Return to:
Oklahoma Department of
Environmental Quality

Water Quality Division
707 N. Robinson
P.O. Box 1677
Oklahoma City, OK 73101-1677

Industrial Permits Section

Instructions Revised October 2026
Form Revised August 2019

Oklahoma DEQ

Application for Permit to Discharge and/or Treat or Dispose of Industrial Wastewater or Sludge

Form 1 - General Information

PLEASE DETACH THESE INSTRUCTIONS AND RETURN ONLY THE COMPLETED APPLICATION FORMS THEMSELVES.

This form must be completed by all persons applying for a permit under DEQ's Industrial OPDES Permit Program. Form 2C, 2D, 2SI, and/or 2L must also be filled out (see Item B of the Form 1 Line-by-Line Instructions to determine which specific forms you will need).

See Form 1, Attachment 1 for instructions for the submittal of applications and the public notice requirements.

DESCRIPTION OF INDUSTRIAL PERMIT APPLICATION FORMS

The Industrial Permit Application Forms are:

Form 1 - General Information (included in this package);

Form 2 - Industrial Pollutant Discharge and/or Wastewater Treatment:

2C. Discharge: **Existing** Manufacturing, Commercial and Mining Operations (not included in this package),

2D. Discharge: **New** Manufacturing, Commercial and Mining Operations (not included in this package), and

2SI. Surface Impoundments (Pits, Ponds, Lagoons, etc.), Subsurface Tank Systems, Land Application of Sludge or Wastewater, and/or Other Treatment/Disposal Methods (not included in this package).

2L. Land Application of Sludge or Wastewater (not included in this package)

606-008. Categorical or Significant Industrial User in a Non-Pretreatment Municipality to Discharge Industrial Waste to the Publicly Owned Treatment Works (POTW)

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Form 1

SECTION A - GENERAL INSTRUCTIONS

Who Must Apply

These application forms must be filled out by anyone applying for a new industrial discharge permit, industrial wastewater treatment permit and/or permit for land application of industrial sludge or wastewater, or for a renewal or major modification of an existing such permit from the Oklahoma Department of Environmental Quality (DEQ), with the exception of facilities listed in Section C of these instructions.

A discharge permit must be obtained prior to commencing any discharge of a pollutant into waters of the State, from any facility, source or activity subject to the jurisdiction of DEQ (as outlined below). When a facility or activity is owned by one person but operated by another person, it is the operator's duty to obtain a permit.

The Oklahoma Pollutant Discharge Elimination System Act, 27A O.S. §2-6-201 et seq. (the OPDES Act) provides that it shall be unlawful to discharge any pollutant to waters of the State or elsewhere without first obtaining a permit from the Executive Director of DEQ. DEQ has jurisdiction over point source and nonpoint discharges to waters of the State including:

A. All point source discharges of pollutants and stormwater to waters of the State which originate from municipal, industrial, commercial, mining, transportation and utilities, construction, trade, real estate and finance, services, public administration, manufacturing and all other sources, facilities and activities, except as provided in 27A O.S. §1-3-101, subsections D and E;
B. All nonpoint source discharges and pollution of waters of the State, except as provided in 27A O.S. §1-3-101, subsections D, E, and F;
C. Surface water and groundwater quality and protection and water quality certifications;
E. Discharges of pollutants and stormwater, surface impoundment and land application of wastes and sludge from:
    1. Commercial manufacturers of fertilizers, grain and feed products, and chemicals, and over manufacturing of food and kindred products, tobacco, paper, lumber, wood, textile mill and other agricultural products;
    2. Dairy waste and wastewater associated with milk production facilities, but not including discharges to waters of the United States from concentrated animal feeding operations at such facilities;
    3. Slaughterhouses, but not including feedlots at such facilities;
    4. Animal aquaculture and fish hatcheries;
F. Stormwater discharges required by EPA NPDES regulations to obtain a permit for facilities which store grain, feed, seed, fertilizer, and agricultural chemicals;
G. Deleterious substances from Corporation Commission regulated facilities and activities which enter point source discharges of pollutants or stormwater from a facility or activity regulated by DEQ;
H. Point source discharges of pollutants to waters of the United States during site remediation of underground storage tanks;
I. Point source discharges of pollutants to waters of the United States during site remediation of aboveground storage tanks used in connection with the retail sale of flammable liquids into fuel tanks;
J. Discharge or release of deleterious substances or solid or hazardous waste or other pollutants from rolling stock and rail facilities;
K. Point and nonpoint source discharges of pollutants and stormwater to waters of the State from:
    1. Refineries, petrochemical manufacturing plants and natural gas liquid extraction plants;
    2. Manufacturing of oil and gas related equipment and products;
    3. Bulk terminals, aboveground and underground storage tanks not subject to the jurisdiction of the Corporation Commission;
    4. Other facilities, activities and sources not subject to the jurisdiction of the Corporation Commission or Department of Agriculture as specified in 27A O.S. §1-3-101, subsections D and E;
L. Environmental regulation of any entity or activity, and the prevention, control and abatement of any pollution, not subject to the specific statutory authority of another state environmental agency.

In addition, it shall be unlawful for any person to carry on any of the following activities with regard to industrial wastewater or sludge without first securing a permit from DEQ:

A. The construction, installation, operation, and closure of any industrial surface impoundment or treatment system, or the use of any existing unpermitted surface impoundment or treatment system that is within the jurisdiction of DEQ and which is proposed to be used for the containment or treatment of industrial wastewater or sludge;
B. The construction, installation, or operation of any industrial or commercial facility subject to the permitting authority of DEQ, the operation of which would cause an increase in the discharge of waste into the waters of the State or would otherwise alter the physical, chemical, or biological properties of any waters of the State in any manner not already lawfully authorized; or
C. The construction or use of any new outfall for the discharge of any industrial waste or pollutant into the waters of the State.

If you have any questions about whether you need a permit or if you need information as to whether a particular permit program is administered by DEQ or another agency, or if you need to obtain application forms, contact DEQ at the address and phone number listed below under **Where to File**.

Upon your request, and based upon information supplied by you, DEQ will determine whether you are required to obtain a permit for a particular facility. Be sure to contact DEQ if you have a question, because state and federal laws provide that you may be heavily penalized if you do not apply for a permit when a permit is required.

What Forms to Fill Out

Form 1 of the Industrial Permit Application Forms collects general information applying to all facilities. **You must fill out Form 1. In addition, you must fill out one or more of the supplementary forms (Forms 2C, 2D, 2SI, 2L, and 606-008), as appropriate to the activities at your facility.** Item B of Form 1 will guide you to the appropriate supplementary forms.

You should note that there are certain exclusions to the permit requirements listed above. The exclusions are described in detail in Section C of the instructions. If your activities are excluded from permit requirements then you do not need to complete Form 1 or any of the Forms 2. Depending on the nature of your activity, however, you may have to complete some other application form.

In addition to issuing regular individual permits, DEQ also issues several types of general permits. These general permits are located at: https://oklahoma.gov/deq/permits/water-permits/industrial-permitting.html. If you have questions about whether these types of permits are applicable to your activity or if you need to obtain application forms, contact DEQ.

Where to File

Completed applications must be filed with DEQ's central office at the following address:

Water Quality Division
Oklahoma Department of Environmental Quality
707 N. Robinson
P.O. Box 1677
Oklahoma City, OK 73101-1677
(405) 702-8100

See Form 1, Attachment 1 for guidance concerning public notice requirements.

When to File

An application for a new or modified permit should be submitted at least 180 days before the date on which the discharge or other activity requiring a permit (e.g., construction of a surface impoundment, installation of a treatment system, etc.) is to commence.

An application for renewal of an existing permit shall be submitted at least 180 days before the existing permit expires.

Different submittal dates may be required under the terms of applicable general permits.

The filing of an application itself shall not be construed as authority to carry on such activity. Activities being carried on without a permit are unlawful and shall be subject to applicable enforcement provisions and penalties contained in the Environmental Quality Code. Unauthorized activities must cease until a proper permit or other written authorization is obtained from DEQ. State and federal regulations provide that you may not begin construction of any industrial surface impoundment or treatment system; any industrial or commercial facility, the operation of which would cause an increase in the discharge of waste into the waters of the State; or any new outfall for the discharge of industrial waste or pollutants into the waters of the State; without first securing a permit under the applicable program. Please note that if you are required to obtain a permit before beginning construction, as described above, you may need to submit your permit application well in advance of the applicable deadlines listed above.

Fees

Application fees are non-refundable and are due when an application is filed with DEQ. Annual fees shall be paid upon receipt of an invoice from DEQ. Payments for annual fees received by DEQ shall be applied for each fiscal year (July 1st – June 30th). Failure to pay an annual fee may result in suspension or termination of the permit. Fees are described in OAC 252:606 and OAC 252:616. Note that both application and annual fees may rise from year to year based on the Consumer Price Index. Contact DEQ at the phone number listed under **Where to File** for current fee amounts.

Availability of Information to Public

Information contained in these application forms will be made available to the public for inspection and copying. This includes any information submitted on the forms themselves and any attachments used to supply information required by the forms. You may, however, request confidential treatment for certain supplemental information you may be asked to provide during the drafting of the permit. Such requests shall be handled in accordance with the Oklahoma Open Records Act.

Completion of Forms

Unless otherwise specified in instructions to the forms, each item in each form must be answered. To indicate that each item has been considered, enter "NA," for not applicable, if a particular item does not fit the circumstances or characteristics of your facility or activity.

If you have previously submitted information to DEQ, to another state agency or to EPA which answers a question, you may either repeat the information in the space provided or attach a copy of the previous submission. Some items in the form require narrative explanation. If more space is needed to answer a question, attach a separate sheet entitled "Additional Information."

Public Notice Requirement

Upon filing a Tier II or Tier III application for a permit (including an application for a permit renewal), you must publish notice of the filing in a newspaper of general circulation local to the area of the facility site once a week for two (2) consecutive weeks. Proof of publication should be filed with the Department within twenty (20) days after the application is filed or the application may be deemed incomplete. Instructions for filing the public notice are given in Form 1, Attachment 1.

SECTION B - FORM 1 LINE-BY-LINE INSTRUCTIONS

This form must be completed by all applicants.

Completing This Form

Please type or print in the unshaded areas only. Abbreviate if necessary to stay within the space allowed for each item.

Item A

Indicate the permit action requested by marking the appropriate box.

Item B

Answer each question to determine which supplementary forms you need to fill out. Be sure to check the glossary in Section D of these instructions for the legal definitions of the bold faced words. Check Section C of these instructions to determine whether your activity is excluded from permit requirements.

If you answer "no" to every question, then you do not need a regular individual industrial permit, and you do not need to complete and return any of these forms. However, you may still require one of the other types of permits administered by DEQ (as outlined under **Who Must Apply** in Section A). If you have questions about whether you need one of these permits or if you need to obtain application forms, contact DEQ.

If you answer "yes" to any question for which a form number is listed, then you must complete and file the supplementary form. (The applicable form number follows each question and is enclosed in parentheses. All industrial wastewater application forms may be found at https://oklahoma.gov/deq/permits/water-permits/industrial-permitting.html.)

Item C

Enter the facility's official or legal name. Do not use a colloquial name.

Item D

Give the name, title, work telephone number, and email address of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application and who can be contacted by reviewing offices if necessary.

Item E

Give the complete mailing address of the office where correspondence should be sent. This often is not the address used to designate the location of the facility or activity.

Item F

Give the address or location of the facility identified in Item C of this form. If the facility lacks a street name or route number, give the most accurate alternative geographic information. Also give the legal description of the facility's location to the nearest 10 acres (¼, ¼, ¼, Section, Range, Township). If you do not know the legal description of location, it should be available from county records of property deeds, or can be determined from a topographic map. Alternately, if you are filing for permit renewal, you can find the legal description of location in your previous permit.

Item G-1

Give the full legal name of the person, firm, public organization, or any other entity which operates the facility described in this application. This may or may not be the same name as the facility. The operator of the facility is the legal entity which controls the facility's operation rather than the plant or site manager. Do not use a colloquial name.

Item G-2

Indicate whether the entity which operates the facility also owns it by marking the appropriate box.

Item G-3

Enter the appropriate letter to indicate the legal status of the operator of the facility. Indicate "public" for a facility solely owned by local government(s) such as a city, town, county, parish, etc.

Items G-4 through G-9

Enter the telephone number, email address, and mailing address, of the operator identified in Item G-1.

Item H

Indicate whether the facility is located on Indian Lands.

Item I

If the permit applicant does not own all land subject to the permit application, then fill out DEQ Form 100-810 that is available on the industrial wastewater permitting page of the DEQ website.

Item J

Give the number of each presently effective permit issued to the facility for each program or, if you have previously filed an application but have not yet received a permit, give the number of the application, if any. If you have more than one currently effective permit for your facility under a particular permit program, you may list additional permit numbers on a separate sheet of paper. List any relevant environmental federal (e.g., permits under Section 404 of the Clean Water Act or the Surface Mining Control and Reclamation Act), state (e.g., state permits for new air emission sources in nonattainment areas under Part D of the Clean Air Act or state permits under Section 404 of the Clean Water Act), or local permits or applications under "other."

Item K

Provide a plat or topographic map or maps of the area extending at least to one mile beyond the property boundaries of the facility which clearly show the following:

(1) The legal boundaries of the facility;
(2) The location and ID number of each of your existing and proposed intake and discharge structures;
(3) All hazardous waste management facilities (including surface impoundments and land application sites);
(4) Each monitoring well or well where you inject fluids underground; and
(5) All springs and surface water bodies in the area, plus all drinking water wells within 1/4 mile of the facility which are identified in the public record or otherwise known to you.

If an intake or discharge structure, hazardous waste disposal site, or injection well associated with the facility is located more than one mile from the plant, include it on the map, if possible. If not, attach additional sheets describing the location of the structure, disposal site, or well.

Maps may be developed using the DEQ GIS Data Viewer, available at https://gis.deq.ok.gov/maps/. If you have any questions concerning how to use the Data Viewer, contact DEQ.

Item L

List, in descending order of significance, up to four 4-digit standard industrial classification (SIC) codes and up to four 6-digit North American Industry Classification System (NAICS) codes which best describe your facility in terms of the principal products or services you produce or provide. Also, specify each classification in words. These classifications may differ from the codes describing the operation generating the wastes.

SIC code numbers are descriptions which may be found in the "Standard Industrial Classification Manual" prepared by the Executive Office of the President, Office of Management and Budget. This document is available online from the Occupational Safety and Health Administration (OSHA) website at http://www.osha.gov/pls/imis/sic_manual.html.

NAICS code numbers and descriptions can be found in the "North American Industrial Classification System Manual" prepared by the Executive Office of the President, Office of Management and Budget. This document is available online from the National Technical Information Service (NTIS) website at http://www.census.gov/eos/www/naics/.

If you have any questions concerning the appropriate code(s) for your facility, contact DEQ.

Item M

Briefly describe the nature of your business (e.g., products produced or services provided). List all manufacturing or production processes, and industrial operations. Processes and operations may be described in general terms (for example, "strip mine," "distillation tower," "vehicle wash," or "transfill of tank trucks"). **Do not** include office operations.

Also list intermediate and final products produced (if any), and daily quantity produced. Give the date the facility began operations, the approximate number of employees at the facility, and the routine hours of operation, including number of shifts.

Item N

Indicate whether your facility uses cooling water, and if so, specify the source of the cooling water. If the facility uses a cooling water intake structure, you may be required to submit the additional information described in 40 CFR 122.21(r) with your permit application. If you have any questions concerning whether or not this additional information is required, contact DEQ.

Item O

Indicate whether you plan to request and/or renew a variance.

Item P

Enter the appropriate letter(s) to identify all sources of water supply and provide the appropriate description of each source (as indicated in parentheses). List each source on a separate line. For each source, list the average daily flows received. If you have more than one source of a given type, indicate this by entering the letter, followed by two digits (e.g., if you obtained your water from three different wells, the sources would be indicated as G01, G02, and G03).

Item Q

State statutes provide for severe penalties for submitting false information on this application form.

27A O.S. §2-6-206(G)(4) provides that, "Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Oklahoma Pollutant Discharge Elimination System Act... shall upon conviction be punished by a fine of not more than Ten Thousand Dollars ($10,000.00), or by imprisonment for not more than two (2) years, or by both."

All applications must be signed by the applicant. Signatures must be original signatures; photostatic copies of signatures will not be accepted. Permit applications must be signed as follows:

(A) If the applicant is a private corporation, the application must be signed by:
  (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 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.

(B) If the applicant is a partnership, sole proprietorship or individual person, the application must be signed, respectively, by a general partner, the proprietor or the individual.

(C) If the applicant is a municipality, political subdivision, the state or federal government or other public agency or entity, the application must be signed by the principal executive officer of the entity or the ranking elected official.

Any person signing an application form must 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.

I further certify that the facility to be permitted possesses or shall acquire a right to the use of the property or properties on which discharging facilities, activities or discharge sources are located and the property on which the proposed discharge point or points are located, including the access route thereto, and that the facility to be permitted shall maintain such right of use and access for the duration of the permit term.

SECTION C - ACTIVITIES WHICH DO NOT REQUIRE REGULAR POLLUTANT DISCHARGE PERMITS

You are not required to obtain a regular individual industrial discharge permit from DEQ if your discharge is in one of the following categories. However, you may be required to secure another type of permit from DEQ or to secure a permit from another agency.

A. DISCHARGES INTO PUBLICLY OWNED TREATMENT WORKS (POTW). The introduction of sewage, industrial wastes, or other pollutants into a POTW does not require a regular industrial discharge permit from DEQ. You must comply with all applicable pretreatment standards promulgated under Section 307(b) of CWA, which may be included in the permit issued to the POTW. If you have a plan or an agreement to switch to a POTW in the future, this does not relieve you of the obligation to apply for and receive an industrial discharge permit until you have stopped discharging pollutants into waters of the State.

B. DISCHARGES FROM AGRICULTURAL AND SILVICULTURAL ACTIVITIES. Most discharges from agricultural and silvicultural activities to waters of the State do not require discharge permits from DEQ. These include point and nonpoint discharges from agricultural crop production, agricultural services, livestock production, silviculture, feed yards, livestock markets, forestry, and nurseries, etc. Such activities may, however, be subject to EPA permitting requirements. The facilities or activities listed below **do** require discharge permits from DEQ:

1. Commercial manufacturers of fertilizers, grain and feed products and chemicals, food and kindred products, tobacco, cannabis, paper, lumber, wood, textile mill and other agricultural products.
2. Dairy waste and wastewater associated with milk production facilities, but not including concentrated feeding operations at such facilities.
3. Slaughterhouses, but not including feedlots at such facilities.
4. Animal aquaculture and fish hatcheries. Discharge from an aquatic animal production facility using only pond culture requires a general discharge permit from DEQ. Discharge from all other animal aquaculture and fish hatcheries requires a regular industrial discharge permit.
5. Facilities which store grain, feed, seed, fertilizer, and agricultural chemicals that are required by federal NPDES regulations to obtain a permit for stormwater discharges. Such facilities only fall under DEQ jurisdiction with respect to such stormwater discharges.

C. DISCHARGES FROM PUBLICLY OWNED TREATMENT WORKS (POTW). Most POTWs do not require regular industrial discharge permits. However, POTWs which treat **only** industrial wastes **do** require regular industrial discharge permits.

D. OPERATIONS COVERED BY GENERAL DISCHARGE PERMITS. General discharge permits have been established for certain categories of operations for which the same general conditions exist. Each type of general permit has its own application form. Please contact the Water Quality Division directly or visit the industrial wastewater permitting section page of the DEQ website at https://oklahoma.gov/deq/permits/water-permits/industrial-permitting.html for general permit application forms. The categories of general permits are:

1. Petroleum Storage and Transfer (PST) Facilities. PST facilities which are not within the boundaries of refineries, petrochemical manufacturing plants or natural gas liquid extraction plants are under

the jurisdiction of the Corporation Commission. Thus, PST General Permits are no longer issued by the DEQ.

2. Groundwater Remediation Projects Associated With Leaking Underground Storage Tanks Containing Hydrocarbons (UST projects). All other groundwater remediation projects require regular industrial discharge permits. Requires Application Form 606-G83.
3. Hydrostatic Test Projects. Some hydrostatic test projects fall under the jurisdiction of the Corporation Commission, and thus must be permitted through EPA rather than DEQ. DEQ has direct jurisdiction over and has a general permit for hydrostatic test projects at the following facilities and activities: refineries, petrochemical manufacturing plants, natural gas liquid extraction plants, manufacturing of oil and gas related equipment and products, bulk terminals, aboveground and underground tanks not subject to Corporation Commission jurisdiction, and other facilities and activities not subject to Corporation Commission jurisdiction. Requires Application Form G27.
5. Surface Coal Strip Mines. Requires Application Form 606-G04.
6. Vehicle Wash Facilities. Requires Application Form 606-G75.
7. Concrete Batch Plants. Requires Application Form 606-G11.
8. Mobile Concrete Batch Plants. Requires Application Form 616-G11MT.
9. Total Retention Class III Industrial Surface Impoundments. Requires Application Form 616-GC3T.
10. Rock, Sand, and Gravel Quarries. Requires Application Form 606-OKG95.

SECTION D - GLOSSARY

NOTE: This Glossary includes terms used in the instructions and in Forms 1, 2C, 2D, 2SI, 2L, and 606-008. If you have any questions concerning the meaning of any of these terms, please contact DEQ.

ANIMAL FEEDING OPERATION means a lot or facility (other than an aquatic animal production facility) where the following conditions are met:

A. Animals (other than aquatic animals) have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12 month period; and
B. Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

Two or more animal feeding operations under common ownership are a single animal feeding operation if they adjoin each other or if they use a common area or system for the disposal of wastes.

Note: In Oklahoma, animal feeding operations are regulated by the Department of Agriculture, rather than the DEQ. Thus, such facilities do not require permits from DEQ.

ANIMAL UNIT means a unit of measurement for any animal feeding operation calculated by adding the following numbers: The number of slaughter and feeder cattle multiplied by 1.0; Plus the number of mature dairy cattle multiplied by 1.4; Plus the number of swine weighing over 25 kilograms (approximately 55 pounds) multiplied by 0.4; Plus the number of sheep multiplied by 0.1; Plus the number of horses multiplied by 2.0.

APPLICATION means the DEQ standard forms for applying for a permit, including any additions, revisions, or modifications to the forms.

AQUATIC ANIMAL PRODUCTION FACILITY means a hatchery, fish farm, or other facility which contains, grows or holds aquatic animals in either of the following categories:

A. Cold water fish species or other cold water aquatic animals including, but not limited to, the Salmonidae family of fish (e.g., trout and salmon) in ponds, raceways, or other similar structures which discharge at least 30 days per year; or
B. Warm water fish species or other warm water aquatic animals including, but not limited to the Ameiuridae, Cetrarchidae, and Cyprinidae families of fish (e.g., respectively, catfish, sunfish, and minnows) in ponds, raceways, or other similar structures which discharge at least 30 days per year.

AQUIFER means a formation that contains sufficient saturated, permeable material to yield significant quantities of water to wells and springs. This implies an ability to store and transmit water; unconsolidated sands and gravels are typical examples.

BEST MANAGEMENT PRACTICES (BMP) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State or United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

BIOLOGICAL MONITORING TEST means any test which includes the use of aquatic algal, invertebrate, or vertebrate species to measure acute or chronic toxicity, and any biological or chemical measure of bioaccumulations.

BOARD means the Environmental Quality Board.

BYPASS means the intentional or unintentional diversion of waste streams from any portion of a treatment, disposal, or collection facility.

CATEGORICAL USER means an industrial discharger that employs or will be employing processes in any of the industrial categories or business activities listed below (regardless of whether they generate wastewater, waste sludge, or hazardous wastes). A facility with processes inclusive in these business areas may be covered by Environmental Protection Agency's (EPA) categorical pretreatment standards.

- Aluminum Forming
- Asbestos Manufacturing
- Battery Manufacturing
- Can Making
- Canning & preserved Fruits and Vegetables
- Canning & preserved Seafood
- Carbon Black
- Cement Manufacturing
- Centralized Waste Treatment
- Coal Mining
- Coil Coating
- Copper Forming
- Dairy Products Processing
- Electric and Electronic Components
- Electroplating
- Explosive Manufacturing
- Feedlots Specify type
- Fertilizer Manufacturing
- Ferroalloy Manufacturing
- Foundries (Metal Molding and Casting)
- Glass Manufacturing
- Grain Mills
- Gum & Wood Chemicals Manufacturing
- Hospital
- Ink Formulating
- Landfills
- Leather Tanning and Finishing
- Meat Products
- Metal Finishing
- Metal Powders
- Mineral Mining & Processing
- Nonferrous Metals Forming
- Nonferrous Metals Manufacturing
- Oil & Gas Extraction
- Ore Mining and Dressing
- Organic Chemicals Manufacturing
- Organic Plastics & Synthetic Fibers Mfg.
- Paint and Ink Formulating
- Paper & Board Mills
- Paving and Roofing Manufacturing
- Pesticides Manufacturing
- Petroleum Refining
- Pulp, Paper, and Paperboard Manufacturing
- Rubber Manufacturing
- Soap and Detergent Manufacturing
- Steam Electric Power Generation
- Sugar Processing
- Textile Mills
- Timber Products
- Transportation Equipment Cleaning
- Inorganic Chemicals
- Iron and Steel Manufacturing

CELL means a part of a surface impoundment system that shares a wall or berm with another impoundment area.

CLEAN WATER ACT means the federal Water Pollution Control Act, 33 U.S.C., Section 1251 et seq., as amended.

COMPLETE APPLICATION means an application which contains all information required by any appropriate form, applicable rules, requested by DEQ staff, filed with the appropriate DEQ service and that all appropriate fees have been paid to and received by the DEQ.

COMPLIANCE SCHEDULE means a schedule of time for initiation and completion of remedial measures set forth in a Department Permit or Order and includes an enforceable sequence of interim requirements (e.g., actions, operations, or milestone events) leading to compliance with the limitations and conditions of a pollutant discharge permit.

CONCENTRATED ANIMAL FEEDING OPERATION means an animal feeding operation which meets the criteria set forth in either (A) or (B) below or which the Director designates as such on a case-by-case basis:

A. More than the numbers of animals specified in any of the following categories are confined:
   1. 1,000 slaughter or feeder cattle,
   2. 700 mature dairy cattle (whether milked or dry cows),
   3. 2,500 swine each weighing over 25 kilograms (approximately 55 pounds),
   4. 500 horses,
   5. 10,000 sheep or lambs,
   6. 55,000 turkeys,
   7. 100,000 laying hens or broilers (if the facility has a continuous overflow watering),
   8. 30,000 laying hens or broilers (if the facility has a liquid manure handling system),
   9. 5,000 ducks, or
   10. 1,000 animal units; or

B. More than the following numbers and types of animals are confined:
   1. 300 slaughter or feeder cattle,
   2. 200 mature dairy cattle (whether milked or dry cows),
   3. 750 swine each weighing over 25 kilograms (approximately 55 pounds),
   4. 150 horses,
   5. 3,000 sheep or lambs,
   6. 16,500 turkeys,
   7. 30,000 laying hens or broilers (if the facility has continuous overflow watering),
   8. 9,000 laying hens or broilers (if the facility has a liquid manure handling system),
   9. 1,500 ducks, or
   10. 300 animal units; AND

   Either one of the following conditions are met: Pollutants are discharged into waters of the State through a man-made ditch flushing system or other similar manmade device ("man-made" means constructed by man and used for the purpose of transporting wastes); or Pollutants are discharged directly into waters of the State which originate outside of and pass over, across or through the facility or otherwise come into direct contact with the animals confined in the operation.

   Provided, however, that no animal feeding operation is a concentrated animal feeding operation as defined above if such animal feeding operation discharges only in the event of a 25 year, 24 hour storm event.

Note: In Oklahoma, concentrated animal feeding operations are regulated by the Department of Agriculture, rather than the DEQ. Thus, such facilities do not require permits from DEQ.

CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY means an aquatic animal production facility which meets the criteria in either (A) or (B) below or which the Director designates as such on a case-by-case basis:

A. Facilities which:
   1. Produce more than 9,090 harvest weight kilograms (approximately 20,000 pounds) of cold water fish species or other cold water aquatic animals per year; and
   2. Feed more than 2,272 kilograms (approximately 5,000 pounds) of food during the calendar month of maximum feeding.

B. Facilities which produce more than 45,454 harvest weight kilograms (approximately 100,000 pounds) of warm water fish species or other warm water aquatic animals per year; provided, however, that the aquatic animals are not held in closed ponds which discharge only during periods of excess runoff.

CONTACT COOLING WATER means water used to reduce temperature which comes into contact with a raw material, intermediate product, waste product other than heat, or finished product.

CONTAINER means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

CONTINUOUS DISCHARGE means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities.

COOLING WATER INTAKE STRUCTURE means the total physical structure and any associated waterways used to withdraw cooling water from waters of the United States. The cooling water intake structure extends from the point at which water is first withdrawn from waters of the United States up to, and including the intake pumps.

COUNCIL means any advisory council authorized by the Legislature to recommend rules to the Environmental Quality Board.

CWA means the Clean Water Act.

DEPARTMENT means the Oklahoma Department of Environmental Quality.

DEQ means the Oklahoma Department of Environmental Quality.

DIKE means any embankment or ridge of either natural or manmade materials used to prevent the movement of liquids, sludges, solids, or other materials.

DIRECT DISCHARGE means the discharge of a pollutant to waters of the State.

DIRECTOR or EXECUTIVE DIRECTOR means the Executive Director of the Oklahoma Department of Environmental Quality.

DISCHARGE when used without qualification means the discharge of a pollutant. DISCHARGE OF A POLLUTANT means:

1. Any addition of any pollutant or combination of pollutants to waters of the United States or to waters of the State from any point source.
2. Includes additions of pollutants into the waters of the State, including waters of the United States from:
   a. surface runoff which is collected or channeled by man;
   b. discharges through pipes, sewers, or other conveyances owned by a federal agency or division of the federal government, state, municipality, or other person which do not lead to a treatment works; and
   c. discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.
4. Does not include an addition of pollutants by an indirect discharger.
5. Means any release by leaking, pumping, pouring, emitting, emptying, dumping, escaping, seeping, or leaching of wastes into any waters of the State or into a location where they may enter waters of the State.

This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a state, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by an indirect discharger. Discharge shall also mean any release by leaking, pumping, pouring, emitting, emptying, dumping, escaping, seeping, or leaching of pollutants into any waters of the State, into a location where they may enter waters of the State or elsewhere.

DISCHARGE POINT means the point at which pollutants or wastewater or stormwater enters waters of the State or becomes waters of the State.

DISPOSAL (in the RCRA program) means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous waste into or on any land or water so that the hazardous waste or any constituent of it may enter the environment or be emitted into the air or discharged into any waters, including ground water.

DISPOSAL FACILITY (in the RCRA program) means a facility or part of a facility at which hazardous waste is intentionally placed into or on land or water, and at which hazardous waste will remain after closure.

DISPOSAL SYSTEM means a system for disposing of wastewater, including treatment systems.

DOMESTIC WASTEWATER means and includes but is not limited to wastewater from drinking fountains, showers, toilets, lavatories, and kitchens.

DRAFT PERMIT means a document prepared under 40 CFR §124.6 or applicable Department rules indicating the Director's tentative decision to issue or deny, modify, revoke and reissue, terminate, or reissue a permit. A notice of intent to terminate a permit and a notice of intent to deny a permit, as discussed in 40 CFR §124.5 and applicable Department rules, are types of draft permits. A denial of a request for modification, revocation and reissuance, or termination, as discussed in 40 CFR §124.5 and corresponding Department rules, is not a draft permit. A proposed permit is not a draft permit.

EFFLUENT LIMITATION means any restriction imposed by the Executive Director on quantities, discharge rates, and concentrations of pollutants which are discharged from point sources into waters of the United States, the waters of the contiguous zone, waters of the State, or the ocean.

EFFLUENT LIMITATIONS GUIDELINES means a regulation published by the EPA under Section 304(b) of the Clean Water Act to adopt or revise effluent limitations.

EXISTING SOURCE or EXISTING DISCHARGER (in the NPDES program) means any source which is not a new source or a new discharger.

FACILITY or ACTIVITY means any OPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the OPDES program.

FLEXIBLE MEMBRANE LINER means a manufactured liner material composed of plastics, resins or other flexible materials, which is designed and manufactured to be used to control the seepage or release of waste through the liner material.

FLOW-THROUGH SURFACE IMPOUNDMENT means an impoundment designed and constructed with an outfall structure which allows the controlled discharge of wastes or wastewater out of the impoundment.

FLUID means material or substance which flows or moves whether in a semisolid, liquid, sludge, gas, or any other form or state.

FREEBOARD means the distance between the water surface in an impoundment and the top of the lowest part of the surrounding berm.

GENERAL PERMIT means an NPDES permit issued under 40 CFR §122.28 authorizing a category of discharges under the CWA within a geographical area, or a general permit issued by the Department through rulemaking procedures as allowed under the Oklahoma Administrative Procedures Act and other applicable state law.

GPD means gallons per day.

GROUNDWATER means waters of the state under the surface of the earth regardless of the geologic structure in which it is standing or moving outside the cut bank of any definite stream.

HAZARDOUS SUBSTANCE means any of the substances designated under 40 CFR Part 116 pursuant to Section 311 of CWA. (NOTE: These substances are listed in Table 2c-4 of the instructions to Form 2C.)

HAZARDOUS WASTE has the meaning set forth in the Environmental Quality Code and rules promulgated by the Board pursuant thereto.

HAZARDOUS WASTE MANAGEMENT FACILITY (HWM facility) means all contiguous land, structures, appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous wastes. A facility may consist of several treatment, storage, or disposal operational units (for example, one or more landfills, surface impoundments, or combinations of them).

IMPOUNDMENT means Surface Impoundment.

INDIRECT DISCHARGER means a non-domestic discharger introducing pollutants to a publicly owned treatment works.

INDUSTRIAL WASTEWATER TREATMENT PERMIT shall mean permits issued by the Department after July 1, 1993, under Section 2-6-501 of Title 27A of the Oklahoma Statutes, and waste disposal permits issued on or before June 30, 1993, by the Oklahoma Water Resources Board for land application of industrial waste or surface impoundments or disposal systems for industrial waste or wastewater.

INDUSTRY means any person, manufacturer, trade, or business who discharges or retains wastes.

INJECTION WELL means a well into which fluids are being injected.

LAGOON means a surface impoundment.

LAND APPLICATION means the controlled discharge of waste or wastewater or sludge which is not a hazardous waste onto the land surface, as may be allowed under provisions of Title 27A O.S. §2-1-101 et seq. and OAC 252:616.

LINER means a barrier which is designed, constructed and installed in a surface impoundment and which has appropriate chemical and physical properties to ensure that such structures do not fail to control the seepage or release of waste and wastewater from the impoundment.

MGD means millions of gallons per day.

MONITORING WELL means all borings, wells, piezometers, or other means of retrieving a soil, waste, wastewater, or vapor sample from the subsurface.

MUNICIPALITY means a city, village, town borough, county, parish, district, association, or other public body created by or under state law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of CWA.

OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) means the EPA approved state program for issuing modifying, revoking and reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402 and 405 of CWA. The term includes an approved program.

NAICS CODE means North American Industrial Classification System code prepared by the Executive Office of the President, Office of Management and Budget.

NEW DISCHARGER (in the OPDES program) means any building, structure, facility, or installation: (A) From which there is or may be a new or additional discharge of pollutants at a site at which on October 18, 1972, it had never discharged pollutants; (B) Which has never received a finally effective NPDES or OPDES permit for discharges at that site; and (C) Which is not a "new source." This definition includes an indirect discharger which commences discharging into waters of the United States. It also includes any existing mobile point source, such as an offshore oil drilling rig, seafood processing vessel, or aggregate plant that begins discharging at a location for which it does not have an existing permit.

NEW SOURCE (in the OPDES program) means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

A. After promulgation of standards of performance under Section 306 of CWA which are applicable to such source; or
B. After proposal of standards of performance in accordance with Section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal.

NON-CONTACT COOLING WATER means water used to reduce temperature which does not come into direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.

NON-PRETREATMENT MUNICIPALITY means a municipality that does not contain a pre-treatment facility for industrial waste.

NONPOINT SOURCE means the contamination of the environment with a pollutant for which a specific path of origin may not be well defined.

NOTICE BY PUBLICATION means, unless otherwise specifically provided, publication in a daily or weekly newspaper of general circulation in the area(s) affected by proposed or actual activities regulated by the Department.

OAC means the Oklahoma Administrative Code.

OFF-SITE means any site which is not "on-site."

OKLAHOMA'S WATER QUALITY STANDARDS means the rules promulgated by the Oklahoma Water Resources Board which designate the beneficial uses for which the various waters of the State shall be maintained and protected, classify waters of the State, prescribe the water quality standards required to sustain designated uses, and set forth implementation requirements, as specified in OAC 785:45.

ON-SITE means on the same or geographically contiguous property which may be divided by public or private right(s)-of-way provided the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along, the right(s)-of-way. Non-contiguous properties owned

by the same person, but connected by a right-of-way which the person controls and to which the public does not have access, is also considered on-site property.

OPDES Act means the Oklahoma Pollutant Discharge Elimination System Act, 27A Oklahoma Statutes §2-6-201 et seq.
O.S. means Oklahoma Statutes.

OUTFALL means the point where monitoring can occur or takes place for the purpose of evaluating compliance with discharge permits issued.

OWNER or OPERATOR means the owner or operator of any facility or activity subject to regulation under the NPDES or OPDES or other state water permit program, and shall include but is not limited to the person holding legal or equitable title to property, and the person responsible for the maintenance and operation of a treatment or disposal system or site and for keeping records and providing reports to the Department.

PERMIT means an authorization, license, or equivalent control document issued by EPA to implement the requirements of 40 CFR Parts 122, 123, 124, and the license issued by the Executive Director of the Department of Environmental Quality or the authorization issued by the Executive Director of the Department under a general permit promulgated by the Environmental Quality Board to implement the requirements of these rules, state law, federal regulations and the Clean Water Act. Permit includes an NPDES general permit, state-issued individual permits, and authorizations under general permits, as authorized under the ODPES Act and the Environmental Quality Code. Permit does not include any permit which has not yet been the subject of final agency action, such as a draft permit or a proposed permit. In the State of Oklahoma, the term permit shall be equivalent to the term license as defined under the Oklahoma Administrative Procedures Act.

PERSON means any individual, association, partnership, firm, company, public trust, corporation, joint-stock company, trust, estate, municipality, state or federal agency, other governmental entity, any other legal entity or an agent, employee, representative, assignee or successor thereof.

PILE means any non-containerized accumulation of solid, non-flowing hazardous waste that is used for treatment or storage.

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

POLLUTANT includes but is not limited to dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agribusiness waste discharged into water.

POLLUTION means the presence in the environment of any substance, contaminant or pollutant, or any other alteration of the physical, chemical or biological properties of the environment or the release of any liquid, gaseous, or solid substance into the environment which is or will likely create a nuisance or render the environment harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, biological communities, fish or other aquatic life, or to property. For purpose of this definition, environment shall include but is not limited to waters of the state and release shall include but is not limited to discharge of a pollutant. Pollution shall include such acts or conduct as will or are likely to cause a violation of Oklahoma's Water Quality Standards.

POTW means publicly owned treatment works.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) means the national permitting program under 40 CFR 52.21 to prevent emissions of certain pollutants regulated under the Clean Air Act from significantly deteriorating air quality in attainment areas.

PRIVATELY OWNED TREATMENT WORKS means any device or system which is (A) Used to treat wastes from any facility whose operator is not the operator of the treatment works; and (B) Not a POTW.

PROCESS WASTEWATER means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

PROPOSED PERMIT means an OPDES permit prepared after the close of the public comment period (and, when applicable, any public hearing and administrative appeals) before final issuance by the State. A proposed permit is not a draft permit.

PUBLICLY OWNED TREATMENT WORKS or POTW means any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a state or municipality. This definition includes any sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

RCRA means the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (Pub. L. 94-580, as amended by Pub. L. 95-609, 42 U.S.C. Section 6901 et seq.)

RECEIVING WATER means that portion of any waters of the state into which wastes are discharged.

SDWA means the Safe Drinking Water Act (Pub. L. 95-523, as amended by Pub. L. 95-1900, 42 U.S.C. Section 300[f] et seq.).

SEWAGE SLUDGE means the solids, residues, and precipitate separated from or created in sewage by the unit processes of a POTW. "Sewage" as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and stormwater runoff that are discharged to or otherwise enter a publicly owned treatment works.

SIC CODE means Standard Industrial Classification code of the Executive Office of the President of the U.S., Office of Management and Budget.

SIGNIFICANT INDUSTRIAL USER means

A. All industrial uses subject to categorical pretreatment standards, also known as CATEGORIAL USER
B. Any other industrial user that:
    1. discharges 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling water, and boiler blow down wastewater) and/or
    2. contributes process wastewater to the POTW which makes up 5% or more of the average dry weather hydraulic capacity of the wastewater treatment plant and/or
    3. contributes process wastewater to the POTW which makes up 5% or more of the organic capacity of the wastewater treatment plant and/or
    4. is designated as such by the POTW on the basis that the industrial user has a reasonable potential for adversely affecting the wastewater treatment plant's operation and sewer system or for violating any pretreatment requirement and/or
    5. discharges pollutants exhibiting significant pass through or interference in the POTW.

SILVICULTURAL POINT SOURCE means any discernible, confined, and discrete conveyance related to rock crushing, gravel washing, log sorting, or log storage facilities which are operated in connection with silvicultural activities and from which pollutants are discharged into waters of the State. This term does not include nonpoint source silvicultural activities such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff. However, some of these activities (such as stream crossing for roads) may involve point source discharges of dredged or fill material which may require a CWA Section 404 permit. "Log sorting and log storage facilities" are facilities whose discharges result from the holding of unprocessed wood, e.g., logs or roundwood with bark or after removal of bark in self-contained bodies of water (mill ponds or log ponds) or stored on land where water is applied intentionally on the logs (wet decking). (See 40 CFR Part 429, Subpart J, and the effluent limitations guidelines for these facilities.)

SLUDGE has the meaning assigned to that term in OAC 252:525.

SOLID WASTE has the meaning assigned to that term in OAC 252:500.

STATE means the State of Oklahoma or any of the other 49 states as the context requires.

STORAGE (in the RCRA program) means the holding of hazardous waste for a temporary period at the end of which the hazardous waste is treated, disposed, or stored elsewhere.

STORMWATER POINT SOURCE means a conveyance or system of conveyances (including pipes, conduits, ditches, and channels) primarily used for collecting and conveying stormwater runoff.

STORMWATER RUNOFF means water discharged as a result of rain, snow, or other precipitation.

SURFACE IMPOUNDMENT means an excavated soil or lined basin either below or above ground level which is designed, maintained and/or operated to store, recycle, treat and/or dispose of industrial wastewater or stormwater, and shall include but is not limited to natural and man-made topographic depressions, excavations, basins, diked areas, lagoons, pits, and ponds.

SYSTEM means pipelines or conduits, pumping stations, and force mains, and all other constructions, devices, appurtenances, and facilities used for collecting or conducting wastewater to a point of storage, treatment, or ultimate disposal.

TANK SYSTEM means any subsurface disposal system which involves the storage and/or treatment of wastewater.

TOTAL RETENTION SURFACE IMPOUNDMENT means an impoundment designed and constructed without an outfall structure.

TOXIC POLLUTANT means any pollutant listed as toxic under Section 307(a)(1) of CWA.

TOXIC WASTE means substances regulated by the Department to protect beneficial uses, human health, or the environment.

TREATMENT means any method, technique, or process used to remove pollutants from wastewater or sludge to the extent that the wastewater or sludge may be reused, discharged into waters of the State or otherwise disposed and includes, but is not limited to, the utilization of mechanized works, surface impoundments and lagoons, aeration, evaporation, digesters, or other devices or methods.

TREATMENT WORKS means any plant, disposal field, lagoon, dam, pumping station, incinerator or any other facility used for the purpose of treating or stabilizing wastes or wastewater.

UNDERGROUND INJECTION means well injection.

UNDERGROUND SOURCE OF DRINKING WATER or USDW means an aquifer or its portion which is not an exempted aquifer and:

A. Which supplies drinking water for human consumption; or
B. In which the ground water contains fewer than 10,000 mg/l total dissolved solids.

UNDERGROUND STORAGE SYSTEM means a partially or totally submerged wastewater or waste containment system or treatment system.

UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

VARIANCE means any mechanism or provision under section 301 or 316 of the CWA or under 40 CFR 125, or in the applicable "effluent limitations guidelines" which allows modification to or waiver of the generally applicable effluent limitation requirements or time deadlines of the CWA. This includes provisions which allow the establishment of alternative limitations based on fundamentally different factors or on sections 301(c), 301(g), 301(h), 301(i), or 316(a) of the CWA.

WASTE means any liquid, gaseous or solid or semi-solid substance, or thermal component, whether domestic, municipal, commercial, agricultural or industrial in origin, which may pollute or contaminate, or tend to pollute or contaminate, any air, land or waters of the State and which is within the jurisdiction of the Department.

WASTE CONTAINMENT SYSTEMS means storage tanks, containers, and other storage reservoirs, transfer lines, pumps, fittings, overfill prevention devices, and any associated anticorrosion measures and/or leak prevention/detection systems.

WASTEWATER includes any substance, including sewage, that contains any discharge from the bodies of human beings or animals, or contaminating chemicals or other waste or pollutants from domestic, municipal, commercial, agricultural, industrial or manufacturing activities or facilities and which is within the jurisdiction of the Department.

WASTEWATER PERMIT means a permit issued by the Department which limits the types and quantities of pollutants or wastes an industry may store, transport, or dispose of and consists of four categories:

1. Construction and operation of total retention systems;
2. Tanks other than those used solely for domestic waste;
3. Construction and operation of other wastewater treatment systems;
4. Underground or aboveground wastewater or waste containment, treatment or storage systems, including but not limited to tanks, pipes, and fittings.

WASTEWATER TREATMENT SYSTEM means treatment works and all related pipelines or conduits, pumping stations and force mains, and all other appurtenances and devices used for collecting, treating, conducting, or discharging wastewater.

WASTEWATER TREATMENT SYSTEM means treatment works and all related pipelines or conduits, pumping stations and force mains, and all other appurtenances and devices used for collecting, treating, conducting, or discharging wastewater.

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

WATERS OF THE UNITED STATES means:

A. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
B. All interstate waters, including interstate wetlands;
C. All other waters such as intrastate lakes, river, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, and natural ponds, the use, degradation, or destruction of which would or could affect interstate or foreign commerce including any such waters:
    1. Which are or could be used by interstate or foreign travelers for recreational or other purposes,
    2. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce,
    3. Which are used or could be used for industrial purposes by industries in interstate commerce;
D. All impoundments of waters otherwise defined as waters of the United States under this definition;
E. Tributaries of waters identified in paragraphs (A) - (D) above;
F. The territorial sea; and
G. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (A) - (F) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet requirement of CWA (other than cooling ponds as defined in 40 CFR Section 423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the United States (such as a disposal area in wetlands) nor resulted from the impoundments of waters of the United States.

WELL INJECTION means the subsurface emplacement of fluids through a bored, drilled, or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

Form 1, Attachment 1
Public Notice and Application Requirements

A public notice is not required for a Tier I permit application. The Oklahoma Uniform Environmental Permitting Act, 27A O.S. §2-14-301 requires that upon filing a Tier II or Tier III application with the Department, the applicant shall publish notice of the filing as legal notice in one newspaper of general circulation local to the proposed new site or existing facility once a week for two (2) consecutive weeks. For Tier III applications, the publication shall also include notice of a thirty-day opportunity to request, or give the date, time and place for, a process meeting on the permitting process.

Use the following table as guidance for determining the public notice and application requirements for the facility. Select the category appropriate to the facility and follow the public notice and application requirements. If a public notice is necessary, instructions for completing the public notice are given in the following pages.

Question	Yes / No	Tier I, II, or III	Public Notice Requirements	Applications
Is the facility applying for a renewal of an expiring permit for an industrial, non-discharging impoundment or tank system?		Tier I	None	One (1) copy of the application must be filed with the DEQ.
Is the facility applying for a renewal of an expiring permit with minor or no change for land application of sludge and/or wastewater?				
Is the facility applying for a new or renewal of an expiring permit for a Categorical or Significant Industrial User in a Non-Pretreatment Municipality to discharge industrial waste to the POTW?				
Is the facility applying for a new discharge permit or renewal of an expiring discharge permit for a minor facility?		Tier II	The applicant must publish notice of the filing as legal notice in one newspaper of general circulation local to the proposed new site or existing facility once a week for two (2) consecutive weeks.	One (1) copy of the application must be filed with the DEQ.
Is the facility applying for a renewal of an expiring discharge permit for a major facility?				
Is the facility applying for a new permit for an industrial, non-discharging impoundment or tank system?				
Is the facility applying for a new permit or major modification of an existing permit for land application of sludge and/or wastewater?				
Is the facility applying for a new discharge permit for a major facility?		Tier III	The applicant must publish notice of the filing as legal notice in one newspaper of general circulation local to the proposed new site or existing facility once a week for two (2) consecutive weeks. The publication must also include notice of a thirty-day opportunity to request (or give the date, time, and place for) a process meeting on the permitting process.	One (1) copy of the application must be filed with the DEQ.

Instruction for Completing the Public Notice for Tier II and Tier III Applications

The Notice Must Contain the Following Information:

(1) Name and address of the applicant;
(2) Name, address, and legal description (i.e., ¼, ¼, ¼, Section, Township, Range, County) of the site, facility and/or activity;
(3) Purpose of notice;
(4) Type of permit or permit action being sought;
(5) Description of activities to be regulated;
(6) Instructions directing the public to the Electronic Environmental Permit Application Docket on DEQ's website where the public may view documents, subscribe to receive electronic notice of public participation opportunities and other updates concerning the pending application.
(7) Names, addresses, and telephone numbers of contact persons for the DEQ and for the applicant;
(8) Description of public participation opportunities and time period for comment and requests;
(9) Any other information required by DEQ rules; and
(10) Any information the applicant deems relevant.

Templates for the public notice which fulfills the above requirements appears on the following sheets, and should be used as a guideline in preparing your own notice. Choose the notice appropriate to the facility and application. Instructions appear in brackets {} and should not be included in the notice to be published. Square brackets [ ] indicate spaces where information should be inserted.

If you have any other questions concerning public notice requirements or preparation of the public notice, please contact the Industrial Permits Section at (405) 702-8100.

{Instructions in brackets should not be included in the Notice to be published.}

{If your application is a Tier II application and uses only Forms 1, 2SI, and/or 2L, use paragraphs one, two, and three, and seven, eight, and nine below.}

{If your application is a Tier II application and uses Forms 1, 2C, or 2D, and/or 2SI, and/or 2L, use paragraphs four through nine below.}

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
TIER II NOTICE OF FILING

A Tier II application for a [new/renewal of an] **OPDES permit to operate an industrial wastewater treatment system has been filed with the Department of Environmental Quality (DEQ) by** [Company Name]**,** [Street, Route, or Other Specific Identifier]**,** [City, State]**.**

The applicant requests a permit to treat industrial wastewater by [Impoundment(s), Tank(s), and/or Land Application] **at their** [Name of facility/plant/quarry/mine/etc., if different than Company Name] **facility, located in the** [Legal Location]**, Oklahoma, or at** [Street Address/General Location]**.**

The wastewater to be treated will consist of [Wastewater Description(s)]**. The permit, if issued, would establish guidelines for the operation of the industrial wastewater treatment system.**

A Tier II application for a [new/renewal of an] **OPDES permit to discharge industrial wastewater has been filed with the Department of Environmental Quality (DEQ) by** [Company Name]**,** [Street, Route, or Other Specific Identifier]**,** [City, State]**.**

The applicant requests a permit to discharge wastewater from their [Name of facility/plant/quarry/mine/etc., if different than Company Name] **facility, located in the** [Legal Location]**, Oklahoma, or at** [Street Address/General Location]**.**

The discharge, which will consist of [Wastewater Description(s)]**, will be to** [Receiving Stream(s)]**, in the** [Legal Location(s) of Discharge Point(s)]**, Oklahoma. The permit, if issued, would establish effluent limitations on the discharge.**

The pending application and related documents may be viewed at the Electronic Environmental Permit Application Docket on the DEQ website, at https://applications.deq.ok.gov/PermitsPublicReview/. Subscription to electronic notice of public participation opportunities and updates on other actions relating to this pending permit application is also available at this location on the DEQ website.

After reviewing the application, the DEQ will prepare either a draft permit or draft denial. At that time, notice of the prepared draft will be made by the Department and the public will be given the opportunity to review it, submit written comments, or request a public meeting within thirty days.

For additional information, contact the applicant's representative, [Facility Contact] **at** [Facility Contact's Phone Number] **or** [Facility Contact's Address]**, or the Industrial Permits Section of the Water Quality Division of the Department's central office, located at 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, (405) 702-8100.**

{If your application is a Tier III application, use the Notice below.}

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
TIER III NOTICE OF FILING

A Tier III application for a new OPDES permit to discharge industrial wastewater has been filed with the Department of Environmental Quality (DEQ) by [Company Name]**,** [Street, Route, or Other Specific Identifier]**,** [City, State]**.**

The applicant requests a permit to discharge wastewater from their [Name of facility/plant/quarry/mine/etc., if different than Company Name] **facility, located in the** [Legal Location]**, Oklahoma, or at** [Street Address/General Location]**.**

The proposed discharge, which will consist of [Wastewater Description(s)]**, will be to** [Receiving Stream(s)]**, in the** [Legal Location(s) of Discharge Point(s)]**, Oklahoma. The permit, if issued, would establish effluent limitations on the proposed discharge.**

The pending application and related documents may be viewed at the Electronic Environmental Permit Application Docket on the DEQ website, at https://applications.deq.ok.gov/PermitsPublicReview/. Subscription to electronic notice of public participation opportunities and updates on other actions relating to this pending permit application is also available at this location on the DEQ website.

Any person may now request a process meeting on the permitting process through which this application will go. The request must be in writing and must be made within thirty (30) days after the date of this publication. Address the request to the DEQ contact listed below. If the DEQ finds that a sufficient degree of public interest in the application exists, it will hold the requested meeting after advance notice of the meeting's time, date, and place has been given.

Regardless of whether a process meeting is held, the DEQ will prepare either a draft permit or draft denial. At that time, notice of the prepared draft will be made by the Department and the public will be given the opportunity to review it, submit written comments, or request a public meeting within thirty days.

For additional information, contact the applicant's representative, [Facility Contact] **at** [Facility Contact's Phone Number] **or** [Facility Contact's Address]**, or the Industrial Permits Section of the Water Quality Division of the Department's central office, located at 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, (405) 702-8100.**

FORM 1 GENERAL	OKLAHOMA DEQ	OPDES APPLICATION TO DISCHARGE AND/OR TREAT OR DISPOSE OF INDUSTRIAL WASTEWATER OR SLUDGE **GENERAL INFORMATION**

A. TYPE OF PERMIT REQUESTED

NEW ☐	RENEWAL ☐	MODIFICATION ☐	CONVERSION FROM GENERAL PERMIT ☐

B. REGULATED ACTIVITIES

INSTRUCTIONS: ALL applicants MUST fill out FORM 1. Complete items 1 through 5 below to determine which additional forms you need to submit. If you answer "yes" to any questions, you must submit the supplemental form listed after the question in parentheses. If you answer "no" to every question, you do not need to submit an application. You may answer "no" if your activity is covered by a general permit or is otherwise excluded from individual permit requirements (see Section C of the instructions). See Section D of the instructions for definitions of **bold-faced** terms.

SPECIFIC QUESTIONS	YES	NO
1. Is this an existing facility which currently results in a **discharge** of industrial **wastewater** to **waters of the State** and is not eligible for an authorization under a general permit? (FORM 2C)	☐	☐
2. Does this facility use or propose to use **surface impoundments** (pits, ponds or lagoons) and/or **tank systems** to treat or dispose of industrial **wastewater** and/or **land apply** industrial **sludge** or **wastewater**? (FORM 2SI)	☐	☐
3. Is this a proposed facility which will result in a **discharge** of industrial **wastewater** to **waters of the State**? (FORM 2D)	☐	☐
4. Does this facility perform or propose to perform **land application** of industrial **sludge** or **wastewater** (including beneficial use for soil conditioning, crop or vegetative fertilization, erosion control or dust suppression)? (FORM 2L)	☐	☐
5. Is this a new or existing **categorical user** or **significant industrial user** in a **non-pretreatment municipality** that will or does discharge industrial **wastewater** to a **public owned treatment works**? (FORM 606-008)	☐	☐

C. NAME OF FACILITY

D. FACILITY CONTACT

1. NAME & TITLE

2. PHONE (area code & number)	**3. EMAIL ADDRESS**

E. FACILITY MAILING ADDRESS

1. STREET OR P.O. BOX

2. CITY OR TOWN	**3. STATE**	**4. ZIP CODE**

F. FACILITY LOCATION

1. STREET, ROUTE NO., OR OTHER SPECIFIC IDENTIFIER	**2. COUNTY**	
3. CITY OR TOWN	**4. STATE**	**5. ZIP CODE**

6. LEGAL DESCRIPTION (¼, ¼, ¼, Section, Township, Range)

G. OPERATOR INFORMATION

1. NAME	**2.** Is the operator also the owner?	
	YES ☐	NO ☐

3. STATUS OF OPERATOR (select the appropriate box below; if "Other," specify)

Federal ☐	**State** ☐	**Private** ☐	**Public** (other than federal or state) ☐	**Other** (specify):

4. OPERATOR PHONE (if different from facility contact)	**5. EMAIL ADDRESS** (if different from facility contact)

6. STREET OR P.O. BOX

7. CITY OR TOWN	**8. STATE**	**9. ZIP CODE**	**H.** Is the facility located on Indian land?	
			YES ☐	NO ☐

I. DEQ LANDOWNER NOTIFICATION AFFIDAVIT		
1. Does applicant own all land subject to the application:	YES ☐	NO ☐
If yes, proceed to Section J. If no, proceed to Part 2 of this section.		
2. Application(s) for which the applicant does not own all the land subject to the application must notify the owner(s) of leases and/or pipeline right-of-ways that a permit application has been submitted to the DEQ. The basis for this requirement is 27A of the Oklahoma Statutes, § 2-14-103(9), as described in OAC 252:004-7-13(b). DEQ Form 100-810 shall be used for this purpose and is available on the DEQ web page.		

J. EXISTING ENVIRONMENTAL PERMITS			
1. NPDES	**2. UIC**	**3. RCRA**	**4. PSD**
5. OTHER (permit number)	(description)	**6. OTHER** (permit number)	(description)

K. MAP

Attach a topographic map (or other map if a topographic map is unavailable) extending one mile beyond the property boundaries. The map must show the outline of the facility, the location of each of its intake and discharge structures; each of its hazardous waste treatment, storage, or disposal facilities; each well where fluids are injected underground; and those wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant.

L. SIC and NAICS CODES (in order of priority)

SIC CODE NUMBER	DESCRIPTION
NAICS CODE NUMBER	**DESCRIPTION**

M. NATURE OF BUSINESS

1. PRODUCTS AND SERVICES

2. PLANT OPERATIONS

a. PROCESS/OPERATION	b. PRODUCT	c. DAILY QUANTITY (units)

3. Date the facility began operations:		**4.** Number of employees at this location:				
5. Plant normally operates:		hours per day,		days per week, in		shifts.

N. COOLING WATER INTAKE STRUCTURES

1. Does the facility use cooling water?	YES ☐	NO ☐
2. If so, specify the source of the cooling water:		

Facilities that use or propose to use a cooling water intake structure as defined in 40 CFR 125 Subparts I and J may be required to submit additional information as described in 40 CFR 122.21(r). Please consult with DEQ to determine if this additional information is required.

O. VARIANCE REQUESTS

Do you intend to request and/or renew one or more of the variances authorized at 40 CFR 122.21(m)? Check all that apply.
If you do intend to request one or more variances, please consult with DEQ to determine what additional information you may need to submit with your application.

- ☐ Fundamentally different factors (CWA Section 301(n))
- ☐ Non-conventional pollutants (CWA Section 301(c) and (g))
- ☐ Water quality-related effluent limitations (CWA Section 302(b)(2))
- ☐ Thermal discharges (CWA Section 316(a))
- ☐ No variance requested

P. SOURCES OF WATER SUPPLY AND AMOUNT USED

Identify all sources of facility water by entering the appropriate letter(s) in the boxes below and then providing the appropriate description(s), as indicated in parentheses. List each source on a separate line. If you have more than one source of a given type, indicate this by entering the letter, followed by two digits (e.g., if your water comes from three wells, the sources would be indicated as G01, G02, and G03). For each source, estimate of the average daily use. Continue on additional sheets if needed.

G = GROUNDWATER WELL	(legal description of well location)
S = SURFACE WATER	(name of stream, river, lake, etc., and legal description of intake)
P = PUBLIC WATER SUPPLY	(name of entity from which water is obtained)
W = WASTEWATER TREATMENT PLANT	(name of entity from which water is obtained)
O = OTHER	(source of supply, and legal description if applicable)

1. SOURCE	2. DESCRIPTION	3. AVG. DAILY USE (specify units)

Q. CERTIFICATION (see instructions)

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 true 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.

1. NAME & OFFICIAL TITLE (type or print)	2. SIGNATURE	3. DATE SIGNED