

FACT SHEET

GENERAL PERMIT FOR

READY-MIXED CONCRETE PLANTS, CONCRETE PRODUCTS PLANTS, AND THEIR ASSOCIATED FACILITIES

DATE: August 2, 2017

PREPARED BY: Eric Staab

General Permit No.: G-CONC-2017-1

Federal Permit No.: KSG11NNNN (Master Permit)

State Permit No.: I-AANN-PRNN

FACILITIES COVERED: Concrete Block and Concrete Brick (SIC 3271); Concrete Products, Except Block and Brick (SIC 3272); Ready-Mix Concrete (SIC 3273).

PROPOSED ACTION: The proposed action consists of re-issuance of a Kansas/NPDES General Water Pollution Control permit for the discharges of process wastewater and stormwater from Ready-Mix concrete plants, concrete products plants, and their associated facilities.

EXISTING PERMIT: The existing general permit expires September 30, 2017. The existing permit requires the permittee to monitor the discharge of process water from the treatment system on a quarterly basis for flow, oil and grease, total suspended solids, pH, iron, and visual inspection for water quality compliance. Records of the amounts and types of concrete/water treatment additives used on a monthly basis and results of the stormwater pollution prevention inspections are also required.

FACILITY DESCRIPTION: The general permit is written for discharges of process wastewater and stormwater from Ready-Mixed concrete plants, concrete products plants, and their associated facilities. These entities are required to have adequate process water pollution controls (retention structures or equivalent) and Best Management Practices as described in the Stormwater Pollution Prevention Plan (SWP2 Plan) to control uncontaminated stormwater runoff from the entity. Specific language for each facility will be added by KDHE based upon information from the permittee.

PERMIT SCHEDULES:

1. Permit Renewal/Reissuance - Permit renewals for existing facilities without any proposed modifications shall submit a SWP2 Plan Certification Completion Form and updated site map with the first annual report, within one year of permit issuance. All settlement and containment structures being permitted must be identified in the SWP2 Plan and on the map, and the legal location (latitude and longitude) of each structure must be identified.

2. Permit Modification/New Permit - Permits for new facilities and existing facilities proposing modifications to the site shall submit a SWP2 Plan Certification Completion Form and an up-to-date site map with the NOI. All settlement and containment structures being permitted must be identified in the SWP2 Plan and on the map, and the legal location (latitude and longitude) of each structure must be identified.

3. Settlement and Containment Structure Compliance - At the time of SWP2 Plan Certification Completion, identified settlement and containment structures must indicate whether each structure is in compliance with KDHE Industrial Wastewater Lagoon Requirements (K.A.R. 28-16-160 through 174). For any structure not meeting these requirements, a structure upgrade schedule shall be provided to bring the facility into compliance with the regulations.

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RECEIVING STREAM: All streams in the state of Kansas except for those classified as Outstanding National Resource Waters to which direct discharge of wastewater is prohibited.

PROPOSED PERMIT: The proposed limits are water quality based limits pursuant to KAR 28-16-28 (b-g), best professional judgment and Federal requirements. The proposed permit continues the limits and monitoring for flow, oil and grease, total suspended solids, and pH, adds monitoring for iron based on BPJ, and removes monitoring for sulfate and chloride based on historical performance effluent data indicating no reasonable potential to exceed State surface water quality standards.

A requirement has been added requiring a list of solvents, detergents, or other chemical additives added to process wastewater. Containment structures receiving process wastewater with additives must retain the wastewater on-site or handle in a manner acceptable to KDHE. Only settlement structures receiving wastewater without additives is allowed to discharge.

Effluent limitations and monitoring requirements

Discharge from Containment Structures receiving process wastewater without additives

<u>Parameter</u>	<u>Basis</u>
Flow	Kansas Surface Water Quality Standards*
Total Suspended Solids	Best Professional Judgment**
pH	EPA Secondary Treatment Regulation
Oil and Grease	Kansas Surface Water Quality Standards
Total Recoverable Iron	Best Professional Judgment***
Visual for Water Quality Compliance	Kansas Surface Water Quality Standards

* Calculated as daily average based upon estimated monthly total discharge/no. of days in the month

** No Kansas Water Quality Criteria - defaulted to KDHE-determined level protective of designated uses

***This parameter is commonly included in ready-mixed concrete general permits

Permit Supplemental Conditions

1. Discharging wastewater settlement structures are permitted for washing concrete trucks and chutes, tools, forms and associated concrete handling equipment. Exterior washing of concrete trucks is allowed but no detergents, cleansers, or other additives may be used. Aggregate material from the settlement structure is periodically removed and reused in concrete production, as fill material or in another KDHE acceptable use. Earthen structures must meet the requirements of KDHE lagoon liner regulations.
2. Non-Discharging wastewater containment structures are permitted for interior and exterior washing of concrete trucks, tools, and equipment. Washing with only KDHE approved detergents, cleansers, and/or additives on file with KDHE is allowed. No discharge from the containment structure to any surface or groundwater is permitted. Earthen structures must meet the requirements of KDHE lagoon liner regulations.

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Permit Standard Conditions incident operation and reporting requirements, including telephone notifications as written follow up, must be met for any discharge from a non-discharging containment structure (such as a discharge resulting from excessive rainfall, equipment failure, etc.).

3. Permit Reopener - This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301 (b)(2), (C), and (D), 304 (b)(2), and 307 (a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - a. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit, or
 - b. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

4. All containment structures, settlement structures, and stormwater and process wastewater outfalls covered by this permit must be clearly identified on the facility site map and in the field.
5. Modification or expansion of facilities must be approved and a new site map must be accepted by the Department prior to construction.
6. Water Quality Standards - Discharge is authorized from the permitted outfall(s) provided the discharge does not cause a violation of Kansas Surface Water Quality Standards, K.A.R. 28-16-28b through 28-16-28e. The permittee shall not discharge the following:
 - a. Oil or grease in concentrations which cause any visible film or sheen to form upon the surface of the receiving water;
 - b. Oil or grease which causes a sludge or emulsion to be deposited beneath the surface of the receiving water, upon submerged substrate, or upon adjoining shorelines;
 - c. Turbidity or color producing substances causing any change in the natural appearance of the stream or water body;
 - d. Substances in the wastewater which cause objectionable odors in the vicinity of the receiving water;
 - e. Floating debris, scum, foam, froth, or other floating material in other than trace amounts; or
 - f. Materials which create deposits of sludge or fine solids causing aesthetic or environmental concerns downstream of the outfall.

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The permittee shall, at a minimum, inspect the outfall(s) and receiving stream(s) quarterly to ensure compliance with the above Water Quality Standards. The permittee shall maintain a log documenting the results of any monitoring or inspections performed and shall provide the log to KDHE staff for review upon request.

Any violation of the above general Water Quality Standards shall be reported within 24 hours of discovery, to either the Kansas Department of Health and Environment, Division of Environment at (785) 296-5517 or the appropriate KDHE District Office followed by a letter, within 5 days of discovery, explaining the cause of the water quality violation, the actions taken to correct the violation, and actions taken to prevent recurrence.

7. Changes in Discharges of Toxic Substances - The permittee shall notify the Director as soon as it knows or has reason to believe:
 - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (1) One hundred micrograms per liter (100 µg/l);
 - (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application.
 - b. That any activity has occurred or will occur which result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit if that discharge will exceed the highest of the following notification levels".
 - (1) Five hundred micrograms per liter (500 µg/l);
 - (2) One milligram per liter (1 mg/l) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application.
8. Reporting "No Discharge" - If no discharge occurs from a permitted outfall during a reporting period, reporting is still required. For each such outfall reporting, the discharge report must state "No discharge" for the permitted outfall.

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9. Additional Electronic Data Monitoring Report (EDMR) Information - EPA has promulgated a final rule requiring regulated entities to report DMR data and/or permit applications electronically. Also, KAR 28-16-63 requires permittees to report NPDES information in a form required by KDHE. KDHE has developed electronic reporting tools to assist permittees in complying with the EPA electronic reporting rule and KAR 28-61-63. Unless a waiver has been approved by KDHE, permittees are required to submit reports and/or applications electronically.
10. Limits on Coverage; Director required replacement of this permit with a different NPDES Permit - The Director may require the permittee to request coverage and obtain an alternative individual permit or general NPDES permit if:
 - a. the permittee is not in compliance with the conditions of this general permit;
 - b. the discharge no longer qualifies for this general permit due to changed site conditions;
 - c. Information becomes available indicating water quality standards have been, or may be violated.
11. Discharge to Outstanding Natural Resource Waters (ONRW) - For antidegradation purposes, this general permit does not authorize new discharges to waters designated as Tier 3 Waters (ONRW), as defined in the Kansas Surface Water Register.
12. Issuance of this permit does not relieve the permittee of any responsibility to satisfy any requirements the Kansas Department of Agriculture - Division of Water Resources, Kansas Department of Wildlife, Parks and Tourism, the Kansas Historical Society, the Kansas Department of Transportation or any local, city, county, state or federal government agency may have regarding the facility.
13. Contribution to Existing Impairment - Discharge shall not contribute to existing impairment of a waterbody. KDHE will provide notification of additional limits or controls that are necessary for the discharge to comply with water quality standards or that are necessary to be consistent with wasteload allocations for an established TMDL, or if coverage under an individual NPDES permit is necessary.
14. Facility Relocation - Permittees relocating the facility covered under this general permit to another site must submit a Notice of Permit Termination to terminate this permit, a Notice of Intent to apply for a new general permit at the new location and a construction stormwater general permit if the facility is to continue to operate in the State of Kansas. This includes both permanent and portable facilities.
15. Permit Transfer - This permit may be transferred to a new permit holder using the Permit Transfer Request form from the KDHE website at www.kdheks.gov/water/tech.html .

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16. Discharges Ineligible for this permit - This permit does not authorize discharge of waters containing solvents, detergents or other chemical additives. To be permitted, the chemicals used with these waters must be listed in chemical additives log for the facility, and the waters must be contained on-site in a non-discharging containment structure. To discharge such waters, the facility must first apply for and obtain coverage under an individual permit.
17. Closure of Settlement & Containment Structures and Abandonment and Closure of Wastewater Retention Basin(s) -
- a. Permittee shall properly maintain the water pollution control structures and keep the permit active until the structures are properly abandoned and the permit terminated.
 - b. Water pollution control structures shall be considered abandoned and shall be properly closed if not used for five years, not properly maintained or if the permit is allowed to become inactive by failure to pay the annual permit fee when due or failure to apply for a permit renewal via the Notice of Intent prior to the permit expiring.
 - c. Permittee shall properly abandon the water pollution control structures according to the procedures provided below.
 - (1) Remove fences and above ground structures around the control structure.
 - (2) Dispose of the water by irrigation on the facility property or road / facility area for dust suppression, re-use, etc. Permittee shall ensure there is no run off of the wastewater beyond the facility boundaries.
 - (3) Unless otherwise required by contract or other legal requirements, permittee may push any concrete walls, asphalt aprons, or plastic liners into the bottom of the basin. Cover the debris with at least 24 inches of clean soil. Grade the filled area to its original contours to minimize water accumulation (ponding). Reseed the disturbed area with grass to minimize soil erosion.
 - (4) After completion of the pond closure, inform the appropriate KDHE district office so a post closure inspection can be performed. Locations of the KDHE district offices can be found at www.kdheks.gov/directions/index.html or by calling 785.296.5506.
18. Notice of Permit Termination - A Notice of Permit Termination form can be downloaded from the KDHE website at www.kdheks.gov/water/tech.html .

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19. Discharge of Process Wastewater and Sanitary Sewage - This permit does not authorize discharge of sanitary sewage or any process wastewater that is not specifically identified in the permit description. No floor drains shall be discharged to surface drainage. Solid waste accumulations, including mud trap waste, shall be handled in accordance with KDHE Bureau of Waste Management (BWM) policy, guidance, and regulation and records of the quantity, date, and disposition of these wastes shall be maintained and made available to KDHE upon request.
20. Quarterly Inspections: The permittee shall inspect the system of pollution controls on a quarterly basis and within 24 hours after any rainfall event which could reasonably be expected to affect the integrity of the controls. The inspection shall be adequate to verify that the site drainage conditions and potential pollution sources identified in the SWP2 Plan remain accurate, and that the best management practices prescribed in the SWP2 Plan are being implemented, properly operated and adequately maintained. An inspection report shall be completed for each inspection which shall include: the inspection date, inspection personnel, scope of the inspection, major observations, and any revisions needed in the SWP2 Plan.
21. Stormwater Pollution Prevention (SWP2) Plan Amendments - The SWP2 Plan shall be re-evaluated and modified in a timely manner, but in no case more than 90 days after:
 - a. site expansion, production increases, process modifications, changes in materials or materials handling or storage or other activities are planned which will result in significant increases in the exposure of pollutants to storm water discharged either to waters of the state or to stormwater treatment devices. The amendment shall contain a description of the new activities that contribute to the increased pollutant loading, planned source control activities that will be used to control pollutant loads, an estimate of the new or increased discharge of pollutants following treatment and, when appropriate, a description of the effect of the new or increased discharge on existing stormwater treatment facilities;
 - b. the permittee's inspections indicate deficiencies in the SWP2 Plan or in any BMP requiring the BMP to be significantly changed or upgraded;
 - c. a visual inspection of contributing areas or a visual inspection of the stormwater discharges or monitoring of the storm water discharges indicate the Plan appears to be ineffective in eliminating or significantly minimizing pollutants from the facility;
 - d. written notice that the Department finds the SWP2 Plan to be deficient or stormwater controls to be ineffective in achieving compliance with this permit, Kansas and Federal law.

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22. Construction Activity Permit Requirements - This permit does not cover industrial activity specified in 40 CFR 122.26(b)(14)(x), i.e. stormwater runoff from construction activity where new construction is the primary purpose of the request. Development of a new site, expansion of an existing site, and/or closure of an existing site, disturbing 1 acre or more of soil requires a separate Kansas construction stormwater general permit.
23. This general permit is intended to regulate the discharge of facility wastewater and stormwater associated with industrial activities from ready-mix concrete plants, concrete products plants, and their associated facilities (SIC Codes 3271, 3272, and 3273).
24. Discharge On Indian Lands - This permit does not authorize discharge on Indian Lands - For information on permitting and location of Indian Lands, contact the Bureau of Indian Affairs at (785) 486-2161 or the EPA Region VII Office of Tribal Affairs - Regional Indian Coordinator at (913) 551-7969.
25. The permittee is required to have settlement/containment structures meeting or equivalent to the criteria provided on page 3 of the instructions for the Notice of Intent (permit application) under the "Provisions for Construction of Settlement/Containment Structures" as found on the KDHE website at www.kdheks.gov/water/tech.html or available by telephone at 785.296.5500.
26. Forms and Guidance Documents for this permit are available on the KDHE Website at:

www.kdheks.gov/water/tech.html