

ENVIRONMENTAL SERVICES

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MAY 22 2013

GEOLOGICAL ENGINEERING SOLUTIONS FOR TODAY'S ENVIRONMENTAL CONCERNS
P.O. BOX 1507 • PITTSBURG, KS 66762 • (620) 231-5660 • FAX (620) 231-5661
triad@triad-es.com

May 15, 2013

SENT VIA CERTIFIED MAIL 7010 2780 0003 6776 5658

DEQ/Environmental Complaints & Local Services
P.O. Box 1677
Oklahoma City, OK 73101-1677

Re: Summers Blue Lake Quarry, LLC Notice of Intent
Stormwater Discharges Associated with Industrial Activities (OKR05)

Dear Madam or Sir,

On behalf of Summers Blue Lake Quarry, LLC, enclosed please find a NOI, a check for application fees (\$100.00), and a general location map for the Company's proposed facility in Kay County east of Newkirk, Oklahoma. Based on a review of the ODEQ GIS Map and Data Viewer, the facility is not in an Endangered Species area of concern and does not discharge to a 303d listed stream.

Portions of the site has historical use as an oil recovery area and because of those activities, an access road and processing area is pre-existing to the proposed activities.

Thank you for your time in this matter. If you have any questions, please call.

Respectfully,

Terry Fox, P.G.

cc: F. Summers - Summers Blue Lake Quarry, LLC

See Reverse Side for Instructions

OPDES
FORM

605-002B

Sept. 5, 2011



Oklahoma Department of Environmental Quality (DEQ)
Notice of Intent (NOI) for Storm Water Discharges Associated With
INDUSTRIAL ACTIVITIES Under the OPDES Multi-sector Industrial
General Permit OKR05

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form intends to be authorized by the DEQ for storm water discharges associated with industrial activity in the State of Oklahoma. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. IN ORDER TO OBTAIN AUTHORIZATION, ALL REQUESTED INFORMATION MUST BE PROVIDED ON THIS FORM. SEE INSTRUCTIONS ON BACK OF THE FORM.

☒ NEW APPLICATION ☐ MODIFICATION OF CURRENT PERMIT Enter previous permit authorization number, if any: OK

I. Facility Owner/Operator Information

Name: Summers Blue Lake Quarry LLC. Phone: 918-341-1970

Mailing Address: 17990 S. 4210 Road Status of Owner/Operator: D

City: Claremore State: Oklahoma Zip Code: 74017 - Email Address: _____

II. Site Information

Name of the Facility: Blue Lake Quarry

Location of Facility: Sec 4; T27N; R4E1M

City: Southeast of Newkirk Zip Code: 74641 -

Latitude: 36.8532 Longitude: -96.8717 County: Kay

III. Facility Activity

MS4 Operator: N/A

Receiving Water Body: Bear Creek

Is the receiving water body on the DEQ 303(d) impaired water list? ☐ Yes ☒ No

SIC or Designated Activity Code and Sector Primary : 1422 Sector: _____ Secondary : _____ Sector: _____

Is your SWP3 developed? ☒ Yes ☐ No Are you required to submit Discharge Monitoring Reports ? Yes (Yes) or (No)

ENDANGERED SPECIES ELIGIBILITY

- a. ☒ My facility is not located in or draining to Federal and State sensitive waters and watersheds.
- b. ☐ My facility is located in or drains to Federal and State sensitive waters and watersheds and I agree to implement the control measures specified in Step 2 of Exhibit 1.
- c. ☐ I am relying on another permittee's certification of eligibility and agree to comply with any conditions attached to that certification.

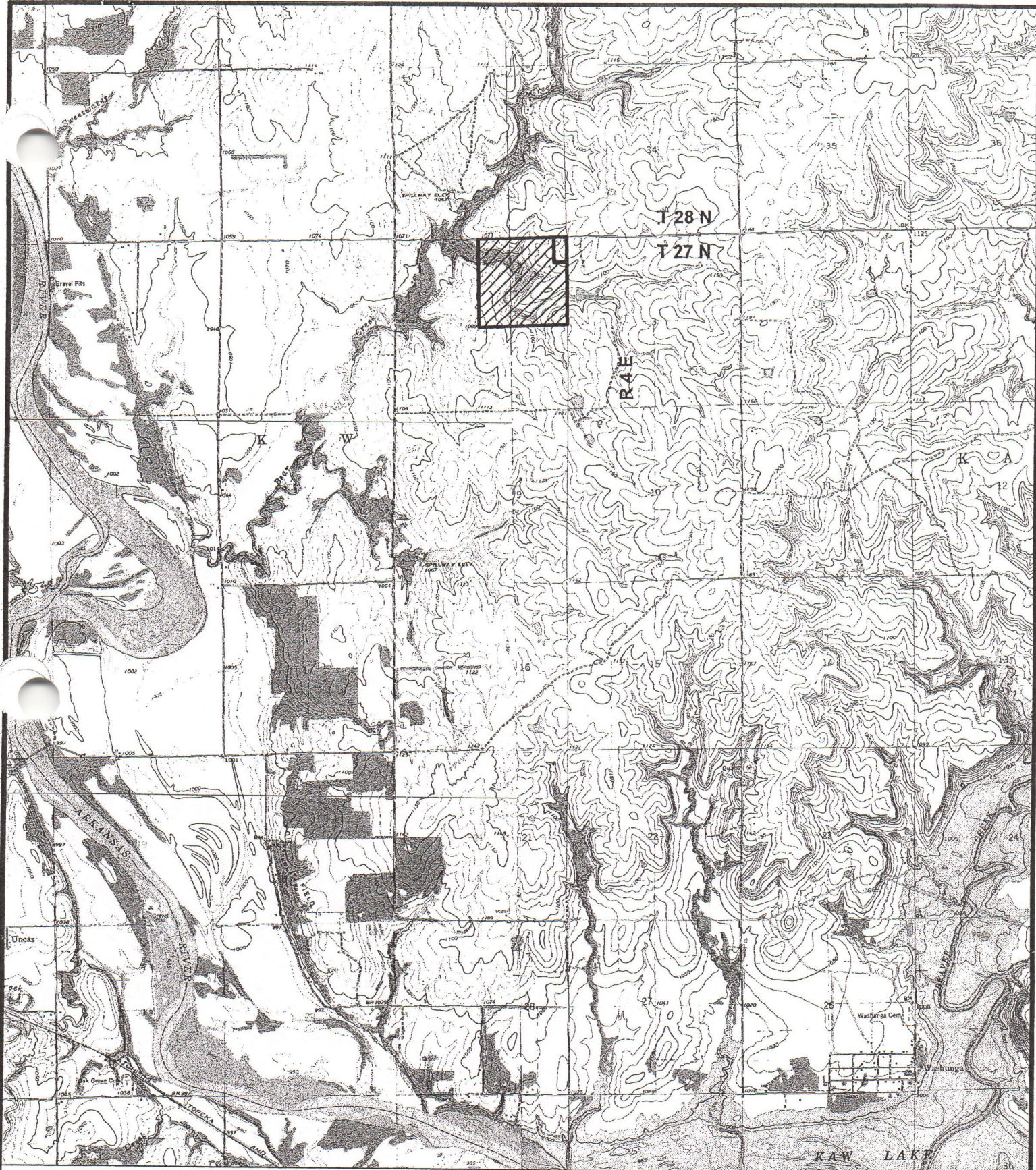
IV. Certification: All Applicants:

I certify under penalty of law that I have read and understand Part 1.2 of the permit eligibility requirements for coverage under the Storm Water Multi-Sector Industrial General Permit, including those requirements relating to the protection of endangered species or critical habitat, Exhibit 1. Furthermore, 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 submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I understand that continued coverage under the Storm Water Multi-Sector Industrial General Permit is contingent upon maintaining eligibility as provided for in Part 1.2

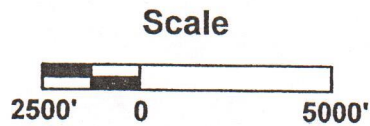
Print Name: Floyd Summers Date: 5-20-2013

Signature: [Signature] Title: W. P.

For DEQ use Only: Assigned Authorization Number: OKR05 _____



Portions of the Kaw City & Uncas Quad Maps, Kay County, OK.



Summers Blue Lake Quarry, LLC. Blue Lake Quarry General Location Map

drawn by
MKM

date
04/2013

Triad Environmental Services
P.O. Box 1507
Pittsburg, KS 66762
(620) 231-6660
Fax (620) 231-6661



**MULTI-SECTOR GENERAL PERMIT FOR STORM WATER DISCHARGES
ASSOCIATED WITH INDUSTRIAL ACTIVITIES
FOR THE STATE OF OKLAHOMA**

PERMIT NO. OKR05

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

In compliance with the Clean Water Act as amended (The Act, USC 125 *et seq.*) and with the provisions under the Oklahoma Pollutant Discharge Elimination System (OPDES), OAC 252:606-1-3(b)(3)(L) incorporating by reference 40 CFR 122.26, as amended, except as provided in Part 1.2 of this permit, owners/operators of storm water discharges from industrial facilities, described by their Standard Industrial Classification (SIC) Code or Activity Code specified in Part 1.2 and Table 1.2 of the permit are authorized to discharge in accordance with the conditions and requirements set forth herein. Only those owners/operators of storm water discharges from industrial activities who submit a Notice of Intent (NOI) and receive authorization in accordance with Part 2 of this permit are authorized under this general permit.

This permit is a reissuance by the Department of Environmental Quality (DEQ) and shall become effective on September 5, 2011. All currently permitted industrial facilities must reapply to the DEQ for coverage under the OKR05 permit. This permit and the authorization to discharge shall expire at midnight September 4, 2016.

Signed and issued this 5th day of August, 2011

Shellie Chard-McClary, Director
Water Quality Division

Mark Derichsweiler, P.E., Engineering Manager
Water Quality Division

OKLAHOMA APPLICATION FOR A NON-COAL MINING PERMIT
NON-COAL OPERATOR'S RECLAMATION PLAN
(Section 4)

PERMIT NO. _____

DATE May 1, 2013

NAME OF COMPANY Summer's Blue Lake Quarry, LLC.

MINE NAME OR NO. Blue Lake Quarry

Reclamation plan to cover 153.7 acres during the period of 2013 to 2038

Total estimated acres to be affected by permit 153.7 acres.

Plan covers (A) acres under previous permit(s) not reclaimed and released;
(B) additional acres to be affected under permit being applied for;
(C) new operation - number of acres that will be affected and
(D) operation purchased from previous owner.

If the same use and plan will not apply to all acreage alike, designate use and plan by letter(s) (A, B, C, D) and give acreage. Acreage must agree with acres applied for on permit.

GENERAL RECLAMATION PLAN
USE OF LAND WHEN RECLAMATION IS COMPLETED:
(Check one or more; show acreage; use letter designation above).

USE	EST. ACREAGE	USE	EST. ACREAGE
<u> </u> 1. Pasture	<u> </u>	<u> </u> 2. Farm Land	<u> </u>
<u> </u> 3. Forest	<u> </u>	<u> X </u> 4. Water Reservoir	<u> 28 </u>
<u> X </u> 5. Recreation	<u> 40 </u>	<u> X </u> 6. Industrial	<u> 3.0 </u>
<u> </u> 7. Residential	<u> </u>	Explain: <u> </u>	
<u> X </u> 8. Other	<u> 82.7 </u>	Explain: <u>Undisturbed (Includes +/- 4.2 Ac. Water)</u>	
<u> </u> 9. None	<u> </u>	Explain: <u> </u>	

WHAT WILL YOU DO TO MAKE LAND USABLE FOR PURPOSE STATED ABOVE? (Check one or more).

 1. Fill 2. Level X 3. Grade - approximate date of grading (If unknown, show as unknown) Unknown

 4. Other (Explain)

 5. Plant grass 6. Sprig or sod grass 7. Set out trees

 8. Build dam 9. Stock with fish 10. Stock with game

 11. None (Explain)

Does the mineral seam contain acid-forming materials? Yes X No
If yes, please complete Question #3 of 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.

RECLAMATION PLAN ATTACHMENT

- (1) **RE-VEGETATION PLAN:** Describe the plan for re-vegetation or other surface treatment of affected area(s). The re-vegetation plan shall include but not limited to the following: *Each item must be addressed or plan will be returned.*
460:10-15-3 (6)

(A). Planned soil tests:

One (1) composite soil (consisting of 6-10 individual samples) will be taken from all areas scheduled to be retopsoiled and planted. Soil samples will be submitted to a qualified lab (OSU) for testing and recommendations.

(B). Site preparation and fertilization:

Accessible areas will be disced prior to seeding. Inaccessible areas will be graded with a dozer prior to seeding. All areas will be fertilized in accordance with the soil test.

(C). Seed and Plant selection:

Revegetation Plan attached.

(D). Rate of seeding or amount of planting per acre:

Revegetation Plan attached.

(E). Are there other surface treatments that will be performed to the affected land during reclamation? _____yes, XX no

If yes please explain:

REVEGETATION PLAN

The following chart details the species, rates and local planting dates for the vegetation to be established by Summer's Blue Lake Quarry, LLC. All amounts are adjusted to P.L.S.

Grass Seeding Mixture*

Bermuda grass <u>Cynodon dactylon</u>	10.0 # acres	March 15 to May 31
Big Bluestem <u>Andropogon gerardi</u>	2.2 #/acre	March 15 to May 31
Side Oats Gramma <u>Bouteloua curtipendula</u>	2.0 #/acre	March 15 to May 31
Little Bluestem <u>Schizachrium seoparium</u>	1.0 #/acre	March 15 to May 31
Korean Lespedeza <u>Lespedeza Stipulacea</u>	3.0 #/acre	March 15 to May 31

TOTAL 18.0 #/acre

Fall Seeding Mixture (Temporary Cover for Topsoil Stockpiles)

Annual Ryegrass <u>Lolium multiflorum</u>	20 #/acre	August 15 to October 31
Red Clover <u>Trifolium pratense</u>	3 #/acre *	July 15 to October 31

TOTAL 23 #/acre

*Mixture rates from A Guide for Revegetating Minesoils by Willis G. Vogel, General Technician Report NE-68.

Summer's Blue Lake Quarry, LLC.

Planting methods for the various seeding mixes will be as follows: Seedbed preparation on all areas will consist of rough grading (in accessible area) or discing the replaced top spoil in accessible areas. Planting of Temporary (cool season) species will be accomplished by broadcasting.

On accessible areas, the revegetation mix will be planted using a rangeland drill or similar modified planting drill that is capable of handling fluffy seed. An exception to this may occur in the planting of Bermuda and Korean lespedeza. Due to the more favorable planting characteristics of these seeds (i.e., they are not "fluffy" it may prove more expedient to broadcast these over the field in a separate plaiting operation. Should this be the case, the seed will be mixed with the fertilizer amendments to be applied and then broadcast onto the site. Light discing, dragging and/or harrowing will be used on accessible areas to work the broadcasted materials into the seedbed. In accessible areas will be broadcast seeded.

The above plan will create vegetative cover on the reclaimed area that is diverse, effective and permanent. The species used will provide cover capable of controlling erosion, and are compatible with the post-mine land uses.

MULCHING

Seeded areas on slopes may be mulched. Mulch will consist of field run hay and will be applied at a rate of 1.5 ton/acre. The mulched area may be stabilized to keep it in place.

IRRIGATION, PEST AND DISEASE CONTROL

No plans for irrigation or pest and disease control are proposed at this time. Should such operations become necessary in the future, a detailed plan concerning the proposed activity will be developed.

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

Undisturbed buffer zones have been established adjacent to drainage areas. The operation will be conducted in accordance with the Stormwater Pollution Prevention Plan, which includes the use of containment berms around fuel and lubricant storage tanks. Sediment control structures (Ponds and Sumps) and diversions will also be used as necessary to control stormwater runoff. Haulroads will be stabilized as needed.

A copy of the Stormwater Pollution Plan (SWPPP) will be available for review at the Quarry Office.

- (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; (b) Chemically treated tailings or stockpiles (excludes fertilizer or lime for re-vegetation purposes).

- No acid forming materials have been identified.

- There will be no chemically treated tailings or stockpiles.

- (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.

Mine rock waste and excess overburden will be used to construct berms, road base, and/or used as backfill.

- (5) Method of reclaiming settling and/or sediment ponds.

Proposed sediment control structures consist of sump structures in the bottom of the open pit which collect all stormwater runoff. Once suspended solids settle out the accumulated water is pumped to the surface through controlled "permitted" discharge points. Ponds and/or diversions constructed as part of the operation will remain as permanent features.

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

Open pits will be kept a minimum of 75 feet from public roads and property boundaries during quarrying operations and shall always be in compliance with ODM's rules and regulations concerning "lateral support". During reclamation, a fence and safety berm will be constructed adjacent to any final highwall. Signs will be used to provide warning when a quarry ledge is present.

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

The access roads and associated gravel pads are structures proposed to remain permanently.

STATEMENT OF CERTIFICATION

I, (Company Official) Floyd Summers Certify that the ~~(Company)~~ ^{XXXXXX} Corporation,
~~XXXXXX~~ Individual(s) Summer's Blue Lake Quarry 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

Floyd Summers
Floyd Summers

Position

V. P.

Subscribed and sworn to before me this

6

day of

May

20

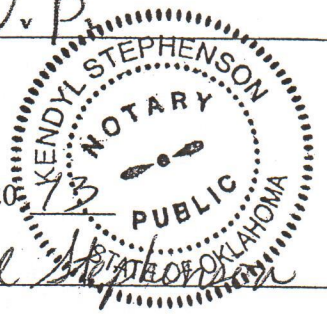
13

My Commission expires

4-7-15

Notary Public

Kendyl Stephenson



Note: THIS APPLICATION MUST BE SIGNED AND NOTARIZED. 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
117 CAPITOL BUILDING
OKLAHOMA CITY, OKLAHOMA
73105

NON-COAL LOCATION MAP

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

Period Of:

2013 to 2033

MINING PERMIT IS NOT TRANSFERABLE

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: Summers Blue Lake Quarry, LLC.

MINERAL TO BE MINED: Limestone

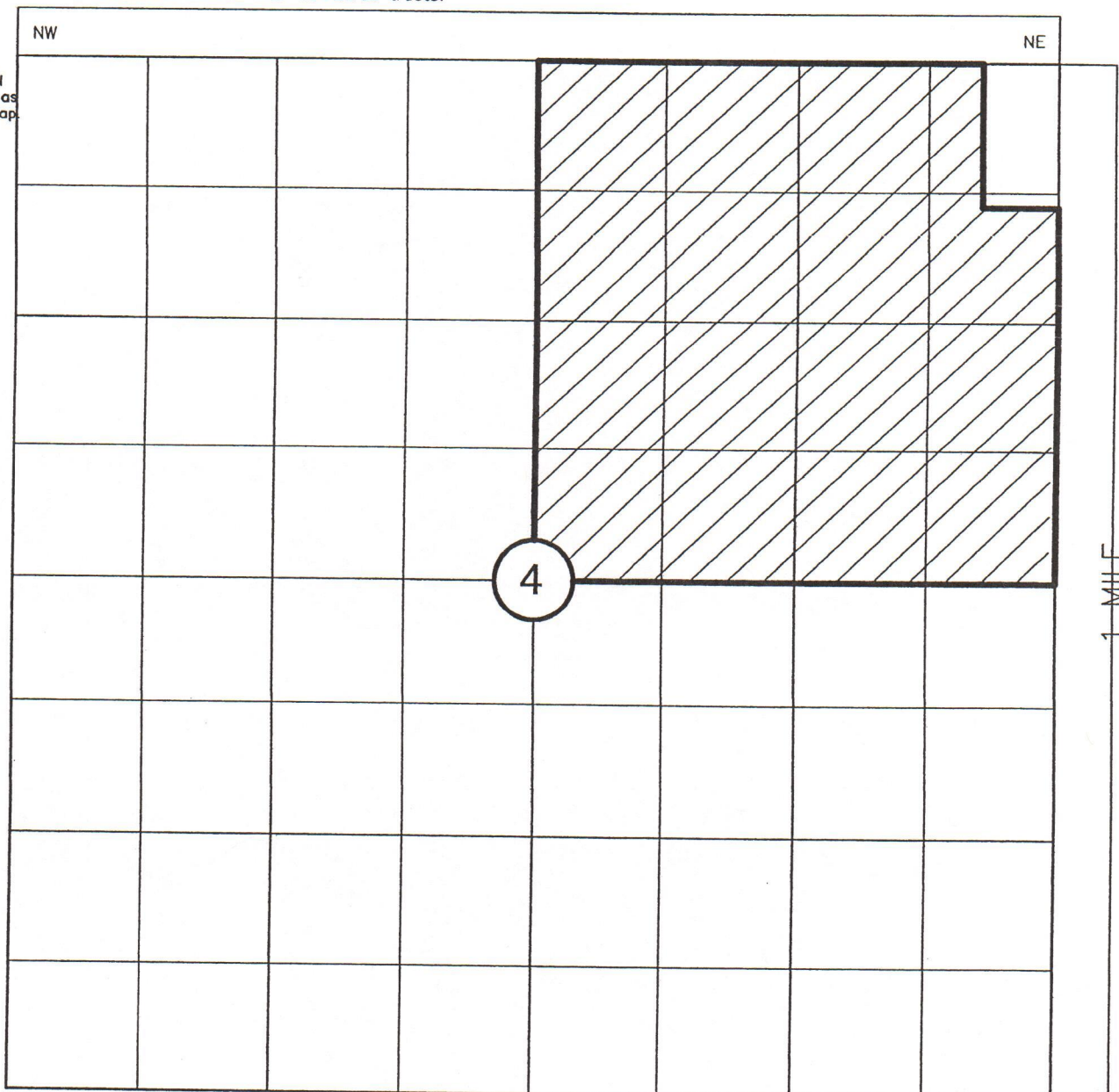
ACRES THIS SECTION TO BE COVERED BY PERMIT & BOND: +/- 154 (Permit) +/- 24 (Bond)

TOTAL ACRES TO BE COVERED BY PERMIT: +/- 154

SECTION: 4 TOWNSHIP: 27 N RANGE: 4 E COUNTY: Kay, Oklahoma

One Section divided into 10-acre tracts.

PLOT LOCATION
as accurately as
possible on map



NOTE:

SE
FORM_OK_3

NON-COAL LOCATION MAP

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

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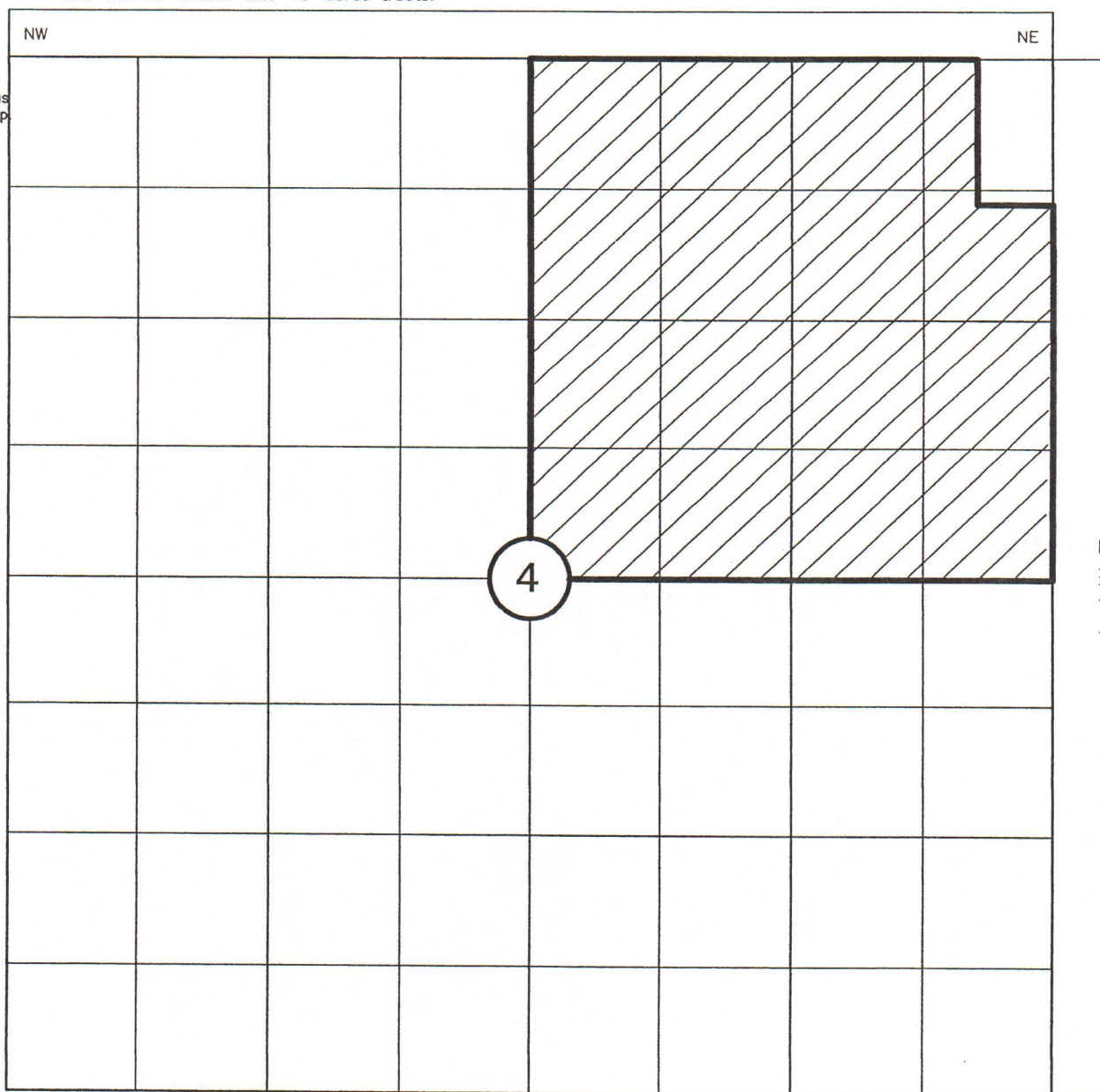
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One Section divided into 10-acre tracts.

PLOT LOCATION
as accurately as
possible on map



NOTE:

SW

SE
FORM_OK_3

STATE OF OKLAHOMA
DEPARTMENT OF MINES
117 CAPITOL BUILDING
OKLAHOMA CITY, OKLAHOMA
73105

NON-COAL LOCATION MAP

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

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2013 to 2033

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COMPANY: Summers Blue Lake Quarry, LLC.

MINERAL TO BE MINED: Limestone

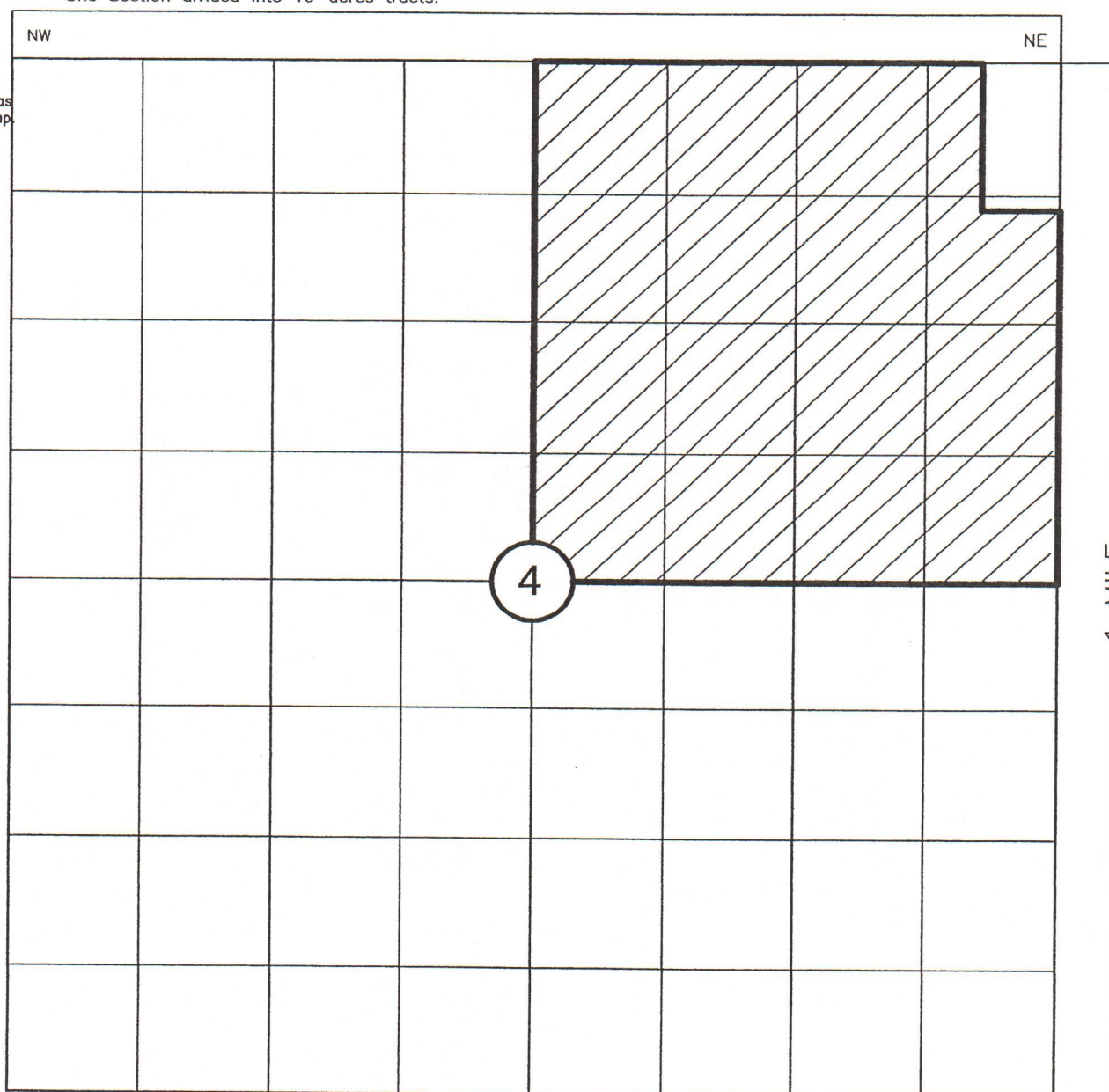
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SECTION: 4 TOWNSHIP: 27 N RANGE: 4 E COUNTY: Kay, Oklahoma

One Section divided into 10-acre tracts.

PLOT LOCATION
as accurately as
possible on map.



1 MILE

NOTE:

SE
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Existing Contours

Bonding (±24 Ac.)

Scale

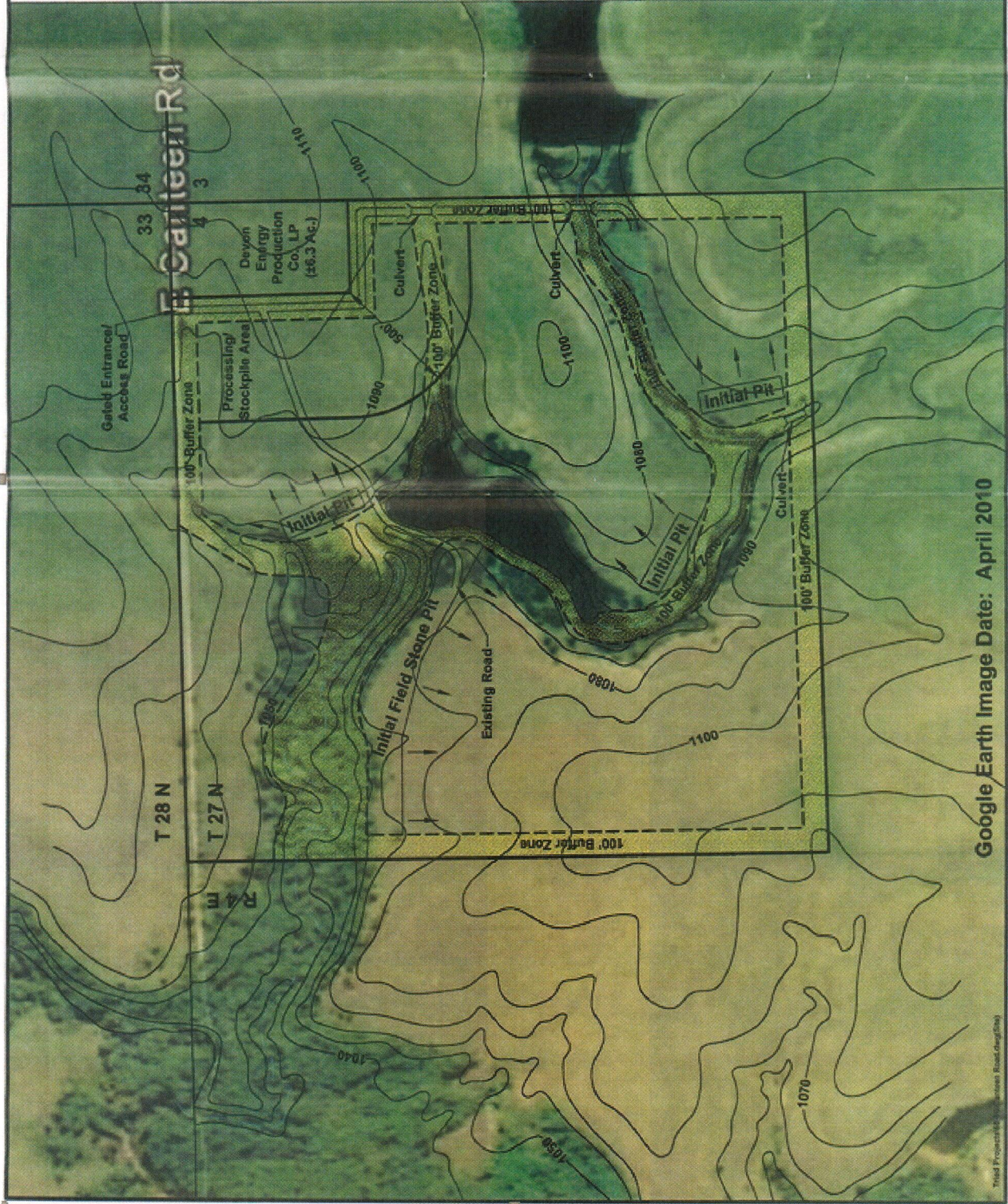
200' 0 400'

Summer's Blue Lake
Quarry, LLC.
Blue Lake Quarry
Bonding Map

Google Earth Image Date: April 2010

File: P:\Projects\Blue Lake Quarry\Bonding Map.dwg (2/10/10)





— Existing Contours

Scale

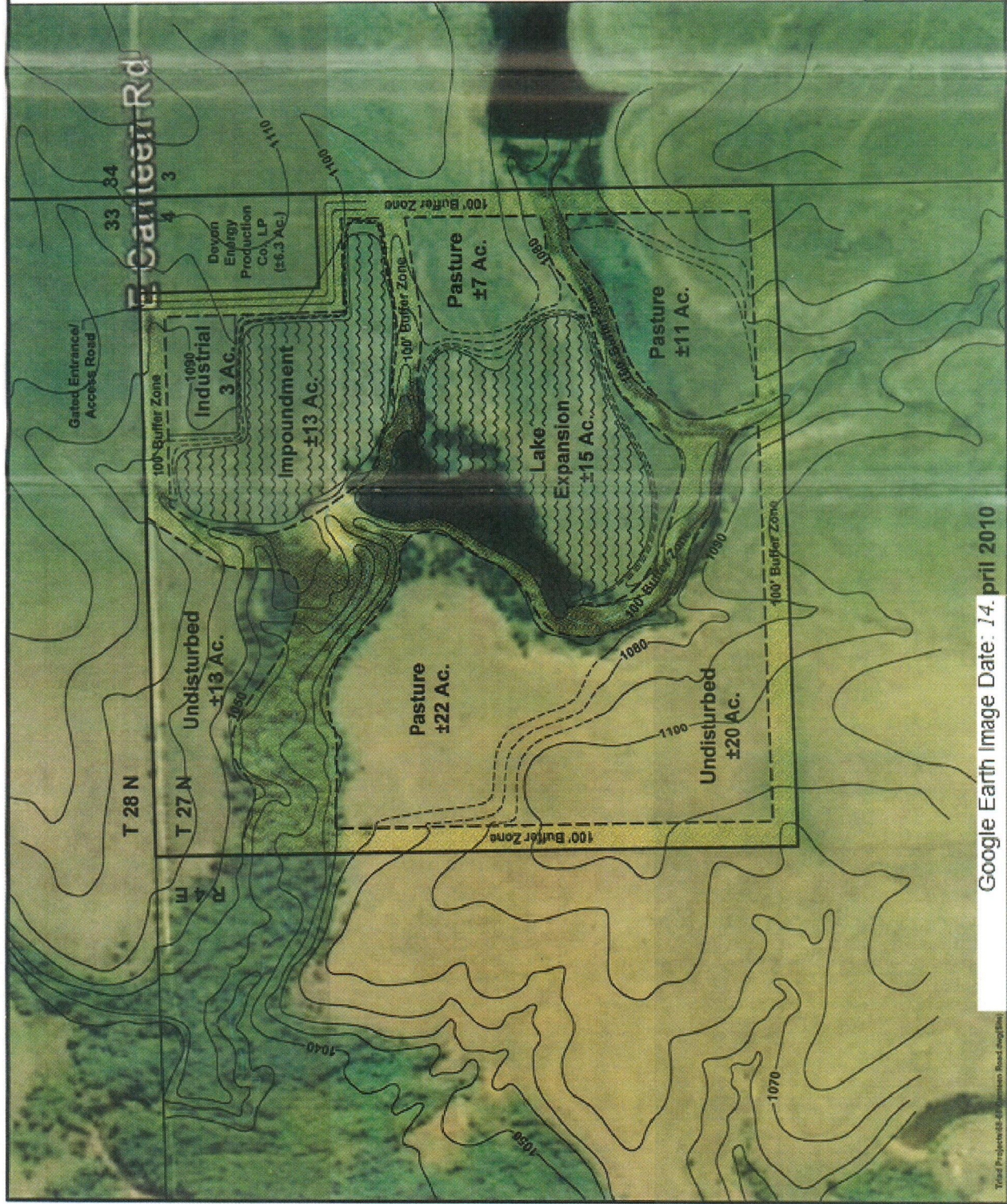
200' 0 400'

Summer's BlueLake
Quarry, LLC.
Blue Lake Quarry
Location Map



Google Earth Image Date: April 2010

Trill Properties, Inc. 20000 Road 600g/00g



— Existing Contours
 - Proposed Contours

Scale



Summer's BlueLake
 Quarry, LLC.
 Blue Lake Quarry
 Reclamation Map

Project No. 2022C
 Date 04-2010

Google Earth Image Date: 14. pril 2010

Total Projected ± 600' minimum Road Right-of-Way



- [J] Rocked Entrance/Processing Area
- D Buffer Zone
- '-' Outfall
- Fuel Tank/Containment
- a Existing Lake
- @ Proposed Sed. Trap
- I Rock Outlet Protection (As Needed)
- Existing Contours
- Existing Road
- Control Berm
- Unnamed Tributary

Scale

200' 0 400'

Summers Blue Lake
Quarry, LLC.
Blue Lake Quarry
SWPPP (OKR05) Site Map

Google Earth Image Date: April 2010

Trill Properties LLC 4444 Carleton Road (map only)



STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

Grant County Commission
Attn: Mr. Jerry Shaffer
112 East Guthrie
Medford, Oklahoma 73759

Permit No. 2011-721-NOI
Permit Writer: Joey Hardgrave
Date: September 19, 2011

SUBJECT: GP Authorization to Construct
Grant County Commission
Facility: Stoney Pointe Quarry (SIC 1422)
Section 10, Township 27N, Ranges 3E, Kay County, Oklahoma
Latitude: 36.83968°N, Longitude: 96.96067°W
Date Received: September 14, 2011

Dear Mr. Shaffer:

The Air Quality Division has received your Notice of Intent (NOI) to construct the Stoney Pointe Quarry in accordance with conditions established in the General Permit for Nonmetallic Mineral Processing Facilities (GP-NMPF), issued on August 9, 2007. It has been given the NOI number referenced above. The fee for this NOI is \$400 and \$400 has been received. AQD hereby acknowledges receipt of a complete application, and you are authorized upon receipt of the NOI to construct and operate the facility in accordance with the GP-NMPF (copy enclosed).

Note that you must submit a completed application for an Authorization to Operate, i.e. DEQ Form #100-810, and applicable form #100-330, with a \$150 fee, within 60 days of commencing operation of the proposed facility. A copy of the application packet for the GP-NMPF is available on the DEQ website at <http://www.deq.state.ok.us>. Upon submittal of a complete application ODEQ will conduct an inspection of the facility and issue the Operating Permit.

Thank you for your cooperation. If you have any questions, please refer to the NOI number above and contact the permit writer at (405) 702-4100.

Sincerely,

Phillip Fielder, P.E.,
Permits and Engineering Group Manager
AIR QUALITY DIVISION

Enclosure: General Permit for Nonmetallic Mineral Processing Facilities



Storm Water Pollution Prevention Plan

For

INDUSTRIAL ACTIVITIES (PERMIT NO. OKR05)

AT

SUMMERS BLUE LAKE QUARRY, LLC.

Blue Lake Quarry

Kay County, Oklahoma

**Prepared by
Triad Environmental Services
Pittsburg, Kansas**

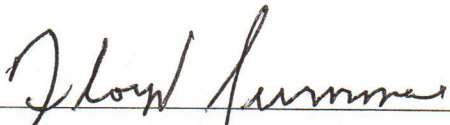
**Date of Plan
July 2013**

Certification of
Summers Blue Lake Quarry, LLC.

Blue Lake Quarry

Stormwater Pollution Prevention Plan

"I certify under penalty of law that I have read and understand the requirement for this Storm Water Pollution Prevention Plan. 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 submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



Floyd Summers, V.P.

7-30-2013

Date

Plan Updated/Revised

Floyd Summers, V.P.

Date

Floyd Summers V.P.

Date

Floyd Summers V.P.

Date

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5. Discharges comprised of a discharge listed immediately above commingled with a discharge authorized by a different OPDES permit.

Table 1-3. Specific Effluent Limitation Guidelines

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

Note: The effluent guidelines are adopted by reference in the Oklahoma Pollutant Discharge Elimination System (OPDES) under OAC 252:606-1-3 (b)(8).

1.2.4 Allowable Non-Storm Water Discharges.

You are also authorized for the following non-storm water discharges, provided the non-storm water component of your discharge is in compliance with Part 4.2.11:

1. Fire hydrant flushings;
2. Potable water including drinking fountain water and water line flushings;
3. Uncontaminated air conditioning or compressor condensate from the outside storage of refrigerated gases or liquids;
4. Irrigation drainage;
5. Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's instructions;
6. Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
7. Routine external building wash down which does not use detergents;
8. Uncontaminated ground water or spring water;

9. Foundation or footing drains where flows are not contaminated with process materials such as solvents;
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 or drains);
11. Discharges or flows from emergency fire fighting activities will be allowed, if measures are taken to reduce any such pollutant releases to avoid or minimize the impacts on water quality and to ensure public health and safety.

1.2.5 Limitations on Coverage

1. Discharges Mixed with Non-Storm Water. You are not authorized for discharges that are mixed with sources of non-storm water, other than those non-storm water discharges listed in Part 1.2.4.
2. Storm Water Discharges Associated with Construction Activity. You are not authorized for storm water discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) or 40 CFR 122.26(b)(15) as adopted by reference in OAC 252:606-1-3 (b), unless in conjunction with mining activities as specified in Part 12 Sector J of this permit.
3. Discharges currently or previously covered by another permit. You are not authorized for the following:
 - A. Storm water discharges associated with industrial activities that are currently covered under an individual permit or an alternative general permit.
 - B. Discharges previously covered by an individual permit or alternative general permit that has expired, or been terminated at the request of the permittee unless:
 - 1) All wastewater discharges in the individual permit have been eliminated and only storm water discharges and eligible non-storm water discharges remain (e.g., wastewater is now discharged to a municipal sanitary sewer); and
 - 2) The individual permit did not contain numeric water quality-based limitations (except pH) developed for the storm water component of the discharge; and
 - 3) The permittee includes any specific best management practices (BMPs) for storm water required under the individual permit in the SWP3 required under Part 4 of this permit.
4. Storm water discharges associated with industrial activity from facilities where any OPDES permit has been or is in the process of being denied, terminated, or revoked by the Executive Director (other than in a replacement permit issuance process). Upon request, the Executive Director 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.
5. Discharges Subject to Numerical Effluent Limitation Guidelines. You are not authorized for discharges subject to any effluent limitation guideline that is not included in Table 1-3.
6. Discharge Compliance with Water Quality Standards. You are not authorized for storm water discharges that the Executive Director determines will cause, or have reasonable potential to cause or contribute to, violations of water quality standards. Where such determinations have been made, the Executive Director may notify you that an individual permit application is necessary in accordance with Part 8.11. However, the Executive Director may authorize your coverage under this permit after you have included appropriate controls and implementation procedures designed to bring your discharges into compliance with water quality standards in your SWP3.
7. Discharges to Water Quality-Impaired or Water Quality-Limited Receiving Waters.

A. You are not authorized for new discharges to waters identified by the State under section 303(d) of the Clean Water Act as not meeting applicable water quality standards (a "303(d) water body"), except as provided under 40 CFR 122.4(i) as adopted by reference in OAC 252:606-1-3 (b)(3)(D). This provision applies only to discharges containing the pollutant(s) for which the water body is impaired. Oklahoma State 303(d) water body lists can be obtained from the Integrated Water Quality Assessment Report on the DEQ web site at http://www.deq.state.ok.us/WQDnew/305b_303d/index.html.

B. You are not authorized to discharge any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been either established or approved by the EPA unless your discharge is consistent with that TMDL. This provision applies only to discharges containing the pollutant(s) for which the water body is impaired.

- a. If a TMDL is established for any water body into which you discharge prior to the date that you submit a NOI, and if that TMDL includes a waste load allocation or load allocation for a parameter likely to be discharged by the facility, your discharges must meet the requirements of the TMDL and/or its associated implementation plan within any timeframes established in the TMDL. Monitoring and reporting of the discharges may also be required as appropriate to ensure compliance with the TMDL.
- b. If a TMDL is approved for any water body into which you discharge after the date that you submit a NOI, you must incorporate any limitations, conditions, and requirements applicable to your discharges into your SWP3 to ensure that the waste load allocation, load allocation and/or the TMDLs associated implementation plan will be met within any timeframes established in the TMDL. Monitoring and reporting of the discharges may also be required as appropriate to ensure compliance with the TMDL.

If you discharge to impaired waters without a completed TMDL, you must take all necessary actions to ensure that future discharges do not cause or contribute to an stream exceedance of a water quality standard and must document these actions in your SWP3.

8. Storm Water Discharges Subject to Anti-degradation Water Quality Standards. You are not authorized for discharges that do not comply with the State's anti-degradation policy for water quality standards. State anti-degradation policies can be obtained from the Oklahoma Water Resources Board (OWRB) web site at:

<http://www.owrb.state.ok.us/quality/standards/standards.php>

9. Dischargers Notified of Permit Ineligibility. Unless otherwise specified by the Executive Director, you are not authorized for discharges after you have been notified that you do not meet the eligibility conditions of this permit.

12.6 Protection of Endangered and Threatened Species or Their Critical Habitat

The DEQ has developed a program for Endangered and Threatened species and their critical habitat with the cooperation of the U.S. Fish and Wildlife Service 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 MSGP is included in ADDENDUM A of Exhibit 1. You must go to Exhibit 1 and follow the instructions to determine if this section applies to you.

1. Coverage under this permit is available only if your storm water discharges, allowable non-storm water discharges, and discharge-related activities avoid unacceptable effects on Federal and State listed endangered or threatened ("listed") species or designated critical habitat. Submission of a signed NOI will be deemed to constitute your certification of eligibility.
2. "Discharge-related activities" include: activities which cause, contribute to, or result in storm water point source pollutant discharges; and measures to control storm water discharges including the siting, construction, and operation of BMPs to control, reduce or prevent storm water pollution.
3. Determining eligibility: Examine the map in Exhibit 1. Compare the location of your industrial facility with the location of Federal and Oklahoma sensitive waters and watersheds. If your industrial facility lies within a corridor/area of these waters and watersheds you must mark the appropriate box in the Endangered Species area of the NOI. The U.S. Fish and Wildlife Service then has the option of contacting you for additional information and reviewing your SWP3 and BMP documents. Also, you must submit your SWP3 to the DEQ for review with your NOI form.
4. Your storm water discharges, allowable non-storm water discharges, and discharge-related activities may have been addressed in another operator's certification of eligibility, which included your facility's activities. 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 they 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 storm water discharges and storm water discharge-related activities on listed species and critical habitat. By certifying eligibility, you agree to comply with any measures or controls upon which the other operator's certification was based. 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 storm water discharges, allowable non-storm water discharges, and discharge related activity on listed species and critical habitat.

This situation will typically occur where one industrial facility conducts a comprehensive assessment of effects on listed species for that entire site, certifies eligibility and that certification is relied upon by other owner/operators in the vicinity. However, applicants that consider relying on another operator's certification should carefully review that certification along with any supporting information. If you do not believe that the other operator's certification provides adequate coverage for your storm water discharges and storm water discharge-related activities for your particular industrial facility, you should provide your own independent certification.

Situations such as where an operator goes through the Endangered Species Act (ESA) process and obtains an authorization for storm water discharges, then later sells the facility, the new owner can then rely on the previous ESA eligibility analysis if they choose and avoid needing to repeat the process for the same facility. It is also possible there could be a situation where a "developer" gets clearance for an industrial park and the tenants that move in might be able to rely on the original ESA evaluation depending on the scope of activities considered.

1.3 Authorization Under This Permit

1.3.1 How to Obtain Authorization

To be authorized for this permit you must:

1. Complete and submit a Notice of Intent (NOI) to the DEQ.
2. Develop and implement a storm water pollution prevention plan (SWP3) according to the requirements in Part 4 of this permit. Submit a copy of your complete SWP3 to DEQ for review if your facility is located within a corridor/area of Federal and State sensitive waters and watersheds or a scenic river watershed. If your facility is located outside any Federal and State sensitive waters and watersheds or a scenic river watershed, your facilities are not required to submit their SWP3 for review unless they are requested to do so by the DEQ.
3. Pay the applicable annual permit fee established in OAC 252:606 (located on DEQ's website at <http://www.deq.state.ok.us/rules/606.pdf>). The first year fee for the facilities will be prorated and will cover the period beginning the issuance date of your authorization and ending June 30th of the coinciding fiscal year.
4. Receive an authorization from the DEQ.

1.3.2 Effective Date of Permit Coverage

You are not authorized to discharge storm water under the terms and conditions of this permit until you have received authorization from the DEQ. The Executive Director may deny coverage under this permit and require submission of an application for an individual OPDES permit based on a review of your NOI or other information (see Part 8.11). Authorization to discharge is not automatically granted simply because you have mailed a completed NOI. If critical information is missing, obviously incorrect information is included, the NOI is unsigned, or if your discharge(s) is not eligible for coverage by the permit you will be notified by mail or phone. If your NOI is properly completed and you are in compliance with all of the terms and conditions of this permit, you will receive authorization by return mail.

1.3.3 Maintaining the Coverage of this Permit

1. If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued and remain in force and effect. If you were authorized to discharge under this permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this permit until the earliest of:
 - A. Your authorization for coverage under a reissued permit or a replacement of this permit following your timely and appropriate submittal of a complete NOI requesting authorization to discharge under the new permit and compliance with the requirements of the new permit; or
 - B. Your submittal of a Notice of Termination; or
 - C. Issuance or denial of an individual permit; or
 - D. A formal permit decision by the DEQ not to reissue this general permit, at which time the DEQ will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will cease at the end of this time period.
2. If you currently maintain coverage of this permit, you must pay the annual permit fee in according to OAC 252:606; you must continually update and implement your SWP3 and BMPs for your facility to comply with the requirements of this permit, including submittals of Annual Comprehensive Site Compliance Evaluation Report (ACSCER) and Discharge Monitoring Report (DMR).

1.4 Terminating Coverage

1.4.1 Submitting a Notice of Termination

If you wish to terminate coverage under this permit, you must submit a Notice of Termination (NOT), Exhibit 3. You must continue to comply with this permit until you submit a NOT. Your authorization to discharge under the permit terminates at midnight of the day the NOT is signed.

1.4.2 When to Submit an NOT

You must submit an NOT within thirty (30) days after one or more of the following conditions have been met:

1. A new owner/operator has assumed responsibility for the facility;
2. You have ceased operations at the facility and there no longer are discharges of storm water associated with industrial activity from the facility;
3. You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an OPDES permit.

1.4.3 Discharges After the NOT Is Submitted

Enforcement actions may be taken if you submit an NOT without meeting one or more of these conditions, unless you have obtained coverage under an alternate permit.

1.4.4 Conditional Exclusion for No Exposure

You may be eligible for a "Conditional Exclusion for No Exposure". If you are covered by this permit, or have a new industrial facility and you have filed a "No Exposure Certification" Exhibit 4, then you are no longer authorized nor required to comply with this permit, as long as the conditions allowing the exclusion remain. If you are no longer required to have permit coverage due to "no exposure exclusion", you are not required to submit a Notice of Termination. If you are currently covered by a no exposure waiver, you must resubmit a "No Exposure Certification" to the DEQ within 90 days following the effective date of this permit.

Part 2 NOTICES OF INTENT REQUIREMENTS

2.1 Notice of Intent (NOI) Deadlines

Your NOI must be submitted in accordance with the deadlines in Table 2-1.

Table 2-1 Deadlines for NOI Submittal

Category	Deadline
1. Existing discharges covered under the ODEQ MSGP (OKR05)	Ninety (90) days following the effective date of this permit.
2. New discharges	Receive authorization from the DEQ prior to commencing operation of the facility with discharges of storm water associated with industrial activities. It is suggested that a Notice of Intent (NOI) be submitted 30 days prior to operation.
3. New owner/operators or change of location of a facility	Same as 2, above.

You only need to receive one authorization to cover all of your activities at the facility. You do not need separate authorizations for each type of industrial activity located at a facility or industrial complex, provided your SWP3 covers each area for which you are an operator. The SIC codes or activity codes that best represent the principal products produced or services rendered by your facility and major co-located activities should be listed on the NOI.

2.1.1 When is Your Authorization to Discharge Effective?

For new industrial facilities that are not currently covered by a multi-sector industrial permit, you are not considered covered until you receive authorization from the DEQ. For industrial facilities that are currently covered under the DEQ general permit OKR05 of May 3, 2006, you must submit a new NOI Form 605-002B within 90 days of the effective date of the permit and receive authorization.

2.1.2 Submitting a Late NOI

You are not prohibited from submitting an NOI after the deadlines provided in Table 2-1. If a late NOI is submitted, your authorization is only for discharges that occur after you receive authorization. The DEQ reserves the right to take appropriate enforcement actions for any unpermitted discharges.

2.1.3 Permit Coverage for MSGP 2006 Permittees

1. If you had coverage for your facility under the MSGP 2006, and an authorization was issued by the DEQ, you must reapply to the DEQ for any new authorization under this permit. The purpose for reapplying is for the owner/operator to certify that they understand any new requirements of this permit and will comply. Authorization under the MSGP 2006 will be administratively extended for a period not to exceed 90 days from the effective date of this permit.
2. If you currently have coverage for your industrial facility authorized by the DEQ under the MSGP 2006, you do not have to file a Notice of Termination with the DEQ. Your authorization will automatically expire on May 2, 2011, and although you will be covered

during an interim period of up to 90 days you must apply for coverage under this permit using the DEQ Form 605-002B. You must review and update your SWP3 and BMPs within 90 days of the effective date of this permit for your facility to comply with the requirements of this permit.

2.2 Contents of Notice of Intent (NOI) Exhibit 2

Your NOI for coverage under this permit must include the following information:

2.2.1 Facility Owner/Operator

1. Name of the owner/operator and phone number
2. Mailing address, including the City, State, and ZIP code
3. Status of Owner/Operator
F = Federal; S = State; M = Municipal; P = Private

2.2.2 Site Information

1. Name of the facility
2. The physical address or description of the location
3. City, State, ZIP code
4. Latitude and longitude
5. The name of the county in which your facility is located

2.2.3 Facility activity

1. The name of the Municipal Separate Storm Sewer System (MS4) operator in which your facility is located, regardless of its population.
2. The name of the closest receiving water body.
3. Your primary and secondary SIC codes or two letter activity code (e.g. HZ, SE, LF and TW).
4. The SIC Codes or activity codes that best represent the principal product produced or services rendered by your facility, and major co-located activities should be listed on the NOI.
5. Is your facility required to submit annual numeric effluent limitation monitoring reports?
6. Is your SWP3 developed?
7. Other operational OPDES permit numbers
8. Complete the section for Endangered Species. See Exhibit 1.
9. Enter the Sector applicable to your industrial facility according to Table 1-2 found in Part 1.2.1. Sector codes range from "A" to "AD". You must have a copy of the sector specific permit information.

2.2.4 Certification

Read the certification on the NOI carefully, then print your name, title, date, and sign your name. There are substantial penalties for certifying false information.

2.2.5 Eligibility Screening

Based on the instructions in Exhibit 1, determine if your facility is located near a sensitive water or watershed. It is very important that you perform all necessary research to determine whether you are actually within any of these areas. You can use a topographic or quadrangle map or DEQ Data Viewer at http://maps.deq.ok.gov/deq_wq to confirm your facility is inside or outside these areas. The DEQ will confirm whether your response is correct or not.

A certification must be signed and dated by an authorized representative of your facility as detailed in Part 8.7, which states the following:

"I certify under penalty of law that I have read and understand Part 1.2 of the permit eligibility requirements for coverage under the Storm Water Multi-Sector Industrial General Permit, including

those requirements relating to the protection of endangered or threatened species or critical habitat, Exhibit 1. Furthermore, 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 submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I understand that continued coverage under the Storm Water Multi-Sector Industrial General Permit is contingent upon maintaining eligibility as provided for in Part 1.2"

2.3 Use of the NOI Form

You must submit the information required under Part 2.2 on the latest version of the NOI form (or photocopy thereof) contained in Exhibit 2. Your NOI must be signed and dated in accordance with Part 8.7 of this permit.

2.4 Where to Submit

Your NOI must be submitted to the DEQ, Storm Water Program at the following address:

DEQ - ECLS

Storm Water Program

P.O. Box 1677

Oklahoma City, OK 73101-1677

or faxed to 405-702-6226.

2.5 Additional Notification

If your facility discharges through a Municipal Separate Storm Sewer System (MS4), or into a MS4 that has been designated by the permitting authority, you must also submit a signed copy of the NOI to the MS4 upon request by the MS4 operator.

Part 3 SPECIAL CONDITIONS

3.1 Hazardous Substances or Oil

You must prevent or minimize the discharge of hazardous substances or oil in your discharge(s) in accordance with the Storm Water Pollution Prevention Plan (SWP3) for your facility. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302 as adopted by reference in OAC 252:606-1-3 (b)(2), (9), and (10) relating to spills or other releases of oils or hazardous substances.

You must report a release containing a hazardous substance or petroleum product in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110, 40 CFR 117 or 40 CFR 302 as adopted by reference in OAC 252:606-1-3 (b)(2), (9), and (10), within 24 hours after the discovery or knowledge of the release.

3.1.1 Notify National Response Center (NRC)

You must notify the NRC at toll-free number 1-800-424-8802, or report the incident by using the on-line reporting tool from the NRC website at <http://www.nrc.uscg.mil/nrchp.html>, and the DEQ Complaints 24-hour Hotline at 1-800-522-0206 as soon as you have knowledge of the release.

3.1.2 Modify Your SWP3 After Release of Hazardous Substances

You must modify your SWP3 required under Part 4 within 14 calendar days of knowledge of the release to: provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, you must review your plan to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and you must modify your plan where appropriate.

3.2 Additional Requirements for Salt Storage

If you have storage piles of salt used for deicing or other commercial or industrial purposes and those piles generate a storm water discharge associated with industrial activity, they must be enclosed or covered to prevent exposure to storm water (except for exposure resulting from adding or removing materials from the pile). Piles do not need to be enclosed or covered where storm water from the pile is not discharged to waters of the State or the discharges from the piles are authorized under another permit.

3.3 Discharge Compliance with Water Quality Standards

Your discharge(s) must not cause or 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 or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, the Executive Director will notify you of such violation(s). You must take all necessary actions to ensure future discharges do not 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 the coverage under this permit may be terminated by the Executive Director, and an alternative general permit or individual permit may be required. Obtaining such a permit does not preclude any enforcement action that may be taken by the DEQ.

3.4 Discharges to Outstanding Resource Waters

In accordance with Oklahoma's Water Quality Standards (OAC 785:45-5-25), new discharges of storm water located within the entire watershed of any water body designated Outstanding Resource Water are prohibited. Any such discharge is not eligible for coverage under this permit. Storm water

discharges existing as of June 25, 1992, whether or not such discharges were permitted as point sources, are eligible for coverage under this permit, but such storm water discharges are prohibited from increased load of any pollutants. If your facility is located within a designated Outstanding Resource Water, you must execute Form 605-005 Exhibit 6 and submit it with your NOI. Also, you must submit your SWP3 to the DEQ for review with your NOI form.

Part 4 STORM WATER POLLUTION PREVENTION PLANS

4.1 Storm Water Pollution Prevention Plan Requirements

You must prepare a Storm Water Pollution Prevention Plan (SWP3) for your facility before submitting your NOI for permit coverage. If you prepared a SWP3 for coverage under a previous general permit, you must review and update the SWP3 to implement all provisions of this permit prior to submitting your NOI. Your SWP3 must be prepared in accordance with good engineering practices. Use of a registered professional engineer for SWP3 preparation is not required by the permit. However, if any part of the SWP3 involves the practice of engineering¹, then those engineering practices and designs are required to be prepared by a registered professional engineer.

Your SWP3 must:

4.1.1 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.

4.1.2 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

4.1.3 Assure Compliance

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

4.2 Contents of the Storm Water Pollution Prevention Plan (SWP3)

4.2.1 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 and revising the facility's SWP3 as well as maintaining control measures and taking corrective actions where required. 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 and your SWP3.

¹ 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."

4.2.2 Site Description

Your SWP3 must include the following:

1. Activities at the Facility.
Provide a description of the nature of the industrial activities at your facility;
2. General Location Map.
Provide a map (e.g., U.S. Geological Survey quadrangle, or other map) with enough detail to identify the location of your facility and all the receiving waters within one mile of the facility;
3. Site map. Provide a map identifying the following:
 - A. The size of the property in acres;
 - B. The location and extent of significant structures and impervious surfaces;
 - C. Directions of storm water flow (e.g., use arrows to show which directions storm water will flow);
 - D. Locations of all existing structural BMPs;
 - E. Locations of all surface water bodies on or adjacent to the facility, indicating if any of the waters are impaired and, if so, whether the waters have TMDLs established for them;
 - F. Locations of all storm water conveyances including ditches, pipes, and swales;
 - G. Locations of potential pollutant sources identified under Part 4.2.4 and where significant materials are exposed to storm water;
 - H. Locations where significant spills or leaks identified under Part 4.2.5 have occurred.
 - I. Locations of all storm water monitoring points, if any;
 - J. Municipal Separate Storm Sewer Systems, where your stormwater discharges to them; ;
 - K. Locations of storm water inlets and outfalls indicating if you are treating one or more outfalls as "substantially identical" under Part 5.3 and an approximate outline of the area draining to each outfall;
 - L. Location and description of all non-storm water discharges;
 - M. 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; liquid storage tanks; processing and storage areas; access roads, rail lines used by carriers of materials/products; the location of any transfer area for substance in bulk; and machinery; and
 - N. Location and source of run-on to your site from adjacent property that contains significant quantities of pollutants (an evaluation of how the quality of the runoff impacts your storm water discharges may be included).

4.2.3 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 for definition) that may receive discharges from your facility.

4.2.4 Summary of Potential Pollutant Sources

You must document the 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:

1. Activities in the area.

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

2. Pollutants.

A List of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each activity. The list must include all known significant materials that have been handled, treated, stored or disposed of in a manner to allow exposure to storm water during the previous three (3) years prior to the date of the submission of a NOI.

4.2.5 Spills and Leaks

Potential spills and leaks must be identified for a period of three (3) years prior to the submission of an NOI. 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 document all 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 during the period three (3) years prior to the date of the submission of a NOI 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 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC§9602. Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

4.2.6 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. The SWP3 shall document the procedures for conducting the types of analytical monitoring specified by this permit.

4.2.7 Storm Water Controls

Describe the type and location of existing non-structural and structural BMPs selected for each of the areas where industrial materials or activities are exposed to storm water. All the areas identified in Part 4.2.4 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:

1. The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;
2. 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.);
3. 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).

4.2.8 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 4.2.7, in which case the previous description is sufficient. However, many of the following BMPs may be more generalized