**REGION 6**
**1445 ROSS AVENUE**
**DALLAS, TEXAS 75202-2733**

**NPDES Permit No OK0044733**

# AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"),

New Gaming Enterprise
Kickapoo Casino Harrah Wastewater Treatment Plant
25230 E. Highway 62
Harrah, OK 73045

is authorized to discharge from a facility located at 25230 Highway 62 East, Harrah, Lincoln County, Oklahoma. The discharge will be to unnamed tributary on Kickapoo Trust land, thence to Quapaw Creek (WBID 520700040260 of the Canadian River Basin), from a point located at the following coordinates:

Outfall 001: Latitude 35° 29' 36.47" North and Longitude 97° 04' 29.66" West

in accordance with this cover page and the effluent limitations, monitoring requirements and other conditions set forth in Part I, Part II, III and Part IV.

This permit supersedes and replaces NPDES Permit No. OK0044733 with an effective date of August 1, 2013.

This permit shall become effective on

This permit and the authorization to discharge shall expire at midnight,

Issued on

David F. Garcia, P.E.
Acting Director
Water Division (6WQ)

Prepared by

Suzanna M. Perea

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Environmental Scientist
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## DOCUMENT ABBREVIATIONS

In the document that follows, various abbreviations are used. They are as follows:

| | |
|---|---|
| 4Q3 | Lowest four-day average flow rate expected to occur once every three-years |
| BAT | Best available technology economically achievable |
| BCT | Best conventional pollutant control technology |
| BPT | Best practicable control technology currently available |
| BMP | Best management plan |
| BOD | Biochemical oxygen demand (five-day unless noted otherwise) |
| BPJ | Best professional judgment |
| CBOD | Carbonaceous biochemical oxygen demand (five-day unless noted otherwise) |
| CD | Critical dilution |
| CFR | Code of Federal Regulations |
| cfs | Cubic feet per second |
| COD | Chemical oxygen demand |
| COE | United States Corp of Engineers |
| CWA | Clean Water Act |
| DMR | Discharge monitoring report |
| DO | Dissolved oxygen |
| ELG | Effluent limitation guidelines |
| EPA | United States Environmental Protection Agency |
| ESA | Endangered Species Act |
| FCB | Fecal coliform bacteria |
| FWS | United States Fish and Wildlife Service |
| mg/l | Milligrams per liter |
| ug/l | Micrograms per liter |
| lbs | Pounds |
| MGD | Million gallons per day |
| MQL | Minimum quantification level |
| NPDES | National Pollutant Discharge Elimination System |
| O&G | Oil and grease |
| OAC | Oklahoma Administrative Code |
| ODEQ | Oklahoma Department of Environmental Quality |
| OWRB | Oklahoma Water Resources Board |
| OWQS | Oklahoma Water Quality Standards |
| POTW | Publically owned treatment works |
| RP | Reasonable potential |
| SS | Settleable solids |
| SIC | Standard industrial classification |
| s.u. | Standard units (for parameter pH) |
| TDS | Total dissolved solids |
| TMDL | Total maximum daily load |
| TRC | Total residual chlorine |
| TSS | Total suspended solids |
| UAA | Use attainability analysis |
| USGS | United States Geological Service |
| WLA | Wasteload allocation |
| WET | Whole effluent toxicity |
| WQMP | Water Quality Management Plan |
| WWTP | Wastewater treatment plan |

# PART I – REQUIREMENTS FOR NPDES PERMITS

## A. LIMITATIONS AND MONITORING REQUIREMENTS

1. OUTFALL 001 - FINAL Effluent Limits – 0.05 MGD Design Flow

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated domestic wastewater from Outfall 001 to an unnamed tributary on Kickapoo Trust land, thence to Quapaw Creek (WBID 520700040260 of the Canadian River Basin). Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT LIMITATIONS | DISCHARGE LIMITATIONS | | | | | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|---|---|---|---|
| | lbs/day, unless noted | | | mg/l, unless noted (*1) | | | | |
| POLLUTANT | 30-DAY AVG | 7-DAY AVG | DAILY MAX | 30-DAY AVG | 7-DAY AVG | DAILY MAX | MEASUREMENT FREQUENCY | SAMPLE TYPE |
| Flow | N/A | N/A | N/A | Report (*2) | N/A | Report (*2) | Daily | Continuous Recorder |
| $CBOD_5$<br>Summer (June – October)<br>Winter (November – March)<br>Spring (April – May) | <br>4.2<br>7.5<br>5.0 | <br>N/A<br>N/A<br>N/A | <br>6.3<br>11.3<br>7.5 | <br>10<br>18<br>12 | <br>15<br>27<br>18 | <br>N/A<br>N/A<br>N/A | One/week | 24-hr Composite |
| TSS | 12.5 | 18.8 | N/A | 30 | 45 | N/A | One/month (*3) | 24-hr Composite |
| $CBOD_5$ % removal, minimum | ≥85 (*4) | N/A | N/A | N/A | N/A | N/A | One/month (*3) | Grab |
| TSS % removal, minimum | ≥85 (*4) | N/A | N/A | N/A | N/A | N/A | One/month (*3) | Grab |
| $NH_3$-N<br>Summer (June – October)<br>Winter (November – March)<br>Spring (April – May) | <br>0.8<br>2.5<br>2.5 | <br>N/A<br>N/A<br>N/A | <br>1.25<br>3.75<br>3.75 | <br>2<br>6<br>6 | <br>3<br>9<br>9 | <br>N/A<br>N/A<br>N/A | One/week | 24-hr Composite |
| DO | 1.7 | N/A | 2.5 | 4 (*5) | N/A | 6 (*5) | One/week | Instantaneous Grab (*6) |
| *E. coli* bacteria (cfu/100 ml or mpn/100 ml) | N/A | N/A | N/A | 126 cfu/100 ml | N/A | 406 cfu/100 ml | One/month (*3) | Grab |
| TRC | N/A | N/A | N/A | N/A | N/A | 19 ug/l (*7) | One/month (*3) | Instantaneous Grab (*6) |
| pH | N/A | N/A | N/A | 6.0 – 9.0 s.u. | | | Five/week | Instantaneous Grab (*6) |

Footnotes:

*1 See **Appendix A of Part II** of the permit for minimum quantification limits.
*2 Report monthly average and daily maximum as million gallons per day (MGD) by instantaneous measurement.
*3 For any reporting period, samples shall be taken at least ten (10) days from the first sample of the previous reporting period.
*4 Percent removal is calculated using the following equation: [average monthly influent concentration (mg/l) – average monthly effluent concentration (mg/l)] ÷ [average monthly influent concentration (mg/l)] x 100. The influent data is not required to be submitted but must be made available to EPA or its agents upon request.
*5 Minimum value. Instantaneous grab samples are to be taken between the times of 10:00am-2:00pm.
*6 Analyzed within 15 minutes of collection.
*7 Instantaneous maximum. For TRC, the instantaneous maximum grab shall be taken during periods of chlorine use and cannot be averaged for reporting purposes.

2. FLOATING SOLIDS, VISIBLE FOAM AND/OR OILS

There shall be no discharge of floating solids or visible foam in other than trace amounts.
There shall be no discharge of visible films of oil, globules of oil, grease or solids in or on the water, or coatings on stream banks.

3. SAMPLE LOCATION

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge from the final treatment unit prior to the receiving stream. The sample point shall be clearly marked by the facility if it is not at the final outfall location. There shall be no flow from any source into the piping system after the sample point and prior to the final outfall.

## B. SCHEDULES OF COMPLIANCE

None

## C. MONITORING AND REPORTING (MINOR DISCHARGERS)

Discharge Monitoring Report (DMR) results shall be electronically reported to EPA per 40 CFR 127.16. To submit electronically, access the NetDMR website at https://netdmr.epa.gov. Until approved for Net DMR, the permittee shall request temporary or emergency waivers from electronic reporting. To obtain the waiver, please contact: U.S. EPA - Region 6, Water Enforcement Branch, Oklahoma State Coordinator (6EN-WC), (214) 665-6468. If paper reporting is granted temporarily, the permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA and other agencies as required (See Part III.D.IV of the permit). Reports shall be submitted quarterly.

1. Reporting periods shall end on the last day of the months March, June, September and December.

2. The permittee is required to submit regular reports as described above postmarked no later than the 28th day of the month following each reporting period.

3. NO DISCHARGE REPORTING: If there is no discharge at Outfall 001 during the sampling month, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report.

## D. OVERFLOW REPORTING

The permittee shall report all overflows with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary).

Overflows that endanger health or the environment shall be orally reported at (214) 665-6595 and ODEQ Water Quality Division at (800) 256-2365 or 405-702-8290 (Oklahoma City Metropolitan Area),

within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows that endanger health or the environment shall be provided to EPA and the ODEQ Water Quality Division within 5 days of the time the permittee becomes aware of the circumstance.

## E. POLLUTION PREVENTION REQUIREMENTS

The permittee shall institute a program within 12 months of the effective date of the permit (or continue an existing one) directed towards optimizing the efficiency and extending the useful life of the facility. The permittee shall consider the following items in the program:

a. The influent loadings, flow and design capacity;

b. The effluent quality and plant performance;

c. The age and expected life of the wastewater treatment facility's equipment;

d. Bypasses and overflows of the tributary sewerage system and treatment works;

e. New developments at the facility;

f. Operator certification and training plans and status;

g. The financial status of the facility;

h. Preventative maintenance programs and equipment conditions and;

i. An overall evaluation of conditions at the facility.

## F. OTHER REQUIREMENTS

None

# PART II - OTHER CONDITIONS

## A. MINIMUM QUANTIFICATION LEVEL (MQL)

EPA-approved test procedures (methods) for the analysis and quantification of pollutants or pollutant parameters, including for the purposes of compliance monitoring/DMR reporting, permit renewal applications, or any other reporting that may be required as a condition of this permit, shall be sufficiently sensitive. A method is "sufficiently sensitive" when (1) the method minimum level (ML) of quantification is at or below the level of the applicable effluent limit for the measured pollutant or pollutant parameter; or (2) if there is no EPA-approved analytical method with a published ML at or below the effluent limit (see table below), then the method has the lowest published ML (is the most sensitive) of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or 0, for the measured pollutant or pollutant parameter; or (3) the method is specified in this permit or has been otherwise approved in writing by the permitting authority (EPA Region 6) for the measured pollutant or pollutant parameter. The Permittee has the option of developing and submitting a report to justify the use of matrix or sample-specific MLs rather than the published levels. Upon written approval by EPA Region 6 the matrix or sample-specific MLs may be utilized by the Permittee for all future Discharge Monitoring Report (DMR) reporting requirements.

Current EPA Region 6 minimum quantification levels (MQLs) for reporting and compliance are provided in Appendix A of Part II of this permit. The following pollutants may not have EPA approved methods with a published ML at or below the effluent limit, if specified:

| POLLUTANT | CAS Number | STORET Code |
|---|---|---|
| Total Residual Chlorine | 7782-50-5 | 50060 |
| Cadmium | 7440-43-9 | 01027 |
| Silver | 7440-22-4 | 01077 |
| Thallium | 7440-28-0 | 01059 |
| Cyanide | 57-12-5 | 78248 |
| Dioxin (2,3,7,8-TCDD) | 1764-01-6 | 34675 |
| 4, 6-Dinitro-0-Cresol | 534-52-1 | 34657 |
| Pentachlorophenol | 87-86-5 | 39032 |
| Benzidine | 92-87-5 | 39120 |
| Chrysene | 218-01-9 | 34320 |
| Hexachlorobenzene | 118-74-1 | 39700 |
| N-Nitrosodimethylamine | 62-75-9 | 34438 |
| Aldrin | 309-00-2 | 39330 |
| Chlordane | 57-74-9 | 39350 |
| Dieldrin | 60-57-1 | 39380 |
| Heptachlor | 76-44-8 | 39410 |
| Heptachlor epoxide | 1024-57-3 | 39420 |
| Toxaphene | 8001-35-2 | 39400 |

Unless otherwise indicated in this permit, if the EPA Region 6 MQL for a pollutant or pollutant parameter is sufficiently sensitive (as defined above) and the analytical test result is less than the MQL, then a value of zero (0) may be used for reporting purposes on DMRs. Furthermore, if the EPA Region 6 MQL for a pollutant or parameter is not sufficiently sensitive, but the analytical test result is less than the published ML from a sufficiently sensitive method, then a value of zero (0) may be used for reporting purposes on DMRs.

## B. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.7.b.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to EPA Region 6, Compliance and Assurance Division, Water Enforcement Branch (6EN-W), Dallas, Texas and concurrently to ODEQ within 24 hours from the time the permittee becomes aware of the violation followed by a written report in five days.

None.

## C. PERMIT MODIFICATION AND REOPENER

In accordance with [40 CFR Part 122.44(d)], the permit may be reopened and modified during the life of the permit if relevant portions of the Oklahoma Water Quality Standards are revised, or new State water quality standards are established and/or remanded.

In accordance with [40 CFR Part 122.62(s)(2)], the permit may be reopened and modified if new information is received that was not available at the time of permit issuance that would have justified the application of different permit conditions at the time of permit issuance. Permit modifications shall reflect the results of any of these actions and shall follow regulations listed at [40 CFR Part 124.5].