Discharges from non-hazardous waste landfills subject to effluent limitations in 40 C.F.R. Part 445 Subpart B	Biochemical Oxygen Demand (BOD_5)	140 mg/L, daily maximum 37 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum 27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum 4.9 mg/L, monthly avg. maximum
	Alpha Terpineol	0.033 mg/L, daily max. 0.016 mg/L, monthly avg. maximum
	Benzoic Acid	0.12 mg/L, daily max. 0.071 mg/L, monthly avg. maximum
	p-Cresol	0.025 mg/L, daily max. 0.014 mg/L, monthly avg. maximum
	Phenol	0.026 mg/L, daily max. 0.015 mg/L, monthly avg. maximum
	Total Zinc	0.20 mg/L, daily max. 0.11 mg/L, monthly avg. maximum
	pH	6.5 – 9.0 s.u.

[1] As set forth at 40 C.F.R. Part 445 Subpart B, these numeric limitations apply to contaminated stormwater discharges from municipal solid waste landfills (MSWLFs) that have not been closed in accordance with 40 C.F.R. § 258.60 and to contaminated stormwater discharges from landfills that are subject to the provisions of 40 C.F.R. Part 257 except for discharges from any of the following facilities:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 C.F.R. Subchapter N as the industrial or commercial operation or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 C.F.R. Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

Sector M Automobile Salvage Yards

M.1 Covered Stormwater Discharges

The requirements in Sector M apply to stormwater discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Codes specified under Sector M in Table 1-3 of this permit.

M.2 Industrial Activities Covered by Sector M

The types of activities that permittees under Sector M are primarily engaged in are dismantling or wrecking used motor vehicles for parts recycling/resale and for scrap.

M.3 Additional Technology-Based Effluent Limits

M.3.1 Spill and Leak Prevention Procedures

Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as practicable) or employ some other equivalent means to prevent spills and leaks. (See also Part 2.1.2.4.)

M.3.2 Employee Training

If applicable to your facility, address the following areas (at a minimum) in your employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, antifreeze, mercury switches, and solvents. (See also Part 2.1.2.10.)

M.3.3 Management of Runoff

Implement control measures to minimize discharges of pollutants in runoff such as the following, where determined to be feasible (list not exclusive): berms or drainage ditches on the property line (to help prevent run-on from neighboring properties); berms for uncovered outdoor storage of oily parts, engine blocks, and above-ground liquid storage; installation of detention ponds; and installation of filtering devices and oil-water separators. (See also Part 2.1.2.6.)

M.4 Additional SWP3 Requirements

M.4.1 Drainage Area Site Map

Identify locations used for dismantling, storing, and maintaining used motor vehicle parts. Also identify where any of the following may be exposed to precipitation or surface runoff: dismantling areas, parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas, and liquid storage tanks and drums for fuel and other fluids. (See also Part 6.2.2.)

M.4.2 Potential Pollutant Sources

Assess the potential for the following to contribute pollutants to stormwater discharges: vehicle storage areas, dismantling areas, parts storage areas (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers), and fueling stations. (See also Part 6.2.3.)

M.4.3 Additional Inspection Requirements

Immediately (or as soon thereafter as practicable) inspect vehicles arriving at the site for leaks. Inspect quarterly for signs of leakage all equipment containing oily parts, hydraulic fluids, any other types of fluids, or mercury switches. Also, inspect quarterly for signs of leakage all vessels and areas where hazardous materials and general automotive fluids are stored, including, but not limited to, mercury switches, brake fluid, transmission fluid, radiator water, and antifreeze. (See also Part 3.1.)

Within 30 days prior to filing an NOT to terminate permit coverage, you are required to conduct a final inspection of your facility. Your final inspection should document the following:

- Materials from spills or leaks have been removed;
- All recoverable fluids (e.g. oil, antifreeze, fuels, etc.) and mercury switches have been removed from vehicles still located on the facility's property;
- Batteries are stored or disposed of properly;
- Storage tanks containing recoverable fluids have been disposed of properly; and
- Salvaged parts (e.g., engines, transmissions, tires, etc.) have been removed from the facility's property, if no longer contained in a properly maintained vehicle.

If any of the above conditions cannot be met, corrective actions (see also Part 6) must be taken and documented in the facility's SWP3 prior to submitting an NOT.

M.5 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector N Scrap Recycling and Waste Recycling Facilities

N.1 Covered Stormwater Discharges

The requirements in Sector N apply to stormwater discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Codes specified under Sector N in Table 1-3 of this permit.

N.2 Industrial Activities Covered by Sector N

The types of activities in which permittees under Sector N are primarily engaged are as follows:

1. Processing, reclaiming, and wholesale distribution of scrap and waste materials such as ferrous and nonferrous metals, paper, plastic, cardboard, glass, and animal hides; and
2. Reclaiming and recycling liquid wastes such as used oil, antifreeze, mineral spirits, and industrial solvents.

N.3 Limitation on Coverage

Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (i.e., common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum, and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF). (See also Part 10.N.4.3.)

Prohibition of Non-Stormwater Discharges (see also Part 1.9) - Non-stormwater discharges from turnings containment areas are not covered by this permit. Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate OPDES permit.

N.4 Additional Technology-Based Effluent Limits

N.4.1 Scrap and Waste Recycling Facilities (Non-source Separated, Non-liquid Recyclable Materials)

The following requirements are for facilities that receive, process, and do wholesale distribution of non-source separated, non-liquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). These facilities may receive both non-recyclable and recyclable materials. This section is not intended for those facilities that accept recyclables only from primarily non-industrial and residential sources.

a. ***Inbound Recyclable and Waste Material Control Program -*** Minimize the chance of accepting materials that could be significant sources of pollutants by conducting inspections of inbound recyclables and waste materials and through implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing information and education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil-filled transformers, and individual containers or drums) and removal of mercury switches from vehicles before delivery to your facility; establishing procedures to minimize the potential of any residual fluids from coming into contact with precipitation

or runoff; establishing procedures for accepting scrap lead-acid batteries (additional requirements for the handling, storage, and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions in Part 10.N.4.1.f); providing training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and establishing procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and non-leaking containers and are disposed of or recycled in accordance with the Resource Conservation and Recovery Act (RCRA).

b. ***Scrap and Waste Material Stockpiles and Storage (Outdoor) -*** Minimize contact of stormwater runoff with stockpiled materials, processed materials, and non-recyclable wastes through implementation of control measures such as the following, where determined to be feasible (list not exclusive): permanent or semi-permanent covers; sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; dikes, berms, containment trenches, culverts, and surface grading to divert runoff from storage areas; silt fencing; and oil-water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

c. ***Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage)*** - Minimize contact of surface runoff with residual cutting fluids by storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover or establishing dedicated containment areas for all turnings that have been exposed to cutting fluids. Any containment areas must be constructed of concrete, asphalt, or other equivalent types of impermeable material and include a barrier (e.g., berms, curbing, elevated pads) to prevent contact with stormwater run-on. Stormwater runoff from these areas can be discharged, provided that any runoff is first collected and treated by an oil-water separator or its equivalent. You must regularly maintain the oil-water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.

d. ***Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage) -*** Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface runoff through implementation of control measures such as the following, where determined to be feasible (list not exclusive): good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, and mercury spill kits for spills from storage of mercury switches; not allowing wash water from tipping floors or other processing areas to discharge to the storm sewer system; and disconnecting or sealing off all floor drains connected to the storm sewer system.

e. ***Scrap and Recyclable Waste Processing Areas -*** Minimize surface runoff from coming into contact with scrap processing equipment. Pay attention to operations that generate visible amounts of particulate residue (e.g., shredding) to minimize the contact of accumulated particulate matter and residual fluids with runoff (i.e., through good housekeeping, preventive maintenance). To minimize discharges of pollutants in stormwater from scrap and recyclable waste processing areas, implement control measures such as the following, where determined to be feasible (list not exclusive): at least once per month inspecting equipment for spills or leaks and malfunctioning, worn, or corroded parts or equipment; establishing a preventive maintenance program for processing equipment; using dry-absorbents or other clean-up practices to collect and dispose of or recycle spilled or leaking fluids or use mercury spill kits for spills from storage of mercury switches; on unattended hydraulic reservoirs over 150 gallons in capacity, installing protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; implementing containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of stormwater runoff with outdoor processing equipment or stored materials; using oil-water separators or sumps; installing permanent or semi-permanent covers in processing areas where there are residual fluids and grease; and using retention or detention ponds or basins, sediment

traps, vegetated swales or strips, and/or catch basin filters or sand filters for pollutant settling and filtration.

f. ***Scrap Lead-Acid Battery Program -*** To minimize the discharge of pollutants in stormwater from lead-acid batteries, properly handle, store, and dispose of scrap lead-acid batteries, and implement control measures such as the following, where determined to be feasible (list not exclusive): segregating scrap lead-acid batteries from other scrap materials; properly handling, storing, and disposing of cracked or broken batteries; collecting and disposing of leaking lead-acid battery fluid; minimizing or eliminating (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; and providing employee training for the management of scrap batteries.

g. ***Spill Prevention and Response Procedures*** (see also Part 2.1.2.4) - Install alarms and/or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used. Use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

h. ***Supplier Notification Program -*** As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or will be accepted only under certain conditions.

N.4.2 Waste Recycling Facilities (Liquid Recyclable Materials)

a. ***Waste Material Storage (Indoor) -*** Minimize or eliminate contact between residual liquids from waste materials stored indoors and from surface runoff. The SWP3 may refer to applicable portions of other existing plans, such as SPCC Plans required under 40 C.F.R. Part 112. To minimize discharges of pollutants in stormwater from indoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): procedures for material handling (including labeling and marking); clean up spills and leaks with dry-absorbent materials and/or a wet vacuum system; install appropriate containment structures (e.g., trenching, curbing, gutters, etc.); and install a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage should be discharged to an appropriate treatment facility or sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate OPDES wastewater permit or industrial user permit under the pretreatment program.

b. ***Waste Material Storage (Outdoor) -*** Minimize contact between stored residual liquids and precipitation or runoff. The SWP3 may refer to applicable portions of other existing plans, such as SPCC Plans required under 40 C.F.R. Part 112. Discharges of stormwater from containment areas containing used oil must also be in accordance with applicable sections of 40 C.F.R. Part 112. To minimize discharges of pollutants in stormwater from outdoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): construct appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank with sufficient extra capacity for precipitation; provide drainage controls and other diversionary structures; install corrosion protection and/or leak detection systems for storage tanks; and use dry-absorbent materials or a wet vacuum system to collect spills.

c. ***Trucks and Rail Car Waste Transfer Areas -*** Minimize pollutants in stormwater discharges from truck and rail car loading and unloading areas. Include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. To minimize discharges of pollutants in stormwater from truck and rail car waste transfer areas, implement control measures such as the following, where determined to be feasible (list not exclusive): construct containment and diversionary structures to minimize contact

with precipitation or runoff; and use dry clean-up methods, wet vacuuming, roof coverings, and/or runoff controls.

N.4.3 Recycling Facilities (Source-Separated Materials)

The following requirements are for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

a. ***Inbound Recyclable Material Control*** **-** Minimize the chance of accepting non-recyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials and through the implementation of control measures such as the following, where determined to be feasible (list not exclusive): provide information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials; train drivers to be responsible when picking up recycled material; clearly label public drop-off containers identifying which materials can be accepted; reject non-recyclable wastes or household hazardous wastes at the source; and establish procedures for handling and disposal of non-recyclable material.

b. ***Outdoor Storage*** **-** Minimize exposure of recyclables to precipitation and runoff by using good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas and through implementation of control measures such as the following, where determined to be feasible (list not exclusive): provide enclosed drop-off containers for the public; install a sump pump within each container pit and treat or discharge collected fluids to a sanitary sewer system; provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); divert surface water runoff away from outside material storage areas; provide covers over containment bins, dumpsters, and roll-off boxes; and store the equivalent of one day's volume of recyclable material indoors.

c. ***Indoor Storage and Material Processing*** **-** Minimize the release of pollutants from indoor storage and processing areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): schedule routine good housekeeping measures for all storage and processing areas; prohibit tipping floor wash water from draining to the storm sewer system; and provide employee training on pollution prevention practices.

d. ***Vehicle and Equipment Maintenance*** - Minimize the discharge of pollutants in stormwater from areas where vehicle and equipment maintenance occur outdoors through implementation of control measures such as the following, where determined to be feasible (list not exclusive): minimize or eliminate outdoor maintenance areas; establish spill prevention and clean-up procedures in fueling areas; avoid topping off fuel tanks; divert runoff from fueling areas; store lubricants and hydraulic fluids indoors; and provide employee training on proper handling and storage of hydraulic fluids and lubricants.

N.5 Additional SWP3 Requirements

N.5.1 Drainage Area Site Map

Document in your SWP3 the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage; outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids. (See also Part 6.2.2.)

N.5.2 Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities

If you are subject to Part 10.N.4.1.c, your SWP3 must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

N.5.3 Additional Inspection Requirements

Inspections for Waste Recycling Facilities - The inspections must be performed quarterly, per Part 3.1, and include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed of and that are exposed to either precipitation or stormwater runoff.

N.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector O Steam Electric Generating Facilities

O.1 Covered Stormwater Discharges

The requirements in Sector O apply to stormwater discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Industrial Activity Code SE specified under Sector O in Table 1-3 of this permit.

O.2 Industrial Activities Covered by Sector O

The types of activities in which permittees under Sector O are primarily engaged are as follows:

1. Steam electric power generation using coal, natural gas, oil, nuclear energy, etc., to produce a steam source, including coal handling areas (does not include geothermal power);
2. Coal storage pile runoff, including effluent limitations established by 40 C.F.R. Part 423; and
3. Dual fuel co-generation facilities that could employ a steam boiler.

O.3 Limitations on Coverage

O.3.1 Prohibition of Non-Stormwater Discharges

Non-stormwater discharges subject to effluent limitations guidelines are not covered by this permit (the only non-stormwater discharges authorized by this permit are those included at Part 1.3.).

O.3.2 Prohibition of Stormwater Discharges

Stormwater discharges from the following are not covered by this permit:

a. **Ancillary facilities** (e.g., fleet centers and substations) that are not contiguous to a steam electric power generating facility;

b. **Gas turbine facilities** (providing the facility is not a dual-fuel facility that includes a steam boiler) and combined-cycle facilities where no supplemental fuel oil is burned (and the facility is not a dual-fuel facility that includes a steam boiler); and

c. **Co-generation (combined heat and power) facilities** utilizing a gas turbine.

O.4 Additional Technology-Based Effluent Limits

O.4.1 Good Housekeeping Measures

In addition to the good housekeeping requirements in Part 2.1.2.2, you must do the following:

a. ***Fugitive Dust Emissions*** - Minimize fugitive dust emissions from coal handling areas to minimize the tracking of coal dust offsite that could be discharged in stormwater through implementation of control measures such as the following, where determined to be feasible, (list not exclusive): installing specially

designed tires; and washing vehicles in a designated area before they leave the site and controlling the wash water.

b. ***Delivery Vehicles*** - Minimize contamination of stormwater runoff from delivery vehicles arriving at the plant site. Implement procedures to inspect delivery vehicles arriving at the plant site as necessary to minimize discharges of pollutants in stormwater. Ensure the overall integrity of the body or container of the delivery vehicle and implement procedures to deal with leakage or spillage from delivery vehicles.

c. ***Fuel Oil Unloading Areas*** - Minimize contamination of precipitation or surface runoff from fuel oil unloading areas. Use containment curbs in unloading areas where feasible. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure that any leaks or spills are immediately contained and cleaned up, and use spill and overflow protection devices (e.g., drip pans, drip diapers, or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).

d. ***Chemical Loading and Unloading*** - Minimize contamination of precipitation or surface runoff from chemical loading and unloading areas. Use containment curbs at chemical loading and unloading areas to contain spills, where practicable. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure leaks and spills are immediately contained and cleaned up and, where practicable, load and unload in covered areas and store chemicals indoors.

e. ***Miscellaneous Loading and Unloading Areas*** - Minimize contamination of precipitation or surface runoff from loading and unloading areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover the loading area; grade, curb, or berm around the loading area to divert run-on; and locate the loading and unloading equipment and vehicles so that leaks are contained in existing containment and flow diversion systems.

f. ***Liquid Storage Tanks*** - Minimize contamination of surface runoff from above-ground liquid storage tanks through implementation of control measures such as the following, where determined to be feasible (list not exclusive): use protective guards around tanks; use containment curbs; install spill and overflow protection; and use dry clean-up methods.

g. ***Large Bulk Fuel Storage Tanks*** - Minimize contamination of surface runoff from large bulk fuel storage tanks. Use containment berms (or their equivalent). You must also comply with applicable state and federal laws, including SPCC Plan requirements.

h. ***Spill Reduction Measures*** - Minimize the potential for an oil or chemical spill, or reference the appropriate part of your SPCC Plan. Visually inspect as part of your routine facility inspection the structural integrity of all above-ground tanks, pipelines, pumps, and related equipment that may be exposed to stormwater, and make any necessary repairs immediately.

i. ***Oil-Bearing Equipment in Switchyards*** - Minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. Use level grades and gravel surfaces to retard flows and limit the spread of spills, or collect runoff in perimeter ditches.

j. ***Residue-Hauling Vehicles*** - Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

k. ***Ash Loading Areas*** - Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water as necessary to minimize discharges of pollutants in stormwater.

l. ***Areas Adjacent to Disposal Ponds or Landfills -*** Minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Reduce ash residue that may be tracked onto access roads

traveled by residue handling vehicles, and reduce ash residue on exit roads leading into and out of residue handling areas.

m. ***Landfills, Scrap Yards, Surface Impoundments, and General Refuse Sites*** - Minimize the potential for contamination of runoff from these areas.

O.5 Additional SWP3 Requirements

O.5.1 Drainage Area Site Map

Document in your SWP3 the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: storage tanks, scrap yards, and general refuse areas; short- and long-term storage of general materials (including but not limited to supplies, construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer, and pesticides); landfills and construction sites; and stockpile areas (e.g., coal or limestone piles). (See also Part 6.2.2.)

O.5.2 Good Housekeeping Measures

You must document in your SWP3 the good housekeeping measures implemented to meet the effluent limits in Part O.4.

O.5.3 Additional Inspection Requirements

As part of the inspection, the following areas must be inspected monthly: coal handling areas, loading or unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks and long-term and short-term material storage areas.

O.6 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table O-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table O-1 Steam Electric Power Generating Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Effluent Limitation
Discharges from coal storage piles at Steam Electric Generating Facilities	Total Suspended Solids (TSS)	50 mg/L, daily maximum
	pH	6.5 - 9.0 s.u.

Sector P Land Transportation and Warehousing

P.1 Covered Stormwater Discharges

The requirements in Sector P apply to stormwater discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the SIC Codes as specified under Sector P in Table 1-3 of this permit.

EPA has permitting jurisdiction for stormwater discharges from the facilities primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage

facilities under the SIC code 5171 Petroleum Bulk Stations and Terminals. This includes petroleum bulk stations and terminals under the SIC Code 5171 that employ company-owned and operated pickup and delivery trucks that are company-maintained.

P.2 Industrial Activities Covered by Sector P

The types of activities in which permittees under Sector P are primarily engaged are as follows

1. Vehicle and equipment maintenance (vehicle and equipment rehabilitation, mechanical repairs, painting, fueling and lubrication); and
2. Equipment cleaning.

P.3 Limitation on Coverage

P.3.1 Prohibited Discharges

This permit does not authorize the discharge of vehicle/equipment/surface wash water, including tank cleaning operations. Such discharges must be authorized under a separate OPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled onsite. (See also Part 1.9.)

P.4 Additional Technology-Based Effluent Limits

P.4.1 Good Housekeeping Measures

In addition to the good housekeeping requirements in Part 2.1.2.2, you must comply with the following:

a. ***Vehicle and Equipment Storage Areas -*** Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): use drip pans under vehicles/equipment; store vehicles and equipment indoors; install berms or dikes; use absorbents; roof or cover storage areas; and clean pavement surfaces to remove oil and grease.

b. ***Fueling Areas -*** Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover the fueling area; use spill/overflow protection and clean-up equipment; minimize stormwater run-on/runoff to the fueling area; use dry clean-up methods; and treat and/or recycle collected stormwater runoff.

c. ***Material Storage Areas -*** Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., “Used Oil,” “Spent Solvents”). To minimize discharges of pollutants in stormwater from material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): store the materials indoors; install berms/dikes around the areas; minimize runoff of stormwater to the areas; use dry clean-up methods; and treat and/or recycle collected stormwater runoff.

d. ***Vehicle and Equipment Cleaning Areas -*** Minimize contamination of stormwater runoff from all areas used for vehicle/equipment cleaning through implementation of control measures such as the following, where determined to be feasible (list not exclusive): perform all cleaning operations indoors; cover the cleaning operation and ensure that all wash water drains to a proper collection system (i.e., not the stormwater drainage system); and treat and/or recycle collected wash water. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

e. ***Vehicle and Equipment Maintenance Areas -*** Minimize contamination of stormwater runoff from all areas used for vehicle/equipment maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): perform maintenance activities indoors; use drip pans; keep an organized inventory of materials used in the shop; drain all parts of fluid prior to disposal; prohibit wet clean up practices if these practices would result in the discharge of pollutants to stormwater drainage systems; use dry clean-up methods; treat and/or recycle collected stormwater runoff; and minimize run-on/runoff of stormwater to maintenance areas.

f. ***Locomotive Sanding Areas (Loading Sand for Traction) -*** Minimize discharges of pollutants in stormwater from locomotive sanding areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover sanding areas; minimize stormwater run-on/runoff; and use appropriate sediment removal practices to minimize the offsite transport of sanding material by stormwater.

P.4.2 Employee Training

Train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management. (See also Part 2.1.2.10.)

P.5 Additional SWP3 Requirements

P.5.1 Drainage Area Site Map

Identify in the SWP3 the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas. (See also Part 6.2.2.)

P.5.2 Potential Pollutant Sources

Assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas. Describe these activities in the SWP3. (See also Part 6.2.3.)

P.5.3 Good Housekeeping Measures

You must document in your SWP3 the good housekeeping measures you implement consistent with Part P.4.

a. ***Vehicle and Equipment Wash Water Requirements -*** If wash water is handled in a manner that does not involve separate OPDES permitting (e.g., hauled offsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination, etc.) in your SWP3. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

b. ***Additional Inspection Requirements*** (see also Part 3.1) - Inspect all the following areas/ activities: storage areas for vehicles/equipment awaiting maintenance, fueling areas, indoor and outdoor vehicle/equipment maintenance areas, material storage areas, vehicle/equipment cleaning areas and loading/unloading areas.

P.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector Q Water Transportation

Q.1 Covered Stormwater Discharges

The requirements in Sector Q apply to stormwater discharges associated with industrial activity from Water Transportation facilities as identified by the SIC Codes specified under Sector Q in Table 1-3 of this permit.

Q.2 Industrial Activities Covered by Sector Q

Stormwater discharges from the following water transportation facilities classified in SIC codes 4412-4499 that have vehicle (vessel) maintenance shops and/or equipment cleaning operations are covered under Sector Q:

1. Water transportation industry including facilities engaged in foreign or domestic transport of freight or passengers in deep sea or inland waters;
2. Marine cargo handling operations, ferry operations, towing and tugboat services; and
3. Marinas.

Q.3 Limitations on Coverage

Prohibition of Non-Stormwater Discharges (see also Part 1.9) - Discharges from vessels including bilge and ballast water, sanitary wastes, pressure wash water, and cooling water are not covered by this permit. Any discharge of pollutants from a point source to a water of the state requires coverage under a separate OPDES permit. (The only non-stormwater discharges authorized by this permit are those included at Part 1.3.)

Q.4 Additional Technology-Based Effluent Limits

Q.4.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Pressure Washing Areas -*** If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate OPDES permit. Collect or contain the discharges from the pressure washing area so that they are not commingled with stormwater discharges authorized by this permit.

b. ***Blasting and Painting Areas -*** Minimize the potential for spent abrasives, paint chips, and overspray to be discharged into receiving waters or the storm sewer system. Contain all blasting and painting activities, or use other measures, to minimize the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). At least once per month, you must clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

c. ***Material Storage Areas -*** Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and contain, enclose or use other measures for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

d. ***Engine Maintenance and Repair Areas -*** Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair through implementation of control measures such as the following, where determined to be feasible (list not exclusive): perform all maintenance activities indoors; maintain an organized inventory of materials used in the shop; drain all parts of fluid prior to disposal; prohibit the practice of hosing down the shop floor; use dry clean-up methods; and treat and/or recycle stormwater runoff collected from the maintenance area.

e. ***Material Handling Areas -*** Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover fueling areas; use spill and overflow protection; mix paints and solvents in a designated area (preferably indoors or under cover); and minimize stormwater run-on to material handling areas.

f. ***Drydock Activities -*** Routinely maintain and clean the drydock to minimize discharges of pollutants in stormwater. Clean accessible areas of the drydock prior to flooding, and perform final clean-up following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock. To minimize discharges of pollutants in stormwater from drydock activities, implement control measures such as the following, where determined to be feasible (list not exclusive): sweep rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding; and make absorbent materials and oil containment booms readily available to clean up or contain any spills.

Q.4.2 Employee Training

As part of your employee training program, address, at a minimum, the following activities (as applicable): used oil management; spent solvent management; disposal of spent abrasives; disposal of vessel wastewaters; spill prevention and control; fueling procedures; general good housekeeping practices; painting and blasting procedures; and used battery management. (See also Part 2.1.2.10.)

Q.4.3 Preventive Maintenance

As part of your preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters. (See also Part 2.1.2.3.)

Q.5 Additional SWP3 Requirements

Q.5.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron). (See also Part 6.2.2.)

Q.5.2 Potential Pollutant Sources

Document in the SWP3 the following additional sources and activities that are associated with potential pollutants (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting). (See also Part 6.2.3.)

Q.5.3 Documentation of Good Housekeeping Measures

Document in your SWP3 any good housekeeping measures implemented to meet the effluent limits in Part 10.Q.4. Document in the SWP3 any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

Q.5.4 Additional Inspection Requirements

Include the following in all quarterly routine facility inspections: pressure washing areas; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; dry-dock area; and general yard area. (See also Part 3.1.)

Q.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector R Ship and Boat Building or Repair Yards

R.1 Covered Stormwater Discharges

The requirements in Sector R apply to stormwater discharges associated with industrial activity from Ship and Boat Building or Repair Yards as identified by the SIC Codes specified under Sector R in Table 1-3 of this permit.

R.2 Industrial Activities Covered by Sector R

The types of activities that permittees under Sector R are primarily engaged in are ship and boat building and repairing.

R.3 Limitations on Coverage

Discharges from vessels including bilge and ballast water, sanitary wastes, pressure wash water, and cooling water are not covered by this permit. (The only non-stormwater discharges authorized by this permit are those included at Part 1.3.)

R.4 Additional Technology-Based Effluent Limits

R.4.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Pressure Washing Areas -*** If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate OPDES permit. Collect or contain the discharges from the pressure washing area so that they are not commingled with stormwater discharges authorized by this permit.

b. ***Blasting and Painting Areas -*** Minimize the potential for spent abrasives, paint chips, and overspray to be discharged into receiving waters or the storm sewer system. Contain all blasting and painting activities, or use other measures, to prevent the discharge of the contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). At least once per month, you must clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

c. ***Material Storage Areas -*** Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and contain, enclose or use other measures for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

d. ***Engine Maintenance and Repair Areas -*** Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair through implementation of control measures

such as the following, where determined to be feasible (list not exclusive): perform all maintenance activities indoors; maintain an organized inventory of materials used in the shop; drain all parts of fluid prior to disposal; prohibit the practice of hosing down the shop floor; use dry clean-up methods; and treat and/or recycle stormwater runoff collected from the maintenance area.

e. ***Material Handling Areas -*** Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover fueling areas; use spill and overflow protection; mix paints and solvents in a designated area (preferably indoors or under a shed); and minimize stormwater run-on to material handling areas.

f. ***Drydock Activities -*** Routinely maintain and clean the drydock to minimize discharge of pollutants in stormwater. Clean accessible areas of the drydock prior to flooding and final clean-up following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, or fuel spills occurring on the drydock. To minimize discharges of pollutants in stormwater from drydock activities, implement control measures such as the following, where determined to be feasible (list not exclusive): sweep rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding; and make absorbent materials and oil containment booms readily available to clean up and contain any spills.

R.4.2 Employee Training

As part of your employee training program, address, at a minimum, the following activities (as applicable): used oil management, spent solvent management, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management. (See also Part 2.1.2.10.)

R.4.3 Preventive Maintenance

As part of your preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil-water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters. (See also Part 2.1.2.3.)

R.5 Additional SWP3 Requirements

R.5.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron). (See also Part 6.2.2.)

R.5.2 Potential Pollutant Sources

Document in your SWP3 the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting). (See also Part 6.2.3.)

R.5.3 Documentation of Good Housekeeping Measures

Document in your SWP3 any good housekeeping measures implemented to meet the effluent limits in Part 10.R.4. Document in the SWP3 any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

R.5.4 Additional Inspection Requirements

Include the following in all quarterly routine facility inspections: pressure washing areas; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area. (See also Part 3.1)

R.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector S Air Transportation

S.1 Covered Stormwater Discharges

The requirements in Sector S apply to stormwater discharges associated with industrial activity from Air Transportation facilities such as airports, airport terminals, airline carriers, and establishments identified by the SIC Codes Group 45 specified under Sector S in Table 1-3 of this permit.

S.2 Industrial Activities Covered by Sector S

Stormwater discharges from the following activities at air transportation facilities are covered under Sector S:

1. Servicing, repairing, or maintaining aircraft and ground vehicles;
2. Equipment cleaning and maintenance (including vehicle and equipment rehabilitation, mechanical repairs, painting, fueling, lubrication); and
3. Deicing/anti-icing operations which conduct the above-described activities.

S.3 Limitations on Coverage

S.3.1 Limitations on Coverage

This permit authorizes stormwater discharges from only those portions of the air transportation facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations.

Note: The term “deicing” in this permit will generally be used to mean both deicing (removing frost, snow or ice) and anti-icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made otherwise.

S.3.2 Prohibition of Non-Stormwater Discharges

This permit does not authorize the discharge of aircraft, ground vehicle, runway and equipment wash waters; nor the dry-weather discharge of deicing chemicals. Such discharges must be covered by separate OPDES permit(s). Note that a discharge resulting from snowmelt is not a dry-weather discharge. The only non-stormwater discharges authorized by this permit are those included at Part 1.3. (See also Part 1.2.)

S.4 Additional Technology-Based Effluent Limits

S.4.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Aircraft, Ground Vehicle and Equipment Maintenance Areas*** **-** Minimize the contamination of stormwater runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangers) through implementation of control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): perform maintenance activities indoors; maintain an organized inventory of material used in the maintenance areas; drain all parts of fluids prior to disposal; prohibit the practice of hosing down the apron or hangar floor; use dry clean-up methods; and collect the stormwater runoff from the maintenance area and provide treatment or recycling.

b. ***Aircraft, Ground Vehicle and Equipment Cleaning Areas*** (see also Part 10.S.4.f) - Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of stormwater runoff from cleaning areas.

c. ***Aircraft, Ground Vehicle and Equipment Storage Areas*** **-** Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only and implement control measures to minimize the discharge of pollutants in stormwater from these storage areas such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): store aircraft and ground vehicles indoors; use drip pans for the collection of fluid leaks; and install perimeter drains, dikes or berms surrounding the storage areas.

d. ***Material Storage Areas*** **-** Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition to prevent or minimize contamination of stormwater. Also plainly label the vessels (e.g., "Used Oil," "Contaminated Jet A"). To minimize contamination of precipitation/runoff from these areas, implement control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): store materials indoors; store waste materials in a centralized location; and install berms/dikes around storage areas.

e. ***Airport Fuel System and Fueling Areas*** **-** Minimize the discharge of pollutants in stormwater from airport fuel systems and fueling areas through implementation of control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): implement spill and overflow practices (e.g., place absorptive materials beneath aircraft during fueling operations); use only dry clean-up methods; and collect stormwater runoff. If you have implemented an SPCC plan developed in accordance with the 2006 amendments to the SPCC rule, you may cite the relevant aspects from your SPCC plan that comply with the requirements of this section in your SWP3.

f. ***Source Reduction*** **-** Consistent with safety considerations, minimize the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used that could add pollutants to stormwater discharges. Chemical options to replace pavement deicers (urea or glycol) include (list not exclusive): potassium acetate; magnesium acetate; calcium acetate; and anhydrous sodium acetate.

- ***Runway Deicing Operations*** **-** To minimize the discharge of pollutants in stormwater from runway deicing operations, implement source reduction control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): meter the application of chemicals; pre-wet dry chemical

constituents prior to application; install a runway ice detection system; implement anti-icing operations as a preventive measure against ice buildup; use heated sand; and product substitution.

- ***Aircraft Deicing Operations*** **-** Minimize the discharge of pollutants in stormwater from aircraft deicing operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. Determine whether alternatives to glycol and whether containment measures for applied chemicals are feasible. Implement control measures for reducing deicing fluid such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): forced-air deicing systems, computer-controlled fixed-gantry systems, infrared technology, hot water, varying glycol content to air temperature, enclosed-basket deicing trucks, mechanical methods, solar radiation, hangar storage, aircraft covers, and thermal blankets for MD-80s and DC-9s. Consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems where feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations. The evaluations and determinations required by this Part should be carried out by the personnel most familiar with the particular aircraft and flight operations and related systems in question (versus an outside entity such as the airport authority).

g. ***Management of Runoff*** (see also Part 2.1.2.6) - Minimize the discharge of pollutants in stormwater from deicing chemicals in runoff. To minimize discharges of pollutants in stormwater from aircraft deicing, implement runoff management control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): install a centralized deicing pad to recover deicing fluid following application; use plug-and-pump (PnP); use vacuum/collection trucks (glycol recovery vehicles); store contaminated stormwater/deicing fluids in tanks; recycle collected deicing fluid where feasible; release controlled amounts to a publicly owned treatment works; separate contaminated snow; convey contaminated runoff into a stormwater impoundment for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and direct runoff into vegetative swales or other infiltration measures.

To minimize discharges of pollutants in stormwater from runway deicing, implement runoff management control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): use mechanical systems (e.g., snow plows, brushes) to remove snow and ice; convey contaminated runoff into swales and/or a stormwater impoundment; and implement pollution prevention practices such as ice detection systems and airfield pre-wetting.

When applying deicing fluids during non-precipitation events (also referred to as “clear ice deicing”), implement control measures to prevent unauthorized discharge of pollutants (dry-weather discharges of pollutants would need coverage under an OPDES wastewater permit). To minimize the discharge of pollutants from deicing fluids in later stormwater discharges, implement control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): recover deicing fluids; prevent the fluids from entering storm sewers or other stormwater discharge conveyances (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains); and release controlled amounts to a publicly owned treatment works. Used deicing fluid should be recycled whenever practicable.

h. ***Deicing Season*** **-** You must determine the seasonal timeframe (e.g., December - February, October - March) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with particular emphasis throughout the defined deicing season.

S.5 Additional SWP3 Requirements

S.5.1 Drainage Area Site Map

Document in the SWP3 the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; and storage areas for aircraft, ground vehicles and equipment awaiting maintenance. (See also Part 6.2.2.)

S.5.2 Potential Pollutant Sources

In the inventory of exposed materials, describe in the SWP3 the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: aircraft, runway, ground vehicle and equipment maintenance and cleaning; and aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If deicing chemicals are used, a record of the types (including the Safety Data Sheets [SDS]) used and the monthly quantities, either as measured or, in the absence of metering, using best estimates, must be maintained. This includes all deicing chemicals, not just glycols and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Deicing operators must provide the above information to the airport authority for inclusion with any comprehensive airport SWP3s. (See also Part 6.2.3.)

S.5.3 Vehicle and Equipment Wash Water Requirements

If wash water is handled in a manner that does not involve separate OPDES permitting or local pretreatment requirements (e.g., hauled offsite, retained onsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination) in your SWP3. Discharges of vehicle and equipment wash water are not authorized by this permit for this sector.

S.5.4 Documentation of Control Measures Used for Management of Runoff

Document in your SWP3 the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

S.5.5 Additional Inspection Requirements

At a minimum, conduct routine facility inspections at least once per week during deicing season (e.g., October through April). If your facility needs to deice before or after this period, expand the weekly inspections to include all weeks during which deicing chemicals may be used. Also, if significantly or deleteriously large quantities of deicing chemicals are being spilled or discharged, or if water quality impacts have been reported, conduct your weekly inspections until such time as impacts are reduced to acceptable levels. DEQ may specifically require you to increase inspections and SWP3 reevaluations as necessary.

S.6 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table S-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table S-1 Air Transportation Sector-Specific Effluent Limits

Industrial Activity	Parameter	Limitation
Runoff from areas where deicing/anti-icing activities occur at only those outfalls from the airport facility	Chemical Oxygen Demand (COD)	120 mg/L, daily maximum
	Ammonia as Nitrogen	14.7 mg/L, daily maximum
	pH	6.5 - 9 s.u.

Note: For new and existing airports subject to the effluent limitations in Part 10.S.6 of this permit, the permittee must also comply with the applicable monitoring, reporting and recordkeeping requirements outlined in 40 C.F.R. § 449.20.

Sector T Treatment Works

T.1 Covered Stormwater Discharges

The requirements in Sector T apply to stormwater discharges associated with industrial activity from Treatment Works as identified by the Industrial Activity Code TW as specified under Sector T in Table 1-3 of this permit.

T.2 Industrial Activities Covered by Sector T

The requirements listed under Sector T apply to all existing point source stormwater discharges associated with treatment works treating domestic sewage, or any other sewage sludge or wastewater treatment device or system used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge; that are located within the confines of a facility with a design flow of 1.0 million gallons per day (MGD) or more; or are required to have an approved pretreatment program under 40 C.F.R. Part 403.

T.3 Limitations on Coverage

Discharge of sanitary and industrial wastewater and equipment and vehicle wash water are not authorized by this permit. The only non-stormwater discharges authorized by this permit are those included at Part 1.3.

Discharges from the following activities are not covered by this permit: farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility, or areas that are in compliance with Section 405 of the CWA.

T.4 Additional Technology-Based Effluent Limits

T.4.1 Control Measures

To minimize the discharge of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not exclusive): route stormwater to the treatment works; and cover exposed materials (i.e., from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station). (See also Part 2.1.2.)

T.4.2 Employee Training

At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides. (See also Part 2.1.2.10.)

T.5 Additional SWP3 Requirements

T.5.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides. (See also Part 6.2.2.)

T.5.2 Potential Pollutant Sources

Document in your SWP3 the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving stations; and access roads and rail lines. (See also Part 6.2.3.)

T.5.3 Wastewater and Wash Water Requirements

If wastewater and/or vehicle and equipment wash water is not covered by another OPDES permit but is handled in another manner (e.g., hauled offsite, retained onsite), the disposal method must be described and all pertinent information (e.g., frequency, volume, and destination) must be included in your SWP3. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit.

T.5.4 Additional Inspection Requirements

Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving stations. (See also Part 3.1.)

T.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector U Food and Kindred Products

U.1 Covered Stormwater Discharges

The requirements in Sector U apply to stormwater discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified under Sector U in Table 1-3 of this permit.

U.2 Industrial Activities Covered by Sector U

The following types of industrial activities and products are covered under Sector U:

1. Meat products; dairy products; canned, frozen and preserved fruits, vegetables, and food specialties;
2. Grain mill products; bakery products; sugar and confectionery products; fats and oils; and
3. Beverages; miscellaneous food preparations and kindred products; and tobacco products manufacturing.

U.3 Limitations on Coverage

Prohibition of Non-Stormwater Discharges (see also Part 1.9): The following discharges are not authorized by this permit: discharges containing boiler blowdown, cooling tower overflow and blowdown, reject from reverse osmosis or other water treatment processes; ammonia refrigeration purging, and vehicle washing and clean-out operations. (The only non-stormwater discharges authorized by this permit are those included at Part 1.3.)

U.4 Additional Technology-Based Limitations

Employee Training (see also Part 2.1.2.10)*:* Address pest control in your employee training program.

U.5 Additional SWP3 Requirements

U.5.1 Drainage Area Site Map

Document in your SWP3 the locations of the following activities if they are exposed to precipitation or runoff: vents and stacks from cooking, drying, and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas. (See also Part 6.2.2.)

U.5.2 Potential Pollutant Sources

Document in your SWP3, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides) used on plant grounds. (See also Part 6.2.3.)

U.5.3 Additional Inspection Requirements

Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to stormwater exists: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment. (See also Part 3.1.)

U.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector V Textile Mills, Apparel, Other Fabric and Leather Products

V.1 Covered Stormwater Discharges

The requirements in Sector V apply to stormwater discharges associated with industrial activity from Textile Mills, Apparel, and Other Fabric Product Manufacturing as identified by the SIC Code specified under Sector V in Table 1-3 of this permit.

V.2 Industrial Activities Covered by Sector V

The following types of industrial activities and products are covered under Sector V:

1. Textile mill products;
2. Processes involved in the dyeing and finishing of fibers, yarn fabrics, and knit apparel;
3. Apparel facilities which receive woven or knitted fabric for cutting, sewing, and packaging; and
4. Leather and leather products, except leather tanning and finishing.

V.3 Limitations on Coverage

Prohibition of Non-Stormwater Discharges - The following are not authorized by this permit: discharges of wastewater (e.g., wastewater resulting from wet processing or from any processes relating to the production process); reused or recycled water; and waters used in boilers or cooling towers. If you have these types of discharges from your facility, you must cover them under a separate OPDES permit. (See also Part 1.9.)

V.4 Additional Technology-Based Limitations

V.4.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Material Storage Areas*** **-** Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area, away from drains. Minimize contamination of the stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums or containers, ensure that the drums and containers are clean (consider triple-rinsing) and that there is no contact of residuals with precipitation or runoff. Collect and dispose of wash water from these cleanings properly.

b. ***Material Handling Areas*** **-** Minimize contamination of stormwater runoff from material handling operations and areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): use spill and overflow protection; cover fueling areas; and cover or enclose areas where the transfer of material may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals, dyes or wastewater.

c. ***Fueling Areas*** **-** Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible: cover fueling areas; use spill and overflow protection; minimize run-on of stormwater to the fueling areas; use dry clean-up methods; and treat and/or recycle stormwater runoff collected from the fueling areas.

d. ***Above-Ground Storage Tank Areas*** **-** Minimize contamination of stormwater runoff from above-ground storage tank areas, including the associated piping and valves, through implementation of control measures such as the following, where determined to be feasible (list not exclusive): regular clean-up of these areas; include measures for tanks, piping and valves explicitly in your SPCC program; minimize runoff of stormwater from adjacent areas; restrict access to the area; insert filters in adjacent catch basins; provide absorbent booms in un-bermed fueling areas; use dry clean-up methods; and permanently seal drains within critical areas that may discharge to a storm drain.

V.4.2 Employee Training

As part of your employee training program, address, at a minimum, the following activities (as applicable): use of reused and recycled waters, solvents management, proper disposal of dyes, proper disposal of petroleum products and spent lubricants, spill prevention and control, fueling procedures, and general good housekeeping practices. (See also Part 2.1.2.10.)

V.5 Additional SWP3 Requirements

V.5.1 Potential Pollutant Sources

Document in your SWP3 the following additional sources and activities that have potential pollutants associated with them: industry-specific significant materials and industrial activities (e.g., back-winding, beaming, bleaching, backing bonding, carbonizing, carding, cut and sew operations, de-sizing, drawing, dyeing, locking, fulling/tucking, knitting, mercerizing, opening, packing, plying, scouring, slashing, spinning, synthetic-felt processing, textile waste processing, tufting, turning, weaving, web forming, winging, yarn spinning, and yarn texturing). (See also Part 6.2.3.)

V.5.2 Description of Good Housekeeping Measures for Material Storage Areas

Document in the SWP3 your containment area or enclosure for materials stored outdoors in connection with Part 10.V.4.1 above.

V.5.3 Additional Inspection Requirements

Inspect at least monthly, the following activities and areas (at a minimum): transfer and transmission lines, spill prevention, good housekeeping practices, management of process waste products, and all structural and non-structural management practices.

V.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector W Furniture and Fixtures

W.1 Covered Stormwater Discharges

The requirements in Sector W apply to stormwater discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the SIC Codes specified under Sector W in Table 1-3 of this permit.

W.2 Industrial Activities Covered by Sector W

The following types of industrial activities and products are covered under Sector W:

1. Wood kitchen cabinets; and
2. Furniture and fixtures.

W.3 Additional SWP3 Requirements

W.3.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas; areas where wastes are treated, stored or disposed of; access roads; and rail spurs. (See also Part 6.2.2.)

W.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector X Printing and Publishing

X.1 Covered Stormwater Discharges

The requirements in Sector X apply to stormwater discharges associated with industrial activity from Printing and Publishing facilities as identified by the SIC Codes specified under Sector X in Table 1-3 of this permit.

X.2 Industrial Activities Covered by Sector X

The following types of industrial activities and products are covered under Sector X:

1. Newspapers, periodicals and books: publishing and printing, or publishing;
2. Miscellaneous publishing;
3. Commercial printing: lithographic, gravure and not elsewhere classified;
4. Manifold business forms, greeting cards;
5. Blank books, loose-leaf binders and devices;
6. Bookbinding and related work; and

7. Typesetting, platemaking and related services.

X.3 Additional Technology-Based Effluent Limits

X.3.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Material Storage Areas -*** Plainly label and store all containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil) in a protected area, away from drains. Minimize contamination of the stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances.

b. ***Material Handling Areas -*** Minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): use spill and overflow protection; cover fueling areas; and cover or enclose areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

c. ***Fueling Areas -*** Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover the fueling area; use spill and overflow protection; minimize run-on of stormwater to the fueling areas; use dry clean-up methods; and treat and/or recycle stormwater runoff collected from the fueling area.

d. ***Above-ground Storage Tank Areas -*** Minimize contamination of the stormwater runoff from above-ground storage tank areas, including the associated piping and valves, through implementation of control measures such as the following, where determined to be feasible (list not exclusive): regularly clean these areas; explicitly address tanks, piping, and valves in the SPCC program; minimize stormwater runoff from adjacent areas; restrict access to the area; inserting filters in adjacent catch basins; provide absorbent booms in un-bermed fueling areas; use dry clean-up methods; and permanently seal drains within critical areas that may discharge to a storm drain.

X.4 Employee Training

As part of your employee training program, address, at a minimum, the following activities (as applicable): spent solvent management, spill prevention and control, used oil management, fueling procedures, and general good housekeeping practices. (See also Part 2.1.2.10.)

X.5 Additional SWP3 Requirements

Description of Good Housekeeping Measures for Material Storage Areas: In connection with Part 10.X.3.1, describe in the SWP3 the containment area or enclosure for materials stored outdoors.

X.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector Y Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries

Y.1 Covered Stormwater Discharges

The requirements in Sector Y apply to stormwater discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries facilities as identified by the SIC Codes specified under Sector Y in Table 1-3 of this permit.

Y.2 Industrial Activities Covered by Sector Y

The following types of industrial activities and products are covered under Sector Y:

1. Tires and inner tubes;
2. Rubber and plastic footwear, rubber and plastic hose and belting;
3. Gaskets, packaging, and sealing devices;
4. Fabricated rubber products, not elsewhere classified; and
5. Miscellaneous plastic products.

Y.3 Additional Technology-Based Effluent Limits

Y.3.1 Controls for Rubber Manufacturers

Minimize the discharge of zinc in your stormwater discharges. Review possible sources of zinc and list the control measures to be implemented. Implement additional control measures such as the following, where determined to be feasible (list not exclusive): use chemicals purchased in pre-weighed, sealed polyethylene bags; store in-use materials in sealable containers, ensure an airspace between the container and the cover to minimize "puffing" losses when the container is opened; and use automatic dispensing and weighing equipment. (See also Part 2.1.2.)

a. ***Zinc Bags -*** Ensure proper handling and storage of zinc bags at your facility through implementation of control measures such as the following, where determined to be feasible (list not exclusive): employee training on the handling and storage of zinc bags; indoor storage of zinc bags; clean-up of zinc spills without washing the zinc into the storm drain; and the use of 2,500-pound sacks of zinc rather than 50- to 100-pound sacks.

b. ***Dumpsters -*** Minimize discharges of zinc from dumpsters through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover dumpsters; move dumpsters indoors; and provide linings for dumpsters.

c. ***Dust Collectors and Baghouses -*** Minimize contributions of zinc to stormwater from dust collectors and baghouses. Replace or repair, as appropriate, improperly operating dust collectors and baghouses.

d. ***Grinding Operations -*** Minimize contamination of stormwater as a result of dust generation from rubber grinding operations. Where determined to be feasible, install a dust collection system.

e. ***Zinc Stearate Coating Operations -*** Minimize the potential for stormwater contamination from drips and spills of zinc stearate slurry that may be released to the storm drain. Where determined to be feasible, use alternative compounds to zinc stearate.

Y.3.2 Controls for Plastic Products Manufacturers

Minimize the discharge of plastic resin pellets in your stormwater discharges through implementation of control measures such as the following, where determined to be feasible (list not exclusive): minimize spills; clean up spills promptly and thoroughly; sweep thoroughly; pellet capturing; employee education; and disposal precautions.

Y.4 Additional SWP3 Requirements

Potential Pollutant Sources for Rubber Manufacturers (see also Part 6.2.3) - Document in your SWP3 the use of zinc at your facility and the possible pathways through which zinc may be discharged in stormwater runoff.

Y.5 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector Z Leather Tanning and Finishing

Z.1 Covered Stormwater Discharges

The requirements in Sector Z apply to stormwater discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the SIC Codes specified under Sector Z in Table 1-3 of this permit.

Z.2 Industrial Activities Covered by Sector Z

The types of activities that permittees under Sector Z are primarily engaged in are tanning, currying, and finishing hides and skins into leather. This industry also includes leather converters, who buy hides and skins and have them processed into leather on a contract basis by others.

Z.3 Additional Technology-Based Effluent Limits

Z.3.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Storage Areas for Raw, Semi-processed, or Finished Tannery By-products -*** Minimize contamination of stormwater runoff from pallets and bales of raw, semi-processed, or finished tannery by-products (e.g., splits, trimmings, shavings). Store or protect indoors with polyethylene wrapping, tarpaulins, roofed storage, etc., where practicable. Place materials on an impermeable surface and enclose or put berms (or equivalent measures) around the area to prevent stormwater run-on and runoff where practicable.

b. ***Material Storage Areas -*** Label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials) and minimize contact of such materials with stormwater.

c. ***Buffing and Shaving Areas -*** Minimize contamination of stormwater runoff with leather dust from buffing and shaving areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): implement dust collection enclosures; implement preventive inspection and maintenance programs; and other appropriate preventive measures.

d. ***Receiving, Unloading, and Storage Areas -*** Minimize contamination of stormwater runoff from receiving, unloading, and storage areas. If these areas are exposed, implement control measures such as the following, where determined to be feasible (list not exclusive): cover all hides and chemical supplies; divert drainage to the process sewer; and grade, berm or curb the area to prevent stormwater runoff.

e. ***Outdoor Storage of Contaminated Equipment -*** Minimize contact of stormwater with contaminated equipment through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover equipment; divert drainage to the process sewer; and clean thoroughly prior to storage.

f. ***Waste Management -*** Minimize contamination of stormwater runoff from waste storage areas through implementation of control measures such as the following, where determined to be feasible (list not

exclusive): cover dumpsters; move waste management activities indoors; cover waste piles with temporary covering material such as tarpaulins or polyethylene; and minimize stormwater runoff by enclosing the area or building berms around the area.

Z.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector AA Fabricated Metal Products

AA.1 Covered Stormwater Discharges

The requirements in Sector AA apply to stormwater discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified under Sector AA in Table 1-3 of this permit.

AA.2 Industrial Activities Covered by Sector AA

The following types of industrial activities and products are covered under Sector AA:

1. Fabricated metal products, except machinery and transportation equipment and cutting;
2. Jewelry, silverware, and plated ware; and
3. Coating, engraving, and allied services.

AA.3 Additional Technology-Based Effluent Limits

AA.3.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Raw Steel Handling Storage -*** Minimize the generation of and/or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.

b. ***Paints and Painting Equipment -*** Minimize exposure of paint and painting equipment to stormwater.

AA.3.2 Spill Prevention and Response Procedures

Ensure that the necessary equipment to implement a clean-up is available to personnel. The following areas should be addressed (see also Part 2.1.2.4).

a. ***Metal Fabricating Areas -*** Maintain clean, dry, orderly conditions in these areas. Use dry clean-up techniques where practicable.

b. ***Storage Areas for Raw Metal -*** Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials through implementation of control measures such as the following, where determined to be feasible (list not exclusive): maintain storage areas so that there is easy access in the event of a spill, and label stored materials to aid in identifying spill contents.

c. ***Metal Working Fluid Storage Areas -*** Minimize the potential for stormwater contamination from storage areas for metal working fluids.

d. ***Cleaners and Rinse Water -*** Control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sand-blasting operations, and prevent exposure of recyclable wastes. Substitute environmentally benign cleaners when possible.

e. ***Lubricating Oil and Hydraulic Fluid Operations -*** Minimize the potential for stormwater contamination from lubricating oil and hydraulic fluid operations. Use monitoring equipment or other devices to detect and control leaks and overflows where feasible. Install perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures where feasible.

f. ***Chemical Storage Areas -*** Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

AA.3.3 Spills and Leaks

In your spill prevention and response procedures, required by Part 2.1.2.4, address the following materials at a minimum: chromium, toluene, pickle liquor, sulfuric acid, zinc, other water priority chemicals, and hazardous chemicals and wastes. (See also Part 6.2.3.3.)

AA.4 Additional SWP3 Requirements

AA.4.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage. (See also Part 6.2.2.)

AA.4.2 Potential Pollutant Sources

Document in your SWP3 the following additional sources and activities with which potential pollutants are associated: loading and unloading operations for paints, chemicals, and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles. (See also Part 6.2.3.)

AA.4.3 Additional Inspection Requirements

At a minimum, include the following areas in all inspections: raw metal storage areas, finished product storage areas, material and chemical storage areas, spent solvents and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, drainage from roof and vehicle fueling and maintenance areas. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials. (See also Part 3.1.)

AA.5 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector AB Transportation Equipment, Industrial or Commercial Machinery

AB.1 Covered Stormwater Discharges

The requirements in Sector AB apply to stormwater discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the SIC Codes specified under Sector AB in Table 1-3 of this permit.

AB.2 Industrial Activities Covered by Sector AB

The following industrial activities and products are covered under Sector AB:

1. Farm and garden machinery and equipment;
2. Construction, mining, and materials handling machinery and equipment;
3. Metalworking machinery and equipment, general industrial machinery and equipment, and special industry machinery, except metalworking machinery;
4. Refrigeration and service industry machinery, miscellaneous industrial and commercial machinery and equipment;
5. Motor vehicles and motor vehicle equipment;
6. Aircraft and parts, motorcycles, bicycles, and parts;
7. Guided missiles and space vehicles and parts; and
8. Miscellaneous transportation equipment.

AB.3 Additional SWP3 Requirements

Drainage Area Site Map (see also Part 6.2.2): Identify in your SWP3 where any of the following may be exposed to precipitation or surface runoff: vents and stacks from metal processing and similar operations.

AB.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector AC Electronic, Electrical Equipment and Components, Photographic and Optical Goods

AC.1 Covered Stormwater Discharges

The requirements in Sector AC apply to stormwater discharges associated with industrial activity from facilities that manufacture Electronic, Electrical Equipment and Components and Photographic and Optical Goods as identified by the SIC Codes specified in Table 1-3 of this permit.

AC.2 Industrial Activities Covered by Sector AC

The following types of industrial activities and products are covered under Sector AC:

1. Computer and office equipment;
2. Electronic and electrical equipment and components, except computer equipment;
3. Measuring, analyzing, and controlling instruments;
4. Photographic and optical goods; and
5. Watches and clocks.

AC.3 Additional Requirements

No additional sector-specific requirements apply.

AC.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector AD Stormwater Discharges Designated by DEQ as Requiring Permits

AD.1 Covered Stormwater Discharges

Sector AD is used to provide permit coverage for facilities designated by DEQ as needing a stormwater permit, and any discharges of stormwater associated with industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC.

AD.2 Eligibility for Permit Coverage

Because this Sector is primarily intended for use by discharges designated by DEQ as needing a stormwater permit (which is an atypical circumstance), and your facility may or may not normally be discharging stormwater associated with industrial activity, you must obtain DEQ's written permission to use this permit prior to submitting an NOI to be covered under Sector AD. If you are authorized to use this permit, you will still be required to ensure your discharges meet the eligibility provisions of this permit at Part 1.2 and Part 1.3.

The only non-stormwater discharges authorized by this permit are those included at Part 1.3 of this permit. Any unauthorized non-stormwater discharges must be eliminated prior to submitting an NOI to obtain coverage under this permit.

AD.3 Additional SWP3 Requirements

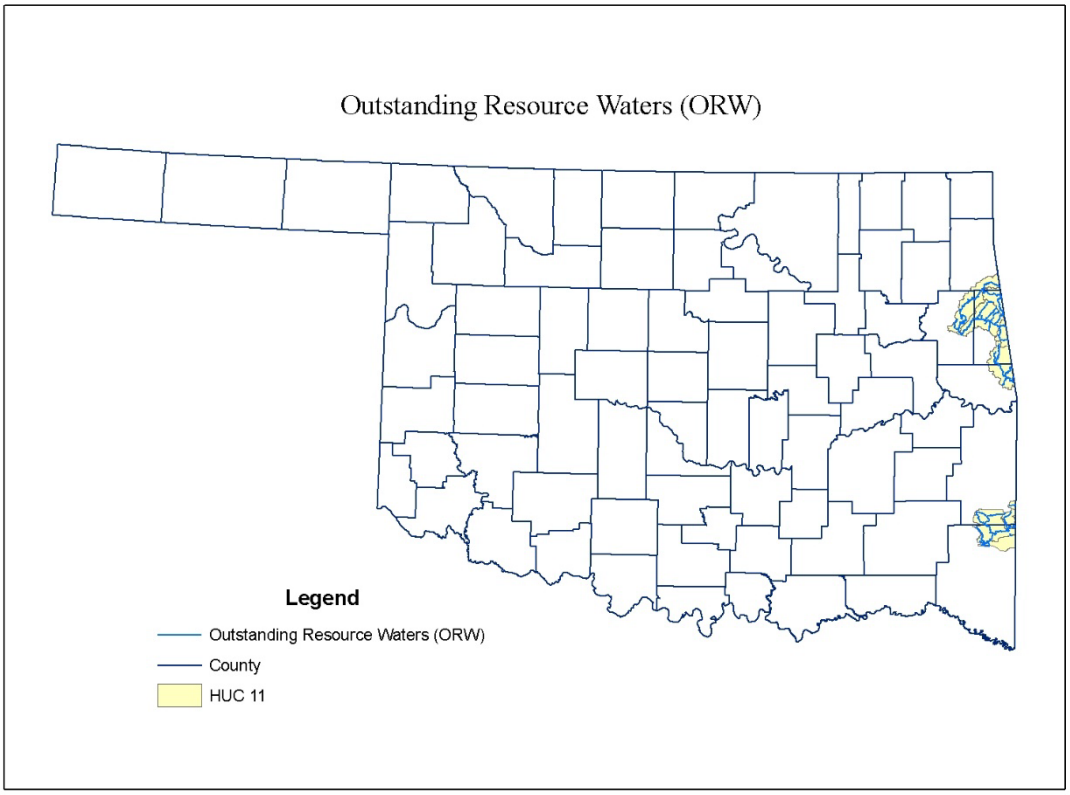
DEQ will establish any additional requirements for your facility at the time of accepting your NOI to be covered by this permit. Additional requirements would be based on the nature of activities at your facility and your stormwater discharges.

AD.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements. DEQ may establish additional monitoring and reporting requirements for your facility at the time of accepting your NOI to be covered by this permit. Additional requirements would be based on the nature of activities at your facility and your stormwater discharges.

Appendix A: Oklahoma Outstanding Resources Waters, Oklahoma Sensitive Waters and Watersheds, and Procedures Relating to Endangered Species Protection

Outstanding Resource Waters (ORW)



Outstanding Resource Waters Details

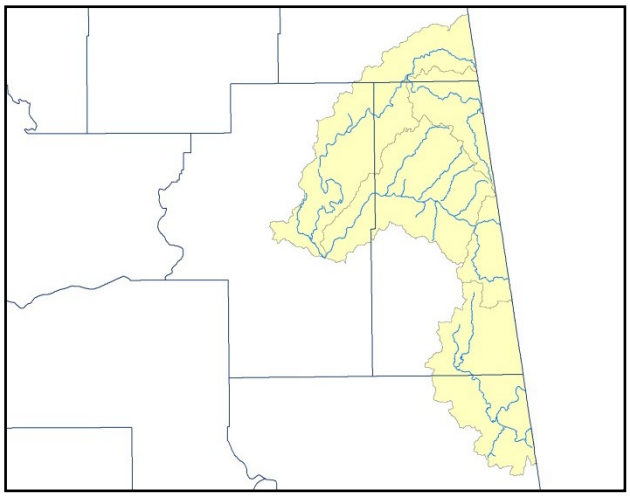


Figure 10-2 Illinois River and Lee Creek Watersheds

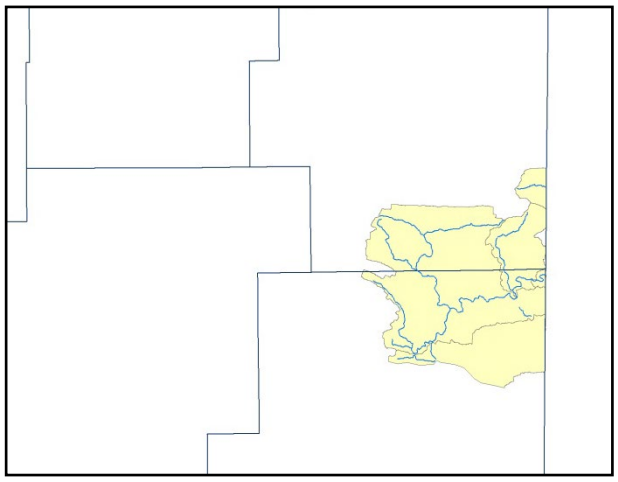


Figure 10-1 Mountain Fork River Watershed

Oklahoma Sensitive Waters and Watersheds Harboring Endangered and Threatened Species and Their Critical Habitat of Concern

A. Sensitive waters and watersheds for federally listed species, as defined by the U.S. Fish and Wildlife Service for the OPDES Multi-Sector General Permit OKR05 for stormwater discharges from industrial activity

Grand (Neosho) River - A two-mile corridor (one mile from each bank) of the main stem of the Grand (Neosho) River above its confluence with Tar Creek. This corridor includes portions of Ottawa and Craig Counties.

Cimarron River - A two-mile corridor (one mile from each bank) of the main stem of the Cimarron River from the US Hwy-77 Bridge in Logan County upstream to and including Beaver County. This corridor includes river segments in Beaver, Harper, Kingfisher, Logan, Major, Woods, and Woodward counties.

South Canadian River - A two-mile corridor (one mile from each bank) of the main stem from the Eufaula Reservoir flood pool upstream to the northern border of Custer County. This corridor includes river segments in Blaine, Caddo, Canadian, Cleveland, Custer, Grady, Hughes, McClain, McIntosh, Pittsburg, Pontotoc, Pottawatomie, and Seminole counties.

Muddy Boggy River - A two-mile corridor (one mile from each bank) of the main stem of the Muddy Boggy River which includes portions of Choctaw, Atoka, and Coal Counties.

Kiamichi River – The watershed of the Kiamichi River is upstream from the Hugo Reservoir. This watershed includes portions of Choctaw, Pushmataha, Atoka, Pittsburg, Latimer, and Le Flore Counties.

Little River – The watershed of the Little River includes portions of Choctaw, Le Flore, Pushmataha and McCurtain Counties.

Glover River – The watershed of the Glover River includes portions of Pushmataha and McCurtain Counties.

Mountain Fork River – The watershed of the Mountain Fork River is above Broken Bow Reservoir and includes portions of Le Flore and McCurtain Counties.

Northeast HUC-11 Watersheds – The watersheds are identified by the following 11-digit Hydrologic Unit Codes: 11070206030, 11070206060, 11070207190, 11070208070, 11070209020, 11070209030, 11070209040, 11070209050, 11070209060*, 11070209070, 11070209100, 11070209110 and 11070209120. These watersheds include portions of Ottawa, Craig, Delaware, and Mayes Counties.

* *This HUC does not contain a known Ozark cavefish cave. It was included because it is entirely surrounded by 11 digit HUCs with known Ozark cavefish caves; therefore, we assume that Ozark cavefishes likely occupy this portion of the watershed as well.*

Elk River – A two-mile corridor (one mile from each bank) of the Elk River which includes portions of Delaware County.

Spring River – A two-mile corridor (one mile from each bank) of the Spring River which includes portions of Ottawa County.

Verdigris River – A two-mile corridor of the main stem from the dam of Lake Oologah to the confluence of the Arkansas River which includes river segments in Rogers, Wagoner, and Muskogee counties.

B. Sensitive waters and watersheds for state listed species, as defined by the Oklahoma Department of Wildlife Conservation for the OPDES Multi-Sector General Permit OKR05 for stormwater discharges from industrial activity

Illinois River – A ten-mile corridor (five miles from each bank within the watershed) of the main stem of the Illinois River above Tenkiller Reservoir. This corridor includes portions of Cherokee, Delaware, and Mayes Counties.

Lee and Little Lee Creeks – The watershed of Lee Creek and Little Lee Creek which includes portions of Sequoyah and Adair Counties.

Note: No stormwater discharge-sensitive endangered or threatened species occur in the following counties: Alfalfa, Beckham, Carter, Cimarron, Comanche, Garfield, Garvin, Grant, Greer, Johnston, Kiowa, Lincoln, Murray, Nowata, Okfuskee, Oklahoma, Okmulgee, Rogers, Stephens, Texas, Washington, or Washita.

Oklahoma Aquatic Resources of Concern for Federal & State Listed Species

as identified by the U.S. Fish & Wildlife Serveice and the Oklahoma Department of Wildlife Conservation

Legend

- Spring River Corridor
- Glover River Watershed
- Illinois River Corridor
- Kiamichi River Watershed
- Lee & Little Lee Creek Watershed
- Little River Watershed
- Mountain Fork Watershed
- Elk River Corridor
- NE HUC-11 Watersheds
- Canadian River Corridor
- Cimarron River Corridor
- Neosho River Corridor
- Muddy Boggy Creek Corridor
- Verdigris River Corridor

Procedures Relating to Endangered Species Protection

To receive coverage under the OKR05 permit, you must assess the potential effects of your stormwater discharges and stormwater discharge-related activities on listed species. To make this assessment, follow the steps outlined below prior to completing and submitting an NOI form.

Step 1: Determine whether the facility is located in a sensitive water or watershed

1. Refer to the map of federal and state sensitive waters and watersheds within Oklahoma. These areas may harbor populations of federal or state listed species or their designated critical habitat.
2. If your industrial facility is not located within any of these areas, the facility's stormwater discharge or stormwater discharge-related activities are not likely to significantly affect endangered and threatened species. You may then skip Step 2 and further investigation is unnecessary.
3. If your facility is located within the area of any of the federal and state sensitive waters and watersheds, continue on to Step 2.

Step 2: Implementation of stormwater control measures to protect endangered and threatened species

1. If your industrial facility is located within the area of federal and state sensitive waters and watersheds, you must incorporate the following measures into the SWP3 for the facility.
    a. Pollutants such as oil, grease, solid waste, human waste, hazardous or toxic material, or other material not authorized for discharge under this permit must be properly captured, treated, and correctly disposed of. These potential pollutants must be properly managed and their contact with stormwater minimized or eliminated to the greatest extent practicable.
    b. If you are required to perform annual numeric effluent limitation monitoring, you must include in your SWP3 the steps you will take to prevent any removed pollutants from entering a stormwater stream. These pollutants must be retained on site, treated, or disposed of properly to the greatest extent practicable. Control measures must be properly installed and maintained at all times, and offsite accumulations of any escaped sediment must be removed.
    c. A schedule must be included which describes the inspection practices that will be used to ensure that control measures are working effectively. Monthly inspection shall be conducted for areas of the facility with significant activities. If corrective action is needed, you must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants following the requirements in Part 6 of the permit.
    d. Hazardous materials and production waste products must be stored in a manner that minimizes their contact with stormwater. An emergency response plan must be included which addresses the handling of accidental spills or leaks.
2. You must comply with any terms and conditions imposed under the eligibility requirements to ensure that your stormwater discharges and stormwater discharge-related activities are protective of listed species and/or critical habitat. Any such terms and conditions must be incorporated in your SWP3. In accordance with Part 1.8.7 of the permit, your signed NOI will be deemed to constitute your certification of eligibility. If the eligibility requirements cannot be met, you may seek coverage under a DEQ individual permit.

Step 3: Check the appropriate box on the NOI form

There are three different options to certify your eligibility. Check the box that corresponds to the option on which you are relying.

1. Your facility is not located in federal and state sensitive waters and watersheds as identified on the map.
2. Your facility is located in federal and state sensitive waters and watersheds and you agree to implement the control measures specified in Step 2 above.
3. You are relying on another permittee's certification of eligibility and agree to comply with any conditions attached to that certification.

Appendix B: Spill Prevention and Response Procedures Checklist

Oklahoma Department of Environmental Quality
Checklist for
Spill Prevention and Response Procedures

The spill prevention and response procedures must clearly identify ways to reduce the chance of spills, stop the source of spills, contain and clean up spills, dispose of materials contaminated by spills, and train personnel responsible for spill prevention and response. (See Parts 2.1.2.4 and 6.2.6.1 of the OKR05 permit.)

The procedures must include at a minimum the following components:

- ✓ A list of personnel responsible for implementing the plan in the event of a spill including at least one member of the Stormwater Pollution Prevention Team;
    - Include names, titles, and contact information (phone numbers, email addresses).
- ✓ A complete chemical inventory of the site/facility;
- ✓ A description of existing or planned spill prevention equipment (e.g., leak detection devices) and structures (e.g., dikes) appropriate to the substances identified in the inventory;
- ✓ A procedure for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies;
    - Identify the specific personnel, emergency responders, and regulatory agencies to be notified. Include phone numbers and email addresses (if available). This should include local authorities and the DEQ. The EPA and the National Spill Response Center should be included, if appropriate. Include contact information for the emergency response/remediation company or contractor to be utilized in the event of a spill. Identify the person or persons responsible for making the notifications.
- ✓ A procedure for the immediate containment and clean-up of spills and the proper disposal of each type of waste identified in the site inventory;
    - Identify the personnel responsible for containment and clean-up activities. Identify the waste disposal company or site that will be used for any controlled waste that must be disposed of. A mere statement that all state and federal rules will be followed is not acceptable.
- ✓ A list of all types of equipment to be used to adequately contain and clean up each type of spill, including spill containment and clean-up kits. Identify the location where the equipment will be kept and the personnel who have direct access to it (For example, if it's in a locked building, identify the person who has the key.); and
- ✓ An outline of the training program for employees and subcontractors that addresses procedures to deal with spills and leaks at the site.

Note: If your facility/site is subject to 40 C.F.R. Part 112 regulations that require Spill Prevention, Control, and Countermeasures (SPCC) plans for their aboveground and underground storage tanks, your SWP3 should refer to the SPCC plan.

Appendix C: Signage Example

Sample signage in accordance with Part 1.18 of the OKR05 permit:

Sample Sign