

INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Permit no. Durant-01-11-01-17

Modification dated 4/8/2021

Facility name: **Commercial Metals Company (CMC)**

Location Address: **2353 E. Main St**

Mailing Address: **Durant, OK 74701**

Telephone: **(580) 634-5048**

The purpose of this modification is to comply with an ODEQ Pretreatment Compliance Inspection conducted at the City of Durant Pretreatment Coordinator's office on July 13, 2020 and their findings in a letter dated December 22, 2020, which specifically requires the City to include in its permits issued to industries to include a Slug Load Notification Requirement. Therefore, in following with the City of Durant SOP#028.06, for "good cause", the City implements the following addition to the permit referenced above.

After receiving state approval for SOP#028.04, revised 3/18/21, the City now provides the following additions to the permit, under "Reporting Requirements"

1. CMC is required to complete a Slug Control Plan. This shall be submitted to the PT coordinator's office to be included with the permit on file.
2. CMC will also be required, in the event of a slug discharge, to provide an immediate response to the CA, as well as prepare a slug load notification to be submitted to the POTW and placed on file at the PT coordinator's office. This notification shall describe the nature and concentration of the slug, as well as the amount of the slug in gallons (approximately), and shall be submitted within 5 days of the slug discharge to the POTW.

This will go in effect immediately to be added to existing permit requirements due to expire August 30, 2022.

By: George McAusland

George McAusland, Pretreatment Coordinator

By: James Dalton

James Dalton, Assistant City Manager

Issued this 8 day of April, 2021

July 14, 2017

Mr. Alan Jackson, Director of Operations
CMC Inc.
Durant, OK 74701

Re: Wastewater Discharge Permit

Dear Mr. Jackson,

Please find enclosed the industrial user wastewater discharge permit that the City of Durant has developed for the Commercial Metals Company. This permit will be in effect from September 1, 2017 through August 31, 2022 unless it needs to be modified to accommodate for new rules, regulations, or limits.

If you have any questions or would like to discuss any aspect of this permit, please contact the Pretreatment Department at (580) 924-3416.

Sincerely,

Jason Ervin
Interim Industrial Pretreatment Coordinator
City of Durant

INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Permit No. Durant – 01-11-01-17

Facility Name: **Commercial Metals Company (CMC).**
Location Address: **584 Old Hwy 70**
Mailing Address: **Durant, OK 74701**
Telephone: **(580) 634-5040**

Commercial Metals Company is hereby authorized to discharge industrial wastewater from the above-identified facility and through the outfalls identified herein into the City of Durant sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligations to comply with any or all applicable pretreatment regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit constitutes a violation of the City of Durant Industrial Pretreatment Waste Ordinance Number 1590.

This permit shall become effective on September 1, 2017, and shall expire at midnight on August 31, 2022.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in a minimum of 180 days prior to the expiration date.

By: _____
Jason Ervin, Interim Industrial Pretreatment Coordinator

By: _____
Tim Rundel, City Manager

Issued this ____ day of _____, 2017.

PART 1 - EFFLUENT LIMITATIONS

- A. During the period of September 1, 2017 through August 31, 2022, the permittee is authorized to discharge process and sanitary wastewater to the City of Durant sewer system from the outfalls listed below.

| <u>Outfall</u> | <u>Description</u> |
|----------------|--|
| 001 | Outfall 001 shall be a 8" line Located 20 yards East North East of the slag building within the manhole. |

- B. During the period of September 1, 2017 through August 31, 2022 the discharge from Outfall 001 shall, at all times, be in compliance with the City of Durant local discharge limitations and limitations set forth in this permit.

DISCHARGE LIMITATIONS

| | MASS/OTHER UNITS Lb/Day |
|----------------|---|
| Parameters | INSTANTANEOUS MAXIMUM ALLOWABLE DISCHARGE LIMITS |
| Cadmium | 0.008 |
| Chromium | 0.502 |
| Copper | 0.416 |
| Lead | 0.115 |
| Nickel | 0.331 |
| Zinc | 0.641 |
| Silver | 0.192 |
| Mercury | 0.0003 |
| Arsenic | 0.0299 |
| Selenium | 0.0112 |
| Antimony | 6.38 |
| Cyanide | 1.40 |
| Molybdenum | 0.4357 |
| Oil and Grease | 213.5 |
| BOD | 240.3 |
| TSS | 213.6 |
| Temperature | 110 degrees F |
| pH | Between 6.0 s.u. and 10.0 s.u. |

NOTE: See fact sheet for explanation of limits. CMC is subject surcharges listed in Ordinance 1590 for O&G, BOD, and TSS.

PART 2 - MONITORING REQUIREMENTS

- A. It will be the responsibility of CMC to maintain the sampling port.
- B. If, based upon information available there is reason to suspect the presence of any toxic or hazardous pollutant listed in Table II, III, or V, or any other pollutant, known or suspected to adversely affect the city of Durant Wastewater Treatment Plant monitoring for those pollutants shall be added.
- C. From the period beginning on the effective date of the permit until August 31, 2022, the permittee shall monitor outfall 001 for the following parameters, at the indicated frequency:

MONITORING REQUIREMENTS

| Parameter | Monitoring Frequency | Type |
|------------------|-----------------------------|-----------------|
| BOD5 | Monthly | 24-hr Composite |
| Oil and Grease | Monthly | Grab |
| TSS | Monthly | 24-hr Composite |
| PH | Monthly | Grab |
| Cadmium | Monthly | 24-hr Composite |
| Chromium | Monthly | 24-hr Composite |
| Copper | Monthly | 24-hr Composite |
| Lead | Monthly | 24-hr Composite |
| Nickel | Monthly | 24-hr Composite |
| Zinc | Monthly | 24-hr Composite |
| Silver | Monthly | 24-hr Composite |
| Mercury | Monthly | 24-hr Composite |
| Arsenic | Monthly | 24-hr Composite |
| Selenium | Monthly | 24-hr Composite |
| Antimony | Monthly | 24-hr Composite |
| Cyanide | Monthly | Grab |
| Molybdenum | Monthly | 24-hr Composite |
| Temperature | Monthly | 24-hr Composite |

- A. Permit requirements are based on the General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR Part 403), Metal Finishing Point Source Category (40 CFR Part 420 D,F,G), and the City of Durant Industrial Pretreatment Waste Ordinance Number 1590.

- B. Plant currently has a flow meter located the sampling location 001. The meter shall be calibrated once per year by a certified technician. Certification statement that the meter has been calibrated shall be sent to the City of Durant Pretreatment Department by the 15th of the month following calibration.

PART 3 - REPORTING REQUIREMENTS

- A. Monitoring Reports

Monitoring results shall be reported each month that the industry discharges. The reports are due by the Thirtieth (30th) day of the following month in which the samples were collected. The first report is due by October 30th, 2017. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the calendar month preceding the submission of each report including measured maximum and average daily flow.

Reports are required every month without regard to actual discharge activities. The City of Durant IDP Self-Monitoring report shall be used to report all data.

Reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, email, postage prepaid, into a mail facility serviced by the U.S. Postal Service, the date of receipt of the report shall govern.

- B. Reporting Address

All reports required by this permit shall be submitted to the following address or Email:

Attn: Jason Ervin
City of Durant
Interim Industrial Pretreatment Coordinator
1222 Davis Rd,
Durant, Oklahoma 74701
Email: ccarl@durant.org

- C. If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the EPA or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in

the monthly report submitted to the City of Durant. Such increased monitoring frequency shall also be indicated in the monthly report.

D. Automatic Resampling

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must:

1. Inform the City of Durant of the violation within 24 hours of becoming aware of the violation; and
2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of becoming aware of the first violation.

E. Reports of Potential Problems

1. In the case of any discharge including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug discharge which may cause potential problems for the POTW (including a violation of the prohibited discharge standards), the permittee shall immediately notify the City of Durant of the incident. During normal business hours the City of Durant should be notified by telephone at (580) 924-3416. The City of Durant Police Department should be notified by telephone at (580) 924 – 3737 or by pager at (580) 920 – 3019 after 3:30 pm. Monday through Friday or weekends and holidays. The notification shall include the location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken. The permittee's notification of accidental release in accordance with this section does not relieve the permittee of other reporting requirements that arise under local, State, or Federal laws. Within five days following an accidental discharge, the permittee shall submit to the City of Durant a detailed written report. This report shall specify:
 - a. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include location of discharge, type, correction and volume of waste.
 - b. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.

F. Signature Requirements

1. All reports submitted by the Industrial User shall be signed by an official of the Industry, which has the authority to do so and include a certification statement as follows:

“ I certify under penalty of law that this document and attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

PART 4 - STANDARD CONDITIONS

Section A. GENERAL CONDITIONS

1. Severability

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for enforcement proceedings including civil litigation, criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize any adverse impact to the Publicly Owned Treatment Works resulting from noncompliance with any effluent limitation specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

This permit may be modified for good cause including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;

- b. To address significant alterations or additions to the permittee's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- d. Information indicating that the permitted discharge poses a threat to the City of Durant collection and treatment system, POTW personnel or the receiving waters;
- e. Violation of any terms or conditions of the permit;
- f. Misrepresentation or failure to fully disclose all relevant facts in the permit application or in any required reporting;
- g. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- h. To correct typographical or other errors in the permit; or
- i. To reflect transfer of the facility ownership and/or operation to a new owner/operator;

5. Permit Revocation

This permit may be revoked for the following reasons:

- a. Failure of the permittee to notify of significant changes to the wastewater prior to the changed discharge;
- b. Failure of the permittee to provide prior notification of changed conditions;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- d. Falsifying self-monitoring reports;
- e. Tampering with monitoring equipment;
- f. Refusing to allow timely access to the facility premises and records;
- g. Failure to meet effluent limitations;

- h. Failure to pay fines;
- i. Failure to pay sewer charges;
- j. Failure to meet compliance schedules;
- k. Failure to complete a wastewater survey or the wastewater discharge permit application;
- l. Failure to provide the advanced notice of the transfer of a permitted facility;
- m. Violation of any pretreatment standard or requirement, or any terms of the permit or the City of Durant Industrial Pretreatment Waste Ordinance #1590.

6. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or Local laws or regulations.

7. Permit Transfer

This permit may be reassigned or transferred to a new owner and/or operator only if the permittee gives at least ninety (90) days advance notice to the City of Durant Pretreatment Coordinator, and the Pretreatment Coordinator approves the permit transfer. The notice to the Pretreatment Coordinator must include a written certification by the new owner and/or operator which:

- a. States that the new owner/operator has no immediate intent to change the facility's operations and processes;
- b. Identifies the specific date on which the transfer is to occur; and
- c. Acknowledges full responsibility for complying with this permit.

8. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

9. Definitions

- a. Daily Maximum - The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- b. Composite Sample - A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each sample aliquot as the flow increases while maintaining a constant time interval between the aliquots.
- c. Grab Sample - A sample that is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and without consideration of time.
- d. Instantaneous Maximum Concentration - The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- e. Monthly Average - The arithmetic mean of values for effluent samples collected during a calendar month or specified 30-day period (as opposed to a rolling 30-day window).
- f. Upset - Means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.
- g. Bypass - Means the intentional diversion of wastes from any portion of a treatment facility.

10. General Prohibitive Standard

The permittee shall comply with all the general prohibitive discharge standards in the City of Durant Industrial Pretreatment Waste Ordinance. Namely, the industrial user shall not discharge the following substances to the POTW:

- a. Pollutants which create a fire or explosive hazard in the municipal wastewater collection and POTW, including, but not limited to wastestreams with a closed-cup flash point of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
- b. Any wastewater having a pH less than 6.0 or more than 10.0, or otherwise causing corrosive structural damage to the POTW or equipment, or endangering City personnel;
- c. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference, but in no case solids greater than one quarter of an inch (0.25) inch or (0.635 centimeters) in any dimension;
- d. Any wastewater containing pollutants, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with either the POTW; or any wastewater treatment or sludge process, or which will constitute a hazard to humans or animals;
- e. Any wastewater having a temperature greater than 110 degrees F (43.3 degrees C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
- f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
- g. Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- h. Any trucked or hauled pollutants except at discharge points designated by the Pretreatment Coordinator in accordance with the City of Durant Industrial Pretreatment Waste Ordinance.
- i. Any noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance, a hazard to life, or to prevent entry into the sewers for maintenance and repair;

- j. Any wastewater, which imparts color, which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent thereby violating the City of Durant OPDES permit.
 - k. Any wastewater containing any radioactive wastes or isotopes except as specifically approved by the pretreatment coordinator in compliance with applicable State or Federal regulations;
 - l. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, unless specifically authorized by the pretreatment coordinator;
 - m. Any sludges, screenings, or other residues from the pretreatment of industrial wastes;
 - n. Any medical wastes, except as specifically authorized by the pretreatment coordinator in a wastewater discharge permit;
 - o. Any wastewater causing the treatment plant's effluent to fail a toxicity test; and/or
 - p. Any wastes containing detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW.
11. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all local, State and Federal pretreatment standards and requirements including any such standards or requirements that may become effective during the term of this permit.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain

compliance with this permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

- a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage and no feasible alternative exists.
- b. The permittee may allow a bypass to occur which does not exceed effluent limitations, but only if it is also for essential maintenance to assure efficient operation and the permittee shall notify the City of Durant Pretreatment Department of such Bypasses.
- c. Notification of bypass:
 - i. Anticipated bypass. If the permittee knows in advance of the need for bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the City of Durant Pretreatment Department.
 - ii. Unanticipated bypass. The permittee shall notify the City of Durant and submit a written notice to the pretreatment coordinator within five (5) days. This report shall specify:
 - A. A description of the bypass, and its cause, including its duration;
 - B. Whether the bypass has been corrected; and
 - C. The steps being taken to reduce eliminate and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act, or any other State or local regulations.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required by this permit shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit, unless otherwise specified, before the effluent joins or is diluted by any other wastestreams, body of water or substance. All equipment used for sampling and analysis must be calibrated every 6 months minimum, inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification and the approval of the City of Durant.

2. Flow Measurement

If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit. All samples analyzed shall be done by a laboratory approved by the City of Durant.

4. Inspection and Entry

The permittee shall allow the City of Durant Pretreatment Department or authorized representative, or an authorized representative of the Environmental Protection Agency (EPA) or the State of Oklahoma, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
- d. Sample or monitor, for the purpose of assuring permit compliance, any substances or parameters at any location; and
- e. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under this permit, could originate, be stored, or be discharged to the sewer system.

5. Retention of Records

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application.

This period may be extended by request of the City of Durant at any time.

- b. All records that pertain to matters that are the subject of special orders or any enforcement or litigation activities brought by the City of Durant shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitations with respect to any and all appeals have expired.

6. Record Contents

Records of sampling and analyses shall include:

- a. The date, exact place, time, and method of sampling or measurements, and sample preservation techniques or procedures;
- b. Who performed the sampling and measurements;
- c. The dates the analyses were performed;
- d. Who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses

7. Falsifying Information

Knowingly making any false statements on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions.

SECTION D. ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The permittee is required to notify the City of Durant of any planned significant changes to the permittee's operations or system, which might alter the nature, quality, or volume of its wastewater at least 30 days before the change.

2. Anticipated Noncompliance

The permittee shall give advanced notice to the City of Durant of any planned changes in the permitted facility of activity, which may result in noncompliance with permit requirements.

3. Duty to Provide Information

The permittee shall furnish to the City of Durant, within ten (10) working days any information which the City of Durant may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with permit. The permittee shall also, upon request, furnish to the City of Durant within five (5) days copies of any records required to be kept by this permit.

4. Signatory Requirements

All applications, self-monitoring reports, or information submitted to the City of Durant must contain the following certification statement and be signed by an authorized representative of the permittee:

“ I certify under penalty of law that this document and attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

5. Operating Upsets

Any permittee that experiences an upset in operation that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with the City of Durant Industrial Pretreatment Waste Ordinance shall inform the City of Durant Pretreatment Department immediately of becoming aware of the upset at (580) 924-3416 between 7:00 a.m. and 3:30 p.m. Monday through Friday. The City shall be notified at (580) 924 – 3737 or pager (580) 920 – 3019 after 3:30 p.m. Monday through Friday or weekends and holidays.

A written follow-up report of the upset shall be filed by the permittee with the City of Durant Pretreatment Department within five days. The report shall specify:

- a. Description of upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b. Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset.

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under the City of Durant Industrial Pretreatment Waste Ordinance or State or Federal laws or regulations.

7. Penalties for Violations of Permit Conditions

Any violation of this permit or the City of Durant Industrial Pretreatment Waste Ordinance is punishable by a fine of not more than one thousand (\$1000) dollars per violation per day. Each violation will be evaluated by the Enforcement Response Plan set forth in the City of Durant Pretreatment Program. These penalties shall be in addition to any other cause of action for personal injury or property damage available under State law.

Part 5 – REOPEN CLAUSE

1. This permit may be reopened and modified to incorporate any new or revised requirements contained in a National Categorical Pretreatment Standard.
2. This permit may be reopened and modified to incorporate any new or revised requirement resulting from the Pretreatment Department reevaluation of any local limits established for this permit.
3. This permit may be reopened for modification to incorporate any new or revised requirement developed by the Pretreatment Department as necessary to ensure POTW compliance with applicable sludge management requirements promulgated by EPA (40 CFR 503).

Applicant Activity

The Commercial Metals Company is located at 584 Old Hwy 70 Durant, OK .The company process is as follows:

1. Scrap metal from outside suppliers are received in "pre-processed" form suitable for direct use in the steel making process.
2. Scrap metal will be placed in the electric arc furnace (EAF) for melting.
3. After steel melting the contents are poured ("tapped") into a refractory-lined vessel known as a ladle, which will transport the molten steel to the ladle metallurgy station(LMS) for further refining.
4. When molten steel reaches desired properties in the LMS, the molten steel will be transported by overhead crane to the continuous casting machine located in the Caster room.
5. The molten steel will flow into a refractory-lined surge chamber called a tundish.
6. Fromm the tundish, the molten steel will flow into the lubricated molds. As the steel travels through the molds, it will be cooled and formed into a square cross-section ("billet") shape. as steel exits the molds, it will further be cooled in a water spray chamber stack.
7. After casting, the steel billets will be straightened and cooled gradually.
8. The rolled steel is then cooled on a natural convection cooling bed, bundled and stored for shipping off-site.

Recycling Activity

1. Slag is formed as flux materials and will be processed into aggregate form for road base material and other aggregate uses.

Industrial Pretreatment Activity

Fact Sheet

1. Information Sources

- OPDES user Permit No. OKP0039063
- Clean Water Act (Sections 301 and 402(a))
- 40 CFR 403, 420 subpart D,F,G , and 433subpart A.
- City of Durant Ordinance Number 1590 (City of Durant Industrial Pretreatment Waste Ordinance)
- Wastewater Industrial Application received from the Commercial Metals Company on April 7, 2017.
- History of wastewater sampling gathered by Commercial Metals Company (Texas Industry).

2. Effluent Limitations Rationale

Permit requirements are based on the General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR Part 403), Metal Finishing Point Source Category (40 CFR Part 420), and City of Durant Industrial Pretreatment Waste Ordinance Number 1590. The categorical limits are production-based and the 1590 Ordinance limits are expressed in concentration-based limits. The following shows the calculations and comparison of limits:

Gallons of processed wastewater discharged:

106,560 gpd
.106560 mgd

Amount of pounds of steel manufactured:

2400 tons/day
4,800,000 lbs./day

Number of days of production:

365

Pretreatment Standards (PSNS) 420.46(c)

| Maximum lbs/day per 1000 lbs of product | | 30 day average in lbs/day per 1000 lbs of product | |
|---|----------|---|-----------|
| Lead | 0.000413 | Lead | 0.0000138 |
| Zinc | 0.000620 | Zinc | 0.0000207 |

Maximum limit in lbs for lead and zinc calculation

Lead - max/day in lbs. = 4800x 0.000413 = 1.9824

Lead – monthly average in lbs. = 4800 x 0.0000138 = .06624

Zinc – max/day in lbs. = 4800 x 0.000620 = 2.976

Zinc – monthly average in lbs. = 4800 x 0.0000207 = 0.099936

Pretreatment Standards (PSNS) 420.46(c) Converted to mg/l

Lead – max/day in mg/L = $\frac{1.9824}{(8.34)(0.106560)} = \frac{1.9824}{0.8888} = 2.23$ mg/L

Lead – 30 day average in mg/L = $\frac{0.06624}{(8.34)(0.106560)} = \frac{0.06624}{0.8888} = 0.07453$ mg/L

Zinc – max/day in mg/L = $\frac{2.976}{(8.34)(0.106560)} = \frac{2.976}{0.8888} = 3.35$ mg/L

Zinc – 30 day average = $\frac{.099936}{(8.34)(0.106560)} = \frac{.099936}{0.8888} = 1.1244$ mg/L

| Maximum/day in mg/L | | 30 day average in mg/L | |
|---------------------|------|------------------------|---------|
| Lead | 2.23 | Lead | 0.07453 |
| Zinc | 3.35 | Zinc | 1.1244 |

City of Durant Pretreatment Ordinance Number 1590

| Parameter | Maximum Concentration in mg/l (unless otherwise specified) |
|-------------|--|
| Lead | 0.108 |
| Zink | 0.6 |
| pH | Between 6.0 s.u. and 10.0 s.u. |
| Temperature | 110 degrees F |

Note: The maximum concentration for Lead and Zink in Ordinance Number 1590 is more stringent than Pretreatment Standards 420.46(c) so it will be used for maximum concentration. pH and Temperature are also used from Ordinance Number 1590. All other limits are derived from Ordinance Number 1590 because they are more stringent than from Pretreatment Standards.