SUBCHAPTER 1. INTRODUCTION [REVOKED]

252:605-1-1. Purpose [REVOKED]
(a) Intent. This chapter sets the point source and stormwater permitting standards for discharges to the waters of the State of Oklahoma from those facilities within the jurisdiction of the Oklahoma Department of Environmental Quality as specified in Title 27A O.S. § 1-3-101. This Chapter implements the Oklahoma Pollutant Discharge Elimination System Act, which begins at Title 27A O.S. § 2-6-201 of the Oklahoma Statutes.

(b) Other rules apply. This Chapter applies in addition to other rules. This chapter governs the effluent discharged from municipal wastewater treatment systems (constructed under OAC 252:656) and industrial wastewater treatment systems (constructed under OAC 252:616). The discharges regulated by this Chapter must not cause a violation of the Oklahoma Water Quality Standards (OAC 785:45).

(c) Excludes. This Chapter does not govern discharges from marine toilets, as prohibited by Title 63 O.S. § 4213. Nor does this Chapter govern discharges of dredge and fill material under the jurisdiction of the United States Corps. of Engineers under Section 404 of the Federal Clean Water Act. Water in a treatment system is not water of the State of Oklahoma.

252:605-1-4. Definitions [REVOKED]
In addition to terms defined in Title 27A of the Oklahoma Statutes, the following words or terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise:

"Best professional judgment" or "BPJ" means the technical opinion developed by a permit drafter after consideration of all reasonably available and pertinent data or information which forms the basis for the terms and conditions of a discharge permit, and the use of sound engineering analysis of the industry, the nature and quantity of potential pollutants which may be produced and of the proposed treatment plant.

"Bypass" means the intentional or unintentional diversion of waste streams from any portion of a treatment, disposal or collection facility.

"Control tests" means chemical, physical or bacteriological tests, including visual observations made by or under the supervision of an operator to control plant performance, determine the quality of plant effluent and determine stream conditions.

"DEQ" means the Oklahoma Department of Environmental Quality.

"Discharge point" means the point at which pollutants, wastewater or stormwater enters waters of the state or become waters of the state.

"Impoundment" or "Surface impoundment" shall have the same meaning used in OAC 252:616-1-2.

"Laboratory checks" means chemical, physical or bacteriological tests, including visual observations made on samples submitted by the operator or other authorized representatives to confirm the quality of the samples or to standardize plant control tests and procedures.
"Operating records and reports" means the daily record of data connected with the operation of the system compiled in a monthly report on forms approved by the DEQ.

252:605-1.5. Adoption of U.S. EPA regulations by reference [REVOKED]

(a) Interpretation of rules. Narrative provisions of this Chapter shall control over any provision of regulations of the Environmental Protection Agency which are adopted by reference. The rules set forth in this Chapter shall be given the interpretation which is consistent with state compliance with the requirements of 40 CFR Part 123 (EPA Regulations on State NPDES Permit Program Requirements), and applicable provisions of the federal Clean Water Act and Oklahoma law.

(b) Federal regulations adopted. The following provisions of Title 40 of the Code of Federal Regulations (CFR) and the requirements contained therein are, unless otherwise specified, adopted and incorporated by reference in their entirety:

1. Part 116 (Hazardous Substances List)
2. Part 117 (Reportable Quantities for Hazardous Substances)
3. The following from PART 122 (NPDES PERMIT REGULATIONS):
   A. 122.1 (b) - (scope of NPDES permit requirements)
   B. 122.2 - (definitions)
   C. 122.3 - (exclusions)
   D. 122.4 - (prohibitions)
   E. 122.5 - (effect of permit)
   F. 122.6 - (continuation of expiring permits)
   G. 122.7 (b) and (c) - (confidential information)
   H. 122.21 - (application for a permit)
   I. 122.22 - (signatories)
   J. 122.24 - (concentrated aquatic animal production facilities)
   K. 122.25 - (aquaculture projects)
   L. 122.26 - (stormwater discharges)
   M. 122.27 - (silviculture)
   N. 122.28 (a) and (b) - (general permits)
   O. 122.29 - (new sources and new dischargers)
   P. 122.30 - What are the objectives of the storm water regulations for small MS4s?
   Q. 122.31 - As a tribe, what is my role under the NPDES storm water program?
   R. 122.32 - As an operator of a small MS4, am I regulated under the NPDES storm water program?
   S. 122.33 - If I am an operator of a regulated small MS4, how do I apply for an NPDES permit and when do I have to apply?
   T. 122.34 - As an operator of a regulated small MS4, what will my NPDES MS4 storm water permit require?
   U. 122.35 - As an operator of a regulated small MS4, may I share the responsibility to implement the minimum control measures with other entities?
   V. 122.36 - As an operator of a regulated small MS4, what happens if I don't comply with the application or permit requirements in §§ 122.33 through 122.35?
   W. 122.41 - (permit conditions)
   X. 122.42 - (conditions for specified categories of permits)
(Y) 122.43—(establishing permit conditions)
(Z) 122.44—(establishing permit limitations, standards and other conditions)
(AA) 122.45—(calculating permit conditions)
(BB) 122.46—(permit duration)
(CC) 122.47 (a)—(schedules of compliance)
(DD) 122.48—(monitoring requirements)]
(EE) 122.50—(disposal into wells)
(FF) 122.61—(permit transfer)
(GG) 122.62—(permit modification)
(HH) 122.63—(minor modifications of permits)
(ll) 122.64—(permit termination)
(JJ) Appendices A through I

(4) The following from PART 124 (Procedures for Decision making):

(A) 124.1—(introduction)
(B) 124.2—(definitions)
(C) 124.3 (a), (c) and (d)—(application for a permit)
(D) 124.5 (a),(c),(d) and (f)—(modification of permits)
(E) 124.6 (a),(c),(d) and (e)—(draft permit)
(F) 124.7—(statement of basis of conditions where no fact sheet is adopted)
(G) 124.8—(fact sheet)
(H) 124.10 (a)(1)(ii), (a)(1)(iii), (a)(1)(v), (b), (c), (d), and (e)—(public notice)
(I) 124.11—(public comments and requests for hearings)
(J) 124.12 (a) and (c)—(public hearings)
(K) 124.13—(obligation of protestors, etc., to raise all issues)
(L) 124.14—(reopening)
(M) 124.15—(issuance & effective dates of permits)
(N) 124.17 (a) and (c)—(response to comments)
(O) 124.51 (a) and (b)—(specific permitting procedures—purpose and scope)
(P) 124.52—(permits required on a case-by-case basis)
(Q) 124.56—(fact sheets)
(R) 124.57 (a)—(public notice)
(S) 124.59—(comments from government agencies)
(T) 124.62—(decision on variances)
(U) 124.66—(thermal variance procedures)

(5) The following from PART 125 (criteria and standards for NPDES):

(A) Subpart A (technology-based treatment),
(B) B (criteria for aquaculture projects),
(C) (fundamentally different factors),
(D) (alternative effluent limitations),
(E) I (cooling water intakes), and

(6) 40 CFR Part 129 (Toxic Pollutant Effluent Standards)
(7) 40 CFR Part 136 (testing and laboratory)
(8) 40 CFR Sections 401-471 (Effluent Guidelines and Standards)
(9) 40 CFR Section 110.6 (notice of oil discharge) and
(10) 40 CFR Part 302 (Reportable Quantities and Notification).

(c) Exclusions. Provisions of 40 CFR relating to CAFOs are excluded because they are beyond the jurisdiction of this Chapter.
252:605-1-9. Date of federal regulations incorporated [REVOKED]
When reference is made to 40 CFR it shall mean, unless otherwise specified, the volume of 40 CFR as published on July 1, 2001.

252:605-1-10. Terminology in incorporated federal regulations [REVOKED]
(a) As used in the incorporated federal regulations, unless the context clearly indicates otherwise:
(1) "Administrator", "Regional Administrator" and "State Director" are synonymous with Executive Director of the DEQ;
(2) "Clean Water Act" and "CWA" are synonymous with the Oklahoma Pollutant Discharge Elimination System Act, Title 27A § 2-6-201 and following;
(3) "State" is synonymous with DEQ.
(4) "Evidentiary hearing" is synonymous with administrative hearing.
(5) "Public hearing" is synonymous with public meeting.
(b) Federal statutes and regulations that are cited in federal regulations incorporated by reference herein may be used as guidance.

252:605-1-11. NPDES Authorized Program [REVOKED]
On November 19, 1996, the DEQ was authorized by the EPA to administer the NPDES permit program in Oklahoma. Accordingly, federal NPDES permits and pending applications were transferred from the EPA to the DEQ for administration and enforcement. Such permits, applications and any analogous state permits may be revised to reflect the provisions of this Chapter.

252:605-1-12. Spill reporting [REVOKED]
(a) Report. The owner or operator of a facility or vessel shall cause to be reported to the DEQ any spill or discharge to the waters of the State on or from the facility or vessel according to 40 CFR Part 117. Reports to the DEQ may be telephoned to (800) 522-0206.
(b) Response. Whenever a spill or discharge occurs that is required by 40 CFR Part 117 and this rule to be reported to the DEQ, the owner or operator of the facility or vessel shall immediately act to stop, contain, clean-up and prevent recurrence of the spill or discharge.

SUBCHAPTER 3. PERMITTING [REVOKED]

PART 5. PERMITTING PROCESS FOR REGULAR INDIVIDUAL DISCHARGE PERMITS [REVOKED]

252:605-3-46. Access and use [REVOKED]
An applicant shall acquire or possess a right to use and access the property on which discharge points, facilities, activities or discharge sources are located. The owner/operator shall maintain such rights for the duration of the permit term, and shall provide documentary proof to the DEQ.
252:605-3-47. Discharge to storm sewer [REVOKED]
Upon filing, any applicant proposing to discharge to a storm sewer shall provide one copy of the application to the municipality having jurisdiction over such storm sewer.

252:605-3-52. Draft permit [REVOKED]
(a) Appropriate reporting requirements, including a requirement that analyses reported for industrial discharges shall be performed by laboratories certified by the DEQ and that analyses reported for municipal discharges shall be performed by an operator certified by the DEQ, as specified in this Chapter.
(b) The DEQ may include in the draft permit statements of, or may incorporate by reference, any attachment to the permit which contains appropriate conditions, plans, limitations and other requirements relating to municipal lagoons, industrial surface impoundments, sludge management plans, or land-application of sludge or wastewater associated with the discharging facility or activity and subject to the DEQ's jurisdiction and pursuant to DEQ rules and regulations.

252:605-3-61. Annual permit fee [REVOKED]
All holders of a regular individual discharge permit shall pay an annual permit fee over the life of the permit. Such fee shall be due upon receipt of an invoice mailed by the DEQ annually. Upon payment of the annual fee, the DEQ shall continue in effect the permit for one year but in no case past the expiration of such permit. Failure to pay such fee may result in suspension or termination of the permit. The fee schedules are in the appendices.

252:605-3-64. Permit transfer [REVOKED]
(a) Determination by DEQ. A permit may only be transferred automatically when the DEQ:
(1) Has received a timely and proper notice of the transfer intent, signed by both the prospective transferor and transferee, which meets the requirements of 40 CFR § 122.61(b) and which lists complete information about Oklahoma licenses and permits issued or denied to, and the compliance history of, the prospective transferor and transferee. The notice shall also contain a written certification by the prospective transferee acknowledging full responsibility for complying with the terms and conditions of the discharge permit to be transferred; and
(2) Has not notified the prospective transferor in writing prior to the stated date of transfer that permit modification or permit revocation and reissuance will be required.
(b) Compliance prerequisite. As a prerequisite for an approved transfer, the transferor shall be in substantial compliance with the terms and conditions of the permit and the transferee shall be in substantial compliance with rules of the DEQ and the Environmental Quality Code.

252:605-3-68. Permit termination [REVOKED]
Requests by third parties for termination may be made subject to the provisions of 40 CFR §124.5(a). If the Executive Director determines that the request is not justified, he or she shall send the requester a brief written response giving a reason for the decision. Denials of requests shall not be subject to public notice, comment or hearings.
252:605-3-69. Compliance required [REVOKED]
Applicants must comply with the terms of the permits that are issued. Permits may contain provisions more stringent than these rules in order to meet Oklahoma Water Quality Standards (OAC 785:45), the Implementation of Oklahoma's Water Quality Standards (OAC 785:46), the DEQ Water Quality Standards Implementation Plan (OAC 252:690), and the Water Quality Management Plan.

SUBCHAPTER 5. PERMIT REQUIREMENTS [REVOKED]

PART 1. GENERAL PROVISIONS [REVOKED]

PART 3. GENERAL PERMITS AND STORMWATER DISCHARGES [REVOKED]

252:605-5-2. Terms and conditions of permits [REVOKED]
(a) Terms and conditions of permits issued under this chapter shall include requirements necessary to assure compliance with the Oklahoma Water Quality Standards (OAC 785:45), the Implementation of Oklahoma's Water Quality Standards (OAC 785:46), the DEQ Water Quality Standards Implementation Plan (OAC 252:690), and the Water Quality Management Plan.
(b) Where applicable, the DEQ may require municipalities to adopt and enforce appropriate requirements for dischargers to storm sewers to cause compliance with municipally-held stormwater discharge permits.
(c) Where practicable and as deemed appropriate by the Executive Director and as applicable in the circumstances, any discharge permit, or authorization to discharge issued by the Executive Director under a General Permit, may contain appropriate terms, conditions, limitations and requirements related to protection of groundwater, for remediation of pollution, or for implementation of other programs under the jurisdiction of the DEQ.

252:605-5-4. Technology-based methodologies [REVOKED]
(a) Technology-based methodologies include:
   (1) Industrial permits.
   Effluent limitation guidelines for industry categories and pollutants are promulgated by the Environmental Protection Agency (EPA) pursuant to the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 and Water Quality Act of 1987. EPA guidelines are adopted and incorporated by reference in OAC 252:605-1-5. If there are no industry category or pollutant guidelines applicable to the applicant's industry, BPJ of the permit writer shall apply.
   (2) Municipal permits.
   (A) Technology-based limitations for municipal discharges are based upon the definition of "secondary treatment". The Oklahoma definition of "Secondary Treatment" is more stringent than the EPA definition under 40 CFR Part 133. Subparagraphs (B) through (G) of this paragraph contain the EPA approved definition of secondary treatment for the State of Oklahoma which is used in the development of wasteload allocations in the municipal point source inventory.
   (B) For facilities discharging to perennial streams, secondary treatment shall be defined as:
(i) A monthly average of 30 mg/l BOD$\textsubscript{5}$, A CBOD$\textsubscript{5}$ of 25 mg/l shall be considered to be equivalent to a BOD$\textsubscript{5}$ of 30 mg/l.
(ii) A weekly average of 45 mg/l BOD$\textsubscript{5}$, A CBOD$\textsubscript{5}$ of 40 mg/l shall be considered to be equivalent to a BOD$\textsubscript{5}$ of 45 mg/l.
(iii) The monthly average percent removal for BOD$\textsubscript{5}$ or CBOD$\textsubscript{5}$ shall not be less than 85%.
(iv) A monthly average of 30 mg/l total suspended solids (TSS).
(v) A weekly average of 45 mg/l TSS.
(vi) The monthly average percent removal for TSS shall not be less than 85%.
(vii) The pH shall be maintained between the limits of 6.5 and 9.0 standard units.

(C) For discharges to intermittent streams (those with 7-day, 2-year, low flow of zero) and for any discharge to a lake as defined in this subsection, secondary treatment shall be defined as:

(i) A monthly average of 20 mg/l BOD$\textsubscript{5}$, A CBOD$\textsubscript{5}$ of 18 mg/l shall be considered to be equivalent to a BOD$\textsubscript{5}$ of 20 mg/l.
(ii) A weekly average of 30 mg/l BOD$\textsubscript{5}$, A CBOD$\textsubscript{5}$ of 25 mg/l shall be considered to be equivalent to a BOD$\textsubscript{5}$ of 30 mg/l.
(iii) The monthly average percent removal for BOD$\textsubscript{5}$ or CBOD$\textsubscript{5}$ shall not be less than 85%.
(iv) A monthly average of 30 mg/l total suspended solids (TSS).
(v) A weekly average of 45 mg/l TSS.
(vi) The monthly average percent removal for TSS shall not be less than 85%.
(vii) The pH shall be maintained between the limits of 6.5 and 9.0 standard units.

(D) For discharges where treatment is solely provided by lagoons, whether the discharge is to a perennial or an intermittent stream, secondary treatment shall be defined as:

(i) A monthly average of 30 mg/l BOD$\textsubscript{5}$, A CBOD$\textsubscript{5}$ of 25 mg/l shall be considered to be equivalent to a BOD$\textsubscript{5}$ of 30 mg/l.
(ii) A weekly average of 45 mg/l BOD$\textsubscript{5}$, A CBOD$\textsubscript{5}$ of 40 mg/l shall be considered to be equivalent to a BOD$\textsubscript{5}$ of 45 mg/l.
(iii) The monthly average percent removal for BOD$\textsubscript{5}$ or CBOD$\textsubscript{5}$ shall not be less than 65%.
(iv) A monthly average of 90 mg/l total suspended solids (TSS).
(v) The pH shall be maintained between the limits of 6.5 and 9.0 standard units.
(vi) This paragraph (D) does not apply to a discharge to a lake as defined in this subsection.

(E) For purposes of this Section, a discharge to a lake is any discharge from a point source which is either a direct discharge into a lake, or within five river miles upstream of the conservation pool of any lake.

(F) For purposes of this Section, a lake is an impoundment of the waters of the state which exceeds fifty acre-feet in volume which either:

(i) is owned or operated by a unit of government, or
(ii) appears in Oklahoma's Clean Lakes Inventory, or
(iii) is privately-owned lake which has beneficial uses similar to those of
publicly-owned or operated lakes.

(G) For purposes of this section, percent removal is a percentage expression of
the removal efficiency across a treatment plant for a given pollutant parameter,
as determined from the monthly average values of the raw wastewater influent
pollutant concentrations to the facility and the monthly average values of the
effluent pollutant concentrations for a given time period.

(3) In the CWA Section 208 "Water Quality Management Plan for Oklahoma,"
Appendix B, the only specific wasteload allocation numbers assigned are those that
apply to facilities showing a need for treatment greater than secondary (e.g., 10 mg/l
BOD₅; 15 mg/l TSS; 2 mg/l NH₃-N). All other facilities receive an allocation of
secondary.

(4) In the CWA Section 208 "Water Quality Management Plan for Oklahoma,"
Appendix B, determination of the actual effluent limits for a facility with an allocation
of secondary can be accomplished by finding the stream class (perennial or
intermittent) and the current treatment process (mechanical plant or lagoon, etc.).
For example, an activated sludge facility (mechanical plant) which discharges into a
perennial stream will have effluent limits of 30 mg/l BOD₅ and 30 mg/l total
suspended solids (TSS) as found in paragraph (2) of this Subsection.

(5) The Executive Director may establish in discharge permits limitations for coliform
bacteria where:

(A) the proposed discharge is a "discharge to a lake" as defined in this Section,
or
(B) the proposed discharge may otherwise adversely affect the beneficial uses
of the waters of the state.

252:605-5-5. Water quality review [REVOKED]
(a) EPA water quality criteria. The provisions of "Quality Criteria for Water, 1986",
United States Environmental Protection Agency, EPA 440/5-86-001, as amended, are
incorporated herein by reference and will be consulted where Oklahoma's Water Quality
Standards do not contain a specific criterion on a particular pollutant and a criterion is
necessary to protect a designated beneficial use.

(b) In all cases where appropriate to ensure that beneficial uses of receiving waters are
protected or when deemed necessary to establish wasteload allocations of multiple
dischargers along a stream segment, the DEQ shall require the applicant to perform
and submit to the DEQ, or the DEQ shall perform, appropriate stream studies and water
quality modeling.

252:605-5-6. Water quality standards variance [REVOKED]
Approval for any variance allowed pursuant to the Oklahoma Water Quality
Standards must be obtained directly from the Oklahoma Water Resources Board and
the permittee or applicant must submit written evidence of the same to the DEQ in a
timely manner.

PART 3. GENERAL PERMITS AND STORMWATER DISCHARGES [REVOKED]
252:605-5-30. Stormwater discharges [REVOKED]

(a) **Prohibited without permit.** New and existing discharges of stormwater associated with industrial activity to waters of the state shall be prohibited except as authorized by a regular individual OPDES permit or an authorization under an Oklahoma General Stormwater permit promulgated under this Chapter.

(b) **Maintenance of property.** All property must be maintained to prevent the discharge of stormwater runoff which would violate permit limitations or would cause a violation of Oklahoma's Water Quality Standards. Such maintenance includes containing the areas where raw and waste chemicals are stored, cleaning of trash and spills, and preventing the accumulation of wastes in discharge areas. Additional requirements shall be as specified in any applicable individual or general permit and any required pollution prevention plan.

(c) **Permit conditions for regular individual permits.** In any regular individual permit authorizing the discharge of stormwater, the DEQ may include as conditions and limitations any condition or limitation or other requirement set forth in the OPDES Stormwater Multi-Sector General Permit for Industrial Activities or the Stormwater General Permit for Construction Activities.

**SUBCHAPTER 7. TESTS AND REPORTS [REVOKED]**

**PART 1. GENERAL PROVISIONS [REVOKED]**

**PART 3. MUNICIPAL/DOMESTIC FACILITIES [REVOKED]**

**PART 5. INDUSTRIAL [REVOKED]**

252:605-7-7. Sample reporting terms [REVOKED]

The following apply to all dischargers:

1. Calculate Average Concentration (in mg/l or ug/l) as the sum of the sample concentrations taken (and analyzed) during the month divided by the number of samples analyzed. Report average concentrations on the SMR/DMR form if numerical limitations are given or reporting is required by the permit.

2. Calculate "Average limitations" as follows:
   
   **(A)** "7-day average" or "weekly average", other than for bacteria, is the arithmetic mean of the daily values for all effluent samples collected during a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week. The "7-day average" for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
   
   **(B)** "30-day average" or "monthly average", other than for bacteria, is the arithmetic mean of the daily values for all effluent samples collected during a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. The "30 day average" for bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

3. The Daily Average Concentration means the arithmetic mean (weighted by flow value) of all the daily determinations of concentration made during a calendar month.
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-Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily determination of concentration shall be the arithmetic mean (weighted by flow value) of all the samples collected during that calendar day.

(4) The numerical limitations listed under Maximum Allowable Concentration (in mg/l or ug/l) represent the highest level of the pollutant which is allowed to be discharged to a receiving water under any flow conditions of the effluent. The permittee shall report the highest single concentration for all samples analyzed during the month on the SMR/DMR form if numerical limitations are given or reporting is required by the permit.

(5) The Daily Maximum Concentration means the highest daily determination of concentration for any calendar day.

(6) Determine the Daily Average Discharge by calculating the total discharge by weight during a calendar month divided by the number of days of operation in the month. Where less than daily sampling is required by the permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.

(7) The Daily Maximum Discharge shall mean the total discharge by weight during any calendar day.

(8) The loading (in lbs/day) shall be calculated by multiplying each sample concentration (in mg/L) by the simultaneous effluent flow rate (in mgd) with a conversion factor of 8.34 stated in the equation:

\[ \text{Loading (in lb/day)} = \text{Concentration (in mg/L)} \times \text{Simultaneous Effluent Flow Rate (in mgd)} \times 8.34. \]

(9) Determine the Average Loading by the sum of all the loadings divided by the number of loadings calculated.

(10) The Maximum Loading shall be reported as the highest single loading for all samples analyzed during the month.

252:605-7-9. Laboratory analyses and reporting [REVOKED]

(a) Certified laboratories. Analytical results provided to the DEQ shall be from laboratories certified by the DEQ for the parameters reported, and be analyzed according to approved procedures (OAC 252:282, Laboratory Certification Standards). Laboratories at municipal wastewater treatment plants must have operators certified under OAC 252:710.

(b) Sample collection. Collect samples during normal operation and representative of the discharge, according to 40 CFR 136.3 Table II (containers, preservation and holding times).

(1) A grab sample shall consist of one sample collected in less than a 15-minute period.

(2) A composite sample shall consist of at least three discrete samples of equal volume taken at equal time intervals over the composite period, or taken proportional to flow rate, and combined into one. 24-hour composite samples shall contain at least 12 discrete samples. The number of discrete samples shall be increased where the wastewater loading is highly variable.

(3) Continuous or totalized samples shall be continuously and automatically taken.
or recorded.
(c) **Flow measurement.** Determine the volume of flow at the time of sample collection and report it with the analytical results. Measurement devices and methods must be installed, calibrated and maintained to measure flows within 10% of true discharge rates. Records of pump running times and rates, if accurate, may be used to calculate total daily flow.
(d) **DMR reports.** Mail DMR forms [DEQ-approved discharge monitoring report form; see 40 CFR 122.41(L)(4)(i)] to the Water Quality Division at the frequency required in the permit. Report daily average and maximum flow rates in MGD unless the permit specifies otherwise.

PART 3. MUNICIPAL/DOMESTIC FACILITIES [REVOKED]

252:605-7-31. Municipal laboratories [REVOKED]
(a) The provisions of this Section are minimum requirements.
(b) Results of all control tests shall be made available to plant operators in a timely fashion for use in operational control of the facility.
(c) All plants must determine the Daily flow and enter it in the operating records at the frequency specified in the permit. Flow measurements are also necessary when composite samples are collected. For plants not equipped with continuous flow recorders, occasional determinations of the flow over a 24-hour period will be necessary to establish a flow pattern so that occasional flow measurements will provide an indication of the total flow.
(d) Minimum control tests are tabulated in Appendix D of this Chapter, entitled, "Minimum Control Tests for Municipal Wastewater Treatment Facilities." In addition to these tests, routine observations, tests or measurements as to the quantity and quality of screenings, grit, sludge pumped from clarifiers, sludge drawn to drying beds or other means of disposal, the weather conditions must be entered in the operating records. The Executive Director may require that all effluent samples be collected from the outfall pipe at the point of discharge where conditions are such that the effluent quality will likely be different at this point than it is in the final treatment or storage unit.
(e) Stream monitoring requirements shall be as set forth in this subsection and as specified in any applicable permit or order of the Executive Director. These requirements are established in order to determine compliance with applicable standards. Unless otherwise specified in the permit, collect stream samples above and below the point of wastewater discharge with consideration being given to ease of access, mixing of plant effluent and the receiving stream, and the oxygen "sag" point of the receiving stream.
   (1) Determine Dissolved oxygen, temperature, pH, and stream appearance twice per month at least two weeks apart, but not more often than required in the permit for effluent sampling for BOD<sub>5</sub>.
   (2) Test for coliform bacteria twice per month at least two weeks apart, but not more often than required in the permit for effluent sampling for coliform, if the permit for discharge contains coliform limits.
   (3) The DEQ may require additional tests when problems develop in plant operation, or as necessary to determine compliance with the purposes and
objectives of this Chapter.

(f) The Executive Director may grant variances from the requirements in this Section upon a written request and a showing by the permittee that the requested variance will:

1. Not adversely affect the quality of the discharge nor the environment;
2. Avoid an excessive, requirement; and
3. Not hinder the proper operations of the treatment facility.

252:605-7-32. Municipal operating records [REVOKED]

(a) Operating records. Keep a daily record of the control tests required in OAC 252:605-7-31 on forms prepared or approved by the DEQ. Make Entries for the date samples are collected and indicate where and by whom the observations were made. If monitoring beyond the minimum requirements, include the results of all analyses on the monthly report and use them to calculate weekly or monthly averages. For each required measurement or sample, record:

1. The date, exact place and time of sample and indicate whether a grab sample or composite.
2. The dates the analyses were performed.
3. The laboratory and name of the operator who performed each analysis.
4. The analytical techniques or methods used.
5. The results of all analyses.
6. The instantaneous flow at the time of grab sample collection or a record of each flow taken while collecting a composite sample.
7. The method of composite sample calculations and other calculations.

(b) Maintain records. The facility owner shall keep records of all laboratory checks and control tests, a copy of the monthly operational report and all laboratory work sheets at least three (3) years. These records shall be available for inspection by DEQ personnel.

PART 5. INDUSTRIAL [REVOKED]

252:605-7-51. Industrial flow measuring and sampling [REVOKED]

(a) If required by the DEQ, place a flow-measuring device to measure only the wastewater discharge.

(b) Provide easily accessible sampling points at the outfall of each treatment structure.

(c) Upon request by the DEQ, provide five days prior notice to the DEQ of the next sampling schedule so that DEQ personnel may be present to observe and collect split samples.

SUBCHAPTER 9. ENFORCEMENT ACTIONS AND PENALTIES [REVOKED]

SUBCHAPTER 11. REPORTING AND REQUIREMENTS FOR UNAUTHORIZED SPILLS AND DISCHARGES [REVOKED]
APPENDIX D.
MINIMUM CONTROL TESTS FOR MUNICIPAL WASTEWATER TREATMENT FACILITIES [REVOKED]

Appendix D is subdivided into seven (7) sections which address minimum control tests for specific treatment processes. A facility must perform the minimum control tests for all processes which it utilizes. For example, a trickling filter facility which has an anaerobic digester must comply with Tables 1-2, 1-5 and 1-6. Section 252:605-7-31 contains stream monitoring requirements. All facilities which discharge must perform these tests.

The following abbreviations, definitions and notations are used in Appendix D.

- D.O.  - Dissolved Oxygen
- BOD$_5$ - Five day biochemical oxygen demand
- TSS  - Total Suspended Solids
- SAR  - Sodium absorption ratio
- 2/wk  - Two times each week
- 3/wk  - Three times each week
- 5/wk  - Five times each week
- 7/wk  - Seven times each week
- Daily  - Each day

3 hr comp  - A composite sample collected over a three hour period of time and consisting of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.

6 hr comp  - A composite sample collected over a six hour period of time and consisting of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.

12 hr comp - A composite sample collected over a twelve hour period of time and consisting of twelve effluent portions collected no closer together than one hour and composited according to flow.

Grab sample - An individual sample collected in less than 15 minutes.

Sequential Batch Reactor (SBR) Composite Sample

SBR Sample - A minimum of three aliquots collected from the discharge of a reactor. The first aliquot must be collected no later than 1/4 time, the second approximately 1/2 time, and the third no earlier than 3/4 time from the initiation of a discharge cycle to the stoppage of the discharge cycle. The three aliquots shall consist of equal portions
unless the rate of discharge from the reactor varies significantly during the cycle, in which case aliquots shall be proportional to the measurement of the flow occurring at the time of their collection.

Single Composite SBR Sample - One SBR sample collected from each reactor during one discharge cycle and composited proportional to the volume discharged from each of the reactors. The sample from at least one of the reactors shall represent the expected period of peak influent organic loading.

Two-Cycle Composite SBR Sample - One SBR sample collected from two consecutive discharge cycles of each reactor and composited proportional to the volume discharged during each cycle of each reactor. The sample from at least one cycle shall represent the expected period of peak influent organic loading.

Three-Cycle Composite SBR Sample - One SBR sample collected from three consecutive discharge cycles of each reactor and composited proportional to the volume discharged during each cycle of each reactor. The sample from at least one cycle shall represent the expected period of peak influent organic loading.

Example of a Single Composite SBR Sample

(Two-cycle and three-cycle composited SBR samples are multiples of these composited proportional to the volume discharged in each cycle).

[This example assumes an SBR plant with three reactors.]

```
Aeration │ A-1                   Proportional to
Basin    │                        Volume Discharged
(Reactor)│          ☒ A-2 S-1    │
        │ #1                    A-3
```
A-1 = 1st Aliquot  
A-2 = 2nd Aliquot  
A-3 = 3rd Aliquot  

\((A-1) + (A-2) + (A-3) = S_1\)

S-1 = SBR Sample from Reactor #1  
S-2 = SBR Sample from Reactor #2  
S-3 = SBR Sample from Reactor #3  

\((S-1) + (S-2) + (S-3) = CS\)

CS = Single Composite SBR Sample

Depending on design flow, single, two-cycle, or three-cycle SBR Composite Sample results are used for reporting purposes on discharge monitoring reports.

**TABLE 1-1 Discharging Lagoons**

<table>
<thead>
<tr>
<th>Parameters &amp; Sample Site</th>
<th>Design Capacity (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0 - &lt;0.1</td>
</tr>
<tr>
<td>pH-each cell &amp; effluent</td>
<td>2/wk</td>
</tr>
<tr>
<td>D.O.-each cell &amp; effluent</td>
<td>2/wk</td>
</tr>
<tr>
<td>Parameters &amp; Sample Site</td>
<td>0 - &lt;0.1</td>
</tr>
<tr>
<td>--------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Alkalinity-each cell &amp; effluent</td>
<td>2/wk</td>
</tr>
<tr>
<td>Temperature-each cell &amp; effluent</td>
<td>2/wk</td>
</tr>
<tr>
<td>Flow-effluent</td>
<td>2/wk 7/wk</td>
</tr>
<tr>
<td>BOD₅-influent &amp; effluent</td>
<td>1/mo grab</td>
</tr>
<tr>
<td>TSS-effluent</td>
<td>1/mo grab</td>
</tr>
<tr>
<td>Appearance of effluent</td>
<td>2/wk</td>
</tr>
</tbody>
</table>

**TABLE 1-2 Trickling Filter Plants**

<table>
<thead>
<tr>
<th>Parameters &amp; Sample Site</th>
<th>0 - &lt;0.1</th>
<th>.1 - &lt;0.5</th>
<th>0.5 - &lt;1.0</th>
<th>1.0 - &lt;5.0</th>
<th>5.0 - &lt;10.0</th>
<th>&gt;10.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>pH-each influent &amp; effluent</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>D.O.-effluent</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>Temperature-effluent</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>Settlement Solids-influent</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>Flow</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>BOD₅-influent &amp; effluent</td>
<td>1/mo grab</td>
<td>2/mo grab</td>
<td>3/mo 6 hr comp</td>
<td>1/wk 6 hr comp</td>
<td>5/wk 12 hr comp</td>
<td>7/wk 12 hr comp</td>
</tr>
<tr>
<td>TSS-influent &amp; effluent</td>
<td>1/mo grab</td>
<td>2/mo grab</td>
<td>3/mo 6 hr comp</td>
<td>1/wk 6 hr comp</td>
<td>5/wk 12 hr comp</td>
<td>7/wk 12 hr comp</td>
</tr>
<tr>
<td>Chlorine Residual (only if Cl is added as part of)</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>Parameters &amp; Sample Site treatment</td>
<td>0 - &lt;0.10</td>
<td>.1 - &lt;0.5</td>
<td>0.5 - 1.0</td>
<td>1.0 - 5.0</td>
<td>5.0 - 10.0</td>
<td>&gt;10.0</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>-----------</td>
<td>-----------</td>
<td>----------</td>
<td>----------</td>
<td>---------</td>
<td>-------</td>
</tr>
<tr>
<td>pH influent &amp; effluent</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>D.O.-effluent</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>Temperature-effluent</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>Settleable Solids-influent</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>Flow</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>BOD$_5$-influent &amp; effluent</td>
<td>1/mo grab</td>
<td>2/mo grab</td>
<td>3/mo</td>
<td>1/wk</td>
<td>5/wk</td>
<td>7/wk</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3 hr comp</td>
<td>12 hr comp</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TSS-influent &amp; effluent</td>
<td>1/mo grab</td>
<td>2/mo grab</td>
<td>3/mo</td>
<td>1/wk</td>
<td>5/wk</td>
<td>7/wk</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3 hr comp</td>
<td>12 hr comp</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOD$_5$ and TSS Effluent for SBR Process</td>
<td>1/mo single composit</td>
<td>2/mo single composit</td>
<td>3/mo single composit</td>
<td>1/wk single composit</td>
<td>5/wk single composit</td>
<td>7/wk single composit</td>
</tr>
<tr>
<td></td>
<td>e SBR sample</td>
<td>e SBR sample</td>
<td>e SBR sample</td>
<td>e SBR sample</td>
<td>e SBR sample</td>
<td>e SBR sample</td>
</tr>
<tr>
<td>Chlorine Residual (if Cl added as part of treatment)</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>30 minute Settleability-mixed liquor</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
<td>Daily</td>
</tr>
<tr>
<td>Waste Activated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TABLE 1-3 Activated Sludge Facilities**
(including extended aeration and oxidation ditches and including sequential batch reactors)

**Design Capacity (mgd)**

- **pH influent & effluent**: Daily
- **D.O.-effluent**: Daily
- **Temperature-effluent**: Daily
- **Settleable Solids-influent**: Daily
- **Flow**: Daily
- **BOD$_5$-influent & effluent**: 1/mo grab
- **TSS-influent & effluent**: 1/mo grab
- **BOD$_5$ and TSS Effluent for SBR Process**: 1/mo single composit
- **Chlorine Residual**: Daily
- **30 minute Settleability-mixed liquor**: Daily
- **Sludge Volume index**: 2/wk
- **D.O.-aeration basins**: 2/wk
- **Waste Activated**:
### Parameters & Sample Site

<table>
<thead>
<tr>
<th>Sludge Control Tests-select 1., 2., or 3. below:</th>
</tr>
</thead>
</table>

### Sludge Control

Tests-select 1., 2., or 3. below:

- 1. Food/Mass
- 2. Mean Cell
- 3. Sludge age

### TABLE 1-4 Aerobic Digestors Design Capacity (mgd)

<table>
<thead>
<tr>
<th>Parameters &amp; Sample Site</th>
<th>0 - &lt;0.1</th>
<th>.1 - &lt;0.5</th>
<th>0.5-&lt;1.0</th>
<th>1.0-&lt;5.0</th>
<th>5.0-&lt;10.0</th>
<th>&gt;10.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>pH-basin contents</td>
<td>2/wk</td>
<td>2/wk</td>
<td>3/wk</td>
<td>5/wk</td>
<td>7/wk</td>
<td>7/wk</td>
</tr>
<tr>
<td>% Volatile suspended solids destruction</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>3/wk</td>
<td>3/wk</td>
</tr>
<tr>
<td>% Solids</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>when drawn</td>
<td>when drawn</td>
<td>when drawn</td>
</tr>
</tbody>
</table>

### TABLE 1-5 Anaerobic Digestors Design Capacity (mgd)

<table>
<thead>
<tr>
<th>Parameters &amp; Sample Site</th>
<th>0 - &lt;0.1</th>
<th>.1 - &lt;0.5</th>
<th>0.5-&lt;1.0</th>
<th>1.0-&lt;5.0</th>
<th>5.0-&lt;10.0</th>
<th>&gt;10.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>pH</td>
<td>1/wk</td>
<td>1/wk</td>
<td>3/wk</td>
<td>5/wk</td>
<td>7/wk</td>
<td>7/wk</td>
</tr>
<tr>
<td>Temperature</td>
<td>1/wk</td>
<td>1/wk</td>
<td>3/wk</td>
<td>5/wk</td>
<td>7/wk</td>
<td>7/wk</td>
</tr>
<tr>
<td>Volatile Acids</td>
<td>when drawn</td>
<td>when drawn</td>
<td>2/wk</td>
<td>3/wk</td>
<td>3/wk</td>
<td>3/wk</td>
</tr>
<tr>
<td>Total Alkalinity</td>
<td>when drawn</td>
<td>when drawn</td>
<td>2/wk</td>
<td>3/wk</td>
<td>3/wk</td>
<td>3/wk</td>
</tr>
<tr>
<td>% Volatile suspended solids</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>3/wk</td>
<td>3/wk</td>
</tr>
<tr>
<td>Parameters &amp; Sample Site solids</td>
<td>0 - &lt;0.10</td>
<td>.1 - &lt;0.5</td>
<td>0.5-&lt;1.0</td>
<td>1.0-&lt;5.0</td>
<td>5.0-&lt;10.0</td>
<td>&gt;10.0</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------</td>
<td>----------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>-------</td>
</tr>
<tr>
<td>% Solids</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>when drawn</td>
<td>when drawn</td>
<td>when drawn</td>
</tr>
</tbody>
</table>
APPENDIX G.
FEES FOR NON-INDUSTRIAL DISCHARGE PERMITS [REVOKED]

Annual Fee Rating System - Fees for non-industrial discharge permits will be calculated according to an Annual Fee Rating System as follows:

1. The system will contain the following factors to evaluate the complexity of the permit:
   a. Discharge complexity level designation
   b. Major/minor facility designation
   c. Actual wastewater flow rate over the previous twelve (12) months
   d. Outfalls
   e. Pretreatment Program.

2. Points shall be calculated for each of the complexity factors listed in paragraph (1) according to the instructions for completing the annual permit fee rating sheet (Table G-1) and the annual fee rating work sheet (Table G-2).

3. The total annual fee is calculated by adding the annual discharge fee and the annual pretreatment fee. The annual discharge fee shall be calculated by multiplying the total number of points generated using Table G-2 items 1-4 by $27. The annual pretreatment fee shall be calculated by multiplying the total number of points generated using Table G-2 item 5 by $26.35.

4. Fees for other disposal methods shall be in addition to the fees for discharge and shall be in accordance with other applicable rules of the Department.

5. The annual fee shall be paid in advance by all facilities which have a permit in effect as of June 30 of each year. Fees in excess of $1,000 may be paid quarterly upon the request of the permittee.

6. The first year fee for new facilities will be calculated according to the Annual Fee Rating System. Complexity factors based on operational levels at the facility will be calculated using levels proposed in the application. The first year fee for new facilities shall be prorated and shall cover the period beginning the issuance date of the permit and ending June 30th of the coinciding fiscal year. A statement of the first year fee will be mailed to the applicant with the permit and will be due within 20 days of receipt.

7. A statement of fees due will be mailed to the permittee at the beginning of each fiscal year (July 1).

8. Fees not received by the due date will be subject to an additional fee of ten percent (10%) of the fee set forth in the statement.

9. If the fees have not been received by the Department within fifteen (15) days after the due date set forth in the statement, the permit will be subject to revocation after notice and opportunity for hearing.

10. Fee payment shall be made by check, draft, money order payable to the Oklahoma Department of Environmental Quality and mailed or hand delivered to the Department's offices.

11. State appropriations and federal grants will be used to offset the annual fee where possible.

12. The dollar value per point in paragraph (3) above will continue in effect unless a workload and budget analysis is performed in the previous fiscal year justifying that a fee increase is necessary. This analysis must be reviewed and approved by the Environmental Quality Board.
TABLE G-1 INSTRUCTIONS FOR COMPLETING NON-INDUSTRIAL DISCHARGE PERMIT ANNUAL FEE RATING WORK SHEET
(For Staff Use)

1. DISCHARGE COMPLEXITY LEVEL DESIGNATION
   From the permit application and permit, determine the appropriate Standard Industrial Classification (SIC) codes for each discharge point by determining the processes and products reported for the facility for sewage treatment plants (SIC 4952), check complexity designation level 1. For other non-industrial discharges, use the latest available edition of Table 1 or 2 from the U.S. Environmental Protection Agency NPDES Permit Rating Worksheet "Complexity Groups for SIC Codes" to determine the applicable subcategory and the related complexity designation. When more than one category applies to effluent from a single discharge point, select the category with the highest complexity level designation. Level 1 is the lowest complexity level designation and Level 5 is the highest.

2. MAJOR/MINOR NPDES FACILITY DESIGNATION
   Determine if the facility is rated as a major facility according to the latest EPA NPDES Permit Rating System. Check the appropriate answer and record the applicable point amount.

3. WASTEWATER FLOW
   On the work sheet under the wastewater flow, indicate the appropriate flow range, based on actual flow rate from the previous twelve (12) months.

4. OUTFALLS
   On the work sheet under outfalls, indicate the number of outfalls.

5. PRETREATMENT
   On the work sheet under pretreatment, indicate whether the applicant implements a DEQ-required/approved pretreatment program.

6. RATING POINTS FOR DISCHARGE
   Sum the rating points assigned to each of the four sections and record the total in the discharge rating points blank.

7. DISCHARGE FEE
   Multiply the points for discharge by the appropriate $/point as found in section (3) above.

8. RATING POINTS FOR PRETREATMENT
   Sum the rating points assigned to the two pretreatment sections and record the total in the pretreatment rating points blank.

9. PRETREATMENT FEE
   Multiply the points for pretreatment by the appropriate $/point as found in section (3) above.

10. ANNUAL PERMIT FEE
    The annual permit fee will be computed by adding the fee for discharge and the fee for pretreatment.
TABLE G-2. DISCHARGE PERMIT ANNUAL FEE RATING WORK SHEET

PERMIT NO.__________

PERMITTEE______________ DATE ___/___/___

DISCHARGE FEE CALCULATION

1. DISCHARGE COMPLEXITY DESIGNATION

   SELECTED OUTFALL POINT #______ (with the highest complexity)

   SELECTED SIC CODE ________

   Complexity Designation Level =
   ______ 1 (20 points)
   ______ 2 (25 points)
   ______ 3 (30 points)
   ______ 4 (35 points)
   ______ 5 (40 points)

   DISCHARGE COMPLEXITY DESIGNATION POINTS_______

2. MAJOR/MINOR NPDES FACILITY DESIGNATION

   Is the facility rated as a major facility according to the latest version of the EPA NPDES Permit Rating System?
   ___________ Yes, then points = 120
   ___________ No, then points = 12

   MAJOR/MINOR FACILITY DESIGNATION POINTS________

3. WASTEWATER FLOW

   FLOW VOLUME_________ (4 point per mgd)

   Total points __________

4. OUTFALLS

   Number of Outfalls _______ (8 points per outfall over 1, up to 10 outfalls)

   Total points ______________

5. PRETREATMENT

   Does the facility implement a pretreatment program (charged one per city/authority)?
   ___________ Yes, then points = 80 points + 20 points per mgd X 1/3 (Flow volume ( sum of flow rates of all facilities operated by the city/authority) + 20 points per categorical user (with a cap of 10) x 2/3
   ___________ No, then points = 0 points

   Totals points __________

(A) TOTAL RATING POINTS FROM DISCHARGE CALCULATIONS
(B) $/POINT FROM SECTION (3) ABOVE
(C) **DISCHARGE FEE** = ((A) x (B))

(D) **TOTAL RATING POINTS FROM PRETREATMENT CALCULATIONS**

(E) **$/POINT FROM SECTION (3) ABOVE**

(F) **PRETREATMENT FEE** = ((D) x (E))

(G) **TOTAL FEE** = ((C) + (F))
APPENDIX H. ANNUAL INDUSTRIAL DISCHARGE PERMIT FEES [REVOKED]

Annual Fee Rating System - Fees for industrial discharge permits will be calculated according to an Annual Fee Rating System as follows:

1. The system will contain the following factors to evaluate the complexity of the permit:
   a. Major/minor facility designation
   b. Discharge complexity level designation
   c. Receiving stream beneficial use designation
   d. Toxic pollutant potential
   e. Traditional pollutant loading
   f. Additional factors

2. Points shall be calculated for each of the complexity factors listed in paragraph (1) according to the instructions for completing annual permit fee rating sheet in Table H-1 and the annual fee rating worksheet (in substantially same form as Table H-2).

3. The annual fee shall be calculated by multiplying the number of points by $41.00, provided that the minimum fee shall be $100.00 per year and the maximum fee shall be $15,000.00 per year.

4. Fees for other disposal methods shall be in addition to the fees for discharge and shall be in accordance with other applicable rules of the Department.

5. The annual fee shall be paid in advance by all facilities which have a permit in effect as of June 30 of each year.

6. The first year fee for new facilities will be calculated according to the Annual Fee Rating System. Complexity factors based on operational levels at the facility will be calculated using levels proposed in the application. The first year fee for new facilities shall be prorated and covers the period beginning the issuance date of the permit and ending June 30th of the coinciding fiscal year. A statement of the first year fee will be mailed to the applicant within 10 days of receipt of application and will be due within 20 days of receipt of application.

7. A statement of fees due will be mailed to the permittee on or as soon as practical after July 1 of each year.

8. State appropriations and federal grants will be used to offset the annual fee where possible.

9. The dollar value per point in paragraph (3) above will continue in effect unless a workload and budget analysis is performed in the previous fiscal year justifying that a fee increase is necessary. This analysis must be reviewed and approved by the Environmental Quality Board.
TABLE H-1 INSTRUCTIONS FOR COMPLETING INDUSTRIAL DISCHARGE PERMIT ANNUAL FEE RATING WORKSHEET
(For Staff Use)

1. MAJOR/MINOR FACILITY DESIGNATION
   Determine if the facility is rated as a major facility according to the latest EPA NPDES Non-Municipal Permit Rating System. Check the appropriate answer and record $300 for a minor and $3000 for a major in the base fee blank.

2. DISCHARGE COMPLEXITY LEVEL DESIGNATION
   From the permit application and permit, determine the appropriate Standard Industrial Classification (SIC) codes for each discharge point by determining the processes and products reported for the industry. Use the latest available edition of Table 1 or 2 from the U.S. Environmental Protection Agency NPDES Permit Rating Worksheet "Complexity Groups for SIC Codes" to determine the applicable Industrial Subcategory and the related complexity designation. When more than one category applies to effluents from a single discharge point, select the category with the highest complexity level designation. Level I is the lowest complexity level designation and Level VI is the highest. If a facility is covered by SIC code 9999 (unclassifiable establishments), a Complexity Designation Level will be assigned as follows:
   A. If the facility is designated as major by the Environmental Protection Agency, check Category V.
   B. If the facility is designated as minor by the Environmental Protection Agency, check Category II.
   Record the applicable SIC code on the worksheet, then enter the highest complexity designation among all discharge points.

3. RECEIVING STREAM BENEFICIAL USE DESIGNATION
   Review the permit application to determine the name of the receiving stream for each discharge point. Review the current Oklahoma Water Quality Standards and determine the beneficial use designations for the stream. Mark the beneficial use(s) on the Worksheet and add the corresponding point amounts. If there is more than one receiving stream, calculate the beneficial use points for each and record the highest total.

4. TOXIC POLLUTANT POTENTIAL
   From the permit application and permit, determine the Standard Industrial Classification (SIC) codes for each discharge point by determining the processes and products reported for the industry. Use the primary SIC to determine if there are industrial subcategories for that SIC code. Use the latest edition of the U.S. Environmental Protection Agency NPDES Permit Rating Work Sheet to determine the applicable toxicity group. Use the Code of Federal Regulations (CFR) part and sub-part numbers to help identify the appropriate subcategory. If there is more than one applicable subcategory, select the subcategory that has the highest toxicity group. Enter the industrial subcategory number on the work sheet and check the appropriate Toxicity Potential number. Note that regardless of the facility's SIC code, if the facility discharges no process waste stream to a receiving water, the points scored are 0. Enter and record the applicable point amount.

5. TRADITIONAL POLLUTANT LOADING
   Determine if the permit contains discharge limitations for biochemical oxygen demand (BOD), chemical oxygen demand (COD), total suspended solids (TSS) and/or ammonia (or nitrogen). Points should be assigned for the parameters limited in the permit. For the purposes of determining permit fees, the daily average load for each parameter will be calculated, based upon the reported values for the parameter and flow rates submitted on self monitoring report (SMR) and/or discharge monitoring report (DMR) forms for the past twelve (12) months.
   Calculate the BOD and/or COD daily average loads and record the applicable points for each. In some cases, oxygen demand may be limited by some parameter other than BOD or COD [i.e., ultimate oxygen demand (UOD), total organic carbon (TOC), or total oxygen demand (TOD)]. In such cases, record the alternate parameter in the applicable space and calculate the average load and report the applicable point amount.
   Sum the points for each parameter and record the total traditional pollutant points in the space provided.

7. ADDITIONAL FACTORS
   Determine if the permitted effluent limitations were assigned based on dissolved oxygen (DO) wasteload allocation modeling, including but not limited to the DO Desktop Model, for the receiving perennial stream. Check the appropriate answer and record the points required.
   Determine if any permitted effluent limitations were assigned based on a wasteload allocation modeling for conservative parameters. Check the appropriate answer and record the points required.
   Determine if biomonitoring is required for any discharge point listed on the permit. Check the appropriate answer
and record the points required.

Determine if the facility has had whole effluent toxicity studies performed within the last two years. If so, determine if the results of any of those tests indicated that the effluent from this facility is/was toxic at the critical low-flow dilution. Check the appropriate answer and record the points required.

Determine if the facility is currently required by the U.S. Environmental Protection Agency or the Board to implement a Toxicity Identification Evaluation (TIE) or Toxicity Reduction Evaluation (TRE). Check the appropriate answer and record the points required.

8. TOTAL RATING POINTS
   Sum the rating points assigned to each of the five sections and record the total in the total rating points blank.

9. ANNUAL PERMIT FEE
   The annual permit fee will be computed by multiplying the rating factor (in $ per point) by the calculated total rating points plus the base fee rate.
TABLE H-2 INDUSTRIAL DISCHARGE PERMIT ANNUAL FEE RATING WORKSHEET

PERMIT NO.____________

PERMITTEE__________________DATE ___/___/___

1. MAJOR/MINOR DETERMINATION
   Is the facility rated as a major facility according to the latest version of the EPA NPDES Non-Municipal Permit Rating System?
   ✔ Yes, then $3000 is the base fee
   ☐ No, then $300 is the base fee

2. DISCHARGE COMPLEXITY DESIGNATION
   SELECTED OUTFALL POINT #_______ (with the highest complexity)
   SELECTED SIC CODE ____________

   Complexity Designation Level =
   ✔ I (0 points)
   ☐ II (10 points)
   ☐ III (20 points)
   ☐ IV (30 points)
   ☐ V (40 points)
   ☐ VI (20 points)

   DISCHARGE COMPLEXITY DESIGNATION POINTS_______

3. RECEIVING STREAM BENEFICIAL USE DESIGNATION
   Selected Discharge Point #______ (with the highest points)

   Beneficial Use Designations and their assigned points for the selected Receiving Stream:
   ✔ Public and Private Water Supply (5 points)
   ☐ Emergency Public and Private Water Supply (3 points)
   ☐ Fish and Wildlife Propagation/Warm Water Aquatic Community (5 points)
   ☐ Fish and Wildlife Propagation/Habitat Limited Aquatic Community (1 point)
   ☐ Fish and Wildlife Propagation/Cool Water Aquatic Community (10 points)
   ☐ Fish and Wildlife Propagation/Trout Fisheries (put and take) (10 points)
   ☐ Agriculture (1 point)
   ☐ Agriculture/Class I Irrigation (3 points)
   ☐ Agriculture/Class II Irrigation (2 points)
   ☐ Agriculture/Class III Irrigation (1 point)
   ☐ Hydroelectric Power (0 points)
   ☐ Industrial and Municipal Process and Cooling Water (1 point)
   ☐ Primary Body Contact Recreation (5 points)
   ☐ Secondary Body Contact Recreation (1 point)
   ☐ Navigation (0 points)
   ☐ Aesthetics (1 point)
   ☐ Limitation for Additional Protection (10 points)

   RECEIVING STREAM POINTS_________________

4. TOXIC POLLUTANT POTENTIAL
   Selected Outfall Point #__________ (with highest Total toxicity number)
   Selected SIC Code _______________
Selected Industrial Subcategory Code _______________________

### Toxicity Groups

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<th>Points</th>
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<tr>
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<tr>
<td>2.</td>
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<td>3.</td>
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<td>5.</td>
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<tr>
<td>6.</td>
<td>30</td>
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<td>7.</td>
<td>35</td>
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<td>8.</td>
<td>40</td>
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<tr>
<td>9.</td>
<td>45</td>
</tr>
<tr>
<td>10.</td>
<td>50</td>
</tr>
</tbody>
</table>

**TOXIC POLLUTANT POTENTIAL POINTS**

### TRADITIONAL POLLUTANTS

#### A. BOD or __________

Daily Average Load =
- ________ < 50 lb/day (0 points)
- ________ 50 - 500 (5 points)
- ________ > 500 - 1000 (10 points)
- ________ >1000 - 3000 (20 points)
- ________ >3000 - 5000 (30 points)
- ________ >5000 lb/day (40 points)

BOD Points ________

#### B. COD or __________

Daily Average Load =
- ________ < 100 lb/day (0 points)
- ________ 100 - 500 (5 points)
- ________ > 500 - 1000 (10 points)
- ________ >1000 - 5000 (20 points)
- ________ >5000 - 10000 (30 points)
- ________ >10000 - lb/day (40 points)

COD Points ________

#### C. TSS

Daily Average Load =
- ________ < 100 lb/day (0 points)
- ________ 100 - 500 (5 points)
- ________ > 500 - 1000 (10 points)
- ________ >1000 - 5000 (20 points)
- ________ >5000 - 10000 (30 points)
- ________ >10000 lb/day (40 points)

TSS Points ________

#### D. AMMONIA or __________

Daily Average Load =
- ________ < 200 lb/day (0 points)
- ________ 200 - 500 (5 points)
- ________ > 500 - 1000 (10 points)
- ________ >1000 - 5000 (20 points)
6. ADDITIONAL FACTORS

Were any of the effluent limitations assigned to the discharge based on DO related wasteload allocation modeling for the receiving perennial stream?

Yes, then points = 5
No, then points = 0

Were any of the effluent limitations assigned to the discharge based on a wasteload allocation modeling for conservative parameters?

Yes, then points = 5
No, then points = 0

Is biomonitoring required for any discharge point listed on the permits?

Yes, then points = 10
No, then points = 0

Has any effluent from the facility shown toxicity at the critical low flow dilution on a whole effluent toxicity study within the last two calendar years?

Yes, then points = 25
No, then points = 0

Is the facility currently required by the U.S. Environmental Protection Agency or the Board to implement a Toxicity Identification Evaluation (TIE) or a Toxicity Reduction Evaluation (TRE).

Yes, then points = 100
No, then points = 0

ADDITIONAL FACTORS POINTS

(A) BASE FEE $
(B) RATING FACTOR ($______/point)
(C) TOTAL RATING POINTS
(D) TOTAL AMOUNT DUE (A) + ((B) X (C)) $
APPENDIX I. FEES FOR STORMWATER PERMITS
AND OTHER GENERAL PERMITS [REVOKED]

(A) The fee for MS4 stormwater permits shall be $550.
(B) The fee for all general permits, including Authorizations under general stormwater shall be $254.21.
(C) The annual fee shall be paid in advance by all facilities which have been authorized to discharge under a permit as of June 30 of each year.
(D) Fee payment shall be made by check, draft, or money order payable to the Oklahoma Department of Environmental Quality and mailed or hand delivered to the Department's offices.
(E) The first year fee for facilities shall be prorated and shall cover the period beginning the issuance date of the authorization and ending June 30th of the coinciding fiscal year. A statement of the first year fee will be mailed to the applicant within 10 days of receipt of application and will be due within 20 days of receipt of application.
(F) A statement of fees due will be mailed to the permittee at the beginning of each fiscal year (July 1).
(G) Fees not received by the due date will be subject to an additional fee of ten percent (10%) of the fee set forth in the statement.
(H) If the fees have not been received by the Department within fifteen (15) days after the due date set forth in the statement, authorization to discharge under the permit will be subject to revocation after notice and opportunity for hearing.
(I) State appropriations and federal grants will be used to offset the annual fee where possible.
(J) The fees in paragraphs (A) and (B) above will continue in effect unless a workload and budget analysis is performed in the previous fiscal year justifying that a fee increase is necessary. This analysis must be reviewed and approved by the Environmental Quality Board.
APPENDIX J. FEES FOR INDIVIDUAL DISCHARGE PERMITS FOR CATEGORICAL INDUSTRIES [REVOKED]

(A) The fee for individual discharge permits for Categorical industries shall be $730.

(B) Fee payment shall be made by check, draft, or money order payable to the Oklahoma Department of Environmental Quality and mailed or hand delivered to the Department's offices.

(C) The annual fee shall be paid in advance by all facilities which have a permit in effect as of June 30 of each year.

(D) The first year fee for facilities shall be prorated and shall cover the period beginning the issuance date of the permit and ending June 30th of the coinciding fiscal year. A statement of the first year fee will be mailed to the applicant within 10 days of receipt of application and will be due within 20 days of receipt of application.

(E) A statement of fees due will be mailed to the permittee at the beginning of each fiscal year (July 1).

(F) Fees not received by the due date will be subject to an additional fee of ten percent (10%) of the fee set forth in the statement.

(G) If the fees have not been received by the Department within fifteen (15) days after the due date set forth in the statement, the permit will be subject to revocation after notice and opportunity for hearing.

(H) State appropriations and federal grants will be used to offset the annual fee where possible.

(I) The fees in paragraph (A) above will continue in effect unless a workload and budget analysis is performed in the previous fiscal year justifying that a fee increase is necessary. This analysis must be reviewed and approved by the Environmental Quality Board.