

FACT SHEET FOR GENERAL PERMIT NUMBER 0000-WG-CS

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1. Background

1.1. General Permit Coverage

Pursuant to the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-203), the Division of Environmental Quality (DEQ) has the power to issue permits “to prevent, control, or abate pollution.” Therefore, any waste disposal system that does not discharge directly into waters of the State must be operated under the terms and conditions of a State Water Permit. Initially, DEQ satisfied the permitting requirements by issuing individual permits to construct and operate a septic tank and subsurface fluid distribution system for wastewater generated at a car wash facility. Given the number of similar facilities requiring No-Discharge permit coverage, DEQ believe that it will be more efficient to expand the use of this general permit, rather than issuing individual permits to each additional facility type now covered by this general permit.

The expanded list of facility types eligible for coverage continues to include carwashes and now also includes animal care facilities, slaughterhouses, and laundromats. All terms of this permit will apply to these applicants. Facilities shall have received Department of Health approval, as necessary, before applying for coverage under this general permit.

The violation of any condition of a general permit constitutes a violation of Ark. Code Ann. § 8-4-217 and may subject the operator to penalties and revocation of coverage under the general permit. Operators that are considered qualified for coverage under this general permit must submit a written Notice of Intent (NOI) to the Director for coverage under the general permit.

1.2. Permit History

The carwash general permit was issued on June 21, 2002, with an effective date of July 1, 2002, and an expiration date of June 30, 2007. The carwash general permit has been renewed three times. The first renewal was issued on October 31, 2007, with an effective date of November 1, 2007, and an expiration date of October 31, 2012. The second renewal was issued on October 31, 2012, with an effective date of November 1, 2012, and an expiration date of October 31, 2017. The third renewal was issued on May 25, 2017, with an effective date of November 1, 2017, and an expiration date of October 31, 2022.

This general permit replaces the carwash general permit and expands coverage to additional types of facilities. It is proposed that the general permit be issued for a 5-year term from the effective date of the existing carwash general permit.

2. Permit Conditions and Basis

DEQ has made a determination to issue a general permit for construction and disposal of generated wastewater through a septic tank and subsurface fluid distribution system. Permit requirements and conditions are based on the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. 8-4-101 *et seq.*, and Ark. Code Ann. § 8-4-201 *et seq.*), Title 40 of the Codes of Federal Regulations (Parts 122, 141, 144, and 146), and regulations promulgated thereto and Arkansas Pollution Control and Ecology Commission (APC&EC) Rule No. 17, Arkansas Underground Injection Control (UIC) Code.

Specific permit conditions and limits rationalization and sources are listed as follows:

Part 1: Coverage Under This Permit

Eligibility and Authorization

All existing or proposed facilities that meet the eligibility requirements may apply for coverage under the general permit provided they dispose of the wastewater through subsurface fluid distribution systems. DEQ reserves the right of providing coverage under the general permit. The operator has the option of obtaining, or retaining, an individual permit if this is the operator's preferred alternative.

Notification Requirements

Operators of facilities eligible for coverage under this general permit must submit a Notice of Intent (NOI) and other required documentation under Part 1.4 in order to operate under this general permit. This is the minimum information that DEQ needs to evaluate the subsurface distribution system.

Operators covered under the previous general permit for carwashes will be sent a Recertification NOI containing the most recent information available to DEQ. If the operator wishes to continue coverage under the general permit, the operator should review the information contained on the Recertification NOI to ensure all fields are complete and accurate and make any changes as necessary. Once the Recertification NOI is updated, the permittee should sign, date, and return the NOI to DEQ.

Termination of Coverage

Operators covered under this general permit that want to terminate coverage under this general permit must submit a Notice of Termination (NOT) and other required documentation under Part 1.5 in order to cease coverage under this permit. This information provides DEQ with proper notification that the Operator no longer chooses to operate under the general permit and demonstrates that the system has been properly closed. Procedures for closure of the wastewater treatment system have been adapted from the Department of Health Rules and Regulations Pertaining to Onsite Wastewater Systems.

Where to Submit

Operators are required to submit information electronically through ePortal to obtain permit coverage or terminate permit coverage. Waivers may be obtained by operators in accordance with Part 1.8.

Part 2: Effluent Limitations and Standards

All conditions are based on the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101, *et seq.*), Title 40 of the Code of Federal Regulations (C.F.R.), and APC&EC Rule No. 17. The conditions are to prevent pollutants from entering the waters of the State.

Part 3: Waste Management Plan (WMP) and Monitoring Requirements

Any information submitted in the approved WMP or the NOI is incorporated into the permit by reference. Therefore, this information contained within these documents becomes enforceable conditions. The WMP provides DEQ with the design, operation, and specifications of the septic tank(s) and subsurface fluid system. The WMP also provides information on how the system will be maintained and disposal methods for waste(s) generated as part of the operation. Therefore, the WMP should be prepared by someone who is knowledgeable of the system. To ensure that the system is properly designed, installed, and operated, DEQ requires that all new facilities must have WMPs prepared and certified by an Arkansas Licensed Professional Engineer or Department of Health Designated Representative. The requirements for designing the system are adapted from the Department of Health Rules and Regulations Pertaining to Onsite Wastewater Systems.

The monitoring requirements are in place to ensure that the septic tank(s) and subsurface fluid distribution system is properly operated and maintained.

Part 4: Record Keeping Requirements

The conditions are applicable to all no-discharge subsurface fluid distribution systems that have been included in this permit and are based on best engineering practices and judgment. The records are required to ensure the proper operation and maintenance of the septic tank(s) and subsurface fluid distribution system.

Parts 5-8: Standard Conditions, Operation and Maintenance of Pollution Controls, Monitoring and Records, and Reporting Requirements

The conditions have been included in this permit based on best engineering judgment and the authority of the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101, *et seq.*). The conditions were taken from 40 C.F.R. Part 122.41 for administrative purpose and for the operators understanding.

Part 9: Definitions

All definitions in Part 9 of the permit are self-explanatory.

3. Changes from the General Carwash Permit (0000-WG-CW)

Multiple conditions throughout the permit have been added or revised from the general carwash permit. Parts 1 through 4 have been revised substantially since additional types of facilities are eligible for coverage under this general permit. Conditions in Parts 5 through 9 have had minor revisions.

Other changes include the electronic submittal of documents to DEQ, revising references, and updating the agency name.

4. Sources

The following sources were used to draft the renewal permit

- 4.1.** Permit file for 0000-WG-CW
- 4.2.** Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et. seq.*)
- 4.3.** Arkansas Trade Secrets Act (Ark. Code Ann. § 4-75-601 *et. seq.*)
- 4.4.** APC&EC Rule No.8, Administrative Procedures, as amended
- 4.5.** APC&EC Rule No. 9, Fee Regulation, as amended
- 4.6.** APC&EC Rule No. 17, Arkansas Underground Injection Control Code, as amended
- 4.7.** 40 C.F.R. Parts 122, 141, 144, and 146
- 4.8.** Department of Health, Rules and Regulations to Onsite Wastewater Systems