Topics Covered Today

- Introduction
- Mineral Mining General Permit
- BMP Examples
Acronyms

- BMP-Best management practice(s)
- LOA-Letter of Authorization
- MMGP-Mineral Mining General Permit
- NOI-Notice of Intent
- NPDES-National Pollutant Discharge Elimination System
- SIC-Standard Industrial Code
- SWPPP-Storm Water Pollution Prevention Plan
- TMDL-Total Maximum Daily Load
- WDEQ-Wyoming Department of Environmental Quality
- WYPDES-Wyoming Pollutant Discharge Elimination System
The MMGP was renewed on April 5, 2012 and will expire on March 31, 2017.

Facilities covered under this permit fall under the Standard Industrial Classification (SIC) Major Group 14 is Mining and Quarrying of Nonmetallic Minerals Except Fuels.

Other facilities covered under the MMGP include large sand and gravel stockpiles other than a mine or quarry stored in preparation for upcoming construction projects.
Mineral Mining General Permit (MMGP)

- Asphalt and concrete batch plants located at facilities covered under the MMGP.
  - Please note: Storm water discharges from areas that are dedicated to support activities such as operations producing earthen materials such as sand and gravel for use at a single large construction activity may be covered under the Large Construction General Permit (LCGP) for that project. This does not apply to sites serving multiple unrelated construction projects.
  - Concrete batch plants are generally covered under the Industrial General Permit since there are sampling requirements.
Changes made to the MMGP in 2012 renewal:

- Site map requirement—a site map must now be submitted with the Notice of Intent ((NOI). This helps inspectors when setting up a site visit.

- Bentonite and other types of clay mining and processing facilities must now sample storm water discharges and submit results of lab analysis. This is not a benchmark or effluent limit and doesn’t result in any violation or penalty.
Federal Clean Water Act

- NPDES (National Pollutant Discharge Elimination System) for storm water was established in 1987.
  - The Wyoming Pollutant Discharge Elimination System (WYPDES) program was established in 1990.
  - The WYPDES Storm Water Program began issuing permits in 1992.
The Wyoming Legislature is working on a bill that would change the fee system for permits obtained under the Wyoming Pollutant Discharge Elimination System (WYPDES).

Instead of receiving a yearly $100 invoice, fee would be sent in with the Notice of Intent.

Fee amount would be based on the length of the general permit.
What if your project will be finally stabilized and completed before the general permit expiration date?

You can specify a shorter expiration date and calculate your permit fee based on that date.

WDEQ is working on a fee calculator.
A mining operation is planned.

The project is anticipated to begin on May 15, 2013.

The ending date of the project is anticipated to be September 30, 2015.

What is the permit fee amount? $300
Permit Fee Changes

Keep in mind that if you specify a shorter expiration date and your mining facility is not finally stabilized by that date, you will have to resubmit a new Notice of Intent and additional permit fee.
FEE Changes

Note: These upcoming changes are to the fee schedule only. The permit fee amount is still $100 per year. Fees will now be paid up front for the life of the permit instead of invoices being sent out for the previous year of permit coverage.
Steps in the storm water compliance process are the following:

- **Letter of Violation (LOV)** – an LOV is issued when an inspection is conducted and violations are found. The LOV states what the violations are and a specific amount of time is given to correct the violations. There are no orders or penalties with a LOV but failure to comply can lead to a Notice of Violation (NOV).
Notice of Violation (NOV) – A NOV is issued when there are serious violations of the permit such as not having the proper permit or significant pollutants leaving the permitted site. A NOV can result in an order and/or a penalty. Failure to comply with a NOV results in the NOV being referred to the Wyoming State Attorney Generals Office for legal action.

A permittee can file an appeal of a NOV to the Environmental Quality Council (EQC).
Notice of Intent (NOI)

3 new sections were added to the Notice of Intent form during the 2012 renewal

- Expanded contacts section (Part 1)
- Impaired waters/TMDL section now included in Part 4 (Receiving Waters & Municipal Sewers)
- Industrial Facilities with Federal Effluent Limitation Guidelines section added (Part 6)
MMGP – Notice of Intent
Revisions
Additional contact information (Part 1)
- Legal contact
- Local contact (familiar with the project or facility)
- Fee contact (receives annual invoice for permit fee but this will probably change soon)
- Authorized representative (optional)
Identify impaired/TMDL waters from sediment (Part 4) if:

- Located within 2000' of a facility with the potential to receive runoff from the project or runoff will enter a storm drain that goes to an impaired/TMDL water of the state.
- A map listing surface waters impaired for sediment, total suspended solids, or turbidity can be found at the storm water web page:
  - [http://deq.state.wy.us/wqd/wypdes_storm_water/stormwater.asp](http://deq.state.wy.us/wqd/wypdes_storm_water/stormwater.asp)
Identify any industrial facilities with federal effluent limitation guidelines. (Part 6)

3 industrial activities are listed in this section:

- Asphalt plant (emulsion only) – SIC 2951
- Cement manufacturing facility – SIC 3241
- Facilities with runoff from coal piles – any SIC
Notice of Intent

The storm water program can no longer accept old versions of the Notice of Intent. Older versions will be returned.
Storm Water Pollution Prevention Plan (SWPPP)
Storm water pollution prevention plan (SWPPP) submittal is optional.

Electronic submission is preferred

- CD, DVD or e-mail-don’t have to scan just download to permit file in the database.
- deq-stormwater@wyo.gov

The NOI still has to be mailed (original signature required). An electronic NOI can be sent to get the review process started.
A SWPPP template will soon be available on the WDEQ Storm Water website. (Fill in format). I can mail or email a copy for now.

This template contains all the required section contents found in Part 7.2 of the Mineral Mining General Permit.

Use of the template is optional but if you draft your own SWPPP it must follow the same format and order or it will be returned.
Purpose of the SWPPP

- Keep pollutants on site and out of “surface waters of the state” from first disturbance to final stabilization
- Pollutants include but are not limited to:
  - Sediment
  - Trash
  - Sanitary waste
  - Any paint, chemicals or fertilizers used at the site
Surface Waters of the State

This means all perennial, intermittent, and ephemeral defined drainages, lakes, reservoirs, and wetlands which are not man-made retention ponds used for the treatment of municipal, agricultural or industrial waste; and all other bodies of surface water, either public or private which are wholly or partially within the boundaries of the state.
Best Management Practices are the heart of the SWPPP

The SWPPP must contain a section describing the combination of structural and non-structural controls and measures that will be implemented at the site.

Structural BMPs must also be properly installed and maintained.
Improperly installed – not anchored to the ground
Wrong BMP
Stockpile in Drainage
Poor Check Dam Design
Poor Housekeeping
Soil Staining
Poor Housekeeping
The site map should contain all the parts listed in Part 7.2.2 of the MMGP.

Maps will vary from site to site and operation but should contain the following items;

- Site boundaries
- Existing storm water control measures
- Storm water drainage patterns or site topography
- Locations of all receiving waters in the immediate vicinity of the facility (include unnamed drainages)
- Map scale including a North arrow
- Map legend
- Date map was prepared.
Notice Of Intent (NOI) Submittal
Draft a storm water pollution prevention plan (SWPPP). SWPPP submittal is optional
Conduct and document inspections
- Inspections are done
Permit transfer or termination
Inadequate Sediment Control
Adjacent Property

Probability of legal action
Contact Information

PERMIT WRITERS
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WYOMING INSPECTIONS
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Questions?