

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
GENERAL WASTEWATER PERMIT FOR CONCRETE BATCH AND PRE-CAST CONCRETE PRODUCT
PLANTS; TO DISCHARGE PROCESS WASTEWATER; AND/OR TO CONSTRUCT OR OPERATE
INDUSTRIAL WASTEWATER IMPOUNDMENTS; AND/OR TO LAND APPLY INDUSTRIAL
WASTEWATER FOR DUST SUPPRESSION; AND/OR TO RECYCLE WASTEWATER AS WASH WATER
OR CONCRETE MAKE-UP; AND/OR MANAGE NON-CONTACT STORMWATER.**

GENERAL PERMIT NO. OKG11

GENERAL PROVISIONS

As provided by Title 27A O.S. § 2-6-201 *et seq.*, as amended, and the Rules of the Department of Environmental Quality (DEQ), operators of concrete batch and pre-cast concrete product plants (SIC Codes No. 3271, 3272 and 3273) will be authorized to discharge process wastewater, to construct and operate surface impoundments, underground tanks and/or land apply process wastewater for the purpose of dust suppression and stockpile watering only within the boundaries of the State of Oklahoma in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof. This permit will regulate any combination of the above-listed process wastewater disposal/treatment options, and it will cover both discharging and non-discharging (total retention) facilities. In addition, this permit will provide coverage of stormwater discharges that are associated (non-contact) with these activities and are subject to DEQ stormwater rules. In those instances where an applicant has already obtained a Stormwater Multi-Sector General Permit (MSGP), OKR05, the issuance of a Concrete Batch and Pre-cast Concrete Product Plant General Permit Authorization, including stormwater conditions, will result with the new Authorization superseding the existing MSGP thus voiding the MSGP Authorization.

This permit shall not cover those facilities discharging greater than one million gallons per day (1 MGD) of process wastewater. In addition, this permit will not cover those facilities that require more stringent stormwater controls than allowed by this permit. This permit does not authorize the discharge of wastewater to the following waters: Outstanding Resource Waters, High Quality Waters, Sensitive Public and Private Water Supplies including those with Reuse (SWS and SWSR), Cool Water Aquatic Communities, Trout Fisheries, and Appendix 'B' Waters [OAC 252:730-5-25(c)(2)]; and the permit does not authorize the discharge of wastewater within one (1) stream mile of a lake. An existing facility is not authorized to discharge to a receiving stream included in Oklahoma's "303(d) List" of impaired water bodies listed for "Turbidity" (Impairment ID 413) or "pH" (Impairment ID 441) for which a Total Maximum Daily Load (TMDL) has been performed and the result of the TMDL indicates that discharge limits more stringent than 45 mg/l for Total Suspended Solids (TSS) or pH limits more stringent than 6.5-9.0 standard units are required. A new facility may be authorized to discharge to a receiving stream included in Oklahoma's "303(d) List" of impaired water bodies listed for "Turbidity" (Impairment ID 413) provided the facility adequately certifies that TSS will be less than 45 mg/L. In addition, a new facility may be authorized to discharge to a receiving stream included in Oklahoma's "303(d) List" of impaired water bodies listed for "pH" (Impairment ID 441) provided the facility adequately certifies the discharge will maintain a pH of 6.5-9.0 standard units.

For facilities requesting coverage under this permit that discharge wastewater from washing vehicle(s)/equipment, the permit will contain a limit for Oil and Grease of 15 mg/l. An existing facility is not authorized to discharge wastewater from washing vehicle(s)/equipment or wastewater containing oil-based products to waters included in Oklahoma's "303(d) List" of impaired water bodies listed for "Oil and Grease" (Impairment ID 317) for which a Total Maximum Daily Load (TMDL) has been performed and the result of the TMDL indicates that discharge limits more stringent than 15 mg/l for oil and grease are required. A new facility may be authorized to discharge to a receiving stream included in Oklahoma's "303(d) List" of impaired water bodies listed for "Oil and Grease" (Impairment ID 317) provided the facility adequately certifies no wastewater from washing vehicle(s)/equipment or wastewater containing oil-based products will be discharged.

If a facility discharges to a segment of a receiving waterbody that is not itself included in Oklahoma's "303(d) List", but is less than one mile upstream of an impaired segment, then the discharge will be treated as though it were to the impaired segment.

For all facilities applying for coverage under this permit, the DEQ will determine whether the point of discharge is located in surface waters designated sensitive by the U.S. Fish and Wildlife Service based on the map included in Appendix A. If the facility is a new facility and the discharge is to a sensitive water, the facility will not be eligible for an Authorization under this permit. If the facility is an existing facility and the point of discharge is located in surface waters designated sensitive by the U.S. Fish and Wildlife Service, the facility will not be eligible for coverage under this permit if there has been a change in the location of the discharge point or an increase in the volume of the discharge.

Each concrete batch plant facility and pre-cast concrete product manufacturer will be required to obtain an Authorization to Discharge and/or Dispose of Process Wastewater from the Executive Director of the DEQ. Owners or operators of concrete batch and pre-cast concrete product plant facilities located within the boundaries of the State of Oklahoma must make a written request to the DEQ that they be authorized to discharge and/or dispose of process wastewater under this permit and receive an Authorization, prior to commencing such discharge and/or disposal. Owners or operators within the scope of this permit who fail to make a written request to the DEQ are not authorized to discharge and/or dispose of process wastewater under this permit.

Concrete batch and pre-cast concrete product plants that are currently permitted by the DEQ through individual wastewater disposal permits may apply for coverage under this permit no later than 180 days prior to the expiration of their current individual permits as long as the limits contained in the permit are the same or more stringent than those established in the individual permit. These currently permitted facilities may also elect to continue coverage under their individual permits. Existing concrete batch and pre-cast concrete product plants that are not currently permitted by the DEQ through individual wastewater permits shall apply for coverage under this permit within 60 days of the effective date of this permit. New concrete batch plant and pre-cast concrete product facilities shall apply for and obtain an Authorization prior to commencing any of the activities regulated by this permit.

The written request for an Authorization shall include the name and legal address of the owner or operator, name of the facility, legal description of the facility location, general location, name of the receiving stream(s), listing of proposed outfalls and/or surface impoundments including designation numbers for each, legal description down to ten (10) acres of each proposed outfall and/or surface impoundment, latitude and longitude of each proposed outfall, along with any other information specified in the application form.

Effluent limitations contained in Part I hereof will apply to discharges of process wastewater and non-contact stormwater runoff associated with the following three common activities at concrete batch plants: (1) mix plant area washdown, (2) truck mixer drum washout and (3) external truck wash and oil spray down. The effluent limitations contained in Part I herein will also apply to discharges of process wastewater and non-contact stormwater runoff associated with the following common activities at pre-cast concrete product facilities: (1) mix plant area washdown, (2) haul truck washout, (3) external haul truck washdown and (4) washing of concrete panels to expose aggregate. At no time shall the effluent cause a violation of Oklahoma's Water Quality Standards (OWQS), as amended, in the receiving stream.

Surface impoundments and/or underground tanks used for treatment and/or disposal of process wastewater are authorized by this permit in accordance with requirements for surface impoundments and underground tanks contained in Part I herein. Process wastewater contained in surface impoundments and/or underground tanks may be recycled for use in concrete make-up or wash water. Land application of process wastewater is authorized for dust suppression and stockpile watering only in accordance with requirements for land application contained in Part I herein.

The permittee shall comply with all provisions of this permit and any Authorization issued pursuant to it.

Issuance of this permit in no way or in any respect affects the permittee's civil or criminal responsibility regarding disposal of process wastewater, except with respect to the permittee's legal responsibility under 27A O.S. §2-6-201 *et seq.*, as modified and DEQ Rules to obtain an Authorization under this Permit.

This permit supersedes OPDES Permit OKG11 that became effective on March 1, 2019, and expires at midnight on February 29, 2024.

This permit shall become effective on March 1, 2024.

This permit and any Authorizations issued under it shall expire at midnight, on February 28, 2029.

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

Issued this 10th day of January, 2024.

For Oklahoma Department of Environmental Quality



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



Shellie R. Chard, Director
Water Quality Division

**PART I
EFFLUENT LIMITATIONS, MONITORING AND OTHER REQUIREMENTS**

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date, the permittee is authorized to discharge from all outfalls as described in the Authorization. Process wastewater regulated by this permit at concrete batch plants includes the following three activities: (1) mix plant area washdown (see permit conditions at Part I, Section A of this permit for housekeeping requirements), (2) truck mixer drum washout and (3) external truck washdown. Process wastewater generated at pre-cast concrete product plants include the following (1) mix plant area washdown, (2) haul truck washout, (3) external haul truck washdown and (4) washing of concrete panels to expose aggregate. Where process wastewater associated with these activities is not discharged to waters of the state, this section shall not be applicable. This permit will also regulate the discharge of non-contact stormwater.

Such discharges shall be limited and monitored by the permittee as specified in Tables 1 and 2 below.

**TABLE 1
EFFLUENT LIMITATIONS FOR ALL PROCESS WASTEWATER OUTFALLS**

PARAMETERS	DISCHARGE LIMITATIONS			
	MASS LOADINGS (lbs/day unless otherwise specified)		CONCENTRATION/OTHER UNITS (mg/l unless otherwise specified)	
	MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
Flow STORET: 50050	Report MGD	Report MGD	---	---
Oil and Grease STORET: 00556	---	---	Report	15
Total Suspended Solids STORET: 00530	---	---	Report	45
pH STORET: 00400	---	---	Between 6.5 - 9.0 standard units	

**TABLE 2
MONITORING REQUIREMENTS FOR ALL PROCESS WASTEWATER OUTFALLS**

PARAMETERS	MONITORING REQUIREMENTS	
	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	1/Month	Estimate
Oil and Grease	1/Month	Grab
Total Suspended Solids	1/Month	Grab
pH	1/Month	Grab

NOTE: See Parts II and III for Additional Requirements.

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

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

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

Samples taken in compliance with the monitoring requirements specified above shall be taken at the process wastewater outfall locations as described in the Authorization.

Housekeeping Program Requirements

Where the DEQ has determined that the facility has established a strong housekeeping program to maintain a clean plant site and has segregated process wastewaters from plant area stormwater, the plant area stormwater may be covered under Part I Section H of this permit. If this determination has been made by the DEQ, it will be noted in the Authorization. The following conditions shall apply to all permittees for the establishment of a housekeeping program:

1. The area under and around the mix plant shall be kept clean of solids and other contaminants on a daily basis.
2. Solids and other contaminants that may accumulate on the ground under the mix plant and surrounding area shall be picked up by dry methods such as sweeping, shoveling, etc., or may be washed down to a process wastewater impoundment for treatment and containment.

B. SCHEDULE OF COMPLIANCE

There is not a schedule of compliance associated with this general permit.

C. REPORTING OF MONITORING RESULTS

Monitoring results shall be reported in accordance with the provisions of Part III.E.4 of the permit. Monitoring results obtained during the previous month shall be summarized and electronically reported on an electronic Discharge Monitoring Report (eDMR) form due to the Oklahoma Department of Environmental Quality, Water Quality Division, Wastewater Compliance Tracking Section no later than the 15th day of the month following the completed monthly test. If no discharge occurs during the reporting period, an eDMR form stating "No Discharge" shall be electronically submitted according to the above schedule. 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 at: <http://www.deq.state.ok.us/wqdnew/ereporting/index.html>. Assistance is also available by contacting DEQ at (405) 702-8100 or deqreporting@deq.ok.gov.

D. SURFACE IMPOUNDMENTS

The use of impoundments for treatment and/or disposal of process wastewater at concrete batch and pre-cast concrete product plants is authorized in this permit; subject to additional State requirements as specified below, in the permit, and in the Authorization; in accordance with OAC 252:616

1. Construction Requirements

Impoundments shall be constructed and maintained in accordance with OAC 252:616-7-1.

2. Wastewater Classification

The wastewater generated from routine operations at concrete batch and pre-cast concrete product plants is classified as Class III wastewater in accordance with OAC 252:616-1-2.

3. Liner Requirements

Liner materials and construction shall be in compliance with requirements of OAC 252:616-7-1(9) and OAC 252:616-7-2 through OAC 252:616-7-7.

4. Other Specific Requirements

- a. Wastewater contained in surface impoundments may be recycled for use in product, dust suppression, stockpile watering or wash water.
- b. Surface impoundments shall be maintained free of oil and grease, as evidenced by visible sheen on the wastewater or by adhered oil and grease on the sides of the impoundments.
- c. At such time as surface impoundments are to be permanently taken out of service or at such time as the contents of surface impoundments pose a risk to the environment or Waters of the State, the owner or operator of the facility shall follow all closure requirements contained in OAC 252:616-13.
- d. In all other respects, surface impoundments shall be subject to standard conditions for surface impoundments contained in OAC 252:616 Subchapters 5, 7, and 13; including but not limited to requirements for construction, operation, maintenance, monitoring, and closure.
- e. The permit may be reopened to implement and/or require impoundment modifications, additions, extensions, and/or operational changes; additional monitoring and reporting (including but not necessarily limited to soil sampling); reclassification of wastes; sludge management plans; best management practices; closure plans; remediation and/or remediation plans; monitoring wells and/or subsurface monitoring plans; and/or other appropriate actions.

5. Freeboard Requirements (OAC 252:616-7-1(7))

A minimum freeboard of two (2) foot shall be maintained on all flow-through surface impoundments and all surface impoundments that are equipped to transfer process wastewater to a permitted outfall or other permitted surface impoundments. A minimum freeboard of one (1) foot shall be maintained on all flow-through surface impoundments constructed with concrete walls in accordance with OAC 252:616-7.

A minimum freeboard of three (3) feet shall be maintained on all total retention surface impoundments that are not equipped to transfer process wastewater to a permitted outfall or other permitted surface impoundments. A minimum freeboard of two (2) feet shall be maintained on all total retention surface impoundments constructed with concrete walls in accordance with OAC 252:616-7.

6. Depth to Groundwater (OAC 252:616-7-1(4))

Surface impoundments as required by OAC 252:616-7-1(4) are required to be located such that the base of the liner is at least (15) feet above historic maximum groundwater table. Since the wastewater from the activities covered by this general permit is classified as Class III, this requirement may be waived in accordance with OAC 252:616-7-1(4)(B). However, in no cases shall impoundments covered by this permit operate within the groundwater.

E. TANK SYSTEMS

The use of underground tank systems to manage process wastewater for treatment and/or disposal of process wastewater at concrete batch plants is authorized by this permit, subject to additional State requirements as specified below and in the Authorization, in accordance with OAC 252:616-9.

1. Authorized Use of Tank Systems (OAC 252:616-9-1)

The use of tank systems for all wastewater classifications is authorized as follows:

- a. Tank systems without lateral lines can be used for the treatment of Class I, II, III, and V wastewater.

b. Tank systems with lateral lines are subject to the Underground Injection Control permitting process.

2. Tank System Materials (OAC 252:616-9-2)

Tank systems may be constructed of concrete, metal, plastic, or fiberglass in accordance with OAC 252:616-9-2.

3. Tank System Requirements (OAC 252:616-9-3)

Tank systems must be constructed in accordance with OAC 252:616-9-3.

F. LAND APPLICATION AND BENEFICIAL REUSE OF PROCESS WASTEWATER

Land application of process wastewater for dust suppression or stockpile watering and/or reuse of process wastewater for use in concrete make-up or wash water at concrete batch plants and pre-cast concrete product facilities is authorized by this permit, and is subject to the requirements as specified below and in the Authorization, in accordance with OAC 252:616-11.

1. Process wastewater that is reused or land applied for dust suppression must be classified as Class III wastewater in accordance with OAC 252:616-1-2.
2. Process wastewater to be land applied for dust suppression shall be free of visible sheen of oil or globules of oil or grease.
3. The process wastewater to be land applied for dust suppression shall be visually inspected prior to land application.
4. Process wastewater that is recycled back into the concrete mixture is exempt from monitoring requirements.
5. There shall be no land application of process wastewater for dust suppression in areas where the depth to the maximum seasonal groundwater level is less than two (2) feet in accordance with OAC 252:616-5-1(b)(2)(e).
6. There shall be no land application of process wastewater for dust suppression during periods of precipitation or when soil is saturated or frozen.
7. There shall be no runoff of process wastewater used for dust suppression.

G. RECYCLABLE CONCRETE MATERIAL AND DISPOSAL OF OTHER SOLIDS

Recyclable concrete material recovered from the scatter pile, impoundments and/or other means may be removed from the facility and may also be used by the applicant at the permitted facility at any time. No records are required.

H. STORMWATER REQUIREMENTS

The following conditions are applicable to all stormwater discharges.

1. Allowable Stormwater Discharges

Stormwater discharges associated with industrial activity for operators of concrete batch and pre-cast concrete product plants (SIC codes 3271, 3272, and 3273).

2. Allowable Non-Stormwater Discharges

The following non-stormwater discharges are authorized under this Permit provided the non-stormwater components of the discharges are in compliance with Part H.5:

- Discharges from emergency/unplanned fire-fighting activities;
- Fire hydrant flushings;
- Potable water, including water from drinking fountains, water line flushings, incidental overspill of trucks, and use in wetting of aggregate;
- 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;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved manufacturer's instructions and/or labeling;
- 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, 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);
- Routine external building washdown/power wash water that does not use detergents or hazardous cleaning products (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols);
- Uncontaminated ground water or spring water; and
- Foundation or footing drains where flows are not contaminated with process materials.

3. Endangered and Threatened Species & Critical Habitat Protection

The 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 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.

- 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 application 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.
- If your industrial facility is located within a corridor/area of these sensitive waters and watersheds, you must submit your stormwater pollution prevention plan (SWP3) to DEQ for review along with your application.

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.

4. 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 Antiquities Act (Title 53 O.S. § 361) where applicable and the 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.

5. Control Measures

You must select, design, install, and implement control measures (including BMPs) to *minimize*¹ pollutant discharges that address the selection and design considerations and meet the non-numeric effluent limits in this section. 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. 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 Section H.8. Regulated stormwater discharges from your facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at your facility.

a. Control Measure Selection and Design Considerations

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

- Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
- Using control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge;
- 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;
- Minimizing impervious areas at your facility and infiltrating runoff onsite (including bio-retention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff, improve groundwater recharge, and improve stream base flows in local streams; however, care must be taken in designing such controls to avoid any groundwater contamination;
- Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- Conserving and/or restoring riparian buffers will help protect streams from stormwater runoff and improve water quality; and

¹ The term *minimize* means 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.

- Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.
- 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 material 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 of the OKR05 Multi-Sector General Permit) 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.

b. Non-Numeric Technology-Based Effluent Limits

You must comply with the following non-numeric effluent limits:

(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 in order 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 pay particular attention to the following:

- Use grading, berming or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Store leaky vehicles and equipment indoors or, if stored outdoors, use well maintained drip pans and absorbents;
- Use spill/overflow protection equipment;
- 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;
- 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

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

(2) Good Housekeeping

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

- Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water;
- Store materials in appropriate containers;
- 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). This Permit does not authorize dry weather discharges from dumpsters or roll-off boxes; and
- 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.

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 need to perform good housekeeping measures such as sweeping or vacuuming 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 performing good housekeeping measures such as 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 may need to 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.

(3) Preventive Maintenance

You must 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, in order to minimize pollutant discharges. This includes:

- Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in contamination of stormwater.
- Diligently maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
- Inspecting and maintaining bag-houses, if available, at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior bag-house.

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

If you find that your control measures are in need of routine maintenance, you must conduct the necessary maintenance *immediately*² in order to minimize pollutant discharges. If you find that your control measures need to be repaired or replaced, you must immediately take *all reasonable steps*³ 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 Section H.8.c for corrective actions. If a control measure was never installed, was installed incorrectly or not in accordance with Section H.5, or is not being properly operated or maintained, you must conduct corrective action as specified in Section H.8.

(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 in order to minimize pollutant discharges. You must conduct spill prevention and response measures, including but not limited to, the following:

- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Use well-maintained drip pans and absorbents if leaky vehicles and/or equipment are stored outdoors;
- Use spill/overflow protection equipment;
- 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;
- Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;
- 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;
- Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made; and
- Notify appropriate facility personnel when a leak, spill, or other release occurs.

² 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 workday when it is too late to take action, the initiation of action must begin no later than the following workday.

³ The term *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 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.

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 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 applicable federal regulations at 40 C.F.R. Parts 264 and 265, as adopted and incorporated by reference in OAC 252:205-3-2(f) and (g).

(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 in order 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.

(6) Management of Runoff

You must divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff to *minimize* pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with 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.

(7) 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:

- Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
- Personnel who are responsible for the storage and handling of chemicals and materials that could become contaminants in stormwater discharges;

- Personnel who are responsible for conducting and documenting inspections and monitoring as required in Section H.7 and Section H.9; and
- Personnel who are responsible for taking and documenting corrective actions as required in Section H.8.

Personnel must be trained 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):

- An overview of what is in the SWP3;
- Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
- The location of all controls on the site required by this Permit, and how they are to be maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements; and
- When and how to conduct inspections, record applicable findings, and take corrective actions.

Employee training must be conducted at least annually (or more frequently if employee turnover is high) at active and temporarily inactive facilities.

(8) Non-Stormwater Discharges

You must evaluate for the presence of any non-stormwater discharges. Any non-stormwater discharges not explicitly authorized in Section H.2 or covered by another OPDES permit must be eliminated. This includes vehicle and equipment/tank wash water. 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.

(9) Dust Generation and Vehicle Tracking of Industrial Materials

You must *minimize* generation of dust and off-site tracking of raw, final, or waste materials in order to minimize pollutant discharges.

(10) Final Stabilization

Closure of the facility requires final stabilization to be achieved. All industrial activities at 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).

c. Water Quality-Based Effluent Limitations

Your discharge must be controlled 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 Section H.8 and document the corrective actions as required in Section H.8.c(3).

DEQ may also require that you undertake additional control measures (to meet the narrative water quality-based effluent limit above) on a site-specific basis, or require you to obtain coverage under an individual permit, if information in your application, required reports or SWP3, or from other sources indicates that your discharges are not controlled as necessary to meet applicable water quality standards. You must implement all measures necessary to be consistent with an available wasteload allocation in an established TMDL or watershed plan in lieu of a TMDL within any timeframe established in the TMDL or watershed plan.

Discharges to Water Quality-Impaired Waters

You are considered to discharge to an impaired waterbody if your facility or discharge point is located within one (1) mile of a receiving waterbody which is identified by DEQ on the 303(d) list as not meeting applicable water quality standards for turbidity, pH or oil and grease, and:

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

Note: You are not considered to discharge to an impaired water if your facility or discharge point is located within one (1) mile of an impaired waterbody and the point of discharge is outside the watershed of this waterbody. 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 systems do not include combined sewer systems or sanitary sewer systems. Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.)

(1) New Discharger to an Impaired Waterbody

If you are a new discharger or a new source, you are not eligible for coverage under this permit to discharge stormwater to a water included in Oklahoma's "303(d) List" of impaired water bodies listed for "Turbidity" (Impairment ID 413), "pH" (Impairment ID 441), or "Oil and Grease" (Impairment ID 317) unless you prevent all exposure to stormwater of the pollutant for which the waterbody is impaired and retain documentation of procedures taken to prevent exposure onsite with your SWP3. For pH you must certify the stormwater discharge will maintain a pH of 6.5-9.0 standard units and comply with the monitoring requirements of Section H.9.b.(2).(a).

(2) Existing Discharger to an Impaired Waterbody with an Established TMDL

If you discharge stormwater to a water included in Oklahoma's "303(d) List" of impaired water bodies listed for "Turbidity" (Impairment ID 413), "pH" (Impairment ID 441), or "Oil and Grease" (Impairment ID 317) with an established TMDL or watershed plan in lieu of a TMDL, your stormwater discharge must meet any limitations, conditions, or other requirements of the implementation plan associated with that Waste Load Allocation (WLA), Load Allocation (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 at the frequencies established in the TMDL or watershed plan, or at a minimum of once per

year. You must comply with the applicable monitoring requirements of Section H.9.b(2)(a). DEQ will inform you only if coverage under an individual permit is necessary.

(3) Existing Discharger to an Impaired Waterbody without an Established TMDL

If you discharge stormwater to a water included in Oklahoma's "303(d) List" of impaired water bodies listed for "Turbidity" (Impairment ID 413), "pH" (Impairment ID 441), or "Oil and Grease" (Impairment ID 317) without an established TMDL or watershed plan in lieu of a TMDL, you must comply with the monitoring requirements of Section H.9.b(2)(a).

6. Storm Water Pollution Prevention Plan

a. Storm Water Pollution Prevention Plan Requirements

A Stormwater Pollution Prevention Plan (SWP3) must be prepared for the industrial facility/activity before submitting an application for permit coverage. If you prepared a 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 application. 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 Section H.5 of this Permit as well as to document compliance with other permit requirements. As distinct from the SWP3, the additional documentation requirements (see Section H.6.b.(6)) are intended to document the implementation (including inspection, maintenance, corrective action, monitoring, reporting, and recordkeeping) of the permit requirements. Failure to develop and maintain a current SWP3 is a recordkeeping violation of the permit, and it is separate and distinct from a violation of any of the other substantive requirements in the permit, such as inspections, corrective action, effluent limits, monitoring, and reporting.

The SWP3 shall be prepared in accordance with good engineering practices and to industry standards. The SWP3 may be developed by either a person on your staff or a third party you hire, but it must be developed by a *qualified person*⁴ and must be certified per the signature requirements in Section H.11.a. 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*⁵, then those engineering practices and designs are required to be prepared by a registered professional engineer.

b. Contents of the SWP3

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

- Stormwater pollution prevention team;
- Site description;

⁴ A *qualified person* is a person who is knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and possesses the education and ability to assess conditions at the industrial facility that could impact stormwater quality, as well as the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.

⁵ 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."

- Summary of potential pollutant sources;
- Description of control measures to meet non-numeric technology based and water-quality based effluent limitations;
- Schedules and procedures;
- Documentation to support eligibility considerations under other federal laws;
- Signature requirements; and
- Additional documents.

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.

(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. Your stormwater pollution prevention team is responsible for overseeing development of the SWP3, any modifications to it, 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.

In addition, you must include facility description and contact information.

(2) Site Description

Your SWP3 must include the following:

- (a) *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.
- (b) *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 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 of 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 degrees decimal for each outfall and the name of the corresponding receiving waterbody. Indicate if you are treating one or more stormwater outfalls as substantially identical. If your facility has 2 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 stormwater outfall(s). If the facility is discharging into a MS4, indicate so and provide its name.

- (c) **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 one (1) mile of your facility.

Site Map: Provide a map or series of maps showing:

- Boundaries of the property and the size of the property in acres; Location and extent of significant structures and impervious surfaces at the facility;
- Directions of stormwater flow (use arrows to show the directions of stormwater flow);
- Locations of all receiving waters in the immediate vicinity of your facility;
- Locations of potential pollutant sources identified;
- Locations of all stormwater control measures (i.e. Structural BMPs);
- Locations of all stormwater conveyances including ditches, pipes, and swales;
- Locations where significant spills or leaks have occurred;
- Locations of all stormwater monitoring points;
- 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;
- Locations and descriptions of all non-stormwater discharges;
- MS4s and where your stormwater discharges to them, if applicable;
- Areas of designated critical habitat for endangered or threatened species, if applicable.
- Locations of the following activities where such activities are exposed to precipitation: 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; and
- 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).
- 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.

(3) Summary of 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, 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. For each identified area, the description must include:

- (a) **Industrial Activities:** A list of the industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning).
- (b) **List of Pollutants:** A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) 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 3 years prior to the date of submission of an application to DEQ.
- (c) **Spills and Leaks⁶:** 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 3 years prior to the date of the submission of an application 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.
- (d) **Allowable Non-Stormwater Discharges:** You must document that you have evaluated all sources of allowable non-stormwater discharges that are/will be discharged under this Permit. Documentation of your evaluation must include: (1) identification of each allowable non-stormwater source, (2) the location where it is likely to be discharged, and (3) 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.

- (e) **Unauthorized Non-Stormwater Discharges:** You must document that you have tested or evaluated the presence of any unauthorized non-stormwater discharges. Documentation of your testing or evaluation must include:
 - The date of the testing or evaluation;
 - A description of the test or evaluation criteria and testing method used;

⁶ 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 USC § 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 are not in excess of reporting requirements.

- Identification of significant sources of any unauthorized non-stormwater discharges;
- A description of the results of any test or evaluation performed for the presence of any unauthorized non-stormwater discharges;
- A list of the outfalls or onsite drainage points that were directly observed during the testing or evaluation; and
- 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.

(f) **Sampling Data:** You must include a brief summary of all numeric and visual stormwater discharge sampling data collected at the facility during 3 years prior to the date of the submission of an application 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 they may have.

(4) Description of Stormwater Controls to Meet Technology-Based and Water Quality-Based Effluent Limits

You must describe the type and location of different control measures you have specifically chosen, designed, and/or implemented to comply with:

- Non-numeric technology-based effluent limits in Section H.5.b;
- Water quality-based effluent limits in Section H.5.c.;
- Any additional measures that formed the basis of eligibility regarding threatened and endangered species, critical habitat, and/or historic properties in Section H.3 and Section H.4; and
- Regarding your control measures, you must also document, as appropriate:
 - How you addressed the selection and design considerations in Section H.5.a;
 - How they address the pollutant sources identified in Section H.6.b(3).

(5) Procedures and Schedules

(a) Pertaining to Control Measures Used to Comply with Effluent Limits in Section H.5

The following must be documented in your SWP3:

- (i) *Good Housekeeping* (see Section H.5.b(2)) – You must keep clean all exposed areas of the facility that are potential sources of pollutants. Common problem areas include: around trash containers, storage areas and loading docks. 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.
- (ii) *Spill Prevention and Response Procedures* (see Section H.5.b(4)) – Procedures for preventing and responding to spills and leaks, including notification procedures that will be/have been followed at the facility. For preventing spills, include in the SWP3 the control measures for material

handling and storage, and the procedures for preventing spills that can contaminate stormwater. Specify cleanup equipment, procedures, and spill logs, as appropriate, in the event of spills. 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.

- (iii) *Preventive Maintenance* (see Section H.5.b(3)) – Preventive 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.
- (iv) *Erosion and Sediment Controls* (see Section H.5.b(5)) – Structural and non-structural control measures must be used 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.
- (v) *Runoff Management* (see Section H.5.b(6)) – Procedures to divert, infiltrate, reuse, contain or otherwise reduce stormwater runoff to minimize pollutants in your discharges.
- (vi) *Employee Training* (see Section H.5.b(7)) – The elements of your employee training plan shall include all, but not be limited to, the requirements set forth in Section H.5.b(7), and also the following:
 - The content of the training;
 - 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;
 - A log of the dates on which specific employees received training.
 - Employee training shall be conducted at least annually (or more often if employee turnover is high) for active and temporarily inactive quarries.

(b) Pertaining to Inspections

You must document in your SWP3 your procedures for performing, as appropriate, the types of inspections specified by this Permit (see Section H.7).

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

- Person(s) or positions of person(s) responsible for inspection;
- Schedules for conducting inspections, including tentative schedules during irregular stormwater runoff discharges; and
- 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 Section H.7.c. and Section H.7.b(1)(c).

(c) Pertaining to Corrective Actions

You must document in the SWP3 your procedures for performing corrective actions, as appropriate, specified by this Permit (see Section H.8). You must identify the following information in your SWP3 for each corrective action performed:

- Person(s) or positions of person(s) responsible for corrective action;
- Description of the condition triggering the need for corrective action and the date the condition was identified;
- Dates and times when each corrective action was initiated and completed;
- Description of immediate actions taken pursuant to Section H.8.c(1) to *minimize or prevent* the discharge of pollutants; and
- Summary of corrective actions taken or to be taken as a result of the conditions listed in Section H.8.a or Section H.8.b (or, for triggering events in Section H.8.b where you determine that corrective action is not necessary, the basis for this determination).

(d) Pertaining to Monitoring

You must document in your SWP3 procedures for conducting the following types of analytical monitoring specified in this Permit (see Section H.9), where applicable to your facility, including:

- Quarterly visual monitoring of stormwater discharges (see Section H.9.b(1));
- Impaired waters monitoring (see Section H.9.b(2)); and
- Other monitoring as required by DEQ (see Section H.9.b(3)).

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

- Locations where samples are collected, including any determination that two or more stormwater outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter, if applicable;
- Schedules for monitoring at your facility, including schedule for alternative monitoring periods for climates with irregular stormwater runoff (see Section H.9.a(4)); and
- Procedures (e.g., responsible staff, logistics, laboratory to be used) for gathering storm event data, as specified in Section H.9.a.

You must also document the following in your SWP3 if you plan to use the substantially identical stormwater outfall⁷ exception for your quarterly visual monitoring requirements in Section H.9.b(1) or impaired waters monitoring requirement in Section H.9.b(2):

- Location of each of the substantially identical stormwater outfalls;

⁷ If your facility has 2 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).

- Description of the general industrial activities conducted in the drainage area of each outfall;
- Description of the control measures implemented in the drainage area of each outfall;
- 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;
- An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
- Why the stormwater outfalls are expected to discharge substantially identical effluents.

Note: A *qualified person* must be responsible for all types of facility inspections, corrective action determination and documentation, and all types of monitoring required by this Permit.

(6) Documentation to Support Other Eligibility Considerations

(a) Documentation Regarding Endangered and Threatened Species and Critical Habitat Protection

You must keep with your SWP3 the documentation supporting your determination.

- Information on Threatened or Endangered Species or Critical Habitat:* Include information on whether listed or endangered species, or critical habitat, are found in proximity to your facility.
- Determine if Your Facility is Within a Sensitive Water or Watershed:* Determine if your industrial facility is located within or outside a Federal or State Sensitive water or watershed.
- Document the Results of Your Screening:* Document your determinations regarding endangered or threatened species, or critical habitat, and the procedures followed.
- 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. If you fail to describe and implement such measures, your discharges are ineligible for coverage under this permit.

(b) Documentation Regarding Historic Properties

You must keep with your SWP3 the documentation supporting your determination with regard to Section H.4.

(c) Documentation Regarding Unauthorized Non-Stormwater Discharges

You must include a 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 Section H.2). The certification must be signed in accordance with Section H.11.a. of this Permit, and must include, at minimum, the information required by Section H.6.b(3)(e).

(7) Signature Requirements

The SWP3 must include a certification signed and dated in accordance with Section H.11.a. of this Permit.

c. Required SWP3 Modifications

You must modify your SWP3 based on the corrective actions and deadlines required under Section H.9.c. and that you documented under Section H.9.c(3). Any modifications to your SWP3 must be signed and dated in accordance with Section H.11.a.

d. SWP3 Availability

You must retain a complete copy of your current SWP3 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, 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. 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), but if you do so 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, or USFWS.

e. Additional Documentation Requirements

You are required to keep the following inspection, monitoring, and certification records with your SWP3 that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this Permit:

- (1) A copy of the application submitted to DEQ along with any correspondence exchanged between you and DEQ specific to coverage under this Permit;
- (2) A copy of this Permit (an electronic copy easily available to SWP3 personnel is also acceptable);
- (3) 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, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Section H.5);
- (4) All inspection reports, including the Routine Facility Inspection Reports (see Section H.7.b), Quarterly Visual Monitoring Reports (see Section H.9.b(1)(b)), Discharge Monitoring Reports (DMR) (see Section H.10.a), and Annual Comprehensive Site Compliance Evaluation Report (ACSCER) (see Section H.10.c);
- (5) Description of any deviations from the schedule for visual monitoring and/or other required monitoring and the reason 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 Section H.9.b(1)(c) and Section H.9.a(5)); and
- (6) Corrective action documentation required per Section H.8.c(3).
- (7) 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 Section H.9.b(2)(a)); and
- (8) 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 Section H.7.a),

quarterly visual monitoring (see Section H.9.b(1)), and/or impaired waters monitoring (see Section H.9.b(2)).

7. Inspections

a. 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:

- Areas where industrial materials or activities are exposed to stormwater;
- Areas identified in the SWP3 and those that are potential pollutant sources (see Section H.6.b(3));
- Areas where spills and leaks have occurred in the past three (3) years;
- All discharge points; and
- All control measures used to comply with both technology-based and water quality-based effluent limits contained in this Permit.

Inspections must be conducted at least quarterly (i.e., once each calendar quarter), or in some instances more frequently. Increased frequency may be appropriate for some types of equipment, processes and stormwater control measures, sensitive areas for endangered or threatened species, 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.

Inspections must be performed by qualified personnel with at least one member of your stormwater pollution prevention team participating. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections. During the inspection, the Inspector must examine or look out for the following:

- Industrial materials, residue or trash that may have or could come into contact with stormwater;
- Leaks or spills from industrial equipment, drums, tanks and other containers;
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
- Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas;
- Control measures needing replacement, maintenance, or repair.

When an inspection occurs during a stormwater event or discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. All discharge points/outfalls must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

b. Routine Facility Inspection Documentation

You must document the findings of your facility inspections and maintain this report with your SWP3 as required in Section H.6.e. 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 per Section H.10.c. Document all findings of your routine inspection in an Inspection Form, which must include at least the following information:

- The inspection date and time;
- The name(s) and signature(s) of the inspector(s);
- Weather information and a description of any discharges occurring at the time of the inspection;
- Any previously unidentified discharges from and/or pollutants at the site;
- All observations relating to the areas of materials or activities at the facility exposed to stormwater;
- All observations relating to the implementation of control measures at the facility;
- Any control measures needing maintenance, repairs, or replacement;
- Any evidence of, or the potential for, pollutants entering the drainage system;
- 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;
- Any incidents of noncompliance observed;
- Any additional control measures needed to comply with the permit requirements including any additional observation from the inspection; and
- A statement signed and certified in accordance with Section H.11.a.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Section H.8 of this Permit.

c. 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 Section H.7.a. To invoke this exception, you must include a statement in your SWP3 per Section H.6.b(5)(2) 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 Section H.11.a. 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 Section H.6.e.

8. Corrective Actions

a. Conditions Requiring SWP3 Review and Revision to Eliminate Problems

When any of the following conditions occur or are detected during an inspection, monitoring or other means, or DEQ or EPA or the operator of the MS4 through which you discharge informs you 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:

- 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;
- Your control measures are not stringent enough for the discharge to meet non-numeric effluent limits in this Permit;
- A required control measure was never installed, was installed incorrectly, or not in accordance with Section H.5, or is not being properly operated or maintained; and
- Whenever a routine inspection, visual monitoring or comprehensive site evaluation shows evidence of stormwater pollution.

b. Conditions Requiring SWP3 Review to Determine if Modifications Are Necessary

If any of the following conditions occur, you must review your SWP3 (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation, and implementation of your control measures) to determine if modifications are necessary to meet the effluent limits in this Permit:

- 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
- 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.

c. Corrective Actions and Deadlines

(1) Immediate Actions

If corrective action is needed, you must *immediately*⁸ take *all reasonable steps*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.

(2) Subsequent Actions

If you determine that additional actions are necessary beyond the initial immediate actions in Section H.8.c(1), you must complete the corrective actions (e.g., *install a new or modified control and make it*

⁸ In this context, 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 workday when it is too late to initiate corrective action, the initiation of corrective action must begin no later than the following workday.

⁹ **All reasonable steps** for purposes of complying with Section H.8.b Conditions Requiring SWP3 Review to Determine if Modifications Are Necessary, when you conclude a corrective action is, in fact, not necessary, could include documenting why a corrective action is unnecessary.

operational, complete the repair) 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, but it is considered reasonable for documenting your findings and for making repairs and improvements. This requirement is included in this Permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

(3) Corrective Action Report

You must document the existence of any of the conditions listed in Section H.8.c(1) or Section H.8.c(2) within **24 hours** of becoming aware of such condition. You must include, at a minimum, the following information in your corrective action report:

- Description of the condition triggering the need for corrective action review. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of the State, through stormwater or otherwise;
- Date the condition was identified;
- Description of immediate actions taken pursuant to Section H.8.c(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; and

Within **14 days** from the time of discovery of any of those conditions listed in Section H.8.a or Section H.8.b, you must document the following information:

- Summary of corrective actions taken or to be taken as a result of the conditions listed in Section H.8.a or Section H.8.b (or, for triggering events in Section H.8.b where you determine that corrective action is not necessary, the basis for this determination);
- Dates and times when each corrective action was initiated and completed;
- Notice of whether SWP3 modifications are required as a result of this discovery or corrective action; and
- A statement signed and certified in accordance with Section H.11.a 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 Section H.10.c and keep a copy of the corrective action report in the SWP3.

(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) Substantially Identical Outfalls

If the event triggering corrective action is associated with an outfall that had been identified as a *substantially identical outfall* (see Section H.9.a(1) and Section H.9.b(1)(c)), 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 Section H.8.c.

9. Monitoring

a. Monitoring Procedures

(1) Monitored Outfalls

Applicable monitoring requirements apply to each outfall authorized by this Permit, except as otherwise exempt from monitoring as a substantially identical stormwater outfall. If your facility has 2 or more stormwater 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 stormwater outfalls and report that the results also apply to the substantially identical stormwater outfall(s). As required in Section H.6.b(5)(d), your SWP3 must identify each outfall authorized by this Permit and describe the rationale for any substantially identical stormwater outfall determinations.

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

(2) Measurable Storm Events

All required monitoring must be performed 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 (3 days). The 72-hour (3-day) storm interval does not apply if you are able to document that less than a 72-hour (3-day) 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 on-site rain gauge to determine when a qualifying rain event occurs. For snowmelt monitoring, you must identify the date of the sampling event.

(3) Sample Type

You must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Section H.9.a(2). Samples must be collected 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, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWP3 explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge.

(4) Monitoring Periods

Monitoring requirements in this Permit begin in the first full quarter following either April 1, 2024, or your date of discharge authorization, whichever date comes later. For quarterly monitoring, you must monitor at least once in each of the following 3-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 June 2, 2024, then your first monitoring quarter is July 1 – September 30, 2024.

The yearly monitoring period is from January 1 to December 31. If your permit becomes effective less than 1 month from the end of the yearly monitoring period, your first monitoring period starts within the next annual monitoring period.

(5) Adverse Weather Conditions

When adverse weather conditions as described in Section H.9.b(1)(c) prevent the collection of samples according to the relevant monitoring schedule, you must take a substitute sample during the next qualifying storm event.

(6) Monitoring for Allowable Non-Stormwater Discharges

You are only required to monitor allowable non-stormwater discharges when they are commingled with stormwater discharges associated with industrial activity.

(7) Monitoring Reports

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

b. Required Monitoring

This Permit includes three types of required analytical stormwater monitoring, one or more of which may apply to your discharge: quarterly visual monitoring of stormwater discharges, impaired waters monitoring, and other monitoring as required by DEQ.

(1) Quarterly Visual Monitoring of Stormwater Discharges

(a) 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 (except as noted in Section H.9.b(1)(c)) once each quarter for the entire permit term and conduct visual assessment of each of these samples. 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. The visual monitoring or assessment must be made during daylight hours (e.g., normal working hours):

- 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 Section H.9.b(1)(c) below) after collecting it;
- 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, then the sample must be collected as soon as practicable after the first 30 minutes. You must document why it was not possible to take the sample within the first 30 minutes. In the case of snowmelt, a sample must be taken during a period with a measurable discharge from your site; and
- For storm events, 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 (3 days). The 72-hour (3-day) storm interval does not apply if you document that less than a 72-hour (3-day) 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:

Color, Odor, Clarity (diminished), Floating Solids, Settled Solids, Suspended Solids, Foam, Oil Sheen, and other obvious Indicators of Stormwater Pollution.

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

Table 9-1 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) cannot 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?

Whenever the visual monitoring shows evidence of stormwater pollution, you must initiate the corrective action procedures in Section H.8 of this Permit.

Note: an automatic 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 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 may be used to collect samples within the first 30 minutes, triggered by the measurable storm event. Such conditions must be documented in the SWP3.

(b) Quarterly Visual Monitoring Documentation

You must document the results of your visual monitoring and maintain this documentation onsite with your SWP3 as required in Section H.6.e. 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 Annual Comprehensive Site Compliance Evaluation Report (ACSCER) per Section H.10.c. Your documentation of the visual monitoring must include, but not be limited to:

- Sample location(s);
- Sample collection date and time, and visual monitoring date and time for each sample;
- Personnel collecting the sample and performing visual monitoring, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the stormwater discharge (see Table 9-1);
- Probable sources of any observed stormwater contamination;
- If applicable, why it was not possible to take samples within the first 30 minutes; and
- A statement signed and certified in accordance with Section H.11.a.

Any corrective action required as a result of a quarterly visual monitoring must be performed consistent with Section H.8 of this Permit.

(c) 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 Section H.6.e. 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 Section H.9.b(1)(b), occurred. You must sign and certify the documentation in accordance with Section H.11.a 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 Section H.6.b(5)(b) 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 Section 11.6.

Substantially Identical Stormwater Outfalls: If your facility has 2 or more stormwater outfalls that discharge substantially identical effluents, as documented in Section H.6.b(5)(d), 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 stormwater 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.

(2) Discharges to Impaired Waters Monitoring ¹⁰

(a) 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, 2017 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.

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). 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.

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 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. To support a determination that the pollutant's presence is caused solely by natural background sources, you must document and maintain with your SWP3, as required by Section H.6.b:

- 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; and
- 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. You must notify DEQ regarding discontinuation of monitoring due to non-detection of a pollutant or caused solely by natural background sources.

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 an application, 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 of the implementation plan 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 at the frequencies established in the TMDL or watershed plan, or at a minimum of once per year. You must adopt any WLAs assigned to your discharges specified in the TMDL, or similar targets in the

¹⁰ See Section H.5.c for a definition of discharges to water quality-impaired waters.

watershed plan, 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 application, 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. You must monitor all pollutants for which a WLA or LA is established for your discharges at the frequencies specified in the TMDL or watershed plan, or at a minimum of once per year. You must adopt any WLAs assigned to your discharges specified in the TMDL, or similar targets in the watershed plan, as measurable goals 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.

(b) 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:

- 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.
- 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 Section H.9.b as if you were in your first year of permit coverage.

(3) 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.

10. Reporting and Recordkeeping

a. Reporting Monitoring Data to DEQ

All monitoring data collected pursuant to Part H.9.b (except Part H.9.b(1)) must be submitted to DEQ electronically using the eDMR (electronic Discharge Monitoring Report) tool available on DEQ's website no later than 15th day of the month after the end of the reporting period. If your facility does not have any discharge during the year, you are still required to submit eDMRs to DEQ stating no discharge each year by January 15.

If you were required to submit DMR, you must submit them electronically. Instructions on how to register as a Preparer or Signatory for electronic DMR (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.

b. Reporting Monitoring Data to Regulated MS4

If you discharge stormwater associated with industrial activity through a regulated municipal separate storm sewer system (MS4), you must also submit signed copies of your DMRs to the operator of the MS4 in accordance with dates in Section H.9.a.

c. Annual Reporting Requirement

You must prepare an *Annual Comprehensive Site Compliance Evaluation Report* (ACSCER) using the *DEQ Form 606-005*, each year by *March 1st* for each year of permit coverage, containing information generated from the past calendar year. If your *authorization* 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. The report must include a certification signed and dated by an authorized representative of the facility. Annual reports are no longer required to be submitted to DEQ, unless specifically requested. However, *annual reports must be maintained on site for at least three years, and they are to be made available to DEQ upon request.*

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:

- A summary of your past year's routine facility inspection documentation (see Section H.7.b) 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;
- 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;
- A summary of your past year's corrective action documentation (see Section H.8.c). 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);
- A summary of your past year's quarterly visual monitoring documentation (see Section H.9.b(1) of the permit);
- Also, describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the Permit; and
- Your Annual Report must also include a statement, which must be certified in accordance with Section H.11.a of this Permit.

You must retain a record of actions taken in accordance with this Part as part of the SWP3 *for at least 3 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 report must contain a 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 Section H.11.a.

d. Additional Reporting

You must submit the following reports to DEQ:

1. Reportable quantity spills: You must provide notification, as required under Section H.5.a(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: 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:
 - (a) The alteration or addition to a permitted facility 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) The alteration or addition 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).
3. Anticipated noncompliance: 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.
4. 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 following each schedule date.
5. Other noncompliance: 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.
6. Other information: You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your application, or that you submitted incorrect information in your application or in any report.

Note: *If you discharge through an MS4, you must also submit these reports to the MS4 operator.*

e. Recordkeeping and Retention

You must retain copies of your SWP3 (including any modifications made during the term of this Permit), a copy of the application 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 application, a copy of the authorization, documentation of maintenance and repairs of control measures, records of all inspection reports, corrective action documentations, all sampling and monitoring data including date of collection, method of sampling, measurement, evaluation, or inspection, and any other reports required by this Permit, ***for a period of at least 3 years from the date that your coverage under this permit expires or is terminated.*** This period may be extended by written notification from DEQ at any time. The Permittee must submit any such records to DEQ upon request.

11. Standard Conditions

a. Signature Requirements

The stormwater pollution prevention plan 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: (i) 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 (ii) 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; or
- (2) **For a partnership or sole proprietorship:** by a general partner or the proprietor, respectively (Note: for limited liability company (LLC): by one of its owners, called managing members/partners of the company); or
- (3) **For a municipality, State, Federal, or other public agency:** by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA); or
- (4) **By a duly authorized representative.** A person is a duly authorized representative only if:
 - (a) The authorization is made in writing by a person described above;
 - (b) The 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
 - (c) The signed and dated written authorization is included in the SWP3. A copy of the authorization must be submitted to DEQ.

b. 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, Corrective Action Reports, DMRs, 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 Section H.11.a or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described in Section H.11.a.;
- (2) The 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) The signed and dated written authorization is included in the SWP3. A copy of the authorization must be submitted to DEQ.

c. Certification

Any person signing documents in accordance with Section H.11.a 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 II
OTHER PERMIT REQUIREMENTS

A. Regulatory Notice

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

B. Reopener Clause

This permit may be reopened for modification or revocation and reissuance to require additional monitoring and/or effluent limitations where actual or potential exceedances of state water quality criteria are determined, or when required by changes made to Technology-Based limits. Modification or revocation and reissuance of the permit shall follow regulations listed at 40 C.F.R. § Part 124.5.

C. Laboratory Accreditation

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

D. Analytical Requirements

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 C.F.R. Part 136 in effect on the effective date of this permit. Appendices A, B, and C to 40 C.F.R. Part 136 are specifically referenced as part of this requirement. Amendments to 40 C.F.R. Part 136 promulgated after the effective date of this permit shall supersede these requirements as applicable.

E. Individual Permits

1. Any permittee authorized by this permit may request to be excluded from the coverage of this general permit by applying for an individual permit. The permittee shall submit the appropriate OPDES application forms together with the reasons supporting the request to the Water Quality Division.
2. When an individual OPDES permit is issued to a permittee otherwise subject to this general permit, the applicability of this permit to that owner or permittee is automatically terminated on the effective date of the individual permit.
3. As described in the General Provisions of this permit, a concrete batch or pre-cast concrete plant excluded from coverage under this general permit solely because it already has an individual permit may request that the individual permit be revoked, and that the plant covered by this general permit. Upon revocation of the individual permit, this general permit shall apply to the plant.

F. Specific Requirements for Truck Washing

Detergents used for truck washing must be low-phosphate, low-sudsing and biodegradable.

G. Minimum Quantification Level (MQL)

If any individual analytical test result taken for compliance with this permit is less than the corresponding minimum quantification level listed in OAC 252:690, Appendix B, a value of zero (0) may be used for that individual result for the electronic Discharge Monitoring Report (eDMR) calculations and reporting requirements.

<u>POLLUTANT</u>	<u>MQL (mg/l)</u>
Oil and Grease	5

The permittee may develop an effluent and/or upstream specific method detection limit (MDL) in accordance with Appendix B to 40 C.F.R. Part 136. For any pollutant for which the permittee determines an effluent and/or upstream specific MDL, the permittee shall send to DEQ, Water Quality Division, Industrial Permits Section, a report containing QA/QC documentation, analytical results, and calculations necessary to demonstrate that the effluent and/or upstream specific MDL was correctly calculated. An effluent and/or upstream specific minimum quantification level (MQL) shall be determined in accordance with the following calculation:

$$\text{MQL} = 3.3 \times \text{MDL}$$

Upon written approval by the Industrial Permits Section, the effluent and/or upstream specific MQL may be utilized by the permittee for all future electronic Discharge Monitoring Report (eDMR) calculations and reporting requirements.

FACT SHEET

FOR THE GENERAL PROCESS WASTEWATER DISPOSAL PERMIT FOR CONCRETE BATCH AND PRE-CAST CONCRETE PRODUCT PLANTS TO DISCHARGE TO WATERS OF THE UNITED STATES UNDER THE OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES); TO CONSTRUCT OR OPERATE INDUSTRIAL PROCESS WASTEWATER IMPOUNDMENTS; AND/OR TO LAND APPLY INDUSTRIAL PROCESS WASTEWATER FOR PURPOSES OF DUST SUPPRESSION; AND/OR TO RECYCLE WASTEWATER AS WASH WATER OR CONCRETE MAKE-UP; AND/OR TO MANAGE NON-CONTACT STORMWATER.

DEQ Permit No.: OKG11

Applicant: Operators of Concrete Batch and Pre-cast Concrete Product Plants in Oklahoma

Prepared By: Michael Thomas
Industrial Permits Section
Water Quality Division

Issued By: Department of Environmental Quality
707 N. Robinson
P.O. Box 1677
Oklahoma City, OK 73101-1677

Permit Action: Renewal of a general permit for concrete batch and pre-cast concrete product plants; to discharge wastewater; and/or to construct or operate industrial wastewater surface impoundments; and/or to land apply industrial wastewater for dust suppression; and/or to recycle wastewater as wash water or for use in product; and/or to manage non-contact stormwater.

I. SCOPE OF PERMIT

This permit supersedes OPDES Permit OKG11 that became effective on March 1, 2019, and expires at midnight on February 29, 2024.

A. REGULATED ACTIVITIES

The OKG11 General Permit applies to the following activities at Concrete Batch and Pre-cast Concrete Product Plants (SIC Code No. 3271, 3272 and 3273): (1) discharge of industrial process wastewater to waters of the United States; (2) construction or operation of industrial wastewater surface impoundments; and/or (3) land application of industrial process wastewater for dust suppression; and/or (4) recycle wastewater as wash water or for use in product. This permit will regulate any combination of the above-listed process wastewater disposal/treatment options, and it will cover both discharging and non-discharging (total retention) facilities. This permit will provide coverage of stormwater discharges that are associated with these activities and are subject to DEQ stormwater rules. The permit also includes conditions in Part I Section A.1 that define housekeeping practices that will allow a permittee to distinguish between contact and non-contact stormwater for the purposes of defining if stormwater runoff must be classified and managed as process wastewater.

Wastewater discharges regulated by this permit apply to discharges of process wastewater and non-contact stormwater runoff associated with the following common activities at concrete batch plants: (1) mix plant area washdown, (2) truck mixer drum washout and (3) external truck wash and oil spray down as well as the following common activities at pre-cast concrete product facilities: (1) mix plant area washdown, (2) haul truck washout and (3) external haul truck washdown and (4) washing of concrete panels to expose aggregate. At no time shall the effluent cause a violation of Oklahoma's Water Quality Standards (OWQS), as amended, in the receiving stream.

Surface impoundments and/or underground tanks may be used for treatment and/or disposal of process wastewater at concrete batch and pre-cast concrete product plants, and they are authorized by this permit in accordance with requirements for surface impoundments and underground tanks contained in Part I. Process wastewater contained in surface impoundments and/or underground tanks may be recycled for use in concrete make-up or wash water. Surface impoundments and/or underground tanks regulated by this permit are considered to be any surface impoundments and/or underground tanks at any concrete batch plant or pre-cast concrete product facility that contain process wastewater associated with the activities described above.

Land application of process wastewater shall be for dust suppression and/or stockpile watering at the permittee's facility. This permit does not specify the disposal/treatment method(s) that the permittee must use. If surface impoundments and/or subsurface tank systems are used for process wastewater treatment and/or disposal, the surface impoundments and/or subsurface tank systems shall be regulated by this permit in accordance with OAC 252:616.

B. EXCLUSIONS

This permit shall not cover those facilities discharging greater than one million gallons per day (1 MGD) of process wastewater. In addition, this permit will not cover those facilities that require more stringent stormwater controls than allowed by this permit. This permit does not authorize the discharge of wastewater to the following waters: Outstanding Resource Waters, High Quality Waters, Sensitive Public and Private Water Supplies including those with Reuse (SWS and SWSR), Cool Water Aquatic Communities, Trout Fisheries, and Appendix 'B' Waters [OAC 252:730-5-25(c)(2)]; and the permit does not authorize the discharge of wastewater within one (1) stream mile of a lake. An existing facility is not authorized to discharge to a receiving stream included in Oklahoma's "303(d) List" of impaired water bodies listed for "Turbidity" (Impairment ID 413) or "pH" (Impairment ID 441) for which a Total Maximum Daily Load (TMDL) has been performed and the result of the TMDL indicates that discharge limits more stringent than 45 mg/l for Total Suspended Solids (TSS) or pH limits more stringent than 6.5-9.0 standard units are required. A new facility may be authorized to discharge to a receiving stream included in Oklahoma's "303(d) List" of impaired water bodies listed for "Turbidity" (Impairment ID 413) provided the facility adequately certifies that TSS will be less than 45 mg/L. In addition, a new facility may be authorized to discharge to a receiving stream included in Oklahoma's "303(d) List" of impaired water bodies listed for "pH" (Impairment ID 441) provided the facility adequately certifies the discharge will maintain a pH of 6.5-9.0 standard units.

For facilities requesting coverage under this permit that discharge wastewater from washing vehicle(s)/equipment, the permit will contain a limit for Oil and Grease of 15 mg/l. An existing facility is not authorized to discharge wastewater from washing vehicle(s)/equipment to waters included in Oklahoma's "303(d) List" of impaired water bodies listed for "Oil and Grease" (Impairment ID 317) for which a Total Maximum Daily Load (TMDL) has been performed and the result of the TMDL indicates that discharge limits more stringent than 15 mg/l for Oil and Grease are required. A new facility may be authorized to discharge to a receiving stream included in Oklahoma's "303(d) List" of impaired water bodies listed for "Oil and Grease" (Impairment ID 317) provided the facility adequately certifies no wastewater from washing vehicle(s)/equipment will be discharged.

For all facilities applying for coverage under this permit, the DEQ will determine whether the point of discharge is located in surface waters designated sensitive by the U.S. Fish and Wildlife Service based on the map included in Appendix A. If the facility is a new facility and the discharge is to a sensitive waterbody, the facility will not be eligible for an authorization under this permit. If the facility is an existing facility and the point of discharge is located in surface waters designated sensitive by the U.S. Fish and Wildlife Service, the facility will not be eligible for coverage under this permit if there has been a change in the location of the discharge point or an increase in the volume of the discharge. Otherwise, there are no restrictions on who may obtain coverage due to endangered species considerations.

C. APPLICABLE PERMITTEES

Concrete batch and pre-cast concrete product plants that are currently permitted by the DEQ through individual process wastewater disposal permits and are eligible for coverage under this permit, may apply for coverage under this permit no

later than 180 days prior to the expiration of their current individual permits as long as the limits contained in the general permit are the same or more stringent than those established in the individual permit. These currently permitted facilities may also elect to continue coverage under their individual permits. Existing concrete batch and pre-cast concrete product plants that are not currently permitted by the DEQ through individual process wastewater permits shall apply for coverage under this permit within 60 days of the effective date of this permit. New concrete batch plant and pre-cast concrete product facilities shall apply for and obtain an authorization prior to commencing any of the activities regulated by this permit. In those instances where an applicant has already obtained a Stormwater Multi-Sector permit (MSGP), OKR05, the issuance of a Concrete Batch and Pre-cast Concrete Product Plant General Permit authorization, including stormwater conditions, will result with the new authorization superseding the existing MSGP thus voiding the previous permit.

The purpose for including stormwater management in this permit is an attempt by the DEQ to simplify the permitting process by eliminating the requirement for obtaining a separate stormwater permit. The combining of these two permits will help to streamline the overall permitting process. This permit incorporates those portions of the MSGP that are specifically related to concrete batch and pre-cast concrete product plant operations. It does not, however, include the requirements of the Stormwater General Permit for Construction Activities, OKR10.

II. APPLICANT ACTIVITY

The following common activities are the sources of wastewater at concrete batch plants: (1) mix plant area washdown, (2) truck mixer drum washout, and (3) external truck washdown and oil spray down. There are two types of concrete batch plants: central mix plants and transit mix plants. The central mix plant combines and mixes all ingredients, then loads the fresh concrete in the mixer drum on the truck. The transit mix plant combines the dry ingredients and then loads the dry ingredients and water into the mixer drum on the truck where the final mixing occurs.

The function of the mix plant is to combine gravel, crushed stone, and sand (together known as aggregate), cement, water, and admixtures to form fresh concrete. Typically, aggregate is received in bulk quantities by rail or truck. It is stored in silos or outside, where it is kept moist, until it is conveyed to distribution bins for feeding into the mix plant. The function of the mixer drum washout activity is to rinse residual concrete from the inside of the truck's mixer drum to prevent it from setting up in the drum. The function of the external truck wash is to clean external surfaces of the ready-mix trucks.

Process wastewater is generated from wash water and associated stormwater runoff from the mix plant, mix plant area and/or ready-mix truck exteriors.

The following common activities are the sources of wastewater at pre-cast concrete product plants: (1) mix plant area washdown, (2) haul truck washout, (3) external truck washdown and (4) washing of concrete panels to expose aggregate.

The function of the washing of the concrete panels at pre-cast concrete product plants is to expose aggregate that lies below the cement surface in order to create a more decorative product.

Process wastewater is generated from wash water and associated stormwater runoff from the mix plant, mix plant area and/or haul truck interiors/exterior.

Concrete batch and pre-cast concrete product plants utilize one or more of the following methods to dispose of process wastewater: discharge, total retention via surface impoundments, underground tanks, recycle, land application for dust suppression and/or stockpile watering. Treatment for process wastewater is typically done by using surface impoundments, tanks, or filter media to provide detention time for settling or filtration.

III. RECEIVING WATERBODY INFORMATION

Discharging concrete batch and pre-cast concrete product plants covered by this permit will be discharging to various Waters of the State. These waters will have varying beneficial uses as designated by the “Oklahoma Water Quality Standards, as amended.” This permit will cover discharges to Waters of the State with any or all of the following designated beneficial uses as listed in OAC 252, Chapter 730:

- Public and Private Water Supplies (OAC 252:730-5-10);
- Emergency Public and Private Water Supplies (OAC 252:730-5-11);
- Fish and Wildlife Propagation (OAC 252:730-5-12);
- Agriculture/Livestock and Irrigation (OAC 252:730-5-13);
- Primary Body Contact Recreation (OAC 252:730-5-16);
- Secondary Body Contact Recreation (OAC 252:730-5-17);
- Navigation (OAC 252:730-5-18);
- Aesthetics (OAC 252:730-5-19); and
- Fish Consumption (OAC 252:730-5-20)

This permit will not regulate discharges to Waters of the State designated with any of the following additional limitations:

- Outstanding Resource Waters (OAC 252:730-5-25(c)(1));
- Appendix B Waters (OAC 252:730-5-25(c)(2));
- High Quality Waters (OAC 252:730-5-25(c)(3));
- Sensitive Public and Private Water Supplies including those with Reuse [SWS and SWSR] (OAC 252:730-5-25(c)(4) and (8));
- Cool Water Aquatic Community (OAC 252:730-5-12(d));
- Trout Fisheries (OAC 252:730-5-12(e)); or
- Within one (1) stream mile of a lake.

Concrete batch and pre-cast concrete product plants located along receiving waters with these additional limitations shall either apply for coverage as non-discharging (total retention) facilities under this permit or shall apply for coverage under an individual discharge permit in accordance with requirements to obtain a permit contained in “Oklahoma Administrative Code” (OAC), 252:606 and/or 252:616. Depending on the additional limitations applicable, concrete batch plants located along these receiving waters may be prohibited from any new point source discharge in accordance with Oklahoma’s implementation policies for the antidegradation policy statement (OAC 252:730-5-25). Such facilities will still be eligible for coverage under this permit as non-discharging (total retention) facilities.

In addition, this permit incorporates those portions of the MSGP for stormwater discharges associated with industrial activities for the state of Oklahoma required to regulate the discharge of non-contact stormwater at concrete batch and pre-cast concrete product plants.

IV. DISCHARGE INFORMATION

A. DISCHARGE LOCATION

For each proposed outfall, the discharge location shall be specified in the application and the authorization to discharge under this permit. The discharge locations shall be specified to within ten acres by use of legal description and specified by latitudes and longitudes.

B. DISCHARGE DESCRIPTION

The following three common activities are the sources of process wastewater at concrete batch plants: (1) mix plant area washdown, (2) truck mixer drum washout and (3) external truck wash and oil spray down. Process wastewater at pre-cast concrete product plants include the following (1) mix plant area washdown, (2) haul truck washout and (3) external haul truck washdown and (4) washing of concrete panels to expose aggregate.

C. PROCESS WASTEWATER CHARACTERISTICS

Wastewater characteristics for concrete batch and pre-cast concrete product plants are based upon the potential pollutants generated from the handling/storage of materials, crushing/grinding of stone, mix plant washdown, mixer drum washout, cast/form washdown, and external truck washing. This may include stormwater that comes in direct contact with the mix plant area if dry clean-up methods are not employed.

Process wastewater from these activities, and the contact stormwater runoff, have the potential to contain suspended solids and fugitive dust resulting from mix plant operation. Due to contact with these calcareous materials, the wastewater may display elevated pH levels. Oil and grease is also a potential pollutant of concern due to operations in the mix plant area from mix plant equipment and trucks that require oil in their operation and maintenance.

The activities, pollutant sources and pollutants detailed in the table below are commonly found at concrete batch plants and pre-cast concrete product plants.

Activity	Pollutant Source	Pollutant
Storage of materials	Exposed aggregate (sand and gravel), concrete, shale, clay, limestone, slate, slag, and pumice	Total Suspended Solids (TSS) & pH
Material handling	Exposed aggregate (sand and gravel), concrete, shale, clay, limestone, slate, slag, and pumice as well as spills or leaks of cement, fly ash, admixtures and baghouse settled dust	Total Suspended Solids (TSS) & pH
Crushing/grinding	Settled dust and ground limestone	Total Suspended Solids (TSS) & pH
Mixing concrete	Spilled aggregate, cement, admixture, and fugitive dust	Total Suspended Solids (TSS) & pH
Casting/forming concrete products	Concrete, aggregate, form release agents, reinforcing steel, latex sealants, and bitumastic coatings	Total Suspended Solids (TSS), pH & Oil and Grease
Vehicle and equipment washing	Residual aggregate, concrete, admixture, and residual oil & grease in washwater	Total Suspended Solids (TSS), pH & Oil and Grease

Facilities that have demonstrated a strong housekeeping program where the area under the plant is kept clean of solids and other contaminants on a daily basis and has segregated any process wastewaters from plant area stormwater, may request that plant area stormwater be covered under this permit. If such procedures are initiated and maintained on a daily basis, then the stormwater runoff from the plant area would not be significantly different than stormwater runoff from the stockpile areas. In order to accomplish this, solids from the plant area would either have to be picked up by dry methods such as sweeping, shoveling, etc., or be hosed down to the process wastewater basin for treatment and containment. Stormwater could then be discharged from the plant area via a separate outfall from the process wastewater which would require process wastewater limitations if discharged. Specific conditions have been included in the permit in Part I Section A.1 that defines activities necessary to meet the requirements of a good housekeeping program. If the DEQ determines that a strong housekeeping program exists and approves the request for plant area stormwater to be covered under this permit, it will be noted in the authorization.

V. RATIONALE FOR DETERMINING DISCHARGE PERMIT LIMITS

The following sections set forth the principal facts and the significant factual, legal, methodological and policy questions considered in preparing the draft permit. Also set forth are any calculations or other necessary explanations of the derivation of specific effluent limitations and conditions, including a citation to the applicable effluent limitation guideline or performance standard provisions as required under 40 C.F.R. § 122.44 and Oklahoma Pollutant Discharge Elimination Act (OPDES) Title 27A O.S. § 2-6-201, OAC 252:606-5-2, including a citation to the applicable effluent limitation guideline or performance standard provisions as required under 40 C.F.R. § 122.44 and reasons why they are applicable or an explanation of how the alternative effluent limitations were developed.

In accordance with regulations promulgated at 40 C.F.R. § 122.44(d), the draft permit limits are based on the more stringent of the technology-based limitations or applicable water quality-based limitations.

A. TECHNOLOGY-BASED EFFLUENT LIMITATIONS AND CONDITIONS

1. GENERAL COMMENTS

Regulations promulgated at 40 C.F.R. § 122.44(a) and OAC 252:606-5-2(a)(1) require technology-based effluent limitations to be placed in OPDES permits based on effluent limitations guidelines, where applicable, on Best Professional Judgment (BPJ) in the absence of guidelines, or on a combination of the two.

2. APPLICABLE EFFLUENT LIMITATIONS GUIDELINES (ELG'S)

Technology-Based Effluent Limitations Guidelines have not been promulgated for this industry.

3. BEST PROFESSIONAL JUDGMENT OF THE PERMIT DRAFTER

Since Technology Based ELG's have not been developed for this industry, DEQ has developed this permit under the authority of the Clean Water Act and State laws. The rationale employed to develop the BPJ limits for parameters (TSS, pH and Oil and Grease) covered by this permit and applied to all outfalls is as follows:

- a. **Total Suspended Solids** - The permit limit of 45 mg/L daily maximum for Total Suspended Solids is BPJ based on previously issued individual discharge permits for this type of facility and for other facilities with similar discharges, and data submitted by permittees through Discharge Monitoring Reports (DMR's).
- b. **pH** - The daily minimum and daily maximum permit limits of 6.0 standard units to 9.0 standard units are BPJ based on previously issued individual discharge permits for this type of facility and for other facilities with similar discharges, and data submitted by permittees through Discharge Monitoring Reports (DMR's).
- c. **Oil and Grease** - The permit limit of 15 mg/L daily maximum for Oil and Grease is BPJ based on previously issued individual discharge permits for this type of facility and for other facilities with similar discharges, and data submitted by permittees through Discharge Monitoring Reports (DMR's).

BPF Effluent Limitations	
Effluent Characteristics	Daily Maximum
Total Suspended Solids	45 mg/l
Oil and Grease	15 mg/l
pH	Within the range of 6.0 s.u. to 9.0 s.u.

Since discharge at most concrete batch and pre-cast concrete product plants can be intermittent and highly variable, mass loading limits are not included in the permit, based on BPJ.

B. WATER-QUALITY-BASED EFFLUENT LIMITATIONS AND/OR CONDITIONS**1. GENERAL COMMENTS**

Section 101 of the Clean Water Act (CWA) states that "...it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited..." A permit that contains technology-based permit limits alone may not adequately protect the quality of the receiving stream. Thus, additional water quality-based effluent limitations and/or conditions are considered in the permit using State narrative and numerical water quality standards (OWQS, as amended). This is to ensure that no point source discharge (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical State water quality standard; or (3) results in aquatic bioaccumulation that threatens human health.

2. WATER QUALITY STANDARDS REQUIREMENTS

The narrative and numerical stream standards are provided in "Oklahoma's Water Quality Standards," Oklahoma Water Resources Board.

a. Public and Private Water Supplies Use (OAC 252:730-5-10)

Based on the nature of the process wastewater as described in Part IV.C above, and on information contained in past applications for individual discharge permits, the process wastewater which will be discharged through the proposed outfalls should not contain substances listed in Raw Water Numerical Criteria (252:730-5-10(1)) and Water Column Criteria to protect for the Consumption of Fish Flesh and Water (252:730-5-10(6)) at levels which would exhibit reasonable potential to exceed numerical criteria. Thus, additional permit action is not necessary for this beneficial use.

Where actual or potential exceedances of State water quality criteria are determined to be the result of the facility's discharge to the receiving water(s), the DEQ may determine that the facility is no longer eligible for coverage under this permit and require the facility to apply for an individual discharge permit with additional chemical-specific limits or toxicity testing requirements as necessary to maintain the designated uses of the receiving stream.

b. Fish and Wildlife Propagation Use (OAC 252:730-5-12)**(1) Dissolved Oxygen**

Pursuant to OAC 252:730-5-12(f)(1)(A), dissolved oxygen (DO) criteria are designed to protect the diverse aquatic communities of Oklahoma. Based on the nature of the wastewater, the wastewater should not contain oxygen demanding substances at levels which would have reasonable potential to violate numerical criteria. Therefore, no permit limit or monitoring requirement is imposed for this criterion.

(2) Temperature

According to OAC 252:730-5-12(f)(2)(A), at no time shall heat be added to any surface water in excess of the amount that will raise the temperature of the receiving water more than 2.8°C at the edge of the mixing zone. For concrete batch and pre-cast concrete plants, since heat is not added to the wastewater being discharged and the fact that the discharge should essentially be at ambient temperature, there is no reasonable potential to violate temperature criterion. Therefore, no permit limit or monitoring requirement is imposed for this criterion.

(3) pH

OAC 252:730-5-12(f)(3) states, “the pH values shall be between 6.5 and 9.0 in waters designated for fish and wildlife propagation; unless pH values outside that range are due to natural conditions.” Therefore, the draft permit establishes a lower pH limit of 6.5 standard units and an upper limit of 9.0 standard units.

(4) Oil and Grease

According to OAC 252:730-5-12(f)(4), “all waters having the designated beneficial use of any subcategory of Fish and Wildlife Propagation shall be maintained free of oil and grease to prevent a visible sheen of oil or globules of oil or grease on or in the water. Oil and grease shall not be present in quantities that adhere to stream banks and coat bottoms of water courses or which cause deleterious effects to the biota.” A narrative (water quality-based) condition requiring conformance to OAC 252:730-5-12(f)(4) is included in the draft permit. In addition, the technology-based limit of 15 mg/L for oil and grease should help ensure that the narrative criteria are maintained.

(5) Biological Criteria

Pursuant to OAC 252:730-5-12(f)(5), aquatic life in all water bodies with the beneficial use designation of Fish and Wildlife Propagation (excluding waters designated “Trout, put-and-take”) shall not exhibit degraded conditions. Based on the nature of the wastewater, the treated wastewater is not expected to degrade the diversity, similarity, community structure, species tolerance, trophic structure, dominant species, indices of biotic integrity, indices of well-being, or other measures. Therefore, no permit limit or monitoring requirement is imposed for this criterion.

(6) Toxic Substances

In accordance with OAC 252:730-5-12(f)(6)(A), surface Waters of the State shall not exhibit acute toxicity and shall not exhibit chronic toxicity outside the chronic regulatory mixing zone. Based on previous permit applications, the discharge does not contain toxic substances at levels that could result in acute or chronic toxicity to fish or wildlife. Since the facility is a minor discharger, whole effluent toxicity (WET) testing is not required.

(7) Turbidity/Sediments

Discharges to surface waters that have a beneficial use of Cool Water Aquatic Community, Trout Fishers or are within one (1) stream mile of a lake are not authorized under this permit. OAC 252:730-5-12(f)(7) states that turbidity from other than natural sources shall be restricted so as not to exceed the numeric limit of 50 NTUs for surface waters that have a beneficial use of Warm Water Aquatic Community. OAC 252:730-5-12-(f)(8) states that concentrations or loads of suspended or bedded sediments that are caused by human activity shall not impair the Fish and Wildlife Propagation use or any subcategory thereof. The draft permit includes a technology-based limitation for TSS (a daily maximum limit of 45 mg/L) and a water quality-based narrative requirement for suspended solids. It is the BPJ of the permit writer that limitations on TSS and suspended solids should adequately control turbidity in the facility’s discharge.

c. Agriculture/Livestock and Irrigation Use (OAC 252:730-5-13)

Based on the nature of the wastewater as described in Part IV.C above and on information contained in past applications for individual discharge permits, the wastewater which will be discharged through the proposed outfalls should not contain substances (chloride, sulfate, and total dissolved solids) listed in Appendix F of OWQS, as amended, at levels which would have reasonable potential to violate numerical criteria. Thus, additional permit action is not necessary for this beneficial use.

Where actual or potential exceedances of State water quality criteria are determined to be the result of the facility's discharge to the receiving water(s), the DEQ may determine that the facility is no longer eligible for coverage under this permit and require the facility to apply for an individual discharge permit with additional chemical-specific limits or toxicity testing requirements as necessary to maintain the beneficial uses of the receiving stream.

d. Primary Body Contact Recreation Use (OAC 252:730-5-16)

Based on the nature of the wastewater as described in Part IV.C above, and on information contained in past applications for individual discharge permits, wastewater discharged through the proposed outfalls should not contain coliform bacteria, *Escherichia coli*, and/or *Enterococci* at significant levels. Thus, permit action is not necessary for this beneficial use.

OAC 252:730-5-16(a) states "The discharge shall not contain chemical, physical, or biological substances in concentrations that are irritating to skin or sense organs or are toxic or cause illness upon ingestion by human beings." The draft permit will contain a narrative stating the prohibition of these conditions.

e. Secondary Body Contact Recreation (OAC 252:730-5-17)

OAC 252:730-5-17(d) states "Waters so designated shall be maintained to be free from human pathogens in numbers which may produce adverse health effects in humans." As stated above, wastewater discharged through the proposed outfalls should not contain coliform bacteria, *Escherichia coli*, and/or *Enterococci* at significant levels. Thus, permit action is not necessary for this beneficial use.

f. Navigation (OAC 252:730-5-18)

This beneficial use is generally more dependent upon quantity than quality of water. Thus, permit action is not necessary for this beneficial use.

g. Protection of Aesthetics Use (OAC 252:730-5-19)

Aesthetics use is determined in accordance with OAC 252:730-5-19, which states, "the surface waters of the State must be free from floating materials and suspended substances that produce objectionable color and turbidity." A narrative requirement is established in the draft permit to prohibit the discharge of floating solids or visible foam in other than trace amounts. In addition, the technology-based numerical effluent limitations of a 45 mg/L daily maximum for TSS should also help to maintain the narrative water quality criteria for TSS.

h. Fish Consumption Use (OAC 252:730-5-20)

Based on the nature of the wastewater as described in Part IV.C above, and on information contained in past applications for individual discharge permits, the wastewater which will be discharged through the proposed outfalls should not contain substances listed in (OAC 252:730-5-20(b)), Water Column Criteria to Protect for the Consumption of Fish Flesh, at levels which would have reasonable potential to violate numerical criteria. Thus, permit action is not necessary for this beneficial use.

Where actual or potential exceedances of State water quality criteria are determined to be the result of the facility's discharge to the receiving water(s), the DEQ may determine that the facility is no longer eligible for coverage under this permit and require the facility to apply for an individual discharge permit with additional chemical-specific limits or toxicity testing requirements as necessary to maintain the beneficial uses of the receiving stream.

C. 303(d) LISTING STATUS

1. 303(d) List-Related Permitting Actions

Existing Facilities: Discharge of pollutants into a stream identified on the state's "303(d) list" as an impaired stream for either "Turbidity" (Impairment ID 413) or "pH" (Impairment ID 441) is not authorized under this permit if a Total Maximum Daily Load (TMDL) has been performed and the result of the TMDL indicates that discharge limits more stringent than 45 mg/L for Total Suspended Solids (TSS) or pH more stringent than 6.5-9.0 standard units are required. Discharge of wastewater from washing vehicle(s)/equipment or wastewater containing oil-based products into a stream identified on the state's "303(d) list" as an impaired stream for "Oil and Grease" (Impairment ID 317) is not authorized under this permit if a TMDL has been performed and the result of the TMDL indicates that discharge limits more stringent than 15 mg/l for oil and grease are required.

New Facilities: Discharge of pollutants into a stream identified on the state's "303(d) list" as an impaired stream for "Turbidity" (Impairment ID 413) is not authorized under this permit. However, discharge of pollutants into a stream identified on the state's "303(d) list" as an impaired stream for "pH" (Impairment ID 441) may be authorized provided the facility adequately certifies the discharge will maintain a pH of 6.5-9.0 standard units. Discharge of wastewater from washing vehicle(s)/equipment or wastewater containing oil-based products into a stream identified on the state's "303(d) list" as an impaired stream for "Oil and Grease" (Impairment ID 317) is not authorized under this permit unless the facility adequately certifies no wastewater from washing vehicle(s)/equipment or wastewater containing oil-based products will be discharged.

2. Proximity of Discharges to 303(d)-Listed Waterbodies

If a facility discharges to a segment of a receiving waterbody that is not itself listed as impaired but is less than one mile upstream of an impaired segment, then the discharge will be treated as though it were to the impaired segment.

3. Reopener Clause

The draft permit also contains a reopener clause should any "303(d) List" permitting actions be required in the future.

D. ENDANGERED SPECIES ACT

For existing facilities, the DEQ has concluded that issuance of this OPDES general permit is unlikely to adversely affect any endangered or candidate species or critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving stream as aquatic habitat.

For new facilities, if the discharge is to an area designated as sensitive by the U.S. Fish and Wildlife Service the facility will not be eligible for an authorization under this permit. Also, existing facilities that discharge into an area designated as sensitive by the U.S. Fish and Wildlife Service that propose a new outfall or an increase in flow to an existing outfall will not be eligible for an authorization under this permit.

E. REOPENER CLAUSE

This permit may be reopened for modification or revocation and reissuance to require additional monitoring and/or effluent limitations where actual or potential exceedances or State water quality criteria are determined, or when required by changes to Technology-Based limits. Modification or revocation and reissuance of the permit shall follow regulations listed at 40 C.F.R. § 124.5.

VI. DRAFT PERMIT LIMITS AND OTHER REQUIREMENTS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The effluent limitations listed in Table 1 will apply to discharges of process wastewater and associated stormwater runoff that commingles with process wastewater associated with following common activities at concrete batch plants: (1) mix plant area washdown, (2) truck mixer drum washout and (3) external truck wash and oil spray down and the following common activities at pre-cast concrete product plants includes the following: (1) mix plant area washdown, (2) haul truck washout, (3) external haul truck washdown and (4) washing of concrete panels to expose aggregate.

**TABLE 1
EFFLUENT LIMITATIONS**

Parameters	Technology-based		Water-Quality-based		Draft Permit	
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.
Flow (MGD)	Report	Report	---	---	Report	Report
Oil and Grease	Report	15 mg/l	---	---	Report	15 mg/l
TSS	Report	45 mg/l	---	---	Report	45 mg/l
pH	between 6.0 - 9.0 s.u.		between 6.5 - 9.0 s.u.		between 6.5 - 9.0 s.u.	

Monitoring requirements for concrete batch and pre-cast concrete product plant operation are shown in Table 2. In the event there is no discharge for any given month during the effective period of these monitoring requirements, there shall be no monitoring required for that month.

**TABLE 2
MONITORING REQUIREMENTS**

Parameters	Measurement Frequency ⁽¹⁾	Sample Type
Flow	1/Month	Estimate
Oil and Grease	1/Month	Grab
TSS	1/Month	Grab
pH	1/Month	Grab

⁽¹⁾ When discharging

Since Monthly Average Limits were not established in the previous permit, performance-based monitoring frequency reduction is not applicable in accordance with OAC 252:690-3-91.

B. REPORTING OF MONITORING RESULTS

Monitoring results shall be reported in accordance with the provisions of Part III.E.4 of the permit. Monitoring results obtained during the previous month shall be summarized and electronically reported on an electronic Discharge Monitoring Report (eDMR) form due to the Oklahoma Department of Environmental Quality, Water Quality Division, Wastewater Compliance Tracking Section no later than the 15th day of the month following the completed monthly test. If no discharge occurs during the reporting period, an eDMR form stating "No Discharge" shall be electronically submitted according to the above schedule. 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 at <http://www.deq.state.ok.us/wqdnew/ereporting/index.html>. Assistance is also available by contacting DEQ at (405) 702-8100 or deqreporting@deq.ok.gov.

C. SURFACE IMPOUNDMENTS

The use of impoundments for treatment and/or disposal of process wastewater at concrete batch and pre-cast concrete product plants is authorized in this permit, subject to additional State requirements as specified below, in the permit, and in the authorization, in accordance with OAC 252:616.

1. Construction Requirements

Impoundments shall be constructed and maintained in accordance with OAC 252:616-7-1.

2. Wastewater Classification

The wastewater generated from routine operations at concrete batch and pre-cast concrete product plants is classified as Class III wastewater in accordance with OAC 252:616-1-2.

3. Liner Requirements

Liner materials and construction shall be in compliance with requirements of OAC 252:616-7-1(9) and OAC 252:616-7-2 through OAC 252:616-7-7.

Concrete liners are allowed for all surface impoundments at concrete batch and pre-cast concrete product plants.

4. Other Specific Requirements

- a. Wastewater contained in surface impoundments may be recycled for use in product, dust suppression, stockpile watering or wash water.
- b. Surface impoundments shall be maintained free of oil and grease, as evidenced by visible sheen on the wastewater or by adhered oil and grease on the sides of the impoundments.
- c. At such time as surface impoundments are to be permanently taken out of service or at such time as the contents of surface impoundments pose a risk to the environment or Waters of the State, the owner or operator of the facility shall follow all closure requirements contained in OAC 252:616-13.
- d. In all other respects, surface impoundments shall be subject to standard conditions for surface impoundments contained in OAC 252:616, Subchapters 5, 7, and 13, including but not limited to the requirements for construction, operation, maintenance, monitoring and closure.
- e. The permit may be reopened to implement and/or require impoundment modifications, additions, extensions, and/or operational changes; additional monitoring and reporting (including but not necessarily limited to soil sampling); reclassification of wastes; sludge management plans; best management practices; closure plans; remediation and/or remediation plans; monitoring wells and/or subsurface monitoring plans; and/or other appropriate actions.

5. Freeboard Requirements (OAC 252:616-7-1(7))

A minimum freeboard of two (2) foot shall be maintained on all flow-through surface impoundments and all surface impoundments that are equipped to transfer process wastewater to a permitted outfall or other permitted surface impoundments. A minimum freeboard of one (1) foot shall be maintained on all flow-through surface impoundments constructed with concrete walls in accordance with OAC 252:616-7.

A minimum freeboard of three (3) feet shall be maintained on all total retention surface impoundments that are not equipped to transfer process wastewater to a permitted outfall or other permitted surface impoundments. A

minimum freeboard of two (2) feet shall be maintained on all total retention surface impoundments constructed with concrete walls in accordance with OAC 252:616-7.

6. Depth to Groundwater (OAC 252:616-7-1(4))

Surface impoundments as required by OAC 252:616-7-1(4) are required to be located such that the base of the liner is at least (15) feet above historic maximum groundwater table. Since the wastewater from the activities covered by this general permit is classified as Class III, this requirement may be waived in accordance with OAC 252:616-7-1(4)(B). However, in no case shall impoundments covered by this permit operate within the groundwater.

D. TANK SYSTEMS

The use of underground tank systems to manage process wastewater for treatment and/or disposal of process wastewater at concrete batch plants is authorized by this permit, subject to additional State requirements as specified below and in the authorization, in accordance with OAC 252:616-9.

1. Authorized Use of Tank Systems (OAC 252:616-9-1)

The use of tank systems for all wastewater classifications is authorized as follows:

- a. Tank systems without lateral lines can be used for the treatment of Class I, II, III, and V wastewater.
- b. Tank systems with lateral lines are subject to the Underground Injection Control permitting process.

2. Tank System Materials (OAC 252:616-9-2)

Tank systems may be constructed of concrete, metal, plastic, or fiberglass in accordance with OAC 252:616-9-2.

3. Tank System Requirements (OAC 252:616-9-3)

Tank systems must be constructed in accordance with OAC 252:616-9-3.

E. LAND APPLICATION AND BENEFICIAL REUSE OF PROCESS WASTEWATER

The permit contains conditions that allow process wastewater to be applied to roadways, material stockpiles for dust suppression only and/or reuse of process wastewater for use in concrete make-up or wash water.

In order to use process wastewater for dust suppression the permittee must comply with the conditions listed in the general permit and authorizations that may be issued under the permit in accordance with OAC 252:616-11. These conditions include the following items:

1. Process wastewater that is reused or land applied for dust suppression must be classified as Class III process wastewater in accordance with OAC 252:616-1-2.
2. Process wastewater to be land applied for dust suppression shall be free of visible sheen of oil or globules of oil or grease.
3. The process wastewater to be land applied for dust suppression shall be visually inspected prior to land application.
4. Process wastewater that is recycled back into the concrete mixture is exempt from monitoring requirements.

5. There shall be no land application of process wastewater for dust suppression in areas where the depth to the maximum seasonal groundwater level is less than two (2) feet in accordance with OAC 252:616-5-1(b)(2)(e).
6. There shall be no land application of process wastewater for dust suppression during periods of precipitation or when soil is saturated or frozen.
7. There shall be no runoff of process wastewater used for dust suppression.

F. RECYCLABLE CONCRETE MATERIAL AND DISPOSAL OF OTHER SOLIDS

Recyclable concrete material recovered from the scatter pile, impoundments, tanks and/or other means may be removed from the facility or may be used by the applicant at the permitted facility at any time. No records are required.

VII. STORMWATER REQUIREMENTS

- A.** Each applicant must develop and implement a Stormwater Pollution Prevention Plan (SWP3) according to the requirements in Part I.H.1 of the permit. The plan must be completed and on file at the facility at the time an application for an authorization is submitted to the DEQ. The SWP3 must be kept on file at the facility and shall be available for inspection by DEQ personnel upon request. If your industrial facility is located within a corridor/area of sensitive waters and watersheds per Appendix A, you must submit the stormwater pollution prevention plan (SWP3) to DEQ for review along with your application.
- B.** Each applicant is required to monitor and document a quarterly visual examination of a stormwater discharge associated with industrial activity from each outfall. The visual examination must be made during daylight hours (e.g., normal working hours). If no storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter provided that the monitoring records contain documentation that no runoff occurred. The permittee must sign and certify the documentation.
- C.** Each permittee is required to prepare an Annual Comprehensive Site Compliance Evaluation Report using DEQ Form 605-006. This report must be completed by March 1st of each year for facilities covered by this permit. The report must include a certification signed and dated by an authorized representative of the facility. Annual reports are no longer required to be submitted to DEQ, unless specifically requested. However, annual reports must be maintained on site for at least three years, and they are to be made available to DEQ upon request.

VIII. CHANGES FROM THE PREVIOUS PERMIT

Annual Comprehensive Site Compliance Evaluation Reports are no longer required to be submitted to DEQ, unless specifically requested. However, annual reports must be maintained on site for at least three years, and they are to be made available to DEQ upon request.

IX. ADMINISTRATIVE RECORD

The following sources were used to prepare this permit and constitute a part of the administrative record:

A. DEQ RECORDS

- Industrial permit files containing permits, applications, and monitoring data.
- Current Concrete Batch Plant General Permit and Fact Sheet issued January 18, 2019.
- DEQ General Permit OKR05 for Discharges from Industrial Facilities under the Multi-Sector General Permit within the State of Oklahoma, June 3, 2022.

B. FEDERAL RULES AND REGULATIONS

- 40 C.F.R. Parts 122, 124, & 136.

C. STATE LAW, STANDARDS, AND RULES AND REGULATIONS

- Oklahoma Pollutant Discharge Elimination System (OPDES) Act, Title 27A O.S. §2-6-201 et. seq., as amended.
- OAC 252:606, OAC 252:616, OAC 252:690, & OAC 252:730
- Oklahoma's Water Quality Standards, as amended.
- Oklahoma Continuing Planning Process (CPP).

X. REVIEW BY OTHER AGENCIES AND FINAL DETERMINATION

A draft permit, fact sheet and draft public notice will be sent to the District Engineer, Corps of Engineers, and to the Field Supervisor of the U.S. Fish and Wildlife Service upon publication of that notice. If comments are received from these agencies or other State or Federal agencies with jurisdiction over fish, wildlife, or public health, additional conditions may be included in accordance with regulations promulgated under 40 C.F.R. § 124.59.

The public notice describes the procedures for the formulation of final determinations.

APPENDIX A

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.**

1. *Grand (Neosho) River* – A 2-mile corridor (1 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.
2. *Cimarron River* – A 2-mile corridor (1 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.
3. *South Canadian River* – A 2-mile corridor (1 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.
4. *Muddy Boggy River* – A 2-mile corridor (1 mile from each bank) of the main stem of the Muddy Boggy River which includes portions of Choctaw, Atoka, and Coal Counties.
5. *Kiamichi River* – The watershed of the Kiamichi River upstream from the Hugo Reservoir. This watershed includes portions of Pushmataha, Atoka, Pittsburg, Latimer, and LeFlore Counties.
6. *Little River* – The watershed of the Little River includes portions of LeFlore, Pushmataha and McCurtain Counties.
7. *Glover River* – The watershed of the Glover River includes portions of Pushmataha and McCurtain Counties.
8. *Mountain Fork River* – The watershed of the Mountain Fork River is above the Broken Bow Reservoir and includes portions of LeFlore and McCurtain Counties.
9. *Northeast HUC-11 Watersheds* - The watersheds are identified by the following 11-digit Hydrologic Unit Codes: 1107020206030, 11070206060, 11070207190, 11070208070, 11070209020, 11070209030, 11070209040, 11070209050, 11070209060*, 11070209070, 11070209100, 11070209110 and 11070209120. These watersheds include portions of Ottawa, Craig, Delaware, Mayes, Wagoner, and Cherokee 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.
10. *Elk River* – A 2-mile corridor (1 mile from each bank) of the Elk River which includes portions of Delaware County.
11. *Spring River* – A 2-mile corridor (1 mile from each bank) of the Spring River which includes portions of Ottawa County.
12. *Verdigris River* – A 2-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.

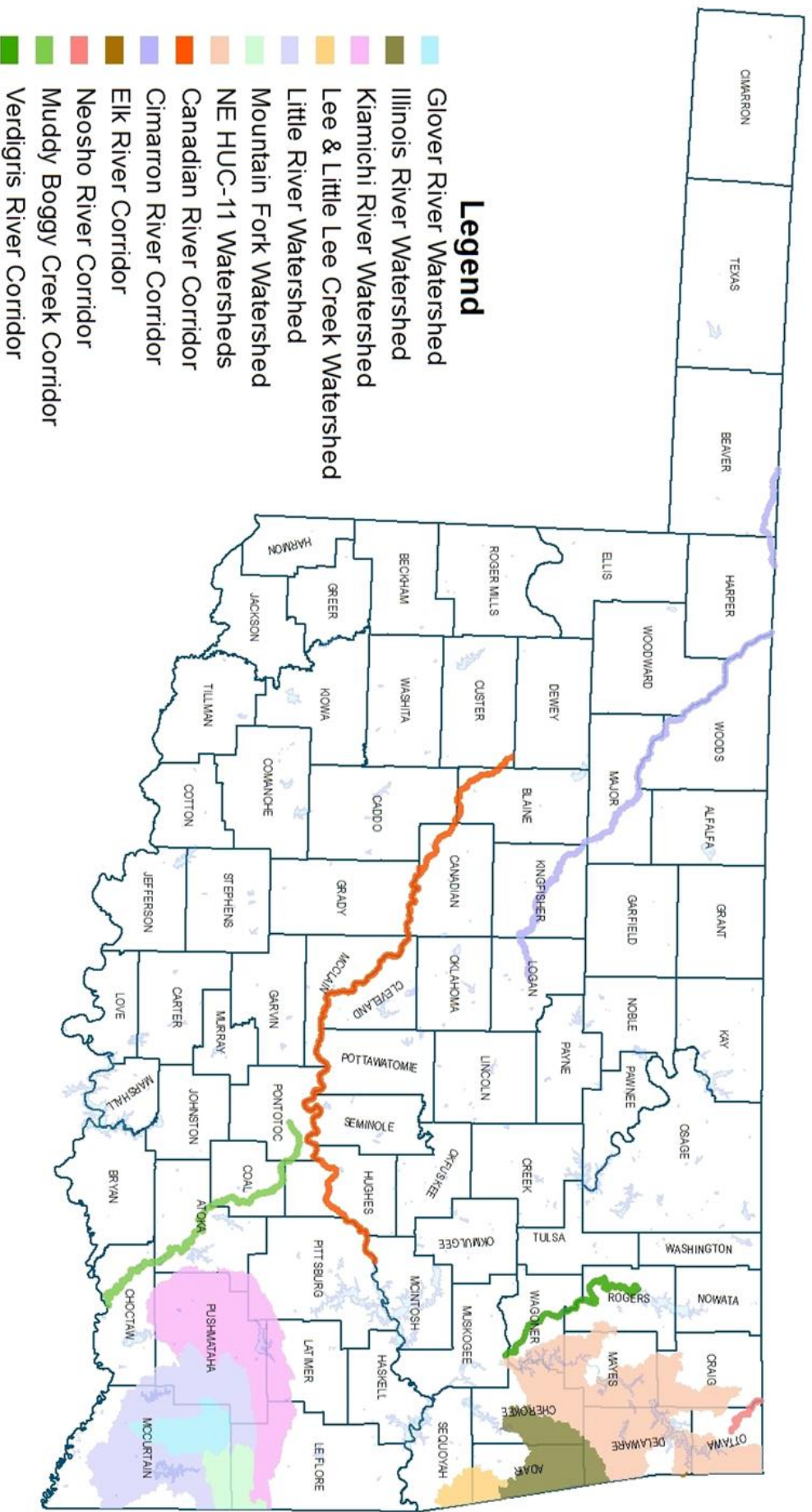
B. Sensitive waters and watersheds for State listed species, as defined by the Oklahoma Department of Wildlife Conservation.

1. *Illinois River* – The watershed of the Illinois River which includes portions of Cherokee, Adair, and Delaware Counties.
2. *Lee and Little Lee Creeks* – The watershed of Lee Creek and Little Lee Creek which includes portions of Sequoyah and Adair Counties.

Note: No 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 Service and the Oklahoma Department of Wildlife Conservation



Legend

- █ Glover River Watershed
- █ Illinois River Watershed
- █ Kiamichi River Watershed
- █ Lee & Little Lee Creek Watershed
- █ Little River Watershed
- █ Mountain Fork Watershed
- █ NE HUC-11 Watersheds
- █ Canadian River Corridor
- █ Cimarron River Corridor
- █ Elk River Corridor
- █ Neosho River Corridor
- █ Muddy Boggy Creek Corridor
- █ Verdigris River Corridor