

**NOTICE FOR A DRAFT GENERAL DISCHARGE PERMIT  
FOR SURFACE COAL STRIP MINES**

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER QUALITY DIVISION**

The Oklahoma Department of Environmental Quality (DEQ) has prepared a **DRAFT GENERAL PERMIT (OKG04) FOR SURFACE COAL STRIP MINES** within the State of Oklahoma. The purpose of this notice is to inform the public of DEQ's intention to issue this Permit. Authorizations to be issued under this General Permit will follow DEQ's Tier I permitting process. The purpose of this General Permit is to implement DEQ's goal of expediting the permitting process. This General Permit will reduce the average individual permitting time while providing a uniform measure of environmental protection consistent with all the laws, rules, and regulations of DEQ.

This General Permit applies to operators of surface coal strip mines and to operators of coal preparation plants that are located within the boundaries of an Office of Surface Mining Reclamation and Enforcement (OSMRE) - permitted surface strip mine. Surface coal mining operations were previously regulated by the Oklahoma Department of Mines (ODM).

This General Permit regulates the following activities at surface coal strip mines and coal preparation plants: (1) the discharge of acid/ferruginous and/or alkaline mine drainage and stormwater runoff from active mine areas; (2) the discharge of mine drainage and stormwater runoff from post-mining areas prior to said area meeting SMCRA Phase II performance standards; (3) the discharge of wastewater from coal preparation plants located within the boundaries of an OSMRE-permitted surface strip mine; and (4) the discharge of acid/ferruginous and/or alkaline mine drainage and stormwater runoff from abandoned mine sites undergoing reclamation by OSMRE (previously administered by the Oklahoma Conservation Commission). This General Permit does not specify any treatment method(s) that the permittee must use. This permit will regulate any combination of the above-listed activities.

This General Permit shall not cover those facilities discharging to the following waters: Outstanding Resource Waters [OAC 252:730-5-25(c)(1)]; Appendix B Waters [OAC 252:730-5-25(c)(2)]; High Quality Waters [OAC 252:730-5-25(c)(3)]; Sensitive Public and Private Water Supplies [OAC 252:730-5-25(c)(4)]; or to waterbodies included in Oklahoma's 303(d) list of impaired waterbodies with impairments due to turbidity or pH. However, the General Permit shall still apply if a Total Maximum Daily Load (TMDL) has been completed for a waterbody impaired due to turbidity and/or pH where the TMDL indicates that limits more stringent than 70 mg/L for total suspended solids (TSS) and 6.5 – 9.0 for pH are not required, provided however that there are no other restrictions on the receiving waterbody such as antidegradation requirements. This General Permit shall not apply to discharges to waterbodies impaired due to arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, and/or zinc when a TMDL has been completed and the TMDL indicates that limits more stringent than those included in this General Permit are required. This General Permit shall not apply to any outfalls from new or existing facilities that discharge to a waterbody within five stream miles or within one lake mile of a public water supply surface intake. Those facilities shall apply for coverage under an individual discharge permit in accordance with requirements to obtain a permit contained in OAC 252:606.

This General Permit shall be issued for a 5-year term.

The issuance procedure for this draft General Permit is based on the Oklahoma Environmental Code, Title 27A of the Oklahoma Statutes, Supp., Section 2-14-305 *et seq.*, rules OAC 252:004 and OAC 252:606.

Persons wishing to make comments or request a public meeting concerning the draft permit may do so by sending the comments in writing or by email to the contact person for DEQ, at the address listed below, within 30 days after the date of the publication or mailing. Comments or requests for a public meeting should include: (1) the name and address of the interested party; (2) the application name to which the request relates, (3) the nature and basis of the interest of the party affected; and (4) a statement of the objection or comment, the basis of the objection or comment, the basis for the public meeting and any requested action by DEQ.

The contact person for DEQ is:

Penn Mouluh, P.E.  
Oklahoma Department of Environmental Quality  
P.O. Box 1677  
707 N. Robinson, 8th Floor  
Oklahoma City, OK 73101  
(405) 702-8212  
[Penn.Mouluh@deq.ok.gov](mailto:Penn.Mouluh@deq.ok.gov)

Copies of the draft Permit and Fact sheet may be reviewed during normal business hours at the Water Quality Division, DEQ Office, 707 North Robinson, 8th Floor, Oklahoma City, OK 73102. Copies of this proposed permit may be obtained by contacting the contact person listed above. Additionally, the permit may be reviewed on the DEQ website, at <https://www.deq.ok.gov/permits-for-public-review>. Comments may also be submitted through the website. Because of the size of this permit and supporting documents, it will not be faxed.

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY  
GENERAL WASTEWATER DISCHARGE PERMIT FOR SURFACE COAL STRIP MINES  
GENERAL PERMIT NO. OKG04**

**GENERAL PROVISIONS**

As provided by Title 27A O.S. §2-6-201 *et seq.*, as amended, and the Rules of the Department of Environmental Quality (DEQ), operators of surface coal strip mines will be authorized to discharge wastewater within the boundaries of the State of Oklahoma in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III hereof. Underground mine drainage discharges will not be authorized under this General Permit and shall instead apply for coverage under an individual discharge permit in accordance with the requirements to obtain a permit contained in OAC 252:606.

Discharges from coal preparation plants located within the permitted boundaries of a surface mine regulated by the Office of Surface Mining Reclamation and Enforcement (OSMRE) will also be authorized by this General Permit. Discharges from coal preparation plants that are not located within the boundaries of an OSMRE-permitted surface strip mine will not be authorized by this Permit and shall instead apply for coverage under an individual discharge permit in accordance with requirements to obtain a permit contained in OAC 252:606.

This General Permit authorizes discharges from sites that have been mined and abandoned before the Oklahoma Department of Mines bonding program requirements were implemented and which are being reclaimed by OSMRE.

This General Permit shall not cover those facilities discharging to the following waters: Outstanding Resource Waters; High Quality Waters; Sensitive Public and Private Water Supplies, including those with Reuse; Appendix B Waters [OAC 252:730-5-25(c)(2)]; or to waterbodies included in Oklahoma's 303(d) list of impaired waterbodies with impairments due to turbidity or pH. However, the General Permit shall still apply if a Total Maximum Daily Load (TMDL) has been completed for a waterbody impaired due to turbidity and/or pH where the TMDL indicates that limits more stringent than 70 mg/L for total suspended solids (TSS) and 6.5 – 9.0 for pH are not required, provided however that there are no other restrictions on the receiving waterbody such as antidegradation requirements. This General Permit shall not apply to discharges to waterbodies impaired due to arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, and/or zinc when a TMDL has been completed and the TMDL indicates that limits more stringent than those included in this General Permit are required. This General Permit shall not apply to any outfalls from new or existing facilities that discharge to a waterbody within five stream miles or within one lake mile of a public water supply surface intake.

For all facilities applying for coverage under this General Permit, DEQ will determine whether the point of discharge is located in surface waters designated as sensitive by the U.S. Fish and Wildlife Service (USFWS). If the facility is a new facility and the proposed discharge is to a sensitive water, the facility will not be eligible for an Authorization under this General Permit. If the facility is an existing facility and the point of discharge is located in a surface water designated as sensitive by the USFWS, the facility will not be eligible for coverage under this General Permit if there has been a change in the location of the discharge or an increase in the volume of the discharge.

The application for an Authorization shall include the name and legal address of the owner or operator, permit number, the name of the mine, legal description of all land covered by the OSMRE mining permit, general location, name of the receiving stream(s), listing of sedimentation ponds with proposed outfalls including designation numbers for each, legal description down to ten (10) acres of each proposed outfall, latitude and longitude of each proposed outfall, statement of expected pH of mine drainage before any treatment, statement of expected total iron concentration of mine drainage before any treatment, and a statement specifying whether or not there will be a coal preparation plant located within the boundary of the OSMRE mining permit including a description of the destination of its discharge, along with any other information specified in the application form (Form 606-G04).

Surface mines authorized by this General Permit that are expected to have a discharge pH equal to or greater than 6.0 and a total iron concentration of less than 10.0 mg/L before any treatment are considered to have alkaline mine drainage. Surface mines authorized by this General Permit that are expected to have a discharge pH less than 6.0 or a total iron concentration equal to or greater than 10.0 mg/L before any treatment are considered to have acid or ferruginous mine

drainage. Where insufficient data is provided in the application to determine whether the discharge is acid/ferruginous or alkaline mine drainage, effluent limitations for acid/ferruginous mine drainage will be applied in the Authorization. The applicable effluent limitations for each type of mine drainage are set forth in Part I herein.

Outfalls from coal preparation plants that are routed to sedimentation ponds that receive mine drainage shall be considered internal outfalls. Outfalls from coal preparation plants that are not routed to sedimentation ponds that receive mine drainage shall be considered separate, final outfalls. In either case, the effluent limitations and monitoring requirements contained in Part I herein for coal preparation plants will apply to coal preparation plants located within the OSMRE-permitted boundary of a surface mine.

At no time shall the effluent from a discharge authorized under this General Permit cause a violation of Oklahoma's Water Quality Standards (OWQS) in the receiving stream.

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

Issuance of this General Permit in no way or in any respect affects a permittee's civil or criminal responsibility regarding disposal/discharge of wastewater, except with respect to the permittee's legal responsibility under 27A O.S. §2-6-101 *et seq.*, and DEQ Rules to obtain an Authorization under this General Permit.

This Permit replaces and/or supersedes General Permit OKG04 that became effective on December 1, 2018 and expired at midnight on November 30, 2023.

This Permit shall become effective on Month Date Year.

This Permit and any Authorizations issued under it shall expire at midnight, on Month Date Year.

This is to certify that the wastewater discharges set forth in this General 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 \_\_\_\_\_, 2024.

For Oklahoma Department of Environmental Quality,

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

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Shellie R. Chard, Director  
Water Quality Division

**PART I  
EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**1. Active Mining Areas and OSMRE Reclamation Projects on Abandoned Mine Sites**

During the period beginning the effective date of the Authorization and lasting through the expiration date, or lasting until the Authorization is reissued either to reflect a Surface Mining Control and Reclamation Act of 1977 (SMCRA) Phase I Bond Release or to reflect the completion of drainage of an abandoned mine site, whichever occurs first, the permittee is authorized to discharge from all outfalls as described in the Appendix of the Authorization. The discharge consists of mine drainage and stormwater runoff from the active mining area of a surface coal strip mine prior to the Phase I SMCRA Bond release or from an abandoned mine site undergoing reclamation by OSMRE. The permittee shall provide written notification to DEQ whenever any sedimentation pond associated with a permitted outfall is constructed.

Such discharges shall be limited and monitored by the permittee as specified below.

**a. Acid/Ferruginous Mine Drainage and Coal Preparation Plants**

For discharges of acid/ferruginous mine drainage and/or wastewater from coal preparation plants:

**Effluent Limitations**

Parameter	Mass Loading Limits (lb/day unless otherwise specified)		Concentration Limits (mg/L unless otherwise specified)	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum
Flow (MGD) STORET: 50050	Report	Report	---	---
Iron, total STORET: 01045	---	---	3.0	6.0
Manganese, total STORET: 01055	---	---	2.0	4.0
Total Suspended Solids STORET: 00530	---	---	35	70
pH (s.u.) STORET: 00400	---		6.5 – 9.0	

**Monitoring Requirements**

Parameter	Measurement Frequency <sup>(1)</sup>	Sample Type
Flow	1/Week	Estimate
Iron, total	1/Week	Grab
Manganese, total	1/Week	Grab
Total Suspended Solids	1/Week	Grab
pH	1/Week	Grab

<sup>(1)</sup> When discharging.

**b. Alkaline Mine Drainage**

For discharges of alkaline mine drainage:

**Effluent Limitations**

Parameter	Mass Loading Limits (lb/day unless otherwise specified)		Concentration Limits (mg/L unless otherwise specified)	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum
Flow (MGD) STORET: 50050	Report	Report	---	---
Iron, total STORET: 01045	---	---	3.0	6.0
Total Suspended Solids STORET: 00530	---	---	35	70
pH (s.u.) STORET: 00400	---		6.5 – 9.0	

**Monitoring Requirements**

Parameter	Measurement Frequency <sup>(1)</sup>	Sample Type
Flow	1/Week	Estimate
Iron, total	1/Week	Grab
Total Suspended Solids	1/Week	Grab
pH	1/Week	Grab

<sup>(1)</sup> When discharging.

**c. Other Requirements**

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 discharges of floating solids or visible foam in other than trace amounts. Discharges shall be free of noxious odors and taste and objectionable color and turbidity.

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 locations described in the Appendix of the Authorization.

**2. Post-Mining Operations**

During the period beginning the effective date of the Authorization and lasting through the expiration date, or lasting until the Authorization is reissued to reflect an SMCRA Phase II Bond Release signified by the outfall meeting the Phase II performance standards (as accredited by OSMRE), the permittee is authorized to discharge from all outfalls as described in the Appendix of the Authorization. The discharge consists of mine drainage and stormwater runoff from the post-mining area of a surface coal strip mine prior to meeting Phase II performance standards.

Such discharges shall be limited and monitored by the permittee as specified in the following tables.

**Effluent Limitations**

Parameter	Mass Loading Limits (lb/day unless otherwise specified)		Concentration Limits (mL/L unless otherwise specified)	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum
Flow (MGD) STORET: 50050	Report	Report	---	---
Settleable Solids STORET: 00545	---	---	---	0.5
pH (s.u.) STORET: 00400	---		6.5 – 9.0	

**Monitoring Requirements**

Parameter	Measurement Frequency <sup>(1)</sup>	Sample Type
Flow	1/Month	Estimate
Settleable Solids	1/Month	Grab
pH	1/Month	Grab

<sup>(1)</sup> When discharging.

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 discharges of floating solids or visible foam in other than trace amounts. Discharges shall be free of noxious odors and taste and objectionable color and turbidity.

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 locations described in the Appendix of the Authorization.

**3. Requirements for 10-Year, 24-Hour Precipitation Events**

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) may comply with the limitations specified below instead of the otherwise applicable limitations. The operator shall have the burden of proof that the discharge or increase in discharge was caused by the applicable precipitation event described above.

Such discharges shall be limited and monitored by the permittee as specified in the following tables.

**Effluent Limitations**

Parameter	Mass Loading Limits (lb/day unless otherwise specified)		Concentration Limits (mg/L unless otherwise specified)	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum
Flow (MGD) STORET: 50050	Report	Report	---	---
Rainfall (inches) STORET: 46529	---	---	---	Report
pH (s.u.) STORET: 00400	---		6.5 – 9.0	

**Monitoring Requirements**

Parameter	Measurement Frequency <sup>(1)</sup>	Sample Type
Flow	Once for the event	Estimate
Rainfall	Total for a 24-hour period	Rain gauge located in drainage area of the affected outfall(s)
pH	Once for the event	Grab

<sup>(1)</sup> When discharging.

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 discharges of floating solids or visible foam in other than trace amounts. Discharges shall be free of noxious odors and taste and objectionable color and turbidity.

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 locations described in the Appendix of the Authorization.

**4. Discharges to Impaired Waterbodies**

In addition to the effluent limitations described in the preceding sections, all discharges to or within five miles upstream of waterbodies listed as impaired due to arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, and/or zinc are subject to additional effluent limitations and/or monitoring requirements.

Such discharges shall be limited and monitored by the permittee as specified in the following tables:

## Potential Effluent Limitations

Parameter	Mass Loading Limits (lb/day unless otherwise specified)		Concentration Limits ( $\mu\text{g/L}$ unless otherwise specified)	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum
Arsenic III STORET: 00991	---	---	Report <sup>(1)</sup>	(2)
Barium, total STORET: 01007	---	---	Report <sup>(1)</sup>	(2)
Cadmium, total STORET: 01027	---	---	Report <sup>(1)</sup>	(2)
Chromium, total STORET: 01034	---	---	Report <sup>(1)</sup>	(2)
Chromium III STORET: 01033	---	---	Report <sup>(1)</sup>	(2)
Chromium VI STORET: 01032	---	---	Report <sup>(1)</sup>	(2)
Copper, total STORET: 01042	---	---	Report <sup>(1)</sup>	(2)
Lead, total STORET: 01051	---	---	Report <sup>(1)</sup>	(2)
Mercury, total STORET: 71900	---	---	Report <sup>(1)</sup>	(2)
Nickel, total STORET: 01067	---	---	Report <sup>(1)</sup>	(2)
Selenium, total STORET: 01147	---	---	Report <sup>(1)</sup>	(2)
Silver, total STORET: 01077	---	---	Report <sup>(1)</sup>	(2)
Thallium, total STORET: 01059	---	---	Report <sup>(1)</sup>	(2)
Zinc, total STORET: 01092	---	---	Report <sup>(1)</sup>	(2)

<sup>(1)</sup> The Report requirement shall only apply in cases where the monitoring frequency is more than 1/month (see the following table).

<sup>(2)</sup> When the discharge is to or within one mile upstream of an impaired waterbody, the smallest applicable numerical criterion for the parameter(s) causing the impairment shall be applied as the daily maximum concentration limit(s). When the discharge is within five miles upstream, but not within one mile upstream of an impaired waterbody, the Authorization shall contain a daily maximum monitoring requirement for the cause(s) of impairment.

## Monitoring Requirements

Parameter	Measurement Frequency <sup>(1)</sup>	Sample Type
Any parameter with a numerical limit; discharges from active mining areas and/or coal preparation plants	1/Week	Grab
Any parameter with monitoring only; discharges from active mining areas and/or coal preparation plants	1/Month	Grab
Any parameter; discharges from post-mining operations	1/Month	Grab

<sup>(1)</sup> When discharging. These limitations and monitoring requirements shall apply to all discharges, including those discharges that result from precipitation events greater than the 10-year, 24-hour event.

**5. Discharges with Reasonable Potential (RP) to violate OWQS Criteria.**

In addition to the effluent limitations described in the preceding sections, Water quality-based numerical effluent limitations will be computed and established at outfalls that show RP to violate water quality standards (WQS) criteria for the following metals: arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, and thallium. All numerical effluent limitations shall remain in effect until SMCRA Phase I Bond Release is complete for the sedimentation pond associated with that outfall.

Such discharges shall be limited and monitored by the permittee as specified in the following tables:

**Effluent Limitations**

Parameter	Mass Loading Limits (lb/day unless otherwise specified)		Concentration Limits (µg/L unless otherwise specified)	
	Monthly Average	Daily Maximum	Monthly Average <sup>(2)</sup>	Daily Maximum
Arsenic III STORET: 00991	---	---	Report <sup>(1)</sup>	(2)
Barium, total STORET: 01007	---	---	Report <sup>(1)</sup>	(2)
Cadmium, total STORET: 01027	---	---	Report <sup>(1)</sup>	(2)
Chromium, total STORET: 01034	---	---	Report <sup>(1)</sup>	(2)
Chromium III STORET: 01033	---	---	Report <sup>(1)</sup>	(2)
Chromium VI STORET: 01032	---	---	Report <sup>(1)</sup>	(2)
Copper, total STORET: 01042	---	---	Report <sup>(1)</sup>	(2)
Lead, total STORET: 01051	---	---	Report <sup>(1)</sup>	(2)
Mercury, total STORET: 71900	---	---	Report <sup>(1)</sup>	(2)
Nickel, total STORET: 01067	---	---	Report <sup>(1)</sup>	(2)
Selenium, total STORET: 01147	---	---	Report <sup>(1)</sup>	(2)
Silver, total STORET: 01077	---	---	Report <sup>(1)</sup>	(2)
Thallium, total STORET: 01059	---	---	Report <sup>(1)</sup>	(2)
Zinc, total STORET: 01092	---	---	Report <sup>(1)</sup>	(2)

<sup>(1)</sup> The Report requirement shall only apply in cases where the monitoring frequency is more than 1/month (see the following table).

<sup>(2)</sup> Numerical limitations shall be computed and established at each affected outfall.

**Monitoring Requirements**

<b>Parameter</b>	<b>Measurement Frequency <sup>(1)</sup></b>	<b>Sample Type</b>
Any parameter with a numerical limit; discharges from active mining areas and/or coal preparation plants	1/Week	Grab
Any parameter; discharges from post-mining operations	1/Month	Grab

<sup>(1)</sup> When discharging. These limitations and monitoring requirements shall apply to all discharges, including those discharges that result from precipitation events greater than the 10-year, 24-hour event.

**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 General 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 15<sup>th</sup> day of the month following the completed monthly test. If no discharge occurs during the reporting period, an eDMR form stating "No Discharge" shall be electronically submitted according to the above schedule. Instructions on how to register as a Preparer or Signatory for eDMRs, as well as how to prepare and submit eDMRs, can be found on DEQ's website at <http://www.deq.state.ok.us/wqdnew/ereporting/index.html>. Assistance is also available by contacting DEQ at (405) 702-8100 or [deqreporting@deq.ok.gov](mailto:deqreporting@deq.ok.gov).

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**PART II**  
**OTHER PERMIT REQUIREMENTS**

**A. REGULATORY NOTICE**

The DEQ Rules, as amended, are applicable to and are incorporated by reference into this General Permit and any Authorization under it. The permittee is hereby given notice that this General 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 General Permit to any particular statutory requirement(s), rule(s), regulation(s), and/or standard(s) shall in no respect be deemed or construed to exempt or preclude the application of such requirement(s), rule(s), regulation(s), and/or standard(s) to this General Permit or to the permittee. By the Director's approval, grant and issuance of this General Permit, the permittee acknowledges receipt of true, correct, and current copies of Oklahoma's Water Quality Standards, and the rules of the Oklahoma Department of Environmental Quality, provided, however, that the permittee further acknowledges that any and all amendments thereto shall become part of this General Permit.

**B. REOPENER CLAUSE**

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

**C. LABORATORY ACCREDITATION**

All laboratory analyses for the parameters specified in this General Permit must be performed by a laboratory accredited by DEQ for those parameters.

**D. ANALYTICAL REQUIREMENTS**

Unless otherwise specified in this General Permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc. procedures listed in the most current version of 40 C.F.R. 136 in effect on the effective date of this General 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 after the effective date of this permit shall supersede these requirements as applicable.

**E. FLOW CALCULATION**

The method of estimating flow shall be the "California Pipe Method" as described in Section 7.4.2.2. of the Handbook for Monitoring Industrial Wastewater, August 1973, U.S. Environmental Protection Agency, Technology Transfer or any equivalent method approved by DEQ.

**F. SETTLEABLE SOLIDS**

The following procedure (or an equivalent method approved by DEQ) shall be used to determine settleable solids:

Fill an Imhoff cone to the one-liter mark with a thoroughly mixed sample. Allow to settle undisturbed for 45 minutes. Gently stir along the inside surface of the cone with a stirring rod. Allow to settle undisturbed for 15 minutes longer. Record the volume of settled material in the cone as milliliters per liter. Where a separation of settleable and floating material occurs, do not include the floating material in the reading.

The method detection limit for measuring settleable solids shall be 0.4 mL/L.

#### **G. MINIMUM QUANTIFICATION LEVEL**

If any individual analytical test result taken for compliance with this General Permit is less than the corresponding minimum quantification level listed in OAC 252:606 Appendix H, a value of zero (0) may be used for that individual result for the DMR calculations and reporting requirements.

#### **H. BOND RELEASE STATUS**

The permittee shall notify DEQ when each SMCRA Phase I or Phase II bond is released within fifteen (15) days of the bond release. The notification should be addressed to the attention of the Industrial Permits Section of the Water Quality Division of DEQ.

#### **I. NEW OUTFALLS**

The permittee shall notify DEQ at least thirty (30) days *before* an inactive outfall becomes active. Discharge from such outfalls shall be prohibited until the permittee has received a reissued Authorization from DEQ and until said Authorization becomes effective. Note that Authorizations shall only become effective on the first date of a calendar month and will not be backdated. Discharges shall not commence until an updated Authorization has been issued and become effective.

#### **J. OUTFALL LOCATION MODIFICATION**

Outfall locations may be revised by the permittee if it becomes necessary to eliminate or establish new holding ponds. For any revision, the permittee shall submit appropriate maps to both DEQ's Oklahoma City office and the district office redesignating the holding pond locations. The permittee shall also maintain a map at the mine site that shows the locations of all ponds. This map shall be available to DEQ inspectors.

Any revised pond or outfall location should be consistent with and fall within the mining area boundary as permitted by OSMRE or as originally permitted by the Oklahoma Department of Mines but now regulated by OSMRE.

#### **K. RECLASSIFICATION OF MINE DRAINAGE TYPE**

To reclassify a previously determined acid or ferruginous mine drainage discharge to an alkaline mine drainage discharge, the permittee must satisfactorily demonstrate to DEQ that the mine drainage prior to treatment has a pH greater than or equal to 6.0, and a total iron concentration of less than 10 mg/L. This will require the submittal of at least six months of data to characterize the pH and the total iron concentration of the influent or untreated effluent.

#### **L. INDIVIDUAL PERMITS**

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

**M.** This General Permit does not convey any exclusive privileges or authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations, nor does it obviate the requirement to obtain permission from any landowners whose property will be affected by this General Permit.

**N. DEFINITIONS**

1. The term “acid or ferruginous mine drainage” means mine drainage which, before any treatment, either has a pH of less than 6.0 or a total iron concentration equal to or greater than 10 mg/L.
2. The term “active mining area” means the area, on or beneath land, used or disturbed in activity related to the extraction, removal, or recovery of coal from its natural deposits. This term excludes coal preparation plants, coal preparation plant associated areas and post-mining areas.
3. The term “alkaline mine drainage” means mine drainage which, before any treatment, has a pH equal to or greater than 6.0 and a total iron concentration of less than 10 mg/L.
4. The term “bond release” means the time at which the appropriate regulatory authority returns a reclamation or performance bond based upon its determination that reclamation work has been satisfactorily completed.
5. The term “controlled surface mine drainage” means any surface mine drainage that is pumped or siphoned from the active mining area.
6. The term “reclamation area” means the surface area of a coal mine that has been returned to the required contour and on which revegetation (specifically, seeding or planting) work has commenced.
7. The term “10-year, 24-hour precipitation event” means the maximum 24-hour precipitation event with a probably recurrence interval of once in ten years as defined by the National Weather Service and Technical Paper No. 40, “Rainfall Frequency Atlas of the U.S.,” May 1961, or equivalent regional or rainfall probability information developed therefrom.
8. The term “coal preparation plant” means a facility where coal is subjected to cleaning, concentrating, or other processing or preparation in order to separate coal from its impurities and then is loaded for transit to a consuming facility.