

**FINAL FACT SHEET
AND SUPPLEMENTARY INFORMATION
FOR GENERAL PERMIT ARG750000**

For renewal of the General Permit for Car/Truck Wash Facilities located within the State of Arkansas, Permit Number ARG750000.

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1 Background

Under 40 C.F.R. § 122.28, general permits may be written to cover categories of point sources having common elements, such as facilities that involve the same or substantially similar types of operations, that discharge the same types of wastes, or that are more appropriately regulated by a general permit. Given the number of Car/Truck Wash Facilities requiring NPDES permit coverage, DEQ has elected to renew the ARG750000 General Permit for Car/Truck Wash Facilities located within the State of Arkansas.

The previous permit became effective on December 1, 2019, and will expire on November 30, 2024.

2 Significant Changes

2.1 Exclusions conditions (Part 1.3): minor changes were made to these conditions.

2.2 Request for Coverage

2.2.1 Notices of Intent (NOIs) and other required documents are now submitted by electronic application using DEQ ePortal (or any successor system). Paper applications are no longer accepted unless an electronic waiver has been granted.

- 2.2.2 The period for submitting NOI for existing discharges has changed from “by the effective date” of this permit to “upon issuance” of this general permit renewal “but no later than thirty (30) days” prior to the effective date of this general permit renewal.
- 2.2.3 The period for submitting NOI for new discharges with construction expected has been added.
- 2.3 Conditions for Waivers from Electronic Reporting have been added into Part 1.5.
- 2.4 The oil, grease, and petrochemical substances requirement has been added in Part 2.
- 2.5 Discharge Monitoring Reports (DMRs) are now submitted via NetDMR at no later than the 25th day of the month, following the end of the reporting period. Paper DMRs are no longer accepted unless an electronic waiver has been granted.
- 2.6 Some minor revisions to the standard conditions (Parts 4-7) have been performed.
- 2.7 Several definitions in Part 8 were updated for clarity, or for consistency with Section 502 of the Clean Water Act, 40 C.F.R. § 122.2, or APC&EC rules including:
 - 2.7.1 Act or CWA (CWA was moved into this definition);
 - 2.7.2 ADEQ (removed);
 - 2.7.3 DEQ or Division (replaces ADEQ and Department);
 - 2.7.4 COD (removed);
 - 2.7.5 Department (removed);
 - 2.7.6 Director (is now the Director of the Division);
 - 2.7.7 Direct Discharge (removed);
 - 2.7.8 Dissolved Oxygen (removed);
 - 2.7.9 Eligible (removed);
 - 2.7.10 Instantaneous Flow measurement (added);
 - 2.7.11 NOT (removed);
 - 2.7.12 Operator (removed);
 - 2.7.13 Quarterly (removed);
 - 2.7.14 Permittee (added);
 - 2.7.15 Pollutant(s) of Concern (added);
 - 2.7.16 Total Suspended Solids (TSS) (removed);
 - 2.7.17 Units of Measure (mg/l, GPD, and s.u. were moved into this definition);
 - 2.7.18 Visible Sheen (added); and
 - 2.7.19 Waters of the State (added).

3 Permit Coverage

This general permit authorizes facilities to discharge Car/Truck washwater to Waters of the State, except facilities that are excluded in Part 1.3 of the permit. If a treatment system is proposed, the treatment system shall be constructed in accordance with Part 1.4.4 of the permit.

3.1 Notice of Intent (NOI)

Dischargers seeking to be covered by the general permit must submit a written Notice of Intent that meets the criteria in 40 C.F.R. § 122.21. All deadlines for submission have been established to provide staff with sufficient time to review and process all requests for coverage.

In accordance with the NPDES Electronic Reporting Rule, DEQ is now requiring electronic submission of permitting documents for this general permit. Permittees who are unable to submit documents electronically must apply for a waiver, as detailed in 40 C.F.R. §127.15 and Part 1.5 of the permit.

3.2 Construction Requirements

Any construction proposed under this general permit will require submission of DEQ Form 1, plans & specifications and design calculations signed and stamped by a Professional Engineer (P.E.) licensed in the State of Arkansas, and the construction permit fee specified by Rule 9.402(A).

Authorization to construct a treatment facility does not provide coverage for stormwater discharges related to construction activities subject to the requirements in 40 C.F.R. § 122.26. These activities must also meet the construction stormwater requirements referenced in Part 1.4.4.3 of the permit.

3.3 Water Quality Requirements

In accordance with 40 C.F.R. § 122.44(d) the permit is required to include any requirements necessary to achieve State Water Quality Standards as established under Section 303 of the Clean Water Act.

4 Monitoring Requirements

The requirements for sample type and sampling frequency have been based on the current permit.

5 Other Conditions

5.1 Geographic Area and Covered Facilities

The general permit, when issued, will authorize discharges from Car/Truck Wash facilities throughout the State of Arkansas. The permit will be applicable only to facilities which discharge to waters of the State and are, therefore, subject to the requirements of Section 301 and 402 of the Clean Water Act.

5.2 Timing of Requests

Requests for coverage shall be submitted as follows:

- 5.2.1 For new dischargers without construction expected, at least 30 days prior to the first proposed discharge;
- 5.2.2 For new dischargers with construction expected, at least 90 days prior to the first proposed discharge; or
- 5.2.3 For existing dischargers covered under ARG750000, no later than 30 days prior to the effective date of this permit.

5.3 Expiration Date

In accordance with 40 C.F.R. § 46(a), the general permit will expire five (5) years from the effective date of the permit. An expired permit will continue in effect until such time that the permit is renewed or a new permit is issued.

5.4 Individual Permits

The Director of DEQ may require the issuance of individual permits according to the criteria in 40 C.F.R. § 122.28(b)(3).

6 Development and Basis for Permit Conditions

Conditions in Parts 2 through 7 are incorporated in the permit based on 40 C.F.R. § 122.41, 40 C.F.R. § 122.43, 40 C.F.R. § 122.62, 40 C.F.R. § 124.5, 40 C.F.R. § 136, 40 C.F.R. § 122.44(d), 40 C.F.R. § 122.44(l), Appendix D of the Continuing Planning Process (CPP), APC&EC Rule 2, and APC&EC Rule 3 in order to provide and ensure compliance with all applicable requirements of the CWA, rules, and regulations.

The following is an explanation of the derivation of the conditions of the permit and the reasons for them, or in cases of notices of intent to deny or terminate, reasons suggesting the decisions as required under 40 C.F.R. § 124.7.

6.1 Justification for Limitations and Conditions of the Final Permit

<u>Effluent Characteristics</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Daily Max		
Flow (GPD)	Report	Report	twice/week	instantaneous
Chemical Oxygen Demand (COD)	50	75	once/quarter	grab
Total Suspended Solids (TSS)	35.0	52.5	once/quarter	grab
Oil and Grease (O&G)	10	15	once/quarter	grab
Dissolved Oxygen (DO)	6.0 (Inst Min.)		once/quarter	grab
pH	<u>Minimum</u> 6.0 s.u.	<u>Maximum</u> 9.0 s.u.	once/month	grab
Surfactants	Report	Report	once/quarter	grab
Phosphorus, Total	Report	Report	once/quarter	grab

6.1.1 Flow

In order to be protective of all waters of the state, this permit contains a requirement to report flow in GPD.

6.1.2 COD and TSS

The technology-based limits for COD and TSS have been based on the Best Engineering Judgment of the Permit Writer and Arkansas individual NPDES Permits for similar types of discharges. The technology-based limits are judged to represent the level of treatment attainable through the application of the best conventional pollutant control technology (BCT) and best available technology economically achievable (BAT).

TSS limits are now expressed to the nearest tenth digit in accordance with updated Division rounding procedures. The daily maximum TSS limit was revised from 53.0 mg/l to 52.5 mg/l in accordance with the formula in Section 6.3 of this fact sheet.

6.1.3 Oil and Grease (O&G)

The water quality-based limits for O&G are based on Rule 2.510 and are judged to represent the level of treatment attainable through the application of the best conventional pollutant control technology (BCT).

6.1.4 Dissolved Oxygen (DO)

The water quality-based limit for DO is based on Rule 2.505. 6.0 mg/l is protective of all ecoregion standards.

6.1.5 pH

The water quality-based limits for pH have been based on Rule 2.504 and are judged to represent the level of treatment attainable through the application of the best conventional pollutant control technology (BCT).

6.1.6 Surfactants

Surfactants can be detrimental to surface waters because even biodegradable surfactants reduce the dissolved oxygen concentration in the surface water. Due to surfactants being present in many cleaning products that may be used in the car/truck washing industry, the Division has added monitor and report requirement to gather data on the levels of surfactants being discharged into the Waters of the State. Monitoring for surfactants is only required if the facility is using detergents. Based upon the information gathered during this permit cycle, the Division may determine to add a numeric limit or remove this condition from the permit in the next renewal.

6.1.7 Phosphorus, Total

Phosphorus has been determined to cause eutrophication in surface waters. In order to determine levels that may be present in this type of discharge, the Division has added monitor and report requirements for Total Phosphorus. Monitoring for phosphorus is only required if the facility is using detergents. Based upon the information gathered during this permit cycle, the Division may determine to add a numeric limit or remove this condition from the permit in the next renewal.

6.2 Anti-backsliding

This permit is consistent with the requirements to meet Anti-backsliding provisions of the Clean Water Act (CWA), Section 402 (o) [40 C.F.R. § 122.44(l)]. The final effluent limitations for reissuance permits must be as stringent as those in the previous permit, unless the less stringent limitations can be justified using exceptions listed in CWA 402(o)(2), CWA 303(d)(4), or 40 C.F.R. § 122.44(l)(2)(i).

The permit meets or exceeds the requirements of the previous permit.

6.3 Limits Calculations

The daily maximum limits for COD and TSS are based on Section 5.4.2 of the Technical Support Document for Water Quality-based Toxics Control:

$$\text{daily maximum limits} = \text{monthly average limits} \times 1.5$$

The daily maximum limit for O&G is based on Rule 2.510.

7 Wastewater Operator Requirements

A wastewater operator is required for any facility using a treatment system, if that treatment system meets the definition of a “wastewater treatment plant” in APC&EC Rule 3. Such facilities require an operator with a Basic Industrial license at minimum. Facilities that discharge untreated water and facilities with treatment systems that do not meet the definition of a “wastewater treatment plant” in Rule 3 do not require a licensed operator.

8 Public Notice

The public notice of the draft permit was published for public comment on October 1, 2023. The last day of the comment period was thirty (30) days after the publication date. No public comments were received on the draft permit.

A copy of the draft permit and public notice were sent via email to the Corps of Engineers, the Regional Director of the U.S. Fish and Wildlife Service, the Arkansas Department of Parks, Heritage, and Tourism, the EPA, and the Arkansas Department of Health.

9 Economic Impact

This permit does not place any additional undue burden on any private business entity, large or small. It does not restrict any opportunities that are available to any small businesses. The inspection and control requirements are set at a level to protect water quality while minimizing the resources required for compliance.

The permit fee of \$200 is allowed by APC&EC Rule 9. If a construction authorization is also required under this permit, then an additional \$500 fee will be required based on APC&EC Rule 9.402(A). This permit incorporates construction requirements into the ARG750000. The construction requirements listed in Part 1.4.4 are consistent with the minimum requirements for a state construction permit and will not have any additional economic impact.

There may be minimal additional cost for commercial facilities to obtain a Certificate of Good Standing from the Secretary of State of any State other than Arkansas.

No significant changes were made to this permit that would cause additional economic impact to the facility.

10 Contact Information

For additional information regarding this permit, please contact the NPDES Permits Branch of the Office of Water Quality:

via mail at:

NPDES Permits Branch
Office of Water Quality
5301 Northshore Drive
North Little Rock, AR 72218-5317

via phone at: (501) 682-0656; or

via email at water-permit-application@adeq.state.ar.us

11 Sources

- 11.1 40 C.F.R. § 122
- 11.2 40 C.F.R. § 124
- 11.3 40 C.F.R. § 136
- 11.4 APC&EC Rule 2
- 11.5 APC&EC Rule 3
- 11.6 APC&EC Rule 6, which incorporates by reference certain federal regulations included in Title 40 of the Code of Federal Regulations at Rule 6.104.
- 11.7 APC&EC Rule 8
- 11.8 APC&EC Rule 9
- 11.9 ARG750000 existing permit

- 11.10 Discharge Monitoring Reports (DMRs) submitted by the facilities covered by the existing ARG750000 Permit.
- 11.11 Ark. Code Ann. § 8-4-203(m)
- 11.12 Clean Water Act
- 11.13 Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*).
- 11.14 Continuing Planning Process (CPP)
- 11.15 2014 Edition of Recommended Standards for Wastewater Facilities (10 States Standards).
- 11.16 Technical Support Document for Water Quality-based Toxic Control.
- 11.17 NPDES Electronic Reporting Rule (80 FR 64063).
- 11.18 [EPA Letter received September 14, 2023.](#)