

# Mineral Mining General Permit



# MINERAL MINING GENERAL PERMIT REFRESHER

Casper, Wyoming  
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# 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

# Mineral Mining General Permit (MMGP)

- ▣ 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.

# Mineral Mining General Permit

- ▣ 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.

# WY Storm Water Program Authority

- ▣ 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.

# Permit Fee Changes

- ▣ 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.

# Permit Fee Changes

- ▣ 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.

# Fee Example

- ▣ 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 on invoices being sent out for the previous year of permit coverage.



# Storm Water Compliance

- ▣ 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).

# Storm Water Compliance

- ▣ 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).

# Mineral Mining General Permit

- ▣ 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



# 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)

# Notice of Intent Revisions

- ▣ 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)

# Notice of Intent Revisions

- ▣ 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)



# SWPPP Submission

- ▣ 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](mailto: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.

# SWPPP Template

- ▣ 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 BMPs

- ▣ 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.

# Windy Wyoming

Improperly installed – not anchored to the ground



# Wrong BMP



# End Result



# Stockpile in Drainage



# Poor Riprap Design



# Poor Check Dam Design



# Poor Housekeeping



# Soil Staining



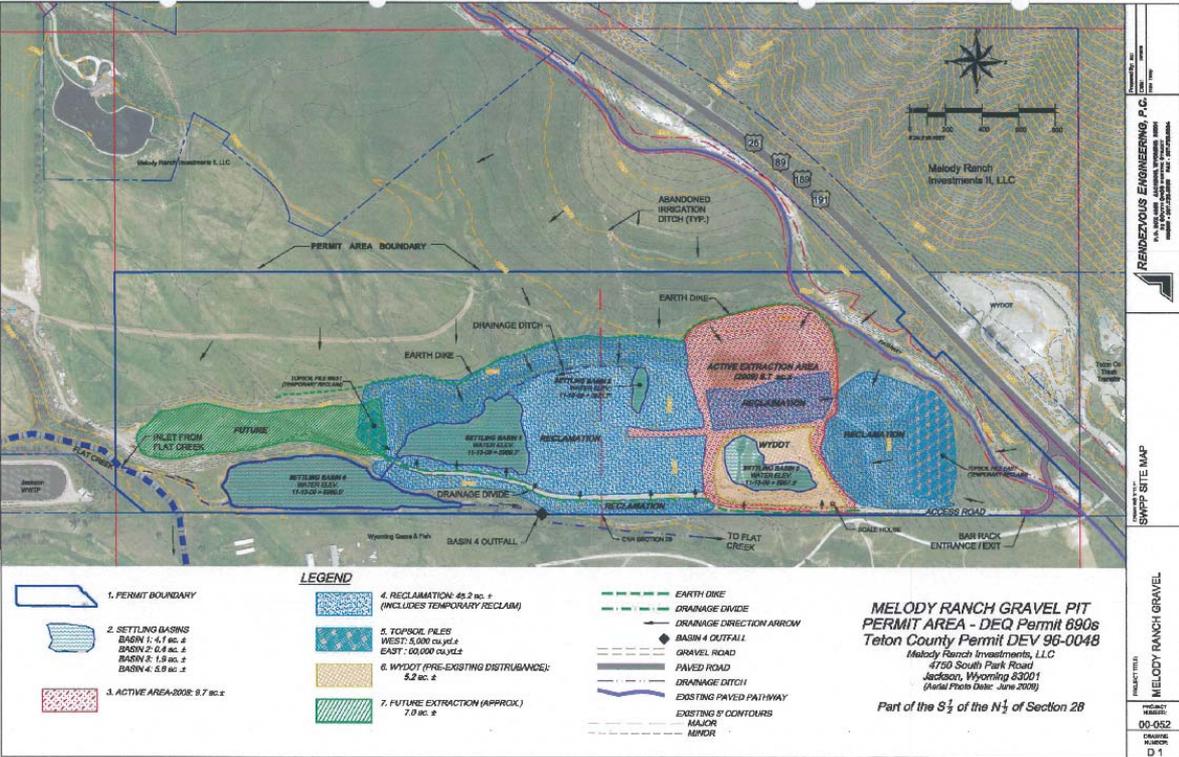
# Poor Housekeeping



# Site Map

- ▣ 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.

# Site Map



# Summary of Mineral Mining General Permit Main Requirements

- ▣ 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

# No Erosion Controls



# Inadequate Sediment Control



# Adjacent Property



Probability of legal  
action

# Contact Information

## PERMIT WRITERS

- ▣ Barb Sahl
- ▣ 307-777-7570
- ▣ [barb.sahl@wyo.gov](mailto:barb.sahl@wyo.gov)
  
- ▣ John Gorman
- ▣ 307-777-5622
- ▣ [john.gorman@wyo.gov](mailto:john.gorman@wyo.gov)

## WYOMING INSPECTIONS

- ▣ Kathie Mulkey
- ▣ 307-352-2559
- ▣ [kathie.mulkey@wyo.gov](mailto:kathie.mulkey@wyo.gov)
  
- ▣ Brad Kniss
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# Questions?

