

PART III
STANDARD CONDITIONS FOR STATE INDUSTRIAL WASTEWATER TREATMENT SYSTEM PERMIT

SECTION A. GENERAL CONDITIONS

1. **Policy**

The provisions of these general conditions shall be given an interpretation which is consistent with the policy of this state regarding water quality, as set forth in 27A O.S. §2-6-101 *et seq.*

2. **Statutory Provisions**

The provisions of these general conditions are authorized pursuant to 27A O.S. §§ 2-6-101 through 2-6-106 and 2-6-501 through 2-6-501.2.

3. **Rule Citations**

The permittee must comply with standard conditions contained herein in addition to all applicable rules contained in OAC 252 Chapters 606, 611 and 616, or their replacements.

4. **Duty to Comply**

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the applicable State laws, including Article VI of the Oklahoma Environmental Quality Code, and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

5. **Duty to Reapply**

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit unless otherwise authorized by the Executive Director. The Executive Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by OAC 252:~~605-1-14~~ 616-3-2 or its subsequent updates

6. **Permit Modification**

a. The following shall be subject to Tier I requirements found in OAC 252:004:

- (1) change of name, address,
- (2) typographical errors in nonsubstantive provisions of the permit, or
- (3) transfer of ownership.

b. All other changes in the treatment system, operations, wastes, activities or other changes may be subject to Tier II requirements as provided in OAC 252:004.

7. **Transfers**

This permit is not transferable to any person except after notice to the Executive Director. The Executive Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as necessary under the Act. Permit transfers shall be governed by OAC 252:616-3-4(g)

8. **Property Rights**

This permit does not convey any property rights of any sort, or any exclusive privilege.

9. **Duty to Provide Information**

The permittee shall furnish the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

10. **Signatory Requirements**

All applications, reports, or information submitted to the Executive Director shall be signed and certified.

a. All permit applications shall be signed as follows:

- (1) For a corporation - by a responsible corporate officer.
For the purpose of this section, a responsible corporate officer means:

(a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.

(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:

- (a) The chief executive officer of the agency, or
- (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

b. All reports required by the permit and other information requested by the Executive Director shall be signed by a person described above 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 above;
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, 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 an individual occupying a named position; and
- (3) The written authorization is submitted to the Executive Director.

c. **Certification.** Any person signing a document under this section shall make 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted 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."

11. **Penalties**

Violations of the terms of this permit may subject the permittee to criminal, civil or administrative sanctions as set forth in Oklahoma Statutes.

SECTION B. OPERATION AND MAINTENANCE

1. **Terms and Conditions of Permits**

Specific terms and conditions may be included as necessary to protect water quality and to prevent, abate or control pollution of the environment. (See Part II of this permit for the specific requirements)

2. **General Pollution Abatement**

Storage systems shall be designed and located to prevent water pollution.

3. **Prohibitions and Limitations**

The Department may deny permit applications for industrial wastewater systems located within any waters of the state. The Department may impose siting requirements to protect waters of the state.

4. Reporting, Records, Compliance and Sampling
 - a. The Department may impose requirements for monitoring, reporting, records, and sampling on permitted facilities. Additional requirements may be included as conditions of pre-closure sampling plan approval, closure plan approval, and remediation plan approval documents. Additional or specific requirements are listed in Part II of this permit.
 - b. Monitoring reports, plans and other reports provided to the Department shall contain data analysis and sample results prepared by a laboratory certified by the Department under OAC 252:300.
 - c. Monitoring and sampling information shall be supplied to the Department on self monitoring report (SMR) forms, other appropriate forms approved by the Department and developed for the specific purpose or in such other form and format as may be specified by the Department.

3. Septic and Other Tank System Modifications, Additions, Extensions, and Operational Changes
All modifications to a septic or other tank system or operational changes must meet the requirements of OAC 252:616. All proposals to take such actions shall be submitted to the Department no less than sixty (60) days prior to the proposed date to commence such activity. Modification of the permit may be required to reflect such proposed changes. Major modifications are subject to the requirements found at OAC 252:004.

4. Underground Storage Tanks
For complaints and incidents referred to the Department and for cases of pollution which may involve Underground Storage Tanks which are under the jurisdiction of the Department, the appropriate provisions of the OCC General Rules and Regulations Governing Underground Storage Tanks In Oklahoma (OCC Rules), as revised, and provisions of OAC 252:611 or other applicable rules of the Department will be utilized as appropriate. Said OCC Rules are hereby incorporated by reference.

SECTION C. SURFACE IMPOUNDMENTS

1. Specific Requirements for Surface Impoundments
The requirements of OAC 252:616 apply to the design, construction, operation, and maintenance of total retention, flow-through or other surface impoundments. If the Department determines a surface impoundment is or is likely to become a source of pollution to waters of the state or the environment, the Department may order reconstruction or modification of the impoundment, or pre-treatment of the wastes to be impounded.
2. Additional Requirements
The Department may impose specific requirements for impoundment construction, maintenance, and operation on a case-by-case basis. These additional requirements are listed in Part II of this permit.
3. Impervious Cap or Cover
When impervious caps or covers are proposed to be constructed as a method of closure in connection with a closure plan, the requirements of OAC 252:616 ~~5-13-3(d)~~ shall be met.
4. Impoundment Modifications, Additions, Extensions, and Operational Changes
 - a. All proposed modifications to an impoundment or operational changes must meet the requirements of OAC 252:616. All proposals to take such actions shall be submitted to the Department no less than sixty (60) days prior to the proposed date to commence such activity. Modification of the permit may be required to reflect such proposed changes. Major modifications are subject to the requirements found at OAC 252:~~002-15~~ 004.
 - b. If there exist emergency conditions requiring immediate repairs to an impoundment to prevent environmental pollution or adverse effects on public health, welfare or safety, the permittee shall notify the Department by telephone 1-800-256-2365 (Oklahoma City Metropolitan Area) within 24 hours of becoming aware of such emergency conditions. The permittee shall provide written notice to the Department within seven (7) days of the telephone notification. The written notice shall describe the emergency, all work completed and all actions proposed to be taken to correct the situation.

SECTION E. CLOSURE

1. Termination of Activities Subject to OAC 252:616 and Closure
 - a. Notice. The owner or operator of a surface impoundment, septic tank, or other tank system shall provide the Department with a minimum of ninety (90) days written notice prior to permanent cessation or abandonment of the surface impoundment, septic tank, or other tank system.
 - b. Contents of Notice. Each notice shall contain, at a minimum, the following:
 - (1) Name, address and title of the person(s) who will remain in charge of or otherwise have continuing management responsibility of the facility or site and who will retain an ownership interest in personal or real property affected by the permitted operation;
 - (2) A detailed schedule of proposed closure activities; and
 - (3) Forwarding addresses and names of each present owner or operator under the current permit.
 - c. Requirements are Mandatory. It shall be a violation of this section to permanently cease the use of or abandon any facility or site without complying with notice and closure requirements specified by the Department.
 - d. Correction of Environmental Damage. The Department may require such continuing monitoring, sampling, reporting, or remedial measures as deemed appropriate and necessary to correct environmental damage resulting from activities subject to the requirements of OAC 252:616.

SECTION D. SEPTIC TANK SYSTEMS

1. Specific Requirements for Septic and Other Tank Systems
The requirements of OAC 252:616 apply to the design, construction, operation, and maintenance of total retention, flow-through or other tank systems, including all septic tank systems containing nonhazardous industrial wastes or wastewater regulated by the Department.
2. Additional Requirements
The Department may impose specific requirements for septic or other tank system construction, maintenance, and operation on a case-by-case basis. These additional requirements are listed in Part II of this permit.