

**AUTHORIZATION TO DISCHARGE UNDER
THE OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**PERMIT NUMBER: OK1000179
ID NUMBER: I-42000660**

In compliance with the Oklahoma Pollutant Discharge Elimination System (OPDES) Act, 27A Oklahoma Statutes (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 (DEQ) promulgated thereunder,

Van Eaton Ready Mix, Guthrie Sand Plant
P.O. Box 1058
Shawnee, OK 74802

is authorized to discharge from their facility, located at:

SE¼, SE¼, SE¼, Section 33, Township 17 North
Range 3 West Indian Meridian
Logan County, Oklahoma
or at 7100 W Cooksey Rd, Guthrie, OK 73044

to receiving waters identified as: the Cimarron River, stream segment 620910, Water Body ID OK620910010010_10, in Logan County, Oklahoma

from:

Outfall 001:

Latitude 35.9007° N, Longitude 97.5180° W (GPS: NAD83)
NW¼, SE¼, SE¼, Section 33, Township 17 North,
Range 3 West Indian Meridian,
Logan 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 impoundments (F01, F02, F03, and F04), as described in the Appendix. 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 is a new Permit.

The issuance date of this permit is **Month Date Year**.

This permit shall become effective **Month Date Year**.

This permit and authorization to discharge shall expire at midnight **Month Date Year**.

For the Oklahoma Department of Environmental Quality:

Jason Ma, P.E., Manager
Industrial Permits Section
Water Quality Division

George Russell IV, Director
Water Quality Division

PART I
EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall 001

Limitations, Reporting Requirements and Monitoring

During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from Outfall 001. The discharge will consist of mine dewatering wastewater from the mining area accumulated in impoundments F01, F02, F03, and F04.

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

Effluent Limitations – Outfall 001

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	--	--	--	45
pH STORET: 00400	N/A	N/A	between 6.5 and 9.0 s.u.	

⁽¹⁾ Million gallons per day.

Monitoring Requirements – Outfall 001

PARAMETERS	MEASUREMENT FREQUENCY *	SAMPLE TYPE
Flow	1/week	Estimate
Total Suspended Solids	1/month	Grab
pH	1/month	Grab

* 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.

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 for Outfall 001 taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 001: Samples shall be taken at the outlet of impoundment F04, NW¼, SE¼, SE¼, Section 33, Township 17 North, Range 33 West Indian Meridian, Logan County, Oklahoma, or at Latitude 35.9026° N, Longitude 97.5180° W (GPS: NAD83).

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, Section 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://oklahoma.gov/deq/divisions/water-quality/wastewater-stormwater/electronic-reporting.html>. 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 Code of Federal Regulations (C.F.R.) § 124.5.

C. LABORATORY ACCREDITATION

All laboratory analyses for the parameters specified in this permit must be performed by a laboratory accredited 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 in 40 C.F.R. Part 136. 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 in Oklahoma Administrative Code (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 a non-detect, then the detection limit shall be used for Discharge Monitoring Report (DMR) calculations. Any time a non-detect value is used for DMR calculations, the value reported on the DMR shall use the less than sign (<).

The concentration value on the DMR may be reported as zero (0) if all analytical test results taken for the parameters during the monitoring period were less than the corresponding minimum quantification level listed in OAC 252:606 Appendix H.

F. SURFACE IMPOUNDMENT REQUIREMENTS

A minimum freeboard of three (3) feet for impoundments F01, F02, F03, and F04 shall be maintained.

The permit may be reopened to implement and/or require impoundment modifications, additions, extensions, and/or operational changes; additional monitoring and reporting (including but not necessarily limited to soil sampling); reclassification of wastes; sludge management plans; best management practices; closure plans; remediation and/or remediation plans; monitoring wells and/or subsurface monitoring plans; and/or other appropriate actions.

At such time as impoundments F01, F02, F03, and/or F04 are to be permanently taken out of service or at such time as the contents of impoundments F01, F02, F03, and/or F04 pose a risk to the environment or waters of the state, the owner or operator of the facility shall follow all closure requirements contained in OAC 252:616-13.

In all other respects, impoundments F01, F02, F03, and F04 shall be subject to standard conditions for surface impoundment contained in OAC 252:616, Subchapters 5, 7, and 13, including but not limited to requirements for construction, operation, maintenance, monitoring, and closure.

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 at 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 DEQ for inspection, review, and copying.

APPENDIX

Description of Wastewater Treatment/Disposal Surface Impoundments

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) ^b	Wastewater Destination
S.I. (*) ^a	Wastewater			
F01	Mine dewatering – Class III	Native soil	12,292,452 gallons 408'x518'x8'	F02
F02	Sand processing plant and Stormwater – Class III	Native soil	179,500 gallons 26'x192'x4'	F04
F03	Storage & Maintenance Area, and Stormwater – Class III	Native soil	190,740 gallons 22'x158'x5'	F04
F04	Process water and settling pond – Class III	Native soil	47,045,000 gallons 310'x1380'x17'	Outfall 001

^a Designation F refers to a flow-through surface impoundment (S.I.)

^b Based on information provided in application. Freeboard requirements in Part II.F. must be met.

Location of Surface Impoundments

S.I.	Legal Location	General Location and Description
F01	NW¼, SE¼, SE¼, Section 33, Township 17 North, Region 3 West Indian Meridian, Logan County, Oklahoma	North of the processing plant
F02	NE¼, SE¼, SE¼, Section 33, Township 17 North, Region 3 West Indian Meridian, Logan County, Oklahoma	Northeast of the processing plant
F03	NW¼, SE¼, SE¼, Section 33, Township 17 North, Region 3 West Indian Meridian, Logan County, Oklahoma	Southwest of the processing plant
F04	NW¼, SE¼, SE¼, Section 33, Township 17 North, Region 3 West Indian Meridian, Logan County, Oklahoma	Northwest of the processing plant & North of F03

APPENDIX

Map of Surface Impoundments



APEX COMPANIES, LLC
6666 S Sheridan Rd, Ste 250
Tulsa, OK 74123
Phone: (918) 610-3543
Fax: (918) 610-3556
www.apexco2.com



Figure 3
Facility Detail Map
Van Eaton Sand Mine #1
Cimarron River
Guthrie, Logan County, OK
35.8990, -97.5152

Legend

- | | |
|---------------------------------|--------------------|
| Sand Processing Area | Underground Piping |
| Equipment Storage & Maintenance | Outfall |
| Surface Impoundment | Diesel Tank |
| Stormwater Flow Direction | |