

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY  
GENERAL WASTEWATER DISPOSAL 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.

Discharges from coal preparation plants that are located within the Oklahoma Department of Mines (ODOM) permitted boundaries of the surface mine will also be authorized by this General Permit. Discharges from coal preparation plants that are not located within the boundaries of an ODOM 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 "Oklahoma Administrative Code" (OAC) 252:606.

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

This general permit shall not cover those facilities discharging greater than one million gallons per day (1 mgd) or discharging to the following waters: Outstanding Resource Waters; High Quality Waters; Sensitive Public and Private Water Supplies; Appendix 'B' Waters [OAC 785:45-5-25(c) (2)]; and receiving streams included in Oklahoma's '303(d) List' of impaired water bodies with impairments due to "Turbidity" or "pH" for which a Total Maximum Daily Load (TMDL) has not been performed or the result of the TMDL indicates that discharge limits more stringent than 70 mg/l for Total Suspended Solids (TSS) or pH more stringent than 6.5-9.0 standard units are required.

For all facilities applying for coverage under this General Permit, the DEQ will determine whether the point of discharge is located in surface waters designated sensitive by the U.S. Fish and Wildlife Service. If the facility is a new facility and the discharge is to 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 surface waters designated sensitive by the U.S. Fish and Wildlife Service, the facility will not be eligible for coverage under this General Permit if there has been a change in the location of the discharge point or an increase in the volume of the discharge. Otherwise, there are no restrictions in who may obtain coverage due to endangered species considerations.

Surface coal strip mines and/or coal preparation plants that are currently permitted by the DEQ through individual wastewater discharge permits may request that the individual permit be revoked and apply for coverage under this Permit no later than 180 days prior to the expiration of their current individual discharge permits, or they may elect to continue coverage under their individual permits. Existing surface coal strip mines and/or coal preparation plants that are not currently permitted by the DEQ may apply for coverage under this Permit or an individual discharge permit. New surface coal strip mines and/or coal preparation plants shall apply for coverage under this Permit and obtain an Authorization or apply for an individual permit prior to commencing discharge.

The written request for an Authorization shall include the name and legal address of the owner or operator, ODOM permit number and the name of the mine, legal description of all land covered by the ODOM 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 ODOM mining permit including a description of the destination of its discharge, along with any other information specified in the application form.

Surface mines authorized by this General Permit that are expected to have a pH equal to or greater than six (6.0) and a total iron concentration of less than ten (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 either have a pH less than six (6.0) or a total iron concentration equal to or greater than ten (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 or ferruginous mine drainage, or alkaline mine drainage, effluent limitations for acid or 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 limits and monitoring requirements contained in Part I herein for coal preparation plants will apply to coal preparation plants located within the ODOM permitted boundary of the surface mine.

At no time shall the effluent cause a violation of Oklahoma's Water Quality Standards (OWQS) in the receiving stream.

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

Issuance of this Permit in no way or in any respect affects the permittee's civil or criminal responsibility regarding disposal of wastewater, except with respect to the permittee's legal responsibility under 27A O.S. §2-6-201 *et seq.* and DEQ Rules to obtain an Authorization under this Permit.

This permit supersedes General Permit OKG04 that became effective on January 2, 2003 and will expire at midnight on January 1, 2008.

This Permit shall become effective on February 5, 2008.

This Permit and any Authorizations issued under it shall expire at midnight, on February 4, 2013.

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

Issued this 5<sup>th</sup> day of February, 2008.

For Oklahoma Department of Environmental Quality,

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Leslie Smith, P.E., Manager  
Industrial Permits Section  
Water Quality Division

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Jon L. Craig, Director  
Water Quality Division

**PART I**  
**EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

SECTION A: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. Active Mining Prior to Phase I SMCRA Bond Release or Oklahoma Conservation Commission Projects on Abandoned Mine Sites

During the period beginning the effective date (for existing outfalls) or the date when the sedimentation pond associated with the outfall is constructed (for outfalls which have yet to be constructed at the time of Authorization issuance), and lasting through the date of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) Phase I Bond Release or the completion of the drainage of the abandoned mine site or the expiration date, 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 storm water runoff from the active mining area of a surface coal strip mine prior to the Phase I SMCRA Bond release or from the abandoned mine site. The permittee shall provide written notification to the DEQ whenever any sedimentation pond associated with a permitted outfall is constructed.

Such discharges shall be limited and monitored by the permittee as specified in Tables 1-4 below. Monitoring requirements contained in Tables 2 and 4 shall become effective in conjunction with the applicable effluent limitations listed in Tables 1 and 3.

**TABLE 1**  
EFFLUENT LIMITATIONS FOR ALL OUTFALLS FROM  
ACTIVE MINING OPERATIONS/  
OKLAHOMA CONSERVATION COMMISSION PROJECTS ON ABANDONED SITES  
WITH  
ALKALINE MINE DRAINAGE

PARAMETERS	DISCHARGE LIMITATIONS			
	MASS LOADINGS (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	Report mgd	N/A	N/A
Iron, Total STORET: 01045	N/A	N/A	3.0	6.0
Total Suspended Solids STORET: 00530	N/A	N/A	35	70
pH STORET: 00400	N/A	N/A	Between 6.5 - 9.0 standard units.	

**TABLE 2**  
MONITORING REQUIREMENTS FOR ALL OUTFALLS FROM  
ACTIVE MINING OPERATIONS/  
OKLAHOMA CONSERVATION COMMISSION PROJECTS ON ABANDONED MINE SITES  
WITH  
ALKALINE MINE DRAINAGE

PARAMETERS	MONITORING REQUIREMENTS	
	MEASUREMENT FREQUENCY*	SAMPLE TYPE
Flow	Daily	Estimate
Iron, Total	1/Week	Grab
Total Suspended Solids	1/Week	Grab
pH	1/Week	Grab

\*When discharging

**TABLE 3**  
**EFFLUENT LIMITATIONS FOR ALL OUTFALLS FROM:**  
 (1) ACTIVE MINING OPERATIONS /  
 OKLAHOMA CONSERVATION COMMISSION PROJECTS ON ABANDONED SITES  
 WITH ACID/FERRUGINOUS MINE DRAINAGE,  
 AND/OR  
 (2) COAL PREPARATION PLANTS

PARAMETERS	DISCHARGE LIMITATIONS			
	MASS LOADINGS (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	Report mgd	N/A	N/A
Iron, Total STORET: 01045	N/A	N/A	3.0	6.0
Manganese, Total STORET: 01055	N/A	N/A	2.0	4.0
Total Suspended Solids STORET: 00530	N/A	N/A	35	70
pH STORET: 00400	N/A	N/A	Between 6.5 - 9.0 standard units.	

**TABLE 4**  
**MONITORING REQUIREMENTS FOR ALL OUTFALLS FROM:**  
 (1) ACTIVE MINING OPERATIONS/  
 OKLAHOMA CONSERVATION COMMISSION PROJECTS ON ABANDONED SITES  
 WITH ACID OR FERRUGINOUS MINE DRAINAGE,  
 AND/OR  
 (2) COAL PREPARATION PLANTS

PARAMETERS	MONITORING REQUIREMENTS	
	MEASUREMENT FREQUENCY*	SAMPLE TYPE
Flow	Daily	Estimate
Iron, Total	1/Week	Grab
Manganese, Total	1/Week	Grab
Total Suspended Solids	1/Week	Grab
pH	1/Week	Grab

\*When discharging

NOTE: See Parts II and III for Additional Requirements.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

There shall be no discharge of visible sheen of oil or visible globules of oil and grease.

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 Prior to Phase II SMCRA Bond Release

During the period beginning the date of the Phase I SMCRA Bond Release and lasting through the date that the outfall meets the Phase II performance standards (as certified by the ODOM) or the expiration date, the permittee is authorized to discharge from all outfalls as described in the Appendix of the Authorization. The discharge consists of mine drainage and storm water runoff from the post-mining area of a coal strip mine prior to meeting Phase II performance standards.

Such discharges shall be limited and monitored by the permittee as specified in Tables 5 and 6 below. Monitoring requirements contained in Table 6 shall become effective in conjunction with the effluent limitations listed in Table 5.

**TABLE 5**  
EFFLUENT LIMITATIONS FOR ALL OUTFALLS FROM POST-MINING OPERATIONS

PARAMETERS	DISCHARGE LIMITATIONS			
	MASS LOADINGS (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	Report mgd	N/A	N/A
Settleable Solids STORET: 00545	N/A	N/A	N/A	0.5 ml/l
pH STORET: 00400	N/A	N/A	Between 6.5 - 9.0 standard units.	

**TABLE 6**  
MONITORING REQUIREMENTS FOR ALL OUTFALLS FROM POST-MINING OPERATIONS

PARAMETERS	MONITORING REQUIREMENTS	
	MEASUREMENT FREQUENCY*	SAMPLE TYPE
Flow	1/Month	Estimate
Settleable 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 floating solids or visible foam in other than trace amounts.

There shall be no discharge of visible sheen of oil or visible globules of oil and grease.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the locations described in the Appendix of the Authorization.

3. Alternative Effluent Limitations During Precipitation > 10-Year, 24-Hour Precipitation Event

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 Tables 7 and 8 below. Monitoring requirements contained in Table 8 shall become effective in conjunction with the effluent limitations listed in Table 7.

**TABLE 7**  
EFFLUENT LIMITATIONS DURING PRECIPITATION  
> 10-YEAR, 24-HOUR PRECIPITATION EVENT.

PARAMETERS	DISCHARGE LIMITATIONS			
	MASS LOADINGS (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	Report mgd	N/A	N/A
Rainfall STORET: 46529	N/A	N/A	N/A	Report inches
pH STORET: 00400	N/A	N/A	Between 6.5 - 9.0 standard units.	

**TABLE 8**  
MONITORING REQUIREMENTS FOR PRECIPITATION  
> 10-YEAR, 24-HOUR PRECIPITATION EVENT

PARAMETERS	MONITORING REQUIREMENTS	
	MEASUREMENT FREQUENCY*	SAMPLE TYPE
Flow	Once for the event	Estimate
Rainfall	Total for a 24-hour period	Rain gauge located in drainage area of affected outfall(s)
pH	Once for the event	Grab

\*When discharging

NOTE: See Parts II and III for Additional Requirements.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

There shall be no discharge of visible sheen of oil or visible globules of oil and grease.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the locations described in the Appendix of the Authorization.

## 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 reported on the Discharge Monitoring Report (DMR) forms postmarked no later than the 15<sup>th</sup> day of the following month. If no discharge occurs during the reporting period, DMR forms stating "No Discharge" shall be submitted according to the above schedule.

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

1. 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 Permit.
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 "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.
4. The term "controlled surface mine drainage" means any surface mine drainage that is pumped or siphoned from the active mining area.
5. 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.
6. The term "10-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable 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.
7. Methods of flow estimating shall be by 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 an equivalent method approved by the DEQ.
8. The following procedure (or an equivalent method approved by the 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 materials occurs, do not include the floating material in the reading.

The method detection limit for measuring settleable solids shall be 0.4 ml/l.

9. All laboratory analyses for the parameters specified in this permit must be performed by a laboratory certified by the Oklahoma Department of Environmental Quality for those parameters.
10. The permittee shall notify the DEQ when each SMCRA Phase I or Phase II bond is released. The notification should be addressed to the attention of the PCS Coordinator.

11. 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 the DEQ Oklahoma City office and DEQ district office redesignating the holding pond locations. The permittee shall also maintain a map at the mine site that shows the location 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 the ODOM.

12. Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136 in effect on the effective date of this permit. Appendices A, B, and C to 40 CFR Part 136 are specifically referenced as part of this requirement.
13. To reclassify a previously determined acid or ferruginous mine drainage discharge to an alkaline mine drainage, the permittee must satisfactorily demonstrate to the DEQ that the mine drainage prior to treatment has a pH greater than or equal to 6.0 standard units, and a total iron concentration 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.

#### 14. Individual Permits

- a. Any permittee authorized by this 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.
- b. When an individual OPDES 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.
- c. 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.

#### 15. Laws and Rules Applicable

The DEQ Rules, as amended, are applicable to and are incorporated by reference into this General Permit and any Authorizations 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 Department of Environmental Quality Rules, and Oklahoma's Water Quality Standards. The absence of any express reference within this Permit to 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 DEQ approval, grant and issuance of this Permit, permittee acknowledges responsibility to obtain correct and current copies of applicable DEQ Rules (as amended), provided, however, that

the permittee further acknowledges that any and all amendments thereto shall become a part of this General Permit.

16. 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 permit shall follow regulations listed at 40 CFR Part 124.5.