COVIA

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August 8, 2025

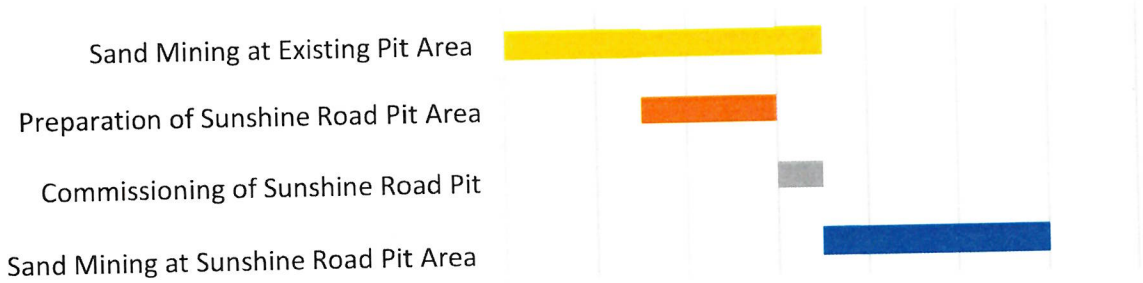
Suzen Rodesney
Director Oklahoma Department of Mines
RE: Expansion Application for Permit #L.E.-1565

Dear Suzen Rodesney:

Covia respectfully re-submits the attached application (Attachment A) for a mining permit for the expansion of Permit #L.E-1565 in accordance with the guidance provided by the Oklahoma Department of Mines (ODM).

The original application was submitted on March 17, 2025, and received a permit denial letter dated May 6, 2025 (Attachment B). In response, Covia submitted a Request for Reconsideration on June 27, 2025 (Attachment C). The ODM provided a response dated July 2, 2025 (Attachment D) and advised that reapplying for the permit extension is the appropriate next step to ensure full compliance with applicable regulations.

As part of this application, we would like to clarify that the Covia Roff Mine will complete mining in the existing pits before beginning operations in the proposed Sunshine Road Pit area. The expansion will not result in any increase or change to the mine's operations. All processing facilities, equipment, buildings, ponds, and methods will remain unchanged. The only modification will be the source of the sand, which will be pumped from the Sunshine Road Pit instead of the current pit. This transition represents a straightforward shift in the reserve source, with no overlap in active mining areas and no increase in the overall production rates. A simple Gantt chart, below, illustrates the sequencing of mining operations and to demonstrate that throughput will remain consistent with current permitted levels.



COVIA

In support of this re-submission, Covia is also including the following updated materials for your review:

- Hydro-Geological Considerations and Life of Mine Report (Attachment E)
- Updated Water Management Plan (Attachment F)

Please reach out to Natalie Eglinton at (832) 454-9793 or at Natalie.Eglinton@coviacorp.com if you have any further questions.

Sincerely,

Natalie Eglinton

Natalie Eglinton

Director, Environmental

Attachments:
Attachment A: Minnig Permit Application
Attachment B: ODM Permit Denial Letter
Attachment C: Covia Letter of Reconsideration
Attachment D: ODM Response to Letter of Reconsideration
Attachment E: Hydro-Geological Considerations and Mine Life Memo
Attachment F: Water Management Plan

Attachment A

Mine Permit Application

Mine Expansion Resubmission

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Covia Solutions LLC
8-8-2025

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MINERALS PROGRAM

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

APPLICATION FOR PERMIT TO ENGAGE IN NON-COAL MINING

The Mining Lands Reclamation Act, O.S., 2016 721-728

Section 1

ODM Permit Number _____
(Office Use Only)

Date 7/7/2025

Number of years permit plan is requested: Life

Covia Solutions LLC - Roff Plant | 580-399-0444
Name of Company, Corporation, Partnership, Individual | Telephone Number

PO Box 159 | Roff | OK | 74865
Mailing Address | City | State | Zip Code

Jim.Bonsall@coviacorp.com
Email Address

Hereby make application for a permit to mine (type of mineral): Silica Sand

by the following method: Surface ☑ Underground ☐

Specify Method:

Quarrying ☑ Stripping ☑ Dredging ☑ Pumping ☑ Auger Mining ☐

Hydraulic Mining ☑ Other _____

Covia Roff | Roff
Mine Name or Number (Optional) | Nearest Town

Section(s)	Township	Range	County
18, 19, 20, 29, 30	2N	5E	Pontotoc
13, 24, and 36	2N	4E	Pontotoc
Please see Attachment A			Pontotoc / Murray

Type of perimeter markers to be used: White PVC Pipe

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Operational Section
General Characteristics of the Mine

NOTE: All of the following questions must be thoroughly answered regarding your mining operation for the intended life of the mine.

1. Answer **all** of the following that apply:

1a. If this is an application for a **NEW** permit, indicate the total acreage at the site to be covered by the permit: _____

Will this application replace a limited use permit? Yes ☐ No ☐

Limited Use Permit No: _____

1b. If this application is for the **RENEWAL** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No: _____ Total Permitted Acreage: _____

1c. If this application is for the **REVISION** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit:

Mining Permit No: L.E.-1565-E Total Permitted Acreage: 1,821

Does this request involve the acreage **within** the previously approved permitted boundary?

Yes ☐ No ☑

If yes, indicate the acreage to be covered by this revision: _____

Does this request involve acreage to be added to the previously approved permitted boundary?

Yes ☑ No ☐

If yes, indicate the acreage to be added by this request: 380

If no was indicated, please explain the revision request: _____

This request will be considered an amendment to the permit (Title 45 SS 724 J.). The application must be submitted as required by and in accordance with OAC:10-19-4.(d).

1d. If this application for the **TRANSFER** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No: _____ Total Permitted Acreage: _____

Name of Company: _____

1e. If this application for the **PURCHASE** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No: _____ Total Permitted Acreage: _____

Name of Company: _____

Will additional acreage be affected? Yes No

If yes, indicate how much additional acreage will be added: _____

All the acreage within the "Operational Section must include the proposed mine excavation(s), processing plants, haul roads, stockpiles, and any refuse/waste areas or tailing ponds.

Total Permitted and Bonded Acres and Mapping Requirements

2. Will you file bond covering all your mining acreage under your plan or will you file for an incremental mining plan?

Total Permit Acres: 1,821 Incremental Bonding: Yes ☑ No ☐

Please show your acreage below. If you have indicated incremental mining plan, then your acreage will be progressive to each incremental area. Prior to the issuance of this permit, a bonding map must be included detailing the sequence proposed for incremental bonding.

460:10-9-6. Mine maps should be accurate drawings, aerial photographs, or enlarged topographic maps of the entire mine area and of a scale sufficient to clearly illustrate the following:

(1) Outline of the area to be permitted detailing the affected areas, incremental mining areas, planned future reserves if requested by the applicant, buffer zones, easements, and rights-of-ways, for the number of years the permit is requested.

460:10-21-4. (b) An operator shall not disturb surface acreage or extend any underground shafts, tunnels, or operations prior to receipt of approval from the Department of a performance bond covering the surface acreage to be affected.

(1) Liability on the performance bond shall cover all non-coal surface mining and reclamation operations to be conducted within the permit area. Except for limited use permits, after the amount of the bond has been determined for the permit area in accordance with Subchapter 23 of this Chapter, the permittee or applicant may either file:

(A) The entire performance bond required during the term of the permit;
(B) A cumulative bond schedule and the sequence of release of acreage as it progresses through varying reclamation phases and for the addition of acreage as it is affected. The amount of bond required to obtain a permit shall include the full reclamation cost of the initial area being affected; or
(C) An incremental bond schedule and the new performance bond required for the first increment in the schedule.

(2) When the operator elects to "increment" the amount of the performance bond during the term of the permit, he shall identify the initial and successive incremental areas for bonding on the permit application map submitted for approval as provided in Subchapter 17 of this Chapter and shall specify the proportion of the total bond amount required for the term of the permit which will be filed prior to commencing operations on each incremental area. The schedule amount of each performance bond increment shall be filed with the Department at least 45 days prior to the commencement of non-coal surface mining and reclamation operations in the next incremental area.

A separate schedule detailing each increment must be attached to the application. An Incremental bonding map must be submitted if the total permitted acreage is not covered by bond.

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Total Acreage to be covered by the permit: 1,821

REQUIRED Bond coverage: Minimum bond shall be $2,000.00.

Type: Surety: ☑ Cash: ☐ Check: ☐ Certificate of Deposit: ☐

Letter of Credit: ☐ Other: _____

Bond Number Identification: EACX4021369 Amount of Bond Coverage: $ 1,873,050.00

Bond coverage submitted must be a total of the first increment or the entire permitted acreage requested.

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State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

LEGAL ESTATE

Name of Legal Estate Owner: Covia Solutions LLC

Mailing Address: 3 Summit Park Drive, Suite 700, Independence, OH 44131

Telephone Number: 540-336-2324

Section(s)	Township	Range	County
13, 18, 19, 20, 24, 29, and 30	2N	4E / 5E	Pontotoc
13 and 18	1N	4E / 5E	Pontotoc / Murray

Is the permit application area owned or leased? Owned ☑ Leased ☐

I, Andrew O'Brien (Legal Estate Owner) certify that I am the owner of the Legal estate of the property being represented in this Application for a Non-Coal Mining Permit, and that the (Company, Corporation, Individual(s)) Covia Solutions LLC have the right to mine this property.

Signature of Legal Estate Owner: A. O'Brien

Subscribed and sworn to before me this 8th day of July 20 25

My Commission expires 11/30/2028 Notary Public

LAILA IYANNA SCOTT
NOTARY PUBLIC
REGISTRATION # 00286627
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
NOVEMBER 30, 2028

IF THE OWNER OF THE LEGAL ESTATE OF THE PROPERTY CHANGES, A NEW LEGAL ESTATE FORM MUST BE SIGNED BY THE NEW OWNER OF THE LEGAL ESTATE. IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY ON THIS APPLICATION, A SEPARATE LEGAL ESTATE FORM MUST BE EXECUTED FOR EACH OWNER.

NOTE: The Department of Mines does not have authority to adjudicate property title disputes.

PUBLIC NOTIFICATION

(Applicable for all applications requiring public notice.)

Please provide the name, city, and county of the newspaper you intend to use for your notice:

Name of Newspaper: *Ada News; Sulphur Times Democrat*

City/Town of Newspaper: *Ada; Sulphur*

County of Newspaper: *Pontotoc; Murray*

A copy of your application will be available on the Department of Mines website for public inspection once ODM rules the application complete. Your notice must disclose this information. A sample publication notice will be provided to you.

THIS NOTICE MUST NOT BE PUBLISHED UNTIL THE APPLICATION HAS BEEN RULED COMPLETE BY ODM AND MADE AVAILABLE FOR PUBLIC INSPECTION.

Submit under separate cover a copy of the Public Notice and the Publisher's Affidavit or other Proof of Publication as required by Title 45 § 724 H.1 a. & b. (1) through (6).

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LEGAL NOTICE

Covia Solutions LLC - Roff Plant, 600 East Walling, Roff, Oklahoma, 74865-0159, has applied for an amendment to existing Mining Permit L.E. 1565-E to the Oklahoma Department of Mines (ODM) to mine silica sand through surface mining method on portions of the following parcels of land:

Section 18, 19, 20, 29, and 30, Township 2 North, Range 5 East, Pontotoc County, Oklahoma
Section 13 and 24, Township 2 North, Range 4 East, Pontotoc County, Oklahoma
Section 13, Township 1 North, Range 4 East, Murray County
Section 18, Township 1 North, Range 5 East, Pontotoc County, Oklahoma

A 24-foot-wide right-of-way will also be permitted and bonded, however, no mining will occur on the following portions of land:

Section 36, Township 2 North, Range 4 East, Pontotoc County, Oklahoma
Section 1 and 12, Township 1 North, Range 4 East, Murray County, Oklahoma

The revision request is to add an additional 380 acres to the current permitted area of 1441 acres.

The total permit area contains 1,821 acres split between multiple areas. One area is located approximately 1.2 miles northeast of the town of Roff, the second area located 2.2 miles east of the town of Roff, and the third area located approximately 4.7 miles south of the town of Roff.

A copy of this complete permit application is available for public inspection on ODM's website https://mines.ok.gov. A copy of the issued permit is available for public review by contacting ODM at 405-427-3859.

Any landowner or resident of any occupied dwelling, any public entity or public agency, or any party that may be adversely affected has the right to submit comments or object to the issuance of the permit in writing. **Any comments or objections must be in writing and received no later than fourteen (14) days after the final publication of this notice to the address below.**

OKLAHOMA DEPARTMENT OF MINES
2915 N. Classen Blvd., Suite 213
Oklahoma City, Oklahoma 73106

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Department of Mines
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STATEMENT OF CERTIFICATION

I, Andrew O'Brien (Company Official or Individual) certify that the (Company, Corporation, Individual(s)) Covia Solutions LLC has the right and power by Legal Estate owned to mine the land for which this application is made. We hereby certify that all details contained in this Permit Application are true and correct to the best of knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit Revocation.

Signature of Company Official _____

Position SVP, Environmental, Health & Safety

Subscribed and sworn to before me this 8th day of July 20 25

My Commission expires 11/30/2028 Notary Public _____

LAILA IYANNA SCOTT
NOTARY PUBLIC
REGISTRATION # 00286627
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
NOVEMBER 30, 2028

NOTE: This application must be signed and notarized. This application must include one ORIGINAL copy of the Statement of Certification. Digital signatures will not be accepted. All questions must be addressed and all required documents and information provided before this application can be considered complete. Attach additional sheets as needed.

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

COMPLIANCE AND RELATED INFORMATION

Section 2

ODM Permit Number _____
(Office Use Only)

Date 7/7/2025

Covia Solutions LLC - Roff Plant — 580-399-0444
Name of Company, Corporation, Partnership, Individual — Telephone Number

P.O. Box 159 — Roff — OK — 74865
Mailing Address — City — State — Zip Code

NOTE: Answer all questions on this form. (If no answer, write "none"). Properly identify and secure any attached exhibits, if used. Please refer to the specific item number of this form.

Identification of Interests – In compliance with Section 460:10-11-5 of the Rules and Regulations for Non-Coal Surface Mining and Reclamation, the APPLICANT is required to furnish the following:

460:10-11-5(b)

1. Applicant is (check one box below):

Sole Proprietorship ☐ LLC ☑ Corporation ☐ Partnership ☐ Other _____

2a. Please Provide the names of every officer, partner, director, or other person performing similar to director of the applicant.

See Exhibit B

Name	Address	City	State	Zip	Position

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460:10-11-5(c)

Did the applicant, partner, or corporation or subsidiary of, operate a non-coal surface mining operation in the State of Oklahoma within the five (5) years preceding the date of the application? ☑ Yes ☐ No

If yes, answer the following

Name of Mine	City	County	Legal Location of Mine	Permit #
Covia - Roff	Roff	Pontotoc	Sec 13, 18, 19, 20, 24, 29, 30; T2N; R4E/5E	LE-1565-E
Name of Mine	City	County	Legal Location of Mine	Permit #
Name of Mine	City	County	Legal Location of Mine	Permit #
Name of Mine	City	County	Legal Location of Mine	Permit #
Name of Mine	City	County	Legal Location of Mine	Permit #

Please include any additional mining operations on a separate sheet.

Compliance Information

460:10-11-6(1)

1. Has the applicant for the permit, or any subsidiary, affiliate or by or under common control with the applicant:

460:10-11-6(1)(A)

1a. Had a federal or state mining permit suspended or revoked in the last five (5) years? ☐ Yes ☑ No

460:10-11-6(1)(B)

1b. Forfeited a mining bond or similar security deposited in lieu of bond? ☐ Yes ☑ No

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460:10-11-6(2)

2. If the answer to either 1a. or 1b. above was yes, applicant should provide the following information:

460:10-11-6(2)(A)

2a. Permit Identification # N/A , or Amount of Bond $ _____

2b. Provide the name of the authority that suspended or revoked a permit or forfeited a bond:

N/A

Provide the reason for such action: _____

460:10-11-6(2)(B)

2c. What is the current status of the permit, bond or similar security involved?

N/A

460:10-11-6(2)(C)

2d. Provide the date, location and type of administrative or judicial proceedings initiated concerning the suspension, revocation or forfeiture:

Location	Type
N/A	N/A

460:10-11-6(2)(D)

2e. What is the current status of these proceedings? N/A

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Oklahoma City, OK 73106

PROTECTION OF NATURAL RESOURCES

Section 3

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ODM Permit Number _____
(Office Use Only)

7/7/2025
Date

Covia - Roff Plant	580-399-0444		
Name of Company, Corporation, Partnership, Individual	Telephone Number		
PO Box 159	Roff	OK	74865
Mailing Address	City	State	Zip Code

☑ Yes ☐ No 1. Will this operation involve crushing, dry screening, or using any other means of mechanically altering the mined material or involve any other air contaminant emissions?

If you indicated Yes, please be advised that a permit may be required from the Air Quality Division of the Oklahoma Department of Environmental Quality. Please contact the agency for their respective requirements.

☑ Yes ☐ No 2a. Will the operation involve classifying or wet screening, washing the material mined, recycling processed water, or other water handling

☑ Yes ☐ No 2b. Will the operation involve dewatering the mine or discharging fresh or wastewater from the mine or plant?

☑ Yes ☐ No 2c. Does this operation fall within the jurisdictional requirements of the stormwater regulations of the Oklahoma Department of Environmental Quality?

If you indicated Yes to either 2a., 2b., or 2c., please be advised that a permit may be required from either the Department of Environmental Quality, Oklahoma Water Resources Board, or the Army Corps of Engineers. Please contact each agency for its respective requirements

☐ Yes ☑ No 3. Will this operation involve removing minerals from within any boundaries of river or streambed?

If you indicated Yes, please complete Questions 4 - 5. If you indicated No, please proceed to Question 6.

4a. What is the name of the stream or river? _____

4b. Which of the following classifies this stream or river? Please refer to OAC 460:10-13-2 for descriptions of each.

☐ High Quality Water (HQW) ☐ Scenic River Area

☐ Outstanding Resources Waters (ORW) ☐ None of the above

Please note: Certain permitting and operating procedures are required for mining permits in these environmental areas. Please refer to 460:10-13-3 for the requirements.

☑ Yes ☐ No 5. Does your operation overlie a sensitive sole source groundwater basin or subbasin?

Effective August 1, 2011, if you indicated Yes, this operation falls within the permitting guidelines established by SB 597. You must contact the Oklahoma Water Resources Board to comply with additional permitting requirements.

☑ Yes ☐ No 6a. Will explosives be used?

If Yes, review the Blasting Regulations and complete the Blasting Plan. The plan should accompany the permit application upon submission. In order to purchase, use, or store explosives on a permit, the permittee must also have a Blasting Permit Exemption.

☑ Yes ☐ No 6b. Does the permittee have a current Blasting Permit Exemption?

If Yes, provide Blasting Permit Exemption Number: #E-0621 ***. If No, complete the Blasting Permit Exemption in addition to the Blasting Plan. If explosives will be used, a mining permit will not be issued until a plan and exemption are secured.***

☑ Yes ☐ No 7a. In accordance with O.S. 45, Section 730, will your buffer be, at minimum, at least twenty-five (25) feet plus one and one-half (1½) times the depth of such cut as measured from original ground surface to the top of consolidated material?

7b. How wide will the buffer be maintained between any mining activity, any mining permit boundaries, or right-of-way at this site? Variable Feet

Show all buffer locations and widths on the mine map(s). All buffers must be located within the permit boundaries.

O.S. Title 45, Chapter 8, Section 730 "In the case of strip mining operations which remove and do not replace lateral support, unless pursuant to written agreement between the operator and the adjacent property owner, the top of the consolidated material of the open cut adjacent to the property line of other property not owned or leased by the operator shall, at the time mining is completed, not be closer to such other property line than a distance of twenty- five (25) feet plus one and one-half (1½) times the depth of such cut as measured from original ground surface to the top of consolidated material."

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OTHER LICENSES AND PERMITS

☑ Yes ☐ No

8. Has any other agency, local, county, state, or federal, been contacted to ascertain the need for other licenses and permits with respect to this operation?

If you indicated no other agencies have been contacted, please be advised failure to obtain all the permits necessary for a mining operation may result in issuance of a permit violation or an interruption in mining activity until the required permits are secured.

Please refer to the Non-Coal Permitting Guidelines and Summary and the Notice below regarding other possible governing entities that may need to be contacted. Provide a list of all other licenses and permits needed for this mining operation. If a license or permit has been issued, please provide the Permit Identification Number and date of Approval or a copy of said permit or license. (Title 45 SS 724 I.) If a permit or license is pending, please provide copies of your applications or Notices of Intent (N.O.I.) that have been submitted to other agencies.

If this application is for a revision to an existing permit, copies of all issued permits must be included.

Agency	Identification Number	Date of Approval
	Please see Exhibit C	
	for full list and permits	

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Please Note: A special permit to operate within certain municipalities or counties may be required. It is the responsibility of each applicant to contact the appropriate city or county officials to determine if the mining operation falls within their respective jurisdiction.

Specialized Processing or Manufacturing

☐ Yes ☑ No

9. *Will* specialized processing or manufacturing be conducted on site with the material mined that is not directly associated to mining? This includes specialized processing of the material ***after*** mining and processing by a plant site immediately after excavation of the material. This product would be unique in nature and produced from the material mined. This specialized processing or manufacturing facility might not be part of the mining process, and thereby, not included in the permit area requested in the application.

If yes was indicated, please provide ODM with a detailed narrative of the activity. The location of the specialized processing facility will need to be disclosed on the mining map. The description should include the equipment used and a flow chart showing the process. Once the description should include the equipment used and a flow chart showing the process. Once the description of the process is reviewed, a determination of applicability will be made by the Department. If the Department finds that the process is not directly associated with the mining, this area may be removed from permit consideration.

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NON-COAL OPERATOR'S RECLAMATION PLAN

Section 4

ODM Permit Number _____
(Office Use Only)

Date 07/07/2025

Covia Solutions LLC - Roff Plant
Name of Company, Corporation, Partnership, Individual

Covia Roff
Mine Name or No.

Reclamation Plan Covers: 1,821 Permitted Acres 1,548 Bonded Acres

General Reclamation Plan

Use of Land when Reclamation is Completed
(Check one or more; show acreage)
Please Note: Acreage must total the entire permitted acreage.

- [x] 1. Pasture A=1,201, B=30, C=252
- [ ] 2. Farmland _____
- [ ] 3. Forest _____
- [x] 4. Water Reservoir A=150, C=127
- [ ] 5. Recreation _____
- [x] 6. Industrial A=10
- [ ] 7. Residential _____
- [x] 8. Other A=51 Explain: Wildlife Habitat
- [ ] 9. None _____ Explain: _____

What will you do to make land usable for purpose stated above?

(Check one or more)

- [x] 10. Fill
- [ ] 11. Level
- [x] 12. Grade
- [x] 13. Plant Grass
- [ ] 14. Sprig or Sod Grass
- [ ] 15. Set out Trees
- [ ] 16. Build Dam
- [ ] 17. Stock with Fish
- [ ] 18. Stock with Game
- [ ] 19. Other _____
- [ ] 20. None (Explain) _____

- [ ] Yes
- [x] No 21. Does the mineral seam contain acid-forming materials?

If yes, please complete Question #3 on the Attachment forms.

Reclamation Attachments and Narratives addressing each and every issue as outlined in the Rules & Regulations must be part of your Reclamation Plan and attached to this form.

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RECLAMATION PLAN ATTACHMENT

1. Revegetation Plan:

(A) Planned soil tests:

Soil tests are not planned as the facility will stockpile topsoil and intends to re-vegetate with natives. If the facility uses non-native mixes then soils will be tested to determine if additional nutrients are required, or if pH adjustment is necessary.

(B) Site preparation and fertilization:

Stockpiled topsoil will be spread over areas to be re-vegetated. Where soil compaction is a problem, the area will be ripped or tilled prior to planting. As previously mentioned, if natives are used, no additional fertilization is planned. If non-natives are used, fertilizer will be added in accordance with soil testing and plant species.

(C) Seed and plant selection:

The exact seed mixture utilized in reclamation will be dependent upon cost and availability. A native seed mix is the preferred facility option. At minimum, the mixture will contain three grass species and one forb species. Please see "Reclamation Seed Mix Memo" for additional information.

(D) Rate of Seeding or amount of planting per acre:

The exact rate or amount of seed utilized will depend upon the species selected. Please see "Reclamation Seed Mix Memo" for additional information.

(E) Are there other surface treatments that will be performed to the affected land during reclamation? ☑ Yes ☐ No

If yes, please explain:

Mulch may be applied, as necessary, to reduce erosion and enhance seed germination and survival. Slopes may be tracked to reduce erosion.

2. Describe the method to prevent or eliminate conditions that could be hazardous to animal or fish life in or adjacent to the permit area.

   The facility has OPDES permits for plant process water and stormwater discharges which have effluent limits to control the discharge of pollutants.

3. Provide, as a separate document, a closure plan of the mine and permitted facilities to prevent a release of contaminants for being harmful to the environment. **A closure plan is not necessary for all mines**, but is required where the possibility exist for (a) acid forming materials handling or drainage; chemically treated tailings or stockpiles (excludes fertilizer or lime for re-vegetation purpose).

   A closure plan is not necessary for this facility.

4. Method of control and disposal of mine waste, rock, mineral scrap, tailings, slimes, and other material directly connected with the mining, cleaning, and preparation of mineral substances mined and includes all waste materials deposited on or in the permit area from any source.

   Topsoil is stripped / tilled and directly spread for use in reclamation or stockpiled, and seeded, for future use. Overburden is used in reclamation to backfill mined-out pits. Tailings may also be disposed of in mined-out pits to aid in reclamation.

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5. Method of reclaiming settling and/or sediment ponds.

   Ponds that have a source of water (sufficient watershed or groundwater source after reclamation) may be left as-is for wildlife use. Other ponds may be filled with tailings or overburden and re-vegetated as previously discussed.

6. For final reclamation, submit information about practices for safety to persons and to adjoining property in all excavations. Identify area of potential danger and appropriate safety provisions. These provisions can but are not limited to setbacks, fencing, signs, benching, guardrails, and boulders.

   Setbacks of at least twenty five (25) feet plus one and one-half (1.5) times the depth of such cut as measured from original ground surface to the top of consolidated material will be left between the ultimate mine faces and adjacent property lines. Warning signs will be placed around the pond area.

7. Identify structures (e.g. buildings, roads) that are proposed to remain as part of the final reclamation.

   All existing buildings at the facility plant site will be left as part of the final reclamation. The access roads to the plant will remain along with the quarry haul road.

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To: ODEM

From: Travis Smith

Date: September 5, 2025

Subj: Reclamation Seed Mix for Covia Roff

Deluxe Prairie Blend

- Sideoats Grama – 25%
- Little Bluestem – 25%
- Indiangrass – 17.5%
- Green Sprangletop – 10%
- Switchgrass – 10%
- Sand Lovegrass – 7.5%
- Big Bluestem – 5%
- Rate: 10 lbs/acre

Thanks,

Travis Smith
Operations Manager
Covia Roff Plant

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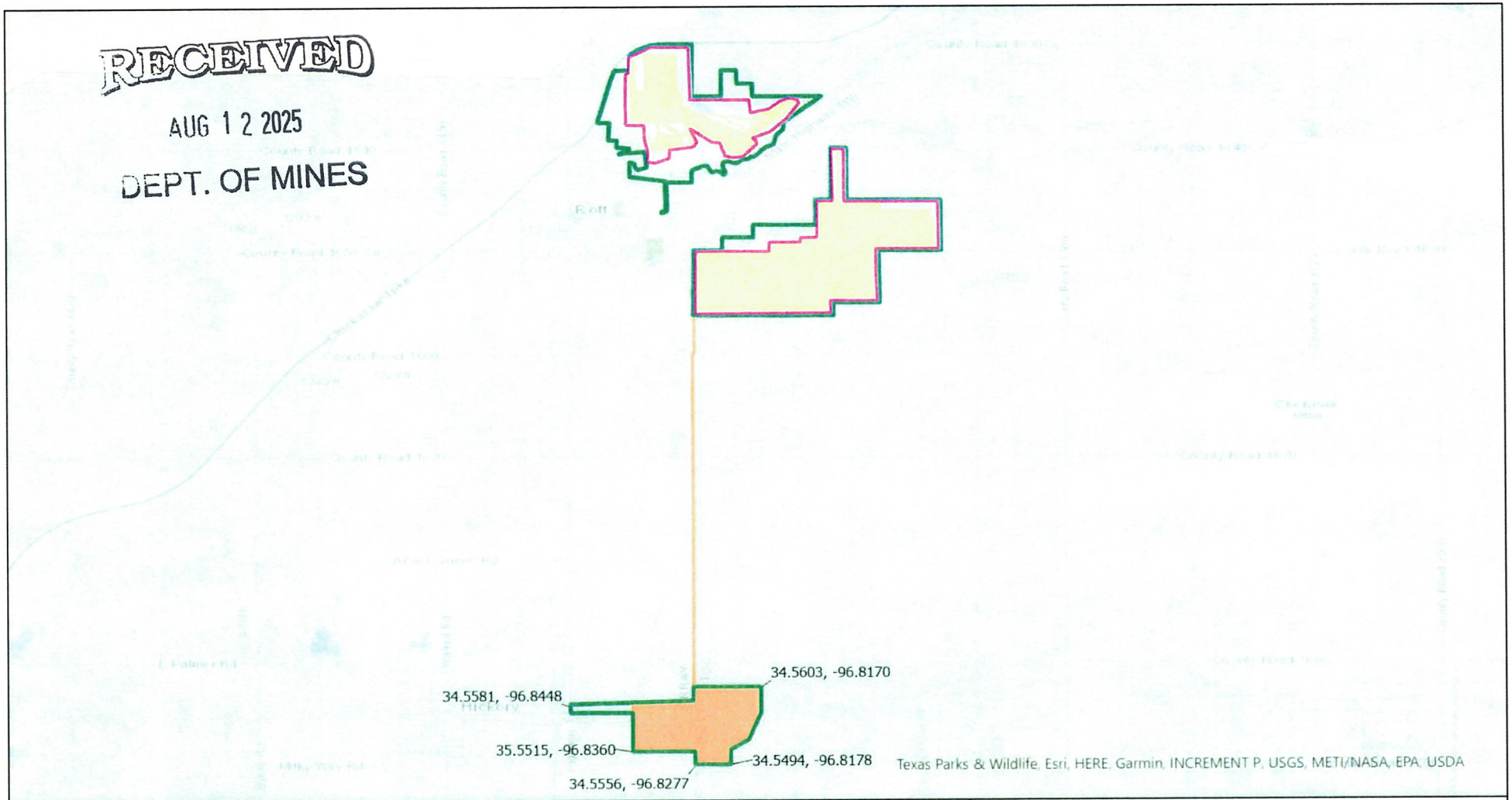


Legend

- Proposed Permitted/ Bonded Area
- Current Bonded Area
- Arbuckle-Simpson Aquifer
- Property Boundary
- Current Mine Permit Boundary

Spatial Reference
Name: GCS WGS 1984
GCS: GCS WGS 1984
Datum: WGS 1984
Map Units: Degree
Authority: EPSG
WKID: 4326

N

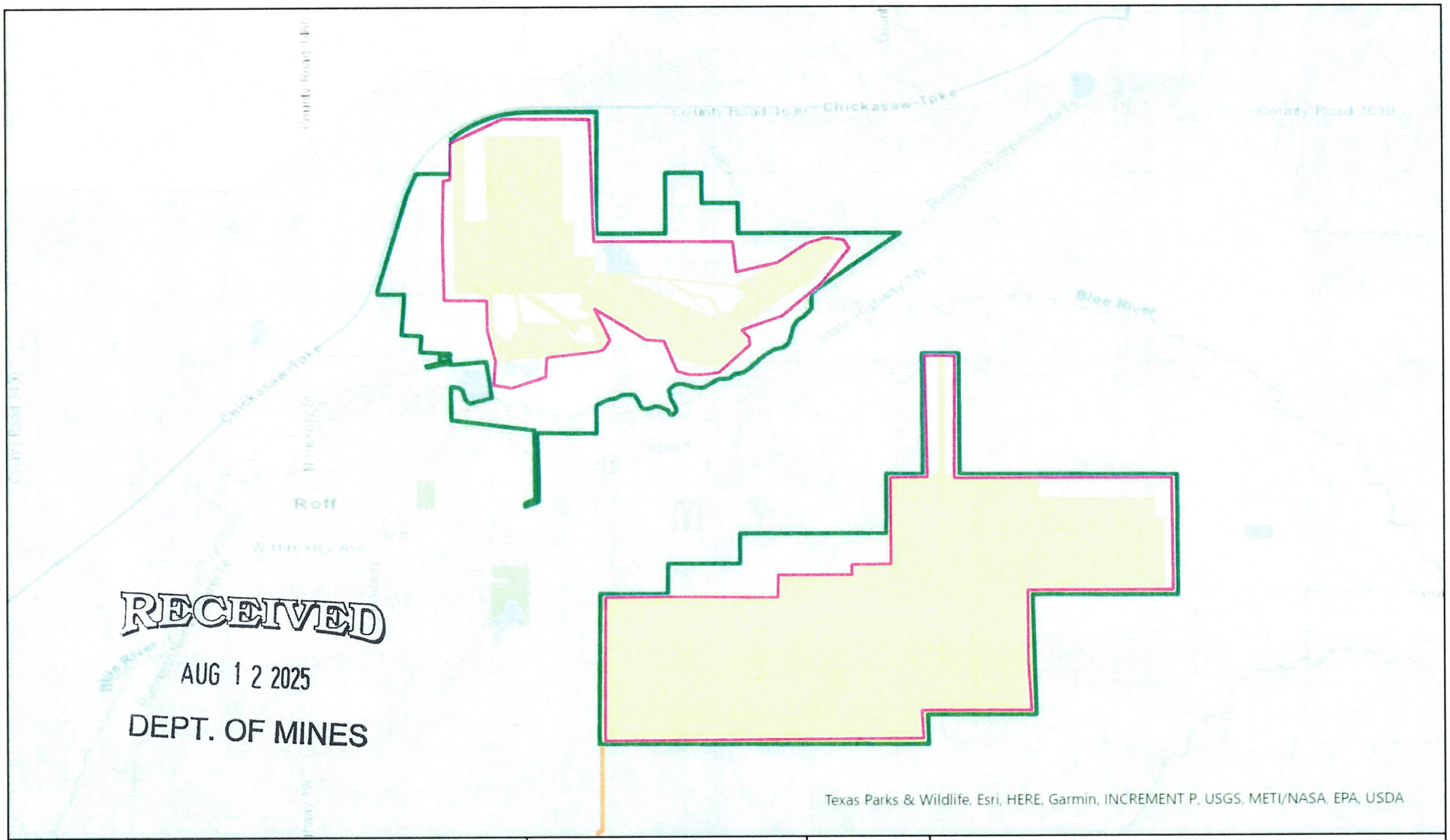
Covia Solutions LLC
Updated Mining Area Map - Exhibit A
600 E. Walling Avenue
Roff, OK 74865

bsi

Location:
Center: 96°49'7"W 34°36'2"N

0 0.75 1.5 3 Miles

June 2025



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DEPT. OF MINES

Legend

- Proposed Permitted/ Bonded Area
- Current Bonded Area
- Arbuckle-Simpson Aquifer
- Property Boundary
- Current Mine Permit Boundary

Spatial Reference
Name: GCS WGS 1984
GCS: GCS WGS 1984
Datum: WGS 1984
Map Units: Degree
Authority: EPSG
WKID: 4326

N

Covia Solutions LLC
Current Mining and Processing Areas Map - Exhibit A
600 E. Walling Avenue
Roff, OK 74865

bsi

Location:
Center: 96°49'11"W
34°37'58"N

0 0.25 0.5 1 Miles

June 2025

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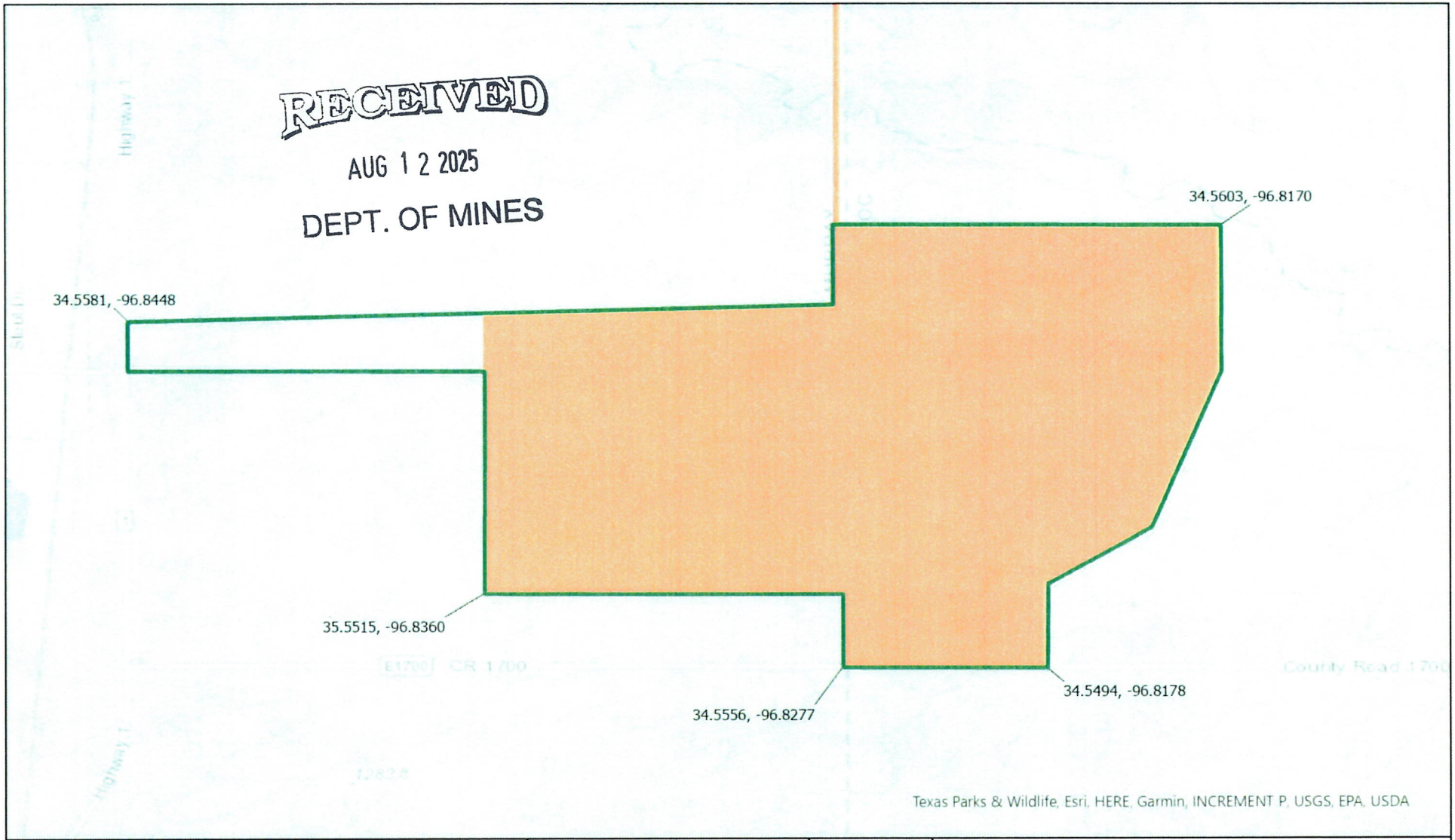
DEPT. OF MINES



Legend

- Proposed Permitted/ Bonded Area
- Current Bonded Area
- Arbuckle-Simpson Aquifer
- Property Boundary

Spatial Reference
Name: GCS WGS 1984
GCS: GCS WGS 1984
Datum: WGS 1984
Map Units: Degree
Authority: EPSG
WKID: 4326

N

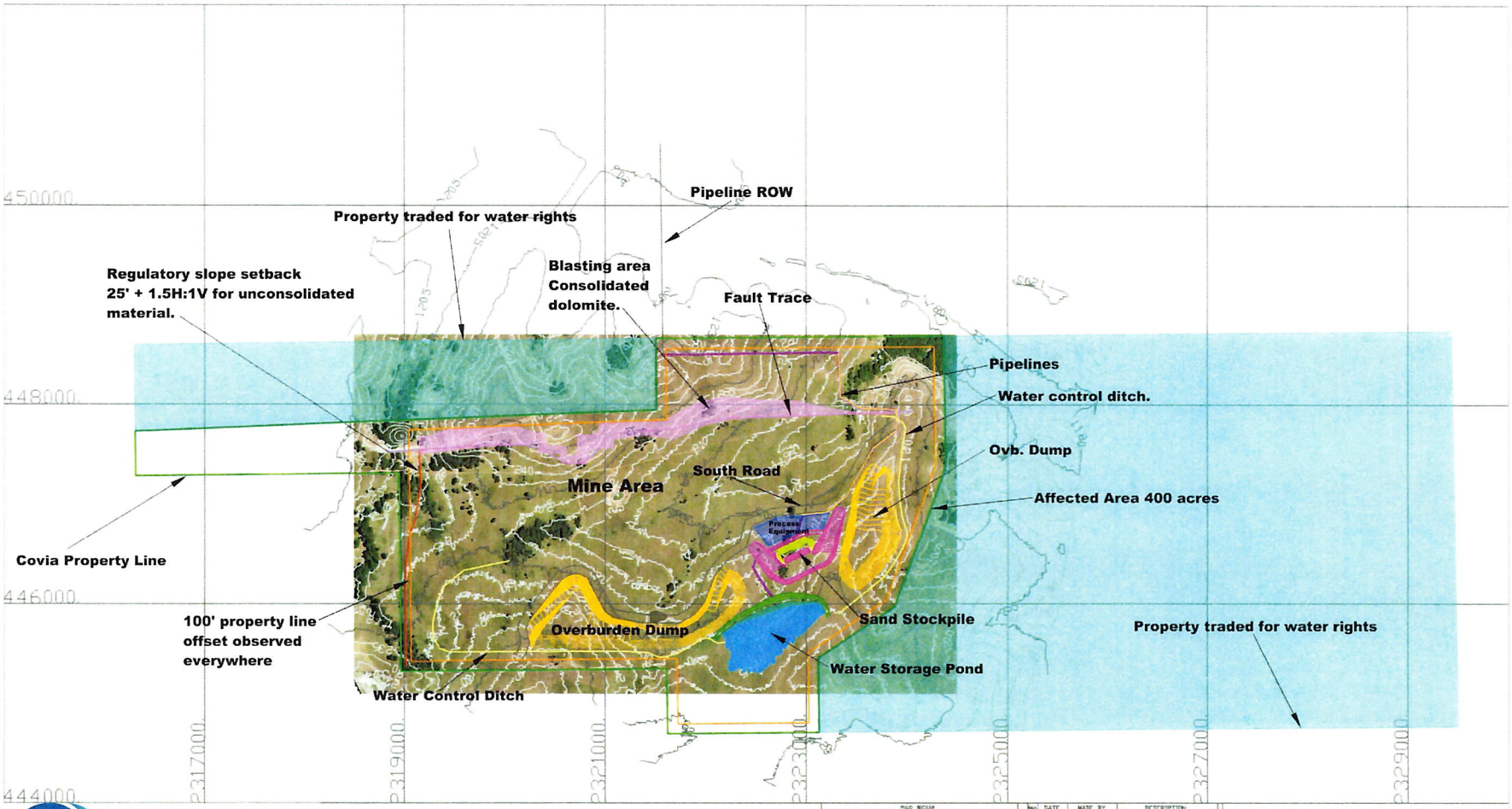
Covia Solutions LLC
Updated Sunshine Pit Area Map - Exhibit A
600 E. Walling Avenue
Roff, OK 74865

bsi

Location:
Center: 96°49'48"W
34°33'20"N

Miles
0 0.13 0.25 0.5

June 2025



COVIA

Roff Sunshine Road Mine
Site Map For Permit

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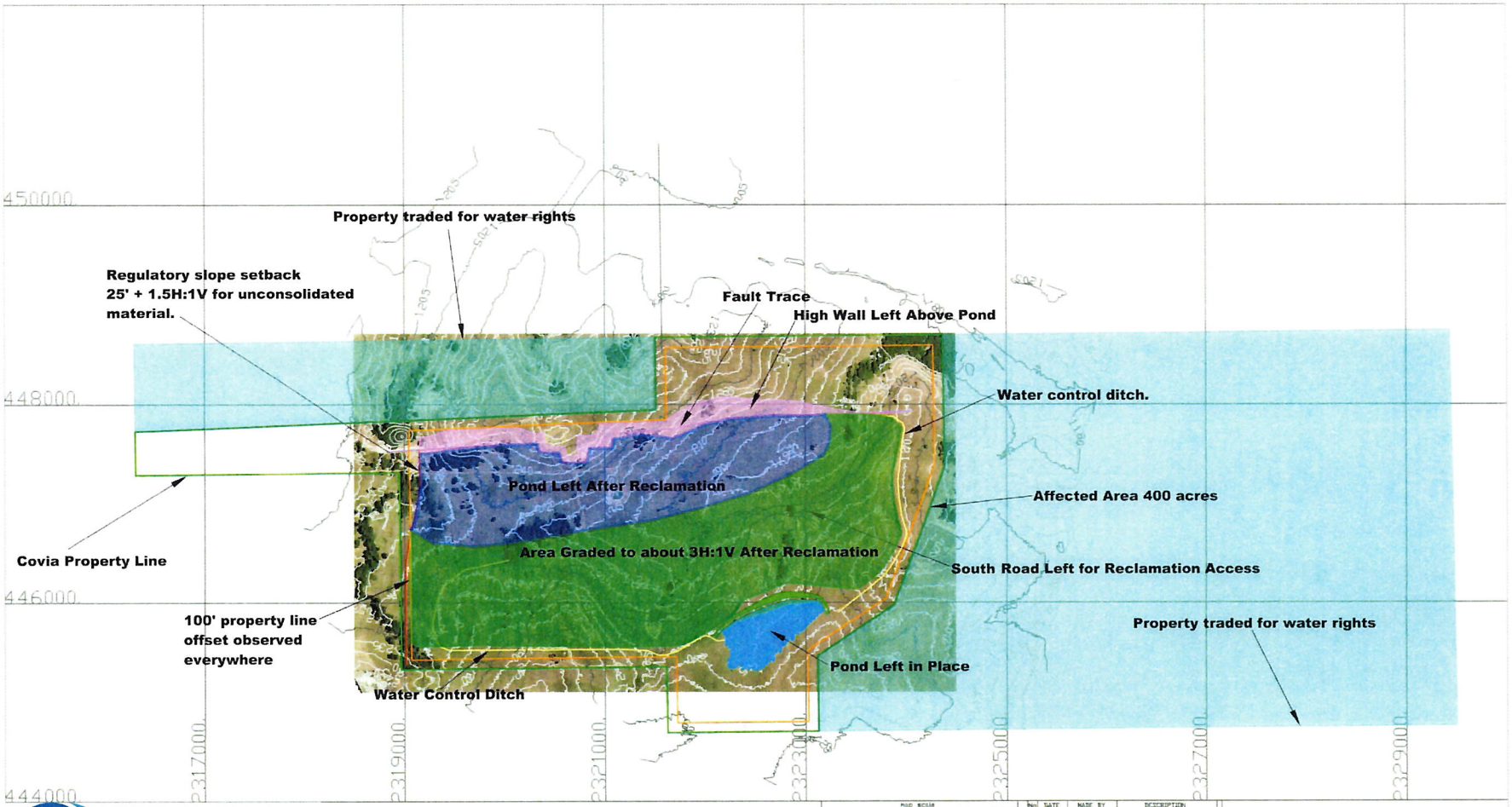
DEPT. OF MINES



COVIA

Roff Sunshine Road Mine
Reclamation Map For Permit

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State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP by SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

Company: Covia Solutions, LLC

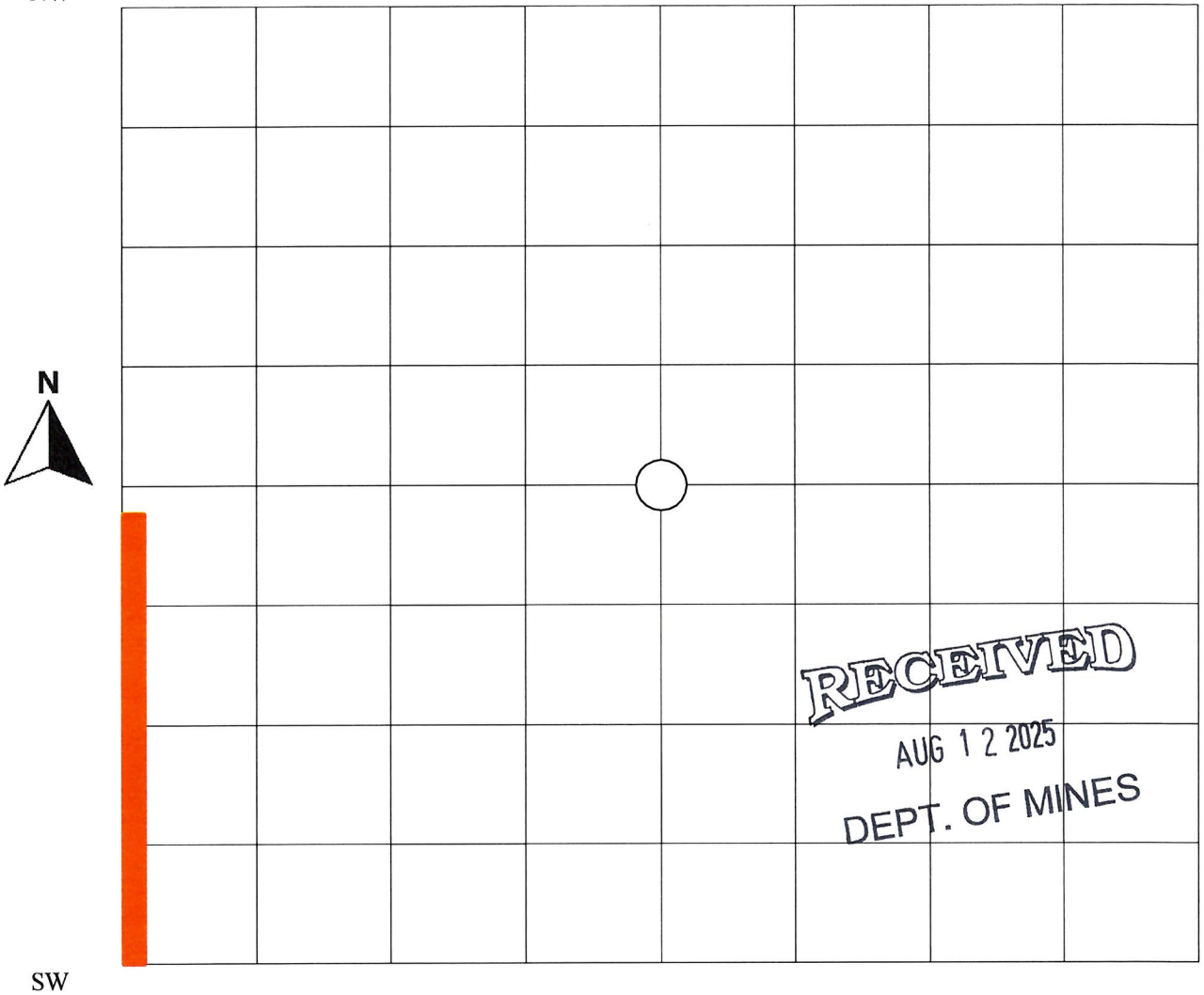
Mineral to be Mined: Silica Sand

Acres in this Section that will be covered by permit: 1 acre and bond: 1 acre

Section: 30 Township: 2N Range: 5E County: Pontotoc

1. ***A separate page is needed for every Section.***
2. ***Each One Section is divided into 10-acre tracts.***
3. ***Please show all permitted and bonded acreage.***

NW NE



SW SE

PLOT LOCATION as accurately as possible on map.
NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982

Updated 8/2023

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP by SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

Company: Covia Solutions, LLC

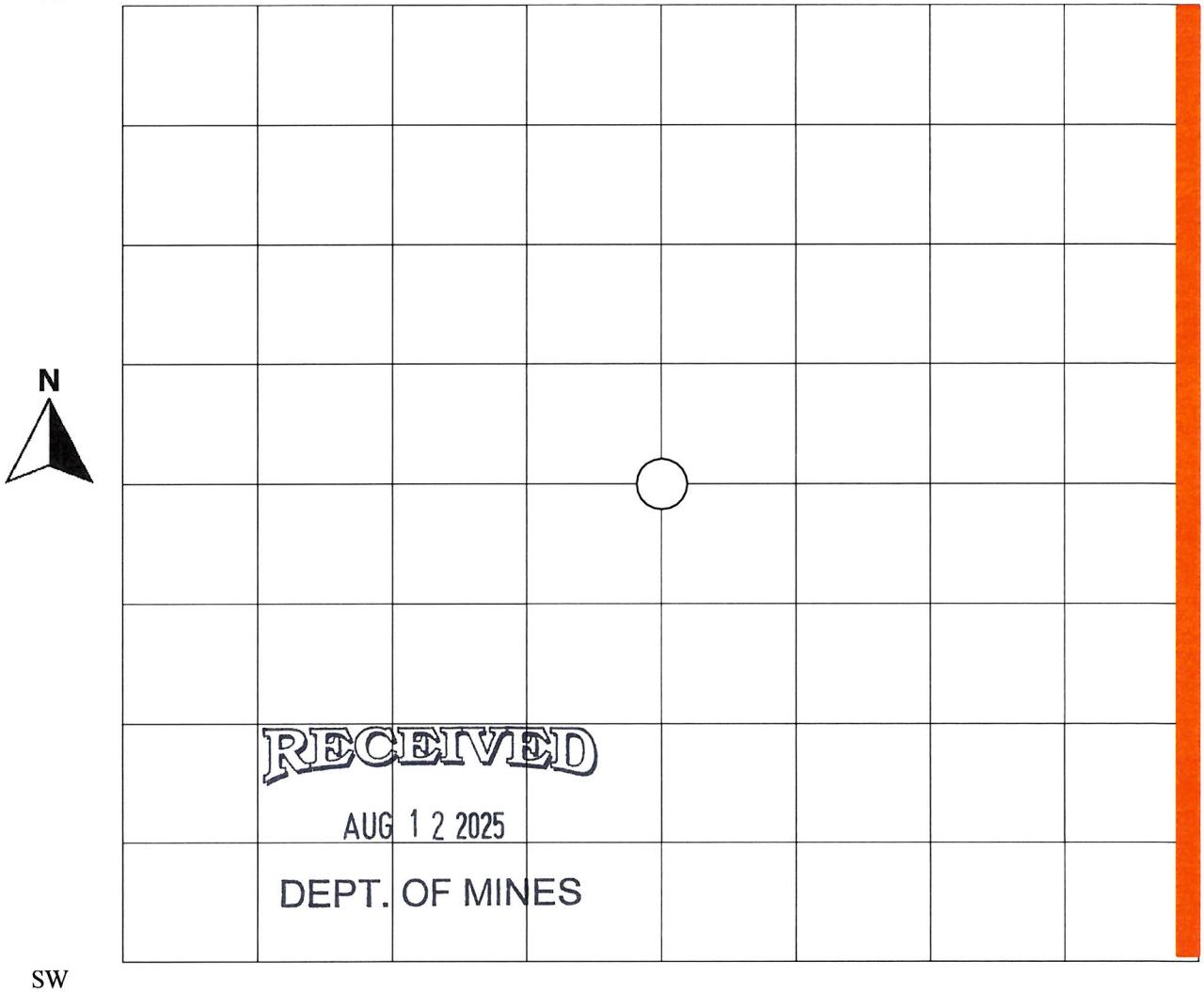
Mineral to be Mined: Silica Sand

Acres in this Section that will be covered by permit: 3 acre and bond: 3 acre

Section: 36 Township: 2N Range: 4E County: Pontotoc

1. ***A separate page is needed for every Section.***
2. ***Each One Section is divided into 10-acre tracts.***
3. ***Please show all permitted and bonded acreage.***

NW NE



SW SE

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Updated 8/2023

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
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NON-COAL LOCATION MAP by SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

Company: Covia Solutions, LLC

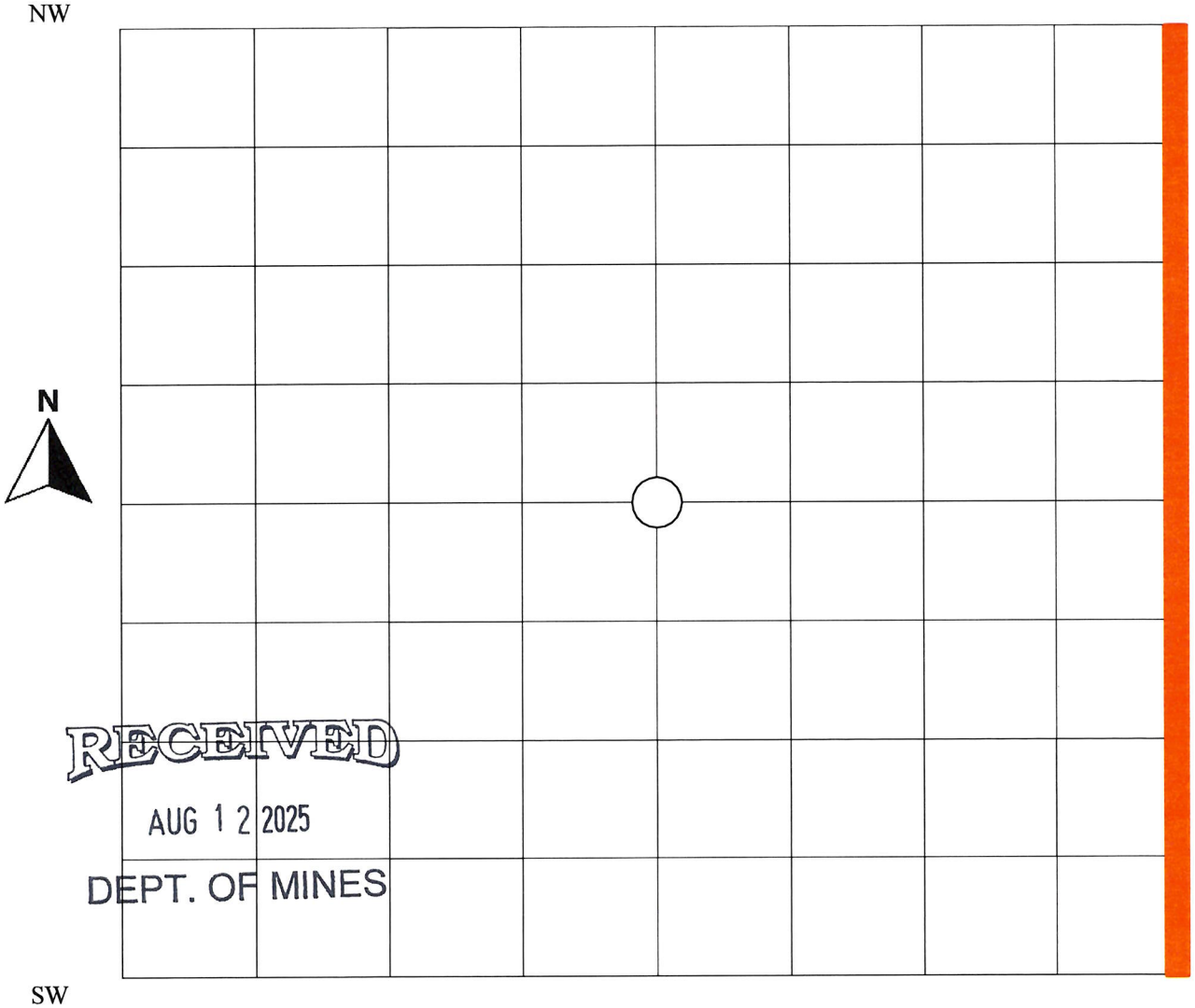
Mineral to be Mined: Silica Sand

Acres in this Section that will be covered by permit: 3 acres and bond: 3 acres

Section: 1 Township: 1N Range: 4E County: Murray

1. ***A separate page is needed for every Section.***
2. ***Each One Section is divided into 10-acre tracts.***
3. ***Please show all permitted and bonded acreage.***

NW NE



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PLOT LOCATION as accurately as possible on map.
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State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP by SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

Company: Covia Solutions, LLC

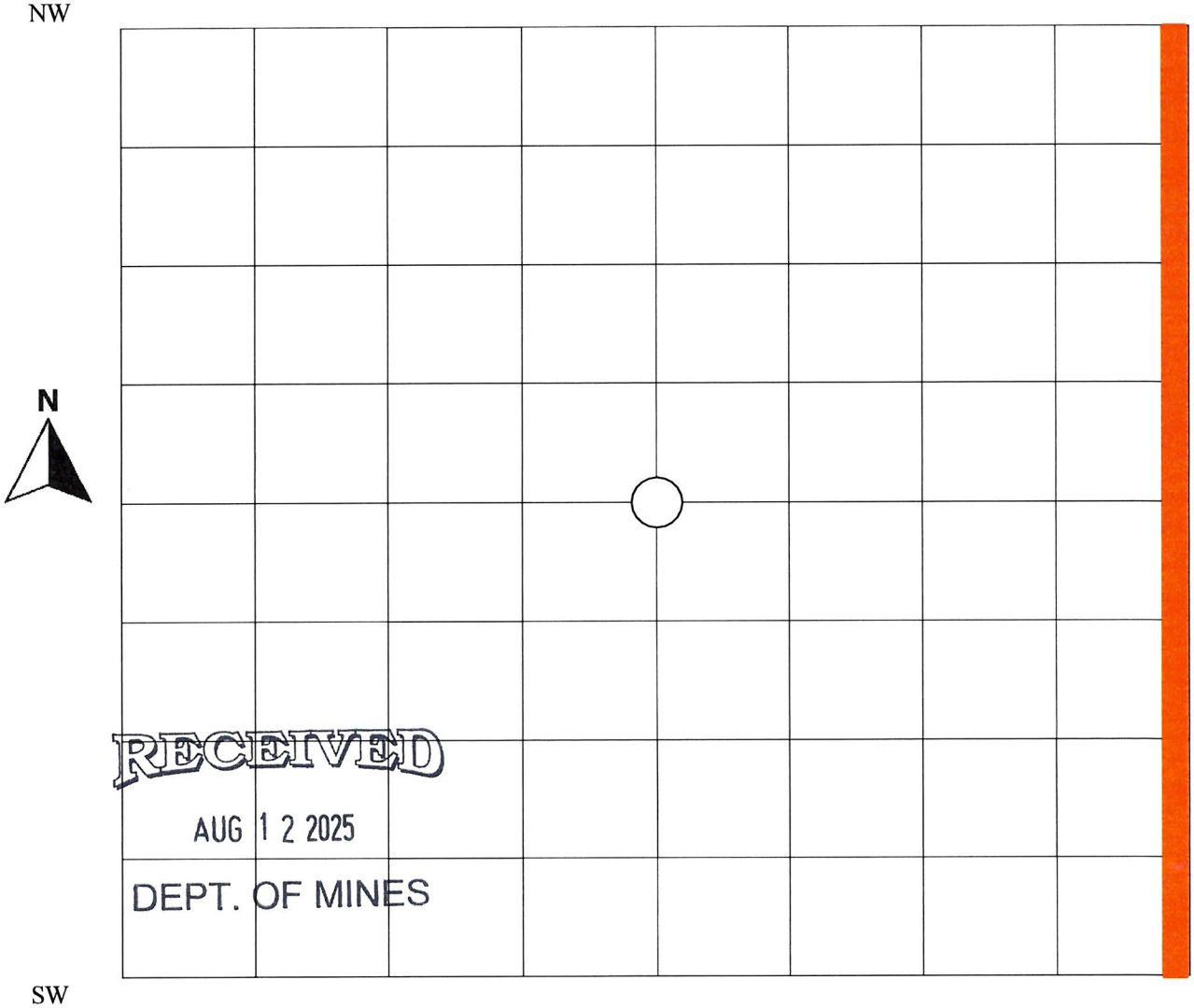
Mineral to be Mined: Silica Sand

Acres in this Section that will be covered by permit: 3 acres and bond: 3 acres

Section: 12 Township: 1N Range: 4E County: Murray

1. ***A separate page is needed for every Section.***
2. ***Each One Section is divided into 10-acre tracts.***
3. ***Please show all permitted and bonded acreage.***

NW NE



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PLOT LOCATION as accurately as possible on map.
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State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP by SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

Company: Covia Solutions, LLC

Mineral to be Mined: Silica Sand

Acres in this Section that will be covered by permit: 215 acres and bond: 215 acres

Section: 18 Township: 1N Range: 5E County: Pontotoc

1. ***A separate page is needed for every Section.***
2. ***Each One Section is divided into 10-acre tracts.***
3. ***Please show all permitted and bonded acreage.***

NW NE

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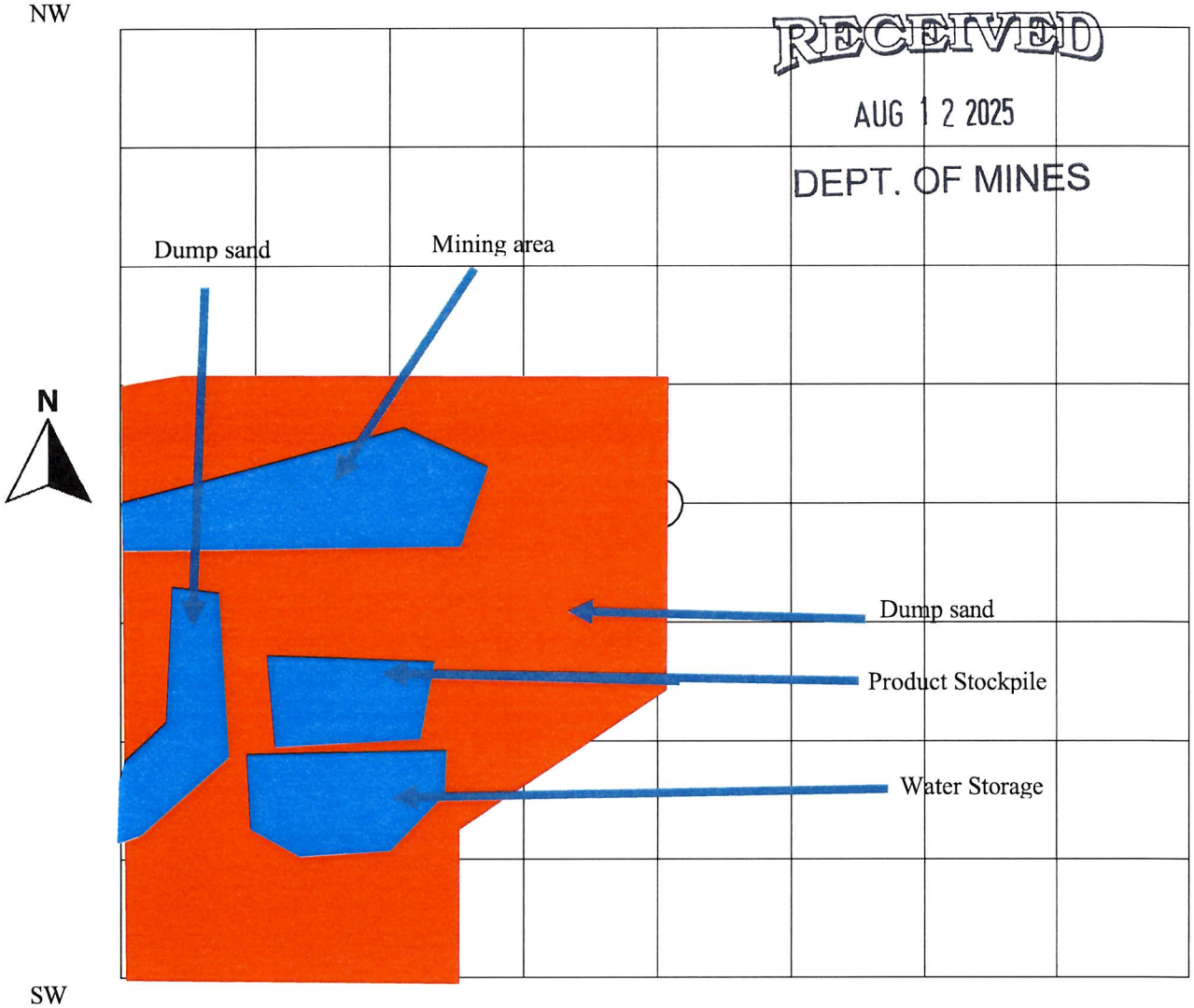
DEPT. OF MINES



SW SE

PLOT LOCATION as accurately as possible on map.
NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982

Updated 8/2023

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP by SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

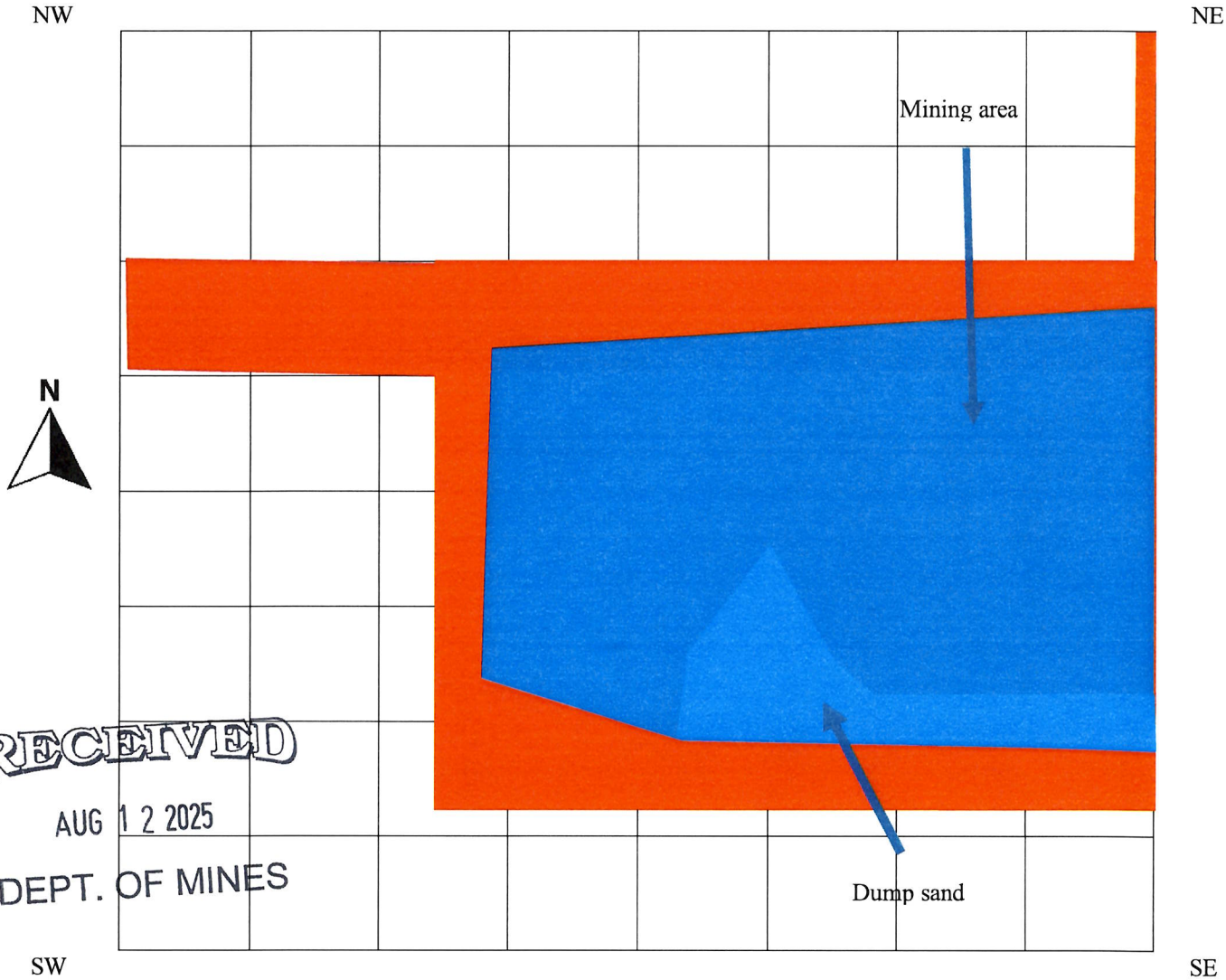
Company: Covia Solutions, LLC

Mineral to be Mined: Silica Sand

Acres in this Section that will be covered by permit: 154 acres and bond: 154 acres

Section: 13 Township: 1N Range: 4E County: Murray

1. ***A separate page is needed for every Section.***
2. ***Each One Section is divided into 10-acre tracts.***
3. ***Please show all permitted and bonded acreage.***



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PLOT LOCATION as accurately as possible on map.
NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982

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OKLA DEPT OF MINES
MINERALS PROGRAM

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Suite 213
Oklahoma City, Oklahoma 73106

APPENDIX 2

RETURN WITH APPLICATION

NON COAL LOCATION MAP

The Mining Land Reclamation Act, 45 O.S. 1981 §721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

COMPANY: Covia Solutions, LLC

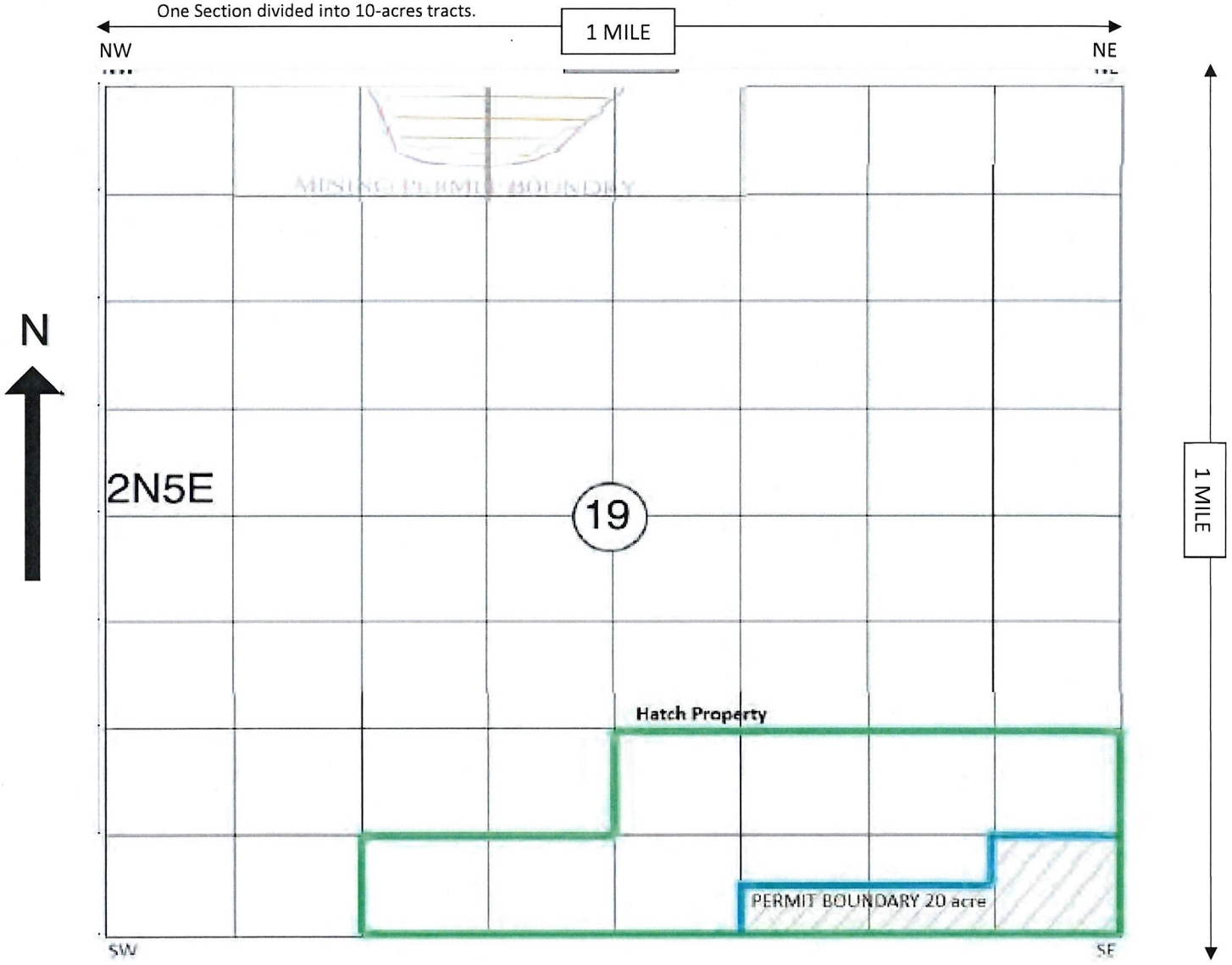
MINERAL TO BE MINED: Silica Sand

ACRES THIS SECTION TO BE COVERED BY PERMIT & BOND: Permitted 28.9 Bonded 26.8

TOTAL ACRES TO BE COVERED BY PERMIT: Permitted: 1,821 acres; 1,548 Acres Bonded

SECTION: 19 TOWNSHIP: 2N RANGE: 5E COUNTY: Pontotoc

One Section divided into 10-acres tracts.



PLOT LOCATION as accurately as possible on map.
NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982

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OKLA DEPT OF MINES
MINERALS PROGRAM

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. CLASSEN, SUITE 213
OKLAHOMA CITY, OKLAHOMA 73106

NON COAL LOCATION MAP

The Mining Land Reclamation Act, 45 O.S. 1981 §721–728

RETURN WITH APPLICATION.

Period Of: _____ to _____

If, for any reason whatever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

COMPANY: Covia Solutions, LLC

MINERAL TO BE MINED: Silica Sand

ACRES THIS SECTION TO BE COVERED BY PERMIT & BOND: Permitted 350 Bonded 293.1

TOTAL ACRES TO BE COVERED BY PERMIT: Permitted: 1,821 acres; 1,548 Acres Bonded

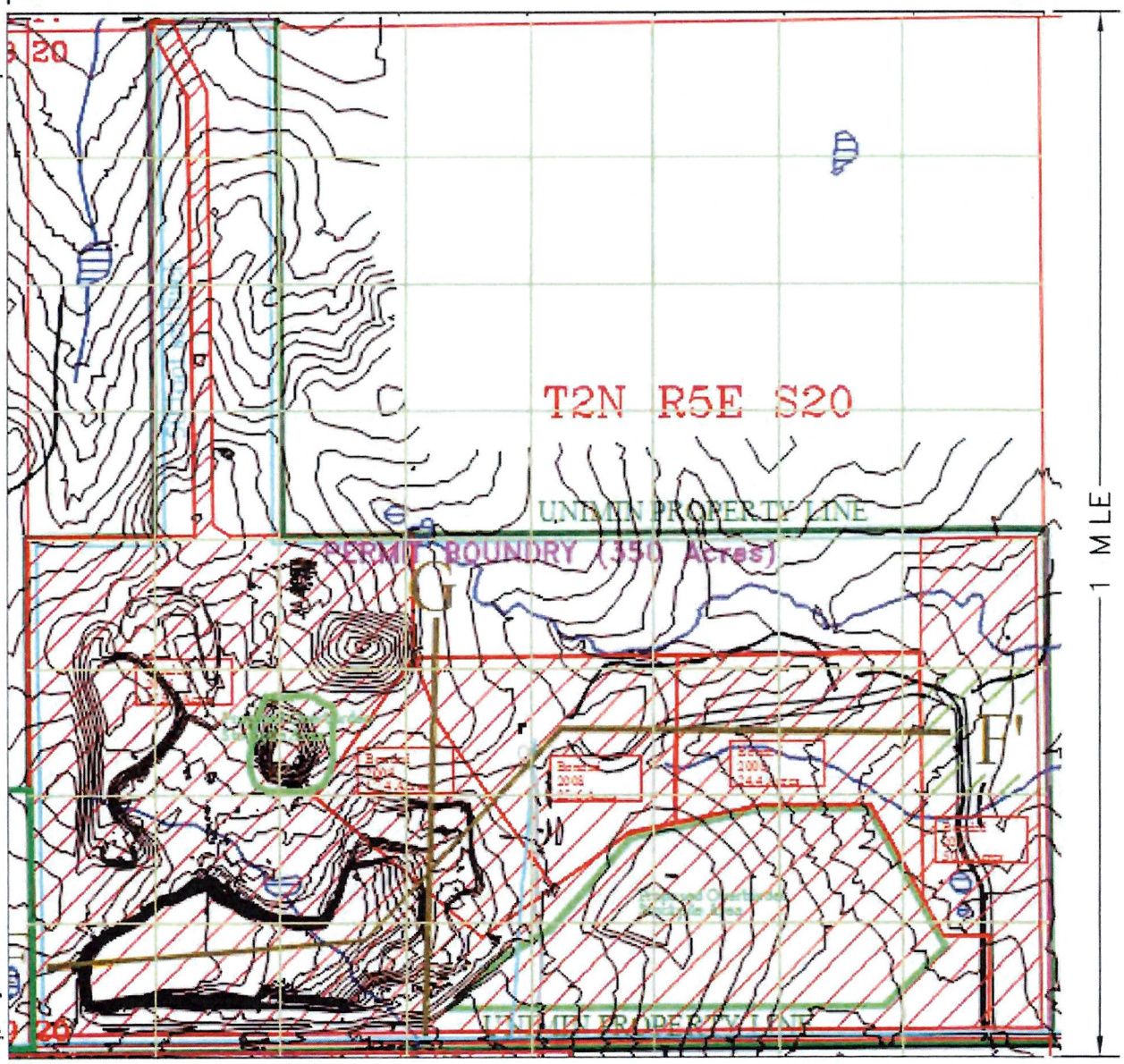
SECTION: 20 TOWNSHIP: 2N RANGE: 5E COUNTY: Pontotoc

One Section divided into 10–acres tracts.

1 MILE

NW NE

PLOT LOCATION as accurately as possible on map.



NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982.

SW SE

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OKLA DEPT OF MINES
MINERALS PROGRAM

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. CLASSEN, SUITE 213
OKLAHOMA CITY, OKLAHOMA 73106

NON COAL LOCATION MAP

The Mining Land Reclamation Act, 45 O.S. 1981 §721–728

RETURN WITH APPLICATION.

Period Of: _____ to _____

If, for any reason whatever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

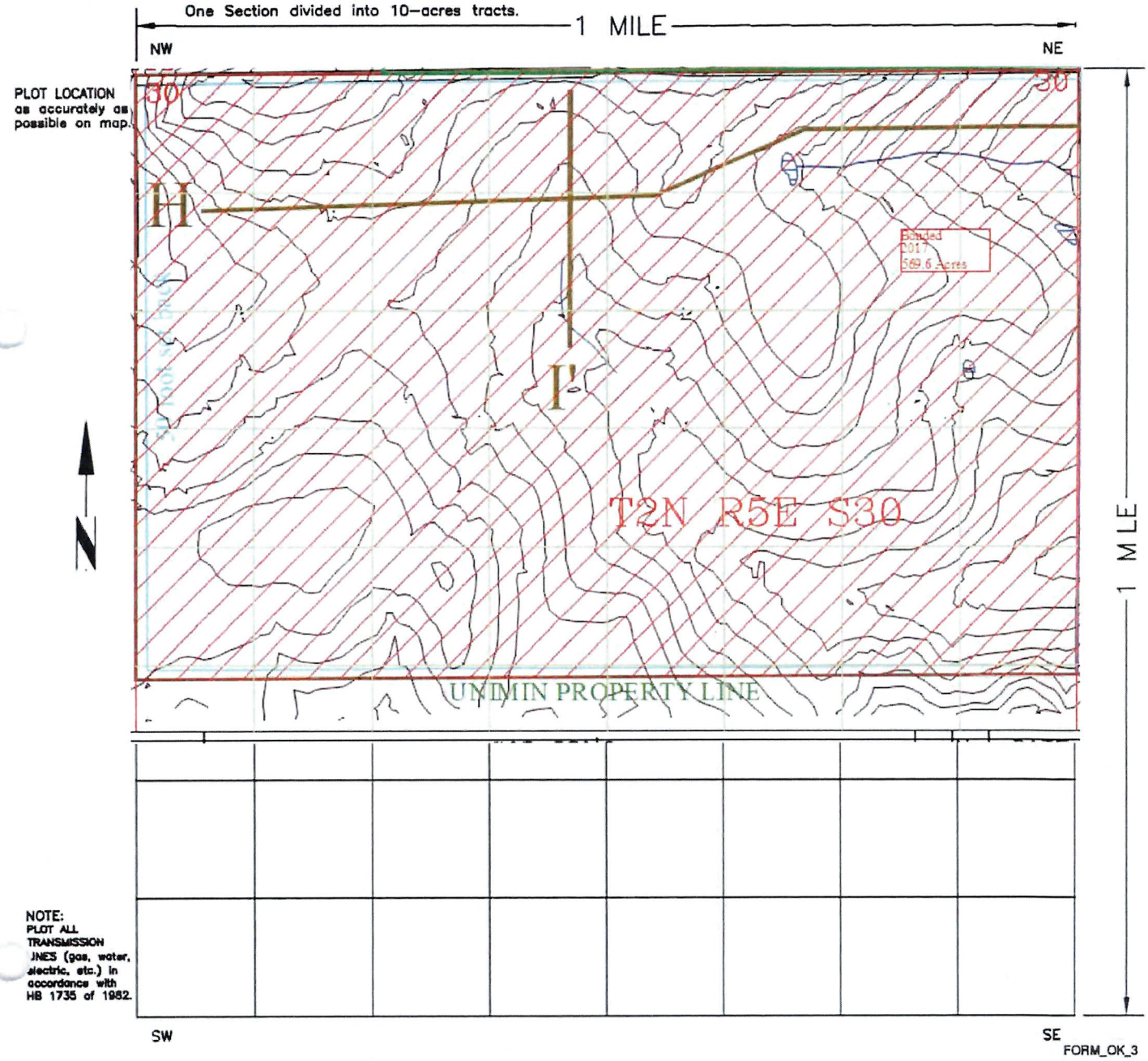
COMPANY: Covia Solutions, LLC

MINERAL TO BE MINED: Silica Sand

ACRES THIS SECTION TO BE COVERED BY PERMIT & BOND: Permitted 395.4 Bonded 395.4

TOTAL ACRES TO BE COVERED BY PERMIT: Permitted: 1,821 acres; 1,548 Acres Bonded

SECTION: 30 TOWNSHIP: 2N RANGE: 5E COUNTY: Pontotoc



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OKLA DEPT OF MINES
MINERALS PROGRAM

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. CLASSEN, SUITE 213
OKLAHOMA CITY, OKLAHOMA 73106

NON COAL LOCATION MAP

The Mining Land Reclamation Act, 45 O.S. 1981 §721–728

RETURN WITH APPLICATION

Period Of: _____ to _____

If, for any reason whatever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

COMPANY: Covia Solutions, LLC

MINERAL TO BE MINED: Silica Sand

ACRES THIS SECTION TO BE COVERED BY PERMIT & BOND: 174.2 Permitted Bonded 174.2

TOTAL ACRES TO BE COVERED BY PERMIT: Permitted: 1,821 acres; 1,548 Acres Bonded

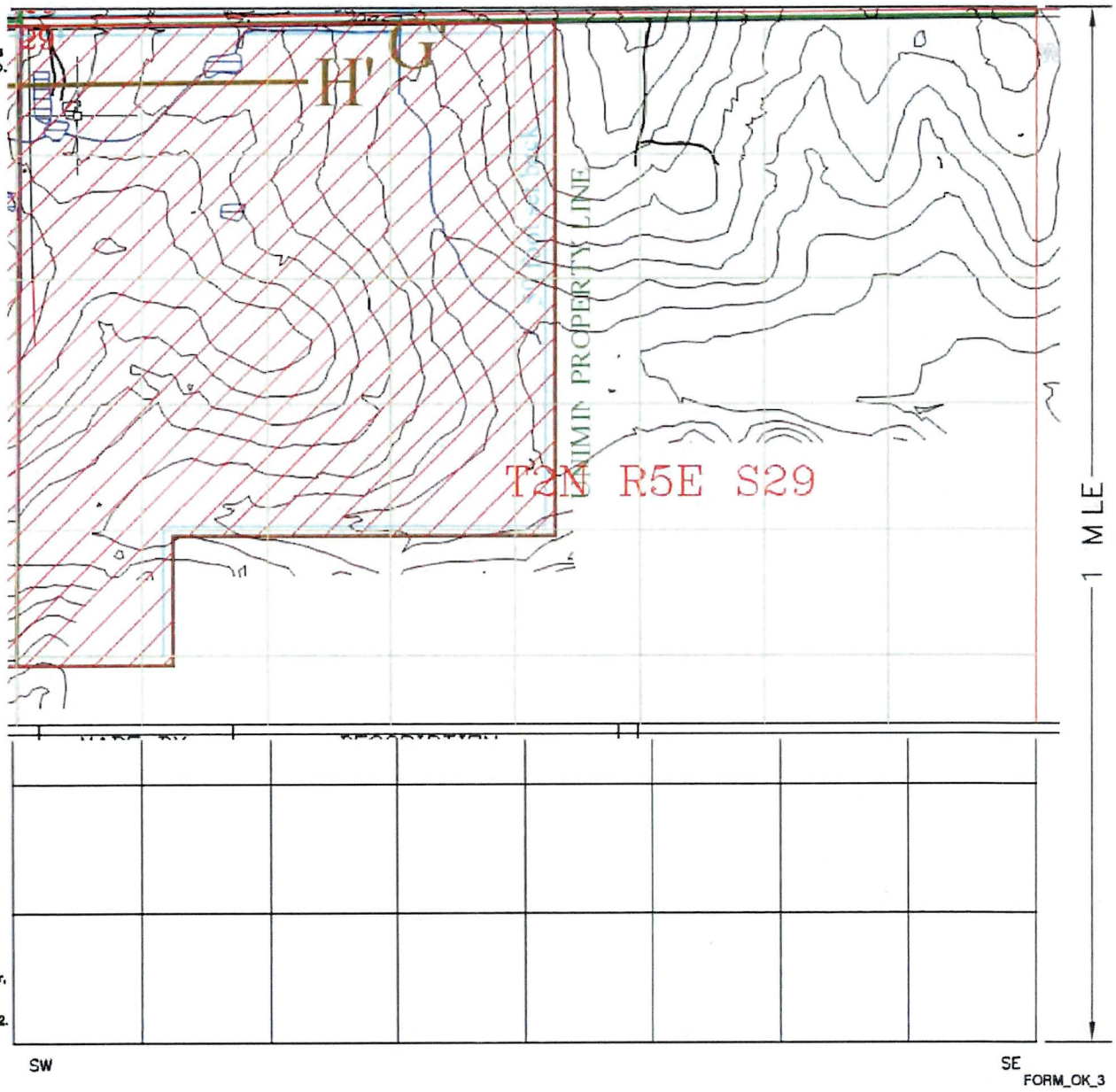
SECTION: ~~30~~ 29 TOWNSHIP: 2N RANGE: 5E COUNTY: Pontotoc

One Section divided into 10–acres tracts.

1 MILE

NW NE

PLOT LOCATION as accurately as possible on map.



NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982.

SW SE

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OKLA DEPT OF MINES
MINERALS PROGRAM

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. CLASSEN, SUITE 213
OKLAHOMA CITY, OKLAHOMA 73106

NON COAL LOCATION MAP

The Mining Land Reclamation Act, 45 O.S. 1981 §721–728

RETURN WITH APPLICATION

Period Of: _____ to _____

If, for any reason whatever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

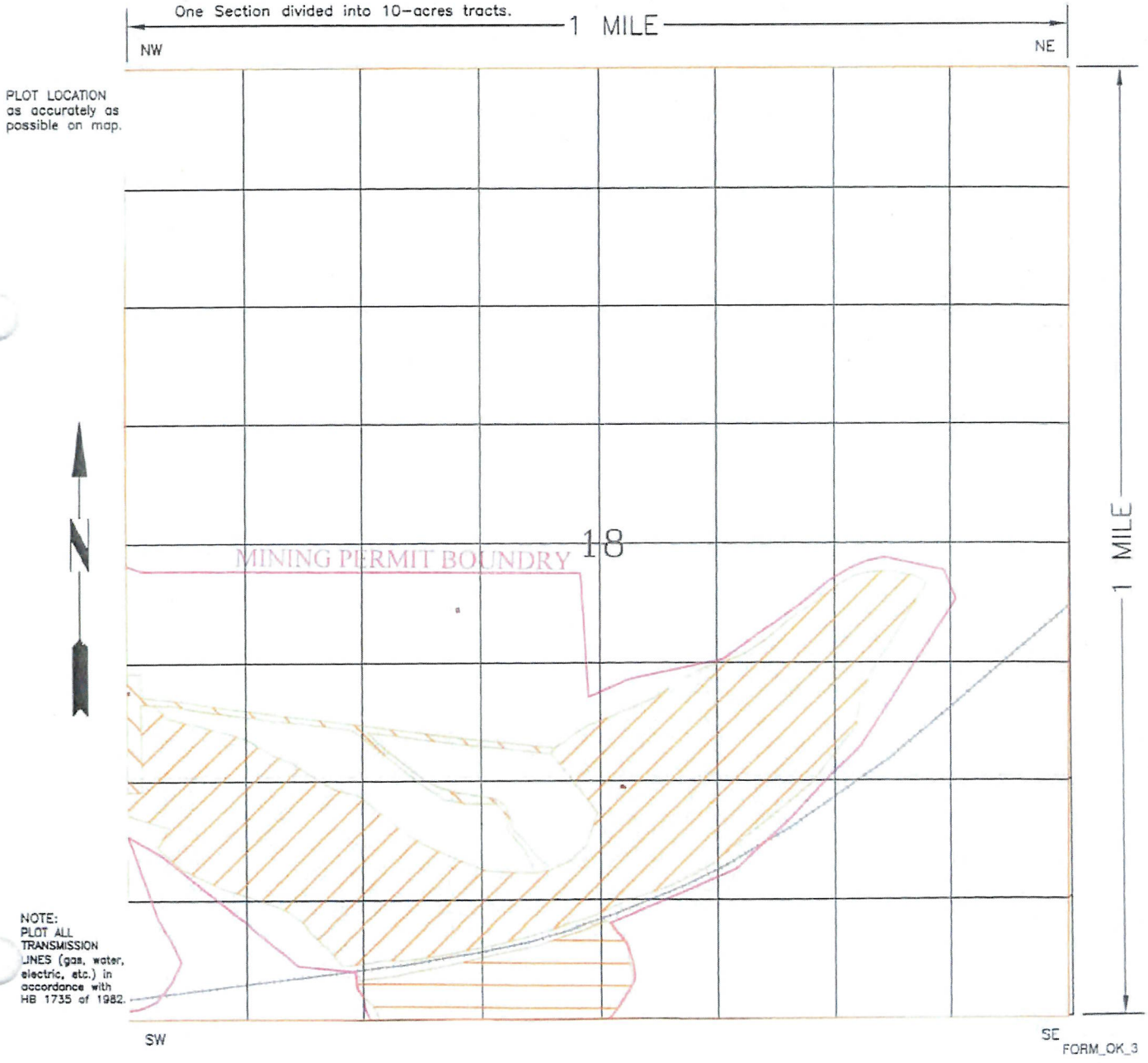
COMPANY: Covia Solutions, LLC

MINERAL TO BE MINED: Silica Sand

ACRES THIS SECTION TO BE COVERED BY PERMIT & BOND: Permit = 185.9 Bond = 97.2

TOTAL ACRES TO BE COVERED BY PERMIT: Permitted: 1,821 acres; 1,548 Acres Bonded

SECTION: 18 TOWNSHIP: 2N RANGE: 5E COUNTY: Pontotoc



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OKLA DEPT OF MINES
MINERALS PROGRAM

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. CLASSEN, SUITE 213
OKLAHOMA CITY, OKLAHOMA 73106

NON COAL LOCATION MAP

The Mining Land Reclamation Act, 45 O.S. 1981 §721–728

RETURN WITH APPLICATION.

Period Of: _____ to _____

If, for any reason whatever, you stop operating at the location you show here, notify the Department of Mines immediately as your lia[illegible]ment is notified and/or completed reclamation is approved.

COMPANY: Covia Solutions, LLC

MINERAL TO BE MINED: Silica Sand

ACRES THIS SECTION TO BE COVERED BY PERMIT & BOND: Permit = 293.6 Bond = 182

TOTAL ACRES TO BE COVERED BY PERMIT: Permitted: 1,821 acres; 1,548 Acres Bonded

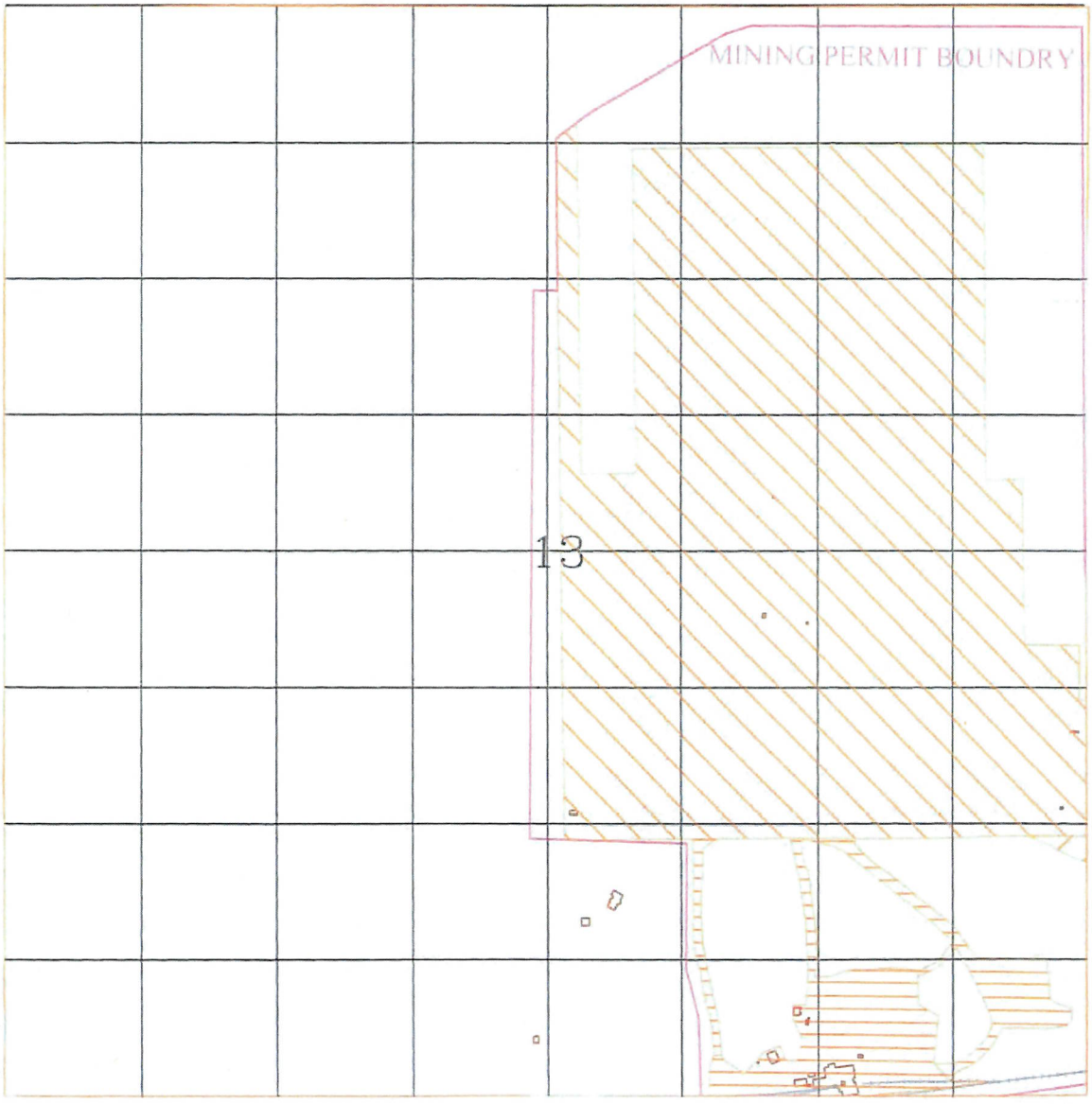
SECTION: 13 TOWNSHIP: 2N RANGE: 4E COUNTY: Pontotoc

One Section divided into 10–acres tracts.

1 MILE

NW NE

PLOT LOCATION as accurately as possible on map.



NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982.

SW SE

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OKLA DEPT OF MINES
MINERALS PROGRAM

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. CLASSEN, SUITE 213
OKLAHOMA CITY, OKLAHOMA 73106

NON COAL LOCATION MAP

The Mining Land Reclamation Act, 45 O.S. 1981 §721-728

RETURN WITH APPLICATION.

Period Of: _____ to _____

If, for any reason whatever, you stop operating at the location you show here, notify the Department of Mines immediately as your liab[illegible] in effect until the Department is notified and/or completed reclamation is approved.

COMPANY: Covia Solutions, LLC

MINERAL TO BE MINED: Silica Sand

ACRES THIS SECTION TO BE COVERED BY PERMIT & BOND: Permit = 13.0 Bond = 0

TOTAL ACRES TO BE COVERED BY PERMIT: Permitted: 1,821 acres; 1,548 Acres Bonded

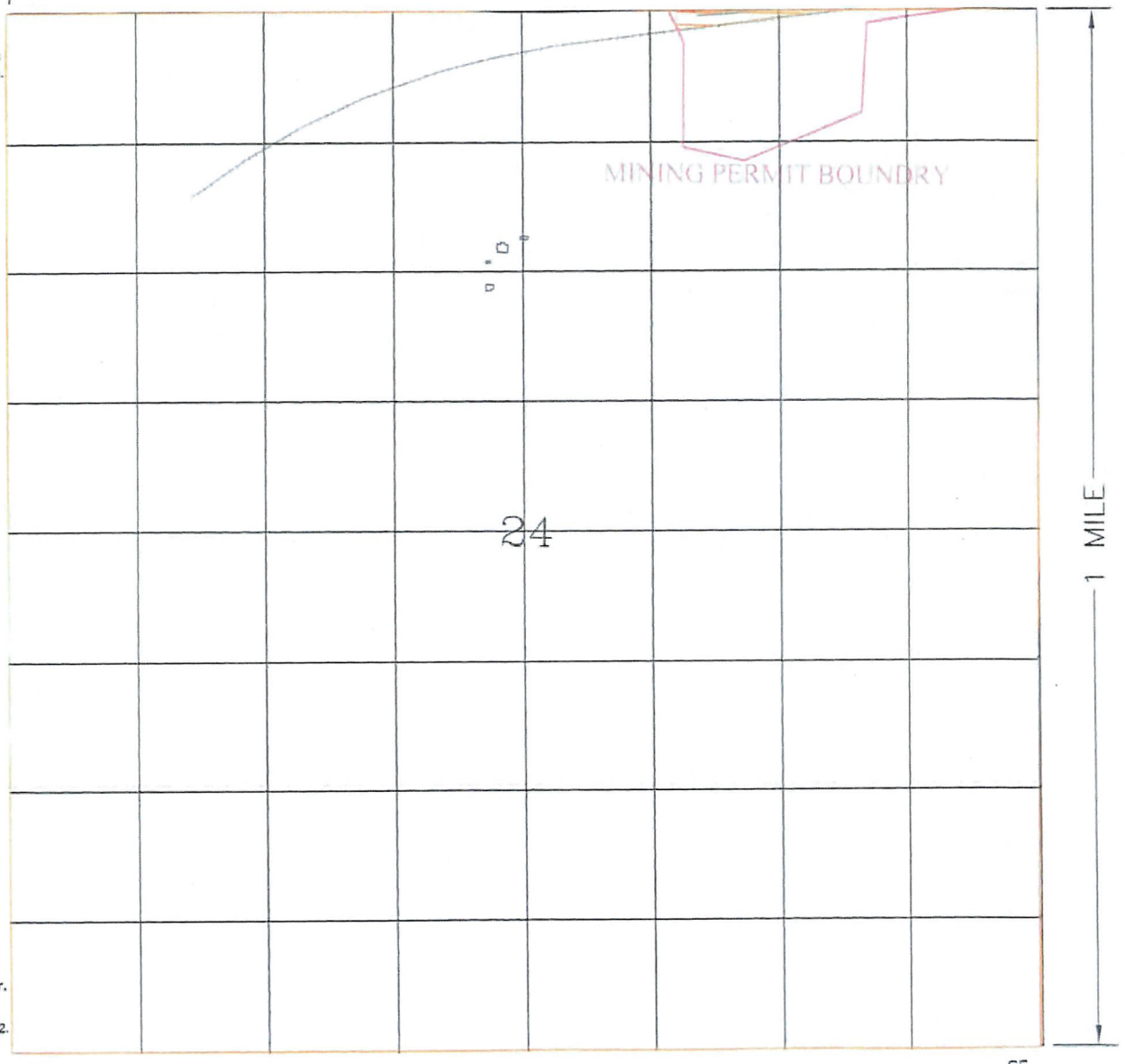
SECTION: 24 TOWNSHIP: 2N RANGE: 4E COUNTY: Pontotoc

One Section divided into 10-acres tracts.

1 MILE

NW NE

PLOT LOCATION as accurately as possible on map.



NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982.

SW SE

FORM_OK_3

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL MINING BLASTING PLAN

DATE 07/07/2025

PERMITTEE Covia Solutions LLC

STATE MINING PERMIT # L.E.-1565-E MINE NAME Covia - Roff

BLAST PERMIT EXEMPTION # E-0621

LEGAL DESCRIPTION Sections 13,18,19,20,24,29,30 T2N R5E Pontotoc County and Section 13,24 T1N R4/5E Pontotoc/Murray County

PHYSICAL LOCATION 600 E Walling Avenue

MAILING ADDRESS PO Box 159

IS CONTRACT BLAST SERVICE UTILIZED? ☑ YES ☐ NO

NAME OF CONTRACT SERVICE Buckley Powder

CONTRACT SERVICE MAILING ADDRESS 42 Inverness Dr. E, Englewood, CO 80112

CONTRACT BLAST SERVICE PERMIT # 1413

DISCLOSURE OF STRUCTURES AND EASEMENTS – BLASTING PLAN ATTACHMENT must be included with Blasting Plan. A list of all structures and their current uses should be provided on this form. All easements and utilities should be listed including all liquid, gas and electric transmission lines. A plan to protect these structures must be provided, including but not limited to, prohibitive distances as outlined in the rules.

BLASTERS' CERTIFICATIONS –OAC 460:10-31-11 (h) states *"The blaster certification shall be carried by the blaster or a copy shall be on file at the blasting area during the blasting operation."*

Time of Blasting: All Blasting shall be conducted between sunrise and sunset pursuant to OAC 460:10-31-8 (a). If a blast occurs outside these hours, a written report must be submitted to ODM as required by OAC 460:10-31-8 (b). It is ODM's intent that blasting shall be conducted to prevent injury to any person or damage to any property. **NOTICE:** OAC 460-10-31-8 (a) (1) states, *"The Department may specify more restrictive time periods, based upon public requests or other relevant information according to the need to adequately protect the public from adverse noise."*

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DEPT. OF MINES

In compliance with Section 460:10-31-6, the following detailed Blasting Plan is submitted:

ABBREVIATION OF RULES

460:10-31-6(1): Type of Explosives used:

Explosives used at the Covia Roff Mine include water gels, emulsions, ANFO, cast primers, milli-second delays, and non-electric blasting caps. Explosives are not stored on site.

460:10-31-6(1): Appropriate Amount Explosives:

Blast holes are charged with explosives in keeping with the burden, spacing, depth, and nature of material being blasted. Calculations are made for each individual hole and records kept indicating how many pounds of each explosive and the number and type of priers and other supplies are used. No hole is loaded with more explosives than is allowed based upon the distance to the nearest habitation. Delays are placed between individual blast holes and / or groups of blast holes to insure that peak particle velocities are allowed and not exceeded at the nearest neighbor's property.

460:10-31-6(2): Description of Procedure:

All blasting materials are transported to the blast location by the contractor. After the blast holes have been loaded, stemmed and tied-in, all Quarry, Stripping and other miscellaneous personnel working in and around the area are verbally notified and escorted from the blast area to a safe location. Guards are assigned at all points of entry into the blast site. Should a public road fall within the blast area, guards will be assigned until the conclusion of blasting. The Plant Superintendent, Mine Supervisor, and/or Shift Supervisor then rechecks the blast area to ensure that it is clear of personnel and safe for blasting.
Once completed, the Blaster then inspects the shot, and if no problems are noted, ties in the cap and retires to a safe location, where the shot may be detonated and where he notifies the Plant Superintendent, Mine Supervisor, and/or Shift Supervisor. The Plant Superintendent, Mine Supervisor and/or Shift Supervisor then sounds a "Blast Warning" signal consisting of a series of at least five (5) short blasts from a siren or whistle two minutes before detonation. Upon receipt of an "All Clear" signal from each of the posted guards and the Plant Superintendent, Mine Supervisor and/or Shift Supervisor, the Blaster detonates the shot. When available, handheld radios are used to enhance communications between the entry guards, supervisor and blasting personnel. Once the smoke clears and the area appears safe, the Blaster physically inspects the shot area to insure it is safe to resume operations. The Blaster then communicates the status of the shot to the Plant Superintendent and/or Shift Supervisor who then sounds the "All Clear" signal or holds the posted guards in position as deemed appropriate. Upon receipt of the "All Clear" signal, both guards and Blaster can leave the blast area and operations are allowed to resume.

STATE MINING PERMIT # L.E.-1565-E

ABBREVIATION OF RULES, Continued

460:10-31-6(2): Plans for Recording and Retention:

Copies of all blasts are kept indefinitely at the Covia Roff Mine.

460:10-31-6(3): Blasting Warning:

A signal consisting of a series of at least five (5) short blasts from a siren or whistle two (2) minutes before detonation

460:10-31-7: Control Procedures for Blasting Site:

The blasting site is controlled by the Blaster, the Plant Superintendent, the Mine Supervisor, and/or Shift Supervisor to ensure that only authorized personnel are admitted to the blasting area. Determination of the amount and nature of blasting materials in each hole is dictated by the licensed Blaster who oversees the charging of the hole - insuring that the desired amount and type of explosive is inserted in each. The Blaster also checks the depth of each hole immediately before and after charging to verify the amount of stemming which will be placed over the explosive charge. No smoking, smoking materials or lighters are allowed in the blast area and all blasting agents, detonating cord, caps, etc. are transported according to applicable safety standards. The procedure for checking the site, guarding-out the blast area, tying in of charged holes and the implementation of the individual signal systems used have been described previously. After a satisfactory conclusion of the blast, operations are allowed to resume. In the event that problems are encountered with the blast, actions will be taken to insure the safety of company personnel, equipment and the general public. Each shot will be designed, supervised and conducted by a licensed Blaster.

460:10-31-9: Seismograph Use:

Will a seismograph be utilized for compliance purposes? ☑ Yes or ☐ No.

If yes is indicated, a copy of the seismographic records will be retained and made part of each blasting record in accordance with 460:10-31-10 (11).

STATE MINING PERMIT # L.E.-1565-E

BLASTING PLAN
ATTACHMENT

1. List all buildings on the proposed permit area and adjacent area and indicate their current use:

Building 1:	Loader Shed	Use:	Front End Loader Maintenance
Building 2:	MCC's	Use:	Motor Control Center
Building 3:	Covia House (Occupied)	Use:	Home and Sheds
Building 4:	Pope House + Outbuildings (Occupied)	Use:	Home, Shops, Sheds >3000 ft
Building 5:	Nearest Powerline to Hatch, Winguard, and Kite Areas	Use:	Electric Lines >650 ft
Building 6:	Elliot House (Occupied)	Use:	Home and Sheds >3000 ft
Building 7:	Day House (Occupied) Sunshine Road Pit Area	Use:	Home > 2800 ft

2. (A) Indicate which of the following structures and/or easements for such structures are located within the proposed permit area:

- [x] Electric transmission lines
- [ ] Gas or oil pipelines
- [x] Water or sewer pipelines
- [ ] Oil, gas or water wells
- [ ] Railroads
- [ ] Telephone cables or lines

(B) Show the location of all structures indicated above on a Location Map. A section grid map may be utilized.

(C) Describe the measures to be taken to minimize damage, destruction, or disruption of services provided by any of the above structures:

Seismographs are installed either permanently or during each blast to monitor activity.

All sites must provide an enclosed protective shelter. "*Enclosed blasting shelters constructed of strong materials shall be provided to protect all persons endangered by flying rock from blasting.*" O.S. Title 45, Chapter 11, § 911 C.14.

STATE MINING PERMIT # L.E.-1565-E

VERIFICATION AND EXECUTION OF BLASTING PLAN

It is our desire and intent that blasting shall be conducted to prevent injury to any person or damage to any property. It is also our intent to comply with all regulations set forth under 460:10-31-6 (Blasting and Use of Explosives) of State of Oklahoma, Department of Mines, Non-Coal Surface Mining and Reclamation Rules and Regulations.

We, the undersigned, under penalty of perjury, declare the information in this document and any attachments signed, in accordance with the Oklahoma Mining Statutes and Non-Coal Regulations, to be true and correct to the best of our knowledge and belief.

BLASTER:

Frank J. Smith
Printed Name of Blaster

1413
State Certificate Number

Frank J. Smith
Signature of Blaster

3/11/25
Date

MINE OFFICIAL (SURFACE SUPERVISOR):

Tony Farnell
Printed Name of Supervisor

6032
State Certificate Number

Signature of Supervisor

3/11/25
Date

STATE MINING PERMIT # L.E.-1565E

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

CERTIFIED BLASTERS

FOR INFORMATIONAL PURPOSES ONLY

OAC 460:10-31-11 (h) states *"The blaster certification shall be carried by the blaster or a copy shall be on file at the blasting area during the blasting operation."*

BLASTER'S STATE CERTIFICATION NUMBER: 1413

ISSUED DATE: 08/19/2022 **EXPIRATION DATE:** 08/31/2026

Name of Certified Blaster: Frank J. Smith **Telephone Number:** 580-399-0444

BLASTER'S STATE CERTIFICATION NUMBER: 1880

ISSUED DATE: 11/15/2024 **EXPIRATION DATE:** 11/30/2026

Name of Certified Blaster: Chris A. Luckinbill **Telephone Number:** 580-399-0444

BLASTER'S STATE CERTIFICATION NUMBER: 1750

ISSUED DATE: 08/19/2022 **EXPIRATION DATE:** 08/31/2026

Name of Certified Blaster: Jessie J. Scott **Telephone Number:** 580-224-7308

BLASTER'S STATE CERTIFICATION NUMBER: 1751

ISSUED DATE: 08/19/2022 **EXPIRATION DATE:** 08/31/2026

Name of Certified Blaster: Todd A. Smith **Telephone Number:** 580-220-8451

BLASTER'S STATE CERTIFICATION NUMBER: 1959

ISSUED DATE: 08/20/2024 **EXPIRATION DATE:** 08/31/2026

Name of Certified Blaster: Justin Earl Smith **Telephone Number:** 580-399-1262

BLASTER'S STATE CERTIFICATION NUMBER: _____

ISSUED DATE: _____ **EXPIRATION DATE:** _____

Name of Certified Blaster: _____ **Telephone Number:** _____

STATE MINING PERMIT # L.E.-1565-E

Updated 8/2024

Date: 08/23/2024
Expires: 08/31/2026

OMITED: 10830
Certificate NO: 1413

STATE OF OKLAHOMA
MINING COMMISSION
BLASTER CERTIFICATE

This certifies that **FRANK J. SMITH**
has completed the requirements of a Certified Blaster
as prescribed by the Oklahoma Department of Mines

Director


STATE OF OKLAHOMA
MINING COMMISSION
BLASTER CERTIFICATE
This certifies that CHRIS LUCKINBILL
has completed 8 Recertification hours for Certified Blaster
as prescribed by the Oklahoma Department of Mines
Director

Date: 08/23/2024
Expires: 08/31/2026

OMTFID: 8317
Certificate No: 1780

STATE OF OKLAHOMA
MINING COMMISSION
BLASTER CERTIFICATE

This certifies that **JESSIE SCOTT**
has completed the requirements of a Certified Blaster
as prescribed by the Oklahoma Department of Mines

Michael Reed
Director

Date: 08-23-2024
Expires: 08-31-2026

OMTI ID: 7973
Certificate NO: 1751



STATE OF OKLAHOMA
MINING COMMISSION
BLASTER CERTIFICATE

This certifies that **TODD SMITH**
has completed the requirements of a Certified Blaster
as prescribed by the Oklahoma Department of Mines

Michael Reed

Director

Date: 08/20/2024
Expires: 08/31/2026

OMTI ID: 19821
Certificate NO: 1959

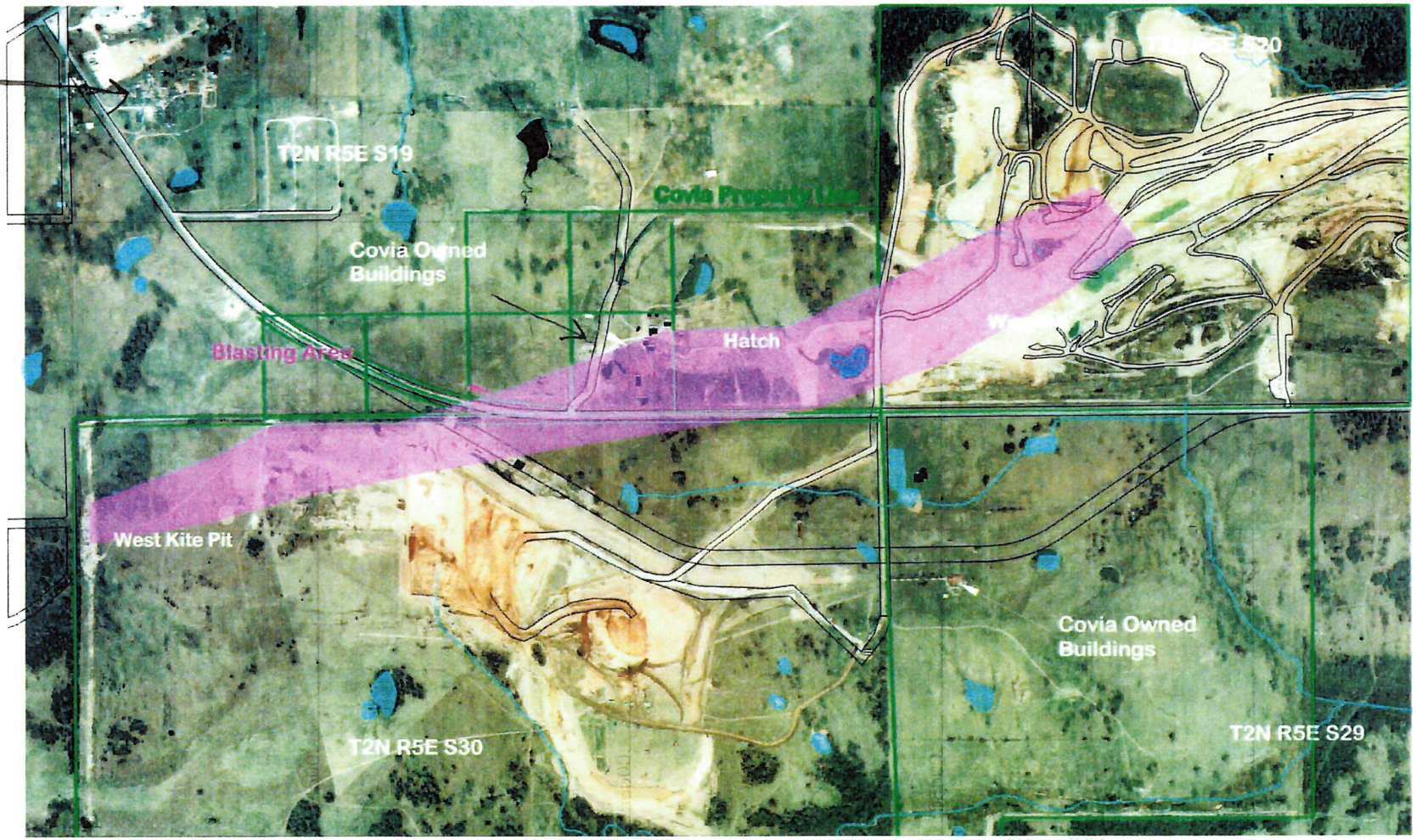
STATE OF OKLAHOMA
MINING COMMISSION
BLASTER CERTIFICATE

This certifies that **JUSTIN EARL SMITH**
has completed the requirements of a Certified Blaster
as prescribed by the Oklahoma Department of Mines.

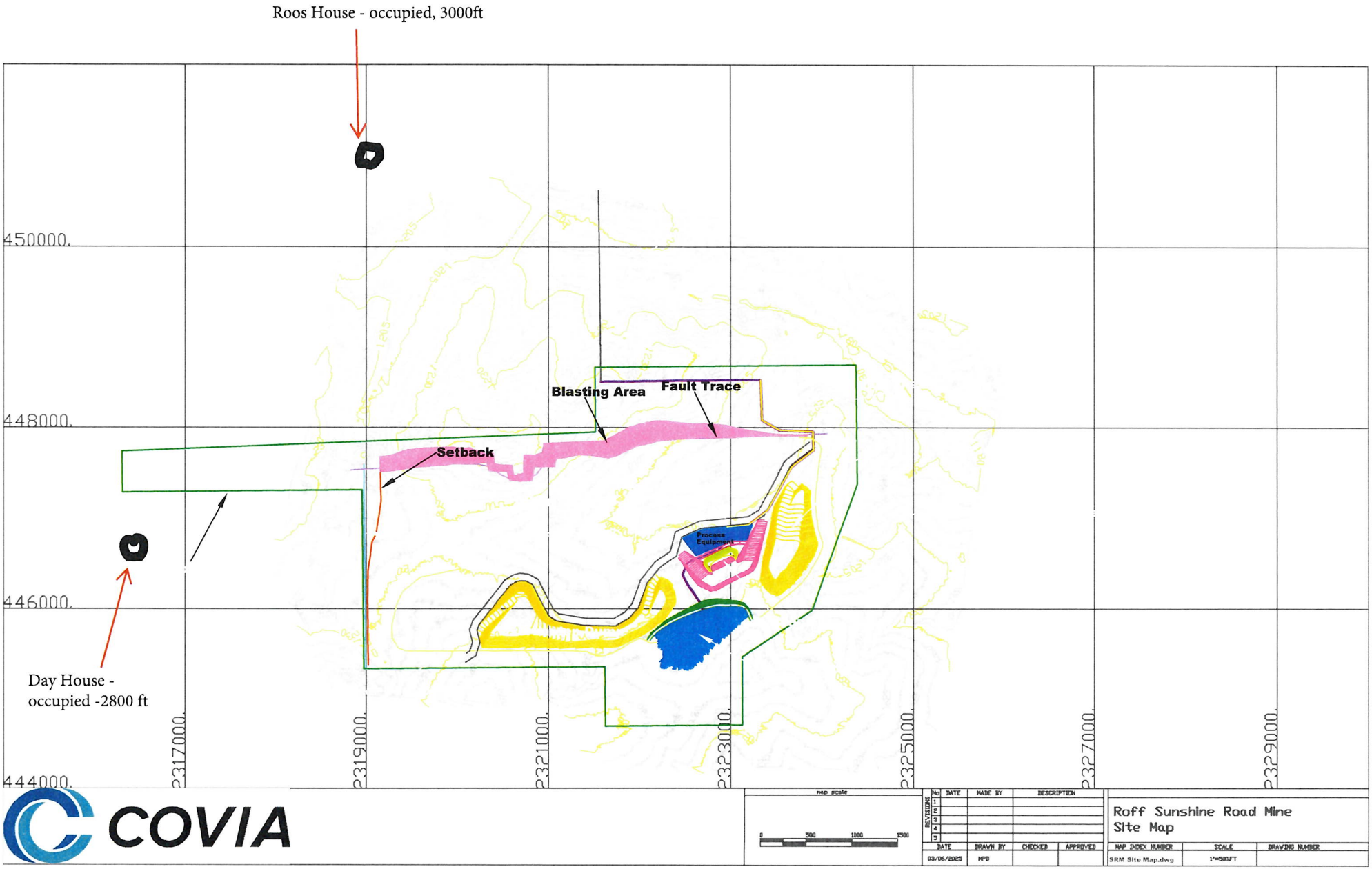
Michael Reed

Director

(6) Elliot House



COVIA



COVIA

map scale

0 500 1000 1500

No	DATE	MADE BY	DESCRIPTION
1			
2			
3			
4			
5			

REVISIONS

DATE	DRAWN BY	CHECKED	APPROVED
03/06/2025	MPB		

Roff Sunshine Road Mine
Site Map

MAP INDEX NUMBER	SCALE	DRAWING NUMBER
SRM Site Map.dwg	1"=500FT	

SUZEN M. RODESNEY
DIRECTOR

J. KEVIN STITT
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF MINES

APPROVAL OF PERMIT EXEMPTION

Date of Issuance: September 16, 2024

In accordance with "The Oklahoma Explosives and Blasting Regulations Act", Title 63, Section 123.8 et seq., and the Rules and Regulations for Explosives and Blasting in Oklahoma, OAC 460:25-1-6(b), the exemption request for COVIA SOLUTIONS, LLC is hereby APPROVED.

This approval is based solely upon information provided in the "Request for Permit Exemption or Renewal" submitted by the applicant to the Oklahoma Department of Mines (ODM). Said exemption can be revoked for misrepresentation on the request.

This exemption is valid for one year from the effective date listed below. It is the sole responsibility of the permittee to renew this exemption.

Travis Shore
Chief of Minerals Operations, ODM

Suzen M. Rodesney
Director, ODM

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September 17, 2024
Effective date

September 16, 2025
Renewal date

#E-0621
Exemption Number

2915 N. CLASSEN BLVD., SUITE 213, OKLAHOMA CITY, OKLAHOMA 73106 TEL:405-427-3859 FAX: 405-424-4932

Application for Permit to Engage in Non-Coal Mining

Section 1

Exhibit A

Section	Township	Range	County
18, 19, 20, 29, and 30	2N	5E	Pontotoc
13, 24, and 36	2N	4E	Pontotoc
1 and 12	1N	4E	Murray
13	1N	4E	Murray
18	1N	5E	Pontotoc

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Application for Permit to Engage in Non-Coal Mining

Section 2

Exhibit B

Employee Name	Job Title
Biasiotta, Bruno	President & Chief Executive Officer
Marcely, Mike	EVP US / Canada & Business Development
Montgomery, Russell	EVP Chief Operating Officer
Stuart, Duncan A.	EVP Chief Legal Officer and Secretary
Balsara, Chetan	EVP Chief Information Officer
Nagel, Christopher L.	EVP Chief Financial Officer
Gomez, Carlos	EVP & Country Manager
Oskam, Mark B.	SVP Operations
O'Brien, Andrew D.	SVP Environmenta Health & Safety
Raday, Robert	SVP Engineering
Styers, Mark	SVP Commercial
Deng, Lan	VP Technology
Johnson, Jarrett	VP Supply Chain
Salinas, Baldemar	VP Operations & Mexico
Novak, Michael	VP Operations
Feicks, Keith A.	VP Human Resources
Prince, Dylan	VP Financial Planning & Analysis
Reyes, Alberto	VP Finance

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Application for Permit to Engage in Non-Coal Mining

Section 3

Exhibit C

Agency	Identification Number	Date of Approval
ODEQ	OKR1035795	09/2024
ODEQ	OKR050147	09/2022
ODEQ	OK0040291	05/2022
ODEQ	99-087-O (M-5)	03/2021
ODEQ	GLD0067	04/2025
ODEQ	XR112	06/2018
ACOE	Jurisdictional Determination	Appealing
ACOE	NWP Preconstruction Form	Pending
OWRB	1984-0646C	09/2024
OWRB	1984-0653	09/2024
OWRB	1985-505	1985
OWRB	1964-0120	1964
OWRB	1971-362	1971
OWRB	Drillhole Variance 2010-06	03/2010

All above permits can be found on the following pages.

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Oklahoma Department of Environmental Quality
Water Quality Division

GENERAL PERMIT
OKR10

FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES WITHIN THE STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION

ORIGINAL EFFECTIVE DATE: OCTOBER 18, 2022

MODIFICATION EFFECTIVE DATE: APRIL 1, 2023

SECOND MODIFICATION EFFECTIVE DATE: NOVEMBER 1, 2023

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OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

Stormwater General Permit for Construction Activities within the State of Oklahoma

Permit No. OKR10

Authorization to Discharge Under the Oklahoma Pollutant Discharge Elimination System (OPDES) Act

In compliance with the Clean Water Act, as amended, (33 U.S.C. § 1251 *et seq.*) and the provisions in 40 Code of Federal Regulations (C.F.R.) § 122.26, adopted and incorporated by reference in Oklahoma Administrative Code (OAC) 252:606-1-3(b)(3)(L), and under the OPDES Act, 27A O.S. § 2-6-201 *et seq.*, as amended, except as provided in Part 2.3 of this permit, Operators of stormwater discharges from construction activities (as defined in Part 1 of this permit), located in an area specified in Part 2.1, are authorized to discharge in accordance with the conditions and requirements set forth herein. Only those Operators of stormwater discharges from construction activities in the general permit area who submit a Notice of Intent (NOI) and receive an authorization to discharge in accordance with Part 3 of this permit are authorized under this permit.

This permit is a modification issued by the Oklahoma Department of Environmental Quality (DEQ) and shall become effective on November 1, 2023. This permit replaces the permit issued on October 18, 2017, and modified April 1, 2023. This permit and the authorizations issued under the permit shall expire at midnight, October 17, 2027.

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

For Shellie R. Chard, Director
Water Quality Division

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

GENERAL PERMIT OKR10 FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES WITHIN THE STATE OF OKLAHOMA

Table of Contents

PART 1 DEFINITIONS AND ACRONYMS 1
PART 2 COVERAGE UNDER THIS PERMIT 4

2.1 ELIGIBILITY 4
2.2 TYPES OF AUTHORIZED DISCHARGES 4
2.3 LIMITATIONS ON COVERAGE 5
2.4 HISTORIC PRESERVATION 6
2.5 MEETING ELIGIBILITY REQUIREMENTS FOR ENDANGERED SPECIES 7

PART 3 AUTHORIZATION UNDER THIS PERMIT 9

3.1 RESPONSIBILITIES OF OPERATORS 9
3.2 OBTAINING AUTHORIZATION 11
3.3 CONTENTS OF THE NOI 12
3.4 HIGH PRIORITY CONSTRUCTION SITES 13
3.5 DEADLINES FOR NOI SUBMITTAL 13
3.6 TERMINATING COVERAGE 14
3.7 CONTENTS OF THE NOT 14
3.8 WHERE TO SUBMIT 15

PART 4 EFFLUENT LIMITATIONS 16

4.1 DESIGN, INSTALLATION, IMPLEMENTATION AND MAINTENANCE REQUIREMENTS 16
4.2 SEDIMENT AND EROSION CONTROLS 16
4.3 STABILIZATION 20
4.4 POLLUTION PREVENTION 21
4.5 NUMERIC TECHNOLOGY-BASED EFFLUENT LIMITATIONS 23
4.6 WATER-QUALITY BASED EFFLUENT LIMITATIONS FOR HIGH PRIORITY CONSTRUCTION SITES 24

PART 5 STORMWATER POLLUTION PREVENTION PLAN (SWP3) 25

5.1 GENERAL REQUIREMENTS 25
5.2 SIGNATURE, POSTING A NOTICE, MAKING PLANS AVAILABLE, AND DEQ'S NOTIFICATION 26
5.3 CONTENTS OF THE SWP3 26
5.4 INSPECTION REQUIREMENTS 32
5.5 CORRECTIVE ACTION REQUIREMENTS 34

PART 6 RETENTION OF RECORDS 36

6.1 DOCUMENTS 36
6.2 ACCESSIBILITY 36
6.3 ADDRESSES 36

PART 7 STANDARD PERMIT CONDITIONS 37

7.1 DUTY TO COMPLY 37
7.2 CONTINUATION OF THE EXPIRED GENERAL PERMIT 37
7.3 NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE 38
7.4 DUTY TO MITIGATE 38
7.5 DUTY TO PROVIDE INFORMATION 38
7.6 SIGNATORY REQUIREMENTS 38
7.7 OIL AND HAZARDOUS SUBSTANCE LIABILITY 39
7.8 PROPERTY RIGHTS 39

7.9 Severability 39
7.10 Requiring an Individual Permit or an Alternative General Permit 39
7.11 State/Tribal Environmental Laws 40
7.12 Proper Operation and Maintenance 40
7.13 Inspection and Entry 40
7.14 Monitoring and Records 40
7.18 Permit Actions 44

PART 8 RE-OPENER CLAUSE 45

8.1 Potential to Cause or Contribute to a Violation 45
8.2 Permit Modification or Revocation 45

APPENDIX A – OKLAHOMA AQUATIC RESOURCES OF CONCERN (ARC) 46
APPENDIX B – OUTSTANDING RESOURCE WATERS (ORW) 48
APPENDIX C – ADDITIONAL REQUIREMENTS FOR CONSTRUCTION SUPPORT ACTIVITIES 49
APPENDIX D – BUFFER REQUIREMENTS 52
APPENDIX E – STORMWATER RUNOFF COEFFICIENTS 60
APPENDIX F – EFFLUENT LIMITATIONS SUMMARY 61

List of Tables

Table 4-1 Minimum Required Natural Buffer Widths 17
Table 4-2 Numeric Effluent Limitations for Asphalt Batch Plants 23
Table 5-1 Minimum Inspection Frequencies 33
Table C-1 Visual Monitoring of Stormwater Discharges 50
Table D-1 Estimated Buffer Performance of Blade Fill in Oklahoma County, Oklahoma 58
Table D-2 Estimated Buffer Performance of Blade Cut in Oklahoma County, Oklahoma 58
Table D-3 Estimated Buffer Performance of Blade Fill Tulsa County, Oklahoma 59
Table D-4 Estimated Buffer Performance of Blade Cut in Tulsa County, Oklahoma 59
Table E-1 Typical Runoff Coefficients for 5 to 10 year Frequency Design 60
Table F-1 Effluent Limitations Summary 61

List of Figures

Figure A-1 Oklahoma Aquatic Resources of Concern for Federal & State Listed Species 47
Figure B-1 Outstanding Resource Waters Statewide Map 48
Figure B-2 Illinois River & Lee Creek Watersheds 48
Figure B-3 Mountain Fork River Watershed 48
Figure D-1 Example of Earth-Disturbing Activities within 50 feet of surface water. 53
Figure D-2 Example of how to comply with buffer requirements. 53
Figure D-3 Buffer measurement from the ordinary high water mark of the water body. 54
Figure D-4 Buffer measurement from the edge of the bank, bluff, or cliff. 54
Figure D-5 Soils Defined 57

PART 1 DEFINITIONS AND ACRONYMS

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

B. **Aquatic Resource of Concern ("ARC")** means a waterbody corridor which contains habitat (including critical habitat) for federally listed (by the U.S. Fish and Wildlife Service) or state listed (by the Oklahoma Department of Wildlife Conservation) endangered or threatened aquatic species.

C. **Best Management Practice ("BMP")** means a schedule of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the state. BMPs also include treatment requirements, operating procedures, and practice to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

D. **Clean Water Act ("CWA")** [33 U.S.C. § 1251 *et seq.*] (formerly referred to as the Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended, Pub. L. 95-211, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117.

E. **Commencement of Construction** means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.

F. **Control Measure** as used in this permit refers to any BMP or other method used to prevent or reduce the discharge of pollutants to waters of the state.

G. **Construction Activities** means earth-disturbing activities, such as the clearing, grading, excavation of land, or other construction-related activities (e.g., stockpiling of fill material; placement of raw materials at the site) that could lead to the generation of pollutants. This does not include the linear opening of soil in a single line of two feet or less in width, on sites that have not been previously disturbed, utilizing equipment that immediately closes the opening as part of the equipment's normal operation by the closure of the sidewalls to their original configuration after passage. Some of the types of pollutants that are typically found at construction sites are sediment, nutrients, heavy metals, pesticides and herbicides, oil and grease, bacteria and viruses, trash, debris, and solids, treatment polymers or any other toxic chemicals.

H. **Construction Site or Site or Development or Project or Construction** means the land or water area where construction activities will occur and where stormwater controls will be installed and maintained. The construction site or development or project includes construction support activities, which may be located at a different part of the property from where the primary construction activity will take place, or on a different piece of property altogether.

I. **Construction Support Activity** means a construction-related activity that specifically supports the construction activity and involves earth disturbance or pollutant-generating activities of its own, and can include activities associated with concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas.

J. **Corrective Actions** are actions that permittees take in compliance with this permit to:
   a. Repair, modify, or replace any stormwater control used at the site;
   b. Clean up and dispose of spills, releases, or other deposits; or
   c. Remedy a permit violation.

K. **Dewatering Activities** means the act of draining rainwater and/or ground water from building foundations, vaults, trenches and other construction structures.

L. **Discharge** when used without qualification means the "discharge of a pollutant."

M. **Discharge of Stormwater Associated with Construction Activity** as used in this permit, refers to a discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavation), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

N. **Ephemeral Stream** means an entire stream which flows only during or immediately after a rainfall event, and contains no refuge pools capable of sustaining a viable community of aquatic organisms.

O. **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.

P. **Hazardous Substances or Hazardous or Toxic Waste** means any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 C.F.R. § 261.3.

Q. **Immediately** means as soon as practicable but no later than the end of the next work day.

R. **Impaired Water (or Water Quality Impaired Water)** is the water identified by the state, or EPA as not meeting applicable state water quality standards and (1) requires development of a TMDLs (pursuant to Section 303(d) of the CWA; or (2) is addressed by an EPA/state approved or established TMDL; (3) is not in either of the above categories but the waterbody is covered by a pollution control program that meets the requirements of 40 C.F.R. § 130.7(b)(1).

S. **Large Common Plan of Development or Sale** means an area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. This plan consists of many small construction projects that collectively add up to one or more acres of total disturbed land. For example, an original common plan of development of a residential subdivision might lay out the streets, house lots, and areas for parks, schools and commercial development that the developer plans to build or sell to others for development. All these areas would remain part of the common plan of development or sale until the intended construction is completed.

T. **Leachable Hazardous Substance** refers that those hazardous substances are naturally extracted from material during rain or routine external building wash events.

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

a. Owned and operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;

b. Designed or used for collecting or conveying stormwater;

c. Which is not a combined sewer; and

d. Which is not part of a Public Owned Treatment Works ("POTW") as defined at 40 C.F.R. § 122.2.

e. Note: A Phase II MS4 can also be owned or operated by federal and state government, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. [see 40 C.F.R. § 122.26(b)(16)]

V. **Non-Process Water** means utility wastewaters (e.g., water treatment residuals, boiler blowdown, and air pollution control wastewaters from heat recovery equipment); treated or untreated wastewaters from groundwater remediation systems; dewatering water for building foundations; and other wastewater streams not associated with a production process.

W. **Notice of Intent ("NOI")** means Notice of Intent (DEQ Form 606-002A).

X. **Notice of Termination ("NOT")** means Notice of Termination (DEQ Form 606-003).

Y. **Operator** for the purpose of this permit and in the context of stormwater associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

a. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (in most cases this is the owner of the site); or

b. The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with a Stormwater Pollution Prevention Plan ("SWP3") for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities specified by the SWP3 or comply with other permit conditions; in most cases this is the general contractor of the project).

In addition, ''owner'' refers to the party that owns the structure being built. Ownership of the land where construction is occurring does not necessarily imply the property owner is an operator (e.g., a landowner whose property is being disturbed by construction of a gas pipeline or a landowner who allows a mining company to remove dirt, shale, clay, sand, gravel, etc. from a portion of his property). This definition is provided to inform permittees of DEQ's interpretation of how the regulatory definitions of "operator" and "facility or activity" are applied to discharges of stormwater associated with construction activity.

Z. **OPDES** means the Oklahoma Pollutant Discharge Elimination System.

AA. **Outstanding Resource Waters ("ORW")** means those waters of the state which are designated as such in Oklahoma's Water Quality Standards OAC 252:730-5-25, Appendix A.

BB. **Permit** means the General Permit OKR10 for Stormwater Discharges from Construction Activities within the State of Oklahoma.

CC. **Permittee** means a person who has submitted an NOI and has received authorization to discharge stormwater from construction or land disturbing activities under this permit.

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

EE. **Pollutant** means any material, substance, or property which may cause pollution (e.g., dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste).

FF. **Qualified Person or Qualified Personnel** means those persons (either the operator's employees or outside personnel) who are knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possess the skills and training to assess conditions at the construction site that could impact stormwater quality, and who possess the skills and training to assess the effectiveness of any control measures selected to control the quality of stormwater discharges from the construction activity. For inspections that are required in accordance with Addendum C, a qualified person or qualified personnel means those persons (either the operator's employees or outside personnel) who are knowledgeable in the principles and practices of construction stormwater controls and pollution prevention, and who possess the education and ability to assess conditions that could impact stormwater quality and assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit..

GG. **Runoff Coefficient** means the fraction of total rainfall that will appear at the conveyance as runoff.

HH. **Stabilization** is the process of covering exposed ground surfaces with vegetative or non-vegetative practices that reduce erosion and prevent sediment discharge from occurring.

II. **Stormwater** means rainwater runoff, snowmelt runoff, and surface runoff and drainage.

JJ. **Stormwater Associated with Industrial Activity** is defined at 40 C.F.R. §§ 122.26 (b) (14) & (15) and incorporated here by reference. Most relevant to this permit is 40 C.F.R. § 122.26 (b) (14) (x) and 40 C.F.R. § 122.26 (b) (15) (i), that relates to construction activity including clearing, grading, and excavation activities that result in the disturbance of one or more acres of total land area, or less than one acre if part of a larger common plan of development or sale.

KK. **Stormwater Discharge-Related Activity** is defined as disturbance activities that cause, contribute to, or result in point source stormwater pollutant discharges, including but are not limited to excavation, site development, grading, and other land disturbing activities; and control measures to control stormwater discharges including the siting, construction, and operation of BMPs to control, reduce, or prevent stormwater pollution.

LL. **Stormwater Pollution Prevention Plan ("SWP3")** See Part 5.

MM. **Takes or Taking** means any action that would "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any threatened or endangered species. Harm may include significant habitat modification that actually injures a species.

NN. **Total Maximum Daily Load ("TMDL")** means the sum of the individual waste load allocations ("WLAs") for point sources, safety, reserves, and loads from nonpoint sources and natural background.

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

PART 2 COVERAGE UNDER THIS PERMIT

2.1 Eligibility

A. Area of Coverage where DEQ is the Permitting Authority
This permit authorizes discharges of stormwater and certain non-stormwater discharges from construction activities. All operators of construction activities meeting any of the requirements below are required to comply with this permit:
1. Construction sites that are greater than, or equal to, one acre[1].
2. Construction sites that are less than one acre if it is part of a larger common plan of development or sale which will ultimately disturb land equal to or greater than one acre[1].

B. Area of Coverage where Another Agency is the Permitting Authority
Under the Environmental Protection Agency's ("EPA's") approval of the Oklahoma Pollutant Discharge Elimination System ("OPDES") program, DEQ has had stormwater permitting and enforcement responsibility for large and small construction activities since November 19, 1996, except for construction activities below:
1. Any construction activity on Indian country lands in Oklahoma.
2. Construction activity associated with oil and gas extraction[2] under the Standard Industrial Classification ("SIC") Group 13[3], crude petroleum and refined petroleum products pipelines under SIC Group 46[4], and natural gas transmission under SIC Group 492[5].
3. Construction activities associated with agricultural production and services[6] under SIC Groups 01, 02 and 07; forestry under SIC Group 08; and fishing, hunting and trapping under SIC Group 09[7].

2.2 Types of Authorized Discharges

A. Authorized Stormwater Discharges
1. This permit authorizes discharges associated with construction activities from sites meeting the requirements in Part 2.1.A.
2. This permit authorizes discharges associated with construction support activities (e.g., concrete or asphalt batch plants[8], equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas) provided:
   a. The construction support activity is directly related to a construction site that is required to have this permit coverage for discharges of stormwater associated with construction activity.
   b. The construction support activity is not a commercial operation, does not serve multiple unrelated construction projects by different operators, and does not operate beyond the completion of the construction activity at the last construction project it supports.

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[1] As defined in 40 C.F.R. § 122.26 (b)(14)(x) for construction sites of five or more acres, and 40 C.F.R. § 122.26 (b)(15)(i) for construction sites of more than one acre but less than five acres, including the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb land equal to or greater than one acre, and those construction site discharges designated by DEQ as needing a stormwater permit under 40 C.F.R. § 122.26 (a)(1)(v), or under § 122.26 (a)(9) and § 122.26 (g)(1)(i).

[2] An authorization to discharge stormwater from a construction activity associated with oil and gas extraction under the SIC Group 13, or pipelines under SIC Group 46, or natural gas transmission under SIC Group 492, may be obtained through the EPA National Pollutant Discharge Elimination System ("NPDES") eReporting Tool for its Construction General Permit ("CGP").

[3] DEQ shall have jurisdiction over natural gas liquid extraction plants under SIC 1321 and service company base operating stations under SIC 1389.

[4] Except pipelines within certain facilities regulated by DEQ.

[5] DEQ shall have jurisdiction over natural gas liquid extraction plants under SIC 1321.

[6] An authorization to discharge stormwater from construction activities associated with agricultural and forestry, fishing production and services under SIC groups 01, 02, 07, 08 and 09, may be obtained by contacting the Oklahoma Department of Agriculture, Food & Forestry's Agriculture Pollutant Discharge Program at (405)522-5493.

[7] DEQ shall have jurisdiction over SIC group 092 (fish hatcheries and preserves).

[8] These discharges are subject to numeric effluent limitation guidelines in Part 4.5 "Numeric Technology-Based Effluent Limitations" and Appendix C.

c. Appropriate controls and measures must be identified in the Notice of Intent ("NOI") and the facility's Stormwater Pollution Prevention Plan ("SWP3") covering the discharges from the construction support activity areas.
d. The construction support activity is not located within the watershed of an Outstanding Resource Water ("ORW").

B. Authorized non-stormwater discharges are
1. potable water, including uncontaminated waterline and fire hydrant flushing;
2. landscape irrigation water provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved manufacturers' instructions and/or labeling;
3. water used to control dust;
4. uncontaminated air conditioning or compressor condensate;
5. uncontaminated groundwater or spring water;
6. waters used to wash vehicles and equipment where soaps, solvents or detergents are not used;
7. routine external building wash-down that does not use soaps, solvents and/or detergents and/or building wash-down from external surfaces that does not contain leachable hazardous substances (e.g., paint or caulk containing polychlorinated biphenyls ("PCBs"));
8. pavement washing waters provided spills or leaks of toxic or hazardous substances have not occurred (unless all spilled material has been removed) and where soaps, solvents and detergents are not used;
9. foundation or footing drains where flows are not contaminated with process materials such as solvents or contaminated ground water;
10. discharges or flows from emergency firefighting activities that either: a) do not involve per- and polyfluoroalkyl substances (PFAS)-containing aquatic firefighting foams (AFFFs), or b) involve PFAS-containing AFFFs and are consistent with Part 4.4.F of this permit. Measures shall be taken by the permittee or site/facility, as soon as practicable, to reduce any such pollutant releases to avoid or minimize the impacts on water quality and to ensure public health and safety. After the emergency has ceased, non-stormwater discharges (e.g., discharges associated with clean-up) are prohibited. Determination of cessation of the emergency is at the discretion of the emergency on-site coordinator; and
11. uncontaminated flows from dewatering activities, including dewatering of trenches and excavations, will be allowed if operational and structural controls are used to reduce any pollutant releases to avoid or minimize the impacts on water quality (see Part 4.2.M). These controls must be included in your SWP3.

C. Non-stormwater discharges are authorized only under the following conditions:
1. Document in your SWP3 which authorized non-stormwater discharges will be present on your site and where they will be discharged.
2. If necessary, ensure these discharges are directed to vegetated areas, existing controls, or implement additional controls to minimize the discharge of pollutants.

2.3 Limitations on Coverage

A. This permit does not authorize stormwater discharges that originate from the site after construction activities have been completed and the site, including any temporary construction support activity site, has undergone final stabilization and has an approved Notice of Termination ("NOT"). Industrial post-construction stormwater discharges may need to be covered by a separate OPDES permit.

B. This permit does not authorize discharges that are mixed with sources of non-stormwater, other than those discharges that are identified in Part 2.2.B and are in compliance with this permit or with a separate OPDES or NPDES permit.

C. This permit does not authorize stormwater discharges associated with construction and/or construction support activity that have been covered under an individual permit or which require coverage under an alternative general permit in accordance with Part 7.10, except stormwater discharges from concrete and asphalt batch plants specified in Part 2.2.A.2.

D. This permit does not authorize stormwater discharges from construction sites that DEQ determines will cause, have reasonable potential to cause, or contribute to violations of water quality standards, including anti-degradation policy. Where such determinations have been made, DEQ may notify the operator(s) that an individual permit application is necessary in accordance with Part 7.10. However, DEQ may

authorize coverage under this permit after appropriate controls and implementation procedures designed to bring the discharges into compliance with water quality standards have been included in the SWP3.

E. This permit does not authorize stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities that
   1. are not protective of federal and state listed endangered and threatened species or designated critical habitat.
   2. are likely to jeopardize the continued existence of any species that are listed or proposed to be listed as endangered or threatened or result in the adverse modification or destruction of habitat that is designated or proposed to be designated as critical.
   3. may cause a prohibited "take" of endangered or threatened species, including significant habitat modification that actually injures a species.

F. This permit does not authorize new sources or new discharges of constituents of concern to impaired waters unless otherwise allowable under OAC 252:606 and applicable state law. Impaired waters are those that do not meet applicable water quality standards and are listed on the latest approved Clean Water Act ("CWA") Section 303(d) list. Pollutants of concern are those constituents for which the waterbody is listed as impaired. The 303(d) list of impaired waters can be found in Appendix C of Oklahoma's Integrated Report on the DEQ web site at https://www.deq.ok.gov/water-quality-division/watershed-planning/integrated-report/, or the DEQ GIS Map and Data Viewer at https://gis.deq.ok.gov/maps/.

G. This permit does not authorize discharges of pollutants of concern to impaired waterbodies for which there is an approved total maximum daily load ("TMDL") or a watershed plan incorporated in Oklahoma's Water Quality Management Plan in lieu of a TMDL unless they are consistent with the approved TMDL or watershed plan or local compliance plan. Applicants must comply with the requirements in Part 5.1.F.

H. This permit does not authorize the discharge of toxic or hazardous substances or oil resulting from a spill or other release.

I. This permit does not authorize the discharge of wastewater from the washout or cleanout of concrete, unless managed by an appropriate control as described in Part 4.4.H.

J. This permit does not authorize the discharge of wastewater from the washout or cleanout of stucco, paint, form release oils, curing compounds, and other construction materials.

K. This permit does not authorize the discharge of fuels, oils, or other pollutants used in vehicle operation and maintenance.

L. This permit does not authorize the discharge of soaps, detergents or solvents used in vehicle and equipment washing.

2.4 Historic Preservation

The EPA has determined that DEQ's NPDES permitting activities are not federal undertakings and, therefore, are not subject to review under Section 106 of the National Historic Preservation Act. However, applicants and permittees must comply with the State Antiquities Act (Title 53, Chapter 20, Section 361) where applicable and the Burial Desecration Law (Title 21, Chapter 47, Section 1168.0-1168.6), as well as with any applicable local laws concerning the identification and protection of historic properties.

Applicants and permittees who may receive federal funding or other federal assistance in the completion of their projects must be aware that compliance with Section 106 of the Act may apply. For information about

the Section 106 review process in Oklahoma, Oklahoma properties listed on or eligible for the National Register of Historic Places, and related topics, contact:

State Historic Preservation Office
Oklahoma Historical Society
800 Nazih Zuhdi Drive
Oklahoma City, OK 73105
(405)521-6249
https://www.okhistory.org/shpo/index

Oklahoma Archeological Survey
111 East Chesapeake
Norman, OK 73019
405/325-7211
https://www.ou.edu/archsurvey

2.5 Meeting Eligibility Requirements for Endangered Species

A. Eligibility Criteria
   1. Activities authorized by this permit must avoid unacceptable effects to federal and state listed endangered or threatened (listed) species or designated critical habitats. Direct and indirect effects must be considered. Coverage under this permit is available only if your stormwater discharges, allowable non-stormwater discharges, and discharge-related activities are not likely to
      a. jeopardize the continued existence of any listed species or result in the adverse modification or destruction of critical habitat, or
      b. cause a prohibited "take" of endangered or threatened species, including significant habitat modification that actually injures a species, unless such "take" is authorized under Sections 7 or 10 of the Endangered Species Act ("ESA").
   2. Discharge-related activities authorized by this permit include
      a. activities that cause, contribute to, or result in point source stormwater pollutant discharges, including but not limited to excavation, site development, grading, and other land disturbing activities, and
      b. measures to control stormwater including the siting, construction, and operation of BMPs to control, reduce, or prevent stormwater pollution.

B. Eligibility Certification
   1. You must certify that you have met eligibility criteria for protection of threatened or endangered species and their critical habitat. Your signed NOI will constitute your certification of eligibility. If the eligibility requirements cannot be met, you may seek coverage under a DEQ individual permit. This eligibility must be evaluated before the NOI is submitted. DEQ strongly recommends that you conduct this evaluation at the earliest possible stage to ensure that measures to protect listed species are incorporated early in the planning process.
   2. You must state on the NOI which of the criteria listed in Part 2.5.B.3 you are relying upon for meeting the endangered species eligibility.
   3. You must meet one or more of the criteria below for the entire term of coverage under this permit. Failure to continue to meet one of these criteria during the term of the permit will render an applicant ineligible for coverage under this permit. If you are located partially or wholly in an area described in Appendix A then you must meet criterion B, C, D, or E for the term of this permit. If you are not located in the shaded area or watersheds listed in Exhibit I, then you meet the terms of criterion A. The information used to make the eligibility determination must be documented and included as part of the SWP3.
      a. Criterion A requires that proposed construction site or land disturbing activity is not located within any of the corridors of the federal or state identified aquatic resource of concern ("ARC"), and further investigation is not required.
      b. Criterion B requires that the proposed construction site or land disturbing activity is located within a corridor of a federal or state identified ARC. Operators must provide and implement

measures to protect the endangered or threatened species or their critical habitat; these measures must be identified in the NOI and described in the facility's SWP3.

c. Criterion C requires that the applicant use Appendix D to evaluate alternatives of buffer requirements and select equivalent sediment controls or contact DEQ for further consultation if one of those eligibility criteria under Part 2.5.B.3.b, d, or e cannot be met.

d. Criterion D requires that the applicant's federally approved construction activities are authorized by the appropriate federal or state agency and that authorization addresses the Endangered Species Act Section 7 consultation for the stormwater discharge or stormwater discharge-related activities. Applicants selecting option d must include documentation from U.S. Fish and Wildlife Service ("USFWS") or a qualified biologist that demonstrates Section 7 consultation has been completed. The SWP3 must comply with and be updated to include any conditions resulting from that consultation.

e. Criterion E requires that the applicant's stormwater discharges and stormwater discharge-related activities are already addressed in another operator's certification of eligibility that includes the applicant's project area. By certifying eligibility under this part, the applicant agrees to comply with applicable measures or controls upon which the other operator's certification was based.

PART 3 AUTHORIZATION UNDER THIS PERMIT

3.1 Responsibilities of Operators

Permittees may meet one or both of the operational control components in the definition of "operator" found in Part 1.Y. The criteria within the definition of "operator" may allow for more than one entity to be considered an "operator" at a construction site. Where it is determined to be more efficient or desirable, this permit allows for all construction activities at a site to be covered under a single authorization and a single SWP3 held by a "primary operator."

A. Types of Operators
   1. A primary operator is
      a. the sole operator at a construction site,
      b. an operator who has obtained permit coverage for discharges over which it has operational control of construction plans and specifications and/or day-to-day construction activities, or
      c. the operator who has chosen to obtain permit coverage for all discharges from all earth-disturbing activities at a construction site, even if such discharges originate from portions of the site operated by another entity (e.g., secondary operators).
   2. A secondary operator, for a construction project that has multiple operators, is an operator who has elected to have the discharges from earth-disturbing activities on a construction site to which he/she has operational control covered by the authorization and SWP3 held by the primary operator rather than obtaining separate permit coverage for those discharges. If the primary operator chooses not to cover the secondary operator's construction activities or the secondary operator elects not to have their discharges from earth-disturbing activities covered by the primary operator's authorization, this secondary operator must develop a separate SWP3, submit a separate NOI and obtain separate permit coverage, and comply with all primary operator permit requirements for the portion(s) of the site over which it has operational control.
   3. A utility installation operator is an operator who only has operational control over utility installation (e.g., telephone, electric, gas, cable TV, etc.) and who has elected to have the discharges from earth-disturbing activities on a construction site to which he/she has operational control covered by the authorization and SWP3 held by the primary operator rather than obtaining separate permit coverage for those discharges. If the primary operator chooses not to cover the utility installation operator's construction activities or the utility installation operator elects not to have their discharges from earth-disturbing activities covered by the primary operator's authorization, this utility installation operator must develop a separate SWP3, submit a separate NOI and obtain separate permit coverage, and comply with all primary operator permit requirements for the portion(s) of the site over which it has operational control.

B. Responsibilities of a Primary Operator
   The primary operator is ultimately responsible for the runoff from the perimeter of the area(s) over which their authorization covers. Regardless of the reason for the runoff, the primary operator is responsible for ensuring sufficient overall controls for this area.
   1. General Responsibilities
      The primary operator must
      a. develop an SWP3 (prior to submitting an NOI), obtain permit authorization, implement and maintain control measures, and maintain and update the SWP3 for all area(s) of activity covered by the authorization,
      b. be thoroughly familiar with and adhere to provisions of the permit, the NOI, the SWP3 and all BMPs and control measures which apply to all areas of activity covered by the authorization, and
      c. must avoid damaging or interfering with the effectiveness of any BMPs and/or control measures on the site.
   2. Responsibilities Based on Operational Control
      a. Operational Control over Constructions Plans and Specifications
         Primary operators with control over construction plans and specifications, including the ability to make modifications to those plans and specifications (e.g., developer, owner, or operator), must ensure that:

i. The project plans and specifications meet the minimum requirements of this permit.
ii. The SWP3 indicates the areas of the project where this operator has control over project plans and specifications (including the ability to make modifications in plans and specifications), and ensure all other operators implementing portions of the SWP3 who may be impacted by any changes to the SWP3 are notified of such modifications in a timely manner and receive a copy of the updated SWP3.
iii. The SWP3 indicates the name(s) and authorization number(s) of the parties (primary, secondary, and/or utility installation operators) with operational control over day-to-day activities necessary to ensure compliance with the SWP3 and permit conditions for portions of the project where these parties have control. If these parties have not been identified and do not have a DEQ authorization at the time the SWP3 is initially developed, the permittee with operational control over project plans and specifications shall be the responsible party until such time as the operational control is transferred to another party, the SWP3 is updated, and this new party obtains permit coverage.

b. Operational Control Over Day-to-Day Activities
Primary operators with control over day-to-day activities must ensure that:
i. The SWP3, for all portions of the project where they have control, meets the minimum requirements of this permit and identifies the parties (primary, secondary, and utility installation operators) responsible for implementation of control measures.
ii. The SWP3 indicates all areas of the project where they have control over day-to-day activities.
iii. The SWP3 for all areas where they have control indicates the name(s) and authorization number(s) of the parties with operational control over project plans and specifications (including the ability to make modifications in plans and specifications), if different than the primary operator with control over day-to-day activities.

3. Responsibilities Regarding Secondary Operators
The primary operator must
a. identify all secondary operators in the SWP3 and identify the specific areas of the site where they will be active,
b. require that secondary operators provide notification to the primary operator and execute any written notification required by the primary operator prior to beginning any earth-disturbing activity, and
c. ensure that secondary operators are familiar with and adhere to provisions of the permit, the NOI, the SWP3, and all BMPs and other control measures that apply to their operations through contractor certifications or similar documentation.
d. require that secondary operators avoid damaging or interfering with the effectiveness of any control measure on the construction site or notify the primary operator if such occurs.

4. Responsibilities Regarding Utility Installation Operators
The primary operator must ensure that entities with control over utility installation, including utility companies and their subcontractors,
a. are covered under the primary operator's NOI, authorization, and SWP3, or have their own separate authorization and SWP3,
b. implement BMPs, including those that are protective of endangered species, and
c. implement final stabilization requirements.

5. Responsibilities Regarding Terminations
The primary operator shall not terminate permit coverage until at least one of the following conditions has been met:
a. All construction, including landscaping and lot development, has been completed, and final stabilization has been achieved.
b. All lots are sold and developed, and there are no temporary common controls for subdivision outfalls.
c. All construction activity by the primary operator is completed, final stabilization has been achieved on all areas under the control of the primary operator, the remaining undeveloped lots

have been sold to a new operator(s), and a Notification of Change of Ownership (NCO) form(s) for the new operator(s) has been prepared and signed.

d. A new operator has obtained permit coverage which will include all areas currently covered by the primary operator's authorization.

3.2 Obtaining Authorization

A. Develop a new SWP3[9] or update an existing SWP3 as necessary prior to submitting an NOI to DEQ. A copy of the SWP3 does not have to be submitted to DEQ unless specifically requested by DEQ. However, DEQ may require submittal of a copy of the SWP3 for review at any time. An updated version of the SWP3 must be submitted within 14 days of such a request.

B. Submit an official NOI (**DEQ Form 606-002A**) in accordance with the applicable deadline specified in Part 3.5. The NOI must be complete and accurate with all required information and supporting documentation. Only one NOI needs to be submitted to cover all of the operator's activities on a common plan of development or sale (e.g., a separate NOI does not need to be submitted for each separate lot in a residential subdivision or for two separate buildings being constructed at a manufacturing facility, provided the NOI and SWP3 covers each area where the primary operator has operational control). The SWP3 must be implemented upon commencement of construction activities.

C. Submit the applicable application fee and annual permit fee established in OAC 252:606 OPDES Standards. An invoice of the permit fee due will be sent if the fee is not included with the NOI or upon request.

D. Upon receipt of the properly completed NOI and application/permit fees, DEQ will process the information and provide an authorization certificate accompanied by a letter of notification. The applicant/primary operator (as well as any secondary or utility installation operators, if applicable) is not authorized to commence earth-disturbing activities or discharge stormwater from construction activities under the terms and conditions of this permit until an authorization covering their construction activities is received from DEQ. DEQ may deny coverage under this permit based on a review of the NOI or other information and require submittal of an application for an individual OPDES permit (see Part 7.10 of this permit).

E. After issuance of an authorization, an amended NOI shall be submitted by a permittee if circumstances change. When there is a change to the site's primary operator, the new primary operator must submit a new NOI, and the previous primary operator must submit an NOT form as specified in Part 3.6.
The following modifications to an NOI form will result in a 14-day review process:
   1. Changes to the name of the primary operator, or addition of an operator (including a secondary or utility installation operator);
   2. Election by the primary operator to no longer cover secondary or utility installation operators under it authorization and SWP3;
   3. Changes to the project or site name;
   4. Increases to the estimated area to be disturbed;
   5. Changes to the name of the receiving water, or additions to the applicable receiving waters;
   6. Changes to eligibility information related to endangered species protection or historic preservation;
   7. Changes to information provided related to the use of chemical treatment at your site

   The amended NOI must be submitted at least two days prior to the change or addition and shall include the facility's assigned permit number and a description of the requested change(s). For stormwater discharges from construction projects where the primary operator changes, including instances where an operator (including a secondary or utility installation operator) is added after an authorization has been issued, the new primary operator must submit an NOI at least two days before assuming operational control over site specifications or commencing work on-site. DEQ will provide an acknowledgement by mail or email that the amended NOI has been received and processed. During the 14-day review process, the operator(s) (including secondary and utility installation operators) may continue to operate based on the information provided in the original NOI, but must wait until the review period has ended before

[9] The SWP3 shall cover either the entire site or all portions of the site where the applicant has operational control. A "joint" SWP3 may be developed and implemented as a cooperative effort where there is more than one operator at a site.

commencing or continuing activities on any portion of the site that would be affected by the changes, unless DEQ notifies them that the authorization is delayed or denied.

F. Permittees must update their SWP3s within seven calendar days to reflect the change(s). An amended NOI cannot be used to:
   1. Decrease the total project area (e.g., area to be disturbed has decreased from 40 acres to 20 acres).
   2. Transfer authorization to another operator.

G. In the event that a primary operator elects to no longer cover a secondary or utility installation operator's construction activities or a secondary or utility installation operator elects to no longer have their discharges from earth-disturbing activities covered by the primary operator's authorization, the secondary or utility installation operator is no longer authorized to discharge under this permit, and must discontinue its construction activities and discharges until it has developed its own separate SWP3 and obtained separate authorization in accordance with the requirements of Parts 3.2.A-D and the deadline for NOI submittal of Part 3.5.A. In the former case, the primary operator must submit an amended NOI to DEQ as specified in Part 3.2.E, as well as providing written notification to all secondary and utility operators at least two days prior to making the change. In the latter case, the secondary or utility installation operator must provide written notification to DEQ and the primary operator at least two days prior to making the change, and must develop a separate SWP3, submit a separate NOI, and obtain separate permit coverage, and comply with all primary operator permit requirements for the portion(s) of the site over which it has operational control.

3.3 Contents of the NOI

The NOI form shall include the following information:

A. Indicate whether this is a new application, or amendment/modification or renewal of an existing NOI, including your authorization number if this is an amendment/modification or renewal;
B. Provide the legal name, mailing address, phone number, and email address of the company/firm, public organization, or any other entity operator filing the NOI for permit coverage;
C. Indicate whether the operator has operational control over plans and specifications and/or day-to-day construction activities;
D. Provide name, title, phone number, and email address for the operator's point of contact;
E. Provide the site/project's official name, phone number and street address or general location information (e.g., intersection of State Highway 61 and 34), and SIC Code(s);
F. Provide the name, title, phone number, and email address for the site/project's point of contact;
G. Provide the name, title, phone number, and email address for the site/project's consultant, if any;
H. Provide description of the activity/purpose of the project (i.e., residential subdivision, commercial building, road and/or bridges, wind farm, etc.);
I. Provide latitude and longitude of the construction project/site at the center of the site (or latitude and longitude at the starting and ending points if it is a linear construction site). Latitude and longitude can be obtained from DEQ's and USGS's websites or other mapping tools;
J. Provide estimated construction project starting date and ending date. The dates must be provided in MM-DD-YYYY where MM is the month, DD is the date and YYYY is the year;
K. Provide total area of construction site and estimated area to be disturbed in acres;
L. Provide total impervious area (pre-construction) and total impervious area construction completed (post-construction) in acres;
M. Provide post-construction runoff coefficient of the site. The operator may use recommended runoff coefficients in Appendix E of this permit. Average coefficients for composite areas may be calculated on an area-weighted basis from $C=\sum C_i A_i / \sum A_i$, where C_i is the coefficient applicable to the area A_i;
N. Describe the nature of fill material and existing data describing soils (i.e., coarse-grained soils: gravels, sands, or fine-grained soils: silts and clays, silts and clays, and highly organic soils etc.) Operator may use soil classification chart in Attachment A of Appendix D to determine the types of the soils on the site;
O. Indicate whether this site/project is part of common plan of development or sale;
P. Indicate whether there are other operators associated with this site/project and, if so, whether: a) all operators will be covered under this authorization; b) all, or some, operators will be obtaining separate authorizations and will be documented in the SWP3; and/or, c) new owner/operators will be obtaining

a separate authorization and will be documented using Form 605-NCO Notification of Change of Ownership (NCO) which will be kept with the SWP3.

Q. Indicate whether the site/project discharges stormwater to a Municipal Separate Storm Sewer System (MS4);
R. Identify all the receiving waterbodies from the sites that receive stormwater discharges, including names of the waterbodies;
S. Indicate whether the receiving waterbodies are included on DEQ's latest approved 303(d) list of impaired waterbodies, including the pollutant(s) for which the waterbody is impaired;
T. Indicate whether the stormwater discharges drain to a waterbody or watershed with an approved or established TMDL, watershed plan in lieu of a TMDL, or local compliance plan. Additional site-specific requirements may be applicable if the site is located in such waterbody or watershed;
U. Indicate endangered species eligibility by identifying whether or not the construction site or land-disturbing activity is within the specified corridor of a federal or state ARC; whether Appendix D will be used to develop equivalent sediment controls; whether you are required to have an Endangered Species Act Section 7 consultation process; and/or whether you are relying on another permittee's certification of eligibility and are agreeing to comply with the conditions of that certification.
V. Confirm that the SWP3 has been prepared and is available on-site for review;
W. Indicate whether this operator is registered with the Secretary of State of Oklahoma;
X. Indicate whether this site or project will have construction support activities;
Y. Describe the proposed measures, including BMPs, to control pollutants in stormwater discharges during construction, including a brief description of applicable erosion and sediment control requirements; and
Z. Describe the proposed measures to control pollutants in stormwater discharges that will occur after construction operations have been completed, including a brief description of applicable erosion and sediment control requirements.
AA. Attach a legible site map showing your facility location and boundaries, including support activities, and all waters of the state within one mile of the site, and indicate whether the application fee and first-year permit fee are attached or have already been paid.
AB. Complete the certification/signature block.

3.4 High Priority Construction Sites

This permit identifies high priority construction sites based on total disturbed acreage and receiving waters. High priority construction sites are sites that

A. are 40 disturbed acres or greater, or
B. discharge within one mile of a receiving waterbody which is identified by DEQ on the latest Section 303(d) list as impaired (i.e., not meeting water quality standards) for sediment and/or turbidity, or
C. are located within an ARC, ORW, or waterbody with a TMDL or watershed plan[10].

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

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

3.5 Deadlines for NOI Submittal

A. Operators of new construction projects/activities that commence after the effective date of this permit must submit an NOI at least 14 days prior to commencing construction activities.

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[10] This refers to TMDLs or watershed plans that assign specific requirements to stormwater discharges associated with construction activities (e.g. Lake Thunderbird Report for Nutrient, Turbidity and Dissolved Oxygen TMDLs).

B. Existing operators of on-going construction projects/activities that have active authorizations for coverage under the 2017 CGP coverage upon its expiration must submit an NOI within 90 days of the effective date of this permit. Authorization under the 2017 permit will be administratively extended for a period not to exceed 90 days from the effective date of this permit. The existing SWP3 must be updated to comply with this permit prior to the NOI submittal. If the permittee is eligible to submit an NOT (e.g., construction is finished and final stabilization has been achieved) before the 90th day, a new NOI is not required to be submitted. Operators must remain in compliance with the requirements of the 2017 permit until a new authorization is received or an NOT is submitted and accepted by DEQ.

C. Operators of on-going construction projects/activities as of the effective date of this permit that did not receive authorization to discharge under the 2017 permit are not authorized to discharge and are in violation of this permit upon its effective date. They must discontinue construction activities and discharges until they have submitted an NOI and obtained coverage under this permit. Prior to NOI submittal, an SWP3 must be developed and implemented to comply with the requirements of this permit. DEQ reserves the right to take appropriate enforcement action for any unpermitted activities or discharges that may have occurred between the time construction commenced and the authorization is granted.

3.6 Terminating Coverage

A. A complete NOT (**DEQ Form 606-003**) must be submitted to DEQ within 30 days if one or more of the following conditions have been met:
   1. All soil disturbing activities have been completed, final stabilization has been achieved on all portions of the site for which the permittee is responsible (including, if applicable, returning agricultural land to its pre-construction agricultural use) and all temporary erosion and sediment control measures have been removed.
   2. For residential subdivisions only: all soil disturbing activities have been completed, final stabilization has been completed, the ownership of all lots or sections has been transferred to new owners, the permittee is no longer responsible for continuing construction activities for the subdivision, and all temporary erosion and sediment control measures have been removed. The permittee shall not terminate their permit coverage until the new owners/operators of the individual lots within the larger common plan of development or sale are notified of their permitting requirements. The permittee must complete an NCO which shall be signed by both the permittee and new owner and documented in the permittee's SWP3.
   3. Another primary operator has assumed control over all areas of the site that have not been finally stabilized. The NOT must be submitted with the new operator's NOI.

B. DEQ will review the NOT for completeness and accuracy and may, at its discretion, inspect the site for which the NOT was submitted within 30 days of receipt of the NOT. Upon completing such inspection, DEQ will notify the permittee of any needed changes to the site conditions, or that the site has met the termination requirements under this permit. The permittee is responsible for meeting the terms of this permit until DEQ's termination letter has been issued. Only one NOT form can be submitted to DEQ by the same owner/operator within a 90-day period. Additional compliance inspections may occur within this 90-day period at the discretion of DEQ.

3.7 Contents of the NOT

A. Identify the OKR10 permit number for the stormwater discharge on the site;

B. Indicate whether termination is being requested because: a) a new owner or operator has taken over responsibility for the facility/site/project and has submitted an NOI for permit coverage; b) all construction activities have been completed and met all other requirements under OKR10 permit, including final stabilization, on all portions of the site; or c) you have obtained coverage under an individual or alternative general permit for all stormwater discharges.

C. Provide the legal name, mailing address, phone number, and email address of the operator submitting the NOT;

D. Indicate whether, if DEQ elects to perform a termination inspection, you wish to be notified when the inspection occurs and, if so, provide contact information;

E. Provide the legal name of the site or project and address (or a description of the general location if no street address is available) of the construction site/project;
F. Provide latitude and longitude of the entrance to the construction site/project. Latitude and longitude can be obtained online at DEQ's, or USGS's websites or from other mapping tools;
G. If applicable, provide the legal name, mailing address, phone number, and email address of the new operator.
H. Include a copy of the updated site map showing all completed and final plans and projects (i.e., aerial images or general site maps with project extents marked, including stabilized areas of concrete or asphalt batch plants, equipment staging yards, stockpile, borrow areas, wash-out areas, previously disturbed areas, etc.); and
I. If applicable, provide a copy of the NCO form (see Part 3.6.A.2) for each new owner/operator to whom you have sold a portion of the site. Where indicated on your NOT and NCO forms, you must include the new OKR10 owner/operator's contact information, including their name, street address, phone number and email address. Each new owner/operator is also required to prepare and submit an NOI to DEQ for review. If applicable, you must submit all NCOs to DEQ prior to submittal of the NOT or submit the NOT along with all NCOs that have been prepared during the ownership transition; and
J. Complete the certification/signature block.

3.8 Where to Submit

All written correspondence concerning this permit, including the submittal of NOIs and NOTs, shall be sent to the following address, fax or email:

Stormwater Unit of Environmental Complaints and Local Services ("ECLS")
Department of Environmental Quality ("DEQ")
707 North Robinson Ave., P.O. Box 1677
Oklahoma City, OK 73101-1677

(fax) to (405) 702-6226

(email) to ECLS-StormwaterPermitting@deq.ok.gov

Once DEQ's online NOI submission tool is made available, NOIs may be completed and submitted electronically using that tool.

All documents shall be submitted in accordance with all state and federal reporting requirements.

PART 4 EFFLUENT LIMITATIONS

The stormwater control requirements in this part apply to all discharges from construction sites, including construction support activities (e.g., concrete or asphalt batch plants), eligible for coverage under this permit. These requirements apply the national effluent limitations guidelines and new source performance standards found at 40 C.F.R. §§ 450.21 – 450.24.

4.1 Design, Installation, Implementation and Maintenance Requirements

You must design, install, implement, and maintain effective BMPs as required in Parts 4.2, 4.3 and 4.4 that minimize the discharge of pollutants from construction activities.

A. Design Requirements
You must address the following factors in designing your stormwater controls:
1. The expected amount, frequency, intensity, and duration of precipitation.
2. Stormwater volume and velocity must be controlled to minimize soil erosion and pollutant discharges.
3. The amount of soil exposed must be minimized during construction activity to minimize soil erosion and pollutant discharges.
4. The nature of stormwater runoff and run-on at the site, including factors such as expected flow from impervious surfaces, slopes, and site drainage features. You must design stormwater controls to control both peak flowrates and total stormwater volume to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points.
5. Soil characteristics, including the range of soil particle sizes expected to be present on the site.

B. Installation Requirements
You must ensure that all BMPs are installed in accordance with the manufacturer's recommendations or good engineering practices.

C. Maintenance Requirements
You must ensure that all BMPs, equipment, and systems remain in effective operating condition and are protected from activities that would reduce their effectiveness. This can be accomplished by conducting routine inspection, testing, maintenance, and corrective action/repair as required by Parts 5.4 and 5.5 to avoid breakdowns or failures that may result in discharges of pollutants to surface waters. Routine maintenance, work that does not require significant repair or replacement, must be initiated immediately after discovering the problem, and completed by the close of the next work day.

4.2 Sediment and Erosion Controls

A. Direct Discharges from Stormwater Controls to Vegetated Areas
Direct discharges from your stormwater controls to vegetated areas of your site to increase sediment removal and maximize stormwater infiltration to reduce pollutant discharges, including any natural buffers established under Parts 4.2.B and 4.6.B, unless infeasible. Use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.

B. Provide and Maintain Natural Buffers and Equivalent Erosion and Sediment Controls
When any waters of the state are located on or immediately adjacent to the site (refer to Appendix D, Figure D-1), you must maintain a natural buffer zone or equivalent erosion and sediment controls from any named or unnamed receiving streams, creeks, rivers, lakes or other water bodies. The minimum width of the buffer is outlined in Table 4-1. If only a portion of the natural buffer is less than the minimum required width, you are only required to implement erosion and sediment controls that achieve the sediment load reduction equivalent to the portion that is not retained (refer to Appendix D, Figure D-2).

Table 4-1 Minimum Required Natural Buffer Widths

Type of Receiving Water	Type of Construction Site	
	Standard	High Priority
Perennial or intermittent streams, creeks, rivers or lakes	50 feet	100 feet
Ephemeral streams or drainages	50 feet	50 feet
Road ditches, county ditches, stormwater conveyance channels, storm drain inlets or sediment basins/impoundments	None	None

To ensure that the water quality protection benefits of the buffer are retained during construction, you must retain as much natural buffer as possible and you are prohibited from conducting any earth-disturbing activities within the buffer during permit coverage. You must ensure that all discharges from the area of earth disturbance to the natural buffer are first treated by the site's erosion and sediment controls and, if necessary to prevent erosion caused by stormwater flows within the buffer, you must use velocity dissipation devices.

1. To comply with this requirement you must provide or implement and maintain one of the following:
   a. A 100-foot or 50-foot undisturbed natural buffer.
   b. An undisturbed natural buffer that is less than 100-feet or 50-feet and is supplemented by additional erosion and sediment controls that achieve the sediment load reduction equivalent to the amount of undisturbed buffer which cannot be maintained. A description of why it is infeasible to provide and maintain the full 100-foot or 50-foot undisturbed natural buffer must be included in your SWP3.
   c. Erosion and sediment controls that achieve the sediment load reduction equivalent to a 100-foot or 50-foot undisturbed natural buffer. A description of why it is infeasible to provide and maintain an undisturbed natural buffer of any size must be included in your SWP3.
2. Where you are retaining a buffer of any size, the buffer should be measured perpendicularly from one of the following points, whichever is further landward from the water:
   a. The ordinary high water mark of the water body (refer to Appendix D, Figure D-3), defined as the line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, and/or the presence of litter and debris; or
   b. The edge of the stream or river bank, bluff, or cliff, whichever is applicable (refer to Appendix D, Figure D-4).
3. In order to select controls that provide equivalent sediment removal rates you may complete your own calculations[11] or follow the steps outlined in Appendix D.
4. You are not required to comply with the requirements of Part 4.2.B if your site meets one of the following:
   a. Dredge and fill activity authorized under a current CWA Section 404 permit.
   b. Construction of water-dependent structure or water access area (e.g., pier, boat ramp, trail).
   c. There is no discharge of stormwater to waters of the state through the area between the disturbed portions of the site and any waters of the state located within 100-feet or 50-feet of the site.
   d. Where no natural buffer exists due to preexisting development disturbances (e.g., structures, impervious surfaces) that occurred prior to the initiation of planning for the current development of the site, unless you will remove portions of the preexisting development.

   This exemption only applies to the area where the qualifying construction activity is taking place or where the preexisting development is located and does not apply to the construction site in its entirety.

The requirement to provide and maintain a natural buffer or its equivalent is independent of (and does not substitute for) the requirement to install perimeter controls along areas of the site that will receive stormwater discharges. Additionally, this requirement is not intended to interfere with any other ordinance, regulation, statute or other provision of the law.

[11] There are a variety of models available that can be used to support your calculation, including USDA's RUSLE-series programs and the WEPP erosion model, SEDCAD, SEDIMOT, or other models.

C. Install Perimeter Controls
Install sediment controls along those perimeter areas of your site that will receive stormwater from earth-disturbing activities. For linear construction sites where perimeter controls are infeasible (e.g., due to limited or restricted rights-of-way), you must maximize the use of other controls as necessary to minimize pollutant discharges to perimeter areas of the site and document in your SWP3 why it is impracticable in other areas of the project. Routine maintenance includes removing sediment before it has accumulated to one-half of the above-ground height of any perimeter control.

D. Minimize Sediment Track-Out
You must minimize the sediment track-out onto streets, other paved areas, and sidewalks from vehicles exiting your construction site. To comply with this requirement, you must:
1. Restrict vehicle use to properly designated exit points.
2. Use appropriate stabilization techniques at all points that exit onto paved roads.
3. Implement additional track-out controls as necessary to ensure that sediment removal occurs prior to vehicle exit.
4. Where sediment has been tracked-out from your site onto the surface of paved streets, sidewalks or other paved areas outside of your site, you must remove the deposited sediment by the end of the same work day in which the track-out occurs or by the end of the next work day if track-out occurs on a non-work day. You must remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. You are prohibited from hosing or sweeping tracked-out sediment into any stormwater conveyance (unless it is connected to a sediment basin, sediment trap, or similarly effective control), storm drain inlet, or surface waters of the state.

Stabilization is not required for exit points at linear utility construction sites if other controls at the exit point are provided to minimize sediment track-out. Examples of other exit controls include, but are not limited to, preventing the use of exit points during wet periods; minimizing exit point use by keeping vehicles on site to the extent possible; limiting exit size to the width needed for vehicle and equipment usage; and avoiding establishing exit points in environmentally sensitive areas.

E. Control Discharges from Stockpiled Sediment or Soil
For any stockpiles or land clearing debris composed in whole of sediment or soil, you must comply with the following requirements:
1. Locate the piles outside of any natural buffers established under Parts 4.2.B and 4.6.B and physically separated from any stormwater conveyances, drain inlets, and area where stormwater flow is concentrated.
2. Install a sediment barrier along all down-gradient perimeter areas.
3. Provide cover or appropriate temporary stabilization to avoid direct contact with precipitation or to minimize sediment discharge in accordance with Part 4.3.
4. Do not hose down or sweep soil or sediment accumulated on pavement or other impervious surfaces into any stormwater conveyance (unless connected to a sediment basin, sediment trap, or similarly effective control), storm drain inlet, or surface water.
5. Unless infeasible, contain and securely protect from wind.

F. Minimize Dust
In order to avoid pollutants from being discharged into surface waters, to the extent feasible, you must minimize the generation of dust through the appropriate application of water or other dust suppression techniques.

G. Minimize the Disturbance of Steep Slopes
You must minimize the disturbance of steep slopes (i.e., slopes of 40% or greater). If it is not feasible to avoid disturbance of steep slopes, you must:
1. Divert concentrated or channelized flows of stormwater away from and around areas of disturbance on steep slopes.
2. Use specialized erosion and sediment controls for steep slopes.
3. Use stabilization practices designed to be used on steep slopes. You must comply with the stabilization requirements as required in Part 4.3.

H. Preserve Topsoil
You must preserve native topsoil on your site, unless infeasible; you must stockpile and reuse it in areas that will be stabilized with vegetation if applicable.

I. Minimize Soil Compaction
In areas of your site where final vegetative stabilization will occur or where infiltration practices will be installed, you must either
1. restrict vehicle and equipment use in these locations to avoid soil compaction; or
2. prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary.

J. Protect Storm Drain Inlets
If you discharge to any storm drain inlet that carries stormwater flow from your site directly to surface water (and it is not first directed to a sediment basin, sediment trap, or similarly effective control), and you have the authority to access the storm drain inlet, you must comply with the following requirements:
1. Install inlet protection measures that remove sediment from your discharge prior to entry into the storm drain inlet.
2. Clean, or remove and replace, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, you must remove the deposited sediment by the end of the same work day in which it is found or by the end of the following work day if removal by the same work day is not feasible.

K. Constructed Stormwater Conveyance Channels
Design channels to avoid unstabilized areas on the site and to reduce erosion, unless infeasible, and minimize erosion of channels and their embankments, outlets, adjacent streambanks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

L. Install Sediment Basins/Impoundments
Sediment basins may also be referred to as sediment ponds or impoundments, but will be referred to hereafter as sediment basins.
1. Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g., no significant changes in the hydrological regime of the receiving water).
2. For common drainage locations[12] that serve an area with 10 or more acres disturbed at one time (or five acres if you discharge from a high priority construction site), temporary (or permanent) sediment basin(s) must be implemented where feasible.
   a. The sediment basin(s) must comply with the following:
      i. Sediment basin(s) must provide storage for either the calculated volume of runoff from a two-year, 24-hour storm, or 3,600 cubic feet per disturbed acre drained, whichever is greater.
      ii. When discharging from sediment basin(s), utilize outlet structures that withdraw water from the surface, unless infeasible, to minimize the discharge of pollutants.
      iii. Prevent erosion of the sediment basin and the inlet/outlet structures using erosion controls and velocity dissipation devices.
      iv. Sediment basins must be situated outside of surface waters and any natural buffers established under Parts 4.2.B and 4.6.A.
      v. Remove accumulated sediment to maintain at least 1/2 the design capacity and conduct all other appropriate maintenance to ensure the sediment basin remains in effective operating condition.
   b. When determining whether installing sediment basin(s) is feasible, you may consider factors such as site soils, slope, available area on site, etc. In any event, you must consider public safety,

[12] When computing the number of acres draining into a common location, it is not necessary to include flows from off-site areas, or flows from onsite areas that are either undisturbed or have undergone final stabilization.

especially as it relates to children, as a design factor for the sediment basin(s) and alternative sediment controls shall be used where site limitations would preclude a safe design. For drainage locations that serve 10 or more disturbed acres at one time and where temporary sediment basin(s) or equivalent controls are not attainable, smaller sediment basins and/or sediment traps should be used. Where neither sediment basin(s) nor equivalent controls are attainable due to site limitations, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down-slope boundaries of the construction area and for those side-slope boundaries deemed appropriate as dictated by individual site conditions. DEQ encourages the use of a combination of sediment and erosion control measures to achieve maximum pollutant removal.

3. For common drainage locations[12] serving less than 10 acres disturbed at one time (or five acres if you discharge from a high priority construction site), smaller sediment basins and/or sediment traps should be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down-slope boundaries (and for those side-slope boundaries deemed appropriate as dictated by individual site conditions) of the construction area unless sediment basin(s) providing overall storage for a calculated volume of runoff from a two-year, 24-hour storm or 3,600 cubic feet of storage per acre drained, whichever is greater, is provided. DEQ encourages the use of a combination of sediment and erosion control measures to achieve maximum pollutant removal.

M. Dewatering Practices

You are prohibited from discharging groundwater, spring water or accumulated stormwater that is removed from excavations, trenches, foundations, vaults, or other similar points of accumulation associated with a construction activity, unless such waters are first effectively managed by appropriate controls. Uncontaminated clear dewatering water can be discharged without being routed to a control. You must also meet the following requirements for dewatering activities:

1. Do not discharge visible floating solids or foam.
2. Use an oil-water separator or suitable filtration device that is designed to remove oil, grease, or other products if dewatering wastewater is found to contain these materials.
3. To the extent feasible, utilize vegetated, upland areas of the site to infiltrate dewatering water before discharge. In no case shall surface waters be considered part of the treatment area.
4. At all points where dewatering water is discharged, comply with the velocity dissipation requirements of Part 4.2.K.
5. With backwash water, either haul away for disposal or return it to the beginning of the treatment process.
6. Replace and clean the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

4.3 Stabilization

"Temporary stabilization" refers to the stabilization of exposed portions of the site to provide temporary cover during the establishment and growth of vegetation, and/or in areas where earth-disturbing activities will occur again in the future. "Final stabilization" refers to the stabilization of exposed portions of the site using practices that provide permanent cover and qualify the permittee for permit termination. Temporary and permanent stabilization must be implemented in accordance with this part.

A. Stabilization Deadlines

1. Initiate the installation of stabilization measures immediately in any disturbed areas on any portion of the site where construction activities have permanently ceased or will be temporarily inactive for 14 or more calendar days[13].
2. Complete the installation of stabilization measures as soon as practicable, but no later than 14 calendar days after stabilization measures have been initiated, or seven calendar days if you discharge from a high priority construction site.
3. If using vegetative stabilization, immediately after seeding or planting the area to be stabilized, you must install stabilization measures to provide effective cover to the area while vegetation is becoming established.

[13] For concrete and/or asphalt batch plants, final stabilization must be initiated upon the completion of all industrial activities.

4. If using non-vegetative stabilization, you must install or apply all such measures to provide effective cover for such exposed portions of your site.

B. Stabilization Criteria
   1. If using vegetative stabilization, temporary and final stabilization measures must provide uniform (i.e., evenly distributed without large bare areas[14]) cover that provides 70% or more of the cover that is provided by vegetation native to the site[15]. When background vegetation covered less than 100% of the ground prior to commencing earth-disturbing activities, the 70% coverage criteria is adjusted as in following example: if vegetation covered 50% of the ground prior to construction, then the requirement would be to provide a total cover at final stabilization of 70% of 50% (0.70 X 0.50 = 0.35), or 35% of the site. If using vegetative stabilization, final stabilization occurs when vegetation has been established and rooted or anchored in place.
   2. If using non-vegetative controls (e.g., hydro-mulch, erosion control blankets, riprap, geotextiles, and gabions) to stabilize exposed portions of your site, or if using such controls to temporarily protect areas that are being seeded and planted, you must provide equivalent non-vegetative stabilization measures to provide effective cover for such exposed portions of your site.
   3. Final stabilization in residential construction, final stabilization occurs when either of the following criteria is met:
      a. The homebuilder has completed final stabilization as specified above; or
      b. The homebuilder has established temporary stabilization for an individual lot prior to occupation of the home by the homeowner and informed the homeowner of the need for, and benefits of, final stabilization.
   4. Final stabilization in construction projects on land used for agricultural purposes (e.g., pipelines across crop or range land) may be accomplished by returning the disturbed land to its pre-construction agricultural use. This does not apply to disturbed areas that were not previously used for agricultural activities, such as buffer strips immediately adjacent to waters of the state and areas that are not being returned to their pre-construction agricultural use.

4.4 Pollution Prevention

A. General Pollution Prevention Requirements
   Implement procedures to minimize exposure to precipitation and stormwater and to prevent litter, construction material and chemicals from becoming a pollutant source for stormwater discharges. This applies to the storage, handling, application and disposal of chemicals and materials such as:
   - Soaps, detergents and solvents.
   - Pesticides, herbicides, insecticides and fertilizers.
   - Diesel fuel, oil, hydraulic fluid and other petroleum products.
   - Hazardous or toxic waste.
   - Stucco, paint, concrete, form release oils, curing compounds and other chemicals.
   - Construction and landscape materials.
   - Construction and domestic waste such as building materials and products, packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, styrofoam, and concrete.
   - Sanitary waste.

B. Implement procedures to prevent litter, construction material and chemicals from becoming a pollutant source for stormwater discharges.
   1. Spill Prevention and Response
      Implement preventive measures such as barriers between material storage and vehicle/equipment traffic areas. Implement procedures for expeditiously stopping, containing, and cleaning up leaks, spills and other releases, including fuels, oils and other pollutants used for equipment and vehicle operation and maintenance. Use drip pans and absorbents under or around leaky vehicles. Ensure

[14] Large bare area is defined as an area with 10 ft^2 or more with no perennial vegetative cover established.

[15] If the site has been disturbed from previous development, or preconstruction conditions were not documented, the cover provided by vegetation native to local undisturbed areas will be used. If undisturbed areas cannot be identified, the existing surrounding conditions will be evaluated (e.g., landscaping or impervious surfaces).

adequate supplies are available at all times to handle spills, leaks and disposal of any chemicals or materials. Clean up leaks, spills and contaminated surfaces immediately using dry clean-up methods and dispose of used materials properly. Do not clean surfaces or spills by hosing the area down. Eliminate the source of the leak or spill to prevent a discharge or a furtherance of an ongoing discharge.

2. Emergency Spill Notification
   You are prohibited from discharging a toxic or hazardous substance or oil from a spill or other release, consistent with Part 2.3.H of this part. This permit does not relieve the permittee of the reporting requirements of 40 C.F.R. Parts 110, 117 and 302. Where a leak, spill, or other release containing a toxic or hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 C.F.R. Parts 110, 117, or 302 occurs during a 24-hour period, you must notify the NRC at (800) 424-8802 or, in the areas of Oklahoma, call the DEQ's Hotline at (800)522-0206 as soon as you have knowledge of the discharge. You must also, within seven calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release. Local requirements may necessitate additional reporting of spills or discharges to local emergency response, public health, or drinking water supply agencies.
3. Minimize Exposure
   Store chemicals in water-tight containers. Provide cover to prevent chemical containers and materials from coming into contact with precipitation and stormwater, or provide secondary containment or a similarly effective means to prevent the discharge of pollutants.
4. Good Housekeeping
   During each workday, clean up and dispose of waste in designated waste containers. Provide waste containers (e.g., dumpster or trash receptacle) of sufficient size and number to contain construction and domestic wastes. Keep waste container lids closed during precipitation events when not in use, when there is a significant chance of precipitation (forecasted), and/or the site is inactive or work is not in progress. Waste containers must be covered at the end of daily work shifts and when workers are not present. For waste containers that do not have lids and could leak, provide cover to minimize exposure of wastes to precipitation or a similarly effective means designed to minimize the discharge of pollutants. Clean up immediately if containers overflow.
5. Chemical Applications
   Comply with all application and disposal requirements on the pesticide, herbicide, insecticide, fertilizer, or other chemical manufacturer's label.

C. Equipment and Vehicle Washing
   Provide an effective means of minimizing the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters prior to discharges. Ensure there is no discharge of soaps, detergents, or solvents in equipment and vehicle wash water.

D. Fertilizers Containing Nitrogen or Phosphorus
   Minimize discharges of fertilizers containing nitrogen or phosphorus by complying with the following requirements:
   1. Apply at a rate and in amounts consistent with manufacturer's specifications.
   2. Apply at the appropriate time of year for your location, and preferably timed to coincide as closely as possible to the period of maximum vegetation uptake and growth.
   3. Avoid applying before heavy rains that could cause excess nutrients to be discharged.
   4. Never apply to frozen ground.
   5. Never apply to stormwater conveyance channels with standing or flowing water.
   6. Follow all other federal, state, tribal and local requirements regarding fertilizer application.

E. Hazardous or Toxic Waste or Oil
   1. Separate hazardous or toxic waste or oil from construction and domestic waste.
   2. Store waste in sealed containers which are constructed of suitable materials to prevent leakage and corrosion, and which are labeled in accordance with applicable Resource Conservation and Recovery Act (RCRA) requirements and all other applicable federal, state, or local requirements.

3. Provide appropriately-sized secondary containment for all containers that will be stored outside to prevent spills from being discharged, or provide a similarly effective means designed to prevent the discharge of pollutants from these areas.
4. Dispose of hazardous or toxic waste in accordance with the manufacturer's recommended methods of disposal and in compliance with federal, state, and local requirements.

F. PFAS Management
1. Implement measures to minimize discharges of PFAS during emergency firefighting activities and post-emergency activities, including clean-up.
2. Establish specific protocols for minimizing the resuspension, conveyance, and discharge of PFAS, both during normal operations and during all maintenance and remediation activities.
3. Document all activities undertaken in fulfillment of Parts 4.4.F.1-2 in the SWP3.

G. Sanitary Waste
Position portable toilets so that they are secure and will not be tipped or knocked over, and are located away from waters of the state and stormwater inlets or conveyances including streets and roadways.

H. Washing of Applicators and Containers
This requirement applies to stucco, paint, concrete, form release oils, curing compounds, and other chemicals.
1. Direct all wash water into a leak-proof container or leak-proof pit. The container or pit must be designed so that no overflows can occur due to inadequate sizing or precipitation.
2. Do not dump liquid wastes in storm sewers.
3. Dispose of liquid wastes in accordance with applicable requirements in Part 4.4.B or E.
4. Remove and dispose of hardened concrete waste consistent with your handling of other construction wastes in Part 4.4.B.
5. Clean up immediately if there is an overflow or if a discharge occurs outside of the leak-proof container or pit.
6. Locate any washout or cleanout activities as far away as possible from surface waters and stormwater inlets or conveyances, and, to the extent practicable, designate areas to be used for these activities and conduct such activities only in these areas.

4.5 Numeric Technology-Based Effluent Limitations

If you have discharges of stormwater from asphalt batch plants, you must comply with the limitations and monitoring requirements required in Appendix C. The numeric effluent limitations in the following Table 4-2 apply to stormwater discharges associated with any activities for asphalt batch plants, but not to concrete batch plants.

Table 4-2 Numeric Effluent Limitations for Asphalt Batch Plants

Effluent Characteristic	Discharge Limitations		Monitoring Requirements	
	Concentration (mg/l unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Daily Max.		
Total Suspended Solids (TSS) [00530]	15	23	1/year	Grab
Oil and Grease	10	15	1/year	Grab
pH (standard units) [00400]	6.5-9.0		1/year	Grab

If the project lasts less than one year, you must collect at least one sample. Also, you must comply with quarterly visual monitoring and annual numeric effluent limitation monitoring, and document those results as specified in your SWP3 (see Appendix C).

Monitoring for compliance with the above numeric effluent limitations must be conducted in accordance with test procedures approved under 40 C.F.R. Part 136, including holding time and documentation requirements, and samples must be analyzed by an accredited laboratory in accordance with OAC 252:301. Where more than one test procedure is approved for the analysis of a pollutant or pollutant parameter, the

test procedure must be sufficiently sensitive to meet the minimum quantification levels (MQLs) established in OAC 252:690 or, where an MQL has not been established in OAC 252:690, to quantify the amount of pollutant present at or below the level of the above numeric effluent limitations.

4.6 Water-Quality Based Effluent Limitations for High Priority Construction Sites

A. If your construction site is considered a high priority construction site, your stormwater discharges must be controlled as necessary to meet applicable water quality standards. Operators seeking coverage under this permit shall not cause, have the reasonable potential to cause, or contribute to a violation of a water quality standard. Where a discharge is already authorized under this permit and is later determined to cause, have the reasonable potential to cause, or contribute to the violation of an applicable water quality standard, DEQ will notify the operator of such violation(s). The permittee shall take all necessary actions to ensure future discharges do not cause, have the reasonable potential to cause, or contribute to the violation of a water quality standard, and document these actions in the SWP3. If violations remain or re-occur, then coverage under this permit may be terminated by DEQ, and an alternative general permit or individual permit may be issued. Compliance with this requirement does not preclude any enforcement activity as provided by the CWA for the underlying violation. If such violation is determined, DEQ may require you to:
   1. Develop a supplemental BMP action plan describing SWP3 modifications to address adequately the identified water quality concerns;
   2. Submit valid and verifiable data and information that are representative of ambient conditions and indicate that the receiving water is attaining water quality standards; or
   3. Cease discharges of pollutants from construction activity and submit an alternative general permit or individual permit application.

B. All high priority construction sites must comply with the following:
   1. Natural Buffer Requirements
      You must ensure that a vegetated buffer zone of at least 100 feet is retained or successfully established/planted between the area disturbed and all perennial or intermittent streams. A vegetated buffer zone of at least 50 feet must be retained or successfully established/planted between the areas disturbed during construction and all ephemeral streams or drainages. If the nature of the construction activity or the construction site makes a buffer impossible, you must provide equivalent controls. See Appendix D for information to assist you in developing equivalent controls.
   2. Sediment Basin Requirements
      You are required to comply with the requirements as specified in Parts 4.2.L for drainage locations serving five or more acres disturbed at one time.
   3. Stabilization Requirements
      You are required to comply with the stabilization requirements as specified in Part 4.3 within seven calendar days after the temporary or permanent cessation of earth-disturbing activities.
   4. Site Inspection Requirements
      You must conduct site inspections once every seven calendar days at a minimum, and within 24 hours of a storm event of 0.5 inches or greater or within 24 hours of a discharge caused by snowmelt.
   5. Corrective Actions
      If the inspection or visual examination results indicate any permit violations, you must implement the corrective actions required in Part 5.5.

PART 5 STORMWATER POLLUTION PREVENTION PLAN (SWP3)

5.1 General Requirements

A. An SWP3 must be prepared prior to submission of an NOI. The SWP3 must be kept up-to-date throughout coverage under this permit. If an SWP3 was prepared under the previous permit, the operator must review and update the SWP3 to ensure that requirements of this permit are addressed prior to submitting an NOI for coverage under this permit.

B. SWP3s shall be prepared by a qualified person and in accordance with good engineering practices. Use of a licensed professional engineer ("PE") for SWP3 preparation is not required by the permit. However, if any part of the SWP3 involves the practice of engineering[16], then those engineering practices and designs are required to be prepared by a licensed professional engineer. The SWP3 shall identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the construction site. The SWP3 shall describe and ensure the implementation of practices that will be used to reduce the pollutants in stormwater discharges associated with construction activity at the construction site and assure compliance with the terms and conditions of this permit.

C. When developing SWP3s, applicants must follow the procedures in Part 2.5 to determine whether listed endangered or threatened species or critical habitat would be affected by the applicant's stormwater discharges or stormwater discharge-related activities. Any information on whether listed species or critical habitats are found in proximity to the construction site must be included in the SWP3. The SWP3 must also include documentation required to support your eligibility with regard to the protection of historic properties. Any terms or conditions that are imposed under the eligibility requirements of Parts 2.1 and 2.5 or the water quality-based effluent limitations of Part 4.6 to protect listed species or critical habitat from stormwater discharges or stormwater discharge-related activities must be incorporated into the SWP3. Permittees must implement the applicable provisions of the SWP3 required under this part as a condition of this permit.

D. If multiple primary operators are associated with the same site, a single "joint SWP3" may be developed covering all operators at the site. However, each operator is responsible for compliance and updates of the SWP3 and each must have access to the most updated SWP3. Operators must also ensure directly or through coordination with other operators, that their activities do not compromise any other operators' controls and/or any shared controls.

E. If your construction site discharges within one stream mile into a receiving water which has been listed on the Clean Water Act 303(d) list of impaired waters, and your discharges contain the pollutant(s) for which the waterbody is impaired, you must document in your SWP3 how the BMPs and other controls selected for your site will control the discharge of the pollutant(s) of concern. If Part 4.6 applies to your discharge, you must include in your SWP3 the additional requirements specified in that part. The 303(d) list of Impaired Waters in Oklahoma can be found in Appendix C of the Integrated Report on the DEQ's webpage at http://www.deq.state.ok.us/WQDnew/305b_303d/index.html, or the DEQ GIS Map and Data Viewer at http://deq.maps.arcgis.com/home/index.html

F. If a TMDL or watershed plan or local compliance plan has been approved for the waterbody, you must also describe how your SWP3 is consistent with any TMDL or watershed plan or local compliance plan applicable to your discharge. Permittees must incorporate any limitations, conditions, or requirements applicable to their discharges into the SWP3 to ensure that the waste load allocations ("WLAs") or load

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

allocations ("LAs") and/or the TMDL's associated implementation plan will be met within any timeframe established in the TMDL report or watershed plan. Monitoring and reporting of the discharges may also be required as appropriate to ensure compliance with the TMDL or watershed plan.

G. If the industrial activities associated with a concrete or asphalt batch plant are directly related to your construction site and are covered under this permit, those activities are considered part of your construction site and must be considered when developing your SWP3. You must also include the additional requirements outlined in Appendix C.

5.2 Signature, Posting a Notice, Making Plans Available, and DEQ's Notification

A. The SWP3 shall be signed and be retained on-site or at an easily accessible location in accordance with Part 6, and shall include a copy of this permit. An easily accessible location can include electronic availability, provided that the SWP3 is still readily available in a form and location that can be accessed by a reasonable person.).

B. The permittee shall post a notice near the main entrance of the construction site with the following information:
   1. The OPDES permit number for the project or a copy of the NOI if a permit number has not yet been assigned;
   2. The name and telephone number of a local contact person;
   3. A brief description of the project; and
   4. The location of the SWP3 if the site is inactive or does not have an on-site location to store the plan. If posting this information near a main entrance is infeasible due to safety concerns, the notice shall be posted in a local public building. If the construction project is a linear construction project (e.g., pipeline, highway, etc.), the notice must be placed in a publicly accessible location near where construction is actively underway and moved as necessary. This permit does not provide the public with any right to trespass on a construction site for any reason, including inspection of a site; nor does this permit require that permittees allow members of the public access to a construction site.

C. The permittee shall make SWP3s available upon request to: DEQ and/or any state, federal, or local agency approving sediment and erosion plans, grading plans or stormwater management plans; the U.S. Fish and Wildlife Service or the Oklahoma Department of Wildlife Conservation; local government officials; or the operator of a municipal separate storm sewer system receiving discharges from the site. The copy of the SWP3 that is required to be kept on-site or at an easily accessible location must be made available to DEQ for review at the time of an on-site inspection. An easily accessible location can include electronic availability, provided that the SWP3 is still readily available in a form and location that can be accessed by a reasonable person. Also, in the interest of public involvement, DEQ encourages permittees to make their SWP3s available to the public for viewing during normal business hours.

D. DEQ may notify the permittee at any time that the SWP3 does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of this permit that are not being met by the SWP3, as well as those requiring modification to meet the minimum requirements of this Part. Within seven calendar days of receipt of such notification from DEQ (or as otherwise provided by DEQ), the permittee shall make the required changes to the SWP3 and shall submit to DEQ a written certification that the requested changes have been made. DEQ may take appropriate enforcement action for the period of time the permittee was operating under a plan that did not meet the minimum requirements of this permit.

5.3 Contents of the SWP3

The SWP3 must include the following information, at a minimum:

A. Stormwater Team

Identify the personnel (by name or position) who are part of the stormwater team, as well as their individual responsibilities, including which members are responsible for implementation of the SWP3 and compliance with permit requirements, including Appendix C. Each member of the stormwater team must have ready access to an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWP3, and other relevant documents or information that must be kept with the SWP3.

B. Nature of Activities
Describe the nature of the construction activity, including the size of the property in acres (or length in miles if it is a linear construction site), latitude and longitude at the center of construction site (latitude and longitude at the starting and ending points if it is a linear construction site), the total area expected to be disturbed by the construction activities (in acres), on-site and off-site construction support activities covered by this permit, post-construction runoff coefficient, pre-construction and post-construction total impervious area (in acres), the maximum area expected to be disturbed at any one time and types of soil and fill materials. If your site will utilize construction support activities (e.g., concrete or asphalt batch plants), describe the nature of the industrial activities at your site. The SWP3 must also indicate business days and hours of operation.

C. Other Site Operators
Include a list of all other operators who will be engaged in construction activities at your site, and the areas of the site over which each operator has control. The list should specify whether these operators have obtained a separate authorization or will be operating under your authorization.

D. Contractor Certifications
This procedure is initiated only at the discretion of the permittee/primary operator with the cooperation and agreement of the contractor. The contractor certification form should be rewritten by the permittee to fit their specific objectives. Contractor certification is recommended but is not a requirement of this permit.

1. Contractors, subcontractors, builders, installers, regular suppliers, support service companies or others who are not the permittee/primary operator (hereinafter referred as "contractor") but are involved in construction activity, and have not been issued an OKR10 authorization, should execute a contractor certification, at the discretion of the permittee, which places the responsibility of implementing and complying with the permittee's/primary operator's SWP3, including BMPs and other controls, with the contractor for work performed under the authority and direction of the contractor. Contractors must ensure that activities performed under the SWP3 are protective of high priority sites according to Part 4.6.
2. Contractors must ensure that any additional SWP3 terms and conditions implementing approved TMDL reports, watershed plans or local TMDL compliance plans are applied to the sites (also see Part 5.1.F).
3. Contractors must be thoroughly familiar with and adhere to the NOI, SWP3, BMPs, and other control measures. The SWP3 must clearly identify, for each control measure identified in the plan, the party which will implement the measure. The permittee/primary operator must ensure that all contractors or others involved in construction activity are identified in the plan as being responsible for implementing stormwater control measures, and sign a copy of the contractor certification, before performing any work in the area covered by the SWP3. All contractor certifications must be included with the SWP3.
4. The contractor certification must include the name and title of the person providing the signature, the name, address, and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

E. Sequence and Estimated Schedule of Construction Activities
The SWP3 must include a description of the intended sequence of major construction activities, including a schedule of the estimated start dates and the duration of the activity, for the following:

1. Installation of stormwater control measures, and when they will be made operational, including an explanation of how the sequence and schedule for installation of stormwater control measures complies with Part 4 and of any departures from manufacturer specifications.
2. Commencement and duration of earth-disturbing activities in each portion of the site, including clearing and grubbing, mass grading, site preparation (i.e., excavating, cutting and filling), final grading, and creation of soil and vegetation stockpiles requiring stabilization.
3. Temporary or permanent cessation of construction activities in each portion of the site.
4. Temporary or final stabilization of disturbed areas for each portion of the site.
5. Removal of temporary stormwater control measures and construction equipment or vehicles, and the cessation of construction-related pollutant-generating activities.

6. Installation, operation, and closure of construction support activities (e.g., concrete or asphalt batch plants).

F. Site Map

Include a legible map, or series of maps, showing the following features of your site:

1. Boundaries of the property.
2. Locations where construction activities will occur, including
   a. locations where earth-disturbing activities will occur, noting any phasing of construction activities;
   b. approximate slopes, noting areas of steep slopes (i.e., greater than 40 percent), before and after major grading activities;
   c. locations where sediment, soil, or other construction materials will be stockpiled;
   d. locations of crossings of any waters of the state;
   e. designated points where vehicles will exit onto paved roads;
   f. locations of structures and other impervious surfaces upon completion of construction;
   g. locations of on-site or off-site construction support activity covered by this permit; and
   h. locations where polymers, flocculants, or other treatment chemicals will be used and stored.
3. Locations of all waters of the state within one mile of the site, including wetlands that exist within or in the immediate vicinity of the site. Indicate which waterbodies are listed as impaired, which lie within a watershed with an approved TMDL, and which are identified by the state as ARC or ORW.
4. Type and extent of pre-construction cover on the site (e.g., vegetative cover, forest, pasture, pavement, and structures).
5. Drainage pattern(s) of stormwater run-on or runoff and authorized non-stormwater before and after major grading activities.
6. Stormwater and allowable non-stormwater discharge point locations, including
   a. locations where stormwater and/or allowable non-stormwater will be discharged to storm drain inlets on the site and in the immediate vicinity of the site; and
   b. locations where stormwater or allowable non-stormwater will be discharged directly to waters of the state on or near the site.
7. Locations of all potential pollutant-generating activities identified in Part 5.3.G.
8. Locations of stormwater control measures, including natural buffer areas required by Parts 4.2.B and/or 4.6.
9. If your site will utilize construction support activities (e.g., concrete or asphalt batch plants, etc.), you must also specify the boundaries of these activities, significant structures and impervious area, and the location of visual monitoring location(s). Indicate which visual monitoring locations are considered "substantially identical," if any. If applicable, specify the location of numeric effluent limitations monitoring ("NELM") sampling location(s).

G. Summary of Potential Pollutant Sources

Identify and list all pollutants and all pollutant-generating activities associated with those pollutants. You must take into account where potential spills and leaks could occur that would contribute pollutants to stormwater discharges, and any known hazardous or toxic substances, such as PCBs and asbestos, which will be disturbed or removed during construction. If your site will utilize construction support activities (e.g., concrete or asphalt batch plants), you must also document the area at your facility where industrial materials or activities are exposed to stormwater. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.

H. A Copy of Permit Requirements

Include a copy of this permit (an electronic copy easily available to the stormwater team is also acceptable) and signed NOI in your SWP3.

I. Measures to Protect High Priority Sites

If you discharge to a high priority site, you must describe and implement any measures necessary to meet the requirements of Part 4.6. You must also include the following documentation as applicable:

1. Information on whether listed endangered or threatened species or critical habitat are found in proximity to the construction activity, and whether such species may be affected by the stormwater discharges or stormwater discharge-related activities (see Appendix A and Part 2.5). You must describe and implement the measures specified in Part 4.6 to protect these endangered species and threatened habitat and resource waters in the SWP3, including any equivalent sediment controls specified in Appendix D.
2. Information on whether stormwater is discharged to waters identified as ORW (see Appendix B).
3. Information on whether stormwater is discharged within one stream mile of a waterbody listed on the latest approved Clean Water Act 303(d) list as impaired. Include information on whether stormwater discharges or stormwater discharge-related activities would have an effect on water quality of the receiving waters. Describe how the BMPs and other controls selected for the site will reduce and avoid the discharges of the pollutant(s) of concern, including requirements of 2.3.F.
4. Information on whether stormwater is discharged into a waterbody with an approved TMDL or watershed plan. You must describe and implement any measures necessary to meet the requirements of the approved TMDL or watershed plan and/or associated implementation schedule established in the TMDL or watershed plan. Monitoring and reporting of discharge quality may also be required if necessary to ensure compliance with an approved TMDL or watershed plan.

J. Federal, State or Local Historic Properties
Include documentation required in Part 2.4.

K. Stormwater Control Description
Include a description of all control measures required in Part 4. The description and implementation of control measures must include the following:

1. Erosion and Sediment Controls
   a. Utilize EPA's national BMP menu and/or other references to select appropriate control measures and provide the descriptions of the selected control measures for your site. The selected control measures must meet the following requirements, as well as being in compliance with state and local regulations for your site, including:
      i. The construction-phase erosion and sediment controls should be designed to retain sediment on site to the extent practicable;
      ii. All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately or incorrectly, the permittee must replace or modify the control for site situations;
      iii. If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impact (e.g., fugitive sediment in streets could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets);
      iv. Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by 50%;
      v. Litter, construction debris, and construction chemicals (e.g., fuel, hydraulic fluids, etc.) exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., by screening outfalls or picking up daily);
      vi. Off-site construction storage areas (also including overburden and stockpiles of dirt, borrow areas, etc.) used solely by the permitted project are considered a part of the project and shall be addressed in the SWP3; and
      vii. Many applications of straw and hay bales for erosion and sediment control have proven ineffective, maintenance-intensive and expensive. Therefore, straw or hay bales as BMP controls within the state are not allowed. Alternatives to straw or hay bales can be silt fence, rock check dams, fiber rolls, geotextiles, compost blankets, filter fabric, gravel bags and other designs.
   b. Include natural buffers and/or equivalent sediment controls required in Parts 4.2.B or 4.6.
   c. Describe the specific vegetative and/or non-vegetative stabilization practices that will be used to achieve temporary and final stabilization on the exposed portions of your site as required in Part

4.3. Record any unforeseen circumstances that cause delays in initiation and/or completion of vegetative stabilization, with the schedule for initiating and completing stabilization.

d. Include a description of structural controls to divert flows from exposed soils, retain flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. Structural controls may include but are not limited to: silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet structure protection, rock outlet structure protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins (also see Part 4.4.A). Placement of structural controls in floodplains should be avoided to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA.

e. Include sediment basin(s) required in Part 4.2.L. Include supporting documentation such as drainage pattern(s), storage calculation(s), and building specification(s).

2. Pollution Prevention

a. Describe procedures that you will follow to prevent and respond to spills and leaks (also see Part 4.4.B.1), including:

i. Procedures for expeditiously stopping, containing, and cleaning up spills, leaks, and other releases. Identify the name or position of the employee(s) responsible for the detection and response to spills or leaks; and

ii. Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity consistent with Part 4.4.B.2 and established under either 40 C.F.R. Parts 110, 117, or 302, occurs during a 24-hour period. Contact information must be in locations that are readily accessible and available.

iii. You may also reference the existence of Spill Prevention Control and Countermeasure (SPCC) plans developed for the construction activity under Part 311 of the CWA, or spill control programs otherwise required by an OPDES permit for the construction activity, provided that you keep a copy of that other plan on site.

iv. Describe waste management procedures for how you will handle and dispose of all wastes generated at your site, including, but not limited to, clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste.

v. For application of fertilizers, document any departures from the manufacturer specifications where appropriate (see Parts 4.4.B.5 and 4.4.D).

vi. Identify and document where potential spills and leaks could occur that would contribute pollutants to stormwater discharges and corresponding outfall(s) that can be affected by such spills and leaks. You must also describe the procedures that will be followed for cleaning up spills or leaks.

b. Monitoring (if applicable)

If the discharges from the facilities are subject to the visual monitoring and/or numeric limitations in Part 4.5 and Appendix C, the SWP3 must document the procedures you will follow for taking samples or observations consistent with Appendix C, including:

i. Person(s) or position(s) of person(s) responsible for conducting stormwater monitoring.

ii. Locations where samples will be collected.

iii. Documentation regarding substantially identical outfalls as specified in Appendix C.3.A.4, if applicable.

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

v. Procedures for sample collection, handling and analysis, including equipment to be used.

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

vii. Schedules for monitoring at the site.

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

ix. The normal working hours associated with the project.
x. Procedures for notifying and activating your sampling team when a discharge is occurring or is expected to occur, and to ensure that samples are taken.

c. Approved Local Plans
Permittees which discharge stormwater associated with construction activities must ensure their SWP3 is consistent with requirements specified in applicable sediment and erosion site plans of site permits, or stormwater management site plans, or site permits approved by local officials. The SWP3 must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or stormwater management site plans or site permits approved by local officials from whom the permittee receives written notice.

L. Maintenance
All erosion and sediment control measures and other protective measures, including site routine maintenance specifications, identified in the SWP3 must be maintained in effective operating condition. If site inspections required by Part 4.1 identify BMPs that are not operating effectively, maintenance shall be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of stormwater controls. If existing BMPs need to be modified or if additional BMPs are necessary for any reason, implementation must be completed before the next storm event whenever practicable. If maintenance prior to the next anticipated storm event is impracticable, the situation must be documented in the SWP3 and maintenance must be scheduled and accomplished as soon as possible. Any maintenance checklists or other forms that will be used must be included in the SWP3.

M. Inspections
Include all information specified in Part 5.4. Concrete or asphalt batch plant(s) covered under this permit must also include completed Annual Comprehensive Site Compliance Evaluation Reports ("ACSCER").

N. Correction Actions
Include all information specified in Part 5.5.

O. Non-Stormwater Discharges
Identify all allowable non-stormwater discharges in Part 2.2 that will or may occur. You must document in your SWP3 all non-stormwater discharges from the site.

P. Staff Training Requirements
You must describe a stormwater employee training program and identify periodic dates (e.g., every six months[17]) for such training.

1. Prior to the commencement of earth-disturbing activities or pollutant-generating activities, whichever occurs first, the permittee must ensure that the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:
   a. Personnel who are responsible for the design, installation, maintenance, and/or repair of stormwater controls, including pollution prevention measures.
   b. Personnel responsible for the application and storage of chemicals (if applicable).
   c. Personnel responsible for inspections as required in Part 5.4. Such personnel must be a "qualified person" as defined in Part 1.FF.
   d. Personnel who are responsible for taking corrective actions as required in Part 5.5.
   e. Personnel who are responsible for operating and/or maintaining construction support activities (e.g., concrete or asphalt batch plants), if applicable.
2. At a minimum, personnel must be trained to understand the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):
   a. The location of all stormwater controls on the site required by this permit, and how they are to be maintained;
   b. The proper procedures to follow with respect to the permit's pollution prevention requirements; and
   c. When and how to conduct inspections, record applicable findings, and take corrective actions.

[17] For construction support activities (e.g. concrete or asphalt batch plants), employee training shall be conducted at least once per year (and more often if employee turnover is high).

Q. NCOs for Individual Lots in Residential Subdivisions
The permittee shall not terminate their permit coverage until they have notified the new owners/operators of the individual lots within the larger common plan of development of their permitting requirements. The permittee must complete and sign an NCO which shall be signed by both the permittee and new owner, submit it to DEQ, and include copies of all NCOs in the SWP3 (see Part 3.6.A.2). The original or transferring owner(s)/operator(s) must also notify the new owner(s)/operator(s) of their responsibility to obtain their own permit coverage with DEQ prior to commencement of construction activities.

R. SWP3 Certification
The SWP3 must be certified, signed and dated in accordance with Part 7.6.

S. SWP3 Modification
1. Modify the SWP3, including the site map(s), within seven calendar days of any of the following conditions:
   a. Whenever new operators become active in construction activities on the site, or the construction plans, stormwater controls, or other activities have been changed at the site that are no longer accurately reflected in the SWP3, including the changes in Part 5.3.N;
   b. To reflect areas on the site map where operational control has been transferred since initiating permit coverage;
   c. If inspections or investigations determine that SWP3 modifications are necessary for compliance with this permit;
   d. Where an inspector or investigator determines it is necessary to install and/or implement additional controls at the site to meet the requirements of this permit (e.g., an approved TMDL report applies to the site); or
   e. To reflect any revision to applicable federal, state and local requirements that affect the stormwater controls implemented at the site.
2. Maintain records showing the dates of all SWP3 modifications, including the name and title of the person authorizing each change; and
3. Upon determining that a modification to the SWP3 is required, if there are multiple operators (or subcontractors) covered under this permit, the permittee must immediately notify any operators who may be impacted by the change to the SWP3.

T. On-Site Availability of SWP3
A current copy of the SWP3 must be kept on-site or at an easily accessible location so that it can be made available at the time of an on-site inspection or upon request by DEQ. An easily accessible location can include electronic availability, provided that the SWP3 is still readily available in a form and location that can be accessed by a reasonable person.

5.4 Inspection Requirements

A. Person(s) Responsible for Inspecting Site
The person(s) inspecting your site may be a person on your staff or a third party you hire to conduct such inspections. If you hire a third party to conduct inspections, and that party cannot implement corrective actions without prior approval, at least one member of your stormwater team must be present during inspections[18]. You are responsible for ensuring that the person who conducts inspections is a "qualified person" as defined in Part 1.FF. An inspection form shall be developed and included in your SWP3.

[18] If a member of the stormwater team cannot be present during the inspection, the report must be signed by a member of the stormwater team within 24 hours of receiving the completed report.

Table 5-1 Minimum Inspection Frequencies

Minimum Inspection Frequency	Type of Construction Site	
	Standard	High Priority
Routine Inspection Frequency	You must conduct a site inspection when discharge is occurring • once every 14 calendar days, and • within 24 hours of the end of a storm event of 0.5 inches or greater, and • within 24 hours of a discharge generated by snowmelt.	You must conduct a site inspection when discharge is occurring • once every seven calendar days, and • within 24 hours of the end of a storm event of 0.5 inches or greater, and • within 24 hours of a discharge generated by snowmelt.
Reduced Inspection Frequency	You must conduct a site inspection once per month.	

B. Frequency of Inspections
At a minimum, you must conduct a site inspection once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater and within 24 hours of a discharge generated by snowmelt, unless you are discharging from a high priority site subject to Part 4.6.B.4. If a storm event of 0.5 inches or greater, or snowmelt, causes your site to discharge, within 24 hours of the end of the storm event or the beginning of the snowmelt discharge you must conduct a site inspection when the discharge is occurring.[19] Minimum inspection frequencies are outlined in Table 5-1.

C. Reductions in Inspection Frequency
You may reduce the frequency of inspections to once per month in areas of your site where you have initiated vegetative stabilization that meets the criteria in Part 4.3, once you have completed the initial seeding or planting, and provided protection with non-vegetative cover pursuant to Part 4.3, or you have installed temporary, non-vegetative stabilization that meet the criteria in Part 4.3. If construction activity resumes at a later date, the inspection frequency shall immediately increase to that required in Part 5.4.B. Reduced inspection frequencies are outlined in Table 5-1.

D. Areas That Need to be Inspected
During your site inspection, you must at a minimum inspect the following areas of your site:
1. All areas that have been cleared, graded, or excavated and that have not yet completed stabilization consistent with Part 4.3;
2. All stormwater controls or management devices (including pollution prevention measures) installed at the site to comply with this permit;
3. Material, waste, borrow, or equipment storage and maintenance areas that are covered by this permit;
4. All areas where stormwater typically flows within the site, including drainage ways designed to divert, convey, and/or treat stormwater;
5. All points of discharge from the site, including exit points where sediment could be tracked out from the site; and
6. All locations where stabilization measures have been implemented.
7. All areas where construction support activities (e.g., concrete or asphalt batch plants) will be taking place, if applicable.

E. Requirements for Inspections
During your site inspection, you must at a minimum:

[19] Inspections are only required during the site's normal working hours. For the purposes of the inspection requirements in this Part, conducting an inspection "within 24 hours" means that once the conditions in Part 5.4.B are met, you have 24 hours from that time to conduct an inspection. For clarification, the 24 hours is counted as a continuous passage of time, and not counted by business hours (e.g., three business days of eight hours each). When the 24-hour inspection time frame occurs entirely outside of normal working hours, you must conduct an inspection by no later than the end of the next business day.

1. Check whether all erosion, sediment, and pollution prevention controls are properly installed, appear to be operational, and are working as intended to minimize pollutant discharges. Determine if any controls need to be replaced, repaired, or maintained in accordance with Part 5.3.L;
2. Check for the presence of conditions that could lead to spills, leaks, or other accumulations of pollutants on the site;
3. Identify any locations where new or modified stormwater controls are necessary to meet the requirements of Parts 4.2, 4.3, and/or 4.4 (if applicable);
4. Check the points of discharge and, if applicable, the banks of any surface waters flowing within your property boundaries or immediately adjacent to your property, for signs of visible erosion and sedimentation (i.e., sediment deposits) that have occurred and are attributable to your discharge. If not accessible, nearby downstream locations must be inspected to the extent practicable;
5. Identify any incidents of noncompliance observed;
6. If a discharge is occurring during your inspection, you are required to:
   a. Identify all points of the property from which there is a discharge.
   b. Observe and document the visual quality of the discharge and take note of the characteristics of the stormwater discharge, including color, odor, floating, settled, or suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollutants.
   c. Document whether your stormwater controls are operating effectively and describe any such controls that are clearly not operating as intended or are in need of maintenance.
7. Based on the results of your inspection and necessary maintenance initiate corrective action under Part 5.5.

F. Inspection Report
1. You must complete an inspection report within 24 hours of completing any site inspection. Each inspection report must include the
   a. inspection date;
   b. names and titles of personnel making the inspection;
   c. summary of your inspection findings, covering at a minimum the observations you made in accordance with Part 5.4.D;
   d. the applicable rain gauge or weather station readings that triggered the inspection if you conducted an inspection because of rainfall measuring 0.5 inches or greater; and
   e. the description or reason you found any portion of your site, including the specific location, to be unsafe if you are unable to complete a site inspection due to safety concerns.
2. Each inspection report must be signed in accordance with Part 7.7.

G. Record Keeping Requirements
You are required to keep copies of all inspection reports on-site or at an easily accessible location, so that they can be made available at the time of an on-site inspection or upon request by DEQ. An easily accessible location can include electronic availability, provided that the SWP3 is still readily available in a form and location that can be accessed by a reasonable person.

5.5 Corrective Action Requirements

A. Requirements for Taking Corrective Action
You must complete the following corrective actions (see definition in Part 1.J). In all circumstances, you must immediately take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events. Failure to implement the required corrective action constitutes a permit violation under Part 7.1.
1. For any of the following conditions on your site, you must review and revise the selection, design, installation, and implementation of your control measure(s) to ensure that the condition is eliminated and will not be repeated in the future. You must install a new or modified control and make it operational, or complete the repair, by no later than seven calendar days from the time of discovery. If it is infeasible to complete the installation or repair within seven calendar days, you must document in your records why it is infeasible to complete the installation or repair within the seven calendar-day timeframe and document your schedule for installing the stormwater controls and making it operational as soon as practicable after the seven calendar-day timeframe. Where your corrective

actions result in changes to any of the stormwater controls or procedures documented in your SWP3, you must modify your SWP3 accordingly within seven calendar days of completing corrective action work.

a. A required stormwater control was never installed, was installed incorrectly or not in accordance with the requirements in Parts 4 and/or 5.
b. A stormwater control needs to be repaired or replaced (beyond routine maintenance required in Part 5.3.L).
c. You become aware, or DEQ determines, that the controls you have installed and are maintaining are not effective enough for the discharge to meet applicable water quality standards or applicable requirements in Part 4.
d. An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another ODPES permit) has occurred.
e. If you are subject to the monitoring requirements in Part 4.5 and Appendix C, samples indicate that you have a discharge that exceeds the applicable effluent limitation.

B. Corrective Action Report

1. Within 24 hours of discovering the occurrence of one of the triggering conditions in Part 5.5.A.1 at your site, you must provide a record of the following:
   a. Which triggering condition was identified at your site.
   b. The nature of the condition identified.
   c. The date and time of the condition identified and how it was identified.
2. Within seven calendar days of discovering the occurrence of one of the triggering conditions in Part 5.5.A.1 at your site, you must complete a record of the following:
   a. Any follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred.
   b. A summary of stormwater control modifications taken or to be taken, including a schedule of activities necessary to implement changes, and the date the modifications are completed or expected to be completed.
   c. Notice of whether SWP3 modifications are required as a result of the condition identified or corrective action.
3. Each corrective action report must be signed in accordance with Part 7.6.

C. Recordkeeping Requirements

You are required to keep current copies of all corrective action reports on-site or at an easily accessible location, so that they can be made available at the time of an on-site inspection or upon request by DEQ. An easily accessible location can include electronic availability, provided that the SWP3 is still readily available in a form and location that can be accessed by a reasonable person.

PART 6 RETENTION OF RECORDS

6.1 Documents

The permittee shall retain copies of the SWP3 and all reports required by this permit, and records of all data used to complete the NOI to be covered by this permit, for a period of at least three years from the date that the site is finally stabilized. This period may be extended by request of DEQ at any time.

6.2 Accessibility

The permittee shall retain a copy of the SWP3 required by this permit (including a copy of the permit language) at the construction site (or other local location accessible to DEQ; a state or local agency approving sediment and erosion plans, grading plans, or stormwater management plans; local government officials; or the operator of a municipal separate storm sewer receiving discharges from the site) from the date of project initiation to the date of final stabilization. Permittees with day-to-day operational control over SWP3 implementation shall have a copy of the latest SWP3 available at a central location on-site for the use of all operators and those identified as having responsibilities under the SWP3 whenever they are on the construction site.

6.3 Addresses

All written correspondence concerning this permit, including the submittal of NOIs and NOTs, shall be sent to DEQ at the address, fax or email in Part 3.8.
All documents shall be submitted in accordance with all state and federal reporting requirements.

Part 7 Standard Permit Conditions

7.1 Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the C.W.A. within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement. Penalties for violations of permit conditions are provided below:

A. Criminal Penalties
   1. Negligent Violations.
      The OPDES Act provides that any person who negligently violates permit conditions is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or both (27A O.S. § 2-6-206 (G) (1)).
   2. Knowing Violations.
      The OPDES Act provides that any person who knowingly violates permit conditions is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than three years, or both (27A O.S. § 2-6-206 (G) (2)).
   3. Knowing Endangerment.
      The OPDES Act provides that any person who knowingly violates permit conditions, and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury, is subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both (27A O.S. § 2-6-206 (G)(3)).
   4. False Statement.
      The OPDES Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the OPDES, or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the OPDES, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than two years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or by both (27A O.S. § 2-6-206 (G)(4)).

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

C. Administrative Penalties.
   The OPDES Act provides that any person who violates a permit condition is subject to an administrative penalty, not to exceed $10,000 per day of violation nor shall the maximum amount exceed $125,000 per violation [see 27A O.S. § 2-6-206 (E)].

7.2 Continuation of the Expired General Permit

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued and remain in full force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

A. Reissuance or replacement of this permit, at which time the permittee must comply with the NOI conditions of the new permit to maintain the authorization to discharge; or
B. The permittee's submittal of an NOT; or
C. Issuance of an individual permit for the permittee's discharges; or
D. A formal permit decision by DEQ not to reissue this general permit, at which time the permittee must seek coverage under an alternative general permit or an individual permit.

Any new applicant who applies for coverage after the expiration date of this general permit will not be granted permit coverage until this general permit is reissued.

7.3 Need to Halt or Reduce Activity Not a Defense

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

7.4 Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

7.5 Duty to Provide Information

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

7.6 Signatory Requirements

All NOIs, NOTs, reports, certifications (except the contractor certification under Part 5.3.D) or information either submitted to DEQ or the operator of an MS4, or that this permit requires be maintained by the permittee, shall be signed as follows:

A. All NOIs and NOTs 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, provided the manager is authorized to make management decisions which govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
   2. For a Limited Liability Company (LLC) - by a member, managing or otherwise; or
   3. For a partnership - by a general partner; or
   4. For a sole proprietorship - by the proprietor (owner); or
   5. 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 (e.g., Regional Administrator of the EPA).

B. All reports required by this permit and other information requested by DEQ or authorized representative of DEQ 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 and submitted to DEQ;
   2. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
   3. The signed and dated written authorization must be included in the SWP3.

C. Changes to Authorization.
If an authorization under Part 3.1 is no longer accurate because a different operator has responsibility for the overall operation of the construction site, a new NOI satisfying the requirements of Part 3.1 must be submitted to DEQ prior to or together with any reports, information, or applications to be signed by an authorized representative. The change in authorization must be submitted within the time frame specified in Part 3.5 and sent to the address specified in Part 3.8.

D. Any person signing documents under this Part 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 this 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."

7.7 Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA or Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") of 1980, 42 U.S.C. § 9601 *et seq.*

7.8 Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

7.9 Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

7.10 Requiring an Individual Permit or an Alternative General Permit

A. DEQ may require any person authorized by this permit to apply for and/or obtain either an individual OPDES permit or an alternative OPDES general permit. Any interested person may petition DEQ to take action under this paragraph. Where DEQ requires a permittee authorized to discharge under this permit to apply for an individual OPDES permit, DEQ shall notify the permittee in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the permittee to file the application, and a statement that on the effective date of issuance or denial of the individual OPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the address in Part 3.8. DEQ may grant additional time to submit the application upon request of the applicant. If a permittee fails to submit in a timely manner an individual OPDES permit application as required by DEQ under this paragraph, then the applicability of this permit to the individual OPDES permittee is automatically terminated at the end of the day specified by DEQ for application submittal.

B. Any permittee authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual permit application in accordance with the requirements of 40 C.F.R. § 122.26 (c) (1) (ii), with reasons supporting the request, to DEQ at the address in Part 3.8 of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.

C. When an individual OPDES permit is issued to a permittee otherwise subject to this permit, or the permittee is authorized to discharge under an alternative OPDES general permit, the applicability of this permit to the individual OPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual OPDES permit is denied to an operator otherwise subject to this permit or the operator is denied coverage under an alternative OPDES general permit, the applicability of this permit to the individual OPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by DEQ.

7.11 State/Tribal Environmental Laws

A. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state/tribal law or regulation under authority preserved by Section 510 of the Clean Water Act.
B. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.
C. Construction activities on Indian Country lands are regulated by the EPA Region 6 office located in Dallas, Texas. Applicants seeking coverage for construction or surface disturbing activities located on Indian Country land should contact the EPA Region 6 office.

7.12 Proper Operation and Maintenance

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

7.13 Inspection and Entry

The permittee shall allow DEQ or an authorized representative of DEQ, or in the case of a construction site that discharges through a municipal separate storm sewer, an authorized representative of the municipal operator of the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

A. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
B. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
C. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).
D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

7.14 Monitoring and Records

A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
B. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 C.F.R Part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of DEQ at any time.
C. Records of monitoring information shall include:
    1. The date, exact place, and time of sampling or measurements;
    2. The individual(s) who performed the sampling or measurements;

3. The date(s) analyses were performed;
4. The individual(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of such analyses.

D. Monitoring must be conducted according to test procedures approved under 40 C.F.R Part 136 unless another method is required under 40 C.F.R subchapters N or O.

E. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both.

7.15 Reporting Requirements

A. Planned changes.
The permittee shall give notice to DEQ as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in § 122.29(b); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under § 122.42(a)(1).
3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;

B. Anticipated noncompliance.
The permittee shall give advance notice to DEQ of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

C. Transfers.
This permit is not transferable.

D. Monitoring reports.
Monitoring results shall be reported at the intervals specified elsewhere in this permit.
1. Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by DEQ for reporting results of monitoring of sludge use or disposal practices. As of December 21, 2016, all reports and forms submitted in compliance with this section must be submitted electronically by the permittee to DEQ or initial recipient, as defined in 40 C.F.R 127.2(b), in compliance with this section and 40 C.F.R Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R Part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of Part 127, permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.
2. If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 C.F.R Part 136, or another method required for an industry-specific waste stream under 40 C.F.R subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by DEQ.
3. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by DEQ in the permit.

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

F. Twenty-four hour reporting.

1, The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A report shall also be provided within five days of the time the permittee becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times), and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (*e.g.,* manhole, combine sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather. As of December 21, 2025 or an EPA-approved alternative date (*see* 40 C.F.R 127.24(e) or (f)), all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to DEQ or initial recipient, as defined in 40 C.F.R 127.2(b), in compliance with this section and 40 C.F.R Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R Part 127. 40 C.F.R Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of 40 C.F.R Part 127, permittees may be required to electronically submit reports related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section by a particular permit or if required to do so by state law. DEQ may also require permittees to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section.

2. The following shall be included as information which must be reported within 24 hours under this paragraph.
   a. Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 C.F.R. § 122.41(g).
   b. Any upset which exceeds any effluent limitation in the permit.
   c. Violation of a maximum daily discharge limitation for any of the pollutants listed by DEQ in the permit to be reported within 24 hours. (See 40 C.F.R. § 122.44(g).)
3. DEQ may waive the written report on a case-by-case basis for reports under paragraph 7.15.F.2 of this section if the oral report has been received within 24 hours.

G. Other noncompliance.

The permittee shall report all instances of noncompliance not reported under paragraphs 7.15.D - F of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph 7.15.F. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in paragraph 7.15.F and the applicable required data in appendix A to 40 C.F.R Part 127. As of December 21, 2025 or an EPA-approved alternative date (see 40 C.F.R 127.24(e) or (f)), all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to DEQ or initial recipient, as defined in 40 C.F.R 127.2(b), in compliance with this section and 40 C.F.R Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R Part 127. 40 C.F.R Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of 40 C.F.R Part 127, permittees may be required to electronically submit reports related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section by a particular permit or if required to do so by state law. DEQ may also require permittees to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section.

H. Other information.

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEQ, it shall promptly submit such facts or information.

I. Identification of the initial recipient for NPDES electronic reporting data.
The owner, operator, or the duly authorized representative of an NPDES-regulated entity is required to electronically submit the required NPDES information (as specified in appendix A to 40 C.F.R Part 127) to the appropriate initial recipient, as determined by EPA, and as defined in 40 C.F.R. § 127.2(b). EPA will identify and publish the list of initial recipients on its web site and in the Federal Register, by state and by NPDES data group [see 40 C.F.R. § 127.2(c). EPA will update and maintain this listing.

7.16 Bypass

A. Definitions.
1. **Bypass** means the intentional diversion of waste streams from any portion of a treatment facility.
2. **Severe property damage** means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

B. Bypass not exceeding limitations.
The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 7.16.C and D of this section.

C. Notice.
1. Anticipated bypass.
If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the date of the bypass. As of December 21, 2025 or an EPA-approved alternative date (see 40 C.F.R. 127.24(e) or (f)), all notices submitted in compliance with this section must be submitted electronically by the permittee to DEQ or initial recipient, as defined in 40 C.F.R. 127.2(b), in compliance with this section and 40 C.F.R. Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R. Part 127. 40 C.F.R. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of 40 C.F.R. Part 127, permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.
2. Unanticipated bypass.
The permittee shall submit notice of an unanticipated bypass as required in paragraph 7.15.F of this section (24-hour notice). As of December 21, 2025 or an EPA-approved alternative date (see 40 C.F.R. 127.24(e) or (f)), all notices submitted in compliance with this section must be submitted electronically by the permittee to DEQ or initial recipient, as defined in 40 C.F.R. 127.2(b), in compliance with this section and 40 C.F.R. Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R. Part 127. 40 C.F.R. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of 40 C.F.R. Part 127, permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.

D. Prohibition of bypass.
1. Bypass is prohibited, and DEQ may take enforcement action against a permittee for bypass, unless:
   a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
   b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
   c. The permittee submitted notices as required under paragraph 7.16.C of this section.
2. DEQ may approve an anticipated bypass, after considering its adverse effects, if DEQ determines that it will meet the three conditions listed above in paragraph 7.16.D.1 of this section.

7.17 **Upset -**

A. Definition.
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.

B. Effect of an upset.
An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 7.17.C of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

C. Conditions necessary for a demonstration of upset.
A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
1. An upset occurred and that the permittee can identify the cause(s) of the upset;
2. The permitted facility was at the time being properly operated; and
3. The permittee submitted notice of the upset as required in paragraph 7.15.F.2.a of this section (24 hour notice).
4. The permittee complied with any remedial measures required under paragraph 7.4 of this section.

D. Burden of proof.
In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

7.18 Permit Actions

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

Part 8 Re-opener Clause

8.1 Potential to Cause or Contribute to a Violation

If there is evidence indicating that the stormwater discharges authorized by this permit cause, have the reasonable potential to cause, or contribute to a violation of a water quality standard, the permittee may be required to obtain an individual permit or an alternative general permit in accordance with Part 7.10, or the permit may be modified to include different limitations and/or requirements.

8.2 Permit Modification or Revocation

Permit modification will be conducted according to the Oklahoma Uniform Environmental Permitting Act at Oklahoma Statutes, Title 27A, O.S., § 2-14-101 *et seq.*, OAC, 252:4-7 and 252:606, and 40 C.F.R. §§ 122.62, 122.63, 122.64, and 124.5, incorporated and adopted by reference in OAC 252:606-1-3(b).

APPENDIX A – OKLAHOMA AQUATIC RESOURCES OF CONCERN (ARC)

A. Sensitive waters and watersheds for federally listed species, as defined by the U.S. Fish and Wildlife Service for the OPDES OKR10 Construction General Permit (CGP) for stormwater discharges from construction activity

Grand (Neosho) River - A two-mile corridor (one mile from each bank) of the main stem of the Grand (Neosho) River above its confluence with Tar Creek. This corridor includes portions of Ottawa and Craig Counties.

Cimarron River - A two-mile corridor (one mile from each bank) of the main stem of the Cimarron River from the US Hwy-77 Bridge in Logan County upstream to and including Beaver County. This corridor includes river segments in Beaver, Harper, Kingfisher, Logan, Major, Woods, and Woodward counties.

South Canadian River - A two-mile corridor (one mile from each bank) of the main stem from the Eufaula Reservoir flood pool upstream to the northern border of Custer County. This corridor includes river segments in Blaine, Caddo, Canadian, Cleveland, Custer, Grady, Hughes, McClain, McIntosh, Pittsburg, Pontotoc, Pottawatomie, and Seminole counties.

Muddy Boggy River - A two-mile corridor (one mile from each bank) of the main stem of the Muddy Boggy River which includes portions of Choctaw, Atoka, and Coal Counties.

Kiamichi River – The watershed of the Kiamichi River is upstream from the Hugo Reservoir. This watershed includes portions of Choctaw, Pushmataha, Atoka, Pittsburg, Latimer, and Leflore Counties.

Little River – The watershed of the Little River includes portions of Choctaw, LeFlore, Pushmataha and McCurtain Counties.

Glover River – The watershed of the Glover River includes portions of Pushmataha and McCurtain Counties.

Mountain Fork River – The watershed of the Mountain Fork River is above Broken Bow Reservoir and includes portions of Leflore and McCurtain Counties.

Northeast HUC-11 Watersheds – The watersheds are identified by the following 11-digit Hydrologic Unit Codes: 11070206030, 11070206060, 11070207190, 11070208070, 11070209020, 11070209030, 11070209040, 11070209050, 11070209060*, 11070209070, 11070209100, 11070209110 and 11070209120. These watersheds include portions of Ottawa, Craig, Delaware, and Mayes Counties.

* *This HUC does not contain a known Ozark cavefish cave. It was included because it is entirely surrounded by 11 digit HUCs with known Ozark cavefish caves; therefore, we assume that Ozark cavefishes likely occupy this portion of the watershed as well.*

Elk River – A two-mile corridor (one mile from each bank) of the Elk River which includes portions of Delaware County.

Spring River – A two-mile corridor (one mile from each bank) of the Spring River which includes portions of Ottawa County.

Verdigris River – A two-mile corridor of the main stem from the dam of Lake Oologah to the confluence of the Arkansas River which includes river segments in Rogers, Wagoner, and Muskogee counties.

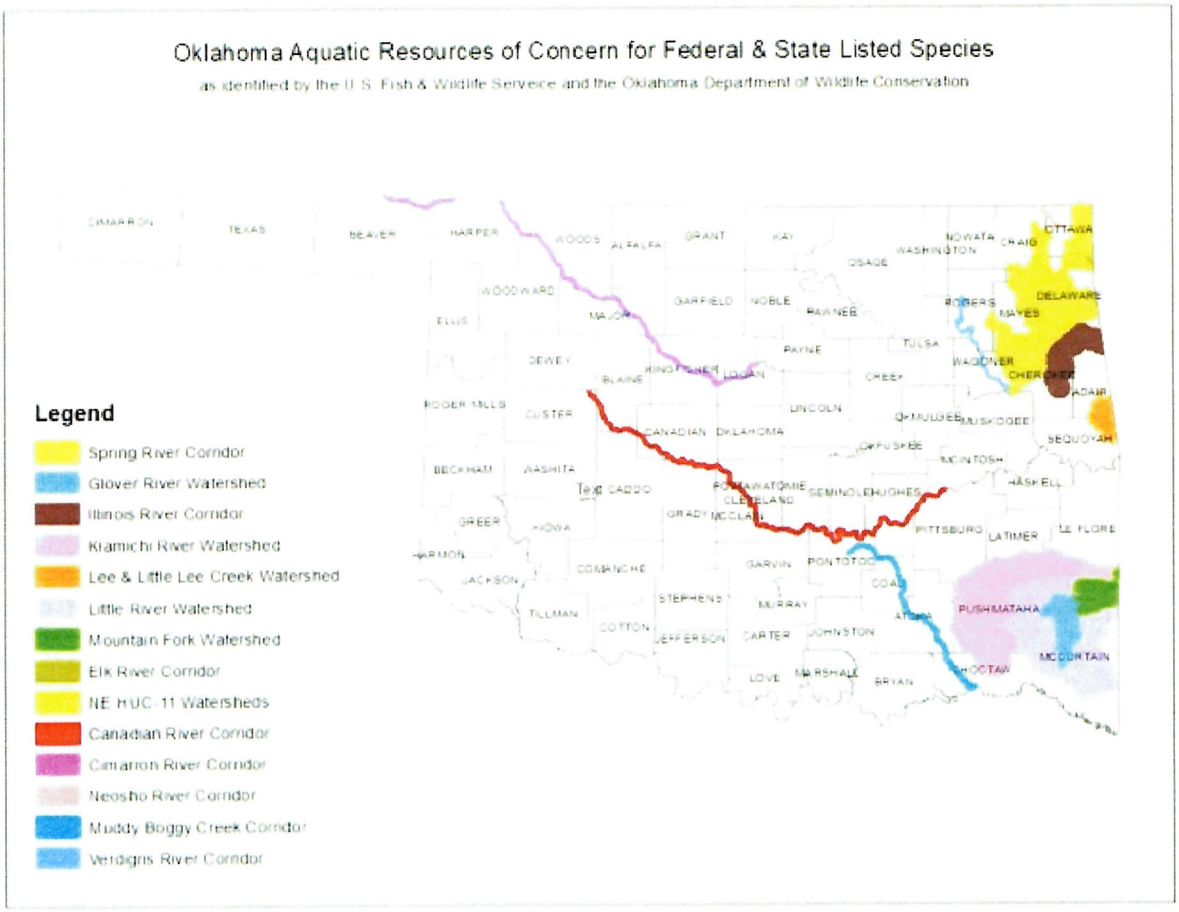
B. Sensitive waters and watersheds for state listed species, as defined by the Oklahoma Department of Wildlife Conservation for the OPDES OKR10 Construction General Permit (CGP) for stormwater discharges from construction activity

Illinois River – A 10-mile corridor (five miles from each bank within the watershed) of the main stem of the Illinois River above Tenkiller Reservoir. This corridor includes portions of Cherokee, Delaware, and Mayes Counties.

Lee and Little Lee Creeks – The watershed of Lee Creek and Little Lee Creek which includes portions of Sequoyah and Adair Counties.

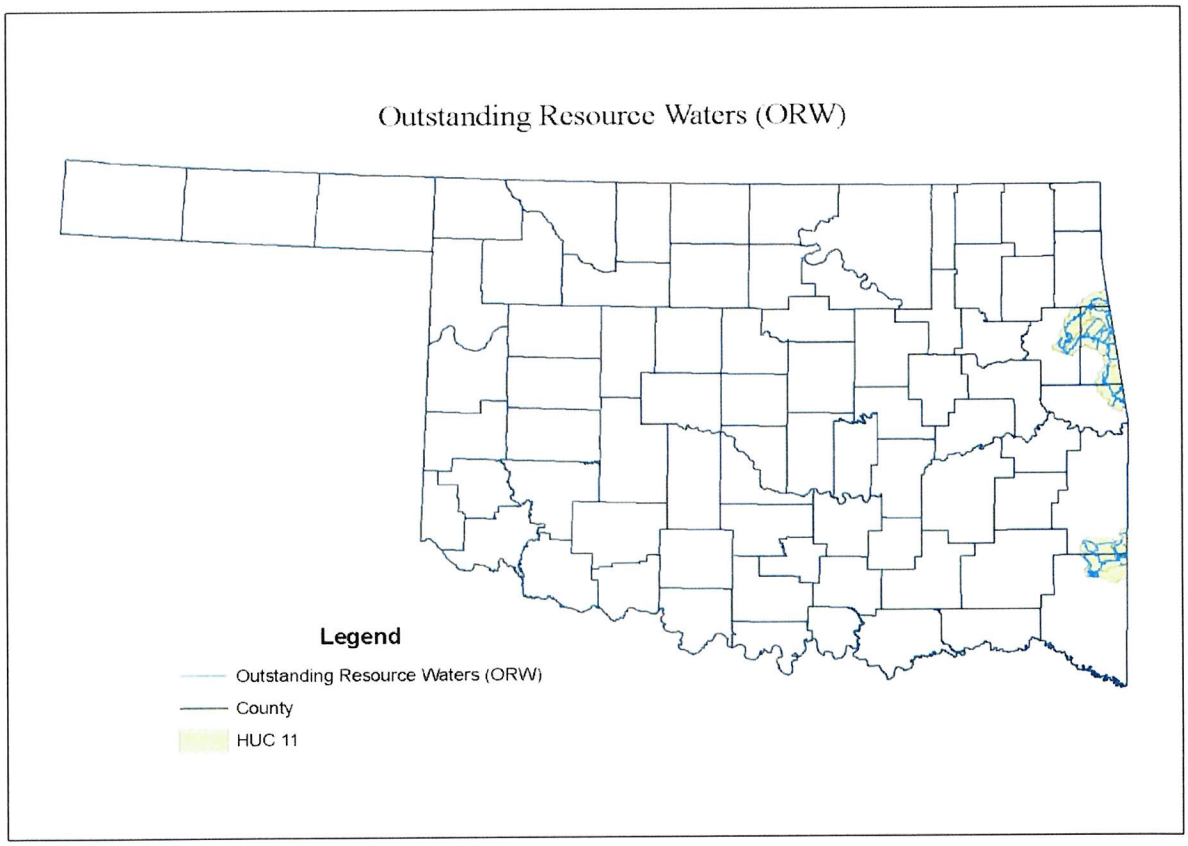
Note: *No stormwater discharge-sensitive endangered or threatened species occur in the following counties: Alfalfa, Beckham, Carter, Cimarron, Comanche, Garfield, Garvin, Grant, Greer, Johnston, Kiowa, Lincoln, Murray, Nowata, Okfuskee, Oklahoma, Okmulgee, Rogers, Stephens, Texas, Washington, or Washita.*

Figure A- 1 Oklahoma Aquatic Resources of Concern for Federal & State Listed Species



APPENDIX B – OUTSTANDING RESOURCE WATERS (ORW)

Figure B- 1 Outstanding Resource Waters Statewide Map



Outstanding Resource Waters Details

Figure B- 2 Illinois River & Lee Creek Watershed

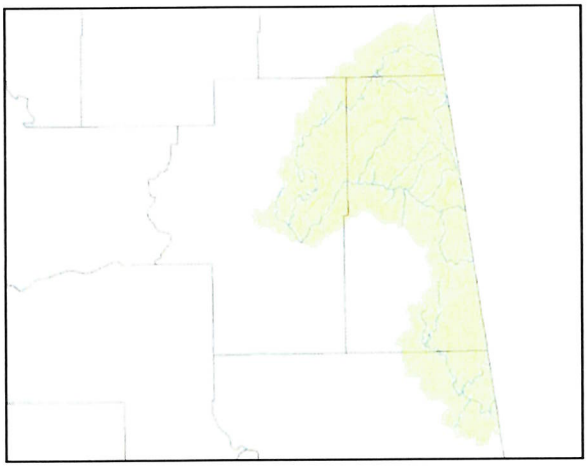
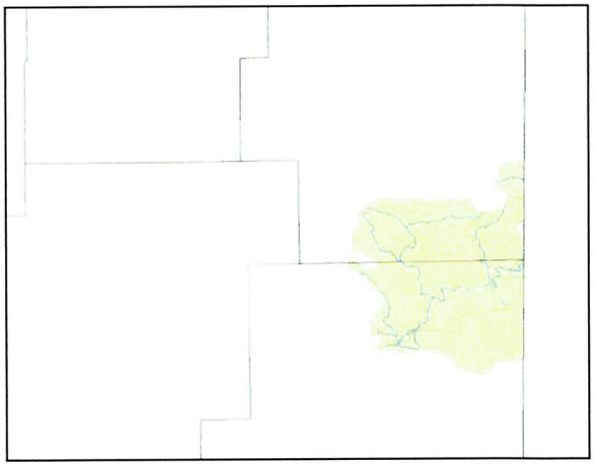


Figure B- 3 Mountain Fork River



APPENDIX C – ADDITIONAL REQUIREMENTS FOR CONSTRUCTION SUPPORT ACTIVITIES

C.1. Sampling Data

Provide a summary of any existing stormwater discharge sampling data taken at your facility. All stormwater sampling data collected during the term of this permit must also be summarized and included in this part of the SWP3. The SWP3 shall document the procedures for conducting the types of analytical monitoring specified by this permit.

C.2 Comprehensive Site Compliance Evaluation

The concrete or asphalt batch plant(s) covered under this permit must conduct an annual site compliance evaluation and complete an ACSCER using Form 606-005B. ACSCERs are not required to be submitted to DEQ, unless specifically requested. However, ACSCERs must be maintained with the SWP3s and made available to DEQ upon request. At a minimum, your documentation of the ACSCER must include the scope of the inspections, the name(s) of personnel making the inspections, the date(s) of the inspections, and major observations relating to the implementation of the SWP3. Major observations should include: the location(s) of discharges of pollutants from the site; BMPs that need to be maintained; BMPs that failed to operate as designed or that proved inadequate for a particular location; additional BMPs that are needed to address any conditions requiring corrective action identified during the inspection; previously unidentified discharges from the site; previously unidentified pollutants in existing discharges; evidence of, or the potential for, pollutants entering the drainage system; evidence of pollutants discharging to receiving waters at all facility outfall(s); the condition of and around the outfall, including flow dissipation measures to prevent scouring; and any required revisions to the SWP3 resulting from the inspection.

A. Frequency of the Comprehensive Site Compliance Evaluation
   You must conduct a comprehensive site compliance evaluation at least once a year. The inspections must be conducted by qualified personnel with at least one member of your stormwater pollution prevention team participating in the comprehensive site inspections. The qualified personnel you use may be either your own employees or outside consultants that you have hired, provided they meet the requirements specified in Part 1.FF. If you decide to conduct more frequent inspections, your SWP3 must specify the frequency of inspections.
B. Scope of the Comprehensive Site Compliance Evaluation
   Your inspections must include all areas where construction materials or activities are exposed to stormwater, as identified in the SWP3 and areas where spills and leaks have occurred within the past three years.

C.3 Monitoring Requirements

All concrete and asphalt batch plants covered under this permit will be subject to quarterly visual monitoring. Numeric effluent limitation monitoring ("NELM") is required once per year if your asphalt batch plant(s) is covered under this permit. These specific monitoring requirements and limitations are applied to the discharge at facilities with co-located activities. Where stormwater from the co-located activities is commingled, the monitoring requirements and limitations are additive.

A. Quarterly Visual Monitoring
   The requirements and procedures for quarterly visual monitoring are applicable to all concrete and asphalt batch plants covered under this permit.
   1. You must perform and document a quarterly visual monitoring of a stormwater discharge associated with industrial activity from each outfall, unless the outfall is substantially identical as outlined in Part C.3.A.4. If no storm event resulted in runoff from the facility during a monitoring quarter, you are excused from visual monitoring for that quarter provided you document in your monitoring records that no runoff occurred. You must sign and certify the documentation in accordance with Part 7.6 of the permit.
   2. Your visual examination must be made during daylight hours (e.g., normal working hours). The visual examinations must be made of samples collected within the first 30 minutes of when the runoff or snowmelt begins discharging from your facility. The examination must document observations of

color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. The examination must be conducted in a well-lighted area. No analytical tests are required to be performed on the samples. All such samples must be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

The following table is an example of what you should look for in a visual monitoring sample.

Table C-1 Visual Monitoring of Stormwater Discharges

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

3. You must maintain your visual examination reports onsite with the SWP3. At a minimum, the report must include the examination date and time, locations, personnel, the nature of the discharge (i.e., runoff or snow melt), results of observations of the stormwater discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution), and probable sources of any observed stormwater contamination. If applicable, the report shall include why it was not possible to take samples within the first 30 minutes. The report must be signed in accordance with Part 7.7.
4. If your facility has two or more outfalls that you believe discharge substantially identical effluents, based on similarities of the industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of the outfalls' drainage areas, you may visually monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s). You may monitor selected substantially identical outfall(s) on a rotating basis. For this to be permissible, you must describe each outfall authorized by this permit and the rationale for any substantially identical outfall determinations, including the locations of the outfalls, why the outfalls are expected to discharge substantially identical effluents, estimates of the size of the drainage area (in square feet) for each of the outfalls, and an estimate of the runoff coefficient of the drainage areas (low: under 40 percent; medium: 40 to 65 percent; high: above 65 percent).

B. Numeric Effluent Limitation Monitoring ("NELM")
If your facility has discharges of stormwater from an asphalt batch plant, you must comply with the limitations and monitoring requirements of Part 4.5 (also see Table 4-2) for all discharges containing asphalt batch plant runoff.

1. Monitoring Periods
If the project takes less than one year to complete, you shall collect at least one sample. Otherwise, you must start to collect your grab samples and analyze the samples annually within the following time periods:
The yearly monitoring periods are from January 1st to December 31st.
2. Collection and Analysis of Samples
You must assess your sampling requirements on an outfall-by-outfall basis.
   a. All required monitoring must be performed on a measurable storm event (defined as a storm that is greater than 0.1 inch in magnitude) that results in an actual discharge from your site and that follows the preceding measurable storm event by at least 72 hours. The 72-hour storm interval does not apply if you are able to document that less than a 72-hour interval is representative for local storm events during the sampling period.
   b. Take a minimum of one grab sample within the first 30 minutes of the discharge resulting from a measurable storm event. If it is not practicable to take the sample during the first 30 minutes, the sample must be collected as soon as practicable after the first 30 minutes. You must document in your SWP3 why it was not possible to take samples within 30 minutes. If the sampled discharge commingles with process or non-process wastewater, attempt to sample the stormwater discharge before it mixes with the non-stormwater.
   c. In the case of snowmelt, samples must be taken during a period with a measurable discharge.
   d. Auto-samplers or passive samplers may be used to collect grab samples. If auto-samplers or passive samplers are used, samples must still be taken in accordance with paragraphs a-c above.
3. Storm Event Data
For each monitoring event, except snowmelt monitoring, you must provide the date and duration (in hours) of the storm event(s); rainfall measurements or estimates (in inches) of the storm event; time (in days) since the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sample. For snowmelt monitoring, you must identify the date of the sampling event.
4. Follow-up Monitoring Requirements if Discharge Exceeds Numeric Effluent Limit
You must conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event should none occur within 30 days) of implementing corrective action(s) taken pursuant to Part 5.5 in response to an exceedance of a numeric effluent limit contained in this permit. Monitoring must be performed for any pollutant(s) that exceeds the effluent limit. You must continue to monitor, at least quarterly, until your discharge is in compliance with the effluent limit or until DEQ waives the requirement for additional monitoring. You must include the results of follow-up monitoring in the corrective action report.

C.4 Reporting

A. Reporting Results of NELM
1. Submit analytical monitoring results by March 1st of the year following the monitoring period.
2. If required, you must submit NELM results obtained from each outfall associated with industrial activity via the electronic Discharge Monitoring Report (eDMR). Instructions on how to register as a Preparer or Signatory for eDMR, as well as how to prepare and submit eDMR, can be found on DEQ website at https://www.deq.ok.gov/water-quality-division/electronic-reporting/. Assistance is also available by contacting DEQ at (405)702-8100 or deqreporting@deq.ok.gov .

B. Annual Comprehensive Site Compliance Evaluation Reporting Requirement
1. An ACSCER using Form 606-005B must be completed each year by March 1st, beginning the year after the effective date of this permit ACSCERs are not required to be submitted to DEQ, unless specifically requested. However, ACSCERs must be maintained with the SWP3 and made available to DEQ upon request. If your permit becomes effective less than one month from the end of the yearly

monitoring period, your first monitoring period starts with the next respective annual monitoring period. Failure to complete an ACSCER each year by March 1 will be considered a violation of the permit.

2. The report must include requirements specified in Part C.2 of this Appendix and be certified by an authorized representative of your facility (see Part 7.6)

C. Visual monitoring results, employee training, inspector certifications/licenses, routine facility inspections and other supporting documentation must be retained with the SWP3. Do not submit unless requested to do so by the DEQ.

APPENDIX D – BUFFER REQUIREMENTS

The purpose of this Appendix is to assist you in complying with the requirements of this permit regarding the establishment of natural buffers or equivalent sediment controls.

Step 1.

Determine the total width of natural buffer required.

When any waters of the state are located on or immediately adjacent to the site (refer to Figure D-1), you must maintain a natural buffer zone or equivalent erosion and sediment controls from any named or unnamed receiving streams, creeks, rivers, lakes or other water bodies. The minimum width of the buffer is outlined in Table 4-1. If only a portion of the natural buffer is less than the minimum required width, you are only required to implement erosion and sediment controls that achieve the sediment load reduction equivalent to the portion that is not retained (refer to Figure D - 2).

Table 4-1 Minimum Required Natural Buffer Widths[20]

Type of Receiving Water	Type of Construction Site	
	Standard	High Priority
Perennial or intermittent streams, creeks, rivers or lakes	50 feet	100 feet
Ephemeral streams or drainages	50 feet	50 feet
Road ditches, county ditches, stormwater conveyance channels, storm drain inlets or sediment basins/impoundments	None	None

[20] Table 4-1. from Part 4.2.B has been duplicated here for reference.

Figure D-1 Example of Earth-Disturbing Activities within 50 feet of surface water.

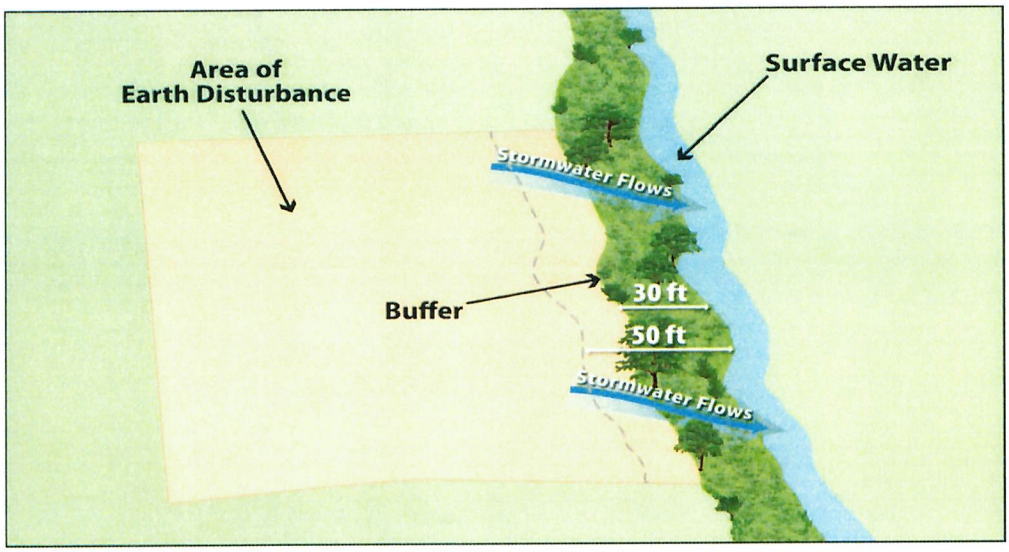
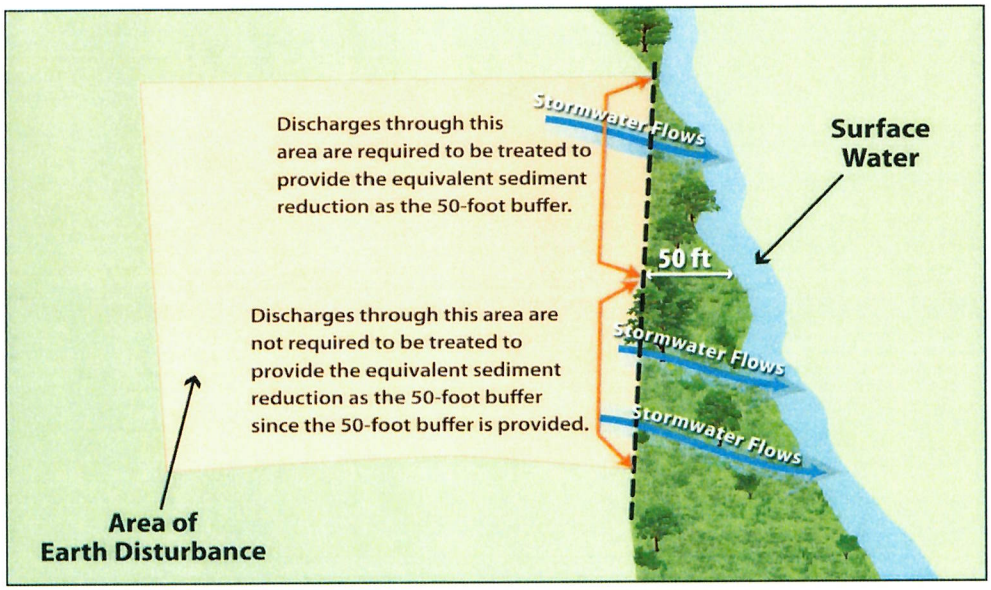


Figure D-2 Example of how to comply with buffer requirements.



Where you are retaining a buffer of any size, the buffer should be measured perpendicularly from one of the following points, whichever is further landward from the water:

1. The ordinary high-water mark of the water body (refer to Figure D - 3), defined as the line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, and/or the presence of litter and debris; or
2. The edge of the stream or river bank, bluff, or cliff, whichever is applicable (refer to Figure D - 4).

You may find that specifically measuring these points is challenging if the flow path of the surface water changes frequently, thereby causing the measurement line for the buffer to fluctuate continuously along the path of the waterbody. Where this is the case, DEQ suggests that rather than measuring each change or deviation along the

water's edge, it may be easier to select regular intervals from which to conduct your measurement. For instance, you may elect to conduct your buffer measurement every five to 10 feet along the length of the water.

Figure D-3 Buffer measurement from the ordinary high water mark of the water body.

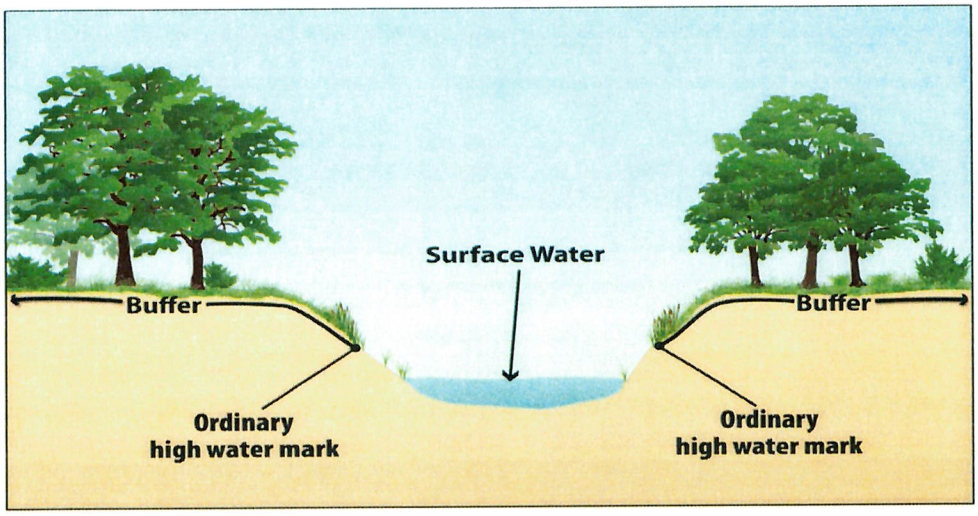
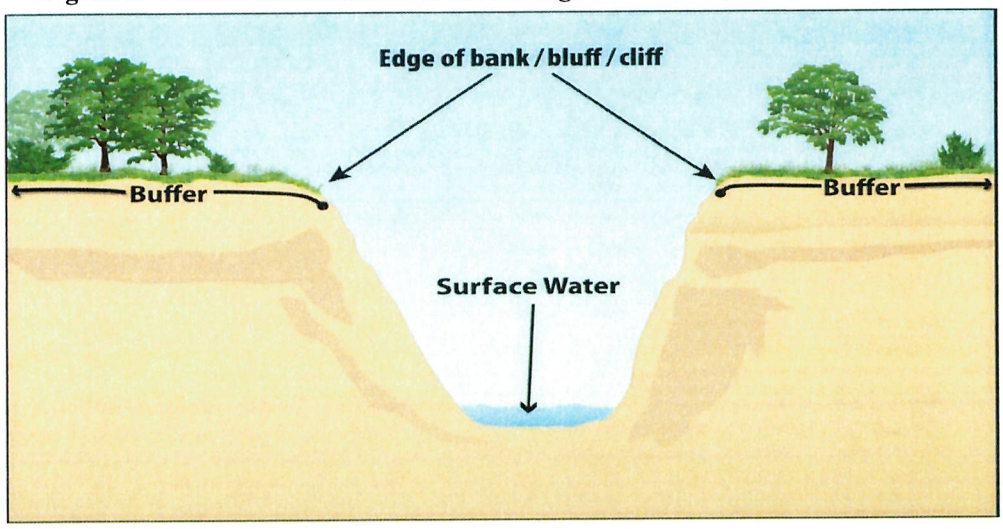


Figure D-4 Buffer measurement from the edge of the bank, bluff, or cliff.



Step 2.

Determine the amount of natural buffer equivalent required.

If you are retaining a buffer of less than 100 feet or 50 feet, you may take credit for the removal that will occur from the reduced buffer and only need to provide additional controls to make up the difference between the removal efficiency of a 100-foot or 50-foot buffer and the removal efficiency of the narrower buffer. For example, if you are retaining a 30-foot buffer, you can account for the sediment removal provided by the 30-foot buffer retained, and you will only need to design controls to make up for the additional removal provided by the 20-foot of buffer that is not being provided. To do this, you would plug the width of the buffer that is retained into RUSLE or another model, along with other stormwater controls that will together achieve a sediment reduction equivalent to a natural 50-foot buffer.

The amount of natural buffer equivalent required shall be rounded up to the nearest integer of 50 if utilizing the sediment removal efficiency rates in Tables H-1 through H-4.

$$\text{Buffer}_{\text{total}} - \text{Buffer}_{\text{retained}} = \text{Buffer}_{\text{equivalent}}$$

Step 3.

Determine the existing sediment removal efficiency of the site.

The sediment removal efficiencies of natural buffers vary according to a number of site-specific factors, including precipitation, soil type, land cover, slope length, width, steepness, and the types of sediment controls used to reduce the discharge of sediment prior to the buffer. DEQ has simplified this calculation by developing buffer performance tables covering a range of vegetation and soil types for the areas covered by the permit. See Attachment 1, Tables D - 1 through D - 4. Alternatively, you may do your own calculation of the effectiveness of the natural buffer based upon your site-specific conditions and may use this number as your sediment removal equivalency standard to meet instead of using Tables D – 1 through D - 4. This calculation must be documented in your SWP3.

Note: buffer performance values in Tables D - 1 through D - 4 represent the percent of sediment captured through the use of perimeter controls (e.g., silt fences) and 100-foot or 50-foot buffers at disturbed sites of fixed proportions and slopes. Using Tables D - 1 through D - 4 (see Attachment 1), you can determine the sediment removal efficiency of a 100-foot or 50-foot buffer for your geographic area by matching the vegetative cover type and the type of soils that predominate at your site. For example, if your site is located in Oklahoma City (see Table D - 1), and your buffer vegetation corresponds most closely with that of fescue grass, and the soil type at your site is best typified as sand, your site's sediment removal efficiency would be 90 percent.

If a portion of the buffer area adjacent to the surface water is owned by another party and is not under your control, you can treat the area of land not under control as having the equivalent vegetative cover and soil type that predominates on the portion of the property on which your construction activities are occurring.

Alternatively, you may do your own calculation of the effectiveness of the required buffer based upon your site-specific conditions, and may use this number as your sediment removal equivalency standard to meet instead of using Tables D – 1 through D - 4. This calculation must be documented in your SWP3.

Step 4.

Once you have determined the estimated sediment removal efficiency of the required buffer for your site, you must next select stormwater controls that will provide an equivalent sediment load reduction.

To make the determination that your controls and/or buffer area achieve an equivalent sediment load reduction as the required buffer, you may use stormwater controls listed in Tables D -1 through D - 4 to select a designed control(s) or use a model or other type of calculator. There are a variety of models available that can be used to support your calculation, including USDA's RUSLE-series programs and the WEPP erosion model, SEDCAD, SEDIMOT, or other models.

Step 5.

Calculate total sediment removal rate efficiency of the selected BMPs. When more than one alternative BMP must be used to compensate for the loss of the buffer strip, this amount should be calculated using the following formula:

$$\textit{Removal Rate}_1 + (1 - \textit{Removal Rate}_1)(\textit{Removal Rate}_2) = \textit{Removal Rate}_{total}$$

For example, if we are installing two BMPs that both have a 70% removal rate, the total removal rate is:

$$0.70 + (1 - 0.70)(0.70) = 0.91 = 91\%$$

Step 6.

Compare sediment removal efficiency rates to determine compliance. The equivalent sediment removal efficiency rate (Step 5) must be greater than or equal to the existing sediment removal efficiency rate (Step 3). The final step is to document in your SWP3 the information you relied on to calculate the equivalent sediment reduction as an undisturbed natural buffer. DEQ will consider your documentation to be sufficient if it generally meets the following:

For Step 3: refer to the Table in Attachment 1 that you used to derive your estimated buffer sediment removal efficiency performance. Include information about the buffer vegetation and soil type that predominate at your site, which you used to select the sediment load reduction value in Tables D - 1 through D - 4. Or, if you conducted a site-specific calculation for sediment removal efficiency, provide the specific removal efficiency, and the information you relied on to make your site-specific calculation.

For Steps 4-5: (1) Specify a single designed stormwater control (see Table D - 1 – D - 4) or other stormwater controls that you used to estimate sediment load reductions from your site. Specify a model or other type of calculator that you used to support your calculation if any; and (2) the results of calculations showing how your controls will meet or exceed the sediment removal efficiency from Step 3.

ATTACHMENT 1

Sediment Removal Efficiency Tables: Percent of sediment removal was calculated for a 200-foot runoff area with a 100-foot buffer, and a 100-foot runoff area with a 50-foot buffer. DEQ recognizes that very high removal efficiencies, even where theoretically achievable by a 50-foot or 100-foot buffer, may be very difficult to achieve in practice using alternative controls. Therefore in the tables below, DEQ has limited the removal efficiencies to a maximum of 90%. Efficiencies that were calculated at greater than 90% are shown as 90%, and this is the minimum percent removal that must be achieved by alternative controls.

Best Management Practices Defined:

- Fescue: Buffer strip (100 feet or 50 feet) at the end of the overland flow path of Fescue grass, the area has not been grazed
- Grama Grass: Buffer strip (100 feet or 50 feet) at the end of the overland flow path of Grama grass, at least the third year after seeding
- Range Grass: Buffer zone (100 feet or 50 feet) at the end of the overland flow path of a generic low production range grass
- Weeds: Buffer zone (100 feet or 50 feet) at the end of the overland flow path of at least five years of growth of generic weeds started from volunteer germination
- 12" Wattle: 12-inch straw sock or wattle installed at the base of the runoff area
- 6" Wattle: Six-inch straw sock or wattle installed at the end of the overland flow path
- Roll Material: Erosion control blanket placed over the disturbed area
- Silt Fence: Full retardance fabric silt fence installed at the end of the overland flow path
- Straw Mulch: Straw mulch applied over the disturbed area, 4,000 lbs/acre
- Gravel Berm: Gravel bag berm installed on a level contour to intercept sheet flows.

Figure D-5 Soils Defined

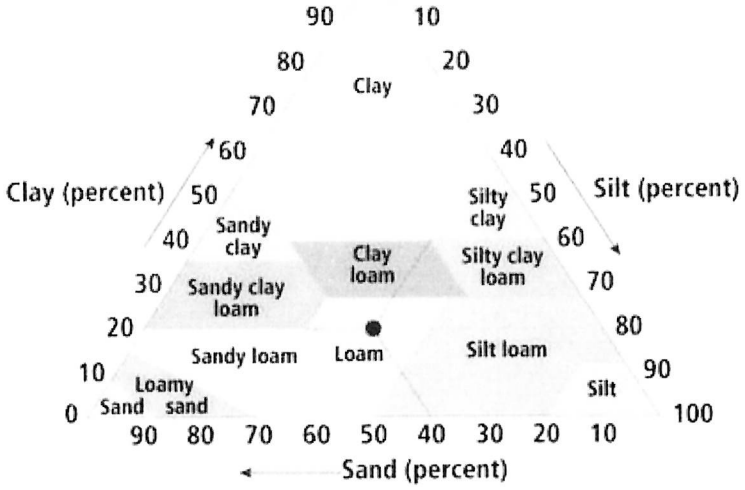


Table D- 1 Estimated Buffer Performance of Blade Fill in Oklahoma County, Oklahoma

Best Management Practices**	Estimated % Sediment Removal *										
	Clay	Silty Clay	Silty Clay Loam	Clay Loam	Silt Loam	Loam	Sandy Loam	Silt	Sandy Clay Loam	Loamy Sand	Sand
Fescue (100' Buffer)	90	90	90	90	90	90	90	90	90	90	90
Fescue (50' Buffer)	90	90	90	90	90	90	90	90	90	90	90
Grama Grass (100' Buffer)	80	83	81	82	81	81	80	79	82	85	87
Grama Grass (50' Buffer)	79	79	82	80	81	80	80	79	80	83	76
Range Grass (100' Buffer)	89	87	90	90	90	90	90	90	90	90	89
Range Grass (50' Buffer)	88	86	90	90	90	90	90	90	90	98	87
Weeds (100' Buffer)	68	67	70	71	71	72	73	72	73	73	63
Weeds (50' Buffer)	67	65	69	68	70	71	71	70	72	67	53
12" Wattle	71	61	56	67	45	57	70	20	76	82	73
6" Wattle	61	52	48	59	41	52	68	20	73	66	29
Roll Material	90	90	90	90	90	90	90	90	90	90	90
Silt Fence	61	52	48	59	41	52	68	20	73	66	66
Straw Mulch	76	75	77	73	78	75	77	81	76	77	88
Gravel Bag Berm	80	68	64	75	50	62	74	27	80	84	86

* Applicable for sites less than nine percent slope

** Characterization focuses on the under-story vegetation

Table D- 2 Estimated Buffer Performance of Blade Cut in Oklahoma County, Oklahoma

Best Management Practices**	Estimated % Sediment Removal *										
	Clay	Silty Clay	Silty Clay Loam	Clay Loam	Silt Loam	Loam	Sandy Loam	Silt	Sandy Clay Loam	Loamy Sand	Sand
Fescue (100' Buffer)	90	90	90	90	90	90	90	90	90	90	90
Fescue (50' Buffer)	90	90	90	90	90	90	90	90	90	90	90
Grama Grass (100' Buffer)	60	58	74	69	78	77	73	74	72	57	16
Grama Grass (50' Buffer)	59	53	67	62	74	30	69	74	70	38	11
Range Grass (100' Buffer)	87	85	89	90	90	90	90	89	89	86	86
Range Grass (50' Buffer)	85	84	88	89	90	90	90	89	87	84	84
Weeds (100' Buffer)	57	52	62	63	64	64	66	62	26	52	43
Weeds (50' Buffer)	53	51	58	58	62	64	66	62	58	46	39
12" Wattle	63	53	55	65	46	62	75	20	77	54	11
6" Wattle	28	26	45	46	42	58	63	17	38	7	1
Roll Material	83	84	85	83	86	85	85	90	85	86	86
Silt Fence	28	26	45	46	42	58	63	17	38	7	1
Straw Mulch	44	42	45	42	46	44	46	55	43	48	47
Gravel Bag Berm	76	65	61	72	48	62	73	22	77	82	82

* Applicable for sites less than nine percent slope

** Characterization focuses on the under-story vegetation

Table D- 3 Estimated Buffer Performance of Blade Fill Tulsa County, Oklahoma

	Estimated % Sediment Removal *										
Best Management Practices**	Clay	Silty Clay	Silty Clay Loam	Clay Loam	Silt Loam	Loam	Sandy Loam	Silt	Sandy Clay Loam	Loamy Sand	Sand
Fescue (100' Buffer)	90	90	90	90	90	90	90	90	90	90	90
Fescue (50' Buffer)	90	90	90	90	90	90	90	90	90	90	90
Grama Grass (100' Buffer)	81	82	82	82	81	81	80	79	82	85	87
Grama Grass (50' Buffer)	79	80	82	82	81	81	80	78	80	84	76
Range Grass (100' Buffer)	90	87	90	90	90	90	90	89	90	90	89
Range Grass (50' Buffer)	88	86	89	90	90	90	90	90	90	88	86
Weeds (100' Buffer)	50	50	48	51	50	50	49	47	51	51	48
Weeds (50' Buffer)	43	48	47	49	48	47	49	45	49	44	40
12" Wattle	68	60	53	65	44	57	69	18	73	80	71
6" Wattle	57	50	47	58	40	53	66	18	71	62	30
Roll Material	90	90	90	90	90	90	90	90	90	90	90
Silt Fence	57	50	47	58	40	53	66	18	71	62	30
Straw Mulch	72	75	75	73	76	74	74	79	92	75	76
Gravel Bag Berm	77	66	60	71	49	62	72	24	77	82	84

* Applicable for sites less than nine percent slope

** Characterization focuses on the under-story vegetation

Table D- 4 Estimated Buffer Performance of Blade Cut in Tulsa County, Oklahoma

	Estimated % Sediment Removal *										
Best Management Practices**	Clay	Silty Clay	Silty Clay Loam	Clay Loam	Silt Loam	Loam	Sandy Loam	Silt	Sandy Clay Loam	Loamy Sand	Sand
Fescue (100' Buffer)	90	90	90	90	90	90	90	90	90	90	90
Fescue (50' Buffer)	90	89	90	90	90	90	90	90	90	90	90
Grama Grass (100' Buffer)	60	59	73	68	78	77	73	88	72	56	13
Grama Grass (50' Buffer)	58	55	68	63	76	75	70	73	69	39	11
Range Grass (100' Buffer)	87	85	89	90	90	90	90	87	90	86	85
Range Grass (50' Buffer)	85	84	88	89	90	90	90	88	87	84	84
Weeds (100' Buffer)	52	50	58	59	63	64	66	63	56	42	40
Weeds (50' Buffer)	49	45	45	56	59	61	59	56	49	41	36
12" Wattle	62	55	55	63	45	61	75	20	77	55	8
6" Wattle	25	27	45	50	41	57	63	18	38	6	1
Roll Material	82	83	84	80	86	90	85	90	84	86	86
Silt Fence	40	27	45	50	74	57	63	18	38	6	1
Straw Mulch	35	41	42	27	43	39	40	51	42	43	44
Gravel Bag Berm	73	63	58	69	47	61	70	20	74	79	82

* Applicable for sites less than nine percent slope

** Characterization focuses on the under-story vegetation

APPENDIX E – STORMWATER RUNOFF COEFFICIENTS

Table E- 1 Typical Runoff Coefficients for 5- to 10-year Frequency Design

	Description of Area	Runoff Coefficients
	Business	
1	Downtown areas	0.70-0.95
2	Neighborhood areas	0.50-0.70
	Residential	
3	Single-family areas	0.30-0.50
4	Multiunits, detached	0.40-0.60
5	Multiunits, attached	0.60-0.75
6	Residential (suburban)	0.25-0.40
7	Apartment dwelling areas	0.50-0.70
	Industrial	
8	Light areas	0.50-0.80
9	Heavy areas	0.60-0.90
10	Parks, cemeteries	0.10-0.23
11	Playgrounds	0.20-0.35
12	Railroad yard areas	0.20-0.40
13	Unimproved areas	0.10-0.30
	Streets	
14	Asphalt	0.70-0.95
15	Concrete	0.80-0.95
16	Brick	0.70-0.85
17	Drives and walks	0.75-0.85
18	Roofs	0.75-0.95
	Lawns, Sandy soil	
19	Flat, 2%	0.05-0.10
20	Average, 2-7%	0.10-0.15
21	Steep, 7%	0.15-0.20
	Lawns, Heavy soil	
22	Flat, 2%	0.13-0.17
23	Average, 2-7%	0.18-0.22
24	Steep, 7%	0.25-0.35

Viessman, W., Jr., G. L. Lewis, J. W. Knapp, 1989, *Introduction to Hydrology,* 3rd ed., Harper and Row, New York.

APPENDIX F – EFFLUENT LIMITATIONS SUMMARY

Table F- 1 Effluent Limitations Summary

General Requirement	Standard Site	High Priority Site
Part 4.1 Design, Installation and Maintenance Requirements		
Design	Design, install, implement, and maintain effective BMPs that minimize the discharge of pollutants from construction activities by addressing the following while designing your stormwater controls: -precipitation -stormwater volume and velocity -minimizing exposed soil -nature of stormwater runoff and run-on -soil characteristics	
Installation	Ensure that all BMPs are installed in accordance with the manufacture's recommendations or good engineering practices.	
Maintenance	Ensure that all BMPs remain in effective operating condition and are protected from activities that would reduce their effectiveness. Conduct routine inspection, testing, maintenance, and corrective action/repair to avoid breakdowns or failures that may result in discharge of pollutants. Routine maintenance must be completed by the close of the next work day.	
Part 4.2 Sediment and Erosion Controls		
Direct discharges from your stormwater controls to vegetated areas.	Direct discharges from your stormwater controls to vegetated areas of your site and use velocity dissipation devices to prevent erosion.	
Provide and maintain natural buffers and equivalent erosion and sediment controls.	Standard	High Priority
	When any waters of the state are located on or immediately adjacent to the site, you must leave at least 50 feet of natural buffer zone, as measured from the top of the bank to disturbed portions of your site, from any receiving waters.	Buffer must be at least 100 feet for discharges to perennial or intermittent streams, creeks, rivers, or lakes; or at least 50 feet from ephemeral streams and drainages.
	No natural buffer zone is required for discharges to road ditches, county ditches, stormwater conveyance channels, storm drain inlets, or sediment basins/impoundments.	
Install perimeter controls.	Install sediment controls along those perimeter areas of your site that will receive stormwater from earth-disturbing activities.	
Minimize sediment track-out.	You must minimize the sediment track-out onto streets, other paved areas, and sidewalks from vehicles exiting your construction site. To comply with this requirement, you must: 1. Restrict vehicle use to properly designated exit points. 2. Use appropriate stabilization techniques at all points that exit onto paved roads. Implement additional track-out controls as necessary. 3. Where sediment has been tracked-out from your site, you must remove the deposited sediment by the end of the same work day in which the track-out occurs or by the end of the next work day if track-out occurs on a non-work day.	
Control discharges from stockpiled sediment or soil.	For any stockpiles or land clearing debris composed in whole of sediment or soil, you must comply with the following requirements:	

	1. Locate the piles outside of any natural buffers and physically separated from any stormwater conveyances, drain inlets, or areas where stormwater flow is concentrated. 2. Install a sediment barrier along all down-gradient perimeter areas. 3. Provide cover or appropriate temporary stabilization to avoid direct contact with precipitation or to minimize sediment discharge. 4. Do not hose down or sweep soil or sediment accumulated on pavement or other impervious surfaces into any stormwater conveyance, storm drain inlet, or surface water. 5. Unless infeasible, contain and securely protect from wind.
Minimize dust.	Minimize the generation of dust through the appropriate application of water or other dust suppression techniques.
Minimize the disturbance of steep slopes.	You must minimize the disturbance of steep slopes (i.e., slopes of 40% or greater). If it is not feasible to avoid disturbance of steep slopes, you must: 1. Divert concentrated or channelized flows of stormwater away from and around areas of disturbance on steep slopes. 2. Use specialized erosion and sediment controls for steep slopes. 3. Use stabilization practices designed to be used on steep slopes.
Preserve topsoil.	You must preserve native topsoil on your site, unless infeasible; you must stockpile and reuse it in areas that will be stabilized with vegetation if applicable.
Minimize soil compaction.	In areas of your site where final vegetative stabilization will occur or where infiltration practices will be installed, you must either: 1. Restrict vehicle and equipment use in these locations to avoid soil compaction. 2. Prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary.
Protect storm drain inlets.	If you discharge to any storm drain inlet that carries stormwater flow from your site directly to surface water you must comply with the following requirements: 1. Install inlet protection measures that remove sediment from your discharge prior to entry into the storm drain inlet. 2. Clean, or remove and replace, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, you must remove the deposited sediment by the end of the same work day in which it is found or by the end of the following work day if removal by the same work day is not feasible.
Constructed stormwater conveyance channels.	Design channels to avoid unstabilized areas on the site and minimize erosion of channels and their embankments, discharge points, adjacent streambanks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices within and along the length of any constructed stormwater conveyance channel, and at any discharge point to provide a non-erosive flow velocity.
Install sediment basins/impoundments.	If you install a sediment basin, you must comply with the following: 1. Place velocity dissipation devices at discharge locations and along the length of any outfall channl. 2. Provide storage for either the calculated volume of runoff from a two-year, 24-hour storm, or 3,600 cubic feet per acre drained, whichever is greater. 3. When discharging from the sediment basin, utilize outlet structures that withdraw water from the surface, unless infeasible. 4. Prevent erosion of the sediment basin and the inlet/outlet structures. 5. Situate the sediment basin outside of surface waters and any natural buffers. 6. Remove accumulated sediment to maintain at least 1/2 the design capacity and conduct all other appropriate maintenance to ensure the sediment basin remains in effective operating condition.

	A sediment basin is required if 10 or more disturbed acres drain to one common point.	A sediment basin is required if five or more disturbed acres drain to one common point.
Dewatering practices.	You are prohibited from discharging groundwater, spring water or accumulated stormwater that is removed from excavations, trenches, foundations, vaults, or other similar points of accumulation associated with a construction activity, unless such waters are first effectively managed by appropriate controls. You must also meet the following requirements for dewatering activities: 1. Do not discharge visible floating solids or foam. 2. Use an oil-water separator or suitable filtration device that is designed to remove oil, grease, or other products if dewatering wastewater is found to contain these materials. 3. Utilize vegetated, upland areas of the site to infiltrate dewatering water before discharge. 4. At all points where dewatering water is discharged implement velocity dissipation 5. With backwash water, either haul away for disposal or return it to the beginning of the treatment process. 6. Replace and clean the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.	
Part 4.3 Stabilization		
Stabilization deadlines.	Initiate the installation of vegetative or equivalent non-vegetative stabilization measures immediately in any disturbed areas where construction activities have permanently ceased on any portion of the site or will be temporarily inactive for 14 or more calendar days.	
	Complete the installation of stabilization measures as soon as practicable, but no later than 14 calendar days after stabilization measures has been initiated.	Complete the installation of stabilization measures as soon as practicable, but no later than seven calendar days after stabilization measures has been initiated.
Stabilization criteria.	1. Vegetative stabilization measures must provide uniform cover that provides 70% or more of the cover that is provided by vegetation native to local undisturbed areas. Vegetative stabilization is considered final when vegetation has been established and rooted or anchored in place. 2. Equivalent non-vegetative stabilization must provide effective cover for exposed areas of the site. 3. For residential construction, final stabilization occurs when: (a) the homebuilder has completed final stabilization, or (b) the homebuilder has provided temporary stabilization for an individual lot prior to occupation of the home by the homeowner and informed the homeowner of the need for, and benefits of, final stabilization. 4. Final stabilization in construction projects on land used for agricultural purposes (e.g., pipelines across crop or range land) may be accomplished by returning the disturbed land to its pre-construction agricultural use.	
Part 4.4 Pollution Prevention Requirements		
Spill prevention and response.	Implement preventive measures such as barriers between material storage and traffic areas. Implement procedures for expeditiously stopping, containing, and cleaning up leaks, spills and other releases. Use drip pans and absorbents under or around leaky vehicles. Ensure adequate supplies are available at all times to handle spills, leaks and disposal of any chemicals or materials. Clean up spills immediately using dry clean-up methods and dispose of used materials properly. Do not clean surfaces or spills by hosing the area down. Eliminate the source of the spill to prevent a discharge or a furtherance of an ongoing discharge.	
Emergency Spill Notification	Discharge of a toxic or hazardous substance or oil from a spill or other release is prohibited. Where a leak, spill, or other release containing a toxic or hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 C.F.R. Parts 110, 117, or 302 occurs during a 24-hour period, you must notify the NRC at (800) 424-8802 or, in the areas of Oklahoma, call the DEQ's Hotline at (800)522-0206 as soon as you have knowledge of the discharge. You must also, within seven	

	calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release. Local requirements may necessitate additional reporting of spills or discharges to local emergency response, public health, or drinking water supply agencies
Minimize exposure.	Store chemicals in water-tight containers. Provide cover to prevent chemical containers and materials from coming into contact with precipitation and stormwater or provide secondary containment or a similarly effective means to prevent the discharge of pollutants.
Good housekeeping.	During each workday, clean up and dispose of waste in designated waste containers. Provide waste containers of sufficient size and number to contain construction and domestic wastes. Waste containers must be covered at the end of daily work shifts and when workers are not present. Clean up immediately if containers overflow.
Chemical applications.	Comply with all application and disposal requirements on the pesticide, herbicide, insecticide, fertilizer, or other chemical manufacturer's label.
Equipment and vehicle washing.	Provide an effective means of minimizing the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters prior to discharges. Ensure there is no discharge of soaps, detergents, or solvents in equipment and vehicle wash water.
Fertilizers containing nitrogen or phosphorus.	Minimize discharges of fertilizers containing nitrogen or phosphorus by complying with the following requirements: 1. Apply at a rate and in amounts consistent with manufacturer's specifications. 2. Apply at the appropriate time of year for your location, and preferably timed to coincide as closely as possible to the period of maximum vegetation uptake and growth. 3. Avoid applying before heavy rains that could cause excess nutrients to be discharged. 4. Never apply to frozen ground. 5. Never apply to stormwater conveyance channels with standing or flowing water. 6. Follow all other federal, state, tribal and local requirements regarding fertilizer application.
Hazardous or toxic waste.	Separate hazardous or toxic waste from construction and domestic waste and store in sealed containers constructed of suitable materials to prevent leakage and corrosion and which are labeled in accordance with applicable Resource Conservation and Recovery Act (RCRA) requirements and all other applicable federal, state, or local requirements. Provide secondary containment for containers that will be stored outside or provide a similarly effective means to prevent discharge of pollutants from these areas. Dispose of hazardous or toxic waste in accordance with the manufacturer's recommended methods of disposal and in compliance with federal, state, and local requirements.
PFAS Management	1. Implement measures to minimize discharges of PFAS during emergency firefighting activities and post-emergency activities, including clean-up. 2. Establish specific protocols for minimizing the resuspension, conveyance, and discharge of PFAS, both during normal operations and during all maintenance and remediation activities. 3. Document all activities undertaken in fulfillment of 1 and 2 above in the SWP3.
Sanitary waste.	Position portable toilets so that they are secure and will not be tipped or knocked over and are located away from water of the state and stormwater inlets or conveyances including streets and roadways.
Washing of applicators and containers.	This applies to stucco, paint, concrete, form release oils, curing compounds, and other chemicals. 1. Direct all wash water into a leak-proof container or leak-proof pit. The container or pit must be designed so that no overflows can occur due to inadequate sizing or precipitation.

	2. Do not dump liquid wastes in storm sewers. Dispose of liquid wastes consistent with your handling of leaks or spills and, for hazardous or toxic waste or oil, in accordance with manufacturer's recommended methods of disposal and in compliance with federal, state, and local requirements.. 3. Remove and dispose of hardened concrete waste consistent with your handling of other construction wasters. 4. Clean up immediately if there is an overflow or if a discharge occurs outside of the leak-proof container or pit. 5. Locate any washout or cleanout activities as far away as possible from surface waters and stormwater inlets or conveyances, and, to the extent practicable, designate areas to be used for these activities and conduct such activities only in these areas.

Oklahoma Department of Environmental Quality
Water Quality Division

OPDES Multi-Sector General Permit

OKR05

for Stormwater Discharges from Industrial Activity
within the State of Oklahoma

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July 5, 2022

OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Authorization to Discharge under the Oklahoma Pollutant Discharge Elimination System Act

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

This permit is a reissuance by the Oklahoma Department of Environmental Quality (DEQ) and shall become effective on July 5, 2022. All currently permitted industrial facilities must reapply to DEQ using an NOI form for coverage under the general permit OKR05. This permit and the authorization to discharge stormwater shall expire at midnight on July 4, 2027.

Signed and issued on this 3rd day of June, 2022

Shellie R. Chard, Director
Water Quality Division

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OPDES Multi-Sector General Permit OKR05

Table of Contents

Paragraph	Item	Page
Part 1	**Eligibility, Coverage, and Application**	**1**
1.1	Coverage under this Permit	1
1.2	Allowable Stormwater Discharges	1
1.3	Allowable Non-Stormwater Discharges	2
1.4	Requirements for Military Installations and Other State Facilities	3
1.5	Area of Coverage where EPA/Other Agency is the Permitting Authority in Oklahoma	3
1.6	Facilities and Activities Covered	4
1.7	Co-located Industrial Activities	10
1.8	Co-located Industrial Facilities	10
1.9	Limitations on Coverage	11
1.9.1	Stormwater Discharges Mixed with Non-Stormwater	11
1.9.2	Stormwater Discharges Associated with Construction Activity	11
1.9.3	Discharges Currently or Previously Covered by Another Permit	11
1.9.4	Stormwater Discharges Subject to Effluent Limitation Guidelines	12
1.9.5	Stormwater Discharge Compliance with Water Quality Standards	12
1.9.6	Discharges to Water Quality-Impaired Waters	12
1.9.7	Endangered and Threatened Species and Critical Habitat Protection	13
1.9.8	Stormwater Discharges Subject to Antidegradation Water Quality Standards	14
1.9.9	Dischargers Notified of Permit Ineligibility	14
1.9.10	Historic Properties Preservation	14
1.10	Obtaining an Authorization to Discharge	14
1.10.1	Prepare Your SWP3 Prior to Submitting Your NOI	14
1.10.2	How to Submit Your NOI to Obtain Permit Coverage	15
1.10.3	NOI Form and Applicable Fees	15
1.10.4	Applicable Deadlines for Submitting an NOI	16
1.10.5	Where to Submit an NOI	16
1.10.6	Additional Notification for NOI	16
1.11	Effective Date of Permit Coverage	16
1.12	End Date of Permit Coverage	17
1.13	Continuation of Coverage for Existing Permittees	17
1.14	Coverage under Alternative Permit	18
1.14.1	Denial of Coverage for New or Previously Unpermitted Facilities	18

1.14.2 Loss of Authorization under the 2022 OKR05 Permit for Existing Permitted Facilities 18
1.14.3 Operator Requesting Coverage under an Alternative Permit 18
1.15 Terminating Coverage 18
1.15.1 Submitting an NOT 18
1.15.2 When to Submit an NOT 18
1.15.3 Where to Submit Your NOT 19
1.16 Conditional Exclusion for No Exposure 19
1.17 Transfer of Permit Coverage 19
1.18 Signage Required 20
1.19 Permit Compliance 20
Part 2 Control Measures and Effluent Limits 21
2.1 Control Measures 21
2.1.1 Control Measure Selection and Design Considerations 21
2.1.2 Non-Numeric Technology-Based Effluent Limits 22
2.1.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines 27
2.1.4 Numeric Effluent Limitations for Coal Pile Runoff 27
2.2 Water Quality-Based Effluent Limitations 28
2.2.1 Water Quality Standards 28
2.2.2 Discharges to Water Quality-Impaired Waters 28
2.2.3 Anti-degradation Requirements for New Dischargers, New Sources, or Increased Discharges 30
2.3 Requirements Relating to Endangered Species and Historic Properties 30
Part 3 Inspection Requirements 31
3.1 Routine Facility Inspections 31
3.2 Routine Facility Inspection Documentation 32
3.3 Exceptions to Routine Facility Inspections for Inactive and Unstaffed Sites 32
Part 4 Monitoring Requirements 33
4.1 Monitoring Procedures 33
4.1.1 Monitored Outfalls 33
4.1.2 Commingled Discharges 33
4.1.3 Monitoring Requirements for Coal Storage Pile Runoff 33
4.1.4 Measurable Storm Events 33
4.1.5 Sample Type 34
4.1.6 Monitoring Periods 34
4.1.7 Adverse Weather Conditions 34
4.1.8 Monitoring for Allowable Non-Stormwater Discharges 34
4.1.9 Monitoring Reports 35
4.2 Required Monitoring 35

4.2.1 Quarterly Visual Monitoring of Stormwater Discharges 35
4.2.2 Effluent Limitations Monitoring 38
4.2.3 Discharges to Impaired Waters Monitoring 39
4.2.4 Additional Monitoring Required by DEQ 41
Part 5 Corrective Actions 42
5.1 Conditions Requiring SWP3 Review and Revision to Eliminate Problems 42
5.2 Conditions Requiring SWP3 Review to Determine if Modifications Are Necessary 42
5.3 Corrective Actions and Deadlines 42
5.3.1 Immediate Actions 42
5.3.2 Subsequent Actions 42
5.3.3 Corrective Action Report 43
5.3.4 Effect of Corrective Action 43
5.3.5 Substantially Identical Outfalls 43
Part 6 Stormwater Pollution Prevention Plan 45
6.1 Stormwater Pollution Prevention Plan Requirements 45
6.2 Contents of the SWP3 46
6.2.1 Stormwater Pollution Prevention Team 46
6.2.2 Facility and Site Description 47
6.2.3 Potential Pollutant Sources 48
6.2.4 Substantially Identical Outfall(s) 50
6.2.5 Description of Stormwater Controls to Meet Technology-Based and Water Quality-Based Effluent Limits 51
6.2.6 Procedures and Schedules 52
6.2.7 Documentation to Support Other Eligibility Considerations 55
6.2.8 Operator/Owner Certification 55
6.2.9 Required SWP3 Review and Modifications 55
6.2.10 Additional Documentation Requirements 56
6.3 SWP3 Availability 56
Part 7 Reporting and Recordkeeping 58
7.1 Reporting Monitoring Data to DEQ 58
7.2 Reporting Monitoring Data to Regulated MS4 58
7.3 Annual Reporting Requirement 58
7.4 Exceedance Report for Numeric Effluent Limitations 59
7.5 Additional Reporting 59
7.6 Recordkeeping and Retention 60
Part 8 Standard Permit Conditions 61
8.1 Duty to Comply 61
8.1.1 Criminal Penalties 61
8.1.2 Civil Penalties 61

8.1.3 Administrative Penalties 61
8.2 Duty to Reapply 61
8.3 Need to Halt or Reduce Activity Not a Defense 61
8.4 Duty to Mitigate 61
8.5 Proper Operation and Maintenance 62
8.6 Property Rights 62
8.7 Permit Actions 62
8.8 Duty to Provide Information 62
8.9 Inspection and Entry 62
8.10 Monitoring, Reporting, and Record Retention 62
8.10.1 Monitoring Requirements 62
8.10.2 Reporting Requirements 63
8.10.3 Record Retention 64
8.11 Oil and Hazardous Substance Liability 64
8.12 Severability 64
8.13 Requirements of Other Environmental Statutes or Regulations 64
8.14 Reopener Clause 64
8.14.1 Procedures for Modification or Revocation 64
8.14.2 Water Quality Protection 64
8.14.3 Timing of Permit Modification 64
8.15 Availability of Reports 64
8.16 Signatory Requirements 65
8.16.1 Signing NOI, NOT and NEC 65
8.16.2 Signing All Required Reports 65
8.16.3 Changes to Authorization 66
8.16.4 Certification 66
Part 9 Definitions 67
Part 10 Sector Specific Requirements for Industrial Activity 75
Sector A Timber Products 75
Sector B Paper and Allied Products 77
Sector C Chemical and Allied Products Manufacturing 77
Sector D Asphalt Paving and Roofing Materials and Lubricant Manufacturers 79
Sector E Glass Clay, Cement, Concrete, and Gypsum Products 81
Sector F Primary Metals 83
Sector G Metal Mining (Ore Mining and Dressing) 84
Sector H Coal Mines and Coal Mining Related Facilities 89
Sector I Oil and Gas Extraction 92
Sector J Mineral Mining and Dressing 94

Sector K Hazardous Waste Treatment, Storage or Disposal Facilities 104
Sector L Landfills, Land Application Sites and Open Dumps 107
Sector M Automobile Salvage Yards 116
Sector N Scrap Recycling and Waste Recycling Facilities 118
Sector O Steam Electric Generating Facilities 122
Sector P Land Transportation and Warehousing 124
Sector Q Water Transportation 127
Sector R Ship and Boat Building or Repair Yards 129
Sector S Air Transportation 131
Sector T Treatment Works 135
Sector U Food and Kindred Products 136
Sector V Textile Mills, Apparel, Other Fabric and Leather Products 137
Sector W Furniture and Fixtures 139
Sector X Printing and Publishing 139
Sector Y Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries 141
Sector Z Leather Tanning and Finishing 142
Sector AA Fabricated Metal Products 143
Sector AB Transportation Equipment, Industrial or Commercial Machinery 144
Sector AC Electronic, Electrical Equipment and Components, Photographic and Optical Goods 145
Sector AD Stormwater Discharges Designated by DEQ as Requiring Permits 146
Appendix A: Oklahoma Outstanding Resources Waters, Oklahoma Sensitive Waters and Watersheds, and Procedures Relating to Endangered Species Protection 147
Appendix B: Spill Prevention and Response Procedures Checklist 154
Appendix C: Signage Example 156

List of Tables

Table 1-1 Stormwater-Specific Effluent Limitation Guidelines 2

Table 1-2 Areas of Coverage where EPA or Another Agency is the Permitting Authority within the State of Oklahoma 4

Table 1-3 Sectors of Industrial Activity Covered by this Permit 4

Table 1-4 Deadlines for NOI Submittal 16

Table 2-1 Applicable Effluent Limitations Guidelines 27

Table 2-2 Applicable Effluent Limitations for Coal Storage Pile Runoff 27

Table 4-1 Visual Monitoring of Stormwater Discharges 36

Table 4-3 Required Monitoring for Effluent Limits 38

Sector Table A-1 Timber Products Sector-Specific Effluent Limitation 76

Sector Table C-1 Chemical and Allied Products Manufacturing Sector-Specific Effluent Limitations 79

Sector Table D-1 Asphalt Paving and Roofing Materials and Lubricant Manufacturers Sector-Specific Effluent Limitations 81

Sector Table E-1 Glass, Clay, Cement, Concrete, and Gypsum Products Sector-Specific Effluent Limitations 82

Sector Table J-1 Active and Inactive Non-Metallic Mineral Mining and Dressing Sector-Specific Effluent Limitations 104

Sector Table K-1 Hazardous Waste Treatment, Storage or Disposal Specific Numeric Effluent Limitations 106

Sector Table L-1 Landfills and Land Application Sites Sector-Specific Effluent Limitations 116

Sector Table O-1 Steam Electric Power Generating Sector-Specific Effluent Limitations 124

Sector Table S-1 Air Transportation Sector-Specific Effluent Limits 135

OPDES Multi-Sector General Permit OKR05
for Stormwater Discharges from Industrial Activity

Part 1 Eligibility, Coverage, and Application

1.1 Coverage under this Permit

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

Table 1-3An industrial facility must be located within the boundaries of or discharge to waters of the state of Oklahoma to be covered under this permit.

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

Permit eligibility must be maintained to discharge under this permit.

1.2 Allowable Stormwater Discharges

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

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

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

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

Table 1-1 Stormwater-Specific Effluent Limitation Guidelines

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

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

1.3 Allowable Non-Stormwater Discharges

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

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

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

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

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

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

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

1.4 Requirements for Military Installations and Other State Facilities

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

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

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

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

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

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

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

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

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

1.6 Facilities and Activities Covered

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

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

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

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

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

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

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

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

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

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

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

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

1.7 Co-located Industrial Activities

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

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

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

1.8 Co-located Industrial Facilities

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

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

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

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

1.9 Limitations on Coverage

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

1.9.1 Stormwater Discharges Mixed with Non-Stormwater

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

1.9.2 Stormwater Discharges Associated with Construction Activity

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

1.9.3 Discharges Currently or Previously Covered by Another Permit

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

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

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

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

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

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

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

1.9.4 Stormwater Discharges Subject to Effluent Limitation Guidelines

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

1.9.5 Stormwater Discharge Compliance with Water Quality Standards

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

1.9.6 Discharges to Water Quality-Impaired Waters

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

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

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

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

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

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

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

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

1.9.7 Endangered and Threatened Species and Critical Habitat Protection

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

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

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

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

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

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

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

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

1.9.8 Stormwater Discharges Subject to Antidegradation Water Quality Standards

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

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

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

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

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

1.9.9 Dischargers Notified of Permit Ineligibility

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

1.9.10 Historic Properties Preservation

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

1.10 Obtaining an Authorization to Discharge

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

1.10.1 Prepare Your SWP3 Prior to Submitting Your NOI

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

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

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

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

1.10.2 How to Submit Your NOI to Obtain Permit Coverage

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

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

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

You must submit a completed and certified NOI along with the required maps and applicable fees to DEQ at the address listed in Part 1.10.5. Alternatively, you may submit your NOI and maps electronically to DEQ once the online NOI submission tool becomes available. Instructions on how to access, register, and use the NOI submission tool will be made available on DEQ's website.

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

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

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

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

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

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

1.10.3 NOI Form and Applicable Fees

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

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

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

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

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

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

1.10.4 Applicable Deadlines for Submitting an NOI

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

Table 1-4 Deadlines for NOI Submittal

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

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

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

1.10.5 Where to Submit an NOI

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

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

or fax it to: (405)702-6226

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

1.10.6 Additional Notification for NOI

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

1.11 Effective Date of Permit Coverage

You are not authorized to discharge stormwater and allowable non-stormwater under the terms and conditions of this permit until you have received an authorization from DEQ. DEQ may deny coverage under this permit and

require submission of an application for an individual permit, or an alternative general permit based on a review of your NOI and/or other information.

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

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

1.12 End Date of Permit Coverage

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

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

1.13 Continuation of Coverage for Existing Permittees

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

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

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

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

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

1.14 Coverage under Alternative Permit

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

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

1.14.1 Denial of Coverage for New or Previously Unpermitted Facilities

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

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

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

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

DEQ may take appropriate enforcement action for any unpermitted discharge.

1.14.3 Operator Requesting Coverage under an Alternative Permit

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

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

1.15 Terminating Coverage

1.15.1 Submitting an NOT

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

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

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

1.15.2 When to Submit an NOT

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

1. A new owner or operator has assumed responsibility for the facility; or

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

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

1.15.3 Where to Submit Your NOT

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

1.16 Conditional Exclusion for No Exposure

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

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

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

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

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

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

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

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

1.17 Transfer of Permit Coverage

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

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

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

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

1.18 Signage Required

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

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

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

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

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

1.19 Permit Compliance

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

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

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

Part 2 Control Measures and Effluent Limits

2.1 Control Measures

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

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

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

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

2.1.1 Control Measure Selection and Design Considerations

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

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

c. When a delivery of materials is expected, and a storm is anticipated within 48 hours, delay delivery until after the storm or store materials as appropriate (refer to emergency procedures);
d. Temporarily store materials and waste above the BFE level;
e. Temporarily reduce or eliminate outdoor storage;
f. Temporarily relocate any mobile vehicles and equipment to upland areas;
g. Develop scenario-based emergency procedures for major storms that are complementary to regular stormwater pollution prevention planning and identify emergency contacts for staff and contractors; and
h. Conduct staff training for implementing your emergency procedures at regular intervals.

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

2.1.2 Non-Numeric Technology-Based Effluent Limits

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

2.1.2.1 Minimize Exposure

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

a. Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
b. Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
c. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
d. Store leaky vehicles and equipment indoors or, if stored outdoors, use well-maintained drip pans and absorbents;
e. Use spill/overflow protection equipment;
f. Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray;
g. Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least *monthly* for leaks; and
h. Ensure that all wash water drains to a proper collection system (i.e., not the stormwater drainage system).

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

2.1.2.2 Good Housekeeping

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

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

b. Store materials in appropriate containers;

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

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

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

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

2.1.2.3 Maintenance

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

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

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

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

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

If you find that your control measures need routine maintenance, you must conduct the necessary maintenance immediately to minimize pollutant discharges. If you find that your control measures need to be repaired or replaced, you must immediately take all reasonable steps to prevent or minimize the discharge of pollutants until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be discharged during subsequent storm events.

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

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

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

2.1.2.4 Spill Prevention and Response

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

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

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

c. Use spill/overflow protection equipment;

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

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

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

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

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

Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 C.F.R. Parts 110, 117, or 302, occurs during a 24-hour period, you

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

must notify the National Response Center (NRC) at (800) 424-8802 or EPA Region 6 at 1-800-887-6063 and the DEQ Hotline at 1-800-522-0206 as soon as you have knowledge of the discharge.

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

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

2.1.2.5 Erosion and Sediment Controls

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

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

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

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

2.1.2.6 Management of Stormwater Runoff

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

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

2.1.2.7 Salt Storage Piles or Piles Containing Salt

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

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

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

2.1.2.8 Dust Generation and Vehicle Tracking of Industrial Materials

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

2.1.2.9 Non-Stormwater Discharges

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

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

2.1.2.10 Employee Training

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

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

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

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

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

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

2.1.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines

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

Table 2-1 Applicable Effluent Limitations Guidelines

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

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

2.1.4 Numeric Effluent Limitations for Coal Pile Runoff

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

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

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

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

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

2.2 Water Quality-Based Effluent Limitations

2.2.1 Water Quality Standards

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

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

2.2.2 Discharges to Water Quality-Impaired Waters

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

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

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

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

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

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

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

2.2.2.1 Existing Discharger to an Impaired Water with an Established TMDL

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

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

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

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

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

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

2.2.2.2 Existing Discharger to an Impaired Water without an Established TMDL

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

2.2.2.3 New Discharger or New Source to an Impaired Water

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

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

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

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

2.3 Requirements Relating to Endangered Species and Historic Properties

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

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

Part 3 Inspection Requirements

3.1 Routine Facility Inspections

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

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

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

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

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

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

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

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

3.2 Routine Facility Inspection Documentation

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

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

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

3.3 Exceptions to Routine Facility Inspections for Inactive and Unstaffed Sites

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

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

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

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

Part 4 Monitoring Requirements

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

4.1 Monitoring Procedures

4.1.1 Monitored Outfalls

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

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

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

4.1.2 Commingled Discharges

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

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

4.1.3 Monitoring Requirements for Coal Storage Pile Runoff

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

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

4.1.4 Measurable Storm Events

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

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

4.1.5 Sample Type

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

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

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

4.1.6 Monitoring Periods

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

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

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

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

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

4.1.7 Adverse Weather Conditions

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

4.1.8 Monitoring for Allowable Non-Stormwater Discharges

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

4.1.9 Monitoring Reports

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

4.2 Required Monitoring

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

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

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

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

4.2.1 Quarterly Visual Monitoring of Stormwater Discharges

4.2.1.1 Quarterly Visual Monitoring Procedures

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

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

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

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

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

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

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

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

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

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

Table 4-1 Visual Monitoring of Stormwater Discharges

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

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

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

4.2.1.2 Quarterly Visual Monitoring Documentation

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

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

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

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

4.2.1.3 Exceptions to Quarterly Visual Monitoring

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

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

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

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

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

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

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

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

4.2.2 Effluent Limitations Monitoring

4.2.2.1 Monitoring Based on Effluent Limitations Guidelines

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

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

Table 4-2 Required Monitoring for Effluent Limits

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

4.2.2.2 Substantially Identical Outfalls

You must monitor each outfall discharging runoff from any regulated activity identified in Table 4-1. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

4.2.2.3 Follow-up Actions if Discharge Exceeds Numeric Effluent Limitation

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

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

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

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

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

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

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

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

4.2.3 Discharges to Impaired Waters Monitoring [9]

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

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

4.2.3.1 Permittees Required to Monitor Discharges to Impaired Waters

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.2.3.2 Exception for Inactive and Unstaffed Sites

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

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

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

4.2.4 Additional Monitoring Required by DEQ

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

Part 5 Corrective Actions

5.1 Conditions Requiring SWP3 Review and Revision to Eliminate Problems

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

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

5.2 Conditions Requiring SWP3 Review to Determine if Modifications Are Necessary

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

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

5.3 Corrective Actions and Deadlines

5.3.1 Immediate Actions

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

5.3.2 Subsequent Actions

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

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

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

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

5.3.3 Corrective Action Report

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

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

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

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

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

5.3.4 Effect of Corrective Action

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

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

5.3.5 Substantially Identical Outfalls

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

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

Part 6 Stormwater Pollution Prevention Plan

6.1 Stormwater Pollution Prevention Plan Requirements

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

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

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

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

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

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

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

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

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

6.2 Contents of the SWP3

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

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

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

6.2.1 Stormwater Pollution Prevention Team

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

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

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

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

6.2.2 Facility and Site Description

Your SWP3 must include the following:

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

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

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

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

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

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

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

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

   a. Boundaries of the property and the size of the property in acres;
   b. Location and extent of significant structures (e.g. buildings, garages, storage tanks, fueling stations, machinery, etc.) and impervious surfaces (e.g., parking lots, paved or concrete pads) at the facility;
   c. Directions of stormwater flow (use arrows to show the directions of stormwater flow);
   d. Locations of all receiving waters in the immediate vicinity of your facility;
   e. Locations of potential pollutant sources identified under Part 6.2.3;
   f. Locations of areas of existing and potential soil erosion that could result in the discharge of a significant amount of turbidity, sediment, or other pollutants;
   g. Locations of all stormwater control measures (i.e., all structural BMPs);
   h. Locations of all stormwater conveyances including ditches, pipes, and swales;
   i. Locations where significant spills or leaks identified under Part 6.2.6 have occurred;
   j. Locations of all stormwater sampling/monitoring points, along with latitude and longitude of each sampling point;
   k. Locations and descriptions of all non-stormwater discharges;

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

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

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

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

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

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

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

6.2.3 Potential Pollutant Sources

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

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

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

6.2.3.1 Industrial Activities

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

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

b. Outdoor storage of materials;

c. Outdoor liquid storage tanks;

d. Vehicle and equipment fueling;

e. Outdoor manufacturing process area;

f. Access roads, rail cars, and tracks;

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

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

i. Vehicle and equipment maintenance and cleaning.

6.2.3.2 List of Pollutants

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

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

6.2.3.3 Spills and Leaks

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

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

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

6.2.3.4 Allowable Non-Stormwater Discharges

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

a. Identification of each allowable non-stormwater source;

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

c. Descriptions of appropriate BMPs for each source.

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

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

6.2.3.5 Investigation of Unauthorized Non-Stormwater Discharges

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

Documentation of your testing or evaluation must include the following:

a. The date of the testing or evaluation,

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

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

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

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

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

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

6.2.3.6 Salt Storage Piles

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

6.2.3.7 Coal Storage Piles

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

6.2.3.8 Sampling Data Summary

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

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

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

6.2.4 Substantially Identical Outfall(s)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6.2.6 Procedures and Schedules

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

The following must be documented in your SWP3:

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

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

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

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

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

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

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

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

6.2.6.3 Pertaining to Inspections

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

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

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

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

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

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

6.2.6.4 Pertaining to Monitoring

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

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

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

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

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

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

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

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

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

d. Procedures for sample collection and handling;

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

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

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

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

6.2.6.5 Pertaining to Corrective Actions

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

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

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

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

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

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

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

6.2.6.6 Pertaining to Employee Training

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

a. The content of the training;

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

c. Records of training activities and attendance lists.

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

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

6.2.7 Documentation to Support Other Eligibility Considerations

6.2.7.1 Documentation Regarding Endangered and Threatened Species and Critical Habitat Protection

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

a. Information on Threatened or Endangered Species or Critical Habit

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

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

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

c. Document the Results of Your Screening

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

d. Describe the Protection Measures Required

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

6.2.7.2 Documentation Regarding Historic Properties

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

6.2.7.3 Certification Regarding Unauthorized Non-Stormwater Discharges

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

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

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

6.2.8 Operator/Owner Certification

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

6.2.9 Required SWP3 Review and Modifications

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

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

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

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

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

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

6.2.10 Additional Documentation Requirements

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

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

6.3 SWP3 Availability

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

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

3. Records of all inspection reports;
4. All sampling and monitoring data;
5. Original copies of the laboratory reports, if any;
6. Corrective action documentations; and
7. Any other reports required by this permit

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

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

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

Part 7 Reporting and Recordkeeping

7.1 Reporting Monitoring Data to DEQ

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

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

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

7.2 Reporting Monitoring Data to Regulated MS4

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

7.3 Annual Reporting Requirement

You must submit an Annual Comprehensive Site Compliance Evaluation Report (ACSCER) using the **DEQ Form 606-005**, which is available on the DEQ's website, each year by **March 1**, containing information generated from the past calendar year. If your authorization becomes effective less than one month from the end of the yearly monitoring period, your first monitoring period starts with the next respective annual monitoring period.

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

1. A summary of your past year's routine facility inspection documentation (see Part 3.2) such as unidentified discharges of pollutants, control measures' maintenance, repair and/or replacement, any incidents of non-compliance observed, any additional control measures needed to comply with the permits, along with their locations, and any changes made to the SWP3 as a result of the inspections;
2. The location(s) of discharges of pollutants from the site, evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall(s), including flow dissipation measures to prevent scouring;
3. A summary of your past year's quarterly visual monitoring documentation (see Part 4.2.1 of the permit);
4. A summary of your past year's effluent limitation violations, if applicable;
5. A description of any incidents of noncompliance in the past year or currently ongoing or, if none, a statement that you are in compliance with the permit;
6. A summary of your past year's corrective action documentation (see Part 5.3.3). If corrective action is not yet completed at the time of submission of your annual report, you must describe the status of any outstanding corrective action(s);
7. A summary description of the annual review of your SWP3 and any SWP3 modifications that you made during the annual reporting year; and
8. A signed certification in accordance with Part 8.16 of this permit.

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

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

7.4 Exceedance Report for Numeric Effluent Limitations

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

Your report must include:

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

7.5 Additional Reporting

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

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

1. **Reportable quantity spills** (see Part 2.1.2.4) – You must provide notification, as required under Part 2.1.2.4, as soon as you have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity;
2. **Planned changes** (see Part 8.10) – You must give written notice to DEQ promptly, no later than 30 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
3. **Anticipated noncompliance** (see Part 8.10) – You must give advance notice to DEQ of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit requirements. You may plan to implement appropriate stormwater controls, as necessary, to eliminate/reduce such noncompliance;
4. **Compliance schedules** (see Part 8.10) – Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days after each schedule date;

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

5. **Other noncompliance** (see Part 8.10) – You must report all instances of noncompliance not reported in your annual report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and
6. **Other information** (see Part 8.10) – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your NOI, or that you submitted incorrect information in your NOI or in any report.

7.6 Recordkeeping and Retention

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

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

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

Part 8 Standard Permit Conditions

8.1 Duty to Comply

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

8.1.1 Criminal Penalties

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

8.1.2 Civil Penalties

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

8.1.3 Administrative Penalties

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

8.2 Duty to Reapply

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

8.3 Need to Halt or Reduce Activity Not a Defense

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

8.4 Duty to Mitigate

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

8.5 Proper Operation and Maintenance

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

8.6 Property Rights

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

8.7 Permit Actions

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

8.8 Duty to Provide Information

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

8.9 Inspection and Entry

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

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

8.10 Monitoring, Reporting, and Record Retention

8.10.1 Monitoring Requirements

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

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

f. Analytical techniques or methods used; and

g. Results of such analyses or observations.

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

8.10.2 Reporting Requirements

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

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

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

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

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

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

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

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

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

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

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

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

8.10.3 Record Retention

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

8.11 Oil and Hazardous Substance Liability

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

8.12 Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

8.13 Requirements of Other Environmental Statutes or Regulations

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

8.14 Reopener Clause

8.14.1 Procedures for Modification or Revocation

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

8.14.2 Water Quality Protection

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

8.14.3 Timing of Permit Modification

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

8.15 Availability of Reports

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

8.16 Signatory Requirements

8.16.1 Signing NOI, NOT and NEC

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

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

8.16.2 Signing All Required Reports

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

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

8.16.3 Changes to Authorization

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

8.16.4 Certification

Any person signing documents in accordance with Part 8.16 must include the following certification:

> *"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

Part 9 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Industrial Stormwater – stormwater runoff from industrial activity.

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

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

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

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

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

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

NSPS – New Source Performance Standards.

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

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

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

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

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

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

Outfall – see *Discharge Point*.

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

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

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

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

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

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

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

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

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

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

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

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

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

Stormwater Controls – see *Control Measures*.

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

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

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

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

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

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

Upset – an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond your reasonable control. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (See 40 C.F.R. § 122.41(n)(1).)

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

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

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

Part 10 Sector Specific Requirements for Industrial Activity

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

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

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

Sector A Timber Products

A.1 Covered Stormwater Discharges

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

A.2 Industrial Activities Covered by Sector A

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

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

A.3 Limitation on Coverage

A.3.1 Prohibition of Discharges

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

A.3.2 Authorized Non-Stormwater Discharges

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

A.4 Additional Technology-Based Effluent Limits

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

A.5 Additional SWP3 Requirements

A.5.1 Drainage Area Site Map

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

A.5.2 Inventory of Exposed Materials

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

A.5.3 Description of Stormwater Management Controls

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

A.5.4 Additional Inspection Requirements

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

A.6 Effluent Limitations, Monitoring and Reporting Requirements

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

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

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

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

Sector B Paper and Allied Products

B.1 Covered Stormwater Discharges

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

B.2 Industrial Activities Covered by Sector B

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

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

B.3 Monitoring and Reporting Requirements

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

Sector C Chemical and Allied Products Manufacturing

C.1 Covered Stormwater Discharges

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

C.2 Industrial Activities Covered by Sector C

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

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

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

C.3 Limitations on Coverage

C.3.1 Prohibition of Non-Stormwater Discharges

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

C.4 Additional Technology-Based Effluent Limits

C.4.1 Good Housekeeping Measures

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

C.4.2 Minimize Exposure

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

C.4.3 Erosion and Sediment Control

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

C.4.4 Management of Runoff

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

C.5 Additional SWP3 Requirements

C.5.1 Drainage Area Site Map

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

C.5.2 Potential Pollutant Sources

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

C.6 Effluent Limitations, Monitoring and Reporting Requirements

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

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

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

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

Sector D Asphalt Paving and Roofing Materials and Lubricant Manufacturers

D.1 Covered Stormwater Discharges

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

D.2 Industrial Activities Covered by Sector D

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

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

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

D.3 Limitations on Coverage

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

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

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

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

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

D.4 Additional SWP3 Requirements

D.4.1 Inspection

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

D.4.2 Final Stabilization

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

D.5 Effluent Limitations, Monitoring and Reporting Requirements

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

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

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

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

E.1 Covered Stormwater Discharges

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

E.2 Industrial Activities Covered by Sector E

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

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

E.3 Additional Technology-based Effluent Limits

E.3.1 Good Housekeeping

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

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

E.4 Additional SWP3 Requirements

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

E.4.1 Drainage Area Site Map

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

E.4.2 Final Stabilization

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

E.4.3 Discharge Testing and Certification

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

E.5 Effluent Limitations, Monitoring and Reporting Requirements

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

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

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

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

Sector F Primary Metals

F.1 Covered Stormwater Discharges

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

F.2 Industrial Activities Covered by Sector F

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

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

F.3 Additional Technology-based Effluent Limits

F.3.1 Good Housekeeping Measures

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

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

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

F.4 Additional SWP3 Requirements

F.4.1 Drainage Area Site Map

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

F.4.2 Inventory of Exposed Material

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

F.4.3 Additional Inspection Requirements

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

F.5 Monitoring and Reporting Requirements

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

Sector G Metal Mining (Ore Mining and Dressing)

G.1 Covered Stormwater Discharges

The requirements in Sector G apply to stormwater discharges associated with industrial activity from active, temporarily inactive and inactive metal mining and ore dressing facilities, including mines abandoned on federal lands, as identified by the SIC Codes specified under Sector G in

Table 1-3 of this permit. Coverage is required for stormwater discharges that have come into contact (directly or indirectly) with any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the operation.

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

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

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

G.2 Industrial Activities Covered by Sector G

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

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

G.3 Limitations on Coverage

G.3.1 Prohibition of Stormwater Discharges

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

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

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

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

G.3.2 Prohibition of Non-Stormwater Discharges

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

G.4 Definitions

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

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

    Mining operations can occur at both active and inactive mining facilities, and temporarily inactive mining facilities.
2. ***Active Metal Mining Activities*** - Activities related to the extraction, removal or recovery of metal ore from the earth; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the active mining area. Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 10.G.5 have been met, and a well-delineated active mining area has been established, all activities (including any clearing, grading, and excavation) that occur within the active mining area are active mining activities.
3. ***Active Metal Mining Facility*** - A place where work or other activity related to the extraction, removal or recovery of metal ore is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.
4. ***Inactive Metal Mining Facility*** - A site or portion of a site where metal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable state or federal government agency.
5. ***Temporarily Inactive Metal Mining Facility*** - A site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable state or federal government agency.

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

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

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

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

G.5.2 Cessation of Earth-disturbing Activities

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

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

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

G.6.1 Employee Training

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

G.6.2 Stormwater Controls

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

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

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

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

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

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

G.7 Additional SWP3 Requirements

G.7.1 Nature of Industrial Activities

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

G.7.2 Site Map

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

G.7.3 Potential Pollutant Sources

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

G.7.4 Additional Inspection Requirements

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

G.7.5 Employee Training

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

G.7.6 Discharge Testing and Certification

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

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

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

G.8 Monitoring and Reporting Requirements

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

Sector H Coal Mines and Coal Mining Related Facilities

H.1 Covered Stormwater Discharges

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

H.2 Industrial Activities Covered by Sector H

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

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

H.3 Limitations on Coverage

H.3.1 Prohibition of Non-Stormwater Discharges

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

H.3.2 Discharges Subject to Stormwater Effluent Guidelines

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

H.4 Definitions

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

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

b. Active mining activities, which includes reclamation.

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

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

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

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

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

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

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

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

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

H.5 Additional Technology-Based Effluent Limits

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

H.5.1 Good Housekeeping Measures

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

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

H.5.2 Preventive Maintenance

Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections. (See also Part 2.1.2.3.)

H.6 Earth-disturbing Activities Conducted Prior to Active Mining Activities

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

H.6.1 Requirements for Activities Disturbing One or More Acres of Earth

If the one-acre limit as defined in Part 10.H.6 is attained, you must obtain an authorization from DEQ for the discharges of stormwater before you start your construction. The NOI form for coverage under OPDES General Permit OKR10 for stormwater discharges from construction activity can be downloaded from DEQ's website.

H.6.2 Cessation of Earth-disturbing Activities

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

H.7 Additional SWP3 Requirements

H.7.1 Other Applicable Regulations

Most active coal mining-related areas (SIC Codes 1221-1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal-producing states to implement SMCRA through state SMCRA regulations. All SMCRA requirements regarding control of stormwater-related pollutant discharges must be addressed, and then documented in the SWP3 (directly or by reference).

H.7.2 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: haul and access roads; railroad spurs, siding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas; acidic spoil, refuse or unreclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants. (See also Part 6.2.2)

H.7.3 Potential Pollutant Sources

Document in your SWP3 where any of the following sources and activities have potential pollutants associated with them: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid or other potentially harmful liquids; and loading or temporary storage of acidic refuse or spoil. (See also Part 6.2.3.)

H.7.4 Additional Inspection Requirements

Perform routine inspections of active mining areas covered by this permit, corresponding with the inspections as performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative. SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements. Your inspection program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas. (See also Part 3.1)

H.7.5 Sediment and Erosion Control

As indicated in Part 10.H.6.1 above, SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements. (See also Part 2.1.2.5)

H.7.6 Annual Comprehensive Site Compliance Evaluation

Your evaluation program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are haul and access roads; railroad spurs, siding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas. (See also Part 7.3)

Note: The requirements in Part 10.H.7 are not applicable to inactive coal mining facilities.

H.8 Monitoring and Reporting Requirements

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

Sector I Oil and Gas Extraction

I.1 Covered Stormwater Discharges

Stormwater discharges from natural gas liquids extraction plants, identified under SIC Code 1321, are subject to DEQ jurisdiction under Title 27A O.S. § 1-3-101.E.7.a. However, stormwater discharges from field activities or operations associated with oil or gas exploration, production, processing or treatment operations, or transmission facilities are exempted from NPDES/OPDES permit coverage unless, in accordance with 40 C.F.R. § 122.26(c)(1)(iii), the facility:

1. Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 C.F.R. § 117.21 or 40 C.F.R. § 302.6 at any time since November 16, 1987;
2. Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 C.F.R. § 110.6 at any time since November 16, 1987; or
3. Contributes to a violation of a water quality standard.

Operators/owners with stormwater discharges from natural gas liquids extraction plants that do not meet the above exemption must submit an NOI to DEQ for authorization.

Stormwater discharges from oil field service maintenance yards identified under SIC Code 1389 are also under DEQ jurisdiction. Oil field service maintenance yards are facilities which serve as a base for oil field service operations (operations which provide services to the petroleum exploration and production industry but do not typically produce petroleum themselves) and at which equipment maintenance is performed outdoors. Operators/owners with stormwater discharges from oil field service maintenance yards must submit an NOI to DEQ for authorization. Stormwater discharges from field Oil and Gas Extraction under SIC Codes 1311, 1381, 1382, and 1389 (except oil field service maintenance yards, as noted above) are under EPA's jurisdiction (see Table 1-2). Operators/owners with stormwater discharges from crude petroleum and natural gas, drilling oil and gas wells, oil and gas field exploration services, and oil and gas field services not classified elsewhere must submit an NOI to EPA for authorization.

I.2 Industrial Activities Covered by Sector I

Stormwater discharges from the following portions of non-exempt natural gas liquid extraction plant activities are covered by this permit: production equipment and other machinery, raw materials, waste products and by-products, gas treatment units, finished products, storage areas, fuels and lubricants, waste treatment areas, access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products created by the facility. Stormwater discharges from oil field service maintenance yards at which equipment maintenance is performed outdoors are also covered by this permit.

I.3 Limitations on Coverage

I.3.1 Stormwater Discharges Subject to Effluent Limitation Guidelines

This permit does not authorize stormwater discharges from petroleum drilling operations that are subject to nationally established effluent limitation guidelines found at 40 C.F.R. Part 435. (See also Part 1.9.4.)

I.3.2 Non-Stormwater Discharges

Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit. Instead, wash water discharges must be authorized under a separate OPDES permit or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

I.4 Additional Technology-Based Effluent Limits

I.4.1 Vegetative Controls

Implement vegetative practices designed to preserve existing vegetation, where attainable, and re-vegetate open areas as soon as practicable after grade drilling. Implement appropriate vegetative practices, such as the following (list not exclusive): temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, and tree protection practices. Begin implementing appropriate vegetative practices on all disturbed areas within 14 days following the last activity in that area.

I.4.2 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

1. *Vehicle and Equipment Storage Areas*: Confine vehicles/equipment awaiting or having undergone maintenance to designated areas (as marked on site map). Describe and implement measures to prevent or minimize contaminants from these areas (e.g., drip pans under equipment, indoor storage, use of berms or dikes, or other equivalent measures).

2. *Material and Chemical Storage Areas*: Maintain these areas in good condition to prevent or minimize contamination of stormwater. Plainly label all hazardous materials.
3. *Chemical Mixing Areas*: Implement measures that prevent or minimize contamination of stormwater runoff from chemical mixing areas.

I.5 Additional SWP3 Requirements

You must comply with the following requirements in addition to the requirements listed in Part 6:

I.5.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: reportable quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; chemical mixing areas; construction and drilling areas; all areas subject to the effluent guidelines requirements for "No Discharge" in accordance with 40 C.F.R. § 435.32; and the structural controls to achieve compliance with the "No Discharge" requirements. (See also Part 6.2.2)

I.5.2 Potential Pollutant Sources

Also document in your SWP3 the following sources and activities that have potential pollutants associated with them: chemical, cement, mud, or gel mixing activities; and equipment cleaning and rehabilitation activities. In addition, include information about the RQ release that triggered the permit application requirements; the nature of the release (e.g., oil spill from a drum storage area); amount of oil or hazardous substance released; amount of substance recovered; date of the release; cause of the release (e.g., poor handling techniques and lack of containment in the area); areas affected by the release (i.e., land and water); procedure to clean up release; actions or procedures implemented to prevent or improve response to a release; and remaining potential contamination of stormwater from release (taking into account human health risks, the control of drinking water intakes, and the designated uses of the receiving water). (See also Part 6.2.3)

I.5.3 Additional Inspection Requirements

All erosion and sediment controls must be inspected either: 1) once every 7 calendar days or 2) once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater. For temporarily or permanently inactive Oil and Gas Extraction facilities that are remotely located and unstaffed, perform the inspection at least annually. (See also Part 3.1.)

I.6 Monitoring and Reporting Requirements

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

Sector J Mineral Mining and Dressing

J.1 Covered Stormwater Discharges

The requirements in Sector J apply to stormwater discharges associated with industrial activity from active and inactive non-metallic mineral mining and dressing facilities as identified by the SIC Codes specified under Sector J in Table 1-3 of this permit.

1. *Covered Discharges from Inactive Facilities:* All stormwater discharges.
2. *Covered Discharges from Active and Temporarily Inactive Facilities:* All stormwater discharges, except for most stormwater discharges subject to the existing effluent limitation guideline at 40 C.F.R. Part 436. In addition, mine dewatering discharges composed entirely of stormwater or uncontaminated

groundwater seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities are covered by this permit.

3. *Covered Discharges from Earth-Disturbing Activities Conducted Prior to Active Mining Activities:* All stormwater discharges.
4. *Covered Discharges from Sites Undergoing Reclamation*: All stormwater discharges.

J.2 Industrial Activities Covered by Sector J

The types of activities that permittees under Sector J are primarily engaged in are exploring for minerals (e.g., stone, sand, clay, chemical and fertilizer minerals, non-metallic minerals, etc.), and developing mines and the mining of minerals; mineral dressing; and non-metallic mineral services.

J.3 Limitations on Coverage

Most stormwater discharges subject to an existing effluent limitation guideline at 40 C.F.R. Part 436 are not authorized by this permit. The exceptions to this limitation, which are covered by this permit, are mine dewatering discharges composed entirely of stormwater or uncontaminated groundwater seepage from construction sand and gravel, industrial sand, and crushed stone mining facilities.

J.4 Definitions

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

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

    Mining operations can occur at both active and inactive mining facilities, and temporarily inactive mining facilities.
2. ***Earth-disturbing activities conducted prior to active mining activities, construction of access and staging area*** – Consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities:
    a. Activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to access road construction); providing access to a mine site for vehicles and equipment (except when related to access road construction); other earth disturbances associated with site preparation activities on any areas where active mining activities have not yet commenced; and
    b. Construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc., and construction of access roads.
3. ***Active mineral mining activities*** – Activities related to the extraction, removal or recovery, and beneficiation of non-metallic minerals from the earth; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the active mining area. Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 10.J.6 have been met, and a well-delineated active mining area has been established, all activities

(including any clearing, grading, and excavation) that occur within the active mining area are active mining activities.

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

   Note: Earth-disturbing activities described in the definition in Part 10.J.4.3 that occur on areas outside the active mining area (e.g., for expansion of the mine into undeveloped territory) are considered earth-disturbing conducted prior to active mining activities, and must comply with the requirements in Part 10.J.2.

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

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

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

J.5 Additional Technology-Based Effluent Limits for Active Mining Activities

The following requirements are applicable for active mining activities and do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in Part 10.J.4.

J.5.1 Employee Training

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

J.5.2 Stormwater Controls

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

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

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

Treatment: If treatment of stormwater (e.g., chemical or physical systems, oil-water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged, where feasible. Treated runoff may be discharged as a stormwater source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Mineral Mining and Processing Point Source Category (40 C.F.R. Part 436).

J.5.3 Discharge Testing and Certification

Test or evaluate all outfalls covered under this permit for the presence of specific mining-related but unauthorized non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 C.F.R. Part 436). Alternatively (if applicable), you may keep a certification with your SWP3, per Part 10.J.7.6. (See also Part 6.2.3.5)

J.6 Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities

Stormwater discharges from earth-disturbing activities conducted prior to active mining activities (defined in Part 10.J.4.2) are covered under this permit. For such earth-disturbing activities, you must comply with all applicable requirements in Parts 1-8 of this permit except for the technology-based effluent limits in Part 10.J.5 and Part 2.1.2, the inspection requirements in Part 10.J.7 and Part 3, and the monitoring requirements in Part 10.J.8 and Part 4. Authorized discharges from areas where earth-disturbing activities have ceased and stabilization as specified in Part 10.J.6.1.p, where appropriate, has been completed (stabilization is not required for areas where active mining activities will occur), are no longer subject to the Part 10.J.6 requirements. At such time, authorized discharges become subject to all other applicable requirements of this permit, including the effluent limits in Part 2.1.2 and Part 10.J.5, the inspection requirements in Part 3 and Part 10.J.7, and the monitoring requirements in Part 4 and Part 10.J.8.

J.6.1 Technology-Based Effluent Limits Applicable to All Earth-Disturbing Activities Conducted Prior to Active Mining Activities, Construction of Staging Area and Access Road

The following technology-based effluent limits apply to authorized discharges from all earth-disturbing activities conducted prior to active mining activities defined in Part 10.J.4. These limits supersede the technology-based limits listed in Part 2.1.2 and Part 10.J.5 of this permit.

a. ***Area of disturbance:*** You must minimize the amount of soil exposed during construction activities.

b. ***Erosion and sediment control design requirements***. You must:

- Design, install and maintain effective erosion and sediment controls to minimize the discharge of pollutants from construction activities. Account for the following factors in designing your erosion and sediment controls:
  - The expected amount, frequency, intensity and duration of precipitation;
  - The nature of stormwater runoff and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features;
  - The range of soil particle sizes expected to be present on the site.
- Direct discharges from your stormwater controls to vegetated areas of your site to increase sediment removal and maximize stormwater infiltration, including any natural buffers, unless infeasible. Use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.

- If any stormwater flow becomes or will be channelized at your site, you must design erosion and sediment controls to control both peak flowrates and total stormwater volume to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points.
- If you install stormwater conveyance channels, they must be designed to avoid unstabilized areas on the site and to reduce erosion, unless infeasible. In addition, you must minimize erosion of channels and their embankments, outlets, adjacent stream banks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

c. ***Natural buffers:*** For any stormwater discharges from construction activities within 50 feet (or 100 feet if the facility is located in a sensitive watershed) of a water of the state, you must comply with one of the following compliance alternatives:

- Provide a 50-foot (or 100-foot) undisturbed natural buffer between construction activities and the water of the state; or
- Provide an undisturbed natural buffer that is less than 50 feet (or 100 feet) supplemented by additional erosion and sediment controls, which in combination, achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer; or
- If it is infeasible to provide an undisturbed natural buffer of any size, implement erosion and sediment controls that achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer.

Note: Refer to the "Buffer Guidance" requirements available in the OPDES General Permit OKR10 for Stormwater Discharges from Construction Activities.

There are exceptions when buffer requirements do not apply:

- There is no stormwater discharge from construction disturbances to a water of the state;
- The natural buffer has already been eliminated by pre-existing development disturbances;
- The disturbance is for the construction of a water-dependent structure or construction approved under a CWA section 404 permit; or
- For linear construction projects, you are not required to comply with the requirements if there are site constraints provided that, to the extent feasible, you limit disturbances within 50 feet (or 100 feet) of a water of the state and/or you provide supplemental erosion and sediment controls to treat stormwater discharges from any disturbances within 50 feet (or 100 feet) of a water of the state.

d. ***Erosion and sediment control installation requirement:***

- By the time construction activities commence, install and make operational down-gradient sediment controls.
- All other stormwater controls described in the SWP3 must be installed and made operational as soon as conditions on each portion of the site allow.

e. ***Perimeter controls.*** You must:

- Install sediment controls along those perimeter areas of your disturbed area that will receive stormwater, except where site conditions prevent the use of such controls (in which case, maximize their installation to the extent practicable).

- Remove sediment before it accumulates to one-half of the above-ground height of any perimeter control.

f. ***Sediment track-out:*** For construction vehicles and equipment exiting the site directly onto paved roads, you must:

- Use appropriate stabilization techniques to minimize sediment track-out from vehicles and equipment prior to exit;
- Use additional controls to remove sediment from vehicle and equipment tires prior to exit, where necessary; and
- Remove sediment that is tracked out onto paved roads by the end of the work day.

g. ***Native topsoil preservation:*** You must preserve native topsoil removed during clearing, grading, or excavation, unless infeasible. Store topsoil in a manner that will maximize its use in reclamation or final vegetative stabilization (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.

h. ***Soil or sediment stockpiles:*** You must:

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

i. ***Sediment basins:*** If you intend to install a single or multiple sediment basin(s) to treat stormwater from your earth-disturbing activities, you must:

- Provide overall storage for either (1) the 2-year, 24-hour storm, or (2) 3,600 cubic feet per acre drained, whichever is greater.
- Prevent erosion of (1) basin embankments by using stabilization controls (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin by using erosion controls and velocity dissipation devices.

j. ***Minimize dust:*** You must minimize the generation of dust through the appropriate application of water or other dust suppression techniques that minimize pollutants being discharged into surface waters.

k. ***Steep slopes:*** You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes. Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; for grading steep slopes prior to erecting the landfill office). Where steep slope disturbances are necessary, you can minimize the disturbances to steep slopes through the implementation of a number of standard erosion and sediment control practices, such as by phasing disturbances in these areas and using stabilization practices specifically for steep grades.

l. ***Soil compaction:*** Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/ equipment use in these areas to avoid soil compaction or use soil conditioning techniques to support vegetative growth. Minimizing soil compaction is not required where compacted soil is integral to the functionality of the site.

m. ***Dewatering practices:*** You are prohibited from discharging contaminated or turbid groundwater or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or other

similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems). Uncontaminated, non-turbid dewatering water can be discharged without being routed to a control.

You must also meet the following requirements for dewatering activities:

- No discharging visible floating solids or foam;
- Remove oil, grease and other pollutants from dewatering water via an oil-water separator or suitable filtration device (such as a cartridge filter);
- Utilize vegetated upland areas of the site, to the extent feasible, to infiltrate dewatering water before discharge. In no case shall waters of the state be considered part of the treatment area;
- Implement velocity dissipation devices at all points where dewatering water is discharged;
- Haul backwash water away for disposal or return it to the beginning of the treatment process; and
- Clean or replace the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

n. ***Erosion and sediment control maintenance requirements:*** You must:

- Ensure that all erosion and sediment controls remain in effective operating condition.
- Wherever you determine that a stormwater control needs maintenance to continue operating effectively, initiate efforts to fix the problem immediately after its discovery, and complete such work by the end of the next work day.
- When a stormwater control must be replaced or significantly repaired, complete the work as soon as practicable but no later than seven days.

o. ***Pollution prevention requirements:***

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that only the allowable non-stormwater discharges are those enumerated in Part 1.3):
  - Wastewater from washout of concrete;
  - Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
  - Fuels, oils, or other pollutants used for operation and maintenance of vehicles or equipment;
  - Soaps, solvents, or detergents used in vehicle or equipment washing;
  - Toxic or hazardous substances from a spill or other release.
- *Design and location requirements:* Minimize the discharge of pollutants from pollutant sources by:
  - Minimizing exposure;
  - Using secondary containment, spill kits, or other equivalent measures;
  - Locating pollution sources away from surface waters, storm sewer inlets, and drainage-ways;
  - Cleaning up spills immediately (do not clean by hosing area down).
- *Pollution prevention requirements for wash waters:* Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be

treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

Pollution prevention requirements for the storage, handling, and disposal of construction products, materials, and wastes: Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to stormwater. Minimization of exposure is not required in cases where the exposure to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).

p. ***Site stabilization requirements for earth-disturbing activities:*** You must comply with the following stabilization requirements except where the earth disturbances will become actively mined or the controls implemented at the active mining area will effectively control the disturbance.

- *Temporary stabilization of disturbed areas:* Stabilization measures must be initiated immediately in portions of the site where earth-disturbing activities performed for purposes of mine site preparation (as defined in Part 10.J.4) have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site where earth-disturbing activities performed for purposes of mine site preparation have permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until active mining activities commence.
- *Final stabilization of disturbed areas:* Stabilization measures must be initiated immediately where earth-disturbing activities performed for purposes of mine site preparation (as defined in Part 10.J.4) have permanently ceased, but in no case more than 14 days after the earth-disturbing activities have permanently ceased. Until final stabilization is achieved, temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, must be used.
- If using vegetative measures, by no later than 14 days after initiating stabilization:
  - Seed or plant the area, and provide temporary cover to protect the planted area;
  - Once established, vegetation must be uniform, perennial (if final stabilization), and cover at least 70% of stabilized area based on density of native vegetation without large (greater than 10 square feet) bare areas.
- If using non-vegetative stabilization, by no later than 14 days after initiating stabilization:
  - Install or apply all non-vegetative measures;
  - Cover all areas of exposed soil.

Note: For the purposes of this permit, DEQ will consider any of the following types of activities to constitute the initiation of stabilization: 1. Prepping the soil for vegetative or non-vegetative stabilization; 2. Applying mulch or other non-vegetative product to the exposed area; 3. Seeding or planting the exposed area; 4. Starting any of the activities in # 1 – 3 on a portion of the area to be stabilized, but not on the entire area; and 5. Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization.

J.6.2 Water Quality-Based Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities

If your site will discharge to an impaired water, a water that is identified as an aquatic resource of concern, or a water that is identified for higher-tier antidegradation protection, the following more stringent water quality-based limits apply to earth-disturbing activities conducted prior to active mining activities defined in Part 10.J.4.2, in addition to the water quality-based limits in Part 2.2 of this permit.

a. ***More rapid stabilization of exposed areas*** - Complete initial stabilization activities within seven calendar days of stopping construction work.

b. ***More frequent site inspections*** - Perform inspections every seven calendar days and within 24 hours of a storm event of 0.5 inches or greater.

J.6.3 Inspection Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities

The following requirements supersede the inspection requirements in Part 3 and Part 10.J.7 of this permit for earth-disturbing activities conducted prior to active mining activities defined in Part 10.J.4.2.

a. ***Inspection Frequency:*** You must inspect at least once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater. Inspections are only required during working hours. You may reduce the frequency of inspections to once per month in any area of your site where stabilization has occurred pursuant to Part 10.J.6.1.p.

b. ***Areas to be Inspected:*** At a minimum, you must inspect all disturbed areas; stormwater controls and pollution prevention measures; locations where stabilization measures have been implemented; material, waste, borrows, or equipment storage and maintenance areas; areas where stormwater flows; and points of discharge.

c. ***What to Check for During Inspections:*** At a minimum you must check whether all stormwater controls are installed, operational and working as intended; whether any new or modified stormwater controls are needed; for conditions that could lead to a spill or leak; for visual signs of erosion/sedimentation at points of discharge. If a discharge is occurring: the quality and characteristics of the discharge; and whether controls are operating effectively.

d. ***Inspection Report:*** Within 24 hours of an inspection, you must complete a report that includes the inspection date; name and title of inspector(s); summary of inspection findings; rainfall amount that triggered the inspection (if applicable); if it was unsafe to inspect a portion of the site, include documentation of the reason and the location(s); each inspection report must be signed; and keep a current copy of all reports at the site or at an easily accessible location.

J.6.4 Cessation of Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities

The requirements in Part 10.J.6 no longer apply for any earth-disturbing activities conducted prior to active mining activities as defined in Parts 10.J.4.2 where

a. earth-disturbing activities have ceased; and

b. stabilization has been met consistent with Part 10.J.6.1.p (not required for areas where active mining activities will occur).

J.7 Additional SWP3 Requirements for Mining Operations

You must comply with the following requirements in addition to the requirements listed in Part 6 (**Note:** The requirements in Part 10.J.7 are not applicable to inactive mineral mining facilities.):

J.7.1 Nature of Industrial Activities

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

J.7.2 Site Map

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

J.7.3 Potential Pollutant Sources

For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, document in your SWP3 the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. For example, phosphate mining facilities will likely need to document pollutants such as selenium, which can be present in significant amounts in their discharges. Consider these factors: the mineralogy of the waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with stormwater; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock drainage. (See also Part 6.2.3.)

J.7.4 Documentation of Control Measures

To the extent that you use any of the control measures in Part 10.J.5.2, document them in your SWP3 per Part 6.2.5. If control measures are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in your SWP3. If you are in compliance with dust control requirements under the state air quality permits, you must state (or summarize, as necessary) what the state or county air quality permit dust control requirements are and how you've achieved compliance with them.

J.7.5 Employee Training

All employee training(s) conducted in accordance with Part 10.J.5.1 must be documented with the SWP3.

J.7.6 Certification of Permit Coverage for Commingled Non-Stormwater Discharges

If you determine that you are able to certify, consistent with Part 10.J.5.3, that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate OPDES permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, you must retain such certification with your SWP3. This certification must identify the non-stormwater discharges, the applicable OPDES permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

J.7.7 Additional Inspection Requirements

Except for earth-disturbing activities conducted prior to active mining activities as defined in Parts 10.J.4.2, which are subject to Part 10.J.6.4, perform inspections at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters which are impaired for sediment or nitrogen must be inspected monthly. (See also Part 3.1.)

J.8 Effluent Limitations, Monitoring and Reporting Requirements

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

Sector Table J-1 Active and Inactive Non-Metallic Mineral Mining and Dressing Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Numeric Limitation
Mine dewatering discharges at Crushed Stone, Construction Sand and Gravel, Industrial Sand and Mining Facilities (SIC Codes: 1422-1429, 1442, & 1446)	Total Suspended Solids (TSS)	45 mg/L, daily max 25 mg/L, 30-day avg.
	pH	6.5 - 9.0 s.u.

Sector K Hazardous Waste Treatment, Storage or Disposal Facilities

K.1 Covered Stormwater Discharges

The requirements in Sector K apply to stormwater discharges associated with industrial activity from Hazardous Waste Treatment, Storage or Disposal facilities (TSDFs) as identified by the Activity Code HZ specified under Sector K in

Table 1-3 of this permit.

K.2 Industrial Activities Covered by Sector K

Stormwater discharges from facilities that treat, store or dispose of hazardous wastes, including those that are operating under interim status or a permit under Subtitle C of RCRA, are covered under Sector K.

Disposal facilities that have been properly closed and capped, and have no significant material exposed to stormwater, are considered inactive and do not require a permit.

K.3 Limitations on Coverage

K.3.1 Prohibition of Non-Stormwater Discharges

The following non-stormwater discharges are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater, and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

Note: The only non-stormwater discharges are authorized by this permit are listed in Part 1.3.

K.3.2 Limitations on Coverage for Facilities Providing Commercial TSDF Services

Coverage under this permit is limited to TSDFs that are self-generating or handle residential wastes only and to those facilities that only store hazardous wastes and do not treat or dispose of them. Coverage under this permit is not available to commercial hazardous waste disposal/treatment facilities that dispose and treat on a commercial basis any produced hazardous wastes (i.e., not their own) as a service provider to commercial or industrial generators. These types of facilities must apply for an individual permit from DEQ.

K.4 Definitions

1. ***Contaminated stormwater:*** Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 10.K.4.4. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.
2. ***Drained free liquids:*** Aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.
3. ***Landfill:*** An area of land or an excavation in which wastes are placed for permanent disposal, but that is not a land application or land treatment unit, surface impoundment, underground injection well, waste pile, salt dome formation, salt bed formation, underground mine, or cave as these terms are defined in 40 C.F.R. §§ 257.2, 258.2, and 260.10.
4. ***Landfill Wastewater:*** As defined in 40 C.F.R. Part 445 (Landfills Point Source Category), all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated ground water, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater, and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.
5. ***Leachate:*** Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.
6. ***Non-contaminated Stormwater:*** Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 10.K.4.4. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

K.5 Effluent Limitations, Monitoring and Reporting Requirements

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

Sector Table K-1 Hazardous Waste Treatment, Storage or Disposal Specific Numeric Effluent Limitations

Industrial Activity	Parameter	Effluent Limitation[1]
Discharges from hazardous waste landfills subject to effluent limitations in 40 C.F.R. Part 445 Subpart A (see footnotes)	Biochemical Oxygen Demand (BOD_5)	220 mg/L, daily maximum 56 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum 27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum 4.9 mg/L, monthly avg. maximum
	Total Chromium	1.1 mg/L, daily maximum 0.46 mg/L, monthly avg. maximum
	Total Zinc	0.535 mg/L, daily max. 0.296 mg/L, monthly avg. maximum
	Total Arsenic	1.1 mg/L, daily maximum 0.54 mg/L, monthly avg. maximum
	Alpha Terpineol	0.042 mg/L, daily max. 0.019 mg/L, monthly avg. maximum
	Aniline	0.024 mg/L, daily max. 0.015 mg/L, monthly avg. maximum
	Benzoic Acid	0.119 mg/L, daily max. 0.073 mg/L, monthly avg. maximum
	Naphthalene	0.059 mg/L, daily max. 0.022 mg/L, monthly avg. maximum
	p-Cresol	0.024 mg/L, daily max. 0.015 mg/L, monthly avg. maximum
	Phenol	0.048 mg/L, daily max. 0.029 mg/L, monthly avg. maximum
	Pyridine	0.072 mg/L, daily max. 0.025 mg/L, monthly avg. maximum
	pH	6.5 – 9.0 s.u.

[1] As set forth at 40 C.F.R. Part 445 Subpart A, these numeric limitations apply to contaminated stormwater discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 C.F.R. Parts 264 (Subpart N) and 265 (Subpart N) except for any of the following facilities:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 C.F.R. Subchapter N as the industrial or commercial operation or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 C.F.R. Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

Sector L Landfills, Land Application Sites and Open Dumps

L.1 Covered Stormwater Discharges

The requirements in Sector L apply to stormwater discharges associated with industrial activity from Landfills and Land Application Sites as identified by the Industrial Activity Code LF specified under Sector L in Table 1-3 of this permit.

Once a landfill begins operations, stormwater discharges from continued development or closure of incremental landfill cells or final cell closure, perimeter drainage structure, access/haul road construction, cover soil operations, and soil borrow operations are authorized under this permit since these are normal aspects of landfill operations. Any construction or demolition of temporary non-impervious roads directly related to landfill operations is also subject to the requirements of this permit. DEQ may impose additional requirements depending on site-specific circumstances such as proximity to nearby waterways, extent of activities, pollutants of concern, and other considerations.

Note: A landfill is subject to the construction general permitting requirements during the time the landfill is initially constructed and prior to operation and must be covered under the OPDES Construction General Permit OKR10. For *Closed Landfills*, permit coverage is not required for a landfill that has received DEQ approval of final facility closure in accordance with DEQ's solid waste regulations (OAC 252:515). Closed or inactive landfills that are no longer in use, but that have not received final closure approval from DEQ (and hence have not begun post-closure monitoring), are still considered to be industrial activities and permit coverage must be maintained as an inactive landfill.

L.2 Industrial Activities Covered by Sector L

Stormwater discharges from facilities associated with waste disposal at landfills, and land application sites that receive or have received industrial waste, including sites subject to regulation under Subtitle D of RCRA, are covered under Sector L.

L.3 Limitations on Coverage

L.3.1 Prohibition of Non-Stormwater Discharges

The following discharges are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated groundwater, laboratory wastewater and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. (See also Part 1.3.)

L.3.2 Prohibition of Stormwater Discharges from Open Dumps

Stormwater discharges from open dumps as defined under RCRA are not authorized under this permit.

L.3.3 Prohibition of Stormwater Discharges

Stormwater discharges from a new landfill construction (prior to operation) are not authorized under this permit. Additionally, stormwater discharges from a separate section (for example, not contiguous or separated by a public road) of the landfill and/or facility construction are not authorized under this permit unless that separate section is incorporated in the SWP3 in accordance with the requirements of this permit. These activities require coverage under the OPDES Construction General Permit OKR10. Construction of permanent facility structures such as buildings and impervious parking lots or impervious roads that disturb greater than one acre in an existing landfill site are also subject to the OKR10 permit.

Permanent facility structures are defined as any structural improvements designed to remain until the landfill is closed.

L.4 Definitions

1. ***Contaminated stormwater*** – stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater (as defined in Part 10.L.4.3) that is subject to the landfills effluent limitations guidelines (40 C.F.R. Part 445). Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas. Additionally, stormwater that comes into direct contact with alternative daily cover may produce contaminated stormwater if the alternative cover is not managed in accordance with the landfill's Solid Waste permit.

2. ***Drained free liquids*** – aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

3. ***Landfill wastewater*** – as defined in 40 C.F.R. Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated ground water, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate; gas collection condensate; drained free liquids; laboratory-derived wastewater; contaminated stormwater; and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

4. ***Leachate*** – liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

5. ***Non-contaminated stormwater*** – stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off daily, intermediate, and/or final cover of the landfill.

6. ***New cell construction activities conducted once landfill operations begin*** –activities performed for purposes of construction of new landfill cells including: cutting new rights of way, providing access to landfill cells for vehicles and equipment, other earth disturbances associated with site preparation activities for the cell, and/or additional construction associated with the landfill cells.

L.5 Additional Technology-Based Effluent Limits

L.5.1 Preventive Maintenance Program

As part of your preventive maintenance program, maintain the following: all elements of leachate collection and treatment systems, to prevent commingling of leachate with stormwater; the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), to minimize the effects of settlement, sinking, and erosion. (See also Part 2.1.2.3.)

L.5.2 Erosion and Sedimentation Control

Provide temporary stabilization (e.g., temporary seeding, mulching, placing geotextiles on the inactive portions of stockpiles and/or installing and maintaining adequate downgradient stormwater controls/structural BMPs) for the following to minimize discharges of pollutants in stormwater: materials stockpiled for daily, intermediate, and final cover; inactive areas of the landfill; and landfill areas that have final covers but where vegetation has yet to be established. (See also Part 2.1.2.5.)

L.5.3 Good Housekeeping Measures

As part of your good housekeeping program, consider providing protected storage areas for pesticides, herbicides, fertilizer, and other significant materials. (See also Part 2.1.2.2.)

L.6 Requirements Applicable to New Cell Construction Activities Conducted Once Landfill Operations Begin

Stormwater discharges from new cell construction activities conducted once landfill operations begin (defined in Part 10.L.4.6) are covered under this permit. For such new cell construction activities, you must comply with all applicable requirements in Parts 1-8 and 10.L of this permit except for the technology-based effluent limits in Part 10.L.5 and Part 2.1.2, the inspection requirements in Part 10.L.7 and Part 3, and the monitoring requirements in Part 10.L.8 and Part 4. Authorized discharges from areas where new cell construction activities have ceased and stabilization, as specified in Part 10.L.6.1.p, has been completed (stabilization is not required for areas where landfill operations continue to occur), are no longer subject to the 10.L.6 requirements. At such time, authorized discharges become subject to all other applicable requirements in the OKR05 permit, including the effluent limits in Part 2.1.2 and Part 10.L.5, the inspection requirements in Part 3 and Part 10.L.7, and the monitoring requirements in Part 4 and Part 10.L.8.

L.6.1 Technology-Based Effluent Limits Applicable to All New Cell Construction Activities Conducted once the Landfill Operations Begin

The following technology-based effluent limits apply to authorized discharges from all new cell construction activities during landfill operations as defined in Part 10.L.4.6. These limits supersede the technology-based limits listed in Part 2.1.2 and Part 10.L.5 of this permit.

a. ***Area of disturbance*** - You must minimize the amount of soil exposed during new cell construction activities.

b. ***Erosion and sediment control design requirements*** -

- Design, install and maintain effective erosion and sediment controls to minimize the discharge of pollutants from new cell construction activities, including stormwater controls/BMPs at or near the new cell construction activity location(s) and/or downgradient of the new cell construction activity location(s). In designing your erosion and sediment controls, you must account for
  - the expected amount, frequency, intensity and duration of precipitation;
  - the nature of stormwater runoff and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features; and
  - the range of soil particle sizes expected to be present on the site.
- Direct discharges from your stormwater controls to vegetated areas of your site to increase sediment removal and maximize stormwater infiltration, including any natural buffers, unless infeasible. Use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.
- If any stormwater flow becomes or will be channelized at your site, you must design erosion and sediment controls to control both peak flowrates and total stormwater volume to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points.
- If you install stormwater conveyance channels, they must be designed to avoid unstabilized areas on the site and to reduce erosion, unless infeasible. In addition, you must minimize erosion of channels and their embankments, outlets, adjacent stream banks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices

within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

c. ***Natural buffers*** - For any stormwater discharges from new cell construction activities within 50 feet (or 100 feet if the facility is located in a sensitive watershed) of waters of the state, you must comply with one of the following compliance alternatives:

- Provide a 50-foot (or 100-foot) undisturbed natural buffer between earth-disturbing/ construction activities and the water of the state;
- Provide an undisturbed natural buffer that is less than 50 feet (or 100 feet) supplemented by additional erosion and sediment controls, which in combination, achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer; or
- If it is infeasible to provide an undisturbed natural buffer of any size, implement erosion and sediment controls that achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer.

Note: Refer to the "Buffer Guidance" requirements available in the OPDES General Permit OKR10 for Stormwater Discharges from Construction Activities.

The following are exceptions to the Buffer Guidance:

- There is no stormwater discharge from new cell construction disturbances to a water of the state;
- The natural buffer has already been eliminated by pre-existing development disturbances;
- The disturbance is for the construction of a water-dependent structure or construction approved under a CWA section 404 permit; and
- For linear construction projects, you are not required to comply with the requirements if there are site constraints provided that, to the extent feasible, you limit disturbances within 50 feet (or 100 feet) of a water of the state and/or you provide supplemental erosion and sediment controls to treat stormwater discharges from any disturbances within 50 feet (or 100 feet) of a water of the state.

d. ***Erosion and sediment control installation requirement*** -

- By the time new cell construction activities commence, install and make operational down-gradient sediment controls.
- All other stormwater controls described in the SWP3 must be installed and made operational as soon as conditions on each portion of the site allow.

e. ***Perimeter controls*** -

- Install sediment controls along those perimeter areas of your disturbed area that will receive stormwater, except where site conditions prevent the use of such controls (in which case, maximize their installation to the extent practicable).
- Remove sediment before it accumulates to one-half of the above-ground height of any perimeter control.

f. ***Sediment track-out*** - For construction vehicles and equipment exiting the site directly onto paved roads, you must

- use appropriate stabilization techniques to minimize sediment track-out from vehicles and equipment prior to exit;

- use additional controls to remove sediment from vehicle and equipment tires prior to exit, where necessary;
- remove sediment that is tracked out onto paved roads by the end of the work day.

g. ***Native topsoil preservation*** **-** You must preserve native topsoil removed during clearing, grading, or excavation, unless infeasible. Store topsoil in a manner that will maximize its use in reclamation or final vegetative stabilization (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.

h. ***Soil or sediment stockpiles*** **-**

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

i. ***Sediment Basins*** **-** If you intend to install sediment basin(s) to treat and manage stormwater from your construction activities, you must

- provide overall storage for either (1) the 2-year, 24-hour storm, or (2) 3,600 cubic feet per acre drained, whichever is greater; and
- prevent erosion of (1) basin embankments using stabilization controls (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin using erosion controls and velocity dissipation devices.

j. ***Minimize dust*** **-** You must minimize the generation of dust through the appropriate application of water or other dust suppression techniques that minimize pollutants being discharged into surface waters.

k. ***Steep slopes*** **-** You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes. Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; for grading steep slopes prior to erecting the landfill office). Where steep slope disturbances are necessary, you can minimize the disturbances to steep slopes through the implementation of a number of standard erosion and sediment control practices, such as by phasing disturbances in these areas and using stabilization practices specifically for steep grades.

l. ***Soil compaction*** **-** Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/ equipment use in these areas to avoid soil compaction or use soil conditioning techniques to support vegetative growth. Minimizing soil compaction is not required where compacted soil is integral to the functionality of the site.

m. ***Dewatering practices*** - You are prohibited from discharging contaminated or turbid groundwater or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or other similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems). Uncontaminated, non-turbid dewatering water can be discharged without being routed to a control.

You must also meet the following requirements for dewatering activities:

- No discharging visible floating solids or foam;

- Remove oil, grease and other pollutants from dewatering water via an oil-water separator or suitable filtration device (such as a cartridge filter);
- Utilize vegetated upland areas of the site, to the extent feasible, to infiltrate dewatering water before discharge. In no case shall waters of the state be considered part of the treatment area;
- Implement velocity dissipation devices at all points where dewatering water is discharged;
- Haul backwash water away for disposal or return it to the beginning of the treatment process; and
- Clean or replace the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

n. ***Erosion and sediment control maintenance requirements -***

- Ensure that all erosion and sediment controls remain in effective operating condition.
- Wherever you determine that a stormwater control needs maintenance to continue operating effectively, initiate efforts to fix the problem immediately after its discovery, and complete such work by the end of the next work day.
- When a stormwater control must be replaced or significantly repaired, complete the work as soon as practicable but no later than seven days.

o. ***Pollution prevention requirements -***

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that the only allowable non-stormwater discharges are those enumerated in Part 1.3) include
  - wastewater from washout of concrete;
  - wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
  - fuels, oils, or other pollutants used for operation and maintenance of vehicles or equipment;
  - soaps, solvents, or detergents used in vehicle or equipment washing;
  - toxic or hazardous substances from a spill or other release.
- *Design and location requirements* - Minimize the discharge of pollutants from pollutant sources by
  - minimizing exposure;
  - using secondary containment, spill kits, or other equivalent measures;
  - locating pollution sources away from surface waters, storm sewer inlets, and drainage-ways; and
  - cleaning up spills immediately (do not clean by hosing area down).
- *Pollution prevention requirements for wash waters* - Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge.
- *Pollution prevention requirements for the storage, handling, and disposal of construction products, materials, and wastes* - Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to stormwater. Minimization of exposure is

not required in cases where the exposure to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).

p. ***Site stabilization requirements for new cell construction activities*** - You must comply with the following stabilization requirements except where the earth disturbances will become actively landfilled or the stormwater controls/BMPs implemented at the active landfill area effectively control stormwater discharges from the disturbed area.

- *Temporary stabilization of disturbed areas* - Stabilization measures must be initiated immediately in portions of the site where new cell construction activities performed for purposes of landfill site preparation/construction have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. Temporary stabilization measures include temporary seeding, mulching and/or installing and maintaining adequate downgradient stormwater controls/ structural BMPs. Temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until active landfilling activities commence.

- *Final stabilization of disturbed areas* - Stabilization measures must be initiated immediately where new cell construction activities performed for purposes of landfill site preparation/construction have permanently ceased, but in no case more than 14 days after the new cell construction activities have permanently ceased. Until final stabilization is achieved, temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, temporary seeding, mulching and/or installing and maintaining adequate downgradient stormwater controls/ structural BMPs, must be used.

- If using vegetative measures, within 14 days after initiating stabilization you must
  - seed or plant the area, and provide temporary cover to protect the planted area; and
  - establish uniform, perennial (if final stabilization) vegetation, and cover at least 70% of the stabilized area based on the density of native vegetation without large (greater than 10 square feet) bare areas.

- If using non-vegetative stabilization, within 14 days after initiating stabilization you must
  - install or apply all non-vegetative measures; and
  - cover all areas of exposed soil.

Note: For the purposes of this permit, DEQ will consider any of the following types of activities to constitute the initiation of stabilization: 1. Prepping the soil for vegetative or non-vegetative stabilization; 2. Applying mulch or other non-vegetative product to the exposed area; 3. Seeding or planting the exposed area; 4. Starting any of the activities in # 1 – 3 on a portion of the area to be stabilized, but not on the entire area; and 5. Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization.

Additional Note (Applicable to final stabilization of disturbed areas): Landfill construction and operational requirements are regulated by OAC 252:515. To invoke the regulatory requirements for soil borrow areas, final stabilization of landfill cells, and vegetative cover from OAC 252:515 in lieu of those in Part 10.6.1.p, you must continue to implement and maintain adequate stormwater control measures such as erosion control blankets, perimeter control, filter berms, silt dykes, sediment filters and sediment chambers, sediment basins and rock dams, sediment traps, or combination of such controls to treat and manage stormwater discharges from disturbed areas. Your SWP3 must describe appropriate control measures that

you will use to treat and manage stormwater discharges, showing their locations on the site map.

L.6.2 Water Quality-Based Requirements Applicable to New Cell Construction Activities Conducted Once Landfill Operation Begins

If your site will discharge to an impaired water, a water that is identified as an aquatic resource of concern, or a water that is identified for higher-tier antidegradation protection, the following more stringent water quality-based limits apply to new cell construction activities conducted once landfill operations begin, in addition to the water quality-based limits in Part 2.2 of this permit.

a. ***More rapid stabilization of exposed areas:*** Complete initial stabilization activities within seven calendar days of stopping new cell construction activities.

b. ***More frequent site inspections:*** Perform inspections once every seven calendar days and within 24 hours of a storm event of 0.5 inches or greater.

L.6.3 Inspection Requirements Applicable to New Cell Construction Activities Conducted Once Landfill Operation Begins

The following requirements supersede the inspection requirements in Part 3 and Part 10.L.7 of the MSGP for earth-disturbing activities conducted once landfill operation begins as defined in Part 10.L.4.6.

a. ***Inspection Frequency:*** You must perform inspections at least once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater. Inspections are only required during working hours. You may reduce the frequency of inspections to once per month in any area of your site where stabilization has occurred pursuant to Part 10.L.6.1.p.

b. ***Areas to be Inspected:*** At a minimum, you must inspect all disturbed areas; stormwater controls and pollution prevention measures; locations where stabilization measures have been implemented; material, waste, borrow, or equipment storage and maintenance areas; areas where stormwater flows; and points of discharge.

c. ***What to Check for During Inspections:*** At a minimum, you must check whether all stormwater controls are installed, operational and working as intended; whether any new or modified stormwater controls are needed; for conditions that could lead to a spill or leak; and for visual signs of erosion/sedimentation at points of discharge. If a discharge is occurring, you must also check the quality and characteristics of the discharge, and whether controls are operating effectively.

d. ***Inspection Report:*** Within 24 hours of an inspection, you must complete a report that includes the inspection date, name and title of the inspector(s), summary of inspection findings, and rainfall amount that triggered the inspection (if applicable). If it was unsafe to inspect a portion of the site, include documentation of the reason(s) and the location(s) that could not be inspected. Each inspection report must be signed, and a current copy of all reports must be kept at the site or at an easily accessible location.

L.6.4 Cessation of Requirements Applicable to New Cell Construction Activities During Landfill Operation

The requirements in Part 10.L.6 no longer apply for any new cell construction activities conducted during landfill operations as defined in Part 10.L.4.6 where

a. new cell construction activities have ceased; and

b. stabilization has been met consistent with Part 10.L.6.1.p (not required for areas where active landfill activities will occur).

L.7 Additional SWP3 Requirements

L.7.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: active and closed landfill cells or trenches; active and closed land application areas; locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff; and leachate collection and handling systems. (See also Part 6.2.2.)

L.7.2 Summary of Potential Pollutant Sources

Document in your SWP3 the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide, and pesticide application; earth and soil moving; waste hauling and loading or unloading; outdoor storage of significant materials, including daily, interim, and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; and failure or leaks from leachate collection and treatment systems. (See also Part 6.2.3.)

L.7.3 Additional Inspection Requirements

a. ***Inspections of Active Sites:*** Inspect operating landfills, and land application sites at least once every seven days. Focus on areas of landfills that have not yet been finally stabilized; active land application areas, areas used for storage of material and wastes that are exposed to precipitation, stabilization, and structural control measures; leachate collection and treatment systems; and locations where equipment and waste trucks enter and exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, or where the climate is arid or semi-arid, conduct inspections at least once every month.

b. ***Inspections of Inactive Sites:*** Inspect inactive landfills, and land application sites at least quarterly. Qualified personnel must inspect landfill stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas. (See also Part 3.1.)

L.7.4 Recordkeeping and Internal Reporting

Keep records with your SWP3 of the types of wastes disposed of in each cell or trench of a landfill. For land application sites, track the types and quantities of wastes applied in specific areas.

L.7.5 Non-Stormwater Discharge Certification

Certification must be included for the discharge test or evaluation for the presence of any leachate and vehicle wash water that are not authorized in Part 1.3 of this permit. (See also Part 6.2.3.5.)

L.8 Effluent Limitations, Monitoring and Reporting Requirements

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

Sector Table L-1 Landfills and Land Application Sites Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Effluent Limitation[1]
Discharges from non-hazardous waste landfills subject to effluent limitations in 40 C.F.R. Part 445 Subpart B	Biochemical Oxygen Demand (BOD_5)	140 mg/L, daily maximum 37 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum 27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum 4.9 mg/L, monthly avg. maximum
	Alpha Terpineol	0.033 mg/L, daily max. 0.016 mg/L, monthly avg. maximum
	Benzoic Acid	0.12 mg/L, daily max. 0.071 mg/L, monthly avg. maximum
	p-Cresol	0.025 mg/L, daily max. 0.014 mg/L, monthly avg. maximum
	Phenol	0.026 mg/L, daily max. 0.015 mg/L, monthly avg. maximum
	Total Zinc	0.20 mg/L, daily max. 0.11 mg/L, monthly avg. maximum
	pH	6.5 – 9.0 s.u.

[1] As set forth at 40 C.F.R. Part 445 Subpart B, these numeric limitations apply to contaminated stormwater discharges from municipal solid waste landfills (MSWLFs) that have not been closed in accordance with 40 C.F.R. § 258.60 and to contaminated stormwater discharges from landfills that are subject to the provisions of 40 C.F.R. Part 257 except for discharges from any of the following facilities:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 C.F.R. Subchapter N as the industrial or commercial operation or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 C.F.R. Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

Sector M Automobile Salvage Yards

M.1 Covered Stormwater Discharges

The requirements in Sector M apply to stormwater discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Codes specified under Sector M in Table 1-3 of this permit.

M.2 Industrial Activities Covered by Sector M

The types of activities that permittees under Sector M are primarily engaged in are dismantling or wrecking used motor vehicles for parts recycling/resale and for scrap.

M.3 Additional Technology-Based Effluent Limits

M.3.1 Spill and Leak Prevention Procedures

Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as practicable) or employ some other equivalent means to prevent spills and leaks. (See also Part 2.1.2.4.)

M.3.2 Employee Training

If applicable to your facility, address the following areas (at a minimum) in your employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, antifreeze, mercury switches, and solvents. (See also Part 2.1.2.10.)

M.3.3 Management of Runoff

Implement control measures to minimize discharges of pollutants in runoff such as the following, where determined to be feasible (list not exclusive): berms or drainage ditches on the property line (to help prevent run-on from neighboring properties); berms for uncovered outdoor storage of oily parts, engine blocks, and above-ground liquid storage; installation of detention ponds; and installation of filtering devices and oil-water separators. (See also Part 2.1.2.6.)

M.4 Additional SWP3 Requirements

M.4.1 Drainage Area Site Map

Identify locations used for dismantling, storing, and maintaining used motor vehicle parts. Also identify where any of the following may be exposed to precipitation or surface runoff: dismantling areas, parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas, and liquid storage tanks and drums for fuel and other fluids. (See also Part 6.2.2.)

M.4.2 Potential Pollutant Sources

Assess the potential for the following to contribute pollutants to stormwater discharges: vehicle storage areas, dismantling areas, parts storage areas (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers), and fueling stations. (See also Part 6.2.3.)

M.4.3 Additional Inspection Requirements

Immediately (or as soon thereafter as practicable) inspect vehicles arriving at the site for leaks. Inspect quarterly for signs of leakage all equipment containing oily parts, hydraulic fluids, any other types of fluids, or mercury switches. Also, inspect quarterly for signs of leakage all vessels and areas where hazardous materials and general automotive fluids are stored, including, but not limited to, mercury switches, brake fluid, transmission fluid, radiator water, and antifreeze. (See also Part 3.1.)

Within 30 days prior to filing an NOT to terminate permit coverage, you are required to conduct a final inspection of your facility. Your final inspection should document the following:

- Materials from spills or leaks have been removed;
- All recoverable fluids (e.g. oil, antifreeze, fuels, etc.) and mercury switches have been removed from vehicles still located on the facility's property;
- Batteries are stored or disposed of properly;
- Storage tanks containing recoverable fluids have been disposed of properly; and
- Salvaged parts (e.g., engines, transmissions, tires, etc.) have been removed from the facility's property, if no longer contained in a properly maintained vehicle.

If any of the above conditions cannot be met, corrective actions (see also Part 6) must be taken and documented in the facility's SWP3 prior to submitting an NOT.

M.5 Monitoring and Reporting Requirements

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

Sector N Scrap Recycling and Waste Recycling Facilities

N.1 Covered Stormwater Discharges

The requirements in Sector N apply to stormwater discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Codes specified under Sector N in Table 1-3 of this permit.

N.2 Industrial Activities Covered by Sector N

The types of activities in which permittees under Sector N are primarily engaged are as follows:

1. Processing, reclaiming, and wholesale distribution of scrap and waste materials such as ferrous and nonferrous metals, paper, plastic, cardboard, glass, and animal hides; and
2. Reclaiming and recycling liquid wastes such as used oil, antifreeze, mineral spirits, and industrial solvents.

N.3 Limitation on Coverage

Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (i.e., common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF). (See also Part 10.N.4.3.)

Prohibition of Non-Stormwater Discharges (see also Part 1.9) - Non-stormwater discharges from turnings containment areas are not covered by this permit. Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate OPDES permit.

N.4 Additional Technology-Based Effluent Limits

N.4.1 Scrap and Waste Recycling Facilities (Non-source Separated, Non-liquid Recyclable Materials)

The following requirements are for facilities that receive, process, and do wholesale distribution of non-source separated, non-liquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). These facilities may receive both non-recyclable and recyclable materials. This section is not intended for those facilities that accept recyclables only from primarily non-industrial and residential sources.

a. ***Inbound Recyclable and Waste Material Control Program*** - Minimize the chance of accepting materials that could be significant sources of pollutants by conducting inspections of inbound recyclables and waste materials and through implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing information and education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil-filled transformers, and individual containers or drums) and removal of mercury switches from vehicles before delivery to your facility; establishing procedures to minimize the potential of any residual fluids from coming into contact with precipitation

or runoff; establishing procedures for accepting scrap lead-acid batteries (additional requirements for the handling, storage, and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions in Part 10.N.4.1.f); providing training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and establishing procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and non-leaking containers and are disposed of or recycled in accordance with the Resource Conservation and Recovery Act (RCRA).

b. ***Scrap and Waste Material Stockpiles and Storage (Outdoor)*** - Minimize contact of stormwater runoff with stockpiled materials, processed materials, and non-recyclable wastes through implementation of control measures such as the following, where determined to be feasible (list not exclusive): permanent or semi-permanent covers; sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; dikes, berms, containment trenches, culverts, and surface grading to divert runoff from storage areas; silt fencing; and oil-water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

c. ***Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage)*** - Minimize contact of surface runoff with residual cutting fluids by storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover or establishing dedicated containment areas for all turnings that have been exposed to cutting fluids. Any containment areas must be constructed of concrete, asphalt, or other equivalent types of impermeable material and include a barrier (e.g., berms, curbing, elevated pads) to prevent contact with stormwater run-on. Stormwater runoff from these areas can be discharged, provided that any runoff is first collected and treated by an oil-water separator or its equivalent. You must regularly maintain the oil-water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.

d. ***Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage)*** - Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface runoff through implementation of control measures such as the following, where determined to be feasible (list not exclusive): good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, and mercury spill kits for spills from storage of mercury switches; not allowing wash water from tipping floors or other processing areas to discharge to the storm sewer system; and disconnecting or sealing off all floor drains connected to the storm sewer system.

e. ***Scrap and Recyclable Waste Processing Areas*** - Minimize surface runoff from coming into contact with scrap processing equipment. Pay attention to operations that generate visible amounts of particulate residue (e.g., shredding) to minimize the contact of accumulated particulate matter and residual fluids with runoff (i.e., through good housekeeping, preventive maintenance). To minimize discharges of pollutants in stormwater from scrap and recyclable waste processing areas, implement control measures such as the following, where determined to be feasible (list not exclusive): at least once per month inspecting equipment for spills or leaks and malfunctioning, worn, or corroded parts or equipment; establishing a preventive maintenance program for processing equipment; using dry-absorbents or other clean-up practices to collect and dispose of or recycle spilled or leaking fluids or use mercury spill kits for spills from storage of mercury switches; on unattended hydraulic reservoirs over 150 gallons in capacity, installing protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; implementing containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of stormwater runoff with outdoor processing equipment or stored materials; using oil-water separators or sumps; installing permanent or semi-permanent covers in processing areas where there are residual fluids and grease; and using retention or detention ponds or basins, sediment

traps, vegetated swales or strips, and/or catch basin filters or sand filters for pollutant settling and filtration.

f. ***Scrap Lead-Acid Battery Program*** - To minimize the discharge of pollutants in stormwater from lead-acid batteries, properly handle, store, and dispose of scrap lead-acid batteries, and implement control measures such as the following, where determined to be feasible (list not exclusive): segregating scrap lead-acid batteries from other scrap materials; properly handling, storing, and disposing of cracked or broken batteries; collecting and disposing of leaking lead-acid battery fluid; minimizing or eliminating (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; and providing employee training for the management of scrap batteries.

g. ***Spill Prevention and Response Procedures*** (see also Part 2.1.2.4) - Install alarms and/or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used. Use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

h. ***Supplier Notification Program*** - As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or will be accepted only under certain conditions.

N.4.2 Waste Recycling Facilities (Liquid Recyclable Materials)

a. ***Waste Material Storage (Indoor)*** - Minimize or eliminate contact between residual liquids from waste materials stored indoors and from surface runoff. The SWP3 may refer to applicable portions of other existing plans, such as SPCC Plans required under 40 C.F.R. Part 112. To minimize discharges of pollutants in stormwater from indoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): procedures for material handling (including labeling and marking); clean up spills and leaks with dry-absorbent materials and/or a wet vacuum system; install appropriate containment structures (e.g., trenching, curbing, gutters, etc.); and install a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage should be discharged to an appropriate treatment facility or sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate OPDES wastewater permit or industrial user permit under the pretreatment program.

b. ***Waste Material Storage (Outdoor)*** - Minimize contact between stored residual liquids and precipitation or runoff. The SWP3 may refer to applicable portions of other existing plans, such as SPCC Plans required under 40 C.F.R. Part 112. Discharges of stormwater from containment areas containing used oil must also be in accordance with applicable sections of 40 C.F.R. Part 112. To minimize discharges of pollutants in stormwater from outdoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): construct appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank with sufficient extra capacity for precipitation; provide drainage controls and other diversionary structures; install corrosion protection and/or leak detection systems for storage tanks; and use dry-absorbent materials or a wet vacuum system to collect spills.

c. ***Trucks and Rail Car Waste Transfer Areas*** - Minimize pollutants in stormwater discharges from truck and rail car loading and unloading areas. Include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. To minimize discharges of pollutants in stormwater from truck and rail car waste transfer areas, implement control measures such as the following, where determined to be feasible (list not exclusive): construct containment and diversionary structures to minimize contact

with precipitation or runoff; and use dry clean-up methods, wet vacuuming, roof coverings, and/or runoff controls.

N.4.3 Recycling Facilities (Source-Separated Materials)

The following requirements are for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

a. ***Inbound Recyclable Material Control*** - Minimize the chance of accepting non-recyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials and through the implementation of control measures such as the following, where determined to be feasible (list not exclusive): provide information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials; train drivers to be responsible when picking up recycled material; clearly label public drop-off containers identifying which materials can be accepted; reject non-recyclable wastes or household hazardous wastes at the source; and establish procedures for handling and disposal of non-recyclable material.

b. ***Outdoor Storage*** - Minimize exposure of recyclables to precipitation and runoff by using good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas and through implementation of control measures such as the following, where determined to be feasible (list not exclusive): provide enclosed drop-off containers for the public; install a sump pump within each container pit and treat or discharge collected fluids to a sanitary sewer system; provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); divert surface water runoff away from outside material storage areas; provide covers over containment bins, dumpsters, and roll-off boxes; and store the equivalent of one day's volume of recyclable material indoors.

c. ***Indoor Storage and Material Processing*** - Minimize the release of pollutants from indoor storage and processing areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): schedule routine good housekeeping measures for all storage and processing areas; prohibit tipping floor wash water from draining to the storm sewer system; and provide employee training on pollution prevention practices.

d. ***Vehicle and Equipment Maintenance*** - Minimize the discharge of pollutants in stormwater from areas where vehicle and equipment maintenance occur outdoors through implementation of control measures such as the following, where determined to be feasible (list not exclusive): minimize or eliminate outdoor maintenance areas; establish spill prevention and clean-up procedures in fueling areas; avoid topping off fuel tanks; divert runoff from fueling areas; store lubricants and hydraulic fluids indoors; and provide employee training on proper handling and storage of hydraulic fluids and lubricants.

N.5 Additional SWP3 Requirements

N.5.1 Drainage Area Site Map

Document in your SWP3 the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage; outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids. (See also Part 6.2.2.)

N.5.2 Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities

If you are subject to Part 10.N.4.1.c, your SWP3 must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

N.5.3 Additional Inspection Requirements

Inspections for Waste Recycling Facilities - The inspections must be performed quarterly, per Part 3.1, and include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed of and that are exposed to either precipitation or stormwater runoff.

N.6 Monitoring and Reporting Requirements

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

Sector O Steam Electric Generating Facilities

O.1 Covered Stormwater Discharges

The requirements in Sector O apply to stormwater discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Industrial Activity Code SE specified under Sector O in Table 1-3 of this permit.

O.2 Industrial Activities Covered by Sector O

The types of activities in which permittees under Sector O are primarily engaged are as follows:

1. Steam electric power generation using coal, natural gas, oil, nuclear energy, etc., to produce a steam source, including coal handling areas (does not include geothermal power);
2. Coal storage pile runoff, including effluent limitations established by 40 C.F.R. Part 423; and
3. Dual fuel co-generation facilities that could employ a steam boiler.

O.3 Limitations on Coverage

O.3.1 Prohibition of Non-Stormwater Discharges

Non-stormwater discharges subject to effluent limitations guidelines are not covered by this permit (the only non-stormwater discharges authorized by this permit are those included at Part 1.3.).

O.3.2 Prohibition of Stormwater Discharges

Stormwater discharges from the following are not covered by this permit:

a. **Ancillary facilities** (e.g., fleet centers and substations) that are not contiguous to a steam electric power generating facility;

b. **Gas turbine facilities** (providing the facility is not a dual-fuel facility that includes a steam boiler) and combined-cycle facilities where no supplemental fuel oil is burned (and the facility is not a dual-fuel facility that includes a steam boiler); and

c. **Co-generation (combined heat and power) facilities** utilizing a gas turbine.

O.4 Additional Technology-Based Effluent Limits

O.4.1 Good Housekeeping Measures

In addition to the good housekeeping requirements in Part 2.1.2.2, you must do the following:

a. ***Fugitive Dust Emissions*** - Minimize fugitive dust emissions from coal handling areas to minimize the tracking of coal dust offsite that could be discharged in stormwater through implementation of control measures such as the following, where determined to be feasible, (list not exclusive): installing specially

designed tires; and washing vehicles in a designated area before they leave the site and controlling the wash water.

b. ***Delivery Vehicles*** - Minimize contamination of stormwater runoff from delivery vehicles arriving at the plant site. Implement procedures to inspect delivery vehicles arriving at the plant site as necessary to minimize discharges of pollutants in stormwater. Ensure the overall integrity of the body or container of the delivery vehicle and implement procedures to deal with leakage or spillage from delivery vehicles.

c. ***Fuel Oil Unloading Areas*** - Minimize contamination of precipitation or surface runoff from fuel oil unloading areas. Use containment curbs in unloading areas where feasible. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure that any leaks or spills are immediately contained and cleaned up, and use spill and overflow protection devices (e.g., drip pans, drip diapers, or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).

d. ***Chemical Loading and Unloading*** - Minimize contamination of precipitation or surface runoff from chemical loading and unloading areas. Use containment curbs at chemical loading and unloading areas to contain spills, where practicable. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure leaks and spills are immediately contained and cleaned up and, where practicable, load and unload in covered areas and store chemicals indoors.

e. ***Miscellaneous Loading and Unloading Areas*** - Minimize contamination of precipitation or surface runoff from loading and unloading areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover the loading area; grade, curb, or berm around the loading area to divert run-on; and locate the loading and unloading equipment and vehicles so that leaks are contained in existing containment and flow diversion systems.

f. ***Liquid Storage Tanks*** - Minimize contamination of surface runoff from above-ground liquid storage tanks through implementation of control measures such as the following, where determined to be feasible (list not exclusive): use protective guards around tanks; use containment curbs; install spill and overflow protection; and use dry clean-up methods.

g. ***Large Bulk Fuel Storage Tanks*** - Minimize contamination of surface runoff from large bulk fuel storage tanks. Use containment berms (or their equivalent). You must also comply with applicable state and federal laws, including SPCC Plan requirements.

h. ***Spill Reduction Measures*** - Minimize the potential for an oil or chemical spill, or reference the appropriate part of your SPCC Plan. Visually inspect as part of your routine facility inspection the structural integrity of all above-ground tanks, pipelines, pumps, and related equipment that may be exposed to stormwater, and make any necessary repairs immediately.

i. ***Oil-Bearing Equipment in Switchyards*** - Minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. Use level grades and gravel surfaces to retard flows and limit the spread of spills, or collect runoff in perimeter ditches.

j. ***Residue-Hauling Vehicles*** - Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

k. ***Ash Loading Areas*** - Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water as necessary to minimize discharges of pollutants in stormwater.

l. ***Areas Adjacent to Disposal Ponds or Landfills*** - Minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Reduce ash residue that may be tracked onto access roads

traveled by residue handling vehicles, and reduce ash residue on exit roads leading into and out of residue handling areas.

m. ***Landfills, Scrap Yards, Surface Impoundments, and General Refuse Sites*** - Minimize the potential for contamination of runoff from these areas.

O.5 Additional SWP3 Requirements

O.5.1 Drainage Area Site Map

Document in your SWP3 the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: storage tanks, scrap yards, and general refuse areas; short- and long-term storage of general materials (including but not limited to supplies, construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer, and pesticides); landfills and construction sites; and stockpile areas (e.g., coal or limestone piles). (See also Part 6.2.2.)

O.5.2 Good Housekeeping Measures

You must document in your SWP3 the good housekeeping measures implemented to meet the effluent limits in Part O.4.

O.5.3 Additional Inspection Requirements

As part of the inspection, the following areas must be inspected monthly: coal handling areas, loading or unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks and long-term and short-term material storage areas.

O.6 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table O-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table O-1 Steam Electric Power Generating Sector-Specific Effluent Limitations

Industrial Activity	Parameter	Effluent Limitation
Discharges from coal storage piles at Steam Electric Generating Facilities	Total Suspended Solids (TSS)	50 mg/L, daily maximum
	pH	6.5 - 9.0 s.u.

Sector P Land Transportation and Warehousing

P.1 Covered Stormwater Discharges

The requirements in Sector P apply to stormwater discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the SIC Codes as specified under Sector P in Table 1-3 of this permit.

EPA has permitting jurisdiction for stormwater discharges from the facilities primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage

facilities under the SIC code 5171 Petroleum Bulk Stations and Terminals. This includes petroleum bulk stations and terminals under the SIC Code 5171 that employ company-owned and operated pickup and delivery trucks that are company-maintained.

P.2 Industrial Activities Covered by Sector P

The types of activities in which permittees under Sector P are primarily engaged are as follows

1. Vehicle and equipment maintenance (vehicle and equipment rehabilitation, mechanical repairs, painting, fueling and lubrication); and
2. Equipment cleaning.

P.3 Limitation on Coverage

P.3.1 Prohibited Discharges

This permit does not authorize the discharge of vehicle/equipment/surface wash water, including tank cleaning operations. Such discharges must be authorized under a separate OPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled onsite. (See also Part 1.9.)

P.4 Additional Technology-Based Effluent Limits

P.4.1 Good Housekeeping Measures

In addition to the good housekeeping requirements in Part 2.1.2.2, you must comply with the following:

a. ***Vehicle and Equipment Storage Areas*** - Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): use drip pans under vehicles/equipment; store vehicles and equipment indoors; install berms or dikes; use absorbents; roof or cover storage areas; and clean pavement surfaces to remove oil and grease.

b. ***Fueling Areas*** - Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover the fueling area; use spill/overflow protection and clean-up equipment; minimize stormwater run-on/runoff to the fueling area; use dry clean-up methods; and treat and/or recycle collected stormwater runoff.

c. ***Material Storage Areas*** - Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., "Used Oil," "Spent Solvents"). To minimize discharges of pollutants in stormwater from material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): store the materials indoors; install berms/dikes around the areas; minimize runoff of stormwater to the areas; use dry clean-up methods; and treat and/or recycle collected stormwater runoff.

d. ***Vehicle and Equipment Cleaning Areas*** - Minimize contamination of stormwater runoff from all areas used for vehicle/equipment cleaning through implementation of control measures such as the following, where determined to be feasible (list not exclusive): perform all cleaning operations indoors; cover the cleaning operation and ensure that all wash water drains to a proper collection system (i.e., not the stormwater drainage system); and treat and/or recycle collected wash water. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

e. ***Vehicle and Equipment Maintenance Areas*** - Minimize contamination of stormwater runoff from all areas used for vehicle/equipment maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): perform maintenance activities indoors; use drip pans; keep an organized inventory of materials used in the shop; drain all parts of fluid prior to disposal; prohibit wet clean up practices if these practices would result in the discharge of pollutants to stormwater drainage systems; use dry clean-up methods; treat and/or recycle collected stormwater runoff; and minimize run-on/runoff of stormwater to maintenance areas.

f. ***Locomotive Sanding Areas (Loading Sand for Traction)*** - Minimize discharges of pollutants in stormwater from locomotive sanding areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover sanding areas; minimize stormwater run-on/runoff; and use appropriate sediment removal practices to minimize the offsite transport of sanding material by stormwater.

P.4.2 Employee Training

Train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management. (See also Part 2.1.2.10.)

P.5 Additional SWP3 Requirements

P.5.1 Drainage Area Site Map

Identify in the SWP3 the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas. (See also Part 6.2.2.)

P.5.2 Potential Pollutant Sources

Assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas. Describe these activities in the SWP3. (See also Part 6.2.3.)

P.5.3 Good Housekeeping Measures

You must document in your SWP3 the good housekeeping measures you implement consistent with Part P.4.

a. ***Vehicle and Equipment Wash Water Requirements*** - If wash water is handled in a manner that does not involve separate OPDES permitting (e.g., hauled offsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination, etc.) in your SWP3. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

b. ***Additional Inspection Requirements*** (see also Part 3.1) - Inspect all the following areas/ activities: storage areas for vehicles/equipment awaiting maintenance, fueling areas, indoor and outdoor vehicle/equipment maintenance areas, material storage areas, vehicle/equipment cleaning areas and loading/unloading areas.

P.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector Q Water Transportation

Q.1 Covered Stormwater Discharges

The requirements in Sector Q apply to stormwater discharges associated with industrial activity from Water Transportation facilities as identified by the SIC Codes specified under Sector Q in Table 1-3 of this permit.

Q.2 Industrial Activities Covered by Sector Q

Stormwater discharges from the following water transportation facilities classified in SIC codes 4412-4499 that have vehicle (vessel) maintenance shops and/or equipment cleaning operations are covered under Sector Q:

1. Water transportation industry including facilities engaged in foreign or domestic transport of freight or passengers in deep sea or inland waters;
2. Marine cargo handling operations, ferry operations, towing and tugboat services; and
3. Marinas.

Q.3 Limitations on Coverage

Prohibition of Non-Stormwater Discharges (see also Part 1.9) - Discharges from vessels including bilge and ballast water, sanitary wastes, pressure wash water, and cooling water are not covered by this permit. Any discharge of pollutants from a point source to a water of the state requires coverage under a separate OPDES permit. (The only non-stormwater discharges authorized by this permit are those included at Part 1.3.)

Q.4 Additional Technology-Based Effluent Limits

Q.4.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Pressure Washing Areas*** - If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate OPDES permit. Collect or contain the discharges from the pressure washing area so that they are not commingled with stormwater discharges authorized by this permit.

b. ***Blasting and Painting Areas*** - Minimize the potential for spent abrasives, paint chips, and overspray to be discharged into receiving waters or the storm sewer system. Contain all blasting and painting activities, or use other measures, to minimize the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). At least once per month, you must clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

c. ***Material Storage Areas*** - Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and contain, enclose or use other measures for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

d. ***Engine Maintenance and Repair Areas*** - Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair through implementation of control measures such as the following, where determined to be feasible (list not exclusive): perform all maintenance activities indoors; maintain an organized inventory of materials used in the shop; drain all parts of fluid prior to disposal; prohibit the practice of hosing down the shop floor; use dry clean-up methods; and treat and/or recycle stormwater runoff collected from the maintenance area.

e. ***Material Handling Areas*** - Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover fueling areas; use spill and overflow protection; mix paints and solvents in a designated area (preferably indoors or under cover); and minimize stormwater run-on to material handling areas.

f. ***Drydock Activities*** - Routinely maintain and clean the drydock to minimize discharges of pollutants in stormwater. Clean accessible areas of the drydock prior to flooding, and perform final clean-up following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock. To minimize discharges of pollutants in stormwater from drydock activities, implement control measures such as the following, where determined to be feasible (list not exclusive): sweep rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding; and make absorbent materials and oil containment booms readily available to clean up or contain any spills.

Q.4.2 Employee Training

As part of your employee training program, address, at a minimum, the following activities (as applicable): used oil management; spent solvent management; disposal of spent abrasives; disposal of vessel wastewaters; spill prevention and control; fueling procedures; general good housekeeping practices; painting and blasting procedures; and used battery management. (See also Part 2.1.2.10.)

Q.4.3 Preventive Maintenance

As part of your preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters. (See also Part 2.1.2.3.)

Q.5 Additional SWP3 Requirements

Q.5.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron). (See also Part 6.2.2.)

Q.5.2 Potential Pollutant Sources

Document in the SWP3 the following additional sources and activities that are associated with potential pollutants (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting). (See also Part 6.2.3.)

Q.5.3 Documentation of Good Housekeeping Measures

Document in your SWP3 any good housekeeping measures implemented to meet the effluent limits in Part 10.Q.4. Document in the SWP3 any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

Q.5.4 Additional Inspection Requirements

Include the following in all quarterly routine facility inspections: pressure washing areas; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; dry-dock area; and general yard area. (See also Part 3.1.)

Q.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector R Ship and Boat Building or Repair Yards

R.1 Covered Stormwater Discharges

The requirements in Sector R apply to stormwater discharges associated with industrial activity from Ship and Boat Building or Repair Yards as identified by the SIC Codes specified under Sector R in Table 1-3 of this permit.

R.2 Industrial Activities Covered by Sector R

The types of activities that permittees under Sector R are primarily engaged in are ship and boat building and repairing.

R.3 Limitations on Coverage

Discharges from vessels including bilge and ballast water, sanitary wastes, pressure wash water, and cooling water are not covered by this permit. (The only non-stormwater discharges authorized by this permit are those included at Part 1.3.)

R.4 Additional Technology-Based Effluent Limits

R.4.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Pressure Washing Areas*** - If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate OPDES permit. Collect or contain the discharges from the pressure washing area so that they are not commingled with stormwater discharges authorized by this permit.

b. ***Blasting and Painting Areas*** - Minimize the potential for spent abrasives, paint chips, and overspray to be discharged into receiving waters or the storm sewer system. Contain all blasting and painting activities, or use other measures, to prevent the discharge of the contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). At least once per month, you must clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

c. ***Material Storage Areas*** - Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and contain, enclose or use other measures for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

d. ***Engine Maintenance and Repair Areas*** - Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair through implementation of control measures

such as the following, where determined to be feasible (list not exclusive): perform all maintenance activities indoors; maintain an organized inventory of materials used in the shop; drain all parts of fluid prior to disposal; prohibit the practice of hosing down the shop floor; use dry clean-up methods; and treat and/or recycle stormwater runoff collected from the maintenance area.

e. ***Material Handling Areas*** - Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover fueling areas; use spill and overflow protection; mix paints and solvents in a designated area (preferably indoors or under a shed); and minimize stormwater run-on to material handling areas.

f. ***Drydock Activities*** - Routinely maintain and clean the drydock to minimize discharge of pollutants in stormwater. Clean accessible areas of the drydock prior to flooding and final clean-up following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, or fuel spills occurring on the drydock. To minimize discharges of pollutants in stormwater from drydock activities, implement control measures such as the following, where determined to be feasible (list not exclusive): sweep rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding; and make absorbent materials and oil containment booms readily available to clean up and contain any spills.

R.4.2 Employee Training

As part of your employee training program, address, at a minimum, the following activities (as applicable): used oil management, spent solvent management, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management. (See also Part 2.1.2.10.)

R.4.3 Preventive Maintenance

As part of your preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil-water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters. (See also Part 2.1.2.3.)

R.5 Additional SWP3 Requirements

R.5.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron). (See also Part 6.2.2.)

R.5.2 Potential Pollutant Sources

Document in your SWP3 the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting). (See also Part 6.2.3.)

R.5.3 Documentation of Good Housekeeping Measures

Document in your SWP3 any good housekeeping measures implemented to meet the effluent limits in Part 10.R.4. Document in the SWP3 any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

R.5.4 Additional Inspection Requirements

Include the following in all quarterly routine facility inspections: pressure washing areas; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area. (See also Part 3.1)

R.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector S Air Transportation

S.1 Covered Stormwater Discharges

The requirements in Sector S apply to stormwater discharges associated with industrial activity from Air Transportation facilities such as airports, airport terminals, airline carriers, and establishments identified by the SIC Codes Group 45 specified under Sector S in Table 1-3 of this permit.

S.2 Industrial Activities Covered by Sector S

Stormwater discharges from the following activities at air transportation facilities are covered under Sector S:

1. Servicing, repairing, or maintaining aircraft and ground vehicles;
2. Equipment cleaning and maintenance (including vehicle and equipment rehabilitation, mechanical repairs, painting, fueling, lubrication); and
3. Deicing/anti-icing operations which conduct the above-described activities.

S.3 Limitations on Coverage

S.3.1 Limitations on Coverage

This permit authorizes stormwater discharges from only those portions of the air transportation facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations.

Note: The term "deicing" in this permit will generally be used to mean both deicing (removing frost, snow or ice) and anti-icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made otherwise.

S.3.2 Prohibition of Non-Stormwater Discharges

This permit does not authorize the discharge of aircraft, ground vehicle, runway and equipment wash waters; nor the dry-weather discharge of deicing chemicals. Such discharges must be covered by separate OPDES permit(s). Note that a discharge resulting from snowmelt is not a dry-weather discharge. The only non-stormwater discharges authorized by this permit are those included at Part 1.3. (See also Part 1.2.)

S.4 Additional Technology-Based Effluent Limits

S.4.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Aircraft, Ground Vehicle and Equipment Maintenance Areas*** - Minimize the contamination of stormwater runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangers) through implementation of control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): perform maintenance activities indoors; maintain an organized inventory of material used in the maintenance areas; drain all parts of fluids prior to disposal; prohibit the practice of hosing down the apron or hangar floor; use dry clean-up methods; and collect the stormwater runoff from the maintenance area and provide treatment or recycling.

b. ***Aircraft, Ground Vehicle and Equipment Cleaning Areas*** (see also Part 10.S.4.f) - Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of stormwater runoff from cleaning areas.

c. ***Aircraft, Ground Vehicle and Equipment Storage Areas*** - Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only and implement control measures to minimize the discharge of pollutants in stormwater from these storage areas such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): store aircraft and ground vehicles indoors; use drip pans for the collection of fluid leaks; and install perimeter drains, dikes or berms surrounding the storage areas.

d. ***Material Storage Areas*** - Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition to prevent or minimize contamination of stormwater. Also plainly label the vessels (e.g., "Used Oil," "Contaminated Jet A"). To minimize contamination of precipitation/runoff from these areas, implement control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): store materials indoors; store waste materials in a centralized location; and install berms/dikes around storage areas.

e. ***Airport Fuel System and Fueling Areas*** - Minimize the discharge of pollutants in stormwater from airport fuel systems and fueling areas through implementation of control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): implement spill and overflow practices (e.g., place absorptive materials beneath aircraft during fueling operations); use only dry clean-up methods; and collect stormwater runoff. If you have implemented an SPCC plan developed in accordance with the 2006 amendments to the SPCC rule, you may cite the relevant aspects from your SPCC plan that comply with the requirements of this section in your SWP3.

f. ***Source Reduction*** - Consistent with safety considerations, minimize the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used that could add pollutants to stormwater discharges. Chemical options to replace pavement deicers (urea or glycol) include (list not exclusive): potassium acetate; magnesium acetate; calcium acetate; and anhydrous sodium acetate.

- ***Runway Deicing Operations*** - To minimize the discharge of pollutants in stormwater from runway deicing operations, implement source reduction control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): meter the application of chemicals; pre-wet dry chemical

constituents prior to application; install a runway ice detection system; implement anti-icing operations as a preventive measure against ice buildup; use heated sand; and product substitution.

- ***Aircraft Deicing Operations*** - Minimize the discharge of pollutants in stormwater from aircraft deicing operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. Determine whether alternatives to glycol and whether containment measures for applied chemicals are feasible. Implement control measures for reducing deicing fluid such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): forced-air deicing systems, computer-controlled fixed-gantry systems, infrared technology, hot water, varying glycol content to air temperature, enclosed-basket deicing trucks, mechanical methods, solar radiation, hangar storage, aircraft covers, and thermal blankets for MD-80s and DC-9s. Consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems where feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations. The evaluations and determinations required by this Part should be carried out by the personnel most familiar with the particular aircraft and flight operations and related systems in question (versus an outside entity such as the airport authority).

g. ***Management of Runoff*** (see also Part 2.1.2.6) - Minimize the discharge of pollutants in stormwater from deicing chemicals in runoff. To minimize discharges of pollutants in stormwater from aircraft deicing, implement runoff management control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): install a centralized deicing pad to recover deicing fluid following application; use plug-and-pump (PnP); use vacuum/collection trucks (glycol recovery vehicles); store contaminated stormwater/deicing fluids in tanks; recycle collected deicing fluid where feasible; release controlled amounts to a publicly owned treatment works; separate contaminated snow; convey contaminated runoff into a stormwater impoundment for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and direct runoff into vegetative swales or other infiltration measures.

To minimize discharges of pollutants in stormwater from runway deicing, implement runoff management control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): use mechanical systems (e.g., snow plows, brushes) to remove snow and ice; convey contaminated runoff into swales and/or a stormwater impoundment; and implement pollution prevention practices such as ice detection systems and airfield pre-wetting.

When applying deicing fluids during non-precipitation events (also referred to as "clear ice deicing"), implement control measures to prevent unauthorized discharge of pollutants (dry-weather discharges of pollutants would need coverage under an OPDES wastewater permit). To minimize the discharge of pollutants from deicing fluids in later stormwater discharges, implement control measures such as the following, where determined to be feasible and in accordance with safety, space, operational constraints, and flight considerations (list not exclusive): recover deicing fluids; prevent the fluids from entering storm sewers or other stormwater discharge conveyances (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains); and release controlled amounts to a publicly owned treatment works. Used deicing fluid should be recycled whenever practicable.

h. ***Deicing Season*** - You must determine the seasonal timeframe (e.g., December - February, October - March) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with particular emphasis throughout the defined deicing season.

S.5 Additional SWP3 Requirements

S.5.1 Drainage Area Site Map

Document in the SWP3 the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; and storage areas for aircraft, ground vehicles and equipment awaiting maintenance. (See also Part 6.2.2.)

S.5.2 Potential Pollutant Sources

In the inventory of exposed materials, describe in the SWP3 the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: aircraft, runway, ground vehicle and equipment maintenance and cleaning; and aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If deicing chemicals are used, a record of the types (including the Safety Data Sheets [SDS]) used and the monthly quantities, either as measured or, in the absence of metering, using best estimates, must be maintained. This includes all deicing chemicals, not just glycols and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Deicing operators must provide the above information to the airport authority for inclusion with any comprehensive airport SWP3s. (See also Part 6.2.3.)

S.5.3 Vehicle and Equipment Wash Water Requirements

If wash water is handled in a manner that does not involve separate OPDES permitting or local pretreatment requirements (e.g., hauled offsite, retained onsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination) in your SWP3. Discharges of vehicle and equipment wash water are not authorized by this permit for this sector.

S.5.4 Documentation of Control Measures Used for Management of Runoff

Document in your SWP3 the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

S.5.5 Additional Inspection Requirements

At a minimum, conduct routine facility inspections at least once per week during deicing season (e.g., October through April). If your facility needs to deice before or after this period, expand the weekly inspections to include all weeks during which deicing chemicals may be used. Also, if significantly or deleteriously large quantities of deicing chemicals are being spilled or discharged, or if water quality impacts have been reported, conduct your weekly inspections until such time as impacts are reduced to acceptable levels. DEQ may specifically require you to increase inspections and SWP3 reevaluations as necessary.

S.6 Effluent Limitations, Monitoring and Reporting Requirements

Sector Table S-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 4 and Part 7.)

Sector Table S-1 Air Transportation Sector-Specific Effluent Limits

Industrial Activity	Parameter	Limitation
Runoff from areas where deicing/anti-icing activities occur at only those outfalls from the airport facility	Chemical Oxygen Demand (COD)	120 mg/L, daily maximum
	Ammonia as Nitrogen	14.7 mg/L, daily maximum
	pH	6.5 - 9 s.u.

Note: For new and existing airports subject to the effluent limitations in Part 10.S.6 of this permit, the permittee must also comply with the applicable monitoring, reporting and recordkeeping requirements outlined in 40 C.F.R. § 449.20.

Sector T Treatment Works

T.1 Covered Stormwater Discharges

The requirements in Sector T apply to stormwater discharges associated with industrial activity from Treatment Works as identified by the Industrial Activity Code TW as specified under Sector T in Table 1-3 of this permit.

T.2 Industrial Activities Covered by Sector T

The requirements listed under Sector T apply to all existing point source stormwater discharges associated with treatment works treating domestic sewage, or any other sewage sludge or wastewater treatment device or system used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge; that are located within the confines of a facility with a design flow of 1.0 million gallons per day (MGD) or more; or are required to have an approved pretreatment program under 40 C.F.R. Part 403.

T.3 Limitations on Coverage

Discharge of sanitary and industrial wastewater and equipment and vehicle wash water are not authorized by this permit. The only non-stormwater discharges authorized by this permit are those included at Part 1.3.

Discharges from the following activities are not covered by this permit: farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility, or areas that are in compliance with Section 405 of the CWA.

T.4 Additional Technology-Based Effluent Limits

T.4.1 Control Measures

To minimize the discharge of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not exclusive): route stormwater to the treatment works; and cover exposed materials (i.e., from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station). (See also Part 2.1.2.)

T.4.2 Employee Training

At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides. (See also Part 2.1.2.10.)

T.5 Additional SWP3 Requirements

T.5.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides. (See also Part 6.2.2.)

T.5.2 Potential Pollutant Sources

Document in your SWP3 the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving stations; and access roads and rail lines. (See also Part 6.2.3.)

T.5.3 Wastewater and Wash Water Requirements

If wastewater and/or vehicle and equipment wash water is not covered by another OPDES permit but is handled in another manner (e.g., hauled offsite, retained onsite), the disposal method must be described and all pertinent information (e.g., frequency, volume, and destination) must be included in your SWP3. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit.

T.5.4 Additional Inspection Requirements

Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving stations. (See also Part 3.1.)

T.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector U Food and Kindred Products

U.1 Covered Stormwater Discharges

The requirements in Sector U apply to stormwater discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified under Sector U in Table 1-3 of this permit.

U.2 Industrial Activities Covered by Sector U

The following types of industrial activities and products are covered under Sector U:

1. Meat products; dairy products; canned, frozen and preserved fruits, vegetables, and food specialties;
2. Grain mill products; bakery products; sugar and confectionery products; fats and oils; and
3. Beverages; miscellaneous food preparations and kindred products; and tobacco products manufacturing.

U.3 Limitations on Coverage

Prohibition of Non-Stormwater Discharges (see also Part 1.9): The following discharges are not authorized by this permit: discharges containing boiler blowdown, cooling tower overflow and blowdown, reject from reverse osmosis or other water treatment processes; ammonia refrigeration purging, and vehicle washing and clean-out operations. (The only non-stormwater discharges authorized by this permit are those included at Part 1.3.)

U.4 Additional Technology-Based Limitations

Employee Training (see also Part 2.1.2.10)*:* Address pest control in your employee training program.

U.5 Additional SWP3 Requirements

U.5.1 Drainage Area Site Map

Document in your SWP3 the locations of the following activities if they are exposed to precipitation or runoff: vents and stacks from cooking, drying, and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas. (See also Part 6.2.2.)

U.5.2 Potential Pollutant Sources

Document in your SWP3, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides) used on plant grounds. (See also Part 6.2.3.)

U.5.3 Additional Inspection Requirements

Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to stormwater exists: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment. (See also Part 3.1.)

U.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector V Textile Mills, Apparel, Other Fabric and Leather Products

V.1 Covered Stormwater Discharges

The requirements in Sector V apply to stormwater discharges associated with industrial activity from Textile Mills, Apparel, and Other Fabric Product Manufacturing as identified by the SIC Code specified under Sector V in Table 1-3 of this permit.

V.2 Industrial Activities Covered by Sector V

The following types of industrial activities and products are covered under Sector V:

1. Textile mill products;
2. Processes involved in the dyeing and finishing of fibers, yarn fabrics, and knit apparel;
3. Apparel facilities which receive woven or knitted fabric for cutting, sewing, and packaging; and
4. Leather and leather products, except leather tanning and finishing.

V.3 Limitations on Coverage

Prohibition of Non-Stormwater Discharges - The following are not authorized by this permit: discharges of wastewater (e.g., wastewater resulting from wet processing or from any processes relating to the production process); reused or recycled water; and waters used in boilers or cooling towers. If you have these types of discharges from your facility, you must cover them under a separate OPDES permit. (See also Part 1.9.)

V.4 Additional Technology-Based Limitations

V.4.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Material Storage Areas*** - Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area, away from drains. Minimize contamination of the stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums or containers, ensure that the drums and containers are clean (consider triple-rinsing) and that there is no contact of residuals with precipitation or runoff. Collect and dispose of wash water from these cleanings properly.

b. ***Material Handling Areas*** - Minimize contamination of stormwater runoff from material handling operations and areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): use spill and overflow protection; cover fueling areas; and cover or enclose areas where the transfer of material may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals, dyes or wastewater.

c. ***Fueling Areas*** - Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible: cover fueling areas; use spill and overflow protection; minimize run-on of stormwater to the fueling areas; use dry clean-up methods; and treat and/or recycle stormwater runoff collected from the fueling areas.

d. ***Above-Ground Storage Tank Areas*** - Minimize contamination of stormwater runoff from above-ground storage tank areas, including the associated piping and valves, through implementation of control measures such as the following, where determined to be feasible (list not exclusive): regular clean-up of these areas; include measures for tanks, piping and valves explicitly in your SPCC program; minimize runoff of stormwater from adjacent areas; restrict access to the area; insert filters in adjacent catch basins; provide absorbent booms in un-bermed fueling areas; use dry clean-up methods; and permanently seal drains within critical areas that may discharge to a storm drain.

V.4.2 Employee Training

As part of your employee training program, address, at a minimum, the following activities (as applicable): use of reused and recycled waters, solvents management, proper disposal of dyes, proper disposal of petroleum products and spent lubricants, spill prevention and control, fueling procedures, and general good housekeeping practices. (See also Part 2.1.2.10.)

V.5 Additional SWP3 Requirements

V.5.1 Potential Pollutant Sources

Document in your SWP3 the following additional sources and activities that have potential pollutants associated with them: industry-specific significant materials and industrial activities (e.g., back-winding, beaming, bleaching, backing bonding, carbonizing, carding, cut and sew operations, de-sizing, drawing, dyeing, locking, fulling/tucking, knitting, mercerizing, opening, packing, plying, scouring, slashing, spinning, synthetic-felt processing, textile waste processing, tufting, turning, weaving, web forming, winging, yarn spinning, and yarn texturing). (See also Part 6.2.3.)

V.5.2 Description of Good Housekeeping Measures for Material Storage Areas

Document in the SWP3 your containment area or enclosure for materials stored outdoors in connection with Part 10.V.4.1 above.

V.5.3 Additional Inspection Requirements

Inspect at least monthly, the following activities and areas (at a minimum): transfer and transmission lines, spill prevention, good housekeeping practices, management of process waste products, and all structural and non-structural management practices.

V.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector W Furniture and Fixtures

W.1 Covered Stormwater Discharges

The requirements in Sector W apply to stormwater discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the SIC Codes specified under Sector W in Table 1-3 of this permit.

W.2 Industrial Activities Covered by Sector W

The following types of industrial activities and products are covered under Sector W:

1. Wood kitchen cabinets; and
2. Furniture and fixtures.

W.3 Additional SWP3 Requirements

W.3.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas; areas where wastes are treated, stored or disposed of; access roads; and rail spurs. (See also Part 6.2.2.)

W.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector X Printing and Publishing

X.1 Covered Stormwater Discharges

The requirements in Sector X apply to stormwater discharges associated with industrial activity from Printing and Publishing facilities as identified by the SIC Codes specified under Sector X in Table 1-3 of this permit.

X.2 Industrial Activities Covered by Sector X

The following types of industrial activities and products are covered under Sector X:

1. Newspapers, periodicals and books: publishing and printing, or publishing;
2. Miscellaneous publishing;
3. Commercial printing: lithographic, gravure and not elsewhere classified;
4. Manifold business forms, greeting cards;
5. Blank books, loose-leaf binders and devices;
6. Bookbinding and related work; and

7. Typesetting, platemaking and related services.

X.3 Additional Technology-Based Effluent Limits

X.3.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Material Storage Areas*** - Plainly label and store all containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil) in a protected area, away from drains. Minimize contamination of the stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances.

b. ***Material Handling Areas*** - Minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): use spill and overflow protection; cover fueling areas; and cover or enclose areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

c. ***Fueling Areas*** - Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover the fueling area; use spill and overflow protection; minimize run-on of stormwater to the fueling areas; use dry clean-up methods; and treat and/or recycle stormwater runoff collected from the fueling area.

d. ***Above-ground Storage Tank Areas*** - Minimize contamination of the stormwater runoff from above-ground storage tank areas, including the associated piping and valves, through implementation of control measures such as the following, where determined to be feasible (list not exclusive): regularly clean these areas; explicitly address tanks, piping, and valves in the SPCC program; minimize stormwater runoff from adjacent areas; restrict access to the area; inserting filters in adjacent catch basins; provide absorbent booms in un-bermed fueling areas; use dry clean-up methods; and permanently seal drains within critical areas that may discharge to a storm drain.

X.4 Employee Training

As part of your employee training program, address, at a minimum, the following activities (as applicable): spent solvent management, spill prevention and control, used oil management, fueling procedures, and general good housekeeping practices. (See also Part 2.1.2.10.)

X.5 Additional SWP3 Requirements

Description of Good Housekeeping Measures for Material Storage Areas: In connection with Part 10.X.3.1, describe in the SWP3 the containment area or enclosure for materials stored outdoors.

X.6 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector Y Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries

Y.1 Covered Stormwater Discharges

The requirements in Sector Y apply to stormwater discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries facilities as identified by the SIC Codes specified under Sector Y in Table 1-3 of this permit.

Y.2 Industrial Activities Covered by Sector Y

The following types of industrial activities and products are covered under Sector Y:

1. Tires and inner tubes;
2. Rubber and plastic footwear, rubber and plastic hose and belting;
3. Gaskets, packaging, and sealing devices;
4. Fabricated rubber products, not elsewhere classified; and
5. Miscellaneous plastic products.

Y.3 Additional Technology-Based Effluent Limits

Y.3.1 Controls for Rubber Manufacturers

Minimize the discharge of zinc in your stormwater discharges. Review possible sources of zinc and list the control measures to be implemented. Implement additional control measures such as the following, where determined to be feasible (list not exclusive): use chemicals purchased in pre-weighed, sealed polyethylene bags; store in-use materials in sealable containers, ensure an airspace between the container and the cover to minimize "puffing" losses when the container is opened; and use automatic dispensing and weighing equipment. (See also Part 2.1.2.)

a. ***Zinc Bags*** - Ensure proper handling and storage of zinc bags at your facility through implementation of control measures such as the following, where determined to be feasible (list not exclusive): employee training on the handling and storage of zinc bags; indoor storage of zinc bags; clean-up of zinc spills without washing the zinc into the storm drain; and the use of 2,500-pound sacks of zinc rather than 50- to 100-pound sacks.

b. ***Dumpsters*** - Minimize discharges of zinc from dumpsters through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover dumpsters; move dumpsters indoors; and provide linings for dumpsters.

c. ***Dust Collectors and Baghouses*** - Minimize contributions of zinc to stormwater from dust collectors and baghouses. Replace or repair, as appropriate, improperly operating dust collectors and baghouses.

d. ***Grinding Operations*** - Minimize contamination of stormwater as a result of dust generation from rubber grinding operations. Where determined to be feasible, install a dust collection system.

e. ***Zinc Stearate Coating Operations*** - Minimize the potential for stormwater contamination from drips and spills of zinc stearate slurry that may be released to the storm drain. Where determined to be feasible, use alternative compounds to zinc stearate.

Y.3.2 Controls for Plastic Products Manufacturers

Minimize the discharge of plastic resin pellets in your stormwater discharges through implementation of control measures such as the following, where determined to be feasible (list not exclusive): minimize spills; clean up spills promptly and thoroughly; sweep thoroughly; pellet capturing; employee education; and disposal precautions.

Y.4 Additional SWP3 Requirements

Potential Pollutant Sources for Rubber Manufacturers (see also Part 6.2.3) - Document in your SWP3 the use of zinc at your facility and the possible pathways through which zinc may be discharged in stormwater runoff.

Y.5 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector Z Leather Tanning and Finishing

Z.1 Covered Stormwater Discharges

The requirements in Sector Z apply to stormwater discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the SIC Codes specified under Sector Z in Table 1-3 of this permit.

Z.2 Industrial Activities Covered by Sector Z

The types of activities that permittees under Sector Z are primarily engaged in are tanning, currying, and finishing hides and skins into leather. This industry also includes leather converters, who buy hides and skins and have them processed into leather on a contract basis by others.

Z.3 Additional Technology-Based Effluent Limits

Z.3.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Storage Areas for Raw, Semi-processed, or Finished Tannery By-products*** - Minimize contamination of stormwater runoff from pallets and bales of raw, semi-processed, or finished tannery by-products (e.g., splits, trimmings, shavings). Store or protect indoors with polyethylene wrapping, tarpaulins, roofed storage, etc., where practicable. Place materials on an impermeable surface and enclose or put berms (or equivalent measures) around the area to prevent stormwater run-on and runoff where practicable.

b. ***Material Storage Areas*** - Label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials) and minimize contact of such materials with stormwater.

c. ***Buffing and Shaving Areas*** - Minimize contamination of stormwater runoff with leather dust from buffing and shaving areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): implement dust collection enclosures; implement preventive inspection and maintenance programs; and other appropriate preventive measures.

d. ***Receiving, Unloading, and Storage Areas*** - Minimize contamination of stormwater runoff from receiving, unloading, and storage areas. If these areas are exposed, implement control measures such as the following, where determined to be feasible (list not exclusive): cover all hides and chemical supplies; divert drainage to the process sewer; and grade, berm or curb the area to prevent stormwater runoff.

e. ***Outdoor Storage of Contaminated Equipment*** - Minimize contact of stormwater with contaminated equipment through implementation of control measures such as the following, where determined to be feasible (list not exclusive): cover equipment; divert drainage to the process sewer; and clean thoroughly prior to storage.

f. ***Waste Management*** - Minimize contamination of stormwater runoff from waste storage areas through implementation of control measures such as the following, where determined to be feasible (list not

exclusive): cover dumpsters; move waste management activities indoors; cover waste piles with temporary covering material such as tarpaulins or polyethylene; and minimize stormwater runoff by enclosing the area or building berms around the area.

Z.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector AA Fabricated Metal Products

AA.1 Covered Stormwater Discharges

The requirements in Sector AA apply to stormwater discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified under Sector AA in

Table 1-3 of this permit.

AA.2 Industrial Activities Covered by Sector AA

The following types of industrial activities and products are covered under Sector AA:

1. Fabricated metal products, except machinery and transportation equipment and cutting;
2. Jewelry, silverware, and plated ware; and
3. Coating, engraving, and allied services.

AA.3 Additional Technology-Based Effluent Limits

AA.3.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2.

a. ***Raw Steel Handling Storage*** - Minimize the generation of and/or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.

b. ***Paints and Painting Equipment*** - Minimize exposure of paint and painting equipment to stormwater.

AA.3.2 Spill Prevention and Response Procedures

Ensure that the necessary equipment to implement a clean-up is available to personnel. The following areas should be addressed (see also Part 2.1.2.4).

a. ***Metal Fabricating Areas*** - Maintain clean, dry, orderly conditions in these areas. Use dry clean-up techniques where practicable.

b. ***Storage Areas for Raw Metal*** - Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials through implementation of control measures such as the following, where determined to be feasible (list not exclusive): maintain storage areas so that there is easy access in the event of a spill, and label stored materials to aid in identifying spill contents.

c. ***Metal Working Fluid Storage Areas*** - Minimize the potential for stormwater contamination from storage areas for metal working fluids.

d. ***Cleaners and Rinse Water*** - Control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sand-blasting operations, and prevent exposure of recyclable wastes. Substitute environmentally benign cleaners when possible.

e. ***Lubricating Oil and Hydraulic Fluid Operations*** - Minimize the potential for stormwater contamination from lubricating oil and hydraulic fluid operations. Use monitoring equipment or other devices to detect and control leaks and overflows where feasible. Install perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures where feasible.

f. ***Chemical Storage Areas*** - Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

AA.3.3 Spills and Leaks

In your spill prevention and response procedures, required by Part 2.1.2.4, address the following materials at a minimum: chromium, toluene, pickle liquor, sulfuric acid, zinc, other water priority chemicals, and hazardous chemicals and wastes. (See also Part 6.2.3.3.)

AA.4 Additional SWP3 Requirements

AA.4.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage. (See also Part 6.2.2.)

AA.4.2 Potential Pollutant Sources

Document in your SWP3 the following additional sources and activities with which potential pollutants are associated: loading and unloading operations for paints, chemicals, and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles. (See also Part 6.2.3.)

AA.4.3 Additional Inspection Requirements

At a minimum, include the following areas in all inspections: raw metal storage areas, finished product storage areas, material and chemical storage areas, spent solvents and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, drainage from roof and vehicle fueling and maintenance areas. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials. (See also Part 3.1.)

AA.5 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector AB Transportation Equipment, Industrial or Commercial Machinery

AB.1 Covered Stormwater Discharges

The requirements in Sector AB apply to stormwater discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the SIC Codes specified under Sector AB in Table 1-3 of this permit.

AB.2 Industrial Activities Covered by Sector AB

The following industrial activities and products are covered under Sector AB:

1. Farm and garden machinery and equipment;
2. Construction, mining, and materials handling machinery and equipment;
3. Metalworking machinery and equipment, general industrial machinery and equipment, and special industry machinery, except metalworking machinery;
4. Refrigeration and service industry machinery, miscellaneous industrial and commercial machinery and equipment;
5. Motor vehicles and motor vehicle equipment;
6. Aircraft and parts, motorcycles, bicycles, and parts;
7. Guided missiles and space vehicles and parts; and
8. Miscellaneous transportation equipment.

AB.3 Additional SWP3 Requirements

Drainage Area Site Map (see also Part 6.2.2): Identify in your SWP3 where any of the following may be exposed to precipitation or surface runoff: vents and stacks from metal processing and similar operations.

AB.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector AC Electronic, Electrical Equipment and Components, Photographic and Optical Goods

AC.1 Covered Stormwater Discharges

The requirements in Sector AC apply to stormwater discharges associated with industrial activity from facilities that manufacture Electronic, Electrical Equipment and Components and Photographic and Optical Goods as identified by the SIC Codes specified in Table 1-3 of this permit.

AC.2 Industrial Activities Covered by Sector AC

The following types of industrial activities and products are covered under Sector AC:

1. Computer and office equipment;
2. Electronic and electrical equipment and components, except computer equipment;
3. Measuring, analyzing, and controlling instruments;
4. Photographic and optical goods; and
5. Watches and clocks.

AC.3 Additional Requirements

No additional sector-specific requirements apply.

AC.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements.

Sector AD Stormwater Discharges Designated by DEQ as Requiring Permits

AD.1 Covered Stormwater Discharges

Sector AD is used to provide permit coverage for facilities designated by DEQ as needing a stormwater permit, and any discharges of stormwater associated with industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC.

AD.2 Eligibility for Permit Coverage

Because this Sector is primarily intended for use by discharges designated by DEQ as needing a stormwater permit (which is an atypical circumstance), and your facility may or may not normally be discharging stormwater associated with industrial activity, you must obtain DEQ's written permission to use this permit prior to submitting an NOI to be covered under Sector AD. If you are authorized to use this permit, you will still be required to ensure your discharges meet the eligibility provisions of this permit at Part 1.2 and Part 1.3.

The only non-stormwater discharges authorized by this permit are those included at Part 1.3 of this permit. Any unauthorized non-stormwater discharges must be eliminated prior to submitting an NOI to obtain coverage under this permit.

AD.3 Additional SWP3 Requirements

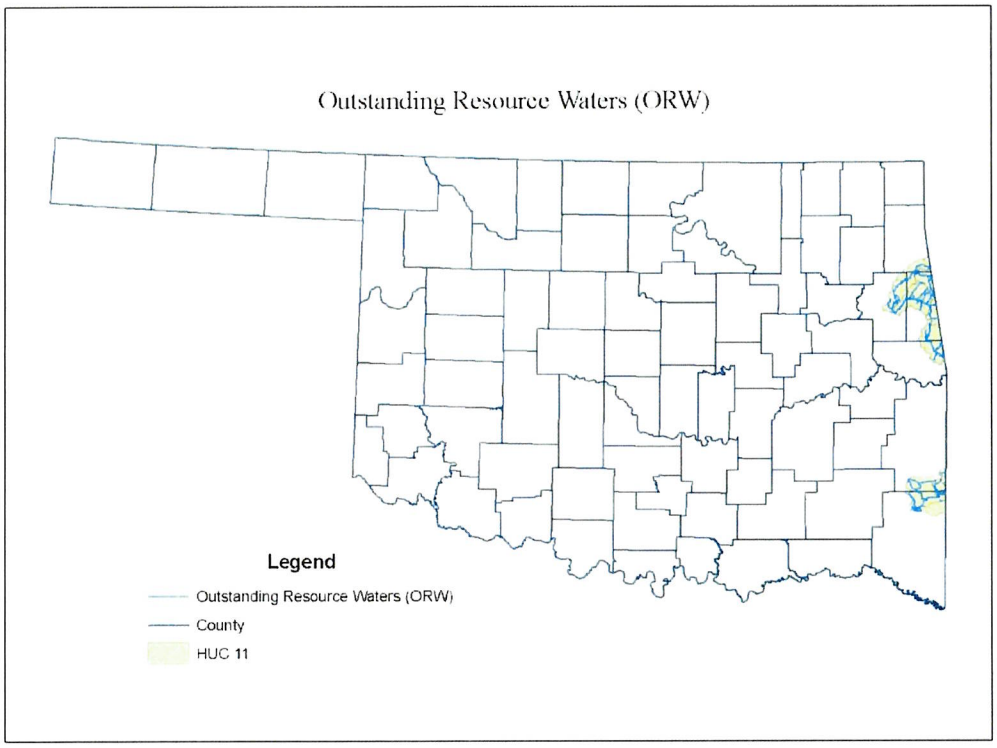
DEQ will establish any additional requirements for your facility at the time of accepting your NOI to be covered by this permit. Additional requirements would be based on the nature of activities at your facility and your stormwater discharges.

AD.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 4 and Part 7 of this permit for monitoring and reporting requirements. DEQ may establish additional monitoring and reporting requirements for your facility at the time of accepting your NOI to be covered by this permit. Additional requirements would be based on the nature of activities at your facility and your stormwater discharges.

Appendix A: Oklahoma Outstanding Resources Waters, Oklahoma Sensitive Waters and Watersheds, and Procedures Relating to Endangered Species Protection

Outstanding Resource Waters (ORW)



Outstanding Resource Waters Details

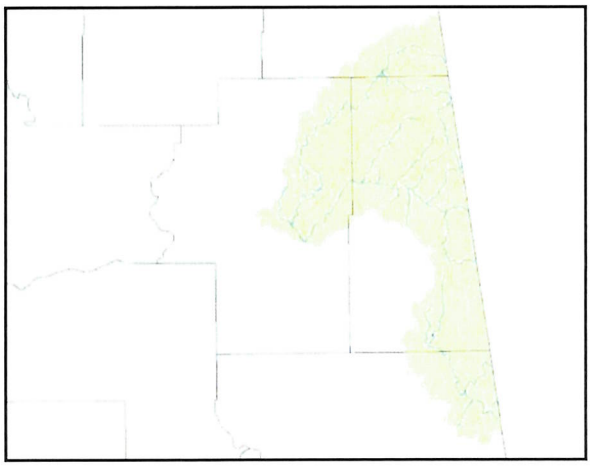


Figure 10-2 Illinois River and Lee Creek Watersheds

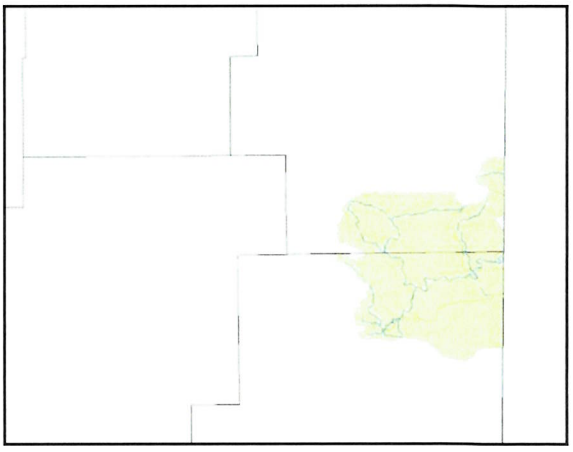


Figure 10-1 Mountain Fork River Watershed

Oklahoma Sensitive Waters and Watersheds Harboring Endangered and Threatened Species and Their Critical Habitat of Concern

A. Sensitive waters and watersheds for federally listed species, as defined by the U.S. Fish and Wildlife Service for the OPDES Multi-Sector General Permit OKR05 for stormwater discharges from industrial activity

Grand (Neosho) River - A two-mile corridor (one mile from each bank) of the main stem of the Grand (Neosho) River above its confluence with Tar Creek. This corridor includes portions of Ottawa and Craig Counties.

Cimarron River - A two-mile corridor (one mile from each bank) of the main stem of the Cimarron River from the US Hwy-77 Bridge in Logan County upstream to and including Beaver County. This corridor includes river segments in Beaver, Harper, Kingfisher, Logan, Major, Woods, and Woodward counties.

South Canadian River - A two-mile corridor (one mile from each bank) of the main stem from the Eufaula Reservoir flood pool upstream to the northern border of Custer County. This corridor includes river segments in Blaine, Caddo, Canadian, Cleveland, Custer, Grady, Hughes, McClain, McIntosh, Pittsburg, Pontotoc, Pottawatomie, and Seminole counties.

Muddy Boggy River - A two-mile corridor (one mile from each bank) of the main stem of the Muddy Boggy River which includes portions of Choctaw, Atoka, and Coal Counties.

Kiamichi River – The watershed of the Kiamichi River is upstream from the Hugo Reservoir. This watershed includes portions of Choctaw, Pushmataha, Atoka, Pittsburg, Latimer, and Le Flore Counties.

Little River – The watershed of the Little River includes portions of Choctaw, Le Flore, Pushmataha and McCurtain Counties.

Glover River – The watershed of the Glover River includes portions of Pushmataha and McCurtain Counties.

Mountain Fork River – The watershed of the Mountain Fork River is above Broken Bow Reservoir and includes portions of Le Flore and McCurtain Counties.

Northeast HUC-11 Watersheds – The watersheds are identified by the following 11-digit Hydrologic Unit Codes: 11070206030, 11070206060, 11070207190, 11070208070, 11070209020, 11070209030, 11070209040, 11070209050, 11070209060*, 11070209070, 11070209100, 11070209110 and 11070209120. These watersheds include portions of Ottawa, Craig, Delaware, and Mayes Counties.

* *This HUC does not contain a known Ozark cavefish cave. It was included because it is entirely surrounded by 11 digit HUCs with known Ozark cavefish caves; therefore, we assume that Ozark cavefishes likely occupy this portion of the watershed as well.*

Elk River – A two-mile corridor (one mile from each bank) of the Elk River which includes portions of Delaware County.

Spring River – A two-mile corridor (one mile from each bank) of the Spring River which includes portions of Ottawa County.

Verdigris River – A two-mile corridor of the main stem from the dam of Lake Oologah to the confluence of the Arkansas River which includes river segments in Rogers, Wagoner, and Muskogee counties.

B. Sensitive waters and watersheds for state listed species, as defined by the Oklahoma Department of Wildlife Conservation for the OPDES Multi-Sector General Permit OKR05 for stormwater discharges from industrial activity

Illinois River – A ten-mile corridor (five miles from each bank within the watershed) of the main stem of the Illinois River above Tenkiller Reservoir. This corridor includes portions of Cherokee, Delaware, and Mayes Counties.

Lee and Little Lee Creeks – The watershed of Lee Creek and Little Lee Creek which includes portions of Sequoyah and Adair Counties.

Note: No stormwater discharge-sensitive endangered or threatened species occur in the following counties: Alfalfa, Beckham, Carter, Cimarron, Comanche, Garfield, Garvin, Grant, Greer, Johnston, Kiowa, Lincoln, Murray, Nowata, Okfuskee, Oklahoma, Okmulgee, Rogers, Stephens, Texas, Washington, or Washita.

Oklahoma Aquatic Resources of Concern for Federal & State Listed Species

as identified by the U S Fish & Wildlife Serveice and the Oklahoma Department of Wildlife Conservation



Text

Legend

- Spring River Corridor
- Glover River Watershed
- Illinois River Corridor
- Kiamichi River Watershed
- Lee & Little Lee Creek Watershed
- Little River Watershed
- Mountain Fork Watershed
- Elk River Corridor
- NE HUC-11 Watersheds
- Canadian River Corridor
- Cimarron River Corridor
- Neosho River Corridor
- Muddy Boggy Creek Corridor
- Verdigris River Corridor

Procedures Relating to Endangered Species Protection

To receive coverage under the OKR05 permit, you must assess the potential effects of your stormwater discharges and stormwater discharge-related activities on listed species. To make this assessment, follow the steps outlined below prior to completing and submitting an NOI form.

Step 1: Determine whether the facility is located in a sensitive water or watershed

1. Refer to the map of federal and state sensitive waters and watersheds within Oklahoma. These areas may harbor populations of federal or state listed species or their designated critical habitat.
2. If your industrial facility is not located within any of these areas, the facility's stormwater discharge or stormwater discharge-related activities are not likely to significantly affect endangered and threatened species. You may then skip Step 2 and further investigation is unnecessary.
3. If your facility is located within the area of any of the federal and state sensitive waters and watersheds, continue on to Step 2.

Step 2: Implementation of stormwater control measures to protect endangered and threatened species

1. If your industrial facility is located within the area of federal and state sensitive waters and watersheds, you must incorporate the following measures into the SWP3 for the facility.
    a. Pollutants such as oil, grease, solid waste, human waste, hazardous or toxic material, or other material not authorized for discharge under this permit must be properly captured, treated, and correctly disposed of. These potential pollutants must be properly managed and their contact with stormwater minimized or eliminated to the greatest extent practicable.
    b. If you are required to perform annual numeric effluent limitation monitoring, you must include in your SWP3 the steps you will take to prevent any removed pollutants from entering a stormwater stream. These pollutants must be retained on site, treated, or disposed of properly to the greatest extent practicable. Control measures must be properly installed and maintained at all times, and offsite accumulations of any escaped sediment must be removed.
    c. A schedule must be included which describes the inspection practices that will be used to ensure that control measures are working effectively. Monthly inspection shall be conducted for areas of the facility with significant activities. If corrective action is needed, you must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants following the requirements in Part 6 of the permit.
    d. Hazardous materials and production waste products must be stored in a manner that minimizes their contact with stormwater. An emergency response plan must be included which addresses the handling of accidental spills or leaks.
2. You must comply with any terms and conditions imposed under the eligibility requirements to ensure that your stormwater discharges and stormwater discharge-related activities are protective of listed species and/or critical habitat. Any such terms and conditions must be incorporated in your SWP3. In accordance with Part 1.8.7 of the permit, your signed NOI will be deemed to constitute your certification of eligibility. If the eligibility requirements cannot be met, you may seek coverage under a DEQ individual permit.

Step 3: Check the appropriate box on the NOI form

There are three different options to certify your eligibility. Check the box that corresponds to the option on which you are relying.

1. Your facility is not located in federal and state sensitive waters and watersheds as identified on the map.
2. Your facility is located in federal and state sensitive waters and watersheds and you agree to implement the control measures specified in Step 2 above.
3. You are relying on another permittee's certification of eligibility and agree to comply with any conditions attached to that certification.

Appendix B: Spill Prevention and Response Procedures Checklist

Oklahoma Department of Environmental Quality
Checklist for
Spill Prevention and Response Procedures

The spill prevention and response procedures must clearly identify ways to reduce the chance of spills, stop the source of spills, contain and clean up spills, dispose of materials contaminated by spills, and train personnel responsible for spill prevention and response. (See Parts 2.1.2.4 and 6.2.6.1 of the OKR05 permit.)

The procedures must include at a minimum the following components:

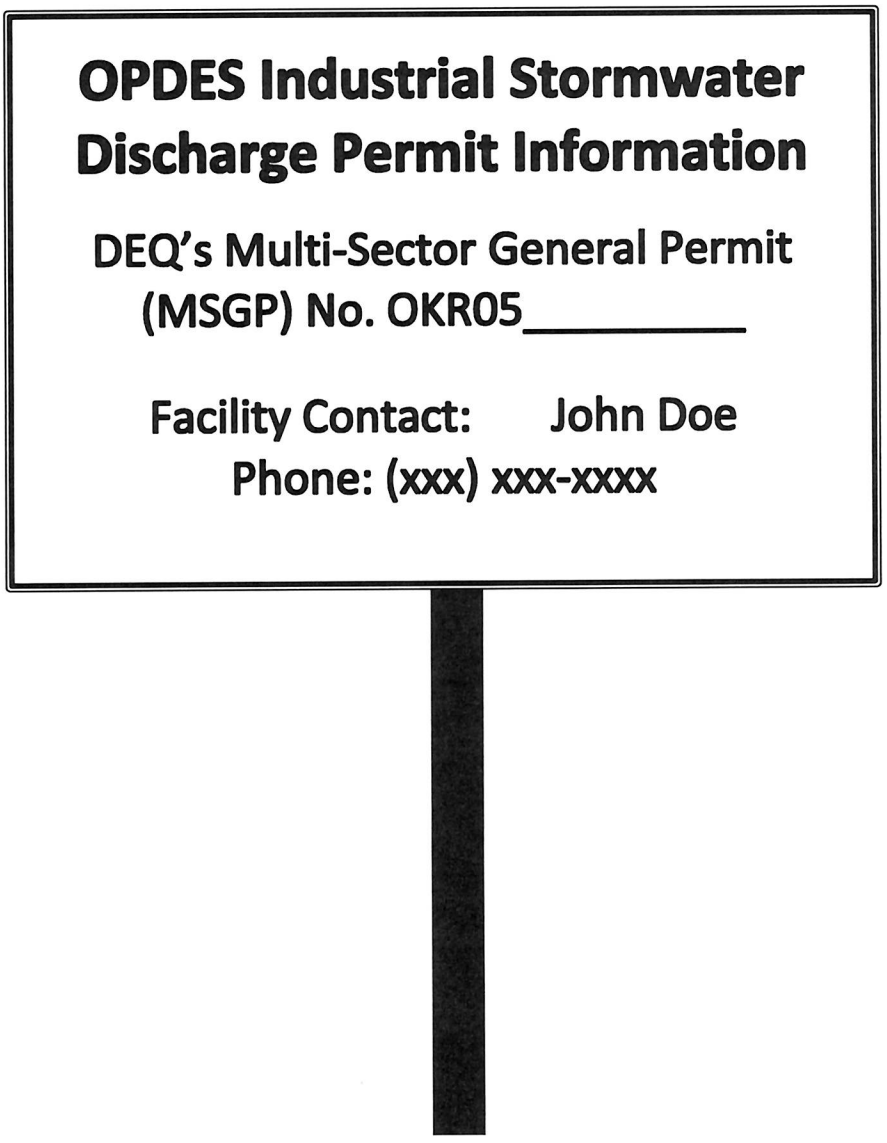
- ✓ A list of personnel responsible for implementing the plan in the event of a spill including at least one member of the Stormwater Pollution Prevention Team;
    - Include names, titles, and contact information (phone numbers, email addresses).
- ✓ A complete chemical inventory of the site/facility;
- ✓ A description of existing or planned spill prevention equipment (e.g., leak detection devices) and structures (e.g., dikes) appropriate to the substances identified in the inventory;
- ✓ A procedure for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies;
    - Identify the specific personnel, emergency responders, and regulatory agencies to be notified. Include phone numbers and email addresses (if available). This should include local authorities and the DEQ. The EPA and the National Spill Response Center should be included, if appropriate. Include contact information for the emergency response/remediation company or contractor to be utilized in the event of a spill. Identify the person or persons responsible for making the notifications.
- ✓ A procedure for the immediate containment and clean-up of spills and the proper disposal of each type of waste identified in the site inventory;
    - Identify the personnel responsible for containment and clean-up activities. Identify the waste disposal company or site that will be used for any controlled waste that must be disposed of. A mere statement that all state and federal rules will be followed is not acceptable.
- ✓ A list of all types of equipment to be used to adequately contain and clean up each type of spill, including spill containment and clean-up kits. Identify the location where the equipment will be kept and the personnel who have direct access to it (For example, if it's in a locked building, identify the person who has the key.); and
- ✓ An outline of the training program for employees and subcontractors that addresses procedures to deal with spills and leaks at the site.

Note: If your facility/site is subject to 40 C.F.R. Part 112 regulations that require Spill Prevention, Control, and Countermeasures (SPCC) plans for their aboveground and underground storage tanks, your SWP3 should refer to the SPCC plan.

Appendix C: Signage Example

Sample signage in accordance with Part 1.18 of the OKR05 permit:

Sample Sign



Scott A. Thompson
Executive Director

OKLAHOMA Environmental Quality

Kevin Stitt
Governor

RECEIVED
AUG 12 2025
DEPT. OF MINES

May 2, 2022

Jim Bonsall, Plant Manager
Covia – Roff Plant
P.O. Box 159
Roff, OK 74865

Re: OPDES Modification Request, DEQ Permit No. OK0040291
Covia - Roff Sand, Pontotoc County, Oklahoma
Facility ID No. I-62000060

Dear Mr. Bonsall:

Your modified industrial wastewater treatment system Permit is enclosed. The effective date and the expiration date of this Permit appear on the cover page.

On October 22, 2015, the EPA published the "National Pollutant Discharge Eliminations System (NPDES) Electronic Reporting" final rule, with an effective date of December 21, 2016, which requires the electronic reporting and sharing of Clean Water Act National Pollutant Discharge Elimination System (NPDES) program information. Under the final rule, NPDES-regulated entities are required to submit NPDES program data to the designated initial recipient, as defined in 40 C.F.R. § 127.2(b). For this rule, the term ''initial recipient'' means the governmental entity, either the state or EPA, who first receives the electronic NPDES program data listed in Appendix A to 40 C.F.R. Part 127.

DEQ has developed electronic systems so that NPDES-regulated entities can submit the required electronic DMRs and other reports to DEQ as the initial recipient. Please see Part I, Section C and III.E.4 of your permit for electronic reporting requirements. Instructions on how to access and use the appropriate electronic reporting tool can be found on DEQ's website at https://www.deq.ok.gov/water-quality-division/electronic-reporting/. Assistance is also available by contacting DEQ at (405) 702-8100 or deqreporting@deq.ok.gov.

Should you have any questions regarding the final Permit, please contact the Industrial Permits Section at the letterhead address or telephone (405) 702-8100. Should you have any questions regarding compliance with the conditions of this Permit, please contact the Industrial Enforcement Section at the same address and phone number.

Sincerely,

Carol Paden

Carol Paden, P.E., Manager
Industrial Permits Section
Water Quality Division

CMP/MB/tlj JM/SLT/LC/AB/PP/WTC

Enclosures

AUTHORIZATION TO DISCHARGE UNDER THE OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT NUMBER: OK0040291
ID NUMBER: I-62000060

In compliance with the Oklahoma Pollutant Discharge Elimination System (OPDES) Act, 27A O.S. §2-6-201 *et seq.*, Oklahoma Uniform Environmental Permitting Act, 27A O.S. §2-14-101 *et seq.*, and the rules of the Oklahoma Department of Environmental Quality promulgated thereunder,

Covia - Roff Plant
P.O. Box 159
Roff, OK 74865

is authorized to discharge from their facility, located in the:

E½, Section 13, Township 2N, Range 4EIM, and
S½, Section 18, Township 2N, Range 5EIM
Pontotoc County, Oklahoma
or at 600 E. Walling Avenue, Roff, OK 74865

to receiving waters identified as: unnamed tributaries of the Blue River in stream segment 410600 (WBID 410600020010_20) of the Lower Red River Basin, from:

Outfall 001
Latitude 36.640332°, Longitude -96.828086° (GPS: NAD83)
NE¼, SE¼, SE¼, Section 13, Township 2N, Range 4EIM,
Pontotoc County, Oklahoma

Outfall 002
Latitude 34.641375°, Longitude -96.813907° (GPS: NAD83)
SW¼, NE¼, SE¼, Section 18, Township 2N, Range 5EIM,
Pontotoc County, Oklahoma

Outfall 007
Latitude 34.637211°, Longitude -96.829615° (GPS: NAD83)
SW¼, SE¼, SE¼, Section 13, Township 2N, Range 4EIM,
Pontotoc County, Oklahoma

Outfall 008
Latitude 34.636260°, Longitude -96.806451° (GPS: NAD83)
NW¼, NW¼, NW¼, Section 20, Township 2N, Range 5EIM,
Pontotoc County, Oklahoma

Outfall 009
Latitude 34.636860°, Longitude -96.814280° (GPS: NAD83)
NE¼, NW¼, NE¼, Section 19, Township 2N, Range 5EIM,
Pontotoc County, Oklahoma

in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III, hereof.

The above referenced facility is also authorized to retain wastewater in four flow-through surface impoundments (F01 – F04), as described in the Appendix. Surface impoundments shall be maintained in accordance with Parts I, II, and IV, hereof.

Issuance of this permit in no way or in any respect affects the permittee's civil or criminal responsibility regarding disposal and/or discharges of wastewater, except with respect to the permittee's legal responsibility under the OPDES Act and Department Rules.

This permit modifies the previous permit issued on February 16, 2022.

The issuance date of this permit is May 2, 2022.

This permit shall become effective June 1, 2022.

This permit and authorization to discharge shall expire at midnight March 31, 2027.

For the Oklahoma Department of Environmental Quality:

Carol Paden

Carol Paden, P.E., Manager
Industrial Permits Section
Water Quality Division

Karen Steele

Shellie R. Chard, Director
Water Quality Division

PART I
EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date, the permittee is authorized to discharge from Outfalls 001, 002, 007, 008, and 009. The discharge from these Outfalls consists of wastewater from a wet screen overflow, washing and separation, sand drying scrubber, stormwater runoff, and mine pit dewatering.

Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Limitations – Outfalls 001, 002, 007, 008, and 009

PARAMETERS	DISCHARGE LIMITATIONS			
	MASS LOADING LIMITS (lbs/day unless otherwise specified)		CONCENTRATION LIMITS (mg/L unless otherwise specified)	
	MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
Flow STORET: 50050	Report (mgd) [1]	Report (mgd) [1]	---	---
Total Suspended Solid (TSS) STORET: 00530	---	---	25	45
Oil and Grease STORET: 00556	---	---	---	15
pH STORET: 00400	---	---	6.5 and 9.0 s.u.	

[1] Million gallons/day.

Monitoring Requirements – Outfalls 001, 002, 007, 008, and 009

PARAMETERS	MEASUREMENT FREQUENCY [1]	SAMPLE TYPE
Flow	1/2 weeks	Estimate
Total Suspended Solids	1/month	Grab
Oil and Grease	1/month	Grab
pH	1/month	Grab

[1] When discharging.

NOTE: See Parts II and III for Additional Requirements.

There shall be no discharge of a visible sheen of oil or globules of oil or grease on or in the water. Oil and grease shall not be present in quantities that adhere to stream banks and coat bottoms of watercourses.

Surface waters of the State shall be maintained free from oil and grease and taste and odors.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The discharge shall not contain chemical, physical, or biological substances in concentrations that are irritating to skin or sense organs or are toxic or cause illness upon ingestion by human beings.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations:

Outfall 001: At the valve on the slurry line at the west end of F01 in the NE¼, SE¼, SE¼, Section 13, Township 2N, Range 4EIM, Pontotoc County, Oklahoma, or at Latitude 34.640332°, Longitude -96.828086° (GPS: NAD83).

Outfall 002: At the overflow point on the southeast side of impoundment F02 in the SW¼, NE¼, SE¼, Section 18, Township 2N, Range 5EIM, Pontotoc County, Oklahoma, or at Latitude 34.641375°, Longitude -96.813907° (GPS: NAD83).

Outfall 007: Approximately 600 feet east of the plant building on the north side of the railroad tracks, at the end of the pipe where it emerges from beneath the dirt road in the SW¼, SE¼, SE¼, Section 13, Township 2N, Range 4EIM, Pontotoc County, Oklahoma, or at Latitude 34.637211°, Longitude -96.829615° (GPS: NAD83).

Outfall 008: At the valve on the slurry line east of F03, approximately one half mile to the east of the easement road and Highway 1 intersection in the NW¼, NW¼, NW¼, Section 20, Township 2N, Range 5EIM, Pontotoc County, Oklahoma, or at Latitude 34.636260°, Longitude -96.806451° (GPS: NAD83).

Outfall 009: At the valve on the slurry line east of F03 on the southeast corner of the easement road and Highway 1 intersection in the NE¼, NW¼, NE¼, Section 19, Township 2N, Range 5EIM, Pontotoc County, Oklahoma, or at Latitude 34.636860°, Longitude -96.814280° (GPS: NAD83).

SECTION B. SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with the following schedule:

Task	Date
Prepare an Impoundment Maintenance and Operation Plan (IMOP), and submit the IMOP to the Industrial Permits Section for review and approval.	July 1, 2022

SECTION C. REPORTING OF MONITORING RESULTS

Monitoring results shall be reported in accordance with the provisions of Part III.E.4 of the permit. Monitoring results obtained during the previous month shall be summarized and electronically reported on an electronic Discharge Monitoring Report (eDMR) form due to the Oklahoma Department of Environmental Quality, Water Quality Division, Wastewater Compliance Tracking Section no later than the 15th day of the month following the completed monthly test. If no discharge occurs during the reporting period, an eDMR form stating "No Discharge" shall be electronically submitted according to the above schedule. Instructions on how to register as a Preparer or Signatory for eDMRs, as well as how to prepare and submit eDMRs, can be found on DEQ's website at https://www.deq.ok.gov/water-quality-division/electronic-reporting/. Assistance is also available by contacting DEQ at (405) 702-8100 or deqreporting@deq.ok.gov.

The first report is due on July 15, 2022 .

PART II
OTHER PERMIT REQUIREMENTS

A. REGULATORY NOTICE

The permittee is hereby given notice that this permit is in all respects subject to compliance with and actions under any and all applicable and relevant terms, conditions, provisions and requirements, and any and all amendments of the laws of the state of Oklahoma, the rules of the Oklahoma Department of Environmental Quality, and Oklahoma's Water Quality Standards. The absence of any express reference within this permit of any particular statutory requirement, rule(s), regulation(s), or standard(s) shall in no respect be deemed or construed to exempt or preclude the application of such requirement, rule(s), regulation(s), or standard(s) to this permit or the permittee. By the Director's approval, grant and issuance of this permit, permittee acknowledges receipt of true, correct, and current copies of Oklahoma's Water Quality Standards, and the rules of the Oklahoma Department of Environmental Quality.

B. REOPENER CLAUSE

This permit may be reopened for modification or revocation and reissuance to require additional monitoring and/or effluent limitations where actual or potential exceedances of state water quality criteria are determined to be the result of the permittee's discharge to the receiving water(s), or a Total Maximum Daily Load is established for the receiving stream(s), or when required as technology advances. Modification or revocation and reissuance of the permit shall follow regulations listed at 40 C.F.R. §124.5.

C. LABORATORY CERTIFICATION

All laboratory analyses for the parameters specified in this permit must be performed by a laboratory certified by the Oklahoma Department of Environmental Quality for those parameters.

D. ANALYTICAL REQUIREMENTS

Unless otherwise specified in this permit, effluent and/or upstream monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 C.F.R. Part 136 in effect on the effective date of this permit. Appendices A, B, and C to 40 C.F.R. Part 136 are specifically referenced as part of this requirement. Amendments to 40 C.F.R. Part 136 promulgated and incorporated by reference into OAC 252:606-1-3(b)(7) after the effective date of this permit shall supersede these requirements as applicable.

E. MINIMUM QUANTIFICATION LEVEL (MQL)

If any individual analytical test result taken for compliance with this permit is less than the corresponding minimum quantification level listed in OAC 252:690 Appendix B, a value of zero (0) may be used for that individual result for the DMR calculations and reporting requirements.

F. SURFACE IMPOUNDMENT REQUIREMENTS

A minimum freeboard of 2 feet shall be maintained for surface impoundments F01, F02, F03, and F04.

An Impoundment Maintenance and Operation Plan (IMOP) shall be maintained for all impoundments. The IMOP shall be followed, updated annually, if necessary, kept on-site, and be available to DEQ. The IMOP shall address all relevant requirements of OAC 252:616-5-2. In particular, the IMOP shall discuss:

1. Maintaining freeboard;
2. Spill prevention and mitigation; and
3. General maintenance practice.

The permit may be reopened to implement and/or require impoundment modifications, additions, extensions, and/or operational changes; monitoring and reporting; reclassification of wastes; sludge management plans; best management practices; closure plans; and/or other appropriate actions.

G. LAND APPLICATION

Not Applicable

H. OTHER DISPOSAL METHODS

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a state approved industrial waste disposal site or to a company for recycling.

If any such industrial wastes are removed from the facility, the permittee shall keep accurate records which include the following information:

a. Name and address of company hauling waste;
b. The type and amount of waste hauled; and
c. The final disposal site of waste hauled.

Upon request, the above records shall be made available to the staff of the Department for inspection, review, and copying.

APPENDIX

Description of Wastewater Treatment/Disposal Surface Impoundments (S.Ls)

Classification OAC 252:616-1-2		Liner Requirements OAC 252:616-7-2(b)	Holding Capacity and/or Dimensions OAC 252:616-7-1(6) [2]	Wastewater Destination
S.I. [1]	Wastewater			
F01	Quarry Pit containing mine dewatering wastewater, process wastewater, and stormwater runoff – Class III	Excavated Soil	111 million gallons ~ 3 ft deep	F02
F02	Quarry Pit containing mine dewatering wastewater, process wastewater, and stormwater runoff – Class III	Excavated Soil	204 million gallons ~ 90 ft deep	Outfall 002
F03	Quarry Pit containing mine dewatering wastewater, process wastewater, and stormwater runoff – Class III	Excavated Soil	33.1 million gallons ~ 60 ft deep	F01
F04	Quarry Pit containing mine dewatering wastewater, process wastewater, and stormwater runoff – Class III	Excavated Soil	278.6 million gallons ~ 40 ft deep	Reused in process

(1) Designation F refers to a flow-through surface impoundment.
(2) Based on information provided in application.

Location of Surface Impoundments

S.I.	Legal Location	General Location and Description
F01	S½, SW¼, Section 18, Township 2N, Range 5E IM, Pontotoc County, Oklahoma	Approximately 2,200 feet east of the main office
F02	N½, SW¼, SE¼, and S½, NW¼, SE¼, Section 18, Township 2N, Range 5E IM, Pontotoc County, Oklahoma	East of F01
F03	S½, SE¼, SW¼, Section 18, Township 2N, Range 5E IM, Pontotoc County, Oklahoma	South of F01 and F02
F04	S¼, NE¼, Section 13, Township 2N, Range 4E IM, Pontotoc County, Oklahoma	North of the main office

FACT SHEET

FOR THE DRAFT AUTHORIZATION TO DISCHARGE TO WATERS OF THE UNITED STATES UNDER THE OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES).

Permit Number:	OK0040291
Facility ID Number:	I-62000060
Applicant:	Covia - Roff Plant P.O. Box 159 Roff, OK 74865
Issuing Office:	Oklahoma Department of Environmental Quality Water Quality Division 707 N. Robinson P.O. Box 1677 Oklahoma City, OK 73101-1677
Prepared/Modified By:	Matt Butner, P.E. Industrial Permits Section Water Quality Division
Date Prepared:	September 9, 2021
Date Modified:	April 21, 2022
Reviewed by:	Carol Paden, P.E., Manager Industrial Permits Section Water Quality Division Brian Clagg, P.E., Environmental Programs Manager Industrial Wastewater Group Water Quality Division

In accordance with 40 C.F.R. §§ 124.8 and 124.56, this fact sheet describes the applicant's facility operation and sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit. Also set forth are any calculations or other necessary explanations of the derivation of specific effluent limitations and conditions, including citations to applicable effluent limitation guidelines or performance standards as required by 40 C.F.R. § 122.44. In accordance with 40 C.F.R. § 122.44(l), proposed permit limits for reissued permits are based on the more stringent of applicable technology-based limitations, applicable water quality-based limitations, or limitations in the previous permit.

Citations to 40 C.F.R. refer to promulgated regulations listed at Title 40, Code of Federal Regulations. Citations to OAC 252 and OAC 785 refer to promulgated regulations listed at Titles 252 and 785, Oklahoma Administrative Code.

I. PERMITTING BACKGROUND

A. CHRONOLOGY OF PERMITTING ACTIVITIES

The following is a chronology of permitting activities leading up to the renewal of this permit.

03/31/2022:	Modification request received.
02/16/2022:	Permit issued.
11/24/2021:	Public notice in newspaper.
11/12/2021:	Public notice by DEQ.
11/10/2021:	Draft permit sent to facility for public notice.
10/04/2021:	Draft permit sent to facility for courtesy review.
08/12/2021:	Application complete letter sent to facility.
08/11/2021:	Site visit conducted.
06/29/2021:	Response to NOD received.
06/09/2021:	Notice of Deficiency sent to facility requesting proof of public notice of application and Form 616-2SI.
06/08/2021:	OPDES permit application received.
02/11/2019:	Modified permit issued.
12/20/2018:	Name change request received.
11/18/2016:	Previous OPDES permit issued.

B. PROPOSED PERMITTING ACTION

It is proposed that the OPDES Permit No. OK0040291 be modified for the remainder of its five year term in accordance with regulations promulgated at 40 C.F.R. § 122.46(a) and OAC 252:606-1-3(b)(3)(BB). The permit expires March 31, 2027.

II. APPLICANT ACTIVITY

Covia – Roff Plant is a silica sand mining, wet beneficiation, drying, screening, and shipping facility (SIC code 1446) located in the E½, Section 13, Township 2N, Range 4EIM, and in the S½, Section 18, Township 2N, Range 5EIM, Pontotoc County, Oklahoma, or at 600 E. Walling Street, Roff, OK 74865. The facility began operations around 1930 and produces approximately 5,300 tons of sand per day. The facility operates 24 hours per day, 7 days per week and employs 41 people working in three shifts.

The facility reuses the majority of its process water, with makeup water being provided by a well at a rate of approximately 24,000 gallons per day. Wastewater is stored and treated in four flow-through impoundments (F01 – F04). There are five outfalls at the facility; only Outfalls 002 and 007 are currently in use. Outfalls 001, 008, and 009 have not discharged since before 2006. All outfalls discharge to unnamed tributaries of the Blue River.

The permit is being modified to change the designation of impoundment T01 to F04 to better reflect the facility's process.

III. DISCHARGE INFORMATION

A. DISCHARGE LOCATION

Outfalls to Surface Waters

Outfall	Location		Receiving Stream
	Legal Description	Latitude - Longitude	
001	NE¼, SE¼, SE¼, Section 13, Township 2N, Range 4EIM, Pontotoc County, Oklahoma	34.640332°, -96.828086°	Blue River via a drainage ditch
002	SW¼, NE¼, SE¼, Section 18, Township 2N, Range 5EIM, Pontotoc County, Oklahoma	34.641375°, -96.813907°	Unnamed tributary of the Blue River
007	SW¼, SE¼, SE¼, Section 13, Township 2N, Range 4EIM, Pontotoc County, Oklahoma	34.637211°, -96.829615°	Blue River via a drainage ditch
008	NW¼, NW¼, NW¼, Section 20, Township 2N, Range 5EIM, Pontotoc County, Oklahoma	34.636260°, -96.806451°	Unnamed tributary of the Blue River
009	NE¼, NW¼, NE¼, Section 19, Township 2N, Range 5EIM, Pontotoc County, Oklahoma	34.636860°, -96.814280°	Unnamed tributary of the Blue River

B. DISCHARGE DESCRIPTION AND CHARACTERISTICS

Effluent characteristics are summarized below based on information provided in the permit application and facility DMRs over the two year period of record (May 2019 through April 2021). A quantitative and qualitative description of the discharge(s) described in the permit application is available upon request for review. Where discrepancies exist between DMR data and application data due to differing periods of record, DMR data will be used to develop permit conditions.

1. DMR Data

Effluent Flow (mgd)

Outfall	Frequency of Discharge	Type of Measurement	Long Term Avg	High 30-day Avg	Daily Max
001	None (1)	Estimate	---	---	---
002	Continuous	Estimate	8.16	17.4	22.3
007	1 day/week	Estimate	0.09	0.36	0.54
008	None (1)	Estimate	---	---	---
009	None (1)	Estimate	---	---	---

(1) There has been no discharge from these outfalls since before 2006.
(2) For comparison, the long term average and high 30 day average effluent flows for Outfall 002 on which previous permit was based were 5.03 and 9.97 mgd, respectively.
(3) For comparison, the long term average and high 30 day average effluent flows for Outfall 007 on which previous permit was based were 0.08 and 0.34 mgd, respectively.

Conventional, Non-Conventional, and Priority Pollutants

Outfall	Parameter	Concentration/Other Units (mg/L unless otherwise specified)	
		Long-term Average	Daily Maximum
002	Total Suspended Solids	2.3	7.4
	Oil and Grease	< 5	< 5
	Total Dissolved Solids	243	275
	pH (s.u.)	7.42 – 7.88	
007	Total Suspended Solids	10.1	37
	Oil and Grease	< 5	< 5
	Total Dissolved Solids	288	336
	pH (s.u.)	7.04 – 7.87	

2. Application Data

Effluent Flow (mgd)

Outfall	Frequency of Discharge	Type of Measurement	Long Term Avg	High 30-day Avg	Daily Max
001	None	Estimate	---	---	---
002	Continuous	Estimate	8.1	17.4	22.3
007	1 day/week	Estimate	0.05	0.34	0.54
008	None	Estimate	---	---	---
009	None	Estimate	---	---	---

Conventional, Non-Conventional, and Priority Pollutants

Outfall	Parameter	Concentration/Other Units (mg/L unless otherwise specified)	
		Long-term Average	Daily Maximum
002	Total Suspended Solids	4.0	13.5
	Oil and Grease	< 5	< 5
	Total Dissolved Solids	252	278
	pH (s.u.)	7.42 – 8.25	
007	Total Suspended Solids	10.6	37
	Oil and Grease	< 5	< 5
	Total Dissolved Solids	283	334
	pH (s.u.)	7.04 – 8.16	

IV. TECHNOLOGY-BASED EFFLUENT LIMITATIONS AND CONDITIONS

A. GENERAL

Regulations promulgated at 40 C.F.R. § 122.44(a) and OAC 252:606-5-2(1) require technology-based effluent limitations to be placed in OPDES permits based on effluent limitation guidelines where applicable, on Best Professional Judgment (BPJ) of the permit writer in the absence of guidelines, or on a combination of the two.

B. APPLICABLE EFFLUENT LIMITATION GUIDELINES

Discharges from this type of facility are covered under 40 C.F.R. Part 436 – Mineral Mining Point Source Category, Subpart D – Industrial Sand Subcategory.

a. Specialized Definitions

1. The term "mine dewatering" shall mean any water that is impounded or that collects in the mine and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. This term shall also include wet pit overflows caused solely by direct rainfall and ground water seepage. However, if a mine is also used for the treatment of process generated waste water, discharges of commingled water from the mine shall be deemed discharges of process generated waste water.

2. The term "10-year 24-hour precipitation event" shall mean the maximum 24 hour precipitation event with a probable reoccurrence interval of once in 10 years. This information is available in "Weather Bureau Technical Paper No. 40," May 1961 and "NOAA Atlas 2," 1973 for the 11 Western States, and may be obtained from the National Climatic Center of the Environmental Data Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

3. The term "mine" shall mean an area of land actively mined for the production of sand and gravel from natural deposits.

4. The term "process generated waste water" shall mean any waste water used in the slurry transport of mined material, air emissions control, or processing exclusive of mining. The term shall also include any other water which becomes commingled with such waste water in a pit, pond, lagoon, mine or other facility used for treatment of such waste water. The terms does not include waste water used for the suction dredging of deposits in a body of water and returned directly to the body of water without being used for other purposes or combined with other waste water.

b. BPT Process Wastewater Limitations

BPT effluent limitations for process wastewater (Outfalls 001, 002, 007, 008, and 009) are shown in the following table:

Pollutant	BPT Effluent Limitations (mg/L)	
	Monthly Average	Daily Maximum
TSS	25	45
pH	6.0 – 9.0 s.u.	

c. BPT Mine Dewatering Limitations

BPT effluent limitations for mine dewatering (Outfalls 001, 002, 008, and 009) are shown in the following table:

Pollutant	BPT Effluent Limitations (mg/L)	
	Monthly Average	Daily Maximum
TSS	25	45
pH	6.0 – 9.0 s.u.	

C. BEST PROFESSIONAL JUDGMENT (BPJ)-BASED LIMITATIONS

The previous permit included the following BPJ-based effluent limitations:

Pollutant	BPT Effluent Limitations (mg/L)	
	Monthly Average	Daily Maximum
Oil and Grease	---	15

These limitations will be retained in the renewed permit.

D. VARIANCES

No request for a variance was received.

V. WATER QUALITY-BASED EFFLUENT LIMITATIONS AND CONDITIONS

A. GENERAL

Section 101 of the Clean Water Act (CWA) states that "... it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited..." A permit containing technology-based permit limitations alone may not adequately protect the quality of a specific receiving stream. Thus, additional water quality-based effluent limitations and/or conditions are considered in the draft permit using narrative and numerical standards contained in the Oklahoma Water Quality Standards (OWQS), as amended (OAC 785:45), and implementation criteria contained in OACs 785:46 and 252:690, promulgated by the Oklahoma Water Resources Board (OWRB) and Department of Environmental Quality (DEQ), respectively. This is to ensure that no point-source discharge results in instream aquatic toxicity, a violation of applicable narrative or numerical State water quality standards, or aquatic bioaccumulation which threatens human health.

B. RECEIVING STREAM DESIGNATED USES AND ANTIDEGRADATION PROVISIONS

1. Receiving Streams

All outfalls discharge to unnamed tributaries of the Blue River (WBID 410600020010_20) in Stream Segment 410600 of the Lower Red River Basin. No outfall is more than one mile upstream of the Blue River. Since the unnamed tributaries are not listed in Appendix A of OAC 785:45, they have the following default beneficial uses in accordance with OAC 785:45-5-3(a)(1):

Fish and Wildlife Propagation/Warm Water Aquatic Community (OAC 785:45-5-12);
Agriculture (OAC 785:45-5-13);
Primary Body Contact Recreation (OAC 785:45-5-16);
Aesthetics (OAC 785:45-5-19); and
Fish Consumption (OAC 785:45-5-20).

The designated beneficial uses of the Blue River are:

Public and Private Water Supply (OAC 785:45-5-10);
Fish and Wildlife Propagation/Warm Water Aquatic Community (OAC 785:45-5-12);
Agriculture (OAC 785:45-5-13);
Primary Body Contact Recreation (OAC 785:45-5-16);
Aesthetics (OAC 785:45-5-19); and
Fish Consumption (OAC 785:45-5-20).

2. Antidegradation Provisions

The Blue River in this segment is designated as a High Quality Water (HQW). It is not designated as an Outstanding Resource Water (ORW) or Sensitive Water Supply (SWS) in Appendix A of the OWQS. Neither is it designated in Table 1 of Appendix B of the OWQS as an area of ecological and/or recreational significance or in Table 2 of Appendix B as an area containing federally-listed endangered species.

Since it is designated as a HQW, the segment of the Blue River to which the facility discharges must be afforded a Tier 2 level of protection against water quality degradation, as described at OAC 785-45-5-25(c)(3) and OAC 785:46-13-4(a). OAC 785:45-5-25(c)(3)(B) states:

> "All waterbodies designated with the limitation indicated by the letters 'HQW' in Appendix A are prohibited from having any new point source discharge(s) of any pollutant or increased load or concentration of specified pollutants from existing point source discharge(s), provided however that new point source discharge(s) or increased load of specified pollutants described in 785:45-5-25(b) may be approved by the permitting authority in those circumstances where the discharger demonstrates to the satisfaction of the permitting authority that the new point source discharge or increased load from an existing source discharge will result in maintaining or improving the level of water quality which exceeds that necessary to support recreation and propagation of fishes, shellfishes, and wildlife of the direct receiving water and downstream waterbodies designated HQW. As specified in 785:45-3-2(b) and (d), no discharge of any pollutant to a water designated HQW may lower existing water quality.

The term "specified pollutants", as used in this context, means:

Oxygen demanding substances (CBOD and/or BOD);
Ammonia nitrogen and/or total organic nitrogen;
Phosphorus;
Total suspended solids; and
Such other substances as may be determined by the OWRB.

C. WATER QUALITY STANDARDS IMPLEMENTATION

1. Water Quality Standards Implementation Process

To achieve the objectives stated in Section V.A above, each pollutant present at measurable levels in the facility's effluent or which has technology-based concentration limitations, for which there is one or more applicable numerical water quality criteria, is screened against the applicable numerical criteria to determine whether the pollutant has reasonable potential (RP) to exceed any of the criteria. The screens are performed in accordance with the OWQS, OWQS implementation criteria in OAC 785:46 and OAC 252:690, and the Continuing Planning Process (CPP) document. In the RP screening process, the 95th percentile effluent concentration, or estimate thereof if the effluent data set is not sufficiently large to determine it directly, is used to compute an instream concentration according to regulatory mixing zone equations defined in OAC 785:46. Calculated instream concentrations are then compared with applicable

criteria to determine whether RP is exhibited for any of the screened pollutants. If RP is exhibited, in accordance with 40 C.F.R. § 122.44(d)(1)(vi) and OAC 252:690, a wasteload allocation and criterion long term average is computed for each applicable criterion. Water quality-based permit limitations are calculated for each pollutant exhibiting RP for all applicable criteria. The most stringent of the resulting monthly average permit limitations is established in the draft permit for each pollutant requiring such limitations.

2. Summary of Regulatory Parameters

Regulatory receiving water flows are established in OAC 785:46. Effluent regulatory flows, as well as regulatory effluent and background pollutant concentrations are established in OAC 252:690, Subchapter 3. Definitions and values for these terms are as follows:

a. Effluent and Upstream Receiving Water Regulatory Flows

$Q_{e(30)}$ High 30-day average effluent flow rate over the two-year period of record. Values of $Q_{e(30)}$ for the various outfalls are described in Section III.B.1.

$Q_{e(LTA)}$ Long term average effluent flow rate over the two-year period of record. Values of $Q_{e(LTA)}$ for the various outfalls are described in Section III.B.1.

$Q_{u(7Q2)}$ Upstream 7Q2 flow rate. This is the annual 7-day, 2-year low flow of the receiving stream. Where streamflow data is published in the USGS publication, Statistical Summaries of Streamflow in and near Oklahoma Through 2007, by Lewis, J.M., and Esralew, R.A., 2009, minor adjustments for known upstream or downstream perennial flows and/or withdrawals, as appropriate, may be utilized to estimate the 7Q2 for a specific location upstream or downstream of the USGS gaging station. Where additional USGS published flow data is available, the 7Q2 may be calculated in accordance with OAC 785:46-1-6. If streamflow is intermittent, if USGS 7Q2 data is not available, or if the applicant has not developed a site-specific 7Q2, a default value of 1 cfs (0.6463 mgd) is assumed.

$Q_{u(LTA)}$ Upstream long-term average flow rate. This is the mean annual flow of the receiving stream. Where streamflow data is published in the USGS publication, Statistical Summaries of Streamflow in and near Oklahoma Through 2007, by Lewis, J.M., and Esralew, R.A., 2009, minor adjustments for known upstream or downstream perennial flows and/or withdrawals, as appropriate, may be utilized to estimate the mean annual flow for a specific location upstream or downstream of the USGS gaging station. If published mean annual flow data is not available, it may be approximated by multiplying the receiving water's drainage area at the point of discharge by the mean annual runoff per unit area published in the CPP. The $Q_{u(LTA)}$ for the Agriculture beneficial use for the yearly mean standard (YMS) shall be the greater of the $Q_{u(LTA)}$ or 1.47 cfs (0.9501 mgd).

$Q_{u(STA)}$ Upstream short-term average flow rate. This flow rate, used only in the sample standard (SS) agriculture screen, is a function of $Q_{u(LTA)}$. The equation is $Q_{u(STA)} = 0.68 \times Q_{u(LTA)}$. The $Q_{u(STA)}$ shall be the greater of the $Q_{u(STA)}$ or 1.0 cfs (0.6463 mgd).

Upstream flow for Outfalls 002 and 007 are established as shown in the following table.

Upstream Regulatory Flows (mgd)

Flowstream	$Q_{u(7Q2)}$	$Q_{u(LTA)}$	$Q_{u(STA)}$
Upstream flow of the unnamed tributary of the Blue River at POD for Outfall 002	0.6463	0.9501 (1)	0.6463 (2)
Upstream flow of the unnamed tributary of the Blue River at POD for Outfall 007	0.6463	0.9501 (1)	0.6463 (2)

(1) $Q_{u(LTA)}$ for the agriculture beneficial use is the greater of the $Q_{u(LTA)}$ or 0.9501 mgd.
(2) $Q_{u(STA)} = 0.68 \times Q_{u(LTA)}$ or 0.6463 mgd, whichever is greater.

b. Flow Dilution Ratios (Q*)

Q* Ratio of effluent flow to stream flow, also known as dilution capacity. The Q* ratios for industrial discharges, as well as their values, are defined in the following table.

Q* Values for Outfalls 002 and 007

Q* Ratio	Corresponding Water Quality Screens	Implementation Reference	Q* Value	
			Outfall 002	Outfall 007
$Q_{e(LTA)}/Q_{u(LTA)}$ (1)	Agriculture/Yearly Mean Standard	OAC 252:690-3-81(1)(A)	8.58857	0.09473
$Q_{e(30)}/Q_{u(STA)}$ (2)	Agriculture/Sample Standard	OAC 252:690-3-81(2)(A)	26.92248	0.55702

(1) $Q_{u(LTA)}$ for the Agriculture/Yearly Mean Standard is the greater of the $Q_{u(LTA)}$ or 0.9501 mgd.
(2) $Q_{u(STA)}$ for the Agriculture/Sample Standard is the greater of the $Q_{u(STA)}$ or 0.6463 mgd.

c. Characterization of Pollutant Effluent Concentrations

C_{mean} Either the geometric mean or arithmetic average of an effluent data set, depending on the nature of the effluent data set. C_{mean} is calculated as a geometric mean if the full effluent data set for a pollutant is available. A full effluent data set is to consist of at least ten data points, and at least five of those data points are measurable. Otherwise, C_{mean} is calculated as an arithmetic average from the available data. Where a data set is unavailable, a long-term average submitted in an application (Form 2C) is assumed to be an arithmetic average (OAC 785:46-9-5(b)). If only one data point is available, it represents C_{mean}.

C_{max} The highest concentration in an effluent data set. If only one data point is available, it represents C_{max}.

C_{95} The 95th percentile effluent concentration of a pollutant for the purpose of assessing whether water quality-based effluent limitations are required for that pollutant. If at least 10 data points are available, at least five of which are measurable, C_{95} is calculated directly from the effluent data set assuming a log-normal distribution according to the following equation:

$$C_{95} = \mathrm{EXP}\left(\ln(x)_{avg} + 1.645 \times s_{\ln(x)}\right)$$

where

- $\ln(x)_{avg}$, represents the arithmetic average of the set of log-transformed data points.

$$\ln(x)_{avg} = \frac{\left[\sum_{i=1}^{N} \ln(x_i)\right]}{N}$$

- $s_{\ln(x)}$, represents the standard deviation of the set of log-transformed data points.

$$s_{\ln(x)} = \sqrt{\frac{N\sum_{i=1}^{N}\left[\ln(x_i)^2\right] - \left[\sum_{i=1}^{N}\ln(x_i)\right]^2}{N(N-1)}}$$

If less than 10 effluent data points are available (N<10), C_{95} must be estimated from the available data according to the following equation:

$$C_{95} = C_{mean} \times 2.135$$

$C_{95(M)}$ The 95th percentile maximum likelihood effluent concentration for purposes of determining whether additional effluent monitoring is required, calculated using the "TSD method." The TSD method is based on the methodology in Section 3.3.2 of Technical Support Document for Water Quality-Based Toxics Control, EPA/505/2-90-001. $C_{95(M)}$ is calculated according to the following equation:

$$C_{95(M)} = C_{max} \times RPF_{95(M)}$$

$RPF_{95(M)}$ $RPF_{95(M)}$ is calculated, assuming a log-normal distribution, according to the following equation:

$$RPF_{95(M)} = \frac{EXP\left[1.645\sqrt{\ln\left(1+CV^2\right)} - 0.5\ln\left(1+CV^2\right)\right]}{EXP\left[z_N\sqrt{\ln\left(1+CV^2\right)} - 0.5\ln\left(1+CV^2\right)\right]}$$

where z_N is the upper k^{th} percentile of the normal distribution, $k = 0.05^{1/N}$ (for the 95% confidence level), and CV is assumed to equal 0.6.

The values of z_N and the resulting value of $RPF_{95(M)}$ for values of N from 1 to 9 are shown in the following table:

N	1	2	3	4	5	6	7	8	9
z_N	-1.645	-0.760	-0.336	-0.068	0.124	0.272	0.390	0.489	0.574
$RPF_{95(M)}$	6.199	3.795	3.000	2.585	2.324	2.141	2.006	1.898	1.811

C_e Effluent concentration. The geometric mean reported on Form 2C. If only one value is available, it will be considered to be the geometric mean. If only average values are available, the arithmetic mean of the average values will be used.

CV Coefficient of variation of a data set. CV is defined as the standard deviation of a data set divided by its arithmetic average, i.e., $CV = s_x/C_{avg}$. Standard deviation of a data set s_x is calculated according to the following equation.

$$s_x = \sqrt{\frac{N\sum_{i=1}^{N}\left(x_i^2\right) - \left(\sum_{i=1}^{N} x_i\right)^2}{N(N-1)}}$$

Where fewer than 10 data points are available, a default CV value of 0.6 is assumed.

C_{mean}, C_{max}, C_{95}, $C_{95(M)}$, and CV Values for Quantifiable Pollutants

Outfall	Effluent Characteristic	No. of data pts (N)	Concentration (mg/L)				Calculated CV (1)
			C_{mean}	C_{95}	C_{max}	$C_{95(M)}$	
002	Total Dissolved Solids	11	243	282	275	--- (2)	0.087
007	Total Dissolved Solids	7	288	616	336	674	---

(1) A coefficent of variation (CV) is calculated only where an effluent data set consists of at least ten data points. At least half of these data points must be measurable. A CV value of 0.6 is otherwise assumed where a data set is of insufficient size or there is an insufficient number of measurable data points to calculate a CV directly (see OAC 252:690-3-7).

(2) Sufficient data points are available with which to calculate summary statistics directly from effluent data set. Thus, determination of C_{max} and $C_{95(M)}$ values is unnecessary.

d. Pollutant Background Concentrations

C_b Upstream or background concentration of a pollutant. Specific data is used where available. Where such data is not available, and in streams where $Q_{u(7Q2)} = 0$ in the absence of known upstream toxicants, background concentrations are assumed to be zero. For the agriculture screens, C_b is computed using the segment average YMS and SS values for the receiving stream segment published in Appendix F to OAC 785:45 according to the following equation: $C_b = 2 \times YMS - SS$. Background levels are described in the following table.

Background Concentrations of Pollutants

Pollutant	No. of Data Pts (N)	Background Conc (C_b) (mg/L)	Data Source
Total Dissolved Solids	---	267	Calculated (1)

(1) Since no site-specific background data is available, background is calculated from segment-averaged YMS and SS criteria in accordance with OAC 252:690-3-16(a). For TDS, $C_b = 2 \times 312 - 357 = 267$.

e. Other Applicable Terminology

$C_{criterion}$ Numerical water quality criterion for a specific pollutant. For some pollutants, aquatic toxicity criteria are pH- or hardness-dependent. In such cases, in accordance with OAC 785:46-5-8, site-specific pH or hardness data, if available, may be used. If site-specific pH or hardness data is not available, the segment averaged pH or hardness from OAC 785:46, Appendix B, is used. Where a specific pollutant screen exhibits reasonable potential, $C_{criterion}$ is used to calculate the wasteload allocation (WLA). Criteria applicable to the discharges from this facility are as follows:

- Fish and wildlife propagation (F&WP) use
  - C_A: Acute toxicity criterion
  - C_C: Chronic toxicity criterion

- Fish consumption use
  - C_{FF}: Human health criterion for the consumption of fish flesh

- Public and private water supply (PPWS) use
  - C_{RAW}: Raw water column criterion
  - C_{FFW}: Human health criterion for the consumption of fish flesh and water

- Agriculture use
  - C_{YMS}: Yearly mean standard
  - C_{SS}: Sample standard

C_d Instream concentration of a specific pollutant, according to the appropriate mixing equation.

D. WATER QUALITY-BASED REQUIREMENTS

1. Criteria for Protection of the Fish and Wildlife Propagation Use

a. DO and DO-Demanding Substances

OAC 785:45-5-12(f)(1) requires that where DO-demanding substances are present in an effluent at significant levels, a WLA must be established according to certain seasonal criteria dependent on the receiving water's aquatic community subcategory. Due to the nature of the wastewater generated at the facility, DO-demanding substances are not expected to be present in significant amounts in the discharge from any outfall. Therefore, no permit limits or monitoring requirements are needed.

b. pH

OAC 785:45-5-12(f)(3) states, "pH values shall be between 6.5 and 9.0 in waters designated for fish and wildlife propagation; unless pH values outside that range are due to natural conditions." This pH range is established in the draft permit.

c. Oil and Grease

OAC 785:45-5-12(f)(4) states, "All waters having the designated beneficial use of any subcategory of fish and wildlife propagation shall be maintained free of oil and grease to prevent a visible sheen of oil or globules of oil or grease on or in the water. Oil and grease shall not be present in quantities that adhere to stream banks and coat bottoms of water courses or which cause deleterious effects to the biota." A narrative (water quality-based) condition prohibiting the discharge of any visible sheen of oil or globules of oil or grease will be included in the draft permit for all outfalls in addition to the BPJ-based numerical limit.

d. Toxicity from Halogenated Oxidants

OAC 785:46-3-1(c) states: "Toxicity from halogens (e.g., chlorine, bromine and bromochloro compounds) will be controlled by dehalogenation rather than WET testing. However, use of dehalogenation shall not exempt an effluent from the WET testing requirements of this chapter." Chapter 2, Part III of the CPP implements this narrative criterion as follows: "The requirement of OAC 785:46-3-1(c) for dehalogenation is typically implemented as "no measureable amount in the effluent." "No measurable amount" is defined by DEQ to be < 0.1 mg/L.

e. Ammonia Toxicity

OAC 252:690-3-20 requires that toxicity-based ammonia limits be compared with technology-based and/or DO-based ammonia limits, where established, for facilities classified as major industrial dischargers. This facility is not a major discharger and does not have technology-based or DO-based ammonia limits. Additionally, based on the nature of the wastewater, ammonia is not expected to be present in significant amounts in the discharge from any outfall.

f. Whole Effluent Toxicity

Sine this facility is a minor discharger, WET testing is not required.

g. Temperature

There is no addition of heat from artificial sources to the water discharged from the facility. Thus, no additional permit action is required.

2. Aquatic Toxicity, Human Health, and Raw Water Column Criteria for Toxic Substances for Protection of the Fish and Wildlife Propagation, Fish Consumption and Public and Private Water Supply Uses

In accordance with OAC 785:45-5-12(f)(6)(A), surface waters of the state shall not exhibit acute toxicity and shall not exhibit chronic toxicity outsite the chronic mixing zone. Based on the permit application, the discharge does not contain toxic substances at levels that could result in acute or chronic toxicity to fish or wildlife.

3. Mineral Constituent Criteria for Protection of the Agriculture Use

a. Criteria and Implementation

Yearly mean standard (YMS) and sample standard (SS) criteria for surface waters designated for the Agriculture use are specified at OAC 785:45-5-13 and Appendix F thereto, and are implemented according to procedures in OAC 785:46, Subchapter 9, OAC 252:690-3-79 through 3-85, and Chapter 3 of the CPP. OAC 785:46-9-2 requires that where segment-averaged YMS and SS values in OAC 785:45, Appendix F, are available and are adequate to represent the receiving stream in question, they be used as the criteria for protection of the Agriculture use. In the absence of site-specific YMS and SS criteria, a mineral constituent's background concentration (C_b) is derived from the basin-wide YMS and SS criteria in OAC 785:45, Appendix F, as follows: $C_b = 2 \times C_{YMS} - C_{SS}$.

The results are shown in the table below.

Background, YMS Criterion and SS Criterion
(concentration expressed in mg/L)

Outfalls	Pollutant	C_b	YMS	SS
002 and 007 [1]	Total Dissolved Solids (TDS)	267	312	357

[1] Criteria and background based on data for USGS monitoring station no. 07332500.

b. Determination of Reasonable Potential and Wasteload Allocation

(1) Reasonable Potential and WLA Equations

OAC 785:46-9-5 defines the reasonable potential equation for a pollutant's instream concentration C_d after complete mixing as follows:

$$C_d = \frac{(C_{95} Q^* + C_b)}{(1 + Q^*)}$$

YMS and SS wasteload allocations are calculated in accordance with OAC 252:690-3-83, as follows:

$$WLA_{YMS} = C_{YMS} + \frac{(C_{YMS} - C_b)}{Q^*}$$

$$WLA_{SS} = C_{SS} + \frac{(C_{SS} - C_b)}{Q^*}$$

(2) Results of Reasonable Potential Screening

Results of the YMS and SS screens for Outfalls 002 and 007, using $Q_{e(30)}$ and $Q_{e(LTA)}$ values in Section III.B.1, $Q_{u(LTA)}$ and $Q_{u(STA)}$ values in Section V.C.2.a, C_{95} values in Section V.C.2.c, and background levels and YMS and SS criteria reflected in Section V.D.3.a, are shown in the following tables. Any required OWQS WLAs are also shown. Where water quality-based permit limitations are required, results are shown in **bold face**.

Results of YMS and SS Reasonable Potential Screens
(concentrations in mg/L unless otherwise specified)

Outfall	Pollutant	Yearly Mean Std				Sample Std			
		C_d	C_{YMS}	$C_d > C_{YMS}$?	WLA_{YMS}	C_d	C_{SS}	$C_d > C_{SS}$?	WLA_{SS}
002	TDS	280	312	No	---	281	357	No	---
007	TDS	297	312	No	---	392	357 (1)	No (1)	---

(1) No RP is shown because the calculated instream concentration does not exceed the default floor TDS criterion of 700 mg/L in accordance with OAC 785:46-9-5(c) and (d).

c. Permit Limitations

Since the discharge through Outfalls 002 and 007 did not demonstrate RP to exceed either YMS or SS criteria, no water quality-based limitations are required to protect the Agriculture use.

4. Protection of the Primary Body Contact Recreation Use and the Public and Private Water Supply Use

As described in Section V.B, the Primary Body Contact Recreation (PBCR) use applies to the unnamed tributaries of the Blue River to which the facility discharges and the Public and Private Water Supply (PPWS) use applies to the Blue River, which the unnamed tributaries discharge to less than 1 mile downstream of the facility's outfalls.

OAC 785:45-5-16(a) states "Primary Body Contact Recreation involves direct body contact with the water where a possibility of ingestion exists. In these cases the water shall not contain chemical, physical or biological substances in concentrations that are irritating to skin or sense organs or are toxic or cause illness upon ingestion by human beings." The draft permit will contain a narrative stating the prohibition of these conditions for all outfalls.

a. E. Coli – Primary Body Contact Recreation

Per information provided in the permit application, the facility does not discharge sanitary wastewater. Therefore, no E. coli limitations are required.

b. Total Coliform – Public and Private Water Supply Use

In accordance with OAC 252:690-3-78, total coliform criteria for protection of the PPWS use are applied where a discharge is within five miles upstream of a public water supply intake or within five miles of such an intake in a lake.

Per information provided in the permit application, the wastewater discharged from the facility does not include sanitary wastewater. Therefore, no total coliform limitations are required.

5. Criteria for Protection of the Aesthetics Use

a. General

Nutrient loading in Oklahoma's surface waters, particularly of phosphorus, has become an area of concern. OAC 785:45-5-9(d) states, "Nutrients from point source discharges or other sources shall not cause excessive growth of periphyton, phytoplankton, or aquatic macrophyte communities which impairs any existing or designated beneficial use." This narrative criteria is echoed in the State's general antidegradation policy as applied to beneficial uses (OAC 785:45-3-2(d)), "No water quality degradation which will interfere with the attainment or maintenance of an existing or designated beneficial use shall be allowed."

b. Nutrient Limitations and Monitoring Requirements

The previous permit for this facility contained no nitrate or phosphorus limits or reporting requirements. The application indicated that neither nitrate or phosphorus is expected to be present in the discharge from any of the outfalls. It is the BPJ of the permit writer that effluent monitoring of nutrients is not warranted at this facility. The draft permit will, however, contain a narrative condition for control of solids to protect the Aesthetics use.

E. MONITORING REQUIREMENTS

1. Effluent Monitoring Requirements

a. General

In accordance with OAC 252:690-3-90, where reasonable potential to exceed an applicable criterion is not exhibited and there are fewer than 10 effluent data points to characterize the effluent, further effluent monitoring may be warranted based on use of the TSD method for computing $C_{95(M)}$ (see Section V.C.2.c). The TSD procedure accounts for the inherent uncertainty in characterizing an effluent distribution from a small data set.

b. Applicability

Water quality-based limitations are required for the following pollutants: None

Effluent data sets comprised of 10 or more data points exist for the following pollutants:

- For Outfall 002: TDS

All other pollutants detectable in the discharge which have state water quality criteria are screened for reasonable potential using $C_{95(M)}$ in place of C_{95} to determine which of them may require additional effluent monitoring. The same reasonable potential equations as described in sections V.D.2 and V.D.3 are used.

c. Results of Reasonable Potential Screening Using $C_{95(M)}$

Where C_d, calculated using $C_{95(M)}$ in place of C_{95}, exceeds an applicable criterion for a pollutant, a short term effluent monitoring requirement (sufficient to collect a minimum of ten data points) is established in the permit for that pollutant in accordance with OAC 252:690-3-90. Reasonable potential may then be reassessed with the larger effluent data set and the permit reopened, if necessary, to add appropriate effluent limitations. Results of the reasonable potential screens using $C_{95(M)}$ are shown in the following tables. Where additional effluent monitoring is required, results are shown in **bold face.**

Results of Agriculture YMS and SS RP Screens for Additional Effluent Monitoring Using $C_{95(M)}$
(concentrations in mg/L unless otherwise specified)

Outfall	Effluent Characteristic	YMS Criteria			SS Criteria		
		C_d	C_{YMS}	$C_d > C_{YMS}$?	C_d	C_{SS}	$C_d > C_{SS}$?
007	Total Dissolved Solids	302	312	No	413	357	No [1]

[1] No RP is shown because the calculated instream concentration does not exceed the default floor TDS criterion of 700 mg/L in accordance with OAC 785:46-9-5(c) and (d).

Based on the results of these reasonable potential screens using $C_{95(M)}$, the draft permit will contain one year effluent monitoring requirements for the following pollutants: None

2. Background Monitoring Requirements

OAC 252:690-3-10 requires that, where available, background levels be included in reasonable potential assessments and in calculating wasteload allocations.

For chloride, sulfate and TDS, where site-specific background data is not available, the background concentration is calculated from historical YMS and SS data in Appendix F of OAC 785:45 (see Section V.D.3). Thus, use of the BT/C ratio is not appropriate for determining whether background monitoring of these three mineral constituents is warranted.

F. 303(d) LIST

The 2020 edition of the state's 303(d) list indicates that the segment of the Blue River that receives the facility's effluent is not listed as impaired. Therefore, no additional limits or monitoring requirements are necessary.

G. ANTIDEGRADATION REQUIREMENTS

As stated in Section V.B, the Blue River in this segment is listed as a High Quality Water (HQW) in Appendix A of the OWQS, and therefore requires a Tier 2 level of protection as described at OAC 785:45-5-25(c)(3) and OAC 785:46-13-4(a). A Tier 2 designation generally prohibits an increase in load of specified pollutants (e.g. TSS, see Section V.B.2 for a full description of Tier 2 requirements) from existing dischargers. Based on the data submitted in the permit application and DMR records, this facility has increased the amount of TSS loading discharged to the receiving streams.

OAC 785:46-13-4(c) states that "Regardless of subsections (a) and (b) [General rules for High Quality Waters and for Sensitve Public and Private Water Supplies, respectively] of this Section, point source discharges of stormwater to waterbodies and watersheds designated "HQW" and "SWS" may be approved by the permitting authority." As the increase in wastewater discharged from this facility is a result of heavy rainfall over the period of record, it is the BPJ of the permit writer that the additional discharge from this facility may be considered stormwater for the purposes of compliance with antidegradation requirements. Therefore, no other requirements are necessary.

H. PROTECTION OF ENDANGERED AND THREATENED SPECIES AND CRITICAL HABITAT

The segment of the Blue River to which the facility discharges is not considered by the U.S. Fish and Wildlife Service (USFWS) to be a sensitive area for endangered or threatened species. Therefore, DEQ has concluded that notification of USFWS is not required, other than through the standard public notice process.

I. 316(B) COOLING WATER INTAKE REQUIREMENTS

This facility does not use cooling water.

VI. NON-DISCHARGE REQUIREMENTS

A. SURFACE IMPOUNDMENTS

Description of Wastewater Treatment/Disposal Surface Impoundments (S.I.s)

Classification OAC 252:616-1-2		Liner Type [2]	Holding Capacity [2] or Dimensions OAC 252:616-7-1(6)	Wastewater Destination
S.I.	Wastewater			
F01	Quarry Pit containing mine dewatering wastewater, process wastewater, and stormwater runoff – Class III [1]	Excavated Soil	111 million gallons ~ 3 ft deep	F02
F02	Quarry Pit containing mine dewatering wastewater, process wastewater, and stormwater runoff – Class III [1]	Excavated Soil	204 million gallons ~ 90 ft deep	Outfall 002
F03	Quarry Pit containing mine dewatering wastewater, process wastewater, and stormwater runoff – Class III [1]	Excavated Soil	33.1 million gallons ~ 60 ft deep	F01
F04 [3]	Quarry Pit containing mine dewatering wastewater, process wastewater, and stormwater runoff – Class III [1]	Excavated Soil	278.6 million gallons ~ 40 ft deep	Reused in process

(1) See next page.
(2) Based on information contained in the application
(3) The previous permit included F04, F05, and T01 on the impoundments list. There are no longer any berms separating these three impoundments, and they are all part of the same quarry pit, so they are being designated as a single impoundment.

Location of Surface Impoundments

S.I.	Legal Location	Relative Location of Impoundments
F01	S½, SW¼, Section 18, Township 2N, Range 5E IM, Pontotoc County, Oklahoma	Approximately 2,200 feet east of the main office
F02	N½, SW¼, SE¼, and S½, NW¼, SE¼, Section 18, Township 2N, Range 5E IM, Pontotoc County, Oklahoma	East of F01
F03	S½, SE¼, SW¼, Section 18, Township 2N, Range 5E IM, Pontotoc County, Oklahoma	South of F01 and F02
F04	S¼, NE¼, Section 13, Township 2N, Range 4E IM, Pontotoc County, Oklahoma	North of the main office

1. **Quarry Pits**

   All impoundments at the facility are quarry pits. Quarry pits are open air mines in which rock, sand, and/or gravel has been excavated from the ground. Quarry pits are not principally constructed to store wastewater, though they are frequently used for wastewater storage and solids settling once mining in the pit has been completed. Some of the requirements in OAC 252:616 are not appropriate for application to quarry pits due to their differences from "normal" impoundments.

   Many of the construction requirements in OAC 252:616-7-1 cannot be feasibly applied to quarry pits. In particular, requirements for side slope, depth to groundwater, and liner type are not feasible to implement. Quarry pits often have steeply sloping, near-vertical sides, directly intersect groundwater, and are too large and irregularly shaped to line. Therefore, requirements pertaining to side slopes, depth to groundwater, and liner type are not applied to the facility's impoundments.

   Closure requirements are also not appropriate for quarry pits as pit closure/reclamation is regulated by the Oklahoma Department of Mines.

2. **Freeboard Requirements (OAC 252:616-7-1(7))**

   A minimum freeboard of 2 feet shall be maintained for surface impoundments F01, F02, F03, and F04.

3. **Wastewater Classification [OAC 252:616-1-2]**

   The wastewater generated from the mining, transport, and processing of silica sand, and from mine dewatering is classified as Class III wastewater based on the characteristics of the wastewater and on the wastewater classification at similar facilities.

4. **Impoundment Maintenance and Operation Plan (IMOP) (OAC 252:616-5-2)**

   For surface impoundments that contain Class I and Class II wastewater, there must be a written Impoundment Maintenance and Operation Plan (IMOP). An IMOP may be required for other wastewater classifications based on site specific information. The IMOP must be followed, updated annually, if necessary, kept on-site, and be available to DEQ.

Although the impoundments contain Class III wastewater, an IMOP will still be required for all impoundments. The IMOP must address all relevant requirements in OAC 252:616-5-2. In particular, the IMOP should discuss:

- Maintaining freeboard;
- Spill prevention and mitigation; and
- General maintenance practices.

The IMOP shall be prepared and submitted to DEQ in accordance with the following compliance schedule:

Task	Date
Prepare an Impoundment Maintenance and Operation Plan (IMOP), and submit the IMOP to the Industrial Permits Section for review and approval.	July 1, 2022

5. Additional Requirements

The permit may be reopened to implement and/or require impoundment modifications, additions, extensions, and/or operational changes; monitoring and reporting; reclassification of wastes; sludge management plans; best management practices; closure plans; and/or other appropriate actions.

B. LAND APPLICATION

The facility does not use land application.

C. SUBSURFACE TANK SYSTEM

Not applicable as stated in the permit application.

VII. DRAFT PERMIT EFFLUENT LIMITATIONS

A. GENERAL

In accordance with 40 C.F.R. §§ 122.44(a), (d) and (l), pollutant limitations and monitoring requirements are established in the draft permit based on the more stringent of technology-based, water quality-based or previous permit requirements. Based on the nature of the discharge, mass loading limits are not established.

B. OUTFALLS 001, 008, and 009

The following are effluent limitations and monitoring requirements for Outfalls 001, 008, and 009.

1. Limited Parameters

Mass Loading Limitations and Reporting Requirements (Outfalls 001, 008, and 009)

Effluent Characteristic	Technology/BPJ Basis		Water Quality Stds Basis		Previous Permit Basis		Draft Permit	
	Monthly Avg	Daily Max	Monthly Avg	Daily Max	Monthly Avg	Daily Max	Monthly Avg	Daily Max
Flow (mgd)	---	---	---	---	Report	Report	Report	Report

Concentration Limitations and Reporting Requirements (Outfalls 001, 008, and 009)

Effluent Characteristic [1]	Technology/BPJ Basis		Water Quality Stds Basis		Previous Permit Basis		Draft Permit	
	Monthly Avg	Daily Max	Monthly Avg	Daily Max	Monthly Avg	Daily Max	Monthly Avg	Daily Max
TSS	25	45	---	---	25	45	25	45
Oil and Grease	---	15	---	---	---	15	---	15
pH (s.u.)	6.0 – 9.0		6.5 – 9.0		6.5 – 9.0		6.5 – 9.0	

[1] Units are mg/L, unless otherwise specified.

2. Monitoring Frequencies and Sample Types

a. Evaluation for Performance-Based Monitoring Frequency Reductions

As there has been no discharge from Outfalls 001, 008, and 009, performance-based monitoring frequency reductions are not applicable.

b. Monitoring Requirements and Sample Types

Based on monitoring requirements in OAC 252:690-3-90 through 3-91, and incorporating the results of the evaluation for performance-based monitoring frequency reductions in Section VII.B.2.a, monitoring requirements for Outfalls 001, 008, and 009 beginning at the effective date of the permit are as follows.

Monitoring Requirements and Sample Types – Outfalls 001, 008, and 009

Effluent Characteristic	Previous OPDES Permit		Draft Permit	
	Msmt Frequency	Sample Type	Msmt Frequency	Sample Type
Flow	1/2 weeks	Estimate	1/2 weeks	Estimate
TSS	1/month	Grab	1/month	Grab
Oil and Grease	1/month	Grab	1/month	Grab
pH	1/month	Grab	1/month	Grab

C. OUTFALLS 002 and 007

The following effluent limitations and monitoring requirements for Outfalls 002 and 007.

1. Limited Parameters

Mass Loading Limitations and Reporting Requirements (Outfalls 002 and 007)

Effluent Characteristic	Technology/BPJ Basis		Water Quality Stds Basis		Previous Permit Basis		Draft Permit	
	Monthly Avg	Daily Max	Monthly Avg	Daily Max	Monthly Avg	Daily Max	Monthly Avg	Daily Max
Flow (mgd)	---	---	---	---	Report	Report	Report	Report

Concentration Limitations and Reporting Requirements (Outfalls 002 and 007)

Effluent Characteristic [1]	Technology/BPJ Basis		Water Quality Stds Basis		Previous Permit Basis		Draft Permit	
	Monthly Avg	Daily Max	Monthly Avg	Daily Max	Monthly Avg	Daily Max	Monthly Avg	Daily Max
TSS	25	45	---	---	25	45	25	45
Oil and Grease	---	15	---	---	---	15	---	15
TDS	---	---	---	---	---	Report	---	---
pH (s.u.)	6.0 – 9.0		6.5 – 9.0		6.5 – 9.0		6.5 – 9.0	

[1] Units are mg/L, unless otherwise specified.

2. Monitoring Frequencies and Sample Types

a. Evaluation for Performance-Based Monitoring Frequency Reductions

Performance-based monitoring frequency reductions and/or increases are evaluated for Outfalls 002 and 007 as follows:

- Flow, pH, and Oil and Grease are not eligible for monitoring frequency reductions because these parameters do not have monthly average limits.
- TSS is not eligible for monitoring frequency reductions as the monitoring frequency for TSS at both outfalls is already 1/month, and OAC 252:690 Appendix I does not allow performance-based monitoring frequency reductions below 1/month.
- Monitoring frequency increases are not applicable because none of the limited parameters demonstrated significant noncompliance during the previous permit term.

b. Monitoring Requirements and Sample Types

Based on monitoring requirements in OAC 252:690-3-90 through 3-91, and incorporating the results of the evaluation for performance-based monitoring frequency reductions in Section VII.B.2.a, monitoring requirements for Outfalls 002 and 007 beginning at the effective date of the permit are as follows.

Monitoring Requirements and Sample Types – Outfalls 002 and 007

Effluent Characteristic	Previous OPDES Permit		Draft Permit	
	Msmt Frequency	Sample Type	Msmt Frequency	Sample Type
Flow	1/2 weeks	Estimate	1/2 weeks	Estimate
TSS	1/month	Grab	1/month	Grab
Oil and Grease	1/month	Grab	1/month	Grab
TDS	1/month	Grab	---	---
pH	1/month	Grab	1/month	Grab

D. BACKGROUND MONITORING (MONITORING POINT 999)

Not applicable.

E. COMPLIANCE SCHEDULE

Not applicable.

VIII. SUMMARY OF CHANGES FROM PREVIOUS PERMIT

The following changes were made in the draft permit relative to the previous OPDES permit.

- Impoundment T01 changed to F04.

IX. ADMINISTRATIVE RECORD

The following sources were used to prepare the draft permit and constitute a part of its administrative record.

A. APPLICATIONS

OPDES Permit Application No. OK0040291, received 6/8/21.
Permit modification request received 3/31/22.

B. CLEAN WATER ACT CITATIONS

Sections 301, 303(d), 305(b), 402(a) and 402(o).

C. 40 C.F.R. CITATIONS

40 C.F.R. Parts 122, 124, 136, and 436.

D. STATE LAW, STANDARDS, AND RULES AND REGULATIONS

- Oklahoma Pollutant Discharge Elimination System (OPDES) Act, 27A O.S. §2-6-201 *et seq.*
- OAC 252:606, Discharge Standards (DEQ).
- OAC 252:616, Surface Impoundment Standards (DEQ).
- OAC 252:690, Water Quality Standards Implementation (DEQ).
- OAC 785:45, Oklahoma Water Quality Standards (OWRB).
- OAC 785:46, OWQS Implementation (OWRB).
- Oklahoma Continuing Planning Process (CPP) Document (DEQ).

E. MISCELLANEOUS

- 2020 Integrated Report, Appendix C (303(d) List) and Appendix E (completed TMDL's).
- Permit file, OPDES Permit No. OK0040291.
- Integrated Compliance Information System (ICIS) data retrieval, May 2019 through April 2021.

X. REVIEW BY OTHER AGENCIES AND FINAL DETERMINATION

A public notice which includes a link to the DEQ webpage where the draft permit may be viewed will be sent to various Federal and State agencies upon posting the draft permit on the DEQ webpage. If comments are received from these agencies or other State or Federal agencies with jurisdiction over fish, wildlife, or public health, the permit may be denied or additional conditions may be included in accordance with regulations promulgated at 40 C.F.R. § 124.59.

The public notice describes the procedures for the formulation of final determinations.

SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

Covia Holdings Corporation
Mr. Miguel Reyes
Jose Benitez 2728, Obispado
Monterrey, NL, Mexico 64060

SUBJECT: Evaluation of Permit Application No. **99-087-O (M-5)**
Roff Plant (SIC 1446/NAICS 212322)
Facility ID: 1958
Physical Address: 600 E. Walling Avenue, Roff, Oklahoma, 74865

Dear Mr. Reyes:

Enclosed is the modified permit authorizing operation of the referenced facility. Please note that this permit is issued subject to standard and specific conditions that are attached. These conditions must be carefully followed since they define the limits of the permit and will be confirmed by periodic inspections.

Also note that you are required to annually submit an emissions inventory for this facility. An emissions inventory must be completed through DEQ's electronic reporting system by April 1st of every year. Any questions concerning the submittal process should be referred to the Emissions Inventory Staff at (405) 702-4100.

Thank you for your cooperation in this matter. If we may be of further service, please contact me at (405) 702-4194.

Sincerely,

William Fulk, E.I.
Existing Source Permits Section
AIR QUALITY DIVISION

RECEIVED
AUG 12 2025
DEPT. OF MINES

Enclosures

PERMIT

AIR QUALITY DIVISION
STATE OF OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
707 N. ROBINSON, SUITE 4100
P.O. BOX 1677
OKLAHOMA CITY, OKLAHOMA 73101-1677

Permit No. 99-087-O (M-5)

Covia Holdings Corporation,

having complied with the requirements of the law, is hereby granted permission to operate the Roff mineral processing facility located at Section 18, Township 2N, Range 5E, Pontotoc County, Oklahoma, subject to standard conditions dated February 13, 2020, and specific conditions, both attached.

Lee Warden

Lee Warden, P.E.
Permits and Engineering Group Manager

March 25, 2021

Date

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MEMORANDUM **March 25, 2021**

TO: Lee Warden, P.E., Permits and Engineering Group Manager

THROUGH: Richard Kienlen, P.E., Engineering Manager, New Source Permits Section

THROUGH: Morgan McGrath, P.E., Engr. Section, Regional Office at Tulsa (ROAT)

FROM: William Fulk, E.I., Existing Source Permits Section

SUBJECT: Evaluation of Permit Application No. **99-087-O (M-5)**
Covia Holdings Corporation
Roff Plant (SIC 1446/NAICS 212322)
AQD Facility ID No. 1958
Latitude: 34.63682°, Longitude: -96.83435°
Section 18, Township 2N, Range 4E and 5E, Pontotoc County, Oklahoma
Physical Address: 600 E. Walling Avenue, Roff, Oklahoma, 74865
Located in City of Roff incorporated limits.

SECTION I. INTRODUCTION

Covia Holdings Corporation (Covia) has applied for a modified operating permit to add two (2) screens (VS-414 and VS-415) to their Roff Facility. A construction permit has not been triggered for this project based on the criteria specified in OAC 252:100-7-15(a)(2).

SECTION II. PROCESS DESCRIPTION

The processing line equipment for the whole facility includes a dual fuel (natural gas and propane) dryer, twelve belt conveyors, two truck scales, eleven bucket elevators, two belt feeders, three chutes, three hoppers, two slurry tanks, a drainage stockpile area, one oversize product pile, a railcar and two truck loadouts, fifteen silo bins, three feeders, sixteen vibrating screens and many suction pumps and sumps. Electricity powers all processing line equipment. The facility also has one gasoline storage tank, and used lube oil storage tanks.

High quality silica sand is loaded and hauled from a pit (in a loosely consolidated formation) to a stockpile where it is hydraulically slurried. Via suction pump, the slurry is transported to a vibrating screen to remove oversized materials. From the initial screen, the undersize particles are pumped to a tank bin and then to secondary vibrating screens. Undersize particles from the secondary screens are directed to a wet process that cleans the sand. The undersize particles from the cyclone separator are directed to three cyclones (CY-04, CY-05 and CY-06) which discharge to the drain pile. The belt conveyor also receives drainage pile material via front-end loader, hopper, feeder and belt conveyor. The drained material is conveyed into a 40-MMBTUH dual-fuel dryer. The dried material is then

conveyed by a bucket elevator to a silo for subsequent screening, or to a belt conveyor which can also feed the screens or tanker truck loading area. Oversized particles from the screens are discharged into an oversize product pile, while the undersize particles are conveyed by bucket elevators to a silo for recirculation through the screens or to other silos and bucket elevator for subsequent railcar and/or tanker truck loadouts. Loads intended for rail transport are weighed and conveyed to a hopper feeding enclosed railcars from a bucket elevator. Product intended for truck transport is conveyed via belt conveyor/bucket elevator to truck loadout silos.

The dryer has a low-NO_X Kinedizer burner and is subject to the requirements of 40 CFR Part 60, Subpart UUU. Three high-efficiency wet scrubbers are in use: a Sly ImpinJet 2120 (WS-301) at the dryer; a Sly ImpinJet 270 (WS-401) at the screen house; and a Sly ImpinJet 140 (WS-501) at the truck loadout.

SECTION III. EQUIPMENT

The following is a list of current equipment.

Facility Equipment and Controls

ID#	Source Description[1]	Maximum Capacity (TPY)	Particulate Control Device/Activity	
			ID#	Description
DR-301	Fluid Bed Dryer	1,752,000	WS-301	Wet scrubber
BC-02, -03	Conveyor belt	1,752,000	--	> 1.5% H_2O
BC-04	Conveyor belt	1,752,000	DC-02	Cartridge dust collector
BC-06	Conveyor belt	1,752,000	--	> 1.5% H_2O
SE-02	Conveyor belt	876,000	DC-02	Cartridge dust collector
BC-301	Conveyor belt	1,752,000	---	> 1.5% H_2O
BC-302	Weigh Feeder	1,752,000	---	> 1.5% H_2O
BF-01	Belt Feeder	1,752,000	--	> 1.5% H_2O
BC-401	Conveyor belt	1,752,000	WS-401	Wet scrubber
BC-402				
BC-403				
BC-501		1,752,000	WS-501	Wet scrubber
BC-502		1,752,000	DC-02	Cartridge dust collector
BC-1601		1,752,000	DC-1601	Cartridge dust collector
BE-01	Bucket elevator	1,752,000	WS-01	Wet scrubber
BE-02 thru BE-04	Bucket elevator	1,138,316	DC-02	Cartridge dust collector
BE-401 thru BE-404		1,752,000	WS-401	Wet scrubber
BE-501		1,752,000	WS-501	Wet scrubber
BE-502		1,752,000	DC-02	Cartridge dust collector
BN-301	Storage/Feed bin	1,752,000	---	> 1.5% H_2O
BN-401		1,752,000	WS-401	Wet scrubber
BN-402 thru BN-407		1,752,000		
BN-501 thru BN-504		438,000	WS-501	Wet scrubber
CH-01	Chute (SI-01 to BE-04)	1,752,000	0	Cartridge dust collector
CH-02	Chute (SI-02 to BE-04, 05)	1,752,000		
CH-03	Chute (SI-02, SI-03 to BE-03)	1,752,000		
HO-01, -02	Hopper	1,752,000	---	> 1.5% H_2O

ID#	Source Description[1]	Maximum Capacity (TPY)	Particulate Control Device/Activity	
			ID#	Description
HO-03	Railcar loading hopper	876,000	DC-02	Cartridge dust collector
CO-01	Sand Cooler	876,000	--	Covered
TA-03	Storage Tank	1,752,000	--	> 1.5% H_2O
LS-01	Rail loadout	876,000	--	Covered
LS-02	Truck loadout	876,000	DC-02	Cartridge dust collector
LS-501, 502	Truck loadout bin	1,752,000	WS-501	Wet scrubber
SI-01 thru SI-04	Silo bin	1,138,316	DC-02	Cartridge dust collector
Drainage Stockpile	Stockpile	1,752,000	--	> 1.5% H_2O
Oversize Stockpile		1,752,000	--	> 1.5% H_2O
FE-01, -02, -03	Feeders	1,752,000	--	> 1.5% H_2O
VS-04 thru VS-07	Vibrating screens	584,000	DC-02	Cartridge dust collector
VS-401 thru VS-406		292,000	WS-401	Wet scrubber
VS-407 thru VS-409		584,000		
VS-410 thru VS-411		350,400		
VS-414 thru VS-415[2]		105,120		

[1]When a range of equipment (multiple units) is written in the table, the corresponding maximum capacity is for each unit, not a total for the range of units.
[2]Bold font indicates new equipment.

SECTION IV. EMISSIONS

$$\textbf{Emissions (tpy)} = E \times (1 - \eta/100) \times Q_T / 2{,}000$$

where,

E^a = emission factor (lb-emissions/ton-product)
η = control efficiency (%)
Q_T = throughput tonnage (tons/year)
[a] – Emission factors were obtained from AP-42 or engineering calculations.

Criteria Pollutants

The predominant pollutant emitted at the facility is PM. To a lesser degree, nitrogen and sulfur oxides are emitted from the combustion of natural gas and/or propane for drying silica sand. PM emissions are primarily from vehicle travel, and to a lesser degree, from sand processing and other handling activities. Uncontrolled emissions from wet mining and handling of wet or moist (slurry) materials are considered negligible per AP-42 (8/04) Section 11.19.1.2. Due to the very low vapor pressure of used lube-oil, and the low turnover of gasoline (10,000 gallons/yr in a 550-gallon tank), VOC emissions from storage tanks are negligible.

The controlled and uncontrolled PM_{10} emissions for the process (other than drying) are from AP-42 (8/04) Section 11.19.2-2: Crushed Stone Processing. The controlled PM (including non-fuel combustion) emission factor used for rotary dryers is from AP-42 (11/95) Table 11.19.1-1: Sand and Gravel Processing. Wet scrubbers are used for controlling process line particulate emissions. Other than the wet scrubber controlling dryers' dust exhaust (with an equivalent efficiency of 99%),

a controlled emission factor was not provided for the remaining process line sources in AP-42. Therefore, controlled emissions were determined by using the uncontrolled PM_{10} emission factor and typical control efficiency from AP-42 (1/95) Table B.2-3; Typical Collection Efficiencies of Various Particulate Control Devices and particle size distribution as per sieve analysis of feed stock material.

Process PM_{10} Emissions

ID#	Equipment and/or Activity[1]	Control Equipment	Maximum throughput	Uncontrolled Emission Factor	Control Efficiency	Emissions	
			TPY	lb/ton	(%)	lb/hr	TPY
DR-301	Fluid Bed Dryer	WS-301	1,752,000	0.76	99	1.52	6.66
BC-02, -03	Conveyor belt	damp material	1,752,000	0.000046	---	0.02	0.08
BC-04		DC-02	1,752,000	0.0011	99.9	0.00	0.00
BC-06		damp material	1,752,000	0.000046	---	0.01	0.04
BC-301		damp material	876,000	0.0000484	---	0.01	0.04
BC-302		damp material	1,752,000	0.0000484	---	0.01	0.04
BC-401 thru BC-403		WS-401	1,752,000	0.0011	99	0.00	0.02
BC-501		WS-501	1,752,000	0.0011	99	0.00	0.01
BC-502		DC-02	1,752,000	0.0011	99.9	0.00	0.00
SE-02		DC-02	--	0.0011	99.9	0.00	0.00
BF-01		damp material	--	0.000046	--	0.01	0.04
BC-1601		DC-1601	1,752,000	0.0011	99.9	0.00	0.001
BE-01	Bucket elevator	WS-01	1,752,000	0.0011	98.5	0.00	0.01
BE-02 thru BE-04		DC-02	1,752,000	0.0011	99.9	0.00	0.00
BE-401 thru BE-404		WS-401	1,752,000	0.0011	99	0.01	0.04
BE-501		WS-401	1,138,316	0.0011	99	0.00	0.01
BE-502		DC-02	1,752,000	0.0011	99.9	0.00	0.00
BN-301	Storage/Feed bin	damp material	1,752,000	0.000206	---	0.04	0.18
BN-401 thru BN-404		WS-401	1,752,000	0.0024	99	0.01	0.05
BN-405		WS-401	1,752,000	0.0024	99	0.00	0.01
BN-406		WS-401	1,752,000	0.0024	99	0.00	0.01
BN-407		WS-401	1,752,000	0.0024	99	0.00	0.01
BN-501 thru BN-504		WS-501	438,000	0.0024	99	0.00	0.02
CH-01 thru CH-03	Chute	DC-02	1,752,000	0.0011	99.9	0.00	0.00
HO-01, -02	Hopper	damp material	1,752,000	0.000046	---	0.02	0.08
HO-03		DC-01	1,752,000	0.0011	99.9	0.00	0.00
CO-01		covered	1,752,000	0.0011	50	0.06	0.24

ID#	Equipment and/or Activity[1]	Control Equipment	Maximum throughput	Uncontrolled Emission Factor	Control Efficiency	Emissions	
			TPY	lb/ton	(%)	lb/hr	TPY
TA-03		damp material	876,000	0.000046	--	0.01	0.04
LS-01	Rail loadout	covered	876,000	0.0024	50	0.12	0.53
LS-02	Truck loadout	DC-02	1,752,000	0.0024	99.9	0.00	0.00
LS-501	Truck loadout	WS-501	876,000	0.0024	99	0.00	0.02
LS-502		WS-501	876,000	0.0024	99	0.00	0.02
SI-01 thru SI-04	Silo bins	DC-02	1,752,000	0.0024	99.9	0.00	0.00
Drainage Stockpiles	Stockpiles	damp material	1,138,316	6.3	50	0.13	0.57
Oversize Stockpile		damp material	1,752,000	6.3	50	0.11	0.46
FE-01 thru FE-03	Feeders	damp material	1,752,000	0.000046	--	0.03	0.12
VS-04 thru VS-07	Vibrating Screens	DC-02	1,752,000	0.009	99.9	0.00	0.01
VS-401 thru VS-411		WS-401	584,000	0.009	99	0.04	0.19
VS-414 thru VS-415[2]			292,000	0.009	99	0.00	0.01
Total						**2.19**	**9.59**

[1]When a range of equipment (multiple units) is written in the table, the corresponding maximum capacity is for each unit, not a total for the range of units.
[2]Bold font indicates new equipment.

Fugitive dust emissions include particulate emissions from continuous drop operations of material to stockpiles, vehicle traffic on unpaved roads, and wind erosion of stockpiles.

Raw material is delivered to the process in slurry form while product is transported off-site via truck and railcar. The haul roads are graveled with granite rock. Calculation of particulate emissions from vehicle traffic on unpaved road is based on the emission factor of AP-42 (1/95), Section 13.2.2.2, Eqn. (1):

$$E = k[(s/12)^{0.8}(W/3)^{0.4}/(M/0.2)^{0.3}] \times [(365 - p)/365]$$

Parameter	Description	Unit	Product
k	Particle size multiplier	--	2.6[1]
s	Silt content of road material	%	4.8[2]
W	mean vehicle weight	Tons/vehicle	27.5
M	Surface material moisture content	%	10[2]
p	Number of days with at least 0.01 of precipitation per day	Days	85[2]
E	Emission Factor	lbs/VMT[3]	0.719

[1] for PM_{10} [2] mean values as per AP-42 [3] vehicle miles traveled

Total PM_{10} Fugitive Emissions

Process	Uncontrolled Emission Factor	Parameters	Control Efficiency	Emissions	
				lb/hr	TPY
Drainage stockpiling	Negligible[1]	1,752,000 TPY	---	---	---
Oversize stockpiling	Negligible[2]	1,752,000 TPY	---	---	---
Plant road traffic	0.719 lbs/VMT	159,082 VMT[3]	---	13.06	57.2
Stockpile wind erosion:					
Drainage Stockpile No.1	Negligible[1]	3.00 acres	---	---	---
Drainage Stockpile No.2	Negligible[1]	3.00 acres	---	---	---
Oversize Stockpile	Negligible[2]	1.00 acres	---	---	---
Total PM_{10}				**13.06**	**57.2**

[1]Negligible as per AP-42 (11/95) Section 11.19.1.2; for wet and moist materials. Drainage piles are continuously recharged with moist material.
[2]Negligible since oversize material has been washed free of fines prior to stockpiling.
[3]VMT_{Plant} = (1,752,000 tons/yr production)(1 truck load/25 tons production)(2.27 miles roundtrip/truck load).
Note: Passenger vehicle traffic not considered since listed as insignificant (unpaved roads).

Combustion emissions for the existing equipment were determined for use with either natural gas or propane by the dual fuel burner/dryer.

Natural gas combustion emissions are based on uncontrolled emission factors from AP-42 Table 1.4-1 (2/98) for natural gas fired boilers < 100 MMBTUH, 400 MMSCF/yr of fuel input with an average natural gas higher heating value of 1,020 Btu/scf, and 8,760 hrs/yr of operation. Propane combustion emissions are based on uncontrolled emission factors from AP-42 Table 1.5-1 (10/96) for propane fired boilers < 100 MMBTUH, 3,000,000 gal/yr of fuel input with a typical heating value of 90,500 Btu/gal, 8,760 hrs/yr of operation, and sulfur content 0.002%.

Burner Emissions

ID#	Fuel	Rating (MMBTUH)	Combustion Emissions									
			NO_x		VOC		CO		SO_2		PM_{10}	
			lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
DR-301	Natural Gas	40	4.60	20.0	0.30	1. 10	3.80	16.80	0.005	0.022	0.003	0.015
	Propane		6.51	28.5	0.17	0.75	1.10	4.80	0.00	0.00	0.002	0.009

Facility-Wide Emission Summary

Source Type	NO_x		VOC		CO		SO_2		PM_{10}	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
Process Equipment	---	---	---	---	---	---	---	---	---	9.59
Fugitives[1]	---	---	---	---	---	---	---	---	---	57.20
Fuel Combustion[2]	6.51	28.5	0.30	1.10	3.80	16.80	0.004	0.017	0.003	0.015
Total	**6.85**	**30.0**	**0.30**	**1.10**	**3.80**	**16.80**	**3.60**	**15.75**	**---**	**66.82**
99-087-O (M-4) Total	6.85	30.0	0.30	1.10	3.80	16.80	3.60	15.75		66.81
Change	0	0	0	0	0	0	0	0	0	0.01

[1] Per OAC 252:100-8-1.7. Fugitives emissions of stationary source shall not being considered in determining whether it is a major source and it not part of one of the exception categories.
[2] Based on the higher emissions using natural gas or propane.

SECTION V. OKLAHOMA AIR POLLUTION CONTROL RULES

OAC 252:100-1 (General Provisions) [Applicable]
Subchapter 1 includes definitions but there are no regulatory requirements.

OAC 252:100-2 (Incorporation by Reference) [Applicable]
This subchapter incorporates by reference applicable provisions of Title 40 of the Code of Federal Regulations listed in OAC 252:100, Appendix Q. These requirements are addressed in the "Federal Regulations" section.

OAC 252:100-3 (Air Quality Standards and Increments) [Applicable]
Subchapter 3 enumerates the primary and secondary ambient air quality standards and the significant deterioration increments. At this time, all of Oklahoma is in "attainment" of these standards.

OAC 252:100-5 (Registration, Emission Inventory, and Annual Fees) [Applicable]
The owner or operator of any facility that is a source of air emissions shall submit a complete emission inventory annually electronically obtained from the Air Quality Division. An emission inventory was submitted and fees paid for previous years as required.

OAC 252:100-7 (Permits for Minor Sources) [Applicable]
Subchapter 7 sets forth the permit application fees and the basic substantive requirements of permits for minor facilities. Since criteria pollutant emissions will be less than 100 TPY for each pollutant, and emissions of Hazardous Air Pollutants (HAP) will not exceed 10 TPY for any one HAP or 25 TPY for any aggregate of HAP, the facility is defined as a minor source. As such, BACT is not required.

OAC 252:100-9 (Excess Emissions Reporting Requirements) [Applicable]
Except as provided in OAC 252:100-9-7(a)(1), the owner or operator of a source of excess emissions shall notify the Director as soon as possible but no later than 4:30 p.m. the following working day of the first occurrence of excess emissions in each excess emission event. No later than thirty (30) calendar days after the start of any excess emission event, the owner or operator of an air contaminant source from which excess emissions have occurred shall submit a report for each excess emission event describing the extent of the event and the actions taken by the owner or operator of the facility in response to this event. Request for mitigation, as described in OAC 252:100-9-8, shall be included in the excess emission event report. Additional reporting may be required in the case of ongoing emission events and in the case of excess emissions reporting required by 40 CFR Parts 60, 61, or 63.

OAC 252:100-13 (Open Burning) [Applicable]
Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in this subchapter.

OAC 252:100-19 (Particulate Matter From Fuel-burning Equipment) [Applicable]
Section 19-4 regulates emissions of PM from new and existing fuel-burning equipment, with emission limits based on maximum design heat input rating. Fuel-burning equipment is defined in OAC

252:100-19 as any internal combustion engine or gas turbine, or other combustion device used to convert the combustion of fuel into usable energy. Appendix C specifies a PM emission limitation using the following equation $E=1.0428080X^{-0.238561}$ for all equipment at this facility with a heat input rating of in between 10 MMBTUH 1,000 MMBTUH. Thus, the following table lists all equipment items, their individual limits, and expected emissions.

Equipment	Maximum Heat Input (MMBTUH)	Appendix C Emission Limit (lbs/MMBTU)	Potential Emission Rate (lbs/MMBTU)
DR-301	40	0.43	0.01

Section 19-12 limits particulate emissions from new and existing fuel-burning equipment and/or any emission point in an industrial process based on process weight rate, as specified in Appendix G.

The emission rate in pounds per hour (E) is not to exceed the rate calculated using the process weight rate in tons per hour (P). For process rates above 60,000 lb/hr, the formula in appendix G is $E = 55*P^{(0.11)} - 40$. Based on a process weight rate of 200 TPH for the operations other than raw materials receipt, the allowable emissions rate is 58.5 lb/hr per emission point. Each emission point is in compliance with its respective Appendix G allowable emission rate, as long as controls are utilized and continuous compliance with the control device (via monitoring) is demonstrated.

OAC 252:100-25 (Visible Emissions and Particulates) [Applicable]
No discharge of greater than 20% opacity is allowed except for short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. Per Section 25-3(a), any unit subject to an opacity limit promulgated under Section 111 of the Federal Clean Air Act is exempt from Subchapter 25; the dryer is subject to Subpart UUU. The permit will include throughput limitations and implementation and proper maintenance of controls to ensure that the source remains in compliance with this subchapter.

OAC 252:100-29 (Fugitive Dust) [Applicable]
No person shall cause or permit the discharge of any visible fugitive dust emissions beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. The permit will include throughput limitations and implementation and proper maintenance of controls to ensure that the source remains in compliance with this subchapter.

OAC 252:100-31 (Sulfur Compounds) [Applicable]
Part 2 limits the ambient air concentration of hydrogen sulfide (H_2S) emissions from any facility to 0.2 ppmv (24-hour average) at standard conditions which is equivalent to 283 $\mu g/m^3$. Fuel-burning equipment fired with natural gas with a sulfur content of less than 4 ppmv will not have the potential to exceed the H_2S ambient air concentration limit.
Part 5 limits sulfur dioxide emissions from new equipment (constructed after July 1, 1972). For gaseous fuels the limit is 0.2 lb/MMBTU heat input based on a 3 hour average. For natural gas having a gross calorific value of 1,020 BTU/SCF, this limit corresponds to a fuel sulfur content of

1,185 ppmv. The only combustion sources at this facility are all fired on commercially available pipeline natural gas. "Pipeline natural gas" is defined in Part 72 as having 0.5 grains TRS/100-SCF, which corresponds to a fuel sulfur content below the fuel sulfur content derived from the standard. The potential propane use is expected to have a fuel sulfur content even lower and therefore no sulfur emissions are expected from its use. Therefore, there is no need to impose a fuel sulfur monitoring condition for this facility provided it continues to use commercially available pipeline natural gas and/or propane.

OAC 252:100-33 (Nitrogen Oxides) [Not Applicable]
This subchapter limits new gas-fired fuel-burning equipment with rated heat input greater than or equal to 50 MMBTUH to emissions of 0.2 lb of NOx per MMBTU, three-hour average. The facility includes no equipment items that exceed the 50 MMBTUH threshold.

OAC 252:100-35 (Carbon Monoxide) [Not Applicable]
This facility has none of the affected sources: foundry cupola, blast furnace, basic oxygen furnace, catalytic cracking unit, or other petroleum or natural gas process.

OAC 252:100-37 (Volatile Organic Compounds) [Applicable]
Part 3 requires storage tanks constructed after December 28, 1974, with a capacity between 400 and 40,000 gallons holding an organic liquid with a true vapor pressure greater than 1.5 psia to be operated with a submerged fill pipe. The gasoline storage tank being 550 gallons is subject.
Part 5 limits the VOC content of coatings used in coating lines or operations. This facility does not normally conduct coating or painting operations except for routine maintenance of the facility and equipment which is exempt.
Part 7 requires fuel-burning equipment to be operated and maintained so as to minimize emissions. Temperature and available air must be sufficient to provide essentially complete combustion. The permit will require compliance.

OAC 252:100-42 (Toxic Air Contaminants (TAC)) [Applicable]
This subchapter regulates toxic air contaminants (TAC) that are emitted into the ambient air in areas of concern (AOC). Any work practice, material substitution, or control equipment required by the Department prior to June 11, 2004, to control a TAC, shall be retained, unless a modification is approved by the Director. Since no AOC has been designated there are no specific requirements for this facility at this time.

OAC 252:100-43 (Testing, Monitoring, and Recordkeeping) [Applicable]
This subchapter provides general requirements for testing, monitoring and recordkeeping and applies to any testing, monitoring or recordkeeping activity conducted at any stationary source. To determine compliance with emissions limitations or standards, the Air Quality Director may require the owner or operator of any source in the state of Oklahoma to install, maintain and operate monitoring equipment or to conduct tests, including stack tests, of the air contaminant source. All required testing must be conducted by methods approved by the Air Quality Director and under the direction of qualified personnel. A notice-of-intent to test and a testing protocol shall be submitted to Air Quality at least 30 days prior to any EPA Reference Method stack tests. Emissions and other data required to demonstrate compliance with any federal or state emission limit or standard, or any requirement set forth in a valid permit shall be recorded, maintained, and

submitted as required by this subchapter, an applicable rule, or permit requirement. Data from any required testing or monitoring not conducted in accordance with the provisions of this subchapter shall be considered invalid. Nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

SECTION VI. FEDERAL REGULATIONS

NSPS, 40 CFR Part 60 [Subpart UUU Applicable]

NSPS Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels. This subpart regulates storage vessels with a capacity greater than or equal to 75 m^3 (19,824 gallons) that are used to store volatile organic liquids for which construction, reconstruction, or modification is commenced after July 23, 1984. All on-site storage tanks were constructed in 1991 and are less than 19,824 gallons. Therefore, this subpart does not apply.

Subpart OOO (Non-Metallic Minerals Processing Plants) applies to non-metallic minerals processing operations having a grinder and/or crushing unit. Per 60.670(a)(2), this subpart does not apply to the following operations: All facilities located in underground mines; plants without crushers or grinding mills aboveground; and wet material processing operations (as defined in §60.671). This facility does not grind or crush; therefore, this subpart is not applicable to this facility.

Subpart UUU (Calciners and Dryers in Mineral Industries) affects calciners and dryers which commenced construction, reconstruction, or modification after April 23, 1986. The fluid bed dryer is subject to the standards of Subpart UUU. Per §60.732 Each owner or operator of any affected facility that is subject to the requirements of this subpart shall comply with the emission limitations set forth in this section on and after the date on which the initial performance test required by §60.8 is completed, but not later than 180 days after the initial startup, whichever date comes first. No emissions shall be discharged into the atmosphere from any affected facility that:

(a) Contains particulate matter in excess of 0.092 gram per dry standard cubic meter (g/dscm) [0.040 grain per dry standard cubic foot (gr/dscf)] for calciners and for calciners and dryers installed in series and in excess of 0.057 g/dscm (0.025 gr/dscf) for dryers; and

(b) Exhibits greater than 10 percent opacity, unless the emissions are discharged from an affected facility using a wet scrubbing control device.

This facility is utilizing a wet scrubber control device on the dryer. Per §60.732(b), the unit appears to not be subject to the opacity standard under this subpart but is subject to the particulate emission limitation of 0.025 gr/dscf (outlet concentration).

NESHAP, 40 CFR Part 61 [Not Applicable]

There will be no emissions of the pollutants subject to regulation under 40 CFR 61 except benzene from the diesel storage tank. Subpart J affects process streams which contain more than 10% benzene by weight. Benzene is present in lesser amounts in gasoline.

NESHAP, 40 CFR Part 63 [Subpart CCCCCC Applicable]

No MACTs are promulgated under 40 CFR Part 63 for non-metallic minerals processing.

Subpart DDDDD, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters at major sources of HAPs. Because this facility is an area source, this subpart does not apply.
Subpart CCCCCC. National Emission Standards for Hazardous Air Pollutants for Area Source Gasoline Dispensing Facilities. The 550-gal gasoline storage tank is subject to the requirements of this subpart as an existing source with an initial compliance date of January 10, 2011. Per the last inspection, the storage tank was in compliance with this subpart.
Subpart JJJJJJ, Industrial, Commercial, and Institutional Boilers. This subpart affects new and existing boilers located at area sources of HAP, except for gas-fired boilers. Boiler means an enclosed device using controlled flame combustion in which water is heated to recover thermal energy in the form of steam or hot water. There are no boilers located at this facility.

SECTION VII. COMPLIANCE

Tier Classification and Public Review

This application has been classified as **Tier I** based on the request for a modified operating permit for a synthetic minor source. Information on all permit actions is available for review by the public in the Air Quality Section of the DEQ web page: *www.deq.ok.gov.*

The applicant submitted an affidavit that they are not seeking a permit for land use or for any operation upon land owned by others without their knowledge. The affidavit certifies that the applicant owns the real property.

Inspection

On August 31, 2012, an unannounced full compliance evaluation ("FCE") was conducted at the Covia Holdings Corporation Roff Plant. Alex McCumber and Preston Loving, Environmental Programs Specialists, conducted the evaluation for the Air Quality Division of the Oklahoma Department of Environmental Quality. Don Russell, Plant Manager and Joe Rhea, Plant Superintendent, represented Covia. An issue related to a fuel storage tank not having a submerged fill pipe was noted. A subsequent Enforcement case has been closed.

The nature of the changes authorized in this permit is such that a new inspection at this time has been deemed unnecessary.

Performance Testing

The dryer wet scrubber stack was tested on March 19 and 20, 2008, by METCO Environmental to determine the concentrations of particulate matter being emitted to the atmosphere in order to comply with 40 CFR, Part 60, Subpart UUU. The standards of Subpart UUU: no emissions shall be discharged into the atmosphere from any affected facility that contains particulate matter in excess of 0.025-gr/DSCF. Test results show the dryer emissions to be well below the standard.

Fee Paid

The fee of $750 for a modified minor source operating permit fee has been paid.

SUMMARY

The facility is constructed as described in the application. Ambient air quality standards are not threatened at the site. There are no active Compliance or Enforcement Air Quality issues concerning this facility. Issuance of the operating permit is recommended.

PERMIT TO OPERATE
AIR POLLUTION CONTROL FACILITY
SPECIFIC CONDITIONS

Covia Holdings Corporation **Permit No. 99-087-O (M-5)**
Roff Facility

The permittee is authorized to operate in conformity with the specifications submitted to Air Quality on August 6, 2020. The Evaluation Memorandum, dated March 25, 2021, explains the derivation of applicable permit requirements and estimates of emissions; however, it does not contain operating limitations or permit requirements. Continuing operations under this permit constitutes acceptance of, and consent to, the conditions contained herein.

1. Points of emission, control devices, control efficiencies, and emission limitations based on a 12 month rolling total:

Process PM_{10} Emission Limit

ID#	Equipment and/or Activity	Control Equipment	Control Efficiency	PM_{10}
			(%)	TPY
DR-301	Fluid Bed Dryer	Wet Scrubber	99	6.66
BC-02, -03	Conveyor belt	--	--	0.08
BC-04		Cartridge dust collector	99.9	0.001
BC-06		--	--	0.04
BC-301		--	--	0.04
BC-302		--	--	0.04
BC-401 thru BC-403, BC-501		Wet Scrubber	99	0.03
BC-502, SE-02		Cartridge dust collector	99.9	0.001
BF-01		--	--	0.04
BC-1601		Cartridge dust collector	99.9	0.001
BE-01	Bucket elevator	Wet Scrubber	98.5	0.01
BE-02 thru BE-04		Cartridge dust collector	99.9	0.002
BE-401 thru BE-404		Wet Scrubber	99	0.04
BE-501		Wet Scrubber	99	0.01
BE-502		Cartridge dust collector	99.9	0.001
BN-301	Storage/Feed bin	--	--	0.18
BN-401 thru BN-404		Wet Scrubber	99	0.05
BN-405		Wet Scrubber	99	0.01
BN-406		Wet Scrubber	99	0.01
BN-407		Wet Scrubber	99	0.01
BN-501 thru BN-504		Wet Scrubber	99	0.02
CH-01 thru CH-03	Chute	Cartridge dust collector	99.9	0.002

ID#	Equipment and/or Activity	Control Equipment	Control Efficiency (%)	PM_{10} TPY
HO-01, -02	Hopper	--	--	0.08
HO-03		Cartridge dust collector	99.9	0.0005
CO-01		covered	50	0.24
TA-03		--	--	0.04
LS-01	Rail loadout	covered	50	0.53
LS-02	Truck loadout	Cartridge dust collector	99.9	0.001
LS-501	Truck loadout	Wet Scrubber	99	0.02
LS-502		Wet Scrubber	99	0.02
SI-01 thru SI-04	Silo bins	Cartridge dust collector	99.9	0.00
Drainage Stockpiles	Stockpiles	Damp material	50	0.57
Oversize Stockpile		Damp material	50	0.46
FE-01 thru FE-03	Feeders	--	--	0.12
VS-04 thru VS-07	Vibrating Screens	Cartridge dust collector	99.9	0.01
VS-401 thru VS-411		Wet Scrubber	99	0.19
VS-414 thru VS-415				0.01

Burner Emissions

ID#	Rating (MMBTUH)	Combustion Emissions				
		NO_x TPY	VOC TPY	CO TPY	SO_2 TPY	PM_{10}** TPY
DR-301	40	28.5	1.10	16.80	0.022	0.015

** wet scrubber-controlled emissions control efficiency of 99%.

2. Emissions from the fluid bed dryer shall be routed to a wet scrubber (WS-301). Wet scrubbers or a cartridge dust collector shall be employed to control PM_{10} emissions from equipment. They shall be maintained in good condition and operated according to the manufacturer's recommendation. Wet scrubbers shall be operated and monitored daily, when operating, within the pressure differential range of 3 to 5 in. H_2O across the scrubber throat, or in accordance with current manufacturers' specifications, and properly maintained and in operation at all times during processing of associated process line equipment. The permittee shall keep an up to date copy of the manufacture's specification on-site containing the acceptable operating range.

3. Except for dryer DR-301, no discharge of greater than 20% opacity is allowed except for short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. This condition will be complied with by using the Method 9 testing from a certified visible emission evaluator every quarter. Dryer DR-301 is exempt from these requirements because it is subject to NSPS Subpart UUU.

4. The permittee shall be authorized to operate this facility continuously (8,760 hours/year) at a process weight rate up to 1,752,000 TPY of all products.

5. The fuel-burning equipment shall be fired with pipeline grade natural gas or propane. Compliance can be shown by the following methods: for pipeline grade natural gas, a current gas company bill; for other gaseous fuel, a current lab analysis, gas contract, tariff sheet, etc. Compliance shall be demonstrated at least once every calendar year.

6. Reasonable precautions shall be taken to minimize fugitive dust emissions from loading and unloading operations, haul roads, and stockpiles. These precautions shall include, but not be limited to:

   (a) Use of water and/or chemical stabilizers on roads and stockpiles.
   (b) Application of other coatings or coverings to substances susceptible to becoming air-borne or wind-borne.
   (c) Covering or wetting material in trucks.
   (d) Planting and maintaining vegetation coverings or windbreaks.
   (e) Locate stockpiles as to provide minimum exposure to high winds and avoid open spaces in line with neighboring homes and businesses.

7. The fluid bed dryer is subject to NSPS Subpart UUU, Standards of Performance for Calciners and Dryers in Mineral Industries, and shall comply with all applicable standards including, but not limited to, the following:

   (a) §60.730 Applicability and designation of affected facility.
   (b) §60.731 Definitions.
   (c) §60.732 Standards for particulate matter.
   (d) §60.733 Reconstruction.
   (e) §60.734 Monitoring of emissions and operations.
   (f) §60.735 Recordkeeping and procedures.
   (g) §60.736 Test methods and procedures.
   (h) §60.737 Delegation of authority.

8. The facility is subject to National Emission Standards for Hazardous Air Pollutants, Subpart CCCCCC, Area Source Gasoline Dispensing Facilities, and shall comply with all applicable requirements, including, but not limited to, the following:

   (a) §63.11111 Am I subject to the requirements in this subpart?
   (b) §63.11112 What parts of my affected source does this subpart cover?
   (c) §63.11113 When do I have to comply with this subpart?
   (d) §63.11115 What are my general duties to minimize emissions?
   (e) §63.11116 Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline.
   (f) §63.11117 Requirements for facilities with monthly throughput of 10,000 gallons of gasoline or more.
   (g) §63.11118 Requirements for facilities with monthly throughput of 100,000 gallons of gasoline or more.
   (h) §63.11120 What testing and monitoring requirements must I meet?

(i) §63.11124 What notifications must I submit and when?
(j) §63.11125 What are my recordkeeping requirements?
(k) §63.11126 What are my reporting requirements?
(l) §63.11130 What parts of the General Provisions apply to me?
(m) §63.11131 Who implements and enforces this subpart?
(n) §63.11132 What definitions apply to this subpart?

9. The permittee shall keep records of operations as listed below. These records shall be retained on location or at a local field office for a period of at least five years following dates of recording, and shall be made available to regulatory personnel upon request.

   (a) Facility throughput of sand (weekly and 12-month rolling total).
   (b) Pressure differential readings and maintenance of wet scrubbers and dust collectors (daily, when operating).
   (c) For the fuel(s) burned, the appropriate document(s) as described in Specific Condition #5.
   (d) Consumption of fuel by type (monthly and 12-month rolling total).
   (e) Records as required by 40 CFR 60, Subpart UUU.
   (f) Records as required by 40 CFR Part 63, Subpart CCCCCC.

10. This permit supersedes all previous air quality permits for this facility, which are now cancelled.

MINOR SOURCE PERMIT TO OPERATE / CONSTRUCT
AIR POLLUTION CONTROL FACILITY
STANDARD CONDITIONS
(February 13, 2020)

A. The issuing Authority for the permit is the Air Quality Division (AQD) of the Oklahoma Department of Environmental Quality (DEQ) in accordance with and under the authority of the Oklahoma Clean Air Act. The permit does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. This specifically includes compliance with the rules of the other Divisions of DEQ: Land Protection Division and Water Quality Division.

B. A duly issued construction permit or authorization to construct or modify will terminate and become null and void (unless extended as provided in OAC 252:100-7-15(g)) if the construction is not commenced within 18 months after the date the permit or authorization was issued, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-7-15(f)]

C. The recipient of a construction permit shall apply for a permit to operate (or modified operating permit) within 180 days following the first day of operation. [OAC 252:100-7-18(a)]

D. Unless specified otherwise, the term of an operating permit shall be unlimited.

E. Notification to the Air Quality Division of DEQ of the sale or transfer of ownership of this facility is required and shall be made in writing by the transferor within 30 days after such date. A new permit is not required. [OAC 252:100-7-2(f)]

F. The following limitations apply to the facility unless covered in the Specific Conditions:

1. No person shall cause or permit the discharge of emissions such that National Ambient Air Quality Standards (NAAQS) are exceeded on land outside the permitted facility. [OAC 252:100-3]
2. All facilities that emit air contaminants are required to file an emission inventory and pay annual operating fees based on the inventory. Instructions are available on the Air Quality section of the DEQ web page. www.deq.ok.gov [OAC 252:100-5]
3. Deviations that result in emissions exceeding those allowed in this permit shall be reported consistent with the requirements of OAC 252:100-9, Excess Emission Reporting Requirements. [OAC 252:100-9]
4. Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in the Open Burning subchapter. [OAC 252:100-13]
5. No particulate emissions from new fuel-burning equipment with a rated heat input of 10 MMBTUH or less shall exceed 0.6 lbs/MMBTU. [OAC 252:100-19]
6. No discharge of greater than 20% opacity is allowed except for short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. [OAC 252:100-25]
7. No visible fugitive dust emissions shall be discharged beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent

properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. [OAC 252:100-29]

8. No sulfur oxide emissions from new gas-fired fuel-burning equipment shall exceed 0.2 lbs/MMBTU. No existing source shall exceed the listed ambient air standards for sulfur dioxide. [OAC 252:100-31]
9. Volatile Organic Compound (VOC) storage tanks built after December 28, 1974, and with a capacity of 400 gallons or more storing a liquid with a vapor pressure of 1.5 psia or greater under actual conditions shall be equipped with a permanent submerged fill pipe or with an organic material vapor-recovery system. [OAC 252:100-37-15(b)]
10. All fuel-burning equipment shall at all times be properly operated and maintained in a manner that will minimize emissions of VOCs. [OAC 252:100-37-36]

G. Any owner or operator subject to provisions of NSPS shall provide written notification as follows: [40 CFR 60.7 (a)]

1. A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
2. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
3. A notification of the actual date of initial start-up of an affected facility postmarked within 15 days after such date.
4. If a continuous emission monitoring system is included in the construction, a notification of the date upon which the test demonstrating the system performance will commence, along with a pretest plan, postmarked no less than 30 days prior to such a date.

H. Any owner or operator subject to provisions of NSPS shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility or any malfunction of the air pollution control equipment. [40 CFR 60.7 (b)]

I. Any owner or operator subject to the provisions of NSPS shall maintain a file of all measurements and other information required by this subpart recorded in a permanent file suitable for inspection. This file shall be retained for at least five years following the date of such measurements, maintenance, and records. [40 CFR 60.7 (f)]

J. Any owner or operator subject to the provisions of NSPS shall conduct performance test(s) and furnish to AQD a written report of the results of such test(s). Test(s) shall be conducted within 60 days after achieving the maximum production rate at which the facility will be operated, but not later than 180 days after initial start-up. [40 CFR 60.8]

Department of Environmental Quality (DEQ)
Air Quality Division (AQD)
Acronym List
2-9-21

ACFM	Actual Cubic Feet per Minute
AD	Applicability Determination
AFRC	Air-to-Fuel Ratio Controller
API	American Petroleum Institute
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BAE	Baseline Actual Emissions
BHP	Brake Horsepower (bhp)
BTU	British thermal unit (Btu)
C&E	Compliance and Enforcement
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CAS	Chemical Abstract Service
CAAA	Clean Air Act Amendments
CC	Catalytic Converter
CCR	Continuous Catalyst Regeneration
CD	Consent Decree
CEM	Continuous Emission Monitor
CFC	Chlorofluorocarbon
CFR	Code of Federal Regulations
CI	Compression Ignition
CNG	Compressed Natural Gas
CO	Carbon Monoxide or Consent Order
COA	Capable of Accommodating
COM	Continuous Opacity Monitor
D	Day
DEF	Diesel Exhaust Fluid
DG	Demand Growth
DSCF	Dry Standard (At Standard Conditions) Cubic Foot (Feet)
EGU	Electric Generating Unit
EI	Emissions Inventory
EPA	Environmental Protection Agency
ESP	Electrostatic Precipitator
EUG	Emissions Unit Group
EUSGU	Electric Utility Steam Generating Unit
FCE	Full Compliance Evaluation
FCCU	Fluid Catalytic Cracking Unit
FIP	Federal Implementation Plan
FR	Federal Register
GACT	Generally Achievable Control Technology
GAL	Gallon (gal)
GDF	Gasoline Dispensing Facility
GEP	Good Engineering Practice
GHG	Greenhouse Gases
GR	Grain(s) (gr)
H_2CO	Formaldehyde
H_2S	Hydrogen Sulfide
HAP	Hazardous Air Pollutants
HC	Hydrocarbon
HCFC	Hydrochlorofluorocarbon
HFR	Horizontal Fixed Roof
HON	Hazardous Organic NESHAP
HP	Horsepower (hp)
HR	Hour (hr)
I&M	Inspection and Maintenance
IBR	Incorporation by Reference
ICE	Internal Combustion Engine
LAER	Lowest Achievable Emission Rate
LB	Pound(s) [Mass] (lb, lbs, lbm)
LB/HR	Pound(s) per Hour (lb/hr)
LDAR	Leak Detection and Repair
LNG	Liquefied Natural Gas
LT	Long Ton(s) (metric)
M	Thousand (Roman Numeral)
MAAC	Maximum Acceptable Ambient Concentration
MACT	Maximum Achievable Control Technology
MM	Prefix used for Million (Thousand-Thousand)
MMBTU	Million British Thermal Units (MMBtu)
MMBTUH	Million British Thermal Units per Hour (MMBtu/hr)
MMSCF	Million Standard Cubic Feet (MMscf)
MMSCFD	Million Standard Cubic Feet per Day
MSDS	Material Safety Data Sheet
MWC	Municipal Waste Combustor
MWe	Megawatt Electrical
NA	Nonattainment
NAAQS	National Ambient Air Quality Standards
NAICS	North American Industry Classification System
NESHAP	National Emission Standards for Hazardous Air Pollutants
NH_3	Ammonia
NMHC	Non-methane Hydrocarbon
NGL	Natural Gas Liquids
NO_2	Nitrogen Dioxide
NOx	Nitrogen Oxides
NOI	Notice of Intent
NSCR	Non-Selective Catalytic Reduction
NSPS	New Source Performance Standards
NSR	New Source Review

O_3	Ozone
O&G	Oil and Gas
O&M	Operation and Maintenance
O&NG	Oil and Natural Gas
OAC	Oklahoma Administrative Code
OC	Oxidation Catalyst
PAH	Polycyclic Aromatic Hydrocarbons
PAE	Projected Actual Emissions
PAL	Plant-wide Applicability Limit
Pb	Lead
PBR	Permit by Rule
PCB	Polychlorinated Biphenyls
PCE	Partial Compliance Evaluation
PEA	Portable Emissions Analyzer
PFAS	Per- and Polyfluoroalkyl Substance
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter with an Aerodynamic Diameter <= 2.5 Micrometers
PM_{10}	Particulate Matter with an Aerodynamic Diameter <= 10 Micrometers
POM	Particulate Organic Matter or Polycyclic Organic Matter
ppb	Parts per Billion
ppm	Parts per Million
ppmv	Parts per Million Volume
ppmvd	Parts per Million Dry Volume
PSD	Prevention of Significant Deterioration
psi	Pounds per Square Inch
psia	Pounds per Square Inch Absolute
psig	Pounds per Square Inch Gage
RACT	Reasonably Available Control Technology
RATA	Relative Accuracy Test Audit
RFG	Refinery Fuel Gas
RICE	Reciprocating Internal Combustion Engine
RO	Responsible Official
ROAT	Regional Office at Tulsa
RVP	Reid Vapor Pressure
SCC	Source Classification Code
SCF	Standard Cubic Foot
SCFD	Standard Cubic Feet per Day
SCFM	Standard Cubic Feet per Minute
SCR	Selective Catalytic Reduction
SER	Significant Emission Rate
SI	Spark Ignition
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SNCR	Selective Non-Catalytic Reduction
SO_2	Sulfur Dioxide
SOx	Sulfur Oxides
SOP	Standard Operating Procedure
SRU	Sulfur Recovery Unit
T	Tons
TAC	Toxic Air Contaminant
THC	Total Hydrocarbons
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulates
TV	Title V of the Federal Clean Air Act
$\mu g/m^3$	Micrograms per Cubic Meter
US EPA	U. S. Environmental Protection Agency
VFR	Vertical Fixed Roof
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VOL	Volatile Organic Liquid
VRT	Vapor Recovery Tower
VRU	Vapor Recovery Unit
YR	Year
2SLB	2-Stroke Lean Burn
4SLB	4-Stroke Lean Burn
4SRB	4-Stroke Rich Burn

Robert Singletary
Executive Director

OKLAHOMA Environmental Quality

Kevin Stitt
Governor

April 24, 2025

Covia Solutions, LLC – Roff Plant
Jim Bonsall
PO BOX 159
Roff, Oklahoma 74865

RE: Site Registration for Generally Licensed Device – GLD0067
DEQ Login No.: 254581

Dear Mr. Bonsall:

On April 18, 2025, the Radiation Management Section of the Department of Environmental Quality (DEQ) received your Generally Licensed Device (GLD) Site Registration request. Enclosed, please find the signed copy of your annual registration form.

Your registration is approved from the date of this letter through March 31, 2026. Prior to the expiration date of your registration, you will receive an invoice and blank registration form for the next registration period.

Please recall that you are required to notify DEQ within 30 days in the event of any of the following:

1. Acquisition, transfer, or disposal of a device;
2. Any damage to the device or failure of a shutter or leak test;
3. Any change in name or contact information of the person responsible for the GLDs;
4. Any change in the company name or ownership;
5. Any change in the mailing or physical addresses; or
6. Incidents, loss, or stolen devices.

For your convenience a list of regulatory requirements that apply to generally licensed devices has been attached.

If you have any questions, please contact Jennifer McAllister at (405) 702-5169 or Jennifer.McAllister@deq.ok.gov.

Sincerely,

Keisha Cornelius
Environmental Programs Manager
Radiation Management Section
Land Protection Division

KC/jm

Enclosures: As stated

RECEIVED
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DEQ Form 410-374x (06-2005)

Amendment No. 02

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

PERMIT FOR RADIATION PRODUCING EQUIPMENT

Pursuant to the Oklahoma Radiation Management Act (27A O.S. §2-9-101, *et seq.)* and the Oklahoma Radiation Management Rules (Rules) at Oklahoma Administrative Code (OAC) 252:410, including rules incorporated by reference from Title 10 of the Code of Federal Regulations, and in reliance on statements and representations heretofore made by the permittee, a permit is hereby issued authorizing the permittee to receive, acquire, possess, and transfer the source(s) of radiation (byproduct, source and special nuclear material, accelerator produced material, radium sealed sources and/or radiation machines) designated below; to use such source(s) for the purpose(s) and at the place(s) designated below; and to deliver or transfer such source(s) of radiation to persons authorized to receive it in accordance with applicable rules. This permit is subject to all applicable rules and orders of the Oklahoma Department of Environmental Quality (DEQ) now or hereafter in effect and to any conditions specified below.

Permittee	In accordance with the letter dated
1. Covia Corporation	June 1, 2018
	3. Permit number XR112 is hereby amended in its entirety to read as follows:
2. P.O. Box 159 Roff, Oklahoma 74865	4. Expiration date March 31, 2026
	5. DEQ Login No. 237673

6. Type of equipment authorized
   A. X-ray fluorescence system

7. Authorized use
   A. Chemical analysis of minerals

CONDITIONS

8. Permitted radiation machines shall be used only at 600 East Walling Avenue, Roff, Oklahoma.

9. The Radiation Safety Officer (RSO) for this permit is Darryl Patrick.

10. Except as specifically provided otherwise in this permit, the permittee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The Radiation Management rules shall govern unless the statements, representations, and procedures in the permittee's application and correspondence are more restrictive than the rules.
   A. Application package dated February 17, 2016
   B. E-mail with attachments dated May 2, 2016
   C. Letter with attachments dated May 21, 2016
   D. E-mail dated June 13, 2016

FOR THE DEPARTMENT OF ENVIRONMENTAL QUALITY

Date 7/29/19

By _____
Mike Broderick
Environmental Programs Manager
Radiation Management Section
Land Protection Division

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SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

May 7, 2019

RECEIVED
AUG 12 2025
DEPT. OF MINES

Covia Corporation
Donald Russell, Plant Manager
P.O. Box 159
Roff, OK 74865

Re: Name Change
Permit No.: XR112
DEQ Login No.: 237673

Dear Mr. Russell:

Please find enclosed Amendment No. 02 to Permit No. XR112. You should review this permit carefully and be sure that you understand all conditions. If you have any questions, you may contact Jordan Caldwell at (405) 702-5134.

The Department of Environmental Quality (DEQ) expects permittees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with DEQ requirements, you must conduct your radiation safety program according to the conditions of your DEQ permit, representations made in your permit application, and DEQ Radiation Management Rules. In particular, note that you must:

1. Operate by Oklahoma Administrative Code (OAC) 252:410-23 [10 CFR Part 19], "Notices, Instructions and Reports to Workers: Inspection and Investigations," OAC 252:410-20 [10 CFR Part 20], "Standards for Protection Against Radiation," and other applicable rules;

2. Notify DEQ in writing of any change in your mailing address;

3. Notify DEQ, promptly, in writing and request termination of the permit:
   a. When you decide to terminate all activities involving radiation machines authorized under the permit; or
   b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material;

4. Submit an application for and obtain a permit amendment before you:
   a. Change Radiation Safety Officers;
   b. Order radiation machines for a use other than that authorized on the permit;
   c. Add or change the area(s) or address(es) of use identified in the permit application or on the permit; or
   d. Change the name or ownership of your organization;

5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your permit. You will receive a reminder notice approximately 90 days before the expiration date. Operation of radiation machines after your permit expires is a violation of Radiation Management Rules.

In addition, when submitting an application for amendment or renewal, please use DEQ FORM #410-13-1. This form requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true, accurate and complete to the best of the applicant's knowledge. The application should also contain signed statements required in OAC 252:410-7-3(c)(2) pertaining to the training, qualifications and authority of the radiation safety officer and individuals performing or supervising the applicant's radiation management activities, including a commitment to comply with the Oklahoma Radiation Management Rules. The signatory for the application should be the permittee or certifying official rather than a consultant.

DEQ will periodically inspect your radiation safety program. Failure to conduct your program according to Radiation Management Rules, permit conditions, and representations made in your permit application and supplemental correspondence with DEQ may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your permit.

Thank you for your cooperation.

Sincerely,

for Mike Broderick
Environmental Programs Manager
Radiation Management Section
Land Protection Division

MB/jc
Enclosures: As stated

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, TULSA DISTRICT
2488 EAST 81ST STREET
TULSA, OKLAHOMA 74137-4290

April 23, 2025

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Regulatory Office

Ms. Rachael Vinson
Covia Solutions, LLC
1833 South Morgan Road
Oklahoma City, OK 73128

Dear Ms. Vinson:

This is in reference to your request for an Approved Jurisdictional Determination (AJD) on property located at latitude 34.55536, longitude -96.82668, in Pontotoc and Murray County, Oklahoma. The area marked in red on the enclosed map denotes the limits of the review area examined under this request. We have reviewed the submitted data relative to Section 404 of the Clean Water Act (CWA).

We have examined the review area using the current rules in place (Pre-2015 definition of waters of the United States, consistent with the Sackett decision) and concluded that the referenced property contains the following waters of the United States (Jurisdictional):

IS-1 (unnamed tributary), Relatively Permanent Stream (1,658 linear feet)
IS-2 (unnamed tributary), Relatively Permanent Stream (934 linear feet)
FW-1 (forested wetland), Continuous Surface Connection (CSC) (0.3 acre)
FW-2 (forested wetland), CSC (0.35 acre)

The placement of dredged or fill material in these jurisdictional waters would require prior authorization from this office pursuant to Section 404 of the CWA. The basis for this determination is documented on the enclosed Memorandum for Record.

The following features are not waters of the U.S. subject to Section 404 CWA (Non-Jurisdictional):

ES-1, Non-Relatively Permanent Stream (1,408 linear feet)
ES-2, Non-Relatively Permanent Stream (226 linear feet)
ES-3, Non-Relatively Permanent Stream (1,430 linear feet)
FW-3, No CSC (0.26 acre)
EW-1, No CSC (0.3 acre)
EW-2, No CSC (0.37 acre)
EW-3, No CSC (0.1 acre)
P-1, Upland Constructed Pond (0.23 acre)

P-2, Upland Constructed Pond (0.31 acre)
P-3, Upland Constructed Pond (0.56 acre)
P-4, NRPW Connected Pond (0.41 acre)
EF-1, Swale Feature (1,757 linear feet)
EF-2, Erosional Feature (543 linear feet)
EF-3, Erosional Feature (206 linear feet)

This final determination constitutes an approved jurisdictional determination subject to the optional Corps Administrative Appeal Process. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed is a copy of the "Notification of Administrative Appeal Options and Process and Request for Appeal (RFA)" form. If you request to appeal this determination you must submit a completed RFA form to the Southwestern Division Office at the following address:

Mr. Jamie Hyslop
Administrative Appeals Review Officer
Southwestern Division (CESWD-PD-O)
U.S. Army Corps of Engineers
1100 Commerce Street, Suite 831
Dallas, Texas 75242-1317
Phone: 469-216-8324
Email: jamie.r.hyslop@usace.army.mil

In order for a RFA form to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the RFA form. Should you decide to submit a RFA form, it must be received at the above address by June 21, 2025. It is not necessary to submit a RFA form to the Division Office if you do not object to the determination in this letter.

We believe this determination to be an accurate assessment of the presence of jurisdictional wetlands and other waters on the site which are subject to Section 404 of the CWA. This is a final determination of federal jurisdiction on the property pursuant to Section 404 of the CWA. This determination is valid for 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date.

This determination has been conducted to identify the limits of the Corps CWA jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as

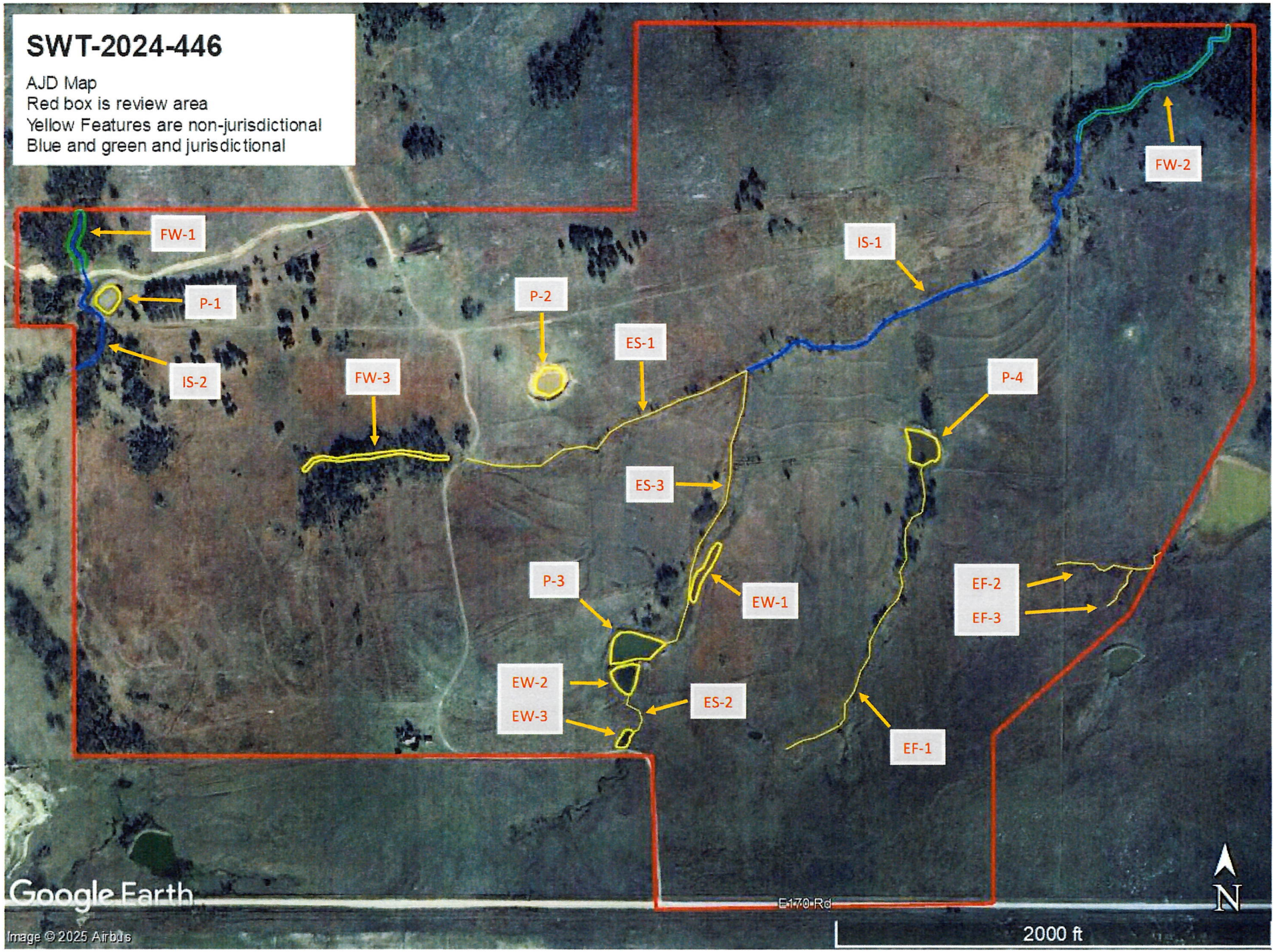
amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

Your project has been assigned Identification Number SWT-2024-446. If you have any questions, please contact Mr. Bryan Noblitt at (918) 669-4904.

Sincerely,

Andrew R. Commer
Chief, Regulatory Office

Enclosures


SWT-2024-446
AJD Map
Red box is review area
Yellow Features are non-jurisdictional
Blue and green and jurisdictional
FW-1
P-1
IS-2
FW-3
P-2
ES-1
IS-1
FW-2
P-4
ES-3
P-3
EW-1
EF-2
EF-3
EW-2
EW-3
ES-2
EF-1
E170 Rd
Google Earth
Image © 2025 Airbus
2000 ft
N

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Ms. Rachael Vinson, Covia Solutions, LLC	File Number: SWT-2024-446	Date: 23-APR-2025
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: Mr. Bryan Noblitt Regulatory Office U.S. Army Corps of Engineers 2488 EAST 81ST STREET Tulsa, Oklahoma 74137-4290	If you only have questions regarding the appeal process you may also contact: Mr. Jamie Hyslop Administrative Appeals Review Officer (CESWD-PD-O) U.S. Army Corps of Engineers 1100 Commerce Street, Suite 831 Dallas, Texas 75242-1317 469-487-7061

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:

U.S. Army Corps of Engineers (USACE)

NATIONWIDE PERMIT PRE-CONSTRUCTION NOTIFICATION (PCN)

For use of this form, see 33 CFR 330; the proponent agency is CECW-CO-R.

Form Approved - OMB No. 0710-0003 Expires: 08-31-2023

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority	Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Program of the Corps of Engineers (Corps); Final Rule 33 CFR 320-332.
Principal Purpose	Information provided on this form will be used in evaluating the nationwide permit pre-construction notification.
Routine Uses	This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of the agency coordination process.
Disclosure	Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

The public reporting burden for this collection of information, 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR RESPONSE TO THE ABOVE EMAIL.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (*see sample drawings and/or instructions*) and be submitted to the district engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE (*agent is not required*)
First – Jim Middle - Last - Bonsall	First – Rhett Middle - J Last – Francois
Company – Covia Solutions, LLC	Company – Trusted Compliance, LLC
Company Title – Facility Manager	E-mail Address – rhett@trusted-compliance.com
E-mail Address – Jim.Bonsall@coviacorp.com	
6. APPLICANT'S ADDRESS	**9. AGENT'S ADDRESS**
Address- 600 E Walling Street	Address- 104 Innisbrook Drive
City – Roff State - OK Zip - 74865 Country - USA	City - Broussard State - LA Zip - 70518 Country - USA
7. APPLICANT'S PHONE NOs. with AREA CODE	**10. AGENT'S PHONE NOs. with AREA CODE**
a. Residence b. Business c. Fax d. Mobile	a. Residence b. Business 337-443-9000 c. Fax d. Mobile 337-258-7576

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Rhett J. Francois to act in my behalf as my agent in the processing of this nationwide permit pre-construction notification and to furnish, upon request, supplemental information in support of this nationwide permit pre-construction notification.

SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME or TITLE (*see instructions*)

Covia Sunshine Road Sand Mine & Associated Pipeline

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NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

13. NAME OF WATERBODY, IF KNOWN (*if applicable*)
No named waterbody

14. PROPOSED ACTIVITY STREET ADDRESS (*if applicable*)
No street Adress

15. LOCATION OF PROPOSED ACTIVITY (*see instructions*)
Latitude 34.55536111 °N Longitude -96.82668889 °W

City: Hickory / Roff (Pontotoc & Murray Counties State: OK
Zip:

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (*see instructions*)

State Tax Parcel ID: 500015057 & 620029210 Municipality: Hickory / Roff

Section 13, T01N, R04E & Section 18, T01N, R05E

17. DIRECTIONS TO THE SITE

FROM I-35N in Ardmore, OK: Follow I-35N 19.9 miles. Exit onto US-77N. Take US-77N for 3.4 miles. Turn right onto Hwy 7 E. Take Hwy 7 E for 15.6 miles. Turn left onto OK-1 E. Take OK-1E for 3.2 miles. Turn right onto E170 Rd/E1700 Rd. Take E170 Rd/E1700 Rd for 1 mile. Target property is on the left.

18. IDENTIFY THE SPECIFIC NATIONWIDE PERMIT(S) YOU PROPOSE TO USE

Pre-Construction Notification, NWP44-Mining Activities

19. DESCRIPTION OF PROPOSED NATIONWIDE PERMIT ACTIVITY (*see instructions*)

Pre-construction notification for a sand mining operation which includes the excavation of sand for sale to market. A pipeline is being proposed to move a sand slurry Mixture from the proposed facility to an existing facility. The project is located in Roff & Hickory, Oklahoma (Pontotoc and Murray Counties).

20. DESCRIPTION OF PROPOSED MITIGATION MEASURES (*see instructions*)

Applicant is prepared to pay for mitigation of impacted wetlands & streams.

21. PURPOSE OF NATIONWIDE PERMIT ACTIVITY (*Describe the reason or purpose of the project, see instructions*)

The purpose of this project is to construct a sand mining operation which includes the excavation of sand for sale to market. A pipeline is being proposed to move a sand slurry mixture from the proposed facility to an existing facility. The project is located in Roff & Hickory, Oklahoma (Pontotoc and Murray Counties).

22. QUANTITY OF WETLANDS, STREAMS, OR OTHER TYPES OF WATERS DIRECTLY AFFECTED BY PROPOSED NATIONWIDE PERMIT ACTIVITY (*see instructions*)

Acres	Linear Feet	Cubic Yards Dredged or Discharged
0.795 acres	5,703 feet	1,282

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

23. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. (*see instructions*)

USACE Wetland Jurisdictional Determination in progress. (MVN-2024-00446)

24. If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and requires pre-construction notification, explain how the compensatory mitigation requirement in paragraph (c) of general condition 23 will be satisfied, or explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required for the proposed activity.

Applicant is prepared to pay mitigation credits for any impacted wetlands or streams.

25. Is any portion of the nationwide permit activity already complete? [ ] Yes [X] No If Yes, describe the completed work:

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. (*see instructions*)

One endangered species may be present in the area
Whooping Crane (Grus Americana). IPac Resource list is attached to this document.

27. List any historic properties that have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic property or properties. (*see instructions*)

No historic properties were located in the area.

28. For a proposed NWP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river":

No named waterbodies are located on the target property. Unnamed waterbodies on the target property drain into Little West Blue Creek.

29. If the proposed NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the Corps district having jurisdiction over that project? [ ] Yes [X] No

If "yes", please provide the date your request was submitted to the Corps district:

30. If the terms of the NWP(s) you want to use require additional information to be included in the PCN, please include that information in this space or provide it on an additional sheet of paper marked Block 30. (*see instructions*)

Please see attached page titled "30. Additional Information PCN" for additional information.

31. Pre-construction notification is hereby made for one or more nationwide permit(s) to authorize the work described in this notification. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT	DATE	SIGNATURE OF AGENT	DATE

The pre-construction notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in Block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.00

Instructions for Preparing a

Department of the Army

Nationwide Permit (NWP) Pre-Construction Notification (PCN)

Blocks 1 through 4. To be completed by the Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the preconstruction notification, please attach a sheet of paper with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant's Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by the applicant, if an agent is to be employed.

Block 12. Proposed Nationwide Permit Activity Name or Title. Please provide a name identifying the proposed NWP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

Block 13. Name of Waterbody. Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the NWP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Activity Street Address. If the proposed NWP activity is located at a site having a street address (not a box number), please enter it in Block 14.

Block 15. Location of Proposed Activity. Enter the latitude and longitude of where the proposed NWP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed NWP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed NWP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed NWP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

Block 18. Identify the Specific Nationwide Permit(s) You Propose to Use. List the number(s) of the Nationwide Permit(s) you want to use to authorize the proposed activity (e.g., NWP 29).

Block 19. Description of the Proposed Nationwide Permit Activity. Describe the proposed NWP activity, including the direct and indirect adverse environmental effects the activity would cause. The description of the proposed activity should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide sketches when necessary to show that the proposed NWP activity complies with the terms of the applicable NWP(s). Sketches usually clarify the activity and result in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed NWP activity (e.g.,a conceptual plan), but do not need to be detailed engineering plans.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.

Block 20. Description of Proposed Mitigation Measures. Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed NWP activity. The description of any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or additional mitigation measures.

Block 21. Purpose of Nationwide Permit Activity. Describe the purpose and need for the proposed NWP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed Nationwide Permit Activity. For discharges of dredged or fill material into waters of the United States, provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed NWP activity. For structures or work in navigable waters of the United States subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, or occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed NWP activity.

For multiple NWPs, or for separate and distant crossings of waters of the United States authorized by NWPs 12 or 14, attach an extra sheet of paper marked Block 21 to provide the quantities of wetlands, streams, or other types of waters filled, flooded, excavated, or drained (or dredged or occupied by structures, if in waters subject to Section 10 of the Rivers and Harbors Act of 1899) for each NWP. For NWPs 12 and 14, include the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained for each separate and distant crossing of waters or wetlands. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Identify Any Other Nationwide Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by NWPs 12 or 14 that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 23.

Block 24. Compensatory Mitigation Statement for Losses of Greater Than 1/10-Acre of Wetlands When Pre-Construction Notification is Required. Paragraph (c) of NWP general condition 23 requires compensatory mitigation at a minimum one-for-one replacement ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed NWP activity are no more than minimal without compensatory mitigation, and provides an activity-specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than 1/10 acre, or provide an explanation of why the district engineer should not require wetland compensatory mitigation for the proposed NWP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

Block 25. Is Any Portion of the Nationwide Permit Activity Already Complete? Describe any work that has already been completed for the NWP activity.

Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the Nationwide Permit Activity. If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed NWP activity, or if the proposed NWP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

Block 27. List Any Historic Properties that Have the Potential to be Affected by the Nationwide Permit Activity. If you are not a Federal agency, and if any historic properties have the potential to be affected by the proposed NWP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the Nationwide Permit Activity Would Occur in such a River. If the proposed NWP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a "study river" under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit http://www.rivers.gov/.

Block 29. Nationwide Permit Activities that also Require Permission from the Corps Under 33 U.S.C. 408. If the proposed NWP activity also requires permission from the Corps under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a Corps federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the Corps district having jurisdiction over that project.

Block 30. Other Information Required For Nationwide Permit Pre-Construction Notifications. The terms of some of the Nationwide Permits include additional information requirements for preconstruction notifications:

* NWP 3, Maintenance –information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
* NWP 31, Maintenance of Existing Flood Control Facilities –a description of the maintenance baseline and the dredged material disposal site.
* NWP 33, Temporary Construction, Access, and Dewatering –a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
* NWP 44, Mining Activities –if reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre construction notification.
* NWP 45, Repair of Uplands Damaged by Discrete Events –documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
* NWP 48, Commercial Shellfish Aquaculture Activities –(1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).
* NWP 49, Coal Remining Activities –a document describing how the overall mining plan will result in a net increase in aquatic resource functions must be submitted to the district engineer and receive written authorization prior to commencing the activity.
* NWP 50, Underground Coal Mining Activities –if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification.

If more space is needed, attach an extra sheet of paper marked Block 30.

Block 31. Signature of Applicant or Agent. The PCN must be signed by the person proposing to undertake the NWP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the NWP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the NWP activity (including compliance with special conditions, mitigation, etc.).

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 45 day PCN review period will not start until the delineation is submitted or has been completed by the Corps.

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one original, or good quality copy, of all drawings on 8½x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed NWP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived (see NWP general condition 25). Some States, Tribes, or EPA have issued water quality certification for one or more NWPs. Please check the appropriate Corps district web site to see if water quality certification has already been issued for the NWP(s) you wish to use. For proposed NWP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur (see NWP general condition 26). Some States have issued Coastal Zone Management Act consistency concurrences for one or more NWPs. Please check the appropriate Corps district web site to see if Coastal Zone Management Act consistency concurrence has already been issued for the NWP(s) you wish to use.

JULIE CUNNINGHAM
EXECUTIVE DIRECTOR

KEVIN STITT
GOVERNOR

RECEIVED
SEP - 9 2025
DEPT. OF MINES

OKLAHOMA
Water Resources Board

September 25, 2024

Covia Solutions Inc.
PO Box 159
Roff, OK 74865

Re: Groundwater Permits 1984-653B and 1984-646F
Murray and Pontotoc County, OK

Dear Permittee:

The Oklahoma Water Resources Board has received your request to transfer ownership of the above referenced groundwater rights. The necessary changes have been made and copies of the water rights are enclosed for your records. In January of each year, you will receive water use forms for reporting annual use.

These split permits do not authorize any well locations to withdraw groundwater. An amendment form can be found at oklahoma.gov/owrb if you wish to add wells and withdraw groundwater under these permits. Any future wells require a licensed well driller to complete and submit an intent-to-drill application and receive authorization from OWRB prior to well completion.

If you have any questions concerning this matter, please contact the Water Rights Administration Division at (405) 530-8800.

Best Regards,

Chris Neel, Division Chief
Water Rights Administration Division

Enclosure

Permit Number: 1984-653B
County: Murray
Groundwater Basin: Arbuckle-Simpson
Date Filed: September 21, 1984
Original Date of Issue: October 23, 2013

RECEIVED
SEP - 9 2025
DEPT. OF MINES

The OKLAHOMA WATER RESOURCES BOARD hereby recognizes **Regular Groundwater Permit Number 1984-653B** to reflect a split of ownership of Regular Groundwater Permit Number 1984-653 to **Covia Solutions Inc.** whose address is PO Box 159, Roff OK 74865. This portion of the groundwater right authorizes the use of 37.18 acre-feet of groundwater per calendar year for the following purposes: municipal use (16.03 acre-feet), mining use – aggregate (16.03 acre-feet), and industrial use (5.12 acre-feet). The land dedicated to this permit totals 185.92 acres and is located as follows: 65.58 acres in the S2 N2 and 120.34 acres in the SE of Section 13, T1N, R4EIM, Murray County. This split permit does not authorize any well locations to withdraw groundwater. All other terms and provisions set forth in the application are hereby incorporated and made a part of this permit.

This allocation is subject to the following terms, conditions, and limitations:

(a) Any changes in well locations from those listed above must be in accordance with the rules of the Board.

(b) Water use reports mailed to the applicant during January of each year must be completed and returned to the Board within thirty (30) days receipt.

(c) The equal proportionate share of fresh groundwater per acre of land that overlies this groundwater basin is 0.2 acre-feet per surface acre.

Acceptance of this permit shall be acknowledgement and agreement that the permit holder will comply with all terms, conditions, and limitations required by Oklahoma law including the Oklahoma Water Resources Board rules concerning the taking and use of fresh groundwater.

DATE: September 25, 2024

OKLAHOMA WATER RESOURCES BOARD

Julie Cunningham, Executive Director

Permit Number: 1984-646F
County: Pontotoc
Groundwater Basin: Arbuckle-Simpson
Date Filed: September 21, 1984
Original Date of Issue: October 23, 2013

RECEIVED
SEP - 9 2025
DEPT. OF MINES

The OKLAHOMA WATER RESOURCES BOARD hereby recognizes **Regular Groundwater Permit Number 1984-646F** to reflect a split of ownership of Regular Groundwater Permit Number 1984-646C to **Covia Solutions Inc.** whose address is PO Box 159, Roff OK 74865. This portion of the groundwater right authorizes the use of 42.71 acre-feet of groundwater per calendar year for the following purposes: municipal use (23.62 acre-feet), mining use – aggregate (14.1 acre-feet), industrial use (4.52 acre-feet), and drilling and primary completion of oil & gas wells (0.47 acre-feet). The land dedicated to this permit totals 213.55 acres and is located in Section 18, T1N, R5EIM. This split permit does not authorize any well locations to withdraw groundwater. All other terms and provisions set forth in the application are hereby incorporated and made a part of this permit.

This allocation is subject to the following terms, conditions, and limitations:

(a) Any changes in well locations from those listed above must be in accordance with the rules of the Board.

(b) Water use reports mailed to the applicant during January of each year must be completed and returned to the Board within thirty (30) days receipt.

(c) The equal proportionate share of fresh groundwater per acre of land that overlies this groundwater basin is 0.2 acre-feet per surface acre.

Acceptance of this permit shall be acknowledgement and agreement that the permit holder will comply with all terms, conditions, and limitations required by Oklahoma law including the Oklahoma Water Resources Board rules concerning the taking and use of fresh groundwater.

DATE: September 25, 2024

OKLAHOMA WATER RESOURCES BOARD

Julie Cunningham

Julie Cunningham, Executive Director

JULIE CUNNINGHAM
EXECUTIVE DIRECTOR

KEVIN STITT
GOVERNOR

STATE OF OKLAHOMA
WATER RESOURCES BOARD
www.owrb.ok.gov

RECEIVED
AUG 12 2025
DEPT. OF MINES

January 15, 2020

Covia Holdings Corporation
c/o Jim Bonsall
PO Box 159
Roff OK 74865

Dear Mr. Bonsall:

Re: Groundwater Permit Number 1985-505, Pontotoc County, OK

The Oklahoma Water Resources Board has received your request to transfer ownership of the above referenced groundwater right, formerly in the name of Roger W Kite. The necessary changes have been made and a copy of the water right is enclosed for your records. In January of each year, you will receive a water use form for reporting annual use.

If you have any questions concerning this matter, please contact Pat Kirkpatrick of the Planning & Management Division at (405) 530-8800.

Best Regards,

Chris Neel, Assistant Chief
Planning and Management Division

ckk
Enclosure

TOP WORK PLACES 2013-18 THE OKLAHOMAN

3800 N. CLASSEN BOULEVARD • OKLAHOMA CITY, OKLAHOMA 73118
TELEPHONE (405) 530-8800 • FAX (405) 530-8900

Stephen B. Allen • Jennifer Castillo • Charles Darby • Bob Drake
F. Ford Drummond • Suzanne Landess • Robert L. Melton • Matt Muller • Robert Stallings

WATER FOR 2060

OKLAHOMA WATER RESOURCES BOARD
REGULAR PERMIT TO TAKE AND USE GROUNDWATER

Permit Number: 1985-505
Date Filed: January 8, 1985
County: Pontotoc
Groundwater Basin: Arbuckle-Simson
Original Date of Issue: April 9, 1985

The OKLAHOMA WATER RESOURCES BOARD hereby reissues **Regular Groundwater Permit Number 1985-505** to reflect a change of ownership to **Covia Holdings Corporation** whose address is 3 Summit Park Dr Ste 700, Independence OH 44131. The permit is in all other respects unchanged and authorizes the use of 78.6 acre-feet of groundwater per calendar year. The water is to be withdrawn from two wells located in the CTR S2 NE and CTR S2 NW of Sec 30, T2N, R5EIM for the purpose of municial use (40 a.f.) and industrial use (38.6 a.f.). The land dedicated to this permit totals 393 acres and is located as follows: 314 acs in the N2, 40 acs in the N2 N2 SE and 39 acs in the N2 N2 SW of Sec 30, T2N, R5EIM. All other terms and provisions set forth in the application are hereby incorporated and made a part of this permit.

This allocation is subject to the following terms, conditions, and limitations:

(a) Any changes in well locations from those listed above must be in accordance with the rules of the Board.

(b) Water use reports mailed to the applicant during January of each year must be completed and returned to the Board within thirty (30) days receipt.

(c) The equal proportionate share of fresh groundwater per acre of land that overlies this groundwater basin is 0.2 acre-feet per surface acre.

Acceptance of this permit shall be acknowledgement and agreement that the permit holder will comply with all terms, conditions, and limitations required by Oklahoma law including the Oklahoma Water Resources Board rules concerning the taking and use of fresh groundwater.

DATE: January 15, 2020

OKLAHOMA WATER RESOURCES BOARD

Julie Cunningham, Executive Director

JULIE CUNNINGHAM
EXECUTIVE DIRECTOR

KEVIN STITT
GOVERNOR

OKLAHOMA
Water Resources Board

RECEIVED
AUG 12 2025
DEPT. OF MINES

5/6/2024

Covia Solutions Inc.
Attn. Jim Bonsall
600 E Walling Ave
Roff, OK 74865

Re: Prior Right Number 1964-120
Pontotoc County, OK

Dear Permittee:

The Oklahoma Water Resources Board has received your request to transfer ownership of the above referenced groundwater right. The necessary changes have been made and copies of the water rights are enclosed for your records. In January of each year, you will receive water use forms for reporting annual use.

If you have any questions concerning this matter, please contact the Water Rights Administration Division at (405) 530-8800.

Best Regards,

Chris Neel, Division Chief
Water Rights Administration Division

Enclosure

OKLAHOMA WATER RESOURCES BOARD
PRIOR RIGHT TO TAKE AND USE GROUNDWATER

Prior Right Number: 1964-120

Priority Date: 2/25/1964

County: Pontotoc

Basin: Arbuckle-Simpson

The OKLAHOMA WATER RESOURCES BOARD hereby recognizes **Groundwater Prior Right Number 1964-120** to reflect a change of ownership to **Covia Solutions Inc.** whose address is 600 E Walling Ave Roff, OK 74865. This prior right is in all other respects unchanged and authorizes the use of 764 acre-feet of groundwater per calendar year for mining and processing sand from wells located in SE SW SE of Sec 13, T2N, R4EIM.

This allocation is subject to the following terms, conditions, and limitations:

(a) Any change in well locations from those listed above must be in accordance with the rules of the Board.

(b) Water use reports mailed to the applicant during January of each year must be completed and returned to the Board within thirty (30) days of receipt.

DATE: 5/6/2024

OKLAHOMA WATER RESOURCES BOARD

Julie Cunningham, Executive Director

JULIE CUNNINGHAM
EXECUTIVE DIRECTOR



KEVIN STITT
GOVERNOR

OKLAHOMA
Water Resources Board

July 13, 2023

Covia Solutions, Inc
2700 Technology Forest Blvd Ste 100
The Woodlands TX 77381

Dear Permittee:

Re: Stream Water Permit Number 1971-362, Pontotoc County, OK

The Oklahoma Water Resources Board has received your request to transfer ownership of the above referenced surface water right, formerly in the name of Unimin Corporation. The necessary changes have been made and a copy of the water right is enclosed for your records. In January of each year, you will receive a water use form for reporting annual use.

If you have any questions concerning this matter, please contact Pat Kirkpatrick of the Water Rights Administration Division at (405) 530-8800.

Best Regards,

Chris Neel, Division Chief
Water Rights Administration Division

ckk
Enclosure

RECEIVED
AUG 12 2025
DEPT. OF MINES

OKLAHOMA WATER RESOURCES BOARD
PERMIT TO APPROPRIATE STREAM WATER

Stream System: Blue River Number: 1-6 County: Pontotoc
Permit Number: 1971-362 Date Filed: June 25, 1971
Date Issued: October 12, 1971

The OKLAHOMA WATER RESOURCES BOARD hereby recognizes **Regular Stream Water Permit Number 1971-362** to reflect a change of ownership to **Covia Solutions, Inc** whose address is 2700 Tecchnology Forest Blvd Ste 100, The Woodlands TX 77381. The stream water right authorizes the taking and use of 12 acre-feet of water per calendar year for the following purpose and locations: industrial use in the SE of Sec 13, T2N, R4EIM. The water is to be diverted from a mining pit in the S2 of Sec 18, T2N, R5EIM, at a rate not to exceed 1,100 gallons per minute.

The permit holder is subject to the following terms, conditions and limitations.

1. The use of water authorized under this permit shall not interfere with domestic or existing appropriative uses;

2. Water use reports mailed to the permit holder during January of each year must be completed and returned to the Board within 30 days of receipt. Willful failure to complete and return the report with the file maintenance fee may be considered by the Board as nonuse of water under this permit;

3. The authorized amount of water is subject to forfeiture and must be beneficially used in a calendar year within any seven continuous year period to retain the authorized amount;

4. Water released for navigation purposes pursuant to project operations adopted by the United States shall not be diverted.

Acceptance of this permit shall be an acknowledgment and agreement that permit holder will comply with all the terms, conditions and limitations embodied in this permit and all applicable laws of the State of Oklahoma and Rules, Regulations and Modes of Procedure of the Board.

Dated approved: July 13, 2023

OKLAHOMA WATER RESOURCES BOARD

Julie Cunningham, Executive Director

APPLICATION FOR VARIANCE FROM MINIMUM CONSTRUCTION STANDARDS
Water Wells/Test Holes/Monitoring Wells/Geotechnical Borings

Oklahoma Water Resources Board
Planning & Management Division
3800 Classen Blvd.
Oklahoma City, Oklahoma 73118
Telephone: (405) 530-8800
Fax: (405) 530-8900

FILING FEE: **$50.00 - Groundwater wells, Heat Exchange**
$150.00 - Monitoring wells & geotechnical borings

Official Use Only
Variance Request Number: **VR 20____ -**

MUST ACCOMPANY APPLICATION

1. NAME AND ADDRESS

Print applicants name and mailing address, with zip code. If available include FAX number and E-Mail address. If a corporation, use name and business address of the corporation.

Applicants Name _____ Contact Name _____

Address _____ Telephone ( ) _____

City _____ FAX Number ( ) _____

State/ZIP Code _____ E-Mail _____

2. LOCATION OF WELLS

a. *State the county in which site is located type and number of wells for which a variance is being requested.*

County _____ **OCC Case #** _____

b. *Legal location of wells, test holes monitoring wells or borings which are the subject of this application. Descriptions should be to the nearest 10-acre tract of land or GPS location. If more space is needed for legal descriptions, list on a separate sheet of paper.*

Physical address of wells: _____

Number of well (s)	Type of well	Quarter, Quarter, Quarter (10 acre tract) **Or GPS - Latitude & Longitude**	Section	Township		Range	
		Qtr._____ Qtr._____ Qtr._____ Lat._____ Long._____	_____	_____	N S	_____	ECM WIM EIM
		Qtr._____ Qtr._____ Qtr._____ Lat._____ Long._____	_____	_____	N S	_____	ECM WIM EIM
		Qtr._____ Qtr._____ Qtr._____ Lat._____ Long._____	_____	_____	N S	_____	ECM WIM EIM

3. ADDITIONAL INFORMATION

Provide the following information with this form for proper evaluation of the variance request.

a Detailed lithologic description of the site(s) geology through which wells are completed, including any water bearing zones;
b Schematic drawing showing diameter, depth and the manner in which wells are constructed;
c Map showing location of all wells, test holes or geotechnical borings on site;
d Detailed description of the type of variance being requested and technical justification for alternative method of construction or plugging.

_____
Name of Applicant (Print or Type) Date

_____
Signature of Applicant Date

Attachment B

Permit Denial Letter

Original Mine Permit Application Denial Letter

RECEIVED
AUG 12 2025
DEPT. OF MINES

Covia Solutions LLC
5-6-2025

SUZEN M. RODESNEY
DIRECTOR

J. KEVIN STITT
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF MINES

May 6, 2025

Covia Solutions, LLC
P.O. Box 159
Roff, OK 74865

RE: Expansion Application for Permit #L.E.-1565

Ladies and Gentlemen:

The Department of Mines (ODM) has reviewed your application to expand permit #L.E.-1565 by 380 acres. This permit and proposed expansion are located in an area where the Legislature, through House Bill 2471, has restricted the types of permits ODM may issue. As such, ODM has taken great care in its review and evaluation of your application.

We thank you for providing additional information and documentation as to the proximity of the additional land to the existing mine and how it is connected during this process.

Please be advised, ODM's administration has determined six (6) miles distance between the existing mine and the new acreage is not a reasonable application of the allowances provided by HB 2471. Therefore, ODM is returning the proposed expansion application to you. If your company wishes to submit a new application for acreage located much closer to the existing mine, please feel free to do so.

If you have any questions, please let us know.

Sincerely,

Jenna Bedwell
Chief of Minerals Permitting

Enclosure

cc: Ginna Harmon
Brad Montgomery

Attachment C

Request for Reconsideration

Covia Request for Reconsideration Letter

RECEIVED
AUG 12 2025
DEPT. OF MINES

Covia Solutions LLC
6-27-2025

COVIA

June 30, 2025

Suzen Rodesney
Director Oklahoma Department of Mines
RE: Expansion Application for Permit #L.E.-1565

Dear Suzen Rodesney:

Covia is submitting this letter of reconsideration in response to the Oklahoma Department of Mine's (ODM) letter dated May 6, 2025 ("Letter") regarding Covia's Expansion Application for Permit #L.E-1565 (the "Permit"). With this submittal, we respectfully request that ODM revise the Permit pursuant to our March 17, 2025 application.

On June 3, 2025, Covia met with ODM in Oklahoma City to discuss the Letter and clarify how the proposed expansion aligns with current regulations, including Oklahoma Enrolled House Bill No. 2471 ("HB2471"). As a follow-up to our meeting, Covia is submitting the enclosed supplemental information on the Roff Mine operation and the proposed expansion area, including six main points which are summarized below, with supporting details provided in the attachments.

Background – Existing Roff Mine Operation

Since 1913, the Roff Mine has been an important employer in the Roff, Oklahoma, area. Currently, approximately 50 local people work at the mine, producing high quality silica sand, a critical material used in the glass, building products, metal castings, and oil and gas industries. Based on Covia's sales data, almost 80% of the sand produced at the Roff Mine is used within Oklahoma, supporting the Oklahoma economy, industries and workers.

However, the Roff Mine has almost exhausted its existing sand reserves, and unless it is able to open a new pit with sufficient sand reserves to continue operations, the mine will be forced to close in the near future. The closing of the mine will impact not only the local workers and the tax base, but also the industries that use and depend on Roff's high-quality sand. Such closure could cause a domino effect in which other industries may also close, or they may increase their product pricing to offset higher costs of sourcing sand from other mines. Therefore, it is critical for the facility's survival that it is allowed to open the Sunshine Road Pit (the "Sunshine Pit") pursuant to its Permit revision application.

By way of background, the Roff Mine utilizes traditional open pit sand mining methods. Trucks haul the sand from within the pit to the surface, where it is unloaded and mixed with water to form a slurry. The

slurry is then pumped via a pipeline to the "Processing Area" where the slurry is dried, screened, and packaged for sale and shipment.[1] As with all open pit sand mining, after the sand from existing pits is exhausted, a new pit is opened and the process is repeated. Three maps of the Roff Mine facility are provided in Exhibit A; they show the Processing Area, the current pit area, the currently permitted and bonded areas, and the proposed 380 acres of land to be added to the Permit.

Future – Sunshine Road Pit

By moving the sand mining activity to the new Sunshine Pit, the only substantial equipment change will be to install water and slurry pipelines[2] from the Sunshine Pit northward, connecting to the existing pipelines that currently pump slurry to the Processing Area. Mining this Pit will not increase or change the Roff Mine's sand processing in any manner whatsoever. The buildings, equipment, storage piles, ponds, and processing methods will remain the same; the only change is simply that the sand slurry will be pumped from the new Pit instead of the existing pit.

Point of Clarification #1: Covia's Roff Mine is not a "subject mine" for purposes of HB2471 (and specifically Section 3) and therefore, the moratorium of HB2471 does not apply to the Roff Mine's request for a Permit revision to add land to its permitted area.

Point of Clarification #2: The current Roff Mine's sand removal operations will cease at the existing pits before sand mining operations begin at the proposed Sunshine Pit. The existing sand processing operations will not change and the overall permitted throughput will not increase, as sand slurry will simply be supplied to the Processing Area from the new Pit instead of from the existing pit. Additionally, once the current sand mining pit is closed, reclamation will begin, which includes restoring previously mined areas and improving wildlife habitat.

Point of Clarification #3: Because approximately eighty-five (85%) of the sand reserves at the Sunshine Pit are above the groundwater table, Covia plans to restrict its mining to the upper reserves during the first few years, to avoid mining below the water table for as long as possible. When mining below the water table is eventually undertaken to access the last fifteen (15%) of the identified reserves, the direct

[1] The "Processing Area" includes buildings, sand processing and packaging equipment, sand storage piles, and process water ponds.

[2] Three (3) pipelines will connect the Sunshine Pit to the existing Processing Area. One pipe will transport water from the Processing Area to the Sunshine Pit to mix with sand, creating a slurry. A second pipe will transport the sand slurry to the existing Processing Area for processing. A third pipe will only be used intermittently to remove excess water from the Sunshine Pit by pumping it back to the Processing Area.

interaction between the mining activities and the groundwater will be limited by area and time to minimize any infiltration.
The company will also implement a comprehensive water management plan to reduce the potential of impacting the groundwater.

Point of Clarification #4: Because the sand slurry will be pumped from the Sunshine Pit to the existing Processing Area, any wastewater generated by processing will be maintained at the existing Processing Area. The proposed design of the project will not add any new wastewater outfalls in the expansion area.

Point of Clarification #5: Covia plans to go above and beyond the required public notice requirements (in a newspaper) by notifying neighbors and other stakeholders including relevant non-governmental organizations (NGOs) directly by letter and considering feedback received in design and operation plans for the new pit. The individualized notifications will be sent prior to publishing the official public notice.

Point of Clarification #6: Covia modified the previously submitted map to clearly delineate the areas that are currently permitted and those that are bonded. (See Exhibit A)

Each of the six Points of Clarification outlined above are detailed further in the attachments. We respectfully request that ODM reconsider Covia's Expansion Application for Permit #L.E-1565 and revise the Permit in light of the above and the attached information. Please reach out to me at (832) 454-9793 or at Natalie.Eglinton@coviacorp.com if you have any further questions.

Sincerely,

Natalie Eglinton

Natalie Eglinton, Director of Covia Environmental

Attachments:
Point of Clarification #1: House Bill 2471
Point of Clarification #2: Throughput and Reclamation
Point of Clarification #3: 85% of the Sand Reserves are Above the Water Table
Point of Clarification #4: Wastewater Outfalls
Point of Clarification #5: Community Engagement
Point of Clarification #6: Map Updates

COVIA

Point of Clarification #1: House Bill 2471

Covia has reviewed the language of HB2471 and has concluded that the Roff Mine is not a "subject mine" as defined therein; and therefore, the requested Permit revision is exempt from HB2471. Thus, there is no need to rely on the HB2471 exceptions. Even so, Covia provides the following analysis of HB2471[3] in support of its requested Permit revision.

HB2471 Section 2, Subsection A

Subsection A states that Section 2 (and therefore the moratorium) applies only to a "subject mine" which is a mine that is proposed for a location overlying a sensitive sole source groundwater basin or subbasin. However, Paragraph 1 of Subsection A excludes from the definition of "subject mine", any mine that "As of November 1, 2019, is engaged in the permitted extraction of minerals from natural deposits;"

The Roff Mine is not a "subject mine" as it has been engaged in the permitted extraction of minerals from natural deposits prior to November 1, 2019. The Roff Mine has been in operation since about 1913 and it has been permitted and bonded since the 1980s.

Therefore, the HB2471 moratorium on ODM's issuance of new permits or permit revisions does not apply to the Roff Mine's requested Permit revision.

HB2471 Section 2, Subsection B

Paragraph 2 of Subsection B establishes a moratorium on the ODM issuing "any amendment or revision to any existing mining permit, that covers additional land which shall include extensions of boundaries shown in the initial permit, if the revision would increase the acreage under such permit for that mine location by more than one hundred percent (100%) or four hundred (400) acres, whichever is less, as compared to the acreage under permit for that mine location prior to the effective date of this act;"

Even if the Roff Mine were to be mis-characterized as a "subject mine" for purposes of HB2741, Covia's additional land does not meet the criteria of paragraph 2 of Subsection B. The Roff Mine's request for

[3] The various sections of House Bill 2471 have been codified as follows: Section 1 of Bill 2471 is codified in Title 27A of the Statutes which pertains to the Department of Environmental Quality; Section 2 of Bill 2471 is codified in Section 950 Title 45 which pertains to the Department of Mines; and Section 3 of Bill 2471 is codified in Title 82 of the Statutes which pertains to the Oklahoma Water Resources Board.

additional land area is only 380 acres[4], or 26% of its currently permitted 1,441 acres, which is below the acreage that triggers the permitting revision moratorium.

Even if HB2471 were to apply to the Roff Mine, this exemption eliminates the moratorium on ODM's ability to add 380 acres to the Roff Mine Permit.

HB 2471, Subsection C

Subsection C states "notwithstanding the moratorium, nothing in paragraph 2 of subsection B of this section shall preclude the Department of Mines from issuing an amendment or revision to cover addition land, . . .under a permit issued prior to the effective date of this act, nor shall any permit amendment or revision issued pursuant to this section be deemed to render the permitted mine a 'subject mine" (emphasis added) for the purposes of Title 27A, 45 or 82 of the Oklahoma Statutes."

Covia believes that Subsection C confirms the authority of ODM to revise Roff's Permit as this Subsection specifically addresses the future characterization of mines that undergo a permit revision authorized by Subsection B. Therefore, upon the revision to the Roff Permit to add new land will not cause the Roff Mine to be characterized in the future as a "subject mine" under the referenced Statutes.

Legislative History

Covia believes that the inclusion of exemptions to the moratorium on revising existing mining permits and the limitation of new land acreage that can be added to an existing permit pursuant to HB2471 reflect the legislature's appreciation of how surface mining is conducted and the need for mine operators to periodically move to new lands that contain accessible reserves when existing reserves have been exhausted. We believe that the legislature intentionally carved out these exemptions, yet limited the acreage that existing mines could add, to provide mine operators with some flexibility to access new reserves and continue operating during the interim period while the various state departments coordinate and conduct studies to promulgate final rules pursuant to HB2471.

2022 Meeting With ODM

Finally, on October 21, 2022, Covia met with representatives from the ODM to review the proposed mine expansion by adding the Sunshine Pit. During this meeting, ODM's Richard Shore determined that the mine expansion appears to qualify for the exclusions outlined in HB2471 and he explicitly advised Covia

[4] Note: In 2020, the Roff Mine previously added 20 acres to its Permit, leaving 380 acres available for this current expansion; if the limitations of HB2471 were to apply.

to include land area under the slurry pipeline in its Permit expansion application. Covia complied with this advice and included the land corridor in its expansion application. Therefore, the expansion area will be contiguous to the existing permitted area as it will be physically connected via the three water and slurry pipelines as well as by the land corridor easement which will be permitted and bonded.

Distance Between the Expansion Area and Existing Permitted Area

In its Letter, ODM stated a concern that "six (6) miles distance between the existing mine and the new acreage is not a reasonable application of the allowances provided by HB2471." Covia respectfully disagrees with that conclusion. We also believe that distance should not be a factor in ODM's evaluation of Covia's requested Permit revision, as the imposition of any distance limit is arbitrary, as no such limit exists in HB2741 or Title 45 of the Oklahoma Statues.

Section 2 of HB2471[5] and Title 45 of the Oklahoma Statutes ("Statutes") do not contain language that limits the aerial extent of a mining operation; nor is there any mention of an allowed maximum distance between pits and processing areas, or any requirement that all land encompassed by a mining operation must be contiguous. The definitions in Title 45 Section 723 of the Statutes define a "Mine" as a surface excavation and development for the extraction of minerals, which shall embrace any and all of the land or property of the plant that contributes directly or indirectly to the mining properties, concentration or handling of minerals. Also, a "Pit" is defined therein as a tract of land from which overburden or minerals have been or are being removed in the process of surface mining. Thus, a Pit is just one of many components that compose a Mine and there is no requirement for all pits to be contiguous to, or within a given distance of, the rest of the mining operation.

Currently, the Roff Mine complex has numerous pits that are a distance from, and not contiguous to, the rest of the mining complex. The maps in Exhibit A show the "Mine Permit Boundary" of the separate and discrete areas that are currently permitted, separated by intervening, non-permitted land. In fact, the existing pits are physically connected to the Processing Area by over 2.5 miles of pipeline. This past practice is analogous to the current request to add the expansion area, which will be physically connected to the rest of the Mine by pipelines and a land easement corridor of approximately 3.6 miles.

There is no basis for ODM to limit the distance between a new pit and an existing, permanently-installed processing area. An arbitrary distance limit would impose onerous financial burdens on surface sand mining operations. In such a situation, mining operators would need to either: (i) acquire and permit large tracks of intervening land that have no value to them, just to gain access to target reserves that exist a

[5] Section 2 of HB2471 is codified in Title 45; 'Mines and Mining' of the Oklahoma Statutes.

distance from, and not contiguous to, their existing processing facility; or (ii) move the entire processing facility building and equipment to each new pit as it is opened. Neither alternative is financially viable.

Although Covia recognizes ODM's concern, we believe that the distance between an existing processing facility to a new pit is "self-limiting" due to cost. As distances increase, so do costs to transport sand from a pit to the infrastructure buildings and equipment in the processing area; pipelines and pumps lose efficiency with distance, requiring larger, more powerful and expensive pumps; the cost to transport sand by truck also increases as the distance increases. Thus, there is no need for ODM to impose an arbitrary distance limit in addition to the acreage limit that already exists in HB2471, Section 2, Subsection B, paragraph 2. Also, given the 400-acre limit in HB2741 and the fact that 20 acres were already added to the Roff Mine Permit in 2020, if HB2741 were to apply to this situation, the company's current request to add 380 acres would reach the maximum allowable acreage; thus there would be no future expansion requests during the life of the moratorium.

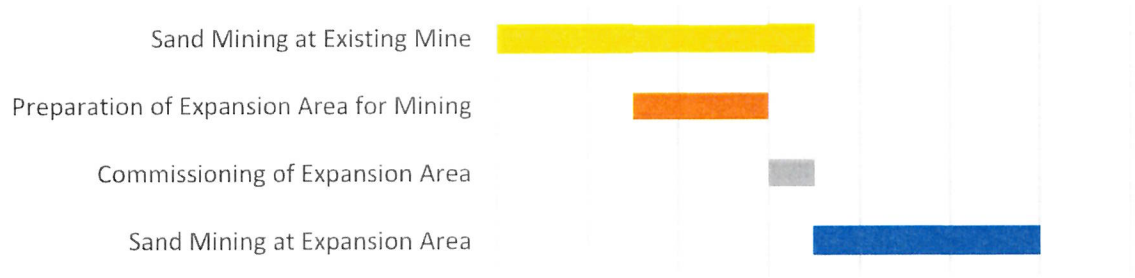
Covia also appreciates ODM's suggestion that the company pursue acreage located closer to the existing mine, but that is not a feasible alternative. The company cannot simply acquire nearby land for expansion. First, any potential land acquisition must have sufficient commercial-quality sand reserves, the location of which is dictated by nature. Secondly, landowners must be willing to sell or lease their property at a price that allows the company to be profitable. At Roff, the company has explored alternative locations and it concluded that the Sunshine Pit was the only viable option to avoid a shutdown of the plant. No alternate sand reserves, of sufficient quality and quantity, exist closer to the mine. Even so, given the distance involved, the cost to develop the Sunshine Pit is very high, approaching the maximum cost that allows the project to remain profitable.

COVIA

Point of Clarification #2: Throughput and Reclamation

The Roff Mine will cease mining at the existing pits before it starts mining at the proposed Sunshine Pit expansion area. The addition of the expansion area land will not increase or change the Roff Mine's sand processing in any manner whatsoever. The Processing Area, buildings, equipment, storage piles, ponds, and processing methods will not change except that the sand slurry will be pumped to the Processing Area from the new Sunshine Pit instead of from the existing pit. Effectively, this is a simple transfer of the source of reserves from one pit to another. The area being actively mined at any given time will not exceed the current production rates and the overall permitted throughput (across both the current mine area and the expansion area) will not increase.

Below is a simple Gantt chart showing how mining operations would transfer to the new expansion area without overlapping and not increasing the existing throughput of the mine.



Additionally, once the current sand mining pits are closed, the mine reclamation plan will be executed. Reclamation includes restoring previously mined areas by re-contouring the land to an appropriate grade, creating swales and ponds, and planting native vegetation to improve wildlife habitat. Covia strives to be a good corporate citizen, and to leave land in a condition that is equal to or better than what existed prior to mining. As such, the Roff Mine has voluntarily implemented a number of habitat improvement projects over the years, prior to commencing formal reclamation.

- One such project improved aquatic habitat in a pond that was formally a pit by following Pond Management guidance provided by the Oklahoma Department of Wildlife, such as installing Shelbyville Cubes, which provided artificial shelters for small fish. Since implementation, the population of large fish, such as bass, in the pond have substantially increased in both size and health.

- Also, since 2022, the Roff Mine has removed approximately 1,295 Eastern Red Cedar trees in an effort to restore native grasslands, reduce wildfire risks, and allow more water to naturally recharge the

aquifer that would otherwise be taken up by the rapidly spreading and water-intensive cedars. Covia estimates that approximately 236 million gallons of water have percolated back into the aquifer (based on estimates that each Eastern Red Cedar consumes an average of 50 gallons of water per day).

COVIA

Point of Clarification #3: 85% of the Sand Reserves are Above the Water Table

Covia evaluated the quality and the thickness of the target sand reserves in the expansion area by drilling borings and sampling and logging the results across the area. The borings were advanced through the overburden material and sand reserve formation until an underlying clay layer was encountered.

This evaluation showed that approximately eighty-five (85%) of the targeted sand reserves in the Sunshine Pit expansion area are located above the groundwater table. More importantly, most borings did not encounter any groundwater throughout the entire thickness of the sand formation, except in three isolated areas where the mapped sand reserves dip below the groundwater table. At one isolated location, the target sand unit extends to a depth of approximately 25 feet below the water table; at a second location, the target sand unit extends to a depth of approximately 45 feet below the water table; and at a third area, the target sand unit extends to a depth of approximately 80 feet below the water table.

Covia plans to restrict its mining to above the water table during the first few years to avoid, for as long as possible, any activity that could potentially impact the aquifer. When mining below the water table is eventually undertaken to access the last fifteen (15%) of the identified reserves, the direct interaction between the mining activities and the groundwater will be limited to the three discrete saturated areas and mining will be completed quickly to minimize water infiltration.

Another important point is that no chemicals or additives will be used in the expansion area. The stormwater that accumulates in the Pit and process water from the Processing Area will be used to mix with the sand to create a slurry and to transport that slurry to the Processing Area for processing.

In addition, the mining plan and a water management plan will be implemented to reduce the potential impacts to groundwater.

Point of Clarification #4: Wastewater Outfalls

As more fully described in the "Background – Roff Mine Operation" section, the addition of the Sunshine Pit land will not increase or change the Roff Mine's sand processing in any manner whatsoever. The Processing Area buildings, equipment, storage piles, ponds, and processing methods will not change as the new Pit is opened. The only change will be to relocate the source of the sand and the pipelines from the existing pits to the Sunshine Pit.

As discussed in Point of Clarification #3, no chemicals or additives will be used in the expansion area. The stormwater that accumulates in the Pit and process water from the Processing Area will be used to mix with the sand to create a slurry and to transport that slurry to the Processing Area for processing.

There will be no wastewater outfalls associated with the expansion area. Stormwater at the proposed expansion site will be directed towards the Sunshine Pit and that accumulated water will be used to create a sand slurry for transport via the proposed permitted and bonded pipeline to the Roff Processing Area for processing. Because all of this water is recirculated as part of the slurry process, there will be no discharge of wastewater from Pit dewatering at the expansion area. As a result, no new outfalls will be created in connection with the expansion.

COVIA

Point of Clarification #5: Community Engagement

Covia plans to go "above and beyond" the standard public notice requirements, which typically include publishing a notice in a local newspaper. Covia plans to proactively engage with the community and key stakeholders.

- Prior to publishing the required public notice, Covia intends to directly notify all adjacent landowners of the expansion area through mailed letters. These letters will provide clear information about the proposed expansion and invite recipients to share concerns or input they may have.

- Because the sand from the Sunshine Pit will be pumped via pipelines to the existing Processing Area, the Roff Mine will not transport sand via truck between the Processing Area and the expansion area, thus avoiding traffic on local roads from sand haul trucks.

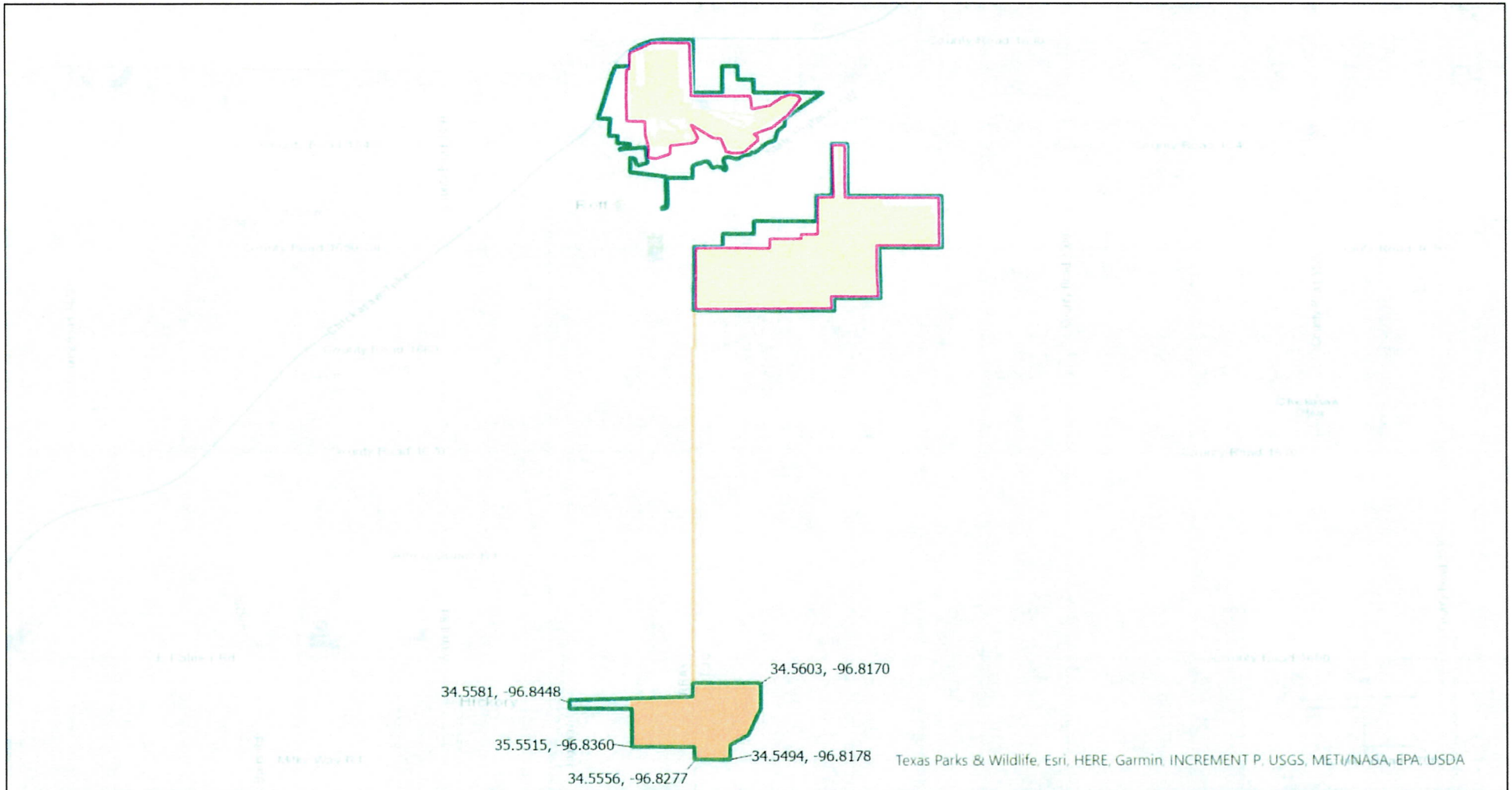
- Covia also plans to engage with relevant non-governmental organizations, including the Citizens for the Protection of the Arbuckle-Simpson Aquifer ("CPASA"), recognizing their important role in local water resource protection. Feedback received from community members and stakeholders will be carefully considered and, where feasible, incorporated into the design and operational plans for the expansion area and Sunshine Pit.

This approach reflects Covia's commitment to transparency, environmental stewardship, and building trust with the local community.

COVIA

Point of Clarification #6: Map Updates

Covia modified the previously submitted map to clearly delineate the areas that are currently permitted and those that are bonded, as well as the proposed permitted and bonded area. We also added coordinates to the expansion area corners and noted the extent of the Arbuckle-Simpson Aquifer. (See the three maps in Exhibit A)



Legend

- Proposed Permitted/ Bonded Area
- Current Bonded Area
- Arbuckle-Simpson Aquifer
- Property Boundary
- Current Mine Permit Boundary

Spatial Reference
Name: GCS WGS 1984
GCS: GCS WGS 1984
Datum: WGS 1984
Map Units: Degree
Authority: EPSG
WKID: 4326

N

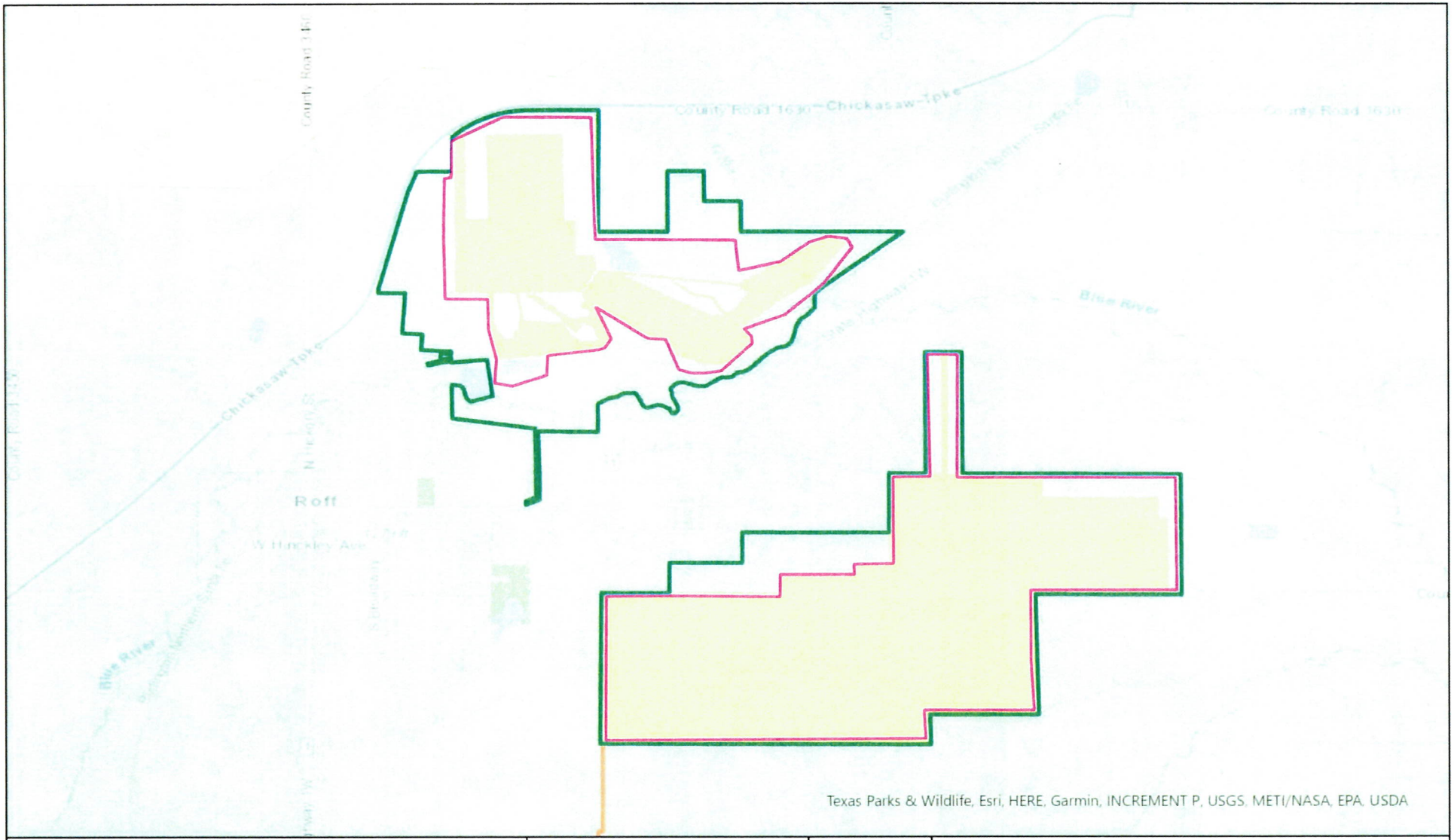
Covia Solutions LLC
Updated Mining Area Map - Exhibit A
600 E. Walling Avenue
Roff, OK 74865

bsi

Location:
Center: 96°49'7"W 34°36'2"N

0 0.75 1.5 3 Miles

June 2025



Legend

- Proposed Permitted/ Bonded Area
- Current Bonded Area
- Arbuckle-Simpson Aquifer
- Property Boundary
- Current Mine Permit Boundary

Spatial Reference
Name: GCS WGS 1984
GCS: GCS WGS 1984
Datum: WGS 1984
Map Units: Degree
Authority: EPSG
WKID: 4326

N

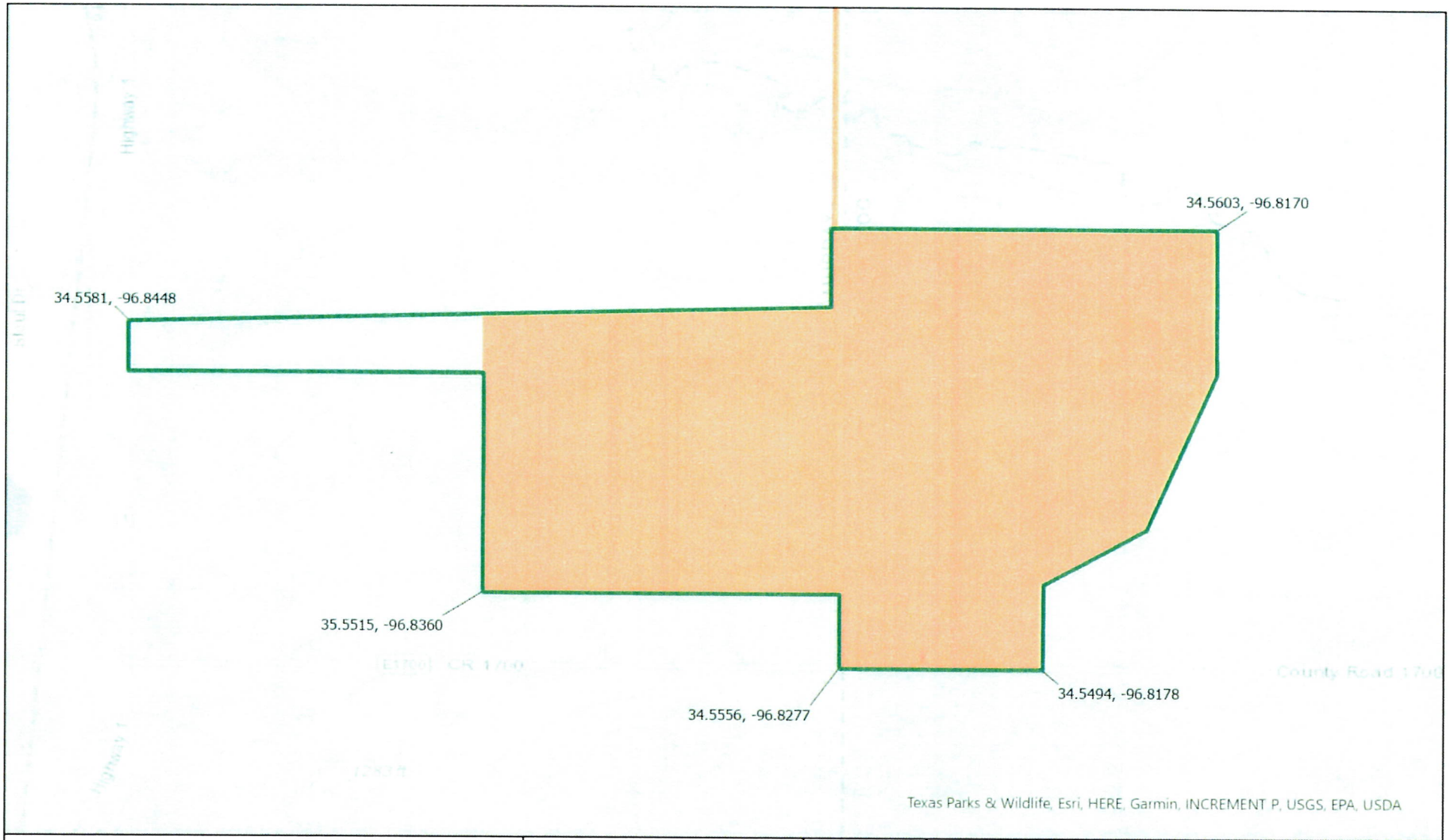
Covia Solutions LLC
Current Mining and Processing Areas Map - Exhibit A
600 E. Walling Avenue
Roff, OK 74865

bsi

Location:
Center: 96°49'11"W
34°37'58"N

0 0.25 0.5 1 Miles

June 2025



Legend

- Proposed Permitted/ Bonded Area
- Current Bonded Area
- Arbuckle-Simpson Aquifer
- Property Boundary

Spatial Reference
Name: GCS WGS 1984
GCS: GCS WGS 1984
Datum: WGS 1984
Map Units: Degree
Authority: EPSG
WKID: 4326

N

Covia Solutions LLC
Updated Sunshine Pit Area Map - Exhibit A
600 E. Walling Avenue
Roff, OK 74865

bsi

Location:
Center: 96°49'48"W
34°33'20"N

Miles
0 0.13 0.25 0.5

June 2025

Attachment D

Request for Reconsideration

ODM Response Letter

RECEIVED
AUG 12 2025
DEPT. OF MINES

Covia Solutions LLC
7-2-2025

SUZEN M. RODESNEY
DIRECTOR

J. KEVIN STITT
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF MINES

July 2, 2025

Natalie Eglinton
Covia Solutions, LLC
600 E. Walling Avenue
Roff, OK 74865

Re: Request for Reconsideration of Expansion Application for Permit #L.E.-1565

Dear Ms. Eglinton:

Thank you for the June 30, 2025, letter and supplemental information provided regarding Covia's request to expand permit #L.E.-1565 located within the Arbuckle-Simpson Aquifer area currently under a legislative moratorium for new mining. I have reviewed the background and points of clarification provided related to House Bill 2471.

While I disagree with your assessment that the Department of Mines' evaluation of your initial application was "arbitrary", I understand that your company wants to continue its operation in this region within the confines of the current law. Your detailed letter regarding Covia's expansion explains more specifically how it does fit within the current law. I appreciate the additional data supplied and your company's willingness to go beyond the required public notice newspaper publication.

The biggest concern I have is how much water will be used in the expansion area, particularly when Covia mines below the water table as you described in Point of Clarification #3. I would like to see the estimated timetable, mining plan and water management plan that would be implemented and maintained. Should the expansion application go through the permitting process and arrive at my desk for approval, annual updates on the water usage will be a condition of the permit.

Therefore, I recommend you re-submit the expansion application to the Department of Mines with the additional data and updated maps you shared with me.

Sincerely,

Suzen M Rodesney

Suzen M. Rodesney
Director

cc: Jenna Bedwell
Travis Shore
Clayton Eubanks

Attachment E

Hydro-Geological Considerations and Life of Mine Memo

Additional Information

RECEIVED
AUG 12 2025
DEPT. OF MINES

Covia Solutions LLC
8-8-2025

To: Mike Maloney
From: Ryan Bresnahan, Jamie Simpkins, Jim Bonsall
CC: Natalie Eglinton & Susan Smith
Date: July 30, 2025
Re: Roff Sunshine Road Pit Hydro-Geological Considerations and Mine Life

Background

Covia's Roff, Oklahoma sand mine complex includes its processing plant and two active mining pits which are referred to as the Wingard Pit and the Kite Pit. It is estimated that each of these pits has approximately one year of mineable sand reserves remaining at the current production rate, depending on economic and commercial conditions. Upon exhaustion of the sand from those pits, Covia intends to open the new Sunshine Road Pit (SR Pit) which is located about five miles south of the processing plant. Covia estimates that the SR Pit has ten to twelve years of sand reserves.

Arbuckle Group

The sand reserves that Covia intends to mine at the new SR Pit are in the Oil Creek Sandstone Formation (OCF) which overlies the Arbuckle Group formation. Given the local geology, location, shape, and orientation of the sand reserves, and Covia's planned mining sequence, mining of the OCF sand will not detrimentally impact the underlying aquifer based on the following factors: (i) the lack of hydraulic connectivity between the OCF saturated zone within the SR Pit and the underlying Arbuckle Group aquifer; and (ii) mining in the OCF saturated zone will be completed quickly and in very localized areas, as only 10% of the OCF sand reserves are below the water table. The following additional information supports these factors and the conclusion that OCF mining will have little impact on the Arbuckle aquifer.

Sand Ore Body Geometry

At the planned location of the new SR Pit, the OCF sandstone deposit is a wedge-shaped body that is truncated on the north by a normal fault and thins southward until it pinches out (Figure 1). The deposit was faulted / down-dropped creating the present ore configuration. The thickest ore reserves are 80 to 140 feet thick along the fault. Because the OCF sandstone block dips to the north, the deepest portions of the sandstone intercept the water table.

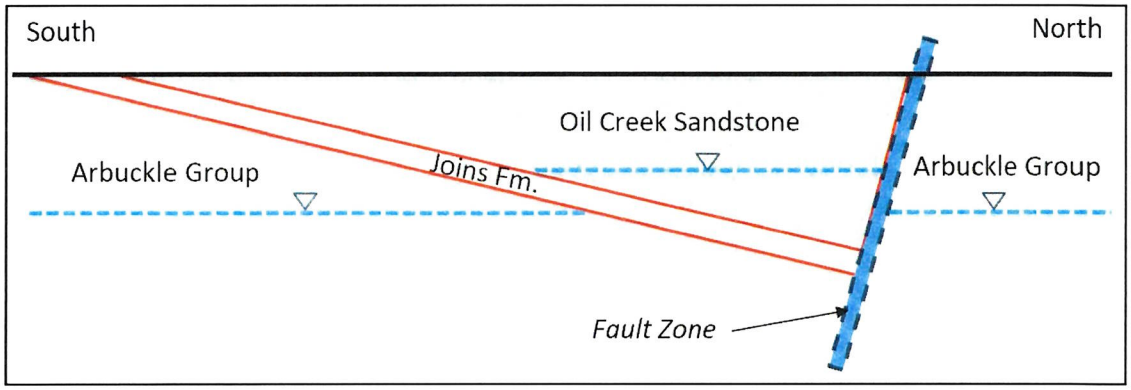


Figure 1. Cross section of Oil Creek Sandstone dip in relation to the Arbuckle Group.

The sandstone ore body configuration consists of a central structural high or 'saddle' area that separates two thicker sand ore sections in the eastern and western parts of the property, which was likely caused by the variation in down-drop of the OCF block along the northern fault. This configuration forms two areas of saturated OCF at depth which are laterally limited, as they are separated by the central structural high saddle area of the unsaturated ore body. The saturated OCF has an approximate maximum thickness of 80 feet in the eastern portion and 40 feet in the western portion of the site, but as shown by the groundwater contours in plan view on Figure 2, the saturated zones are limited in areal extent.

Hydrogeologic Considerations

As described above, the block of OCF sand ore dips to the north. Covia has evaluated the OCF ore body and has concluded that it is hydraulically isolated from the underlying Arbuckle Group aquifer, based on the following information.

- Underlying the OCF ore body is the Joins Formation, which locally consists of clays and silts. This unit is believed to have low hydraulic conductivity which will minimize potential water flow between the saturated OCF and the underlying Arbuckle Group aquifer as illustrated in Figure 1.
- The northern fault zone is considered to comprise clays and fractured/weathered rock. This zone is also believed to have low hydraulic conductivity, which will minimize the water flow between the saturated OCF and the Arbuckle Group aquifer.
- The Joins Formation and the northern fault zone effectively hydraulically isolate the OCF sand body from the Arbuckle Group aquifer.

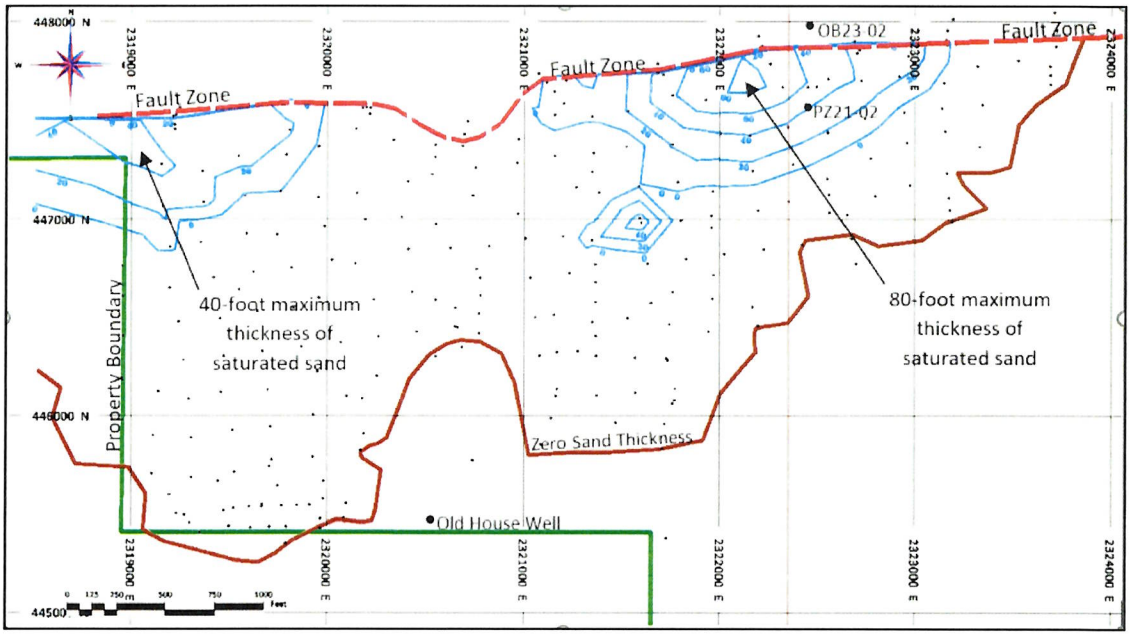


Figure 2. Area of OCF sandstone, saturated OCF thickness and three groundwater wells.

Weegar-Eide Hydrologic Study

In 2022 and 2023, Covia hired the Weeger-Eide & Associates, LLC (W-E) group to conduct a hydrologic study of the sand ore body at the SR Pit property. The W-E group installed four groundwater monitoring wells and conducted an aquifer recovery test. Pursuant to the W-E September 4, 2023 report, the study produced the following conclusions:

- The Oil Creek Sandstone has hydraulic conductivity of a fine to medium grained sandstone.
- The eastern OCF sandstone has a maximum saturated thickness of 60' and the western sandstone saturated thickness is estimated at 40'.[1]
- Minimal drawdown response in the Arbuckle Formation well north of the fault during pumping tests suggests little communication with the SRM if dewatered.
- Water chemistry is dissimilar in wells in the Arbuckle vs Oil Creek- again suggesting little communication between the aquifers.
- Mine dewatering is expected to take less than 1 year.

[1] Covia's extensive boring program identified a thicker saturated zone (80') within the eastern portion of the OCR than identified by W-E's groundwater wells.

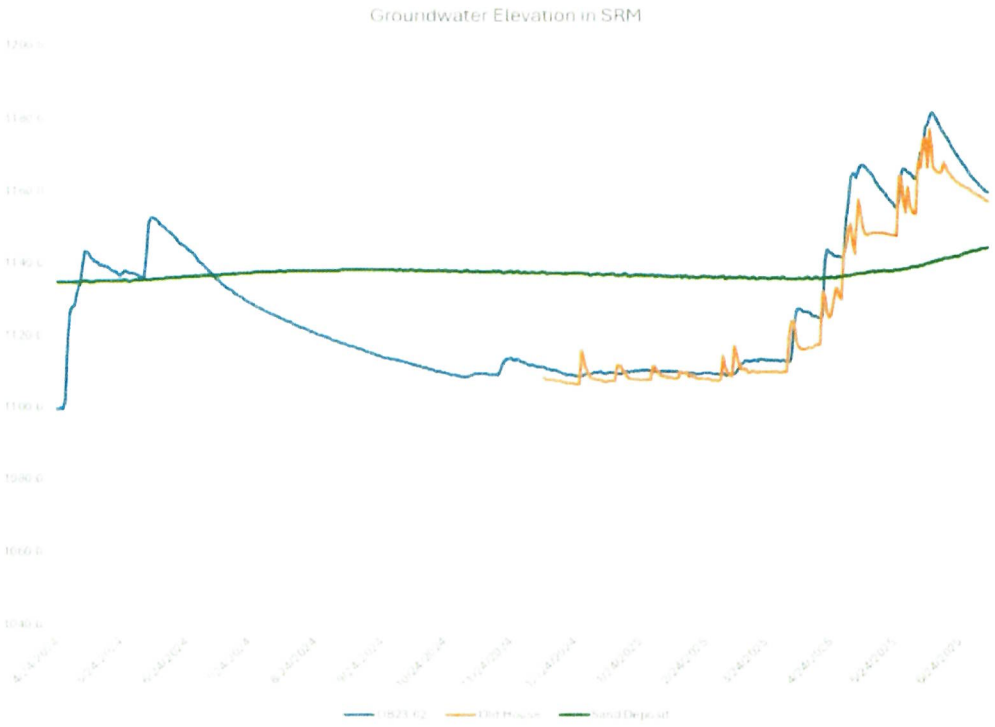
Groundwater Monitoring Results

In addition to the conclusion that the OCF ore body is hydraulically isolated from the underlying Arbuckle aquifer based on the geologic structure of the OCF ore body and the aquitards created by the northern fault zone and the Joins Formation, Covia has monitored the local groundwater elevations and presents the following data to support its conclusion.

Since December 2024, Covia has collected groundwater elevation data from three wells, one of which was drilled into the saturated zone of the OCF sand ore body (PZ21-02). The other two are located outside of the OCF ore body in the underlying Arbuckle Formation aquifer. One well is located north of the fault zone (OB23-02) and the other is located at an old house on Covia property, south of where the OCF sand body pinches out. A logger was installed in the old residential water well in December 2024. The locations of the three wells in relation to the OCF sand ore body are shown in Figure 2. Prior to installation of the logger in the residential well, Covia collected groundwater elevation data from the other two wells since April 2024[2].

The groundwater elevation data from the three wells is shown on Graph 1. The groundwater elevation data clearly demonstrates that the saturated zone of the OCF is hydraulically separate from the Arbuckle aquifer. The data shows a very strong correlation of the groundwater elevations in the two wells that area located within the Arbuckle aquifer, with dramatic and similar fluctuations shown by the blue and orange lines labeled "Old House" and "OB23-02" on the graph. However, there is a very distinct difference between the groundwater elevations and fluctuations of those two wells in the Arbuckle aquifer compared to the extremely stable groundwater elevations measured in the OCF ore body shown by the green line labeled "Sand Deposit" in the graph. This graph clearly illustrates the lack of hydraulic conductivity between the saturated zone of the OCF and the Arbuckle aquifer.

[2] Covia's groundwater elevation loggers collect data on an hourly basis. The monthly data that is plotted in the graph is the average of one reading per each day of the month; taken at the same time each day.



Graph 1. Groundwater elevations of wells in the Arbuckle aquifer and OCF Sand Deposit.

Limited OCF Sand Below the Water Table

Based on Covia's borings used to delineate the extent of the sand reserves for mine planning purposes, it has concluded that only approximately 10% of the entire OCF sand deposit is below the water table. The lateral extent of the saturated sand ore is also very limited as discussed previously and as shown by the water elevation contours in Figure 2.

Even though the saturated OCF is distinct and isolated hydraulically from the underlying Arbuckle aquifer, Covia will limit any potential impact to the aquifer by avoiding contact with the overlying OCF saturated zone until necessary, and at that time, mining in the OCF saturated zone will be expedited to complete mining in the shortest feasible timeframe.

Mining Sequence Plan

Because approximately 90% of the OCF sand deposit is above the water table at the new SR Pit location, Covia intends to avoid contact with the water table by mining in the upper unsaturated sandstone for the first 8-10 years and then it will mine the deeper, saturated

reserves.[3] It is estimated that mining of the eastern and western localized saturated reserves will be completed in less than 1.5 years; and mine dewatering is expected to take less than one year. This results in a very short timeframe of interaction between mining processes and the local water table within the OCF, and a short timetable for potential recharge.

Due to the limited area and depth of the saturated OCF sandstone, Covia plans to mine the upper unsaturated sandstone first, beginning with the thinner reserves at the eastern end of the property and advancing westward (Figure 3). Covia will avoid mining below the water table until most of the unsaturated sand is removed. Mining below the OCF water table in the eastern saturated zone is expected to be completed in 6-8 months and it is estimated that mining of the localized saturated zone in the west will be completed in 4-5 months. It is important to note that during mining in the saturated OCF areas, care will be taken to avoid damaging the underlying aquitard of the Joins Formation clay deposit that separates the OCF from the Arbuckle Group.

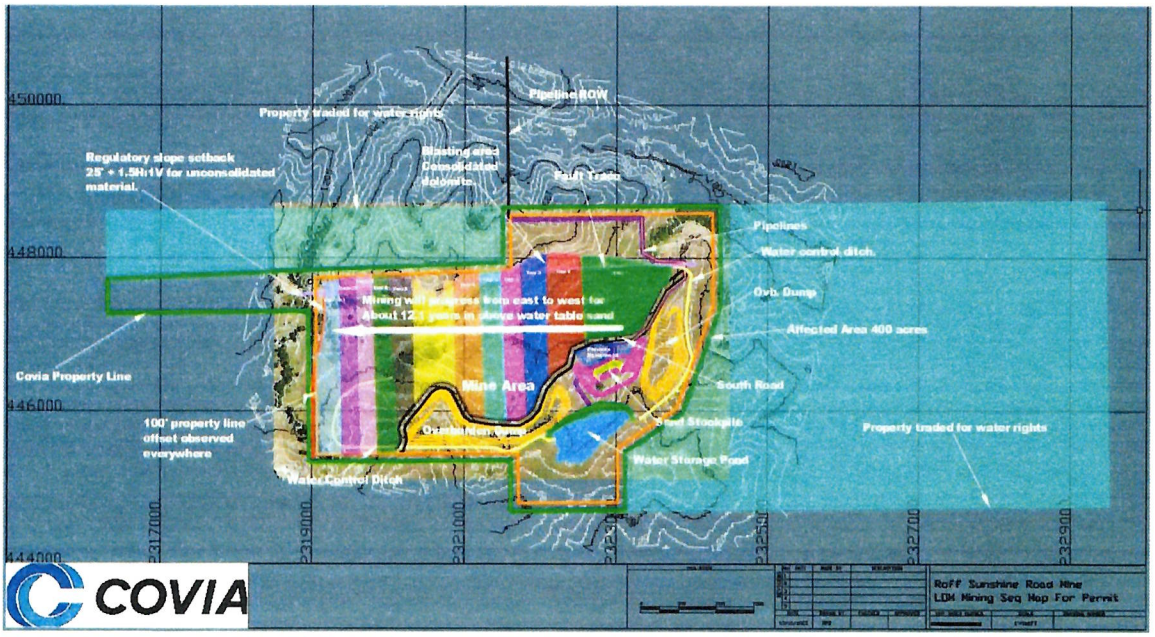


Figure 3: Life of Sunshine Road Pit – Mining Sequence Map

[3] Time estimates based on current production rates could be affected by economic and commercial conditions.

Conclusion

Based on a comprehensive evaluation of geologic, hydrogeologic, and groundwater monitoring data, Covia concludes that mining operations at the Sunshine Road Pit will not adversely impact the underlying Arbuckle Group aquifer. The OCF, which hosts the sand reserves, is hydraulically isolated from the Arbuckle aquifer due to the presence of low-permeability geologic units, including the Joins Formation and the northern fault zone. Groundwater elevation monitoring, aquifer testing, and water chemistry data all indicate a lack of hydraulic connectivity between the OCF saturated zone and the Arbuckle aquifer. Furthermore, only approximately 10% of the OCF reserves lie below the water table, and the areal extent of saturated sand is limited. Covia's mining plan minimizes potential impacts by delaying excavation in saturated zones and completing mining in those areas within a short, defined timeframe. Collectively, the site-specific geology, hydrogeologic separation, and operational approach support the conclusion that OCF sand mining at the Sunshine Road Pit will have negligible impact on the Arbuckle aquifer.

Attachment F

Updated Water Management Plan

Covia Roff – Sunshine Road Pit

Covia Solutions LLC
8-8-2025

PURPOSE

Covia Solutions LLC ("Covia") present this Water Management Plan ("Plan") which describes the water usage and management for its planned Sunshine Road Pit and the interaction between water used at this new pit and Covia's existing Roff Mine processing facility to the north. The purpose of this Plan is to ensure responsible and sustainable use of water resources, particularly in relation to water that is encountered in pits while actively mining. The Plan has been developed in accordance with the Oklahoma Water Resources Board (OWRB) Rules (785:30-15). This Plan outlines procedures for managing water collection and activities that include mine pit dewatering, retention impoundments, and diversion points to manage water during mining of the new Sunshine Road Pit.

PROJECT

The new Sunshine Road Pit is located approximately 4.5 miles south of Covia's existing Roff, Oklahoma mine complex. The Roff mine complex includes the sand processing plant buildings and the currently mined Kite and Wingard / Hatch pits. The OWRB approved the Water Management Plan related to the Roff mine's Wingard / Hatch Pit in October 2018. The Hatch Pit Area is located to the east of Roff, Oklahoma in the S2 SE of Section 19-2N-SEIM in Pontotoc County. This Plan update addresses the new Sunshine Road Pit, which will be located approximately 4.5 miles south of the existing Roff facility (see Figure 1).

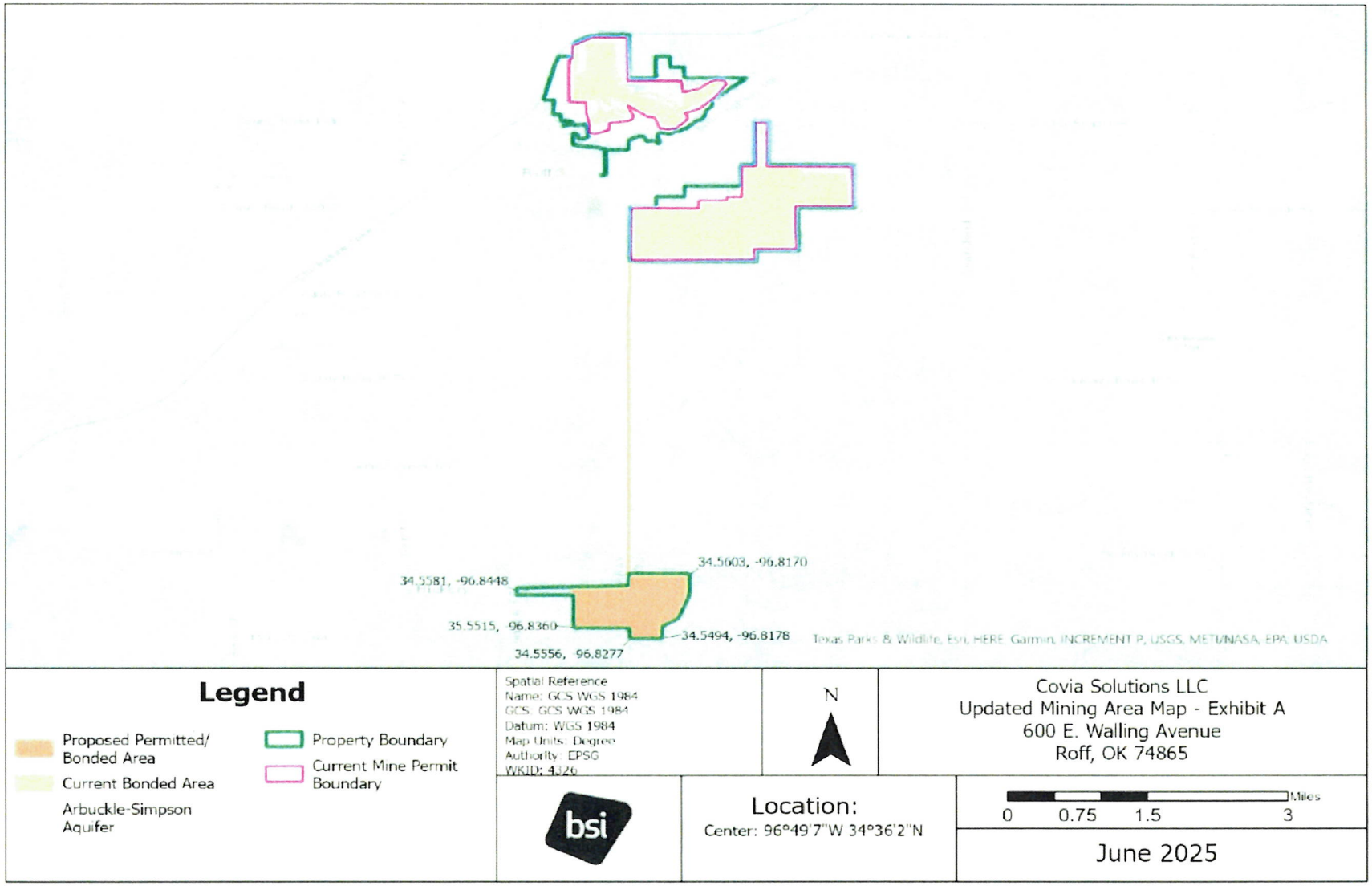


FIGURE 1. ROFF MINE COMPLEX

COVIA

MANAGEMENT PLAN

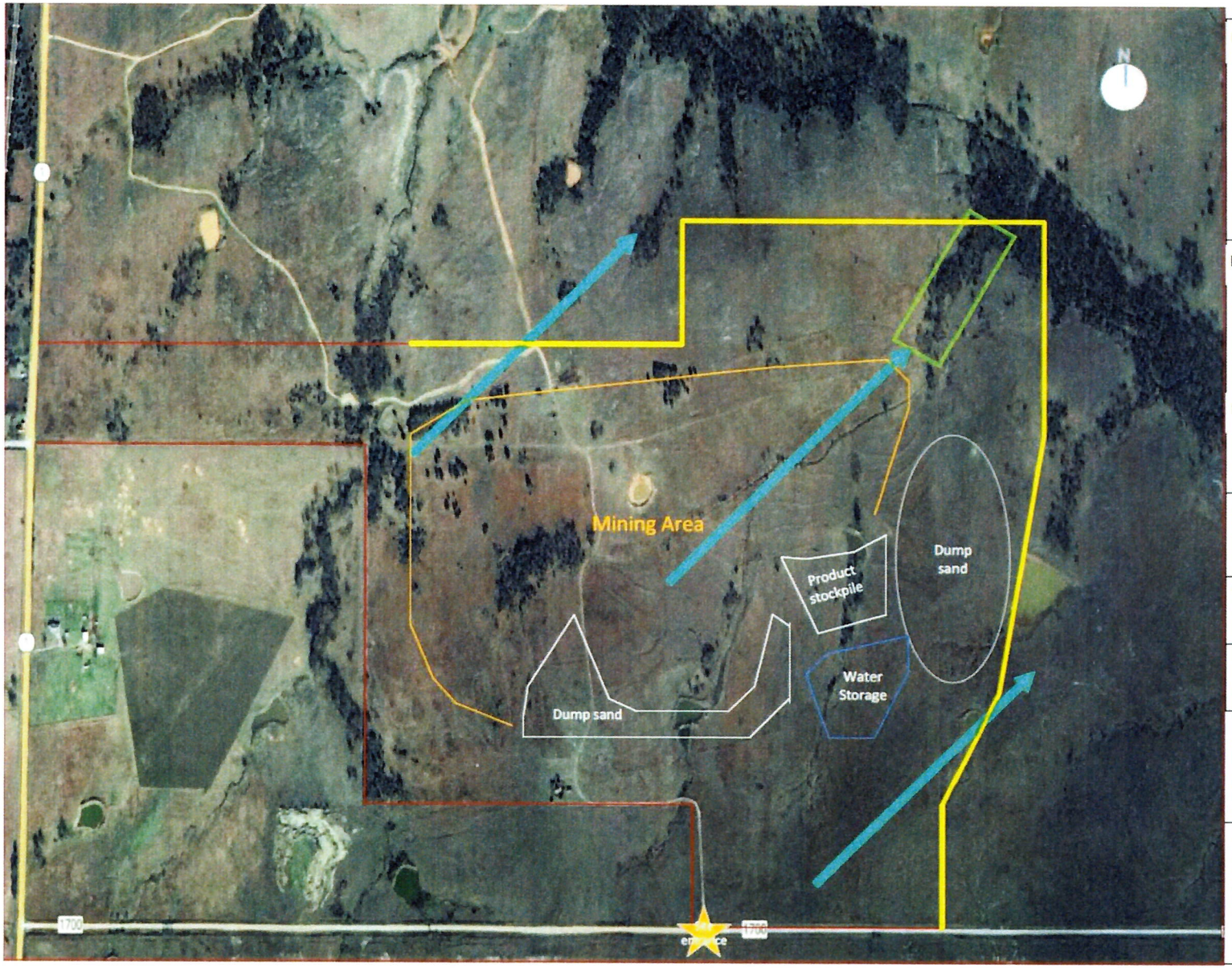
Characterization of Area

Currently at the processing plant, water is collected using a series of ponds to recycle the process water and capture stormwater runoff. All groundwater, precipitation, and run-off is pumped through the process water system at the processing plant. Water is either recycled as process water, filtered back into the aquifer through recharge ponds, evaporated to the atmosphere, or discharged to an unnamed tributary of the Blue River through an existing permitted and monitored process water outfall located near the northern processing plant.

The process water for the new Sunshine Road Pit will not be extracted from the local groundwater. Instead, the majority of the process water will be pumped via a pipeline from the existing Roff processing plant property in the north to the Sunshine Road Pit, where it will be used to slurry the mined sand which will be pumped via pipeline to the Roff plant for processing.

Facility Layout

The planned locations of impoundments and stockpiles for the Sunshine Road Pit operation are shown in Figure 2 which also shows the current stormwater flow direction. During the construction and operation of the Sunshine Road Pit, all drainage from the areas affected by the operations, such as the dump sand and product stockpiles, will be directed into the pit and managed as process water to prevent that water from entering Little Blue Creek.



Notes/Legend:

- Property Line
- Stormwater direction
- Site Entrance
- Natural buffer
- Silt fence

Source: Google Earth

Project:

Covia Solutions, LLC

Location:

34.55427, -96.82433

Drawing Title:

Stormwater Site Diagram

Date Created:	Drafted By:
August 12, 2024	Rachael Vinson
Project Number:	**Checked By:**
CCPEOK2401	Jeffrey Cart

1" approximately 500

ALTAMIRA

10370 Richmond Ave. Suite 800
Houston, TX 77042

FIGURE 2. SUNSHINE ROAD PIT MINE AREA

COVIA

During the first approximately eight to ten years of Sunshine Road Pit operation, mining will be conducted above the water table to avoid impacting the underlying aquifer; mining below the water table will only be conducted during the latter years.[1] When mining below the water table, the groundwater, precipitation, and run-off will be collected in the Sunshine Road Pit and used to slurry the sand which is pumped to the processing plant. There, all water is managed via the existing Roff process water system. At this point the water is either recycled as process water, filtered back into the aquifer through recharge ponds, evaporated to the atmosphere, or discharged to an unnamed tributary of the Blue River through an existing permitted and monitored process water outfall located near the processing plant.

The Water Flow Schematic illustrates the future water flow for the new Sunshine Road Pit in relation to the existing Roff processing plant (Figure 3). Please note that this is a future representation, as the Wingard Water Storage and the Kite Water Storage areas shown in the figure are operating pits that are currently being mined and dewatered. It is expected that the sand deposits in the Wingard and Kite pits will be exhausted within two years, and the mining operation will then move to the Sunshine Road Pit. When mining in the Wingard and Kite pits ceases, dewatering of those pits will also cease and they will become water storage units.

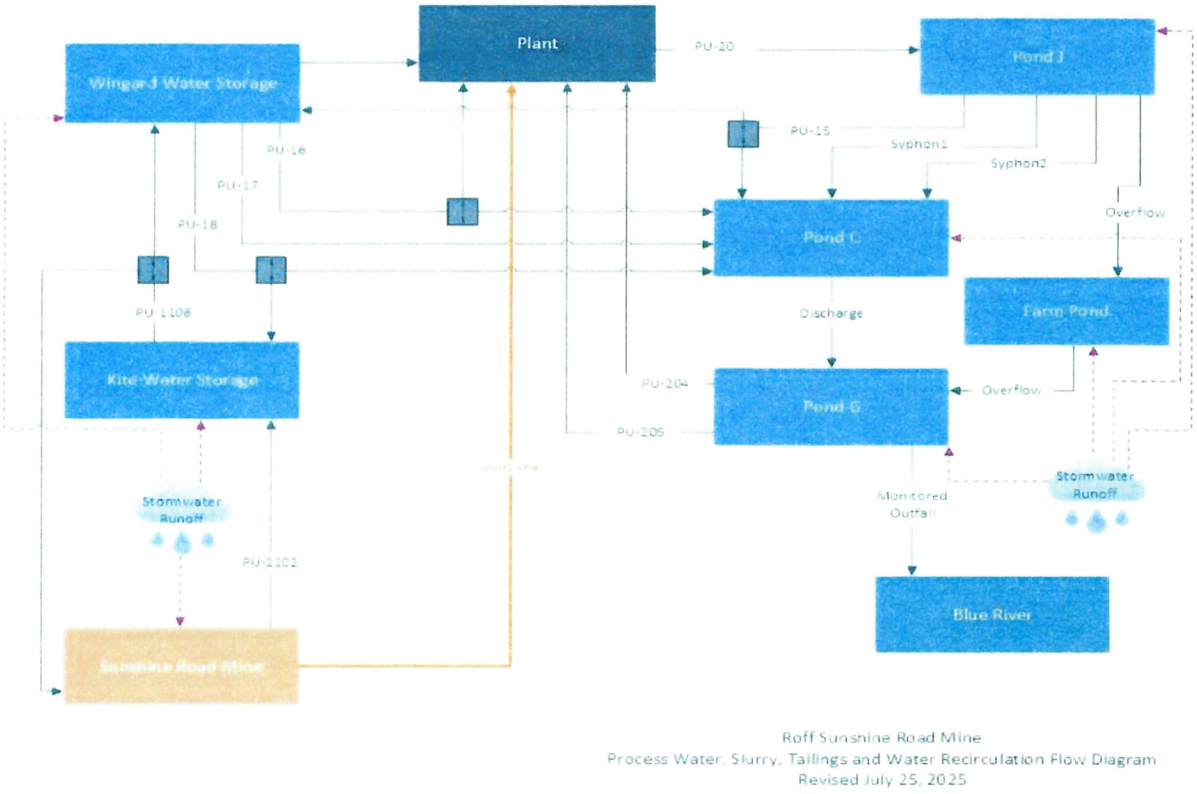


FIGURE 3. SUNSHINE ROAD WATER FLOW SCHEMATIC

[1] Timing estimates are based on current sand production rates which may be affected by economic and commercial conditions.

COVIA

Water Budget

The majority of the sand reserves (90%) in the Sunshine Road Pit have been categorized as being above groundwater, with the deepest 10% of the sand reserves lying below the water table. Because most of the reserves are unsaturated, the consumptive use of groundwater will be 'de minimis' in the early years of the pit operation. During the first approximately eight to ten years of the Sunshine Road Pit life, mining will be restricted to the above groundwater reserves and the only water to be removed or disposed of to the Kite Water Storage will be surface water runoff. In the latter years of operation, mining will be conducted below the water table; therefore, sand will be mined, and groundwater will also be removed and used to slurry the sand for pumping to the existing Roff Mine facility to the north.

Approximately around year nine of operations, the sand reserves below the water table will be accessed. It is estimated that approximately 100 to 200 gallons per minute (GPM) of groundwater will be extracted for up to two years. However, this groundwater is not considered typical Arbuckle-Simpson Aquifer (ASA) water because the sand deposit in the Sunshine Road Pit is hydrologically separated from the main body of the ASA by the Joins Formation, a semi-impermeable shale layer beneath the sandstone and a semi-impermeable fault zone to the north. A hydrological study confirmed this separation, as groundwater from the Sunshine Road Pit exhibited distinct characteristics compared to the groundwater samples taken from the ASA.[2]

The water budget for the Sunshine Road Pit is based upon the anticipated conditions of the site during peak groundwater removal (years 9 -12) and can be seen in Table 1[3].

The table shows the anticipated flow of water into and out of the operation:

- Water flow entry and exit points
- Groundwater and stormwater runoff
- Pit water
- Evaporation
- Water loss during processing
- Stream water and groundwater augmentation
- Consumptive use of groundwater

[2] See Covia's memo titled "Roff Sunshine Road Pit Hydro-Geological Considerations and Mine Life" for information on the nature of the sandstone unit and the hydrogeological separation from the Arbuckle Group.
[3] Please see full Water Management Plan submitted to the OWRB for additional details on Table 1.

	Pit Groundwater Volume	Gallons	Acre-Feet
1	Total volume of water pumped from the producing mine pit(s)	217,906,817	668.6
2	Volume of precipitation that falls onto the surface of water in the	85,211,807	261.5
3	Portion of total precipitation that flows over the land surfaces that drains	27,575,010	84.6
4	Other non-pit waters pumped from the producing mine pit		
5	Non-Groundwater	112,786,817	346.1
6	**Pit Groundwater Volume**	**105,120,000**	322.6
	Defined Elements of Consumptive Use	**Gallons**	**Acre-Feet**
7	Volume of pit water that is driven off (by drying) the mined material transported off the mine site	14,388,489	44.2
8	Volume of pit water that is carried away with the mined material transported off the mining site (shipped)		
9	Volume of pit water that evaporates from the producing mine pit, process water ponds, and lined ponds	24,648,090	75.6
10	Volume of pit water that is used for other beneficial uses off the mine site		
11	**Defined Elements of Consumptive Use of Pit Groundwater**	**39,036,579**	119.8
	Pit Groundwater Balance	**Gallons**	**Acre-Feet**
12	Remaining groundwater from pit	66,083,421	202.8
13	**Groundwater Augmentation** (Volume of pit groundwater returned to the		
14	**Stream Augmentation**		
15	**Precipitation & Run-off**		
16	**Recycled Pit Groundwater** (Volume of pit groundwater returned to a mine pit or holding basin)	66,083,421	202.8
17	**Other Non-Consumptive Losses**		
18	Add lines 13 through 18	66,083,421	202.8
19	**Other Consumptive Use (adjusted)** Line 12 minus 18		
	Total Estimated Consumptive Use Of Groundwater	**Gallons**	**Acre-Feet**
21	**Total Estimated Annual Consumptive Use Of Groundwater** (add Line 11	**39,036,579**	119.8
	Covia Roff Facility's Owned Water Rights in the Arbuckle Simpson	**304,550,291**	934.5

TABLE 1. ESTIMATED CONSUMPTIVE GROUNDWATER USE

COVIA

Water Rights

As shown in the following table and the five referenced permits, Covia owns 934.5 acre-feet of water rights in the Arbuckle Simpson Aquifer.

Permit Number	1985-505	1971-362	1964-0120	1984-646F	1984-653B
Entity name	Covia Solutions Inc	Covia Solutions Inc	Covia Solutions Inc	Covia Solutions Inc.	Covia Solutions Inc.
Permitted amount	78.6 acre-feet	12 acre-ft; 1,100 gal/min	764 ac-ft	42.71 acre-ft	37.18 ac-ft
Dedicated acres	393	60		213.5	185.9
Status/Notes	Permit Owner	Permit Owner	Permit Owner	Permit Owner	Permit Owner

TABLE 2. COVIA'S PERMITTED WATER RIGHTS

Consumptive Use

When mining the new Sunshine Road Pit, Covia estimates that the consumptive use of groundwater will be 119.8 acre-feet; this is approximately 13% of the total Covia-owned water rights (934.5 acre-feet) in the Arbuckle Simpson Aquifer as shown above.