

Water Quality Regulation for the Aggregate Industry: Water Pollution Control Facility Permit (WPCF-1000 General Permit) Overview

**February 2018 OCAPA Water Quality
Permit Training**

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WPCF-1000 Permit – What is it?

- The WPCF permit is a state issued water quality permit authorized under ORS Chapter 468B for the discharge of wastewater to the ground; discharge to surface water is not allowed.
- It's a permit to construct and operate a disposal system with no discharge to [navigable] waters.
- Permit expired in 2017 – updates pending

Primary Sources of Authority

- **ORS 468B.050**
- **OAR Chapter 340 – Division 45**
- **The state has authority to protect quality of “waters of the state” – waters here is more extensive than in other federal concepts**
- **Waters includes all except “those private waters that do not combine or effect a junction with natural surface or underground waters.**

Sources covered under WPCF-1000

- Sand, gravel and other non-metallic mineral quarrying and mining that disposes of all process wastewater and storm water by recirculation, evaporation, and/or controlled seepage with no discharge to surface waters.
- Asphalt batch plants, concrete batch plants, and other related activities located on site are covered.

What WPCF-1000 Permit Authorizes

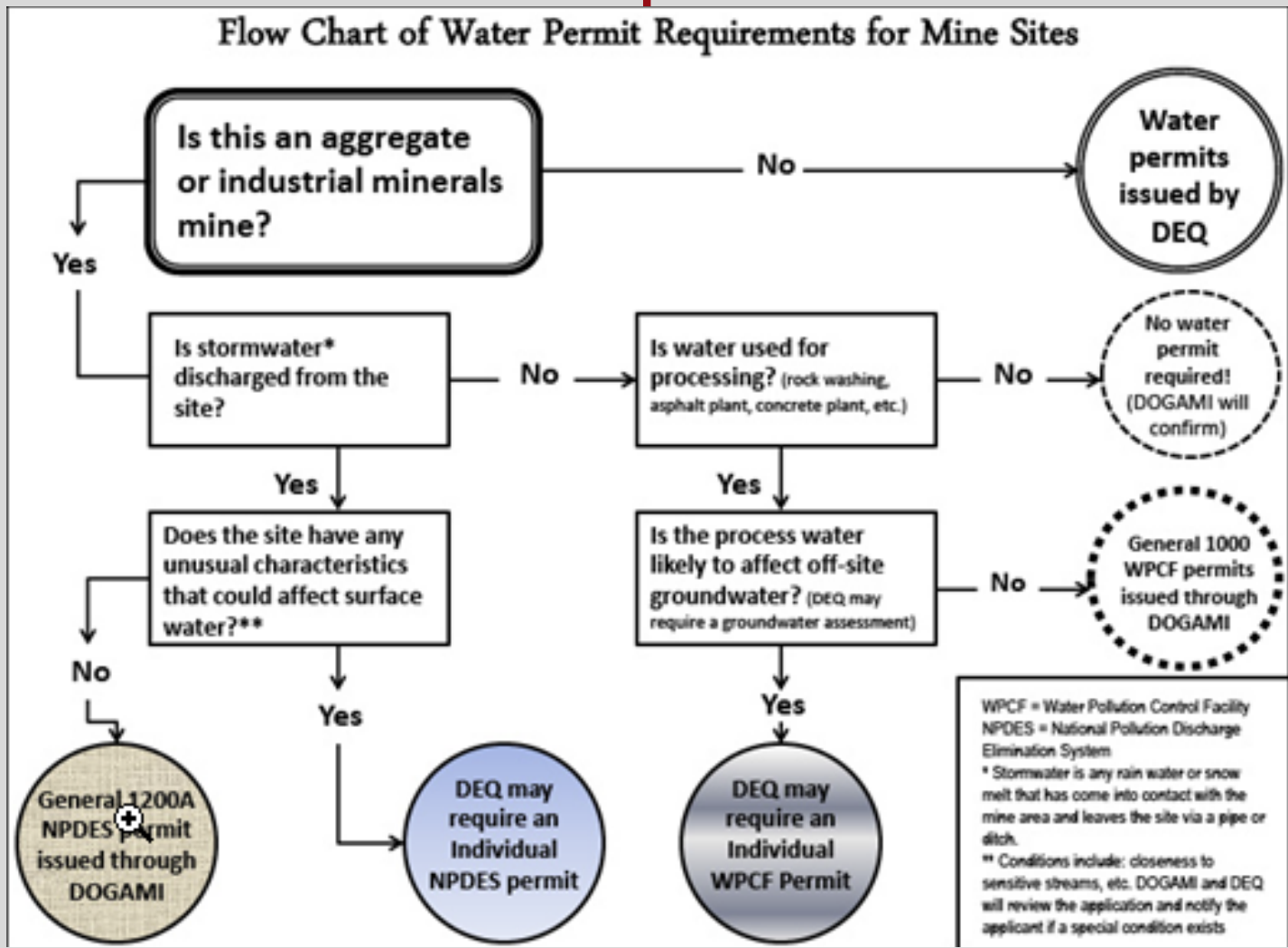
- **Process wastewater and waste solids derived from aggregate washing activities;**
- **Wastewater and waste solids derived from air scrubber equipment;**
- **Concrete mixer washout wastewater and waste solids;**
- **Excavation dewatering wastewater that has come into contact with process or other wastewater;**
- **Vehicle and wheel wash water; and**
- **Storm water**
- **No discharges to surface waters – control by settling, recirculation, seepage, irrigation, or use for dust control**

WPCF Additional Limitations

- No adverse impact to groundwater quality.
- Concrete mixer washout wastewater controlled in a pond or other containment with pH between 6 and 9 standard units (SU).
- Petroleum-based products, coagulants, flocculants, solvents, and acids - 0 discharge, disposal, or likely be carried into the waters of the state by any means.
- Pond spoils and other waste solids used or disposed to prevent their entry into the waters of the state and not create health hazards or nuisance conditions.
- Pond minimum freeboard of one (1) foot.
- If adjacent to streams, mining activities and wastewater seepage controlled so that no visible turbidity increase occurs within the stream.
- Track-out of any surface water mixed with dirt and other materials off-site is prohibited.
- Facilities that wash eight or more vehicles or pieces of equipment per week or wash engines, transmissions or undercarriages must do so on a wash pad with a wastewater collection system.

Parameters	Limitations (Daily Maximum)
Oil & Grease	15 mg/l
pH	Shall be within 6.0 - 9.0 range

DOGAMI Permit Requirement Flowchart



WPCF Issuance and Performance Pt. 1

- **DOGAMI acts as agent for DEQ**
- **Application review and approval**
- **Basic Application Requirements:**
 - Application Fee payable to DOGAMI
 - Application (DEQ site)
 - Facility Plan
 - Site Map and Location Map
 - Land Use Compatibility Statement (LUCS)

WPCF Issuance and Performance Pt. 2

- Inspections
- Monitoring data review
- Storm water and waste water monitoring
- Potential off-site groundwater impacts could drive further assessments
- DOGAMI/DEQ could require individual permit
- If *process* water is going to be discharged off-site – you may need individual NPDES or WPCF permit

WPCF-1000 Monitoring Reqs

Parameter	Frequency	Type
Inspect dikes, containment system, and pond freeboard*	Daily when operating Monthly when not operating	Record
Inspect all adjacent streams for seepage	3/Week, at different times in the day, when operating	Record the time of inspection, hours of operation before inspection, and results
pH** (concrete mixer washout pond and vehicle wash water pond)	Weekly when used	Grab
Oil & Grease (vehicle wash water pond)	Monthly when used	Grab

Hydrologic Connection Problem

- On 2/12/18, EPA requested comments on the Agency's previous statements interpreting the Clean Water Act (CWA) that discharges of pollutants from point sources to jurisdictional surface waters that occur via groundwater or other subsurface flow that has a direct hydrologic connection to the surface water are subject to CWA regulation.
- 9th Circuit recently held that a point source discharge to groundwater (>de minimus) that is fairly traceable from the point source to waters of US is regulated under CWA. *Hawaii Wildlife Fund v. Cty of Maui*, 15-17447, Slip Op. at 19 (9th Cir., Feb 1, 2018) (2018 US App LEXIS 2582).

Resources

- <http://www.oregongeology.org/mlrr/waterquality.htm>
- <http://www.oregon.gov/deq/FilterPermitsDocs/wpcfappl.pdf>
- <http://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Industrial.aspx>

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