AUTHORIZATION TO DISCHARGE UNDER THE OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT NUMBER: OK0044423
ID NUMBER: I-44000210

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,

Clean Harbors Lone Mountain
40355 South County Rd. 236
Waynoka, OK 73860

is authorized to discharge wastewater from their facility, located at:

S½, Section 28 and N½, Section 33 and N½, SE¼, Section 33,
Township 23N, Range 15WIM, Major County, Oklahoma
or approximately five (5) miles east of the intersection of U.S. Highways
412 and 281 then one (1) mile north, Waynoka, OK 73860

to receiving waters: unnamed tributary to Cimarron River in Stream Segment 620920 (Water body ID# 620920010010_00)

from Outfall 001 located at:

Latitude 36.441361° N, Longitude -98.800815° W (GPS: NAD83)
NE¼, NE¼, SE¼, Section 28, Township 23N, Range 15WIM,
Major 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 authorized to retain wastewater in four (4) flow-through surface impoundments (F01, F03, F04, and F05) 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 of wastewater, except with respect to the permittee's legal responsibility under the OPDES Act and Department Rules.

This permit replaces and/or supersedes OPDES Permit No. **OK0044423** that became effective on December 1, 2015.

This permit shall become effective on __.

This permit and the authorization to discharge shall expire at midnight, on __.

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

Issued this _____ day of _____, .

For Oklahoma Department of Environmental Quality,

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

Shellie R. Chard, Director
Water Quality Division

PART I
EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. Effluent Limitations and Monitoring Requirements for Outfall 001

During the period beginning the effective date of the permit and lasting through the expiration date, the permittee is authorized to discharge from Outfall 001. The discharge from Outfall 001 consists of non-contact stormwater from a hazardous waste disposal facility. Such discharge shall be limited and monitored by the permittee as specified below:

Mass and Concentration Limitations - Outfall 001

PARAMETERS	DISCHARGE LIMITATIONS			
	MASS LOADING LIMITS (lbs/day unless otherwise specified)		CONCENTRATION LIMITS (mg/L unless otherwise specified)	
	MONTHLY AVG	DAILY MAXIMUM	MONTHLY AVG	DAILY MAXIMUM
Flow STORET: 50050	Report (MGD)	Report (MGD)	N/A	N/A
Total Suspended Solids STORET: 00530	N/A	N/A	Report	Report
Ammonia (as N) STORET: 00610	N/A	N/A	4.14	9.86
alpha – Terpineol (µg/l) STORET: 51031	N/A	N/A	19	42
Aniline (µg/l) STORET: 77089	N/A	N/A	15	24
Benzoic Acid (µg/l) STORET: 77247	N/A	N/A	73	119
Naphthalene (µg/l) STORET: 34696	N/A	N/A	22	59
P – Cresol (µg/l) STORET: 77146	N/A	N/A	15	24
Phenol (µg/l) STORET: 34694	N/A	N/A	29	48
Pyridine (µg/l) STORET: 77045	N/A	N/A	25	72
Arsenic (µg/l) STORET: 01002	N/A	N/A	210.8	307.5
Chromium (µg/l) STORET: 01034	N/A	N/A	56.3	82.1
Zinc (µg/l) STORET: 01092	N/A	N/A	296	535
Selenium (µg/l) [a] STORET: 01147	N/A	N/A	4.74	8.21
Sulfate STORET: 00945	N/A	N/A	2615	3106
Total Dissolved Solids STORET: 70300	N/A	N/A	Report	Report
Manganese STORET: 01055	N/A	N/A	Report	Report
Oil and Grease STORET: 00552	N/A	N/A	---	15
pH – s.u. STORET: 00400	N/A	N/A	between 6.5 and 9.0	

[a] The reported concentration for selenium will be calculated by the method specified in Part I, Section A, Item 4. IMP NET.

NOTE: See Parts II and III for Additional Requirements.

There shall be no discharge of a visible sheen of oil or globules of oil or grease on or in the water. Oil and grease shall not be present in quantities that adhere to stream banks and coat bottoms of water courses.

Surface waters of the State shall be maintained free from oil 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 location:

Outfall 001: The downstream side of the discharge culvert for sedimentation pond F01. Latitude 36.441361° N, Longitude -98.800815° W (GPS: NAD83). NE¼, NE¼, SE¼, Section 28, Township 23N, Range 15WIM, Major County, Oklahoma.

Monitoring Requirements and Sample Types - Outfall 001

PARAMETERS	MEASUREMENT FREQUENCY [a]	SAMPLE TYPE
Flow	Daily	Estimate
TSS	Monthly	Grab
NH_3-N	1/Quarter	Grab
alpha - Terpineol	1/Quarter	Grab
Aniline	1/Quarter	Grab
Benzoic Acid	1/Quarter	Grab
Naphthalene	1/Quarter	Grab
P - Cresol	1/Quarter	Grab
Phenol	1/Quarter	Grab
Pyridine	1/Quarter	Grab
Arsenic	1/Quarter	Grab
Chromium	1/Month	Grab
Selenium	2/Month	Grab
Zinc	1/Quarter	Grab
Sulfate	2/Month	Grab
Total Dissolved Solids	1/Quarter	Grab
Manganese	1/Month	Grab
Oil and Grease	1/Quarter	Grab
pH	1/Quarter	Grab

[a] When discharging.

2. Effluent Limitations and Monitoring Requirements for Internal Monitoring Point (IMP) 01A

During the period beginning the effective date and lasting through the expiration date, the permittee shall monitor and report the following parameters of the incoming stormwater from the surrounding terrain east of the facility. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters	Draft Permit					
	Mass Loading Limits (lbs/day unless otherwise specified)		Concentrations Limits (µg/l unless otherwise specified)		Msmt Frequency	Sample Type
	Monthly Avg	Daily Max	Monthly Avg	Daily Max		
Selenium	---	---	Report	Report	2/Month	Grab

IMP 01A: Tributary B of the ditch entering the main ditch flowing into F01. Latitude 36.434477° N, Longitude -98.800772° W (GPS: NAD83). SE¼, SE¼, SE¼, Section 28, Township 23N, Range 15WIM, Major County, Oklahoma.

3. Effluent Limitations and Monitoring Requirements for Internal Monitoring Point (IMP) 01B

During the period beginning the effective date and lasting through the expiration date, the permittee shall monitor and report the following parameters of the incoming stormwater from the surrounding terrain south of the facility. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters	Draft Permit					
	Mass Loading Limits (lbs/day unless otherwise specified)		Concentrations Limits (µg/l unless otherwise specified)		Msmt Frequency	Sample Type
	Monthly Avg	Daily Max	Monthly Avg	Daily Max		
Selenium	---	---	Report	Report	2/Month	Grab

IMP 01B: Tributary C of the drain ditch on the southeast end of the facility. Latitude 36.426209° N, Longitude -98.800040° W (GPS: NAD83). NW¼, NW¼, SW¼, Section 34, Township 23N, Range 15WIM, Major County, Oklahoma.

4. IMP NET

IMP NET is used to calculate the net selenium loading generated by the Clean Harbors Lone Mountain facility. During the period beginning the effective date and lasting through the expiration date, the permittee shall calculate and report the net pollutant loading based on the data of Outfall 001, IMP 01A, and IMP 01B. The net pollutant loading is the total pollutant loading at Outfall 001 less incoming loading from IMP 01A and IMP 01B and is calculated using the following equations:

$$M_{IMP01A} = (C_{aveIMP01A} * V_{IMP01A})$$

$$M_{IMP01B} = (C_{aveIMP01B} * V_{IMP01B})$$

$$M_{001} = (C_{001} * V_{001})$$

$$C_{net} = (M_{001} - (M_{IMP01A} + M_{IMP01B}))/(V_{001})$$

$C_{aveIMP01A}$: Arithmetic Mean constituent concentration calculated using all certified analytical results available for monitoring location IMP01A (m/l^3)
$C_{aveIMP01B}$: Arithmetic Mean constituent concentration calculated using all certified analytical results available for monitoring location IMP01B (m/l^3)
M_{IMP01A} : Monthly constituent mass loading at Monitoring Location IMP01A (m/l^3)
M_{IMP01B} : Monthly constituent mass loading at Monitoring Location IMP01B (m/l^3)
V_{IMP01A} : Volume of stormwater passing the monitoring location during month at monitoring location IMP01A (l^3)
V_{IMP01B} : Volume of stormwater passing the monitoring location during month at monitoring location IMP01B (l^3)
C_{001} : Selenium Concentration for Outfall 001
V_{001} : Volume of stormwater discharged through Outfall 001

Such discharge shall be limited and monitored by the permittee as specified below:

Parameters	Draft Permit					
	Mass Loading Limits (lbs/day unless otherwise specified)		Concentrations Limits (µg/l unless otherwise specified)		Msmt Frequency	Sample Type
	Monthly Avg	Daily Max	Monthly Avg	Daily Max		
Selenium	---	---	4.74	8.21	2/Month	Grab

SECTION B. SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule: None

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 _____.

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 CFR 124.5.

1. Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)

   Permitted hazardous waste landfills have been identified by the EPA as a viable disposal option for PFAS and PFAS-containing materials. The EPA's methods for analyzing PFAS in environmental media are in various stages of development and validation. At the time of this renewal, testing methods for PFAS are not in widespread use for industrial wastewater. Given the high level of uncertainty associated with PFAS behavior in landfills, no assumptions about the facility's wastewater can yet be made. When validated testing methods are implemented and accessible, this permit may be reopened to incorporate a 10 sample monitoring requirement for PFAS in the wastewater.

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 CFR Part 136 in effect on the effective date of this permit. Appendices A, B, and C to 40 CFR Part 136 are specifically referenced as part of this requirement. Amendments to 40 CFR Part 136 promulgated and incorporated by reference into OAC 252:606 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. STORMWATER POLLUTION PREVENTION PLAN

A stormwater pollution prevention plan (SWP3) is required to be maintained on site and shall be made available to DEQ personel upon request. The SWP3 shall be reviewed annually and revised to comply with permit requirements.

Use of a registered professional engineer for SWP3 preparation is not required to revise the SWP3. However, if any part of the SWP3 involves the practice of engineering (Statutes and Rules of Oklahoma State Board of Licensure for Professional Engineers & Land Surveyors, Section 472.2 "Definitions"), then those engineering practices and designs are required to be prepared by a registered professional engineer.

1. Plan Requirements

Your SWP3 must:

a. Identify Potential Sources of Pollution

Identify all sources of pollution that may reasonably be expected to affect the quality of storm water discharges from your facility.

b. Describe and Ensure Implementation of Practices

Describe those procedures and devices which you will use to reduce the pollutants in storm water discharges from the facility; and

c. Assure Compliance

You must include appropriate elements to assure compliance with terms and conditions of this permit.

2. Contents of Plan

a. Pollution Prevention Team

You must identify the staff individual(s) (by name or title) that comprise the facility's storm water Pollution Prevention Team. Your Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWP3. Responsibilities of each staff individual on the team must be listed.

b. Site Description

Your SWP3 must include the following:

- Activities at Facility.

A description of the nature of the industrial activity(ies) at your facility;

- General Location Map.

A map (e.g., U.S.G.S. quadrangle, or other map) with enough detail to identify the location of your facility and the receiving waters within one mile of the facility;

- A legible site map identifying the following;

  - Directions of storm water flow (e.g., use arrows to show which ways storm water will flow);
  - Locations of all existing structural BMPs;
  - Locations of all surface water bodies on or adjacent to the facility;
  - Locations of potential pollutant sources identified under Part F.1.a and where significant materials are exposed to storm water;
  - Locations where significant spills or leaks identified under Part F.2.e have occurred.
  - Locations of the following activities where such activities are exposed to storm water: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment; storage or disposal of wastes; and liquid storage tanks;
  - Locations of storm water outfalls and an approximate outline of the area draining to each outfall;
  - Location and description of non-storm water discharges;
  - Locations of the following activities where such activities are exposed to storm water; processing and storage areas; access roads, rail cars and tracks; the location of transfer of substance in bulk; and machinery; and
  - Location and source of run-off to and run-on from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the runoff impacts your storm water discharges may be included).

c. Receiving Waters and Wetlands

You must 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 11 of MSGP-00-01 for definition) that may receive discharges from your facility.

d. Summary of Potential Pollutant Sources

You must identify each separate area at your facility where industrial materials or activities are exposed to storm water. 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. For each separate area identified, the description must include:

- Activities in area.

  A list of the activities (e.g., material storage, equipment fueling and cleaning, cutting steel beams); and

- Pollutants.

  A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, used motor oil, iron, biochemical oxygen demand, pH, etc.) for each activity. The pollutant list must include all known significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water.

e. Spills and Leaks

You must clearly identify areas where potential spills and leaks, which can contribute pollutants to storm water discharges, can occur, and their accompanying drainage points. You must provide a list of significant spills and leaks of toxic or hazardous pollutants that occurred at areas that are exposed to storm water or that otherwise drain to a storm water conveyance at the facility to be covered under this permit. Your list must be updated if significant spills or leaks occur in exposed areas of your facility during the time you are covered by the permit.

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 §311 (see 40 CFR 110.10 and 40 CFR 117.3) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

f. Sampling Data

You must provide a summary of any existing storm water discharge sampling data taken at your facility. All storm water sampling data collected during the term of this permit must also be summarized and included in this part of the SWP3.

g. Storm Water Controls

Description of Existing and Planned BMPs. Describe the type and location of existing non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to storm water. All the areas identified in Part F.2.d should have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, describe appropriate BMPs that you will use to control pollutants in storm water discharges. Selection of BMPs should take into consideration:

- The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;
- Opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams - e.g., bank erosion, impairment of aquatic habitat, etc.);
- Opportunities to offset the impact of impervious areas of the facility on ground water recharge and base flows in local streams (taking into account the potential for ground water contamination).

h. BMP Types to be considered

The following types of structural, non-structural and other BMPs must be considered for Implementation at your facility. Describe how each is, or will be, implemented. This requirement may have been fulfilled with the area-specific BMPs identified under Part F.2.g, in which case the previous description is sufficient. However, many of the following BMPs may be more generalized or non site-specific and therefore not previously considered. If you determine that any of these BMPs are not appropriate for your facility, you must include an explanation of why they are not appropriate. The BMP examples listed below are not intended to be an exclusive list of BMPs that you may use. You are encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for your facility. If BMPs are being used or planned at the facilities that are not listed here (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), include descriptions of them in this section of the SWP3.

- Non-Structural BMPs

  - Good Housekeeping: You must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to storm water discharges. Common problem areas include: around trash containers, storage areas and loading docks. Measures must also include: a schedule for regular pickup and disposal of garbage and waste materials, routine inspections for leaks and conditions of drums, tanks and containers.
  - Minimizing Exposure: Where practicable, industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff. NOTE: Eliminating exposure at all industrial areas may make the facility eligible for the "No Exposure" exclusion from needing to have a permit.
  - Preventive Maintenance: You must have a preventive maintenance program which includes timely inspection and maintenance of storm water management devices, (e.g., cleaning oil/water separators, catch basins) as well as inspecting, testing, maintaining and repairing facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.
  - Spill Prevention and Response Procedures: You must describe the procedures that will be followed for cleaning up spills or leaks. Those procedures, and necessary spill response equipment, must be made available to those employees that may cause or detect a spill or leak. Where appropriate, you must explain existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), which are intended to minimize spills or leaks at the facility. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265 as adopted by reference in OAC 252:605-3-2 (F) and (G).
  - Routine Facility Inspections: In addition to or as part of the Comprehensive Site Evaluation Report required under Part F.7, you must have qualified facility personnel inspect all areas of the facility where industrial materials or activities are exposed to storm water. The inspections must include an evaluation of existing storm water BMPs. Your SWP3 must identify how often these inspections will be conducted. You must correct any deficiencies in implementation of your SWP3 you find as soon as practicable, but not later than within 14 days of the inspection. You must document in your SWP3 the results of your inspections and the corrective actions you took in response to any deficiencies or opportunities for improvement that you identify.
  - Employee Training: You must describe the storm water employee training program for the facility. The description should include the topics to be covered, such as spill response; good housekeeping and material management practices, and must identify periodic dates (e.g., every 6 months during the months of July and January) for such training. You must provide employee training for all employees that work in areas where industrial materials or activities are exposed to storm water, and for employees that are responsible for implementing activities identified in the SWP3 (e.g., inspectors, maintenance people). The employee training should inform them of the components and goals of your SWP3.

- Structural BMPs

  - Sediment and Erosion Control: You must identify the areas at your facility that, due to topography, land disturbance (e.g., construction), or other factors, have a potential for significant soil erosion. You must describe the structural, vegetative, and/or stabilization BMPs that you will be implementing to limit erosion.
  - Management of Runoff: You must describe the traditional storm water management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or that are planned for your facility. These types of BMPs typically are used to divert, infiltrate, reuse, or otherwise reduce pollutants in storm water discharges from the site. All BMPs that you determine are reasonable and appropriate, or are required by a local authority; or are necessary to maintain eligibility for the permit must be implemented and maintained. Factors to

consider when you are selecting appropriate BMPs should include: 1) the industrial materials and activities that are exposed to storm water, and the associated pollutant potential of those materials and activities; and 2) the beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. Structural measures should be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural BMPs may require a separate permit under Section 404 of the CWA before installation begins.

- Example BMPs: BMPs you could use include but are not limited to: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices).

i. Other Controls

No solid materials, including floatable debris, may be discharged to waters of the State, except as authorized by a permit issued under Section 404 of the CWA. Off-site vehicle tracking of raw, final, or waste materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices must 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).

3. Maintenance

All BMPs you identify in your SWP3 must be maintained in effective operating condition. If site inspections required by Part F.8 identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.).

4. Non-Storm Water Discharges

Non-storm water discharges are not authorized under this permit.

5. Copy of Permit Requirements

You must include a copy of the permit requirements (attaching a copy of this permit and the portion pertaining to your sector) and your authorization from DEQ in your SWP3.

6. Applicable State or Local Plans

Your SWP3 must be consistent (and updated as necessary to remain consistent) with applicable, municipal, or local storm water, waste disposal, sanitary sewer or septic system regulations to the extent these apply to your facility.

7. Comprehensive Site Compliance Evaluation

All industrial facilities receiving authorization to discharge storm water must conduct an Annual Comprehensive Site Compliance Evaluation and file a Report. This report summarizes the scope of the inspections, name(s) of personnel making the inspections, the date(s) of the inspections, and major observations relating to the implementation of the SWP3. The Storm Water Pollution Prevention Plan (SWP3) must be complete and retained for at least three years from the date permit coverage expires or is terminated. Major observations should include:

- The location(s) of discharges of pollutants from the site
- Location(s) of BMPs that need to be maintained
- Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location
- Location(s) where additional BMPs are needed that did not exist at the time of inspection.

You must retain a record of actions taken in accordance with this permit as part of the storm water pollution prevention plan 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 report must contain a certification that the facility is in compliance with the SWP3 and this permit. Both the inspection report and any reports of follow-up actions must be signed in accordance with this permit.

a. Frequency and Inspectors

You must conduct facility inspections at least once a year. Qualified personnel provided by the owner/operator and under your direct supervision must do the inspections. The qualified personnel you use may be either your own employees or outside consultants that you have hired, provided they are knowledgeable and possess the skills to assess conditions at your facility that could impact storm water quality and assess the effectiveness of the BMPs you have chosen to use to control the quality of your storm water discharges. 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 industrial materials or activities are exposed to storm water, as identified in Part F.2.d, and areas where spills and leaks have occurred within the past 3 years. Inspectors should look for: a) industrial materials, residue or trash on the ground that could contaminate or be washed away in storm water; b) leaks or spills from industrial equipment, drums, barrels, tanks or similar containers; c) offsite tracking of industrial materials or sediment where vehicles enter or exit the site; d) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas and e) for evidence of, or the potential for, pollutants entering the drainage system. Storm water BMPs identified in your SWP3 must be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they must be inspected to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

c. Follow-up Actions

Based on the results of the inspection, you must modify your SWP3 as necessary (e.g., show additional controls on map required by Part F.2.b, revise description of controls required by Part F.2.g to include additional or modified BMPs designed to correct problems identified. You must complete revisions to the SWP3 within 14 calendar days following the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next anticipated storm event. If implementation before the next anticipated storm event is impracticable, they must be implemented as soon as practicable.

8. Maintaining Updated SWP3

   a. Change in Your Physical Operation

      You must amend the SWP3 whenever there is a change in design, construction, operation, or maintenance at your facility which has a significant effect on the discharge, or potential for discharge, of pollutants from your facility;

   b. Maintaining Your SWP3

      You must amend the SWP3 whenever during inspections or investigations by you or by local, State, or Federal officials it is determined the SWP3 is ineffective in eliminating or significantly minimizing pollutants from sources identified under or is otherwise not achieving the general objectives of controlling pollutants in discharges from your facility.

9. Signature, Plan Review and Making Plans Available

   a. Signature, Plan Review and Making Plans Available

      You must sign your SWP3 and retain the plan on-site at the facility covered by this permit.

   b. Reviewing your Plan

      You must keep a copy of the SWP3 on-site or locally available to the Executive Director for review at the time of an on-site inspection. You must make your SWP3 available upon request to the Executive Director, a State, or local agency approving storm water management plans, or the operator of a municipal separate storm sewer receiving discharge from the site. Also, in the interest of public involvement, DEQ encourages you to make your SWP3 available to the public for viewing during normal business hours.

   c. Notification of Inadequate Plan Requirements

      The Executive Director may notify you at any time that your SWP3 does not meet one or more of the minimum requirements of this permit. The notification will identify provisions of this permit which are not being met, as well as the required modifications. Within thirty (30) calendar days of receipt of such notification, you must make the required changes to the SWP3 and submit to the Executive Director a written certification that the required changes have been made.

   d. Making Your Plan Available

      You must make the SWP3 available to the U.S. Fish and Wildlife Service or the Oklahoma Department of Wildlife Conservation upon request.

G. SURFACE IMPOUNDMENT REQUIREMENTS

1. A minimum freeboard of 1.0 feet shall be maintained for surface impoundment F01.

   A minimum freeboard of three (3.0) feet shall be maintained for surface impoundments F03, F04, and F05.

2. 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.

3. At such time as any of the impoundments (F01, F03, F04, and F05) are to be permanently taken out of service or at such time as the contents of any of the impoundments (F01, F03, F04, and F05) pose a risk to the environment or waters of the state, the owner or operator of the facility shall be required to follow all closure requirements contained in OAC 252:616-13.

4. In all other respects, surface impoundments F01, F03, F04, and F05 shall be subject to standard conditions for surface impoundments contained in OAC 252:616, Subchapters 5, 7, and 13, including but not limited to requirements for construction, operation, maintenance, monitoring and closure.