

**FACT SHEET**  
**STATE OF WYOMING**  
**MINERAL MINING GENERAL PERMIT**  
**FOR**  
**STORM WATER DISCHARGES**  
**ASSOCIATED WITH MINERAL MINING ACTIVITIES (EXCEPT FUELS)**  
(Permit WYR32-0000)  
Renewal

Introduction

This general permit will replace the current permit which was issued in 2002 and will expire August 31, 2007. This permit regulates storm water discharges and related effluents associated with activities related to mineral mining and quarrying except fuel production.

Background

Congress amended the CWA in 1987 to establish a comprehensive framework for addressing storm water discharges under the National Pollutant Discharge Elimination System (NPDES) program. On November 16, 1990, the Environmental Protection Agency (EPA) published "Phase 1" regulations requiring all storm water discharges associated with industrial facilities, including ten categories of industrial activity, to obtain NPDES permits. In Wyoming the program is known as the Wyoming Pollutant Discharge Elimination System or WYPDES. Wyoming storm water regulations are found in the Wyoming Water Quality Rules and Regulations, Chapter 2. WYPDES storm water permits require the operator to minimize or eliminate pollutants, including sediment, in storm water runoff from the permitted facility.

General Permits

A "tool" which can be used to issue a large number of permits with a relatively small administrative burden, is the "general permit." Under the general permitting approach, a single generic permit is issued to cover a large number of similar discharges within a geographic area. Since 1992 the DEQ has authorized more than 500 mineral mining projects to discharge storm water under general permits. At this time, there are nearly 450 active large construction sites covered under the current permit.

## Discharges Covered

DEQ will be issuing this new general permit to dischargers of storm water associated with mineral mining activities except fuel. Specifically, this permit will cover any facilities that fall under the Standard Industrial Classification (SIC) Major Group of 14. Some ancillary activities such as asphalt and concrete batch plants may also be covered under this permit. See Section 1.2 of the general permit for complete information. *Discharges of **process** water from asphalt and concrete batch plants and sand and gravel operations **cannot** be authorized by this permit. Non-storm water discharges require coverage under another WYPDES permit.*

## Obtaining Coverage

Under the permit, operators who are required to obtain a WYPDES permit to discharge storm water must prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit a Notice of Intent (NOI) to the DEQ 30 days before beginning construction activities. The SWPPP describes potential pollution sources and the best management practices (BMPs) which will be used to prevent storm water contamination. The NOI describes the industrial activity project and route(s) that storm water may take from the industrial site to waters of the state. DEQ reviews this information to determine if the operator may discharge storm water under the general permit, or if an individual WYPDES permit is required. This proposed general permit will expire March 31, 2012.

Those facilities that may discharge storm water to class 1 waters must submit their SWPPP with their NOI to the Department of Environmental Quality for review. A pre-authorization site visit may be required prior to covering the project.

## Permit Requirements

Operators covered under this permit ensure, through implementation of the facility storm water pollution prevention plan (SWPPP), that storm water discharges from their facility do not cause a violation of state surface water quality standards as defined in Chapter 1 of the Wyoming Water Quality Rules and Regulations. Furthermore, storm water discharges shall not cause pollution, contamination or degradation to waters of the state.

Operators are required to periodically inspect the BMPs they use to minimize offsite transport of pollutants. The results of inspections must be documented and, if necessary, changes made to site BMPs to address deficiencies in pollutant removal.

Coverage must be continued by the operator until the site is "finally stabilized" and a Notice of Termination (NOT) is submitted to DEQ. The NOT must be accompanied by documentation showing a bond release from the Wyoming Department of Environmental Quality (DEQ) Land Quality Division (LQD) or documentation showing that a uniform perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established.

### Notable Changes from the Previous Permit

- The permittee must now submit the storm water pollution prevention plan (SWPPP) with the notice of intent (NOI) for any mineral mining activity comprising 50 or more acres.

### Effluent Limits

The permit does not establish numeric effluent limits. However, the permit does require that the quality of storm water discharges associated with mineral mining activity reflect the best which is attainable through the proper implementation of all items in the facility SWPPP. Additionally, the control measures specified in the SWPPP shall ensure that storm water discharges from the facility do not cause a violation of state water quality standards as defined in Chapter 1 of the Wyoming Water Quality Rules and Regulations.

### Location of Covered Discharges

The permit covers all areas within the State of Wyoming except areas within the Wind River Indian Reservation where the State does not have jurisdiction.

### Fees

All operators are assessed an annual \$100 permit fee for as long as their coverage is active under the general permit. The fee is based on the state's fiscal year which runs from January 1 to December 31. Operators who are authorized under this permit for any part of a fiscal year will be assessed the full \$100 fee.

### Expiration

The proposed general permit will expire March 31, 2012.

John Gorman  
June 19, 2007