



Non-Metallic Mining/Hot Mix Asphalt Compliance Audit

NPDES/SDS Permit No. MNG490000
Environmental Audits

Minnesota Pollution Control Agency (MPCA) compliance audit checklists are designed to assist businesses and MPCA staff with the interpretation of Minnesota’s environmental laws, rules, and permits. Because the laws, rules, and permits are numerous and often complicated, this checklist cannot be a complete guide to all your compliance obligations. If you have questions about the checklist, your obligations, or its conditions that you discover as you complete this evaluation, please contact:

Small Business Environmental Assistance Program (SBEAP)
651-282-6143 or 1-800-657-3938
<http://www.pca.state.mn.us/programs/sbap-sectors.html>

Non-Metallic Mining and Hot Mix Asphalt Permit

Date of Audit: _____

Company Name: _____

Authorized Representative Name: _____ Title: _____

Non-metallic mine facilities that produce dimension stone, crushed and broken limestone, crushed and broken granite, crushed and broken stone mining and quarrying areas, construction sand and gravel and hot mix asphalt production areas may be eligible for coverage under National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit No. MNG490000 (Permit MNG49). The following audit is intended to be completed for facilities that conduct any of these activities—it is to be used by facilities that do not have permit coverage and wish to evaluate whether they should have coverage and it is to be used by facilities that do have permit coverage to assess if they are compliant with the permit’s requirements. Permit MNG49 can provide coverage of multiple sites under one permit issuance—if you have many sites that potentially need coverage or have coverage under this permit, complete the audit by considering conditions at all sites.

1. Is your facility (pit, quarry, or hot mix asphalt plant) just getting established or expanding, such that one or more acres of land will be disturbed by the start-up or expansion?

- YES** We will be disturbing one or more acres to establish our site or expand it. *You are required to have Permit MNG49 coverage or coverage under the General Stormwater Permit for Construction Activity, NPDES/SDS Permit No. MNR100001 prior to any land disturbing activities.*
- NO** We will not be disturbing one or more acres to establish our site or expand it.

2. Does stormwater and/or process wastewater discharge from your facility to a fen listed in Minn. R. 7050.0180, subp. 6.b.?

- YES** We discharge stormwater or process wastewater to a fen from our facility. *This type of discharge is not authorized under the Permit MNG49 and should be reported on the compliance table at the end of this form.*
- NO** We do not discharge stormwater or process wastewater to a fen from our facility.

NOTE: *You can find the location of fens at the “Special Impaired Waters Search” tool found at the MPCA Web site at <http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>.*

3. Does stormwater or process wastewater such as pit or quarry pump-out water or aggregate wash water discharge to surface waters (wetlands, streams, lakes, ditches, etc.)?

- YES** We discharge stormwater and/or process wastewater to surface waters. We are required to have Permit MNG49 coverage for our facility.
- NO** We do not discharge stormwater and/or process wastewater to surface waters—it infiltrates into the ground and/or is recycled at the facility such that it does not at any time discharge to surface water. *Continue with question (5) unless you answered “NO” to question (1) then do not continue with the audit—no Permit MNG49 coverage is required for your facility.*

4. Do any of the following types of process wastewater from your facility discharge to surface waters:

- aggregate wash water, wet scrubber water, water used for dust control at crusher operations?
- sand and gravel pit pump-out water discharges to Minnesota Department of Natural Resources (DNR)-designated trout stream watersheds, Outstanding Resource Value Waters (ORVW's) or DNR-posted fish-spawning areas?
- quarry dewatering discharges to surface water?

YES We discharge aggregate wash water, wet scrubber water, water used for dust control at crushers to surface waters and/or discharge pit pump out water to designated trout stream watersheds, ORVW's or DNR-posted fish-spawning areas and/or discharge quarry dewatering water to surface water. *This type of discharge is not authorized under the Permit MNG49 and should be reported on the compliance table at the end of this form.*

NO We do not discharge aggregate wash water, wet scrubber water, water used for dust control at crushers to surface waters or discharge pit pump out water to designated trout stream watersheds, ORVW's or DNR-posted fish-spawning areas or discharge quarry dewatering water to surface waters.

NOTE: You can find the location of designated trout streams at the "Special Impaired Waters Search" tool found at the MPCA Web site at <http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>. For ORVWs, the list can be found in Minnesota Rules 7050.0470 (ORVWs are identified with an asterisk) at <http://www.revisor.leg.state.mn.us/arule/7050/0470.html>.

The following questions (questions 5 – 17) are to be completed only if permit coverage is required for the site(s) being evaluated.

Water Quality Impaired Waters

Discharges from your facility cannot cause or contribute to water quality impairments in downstream surface waters. You should regularly check the U.S. Environmental Protection Agency (EPA) Approved List of Impaired Waters (using the "Special and Impaired Waters Search" tool referenced above) to identify water quality impairments in downstream receiving waters and take actions to ensure your discharges are not contributing to the impairment. If a Total Maximum Daily Load (TMDL) has been completed for the impaired water, ensure that your Pollution Prevention Plan is revised within 18 months of the TMDL approval date to comply with the Waste Load Allocation in the TMDL.

5. Are downstream surface waters listed as impaired and if so have you taken action to ensure that your discharges are not contributing to the impairment and/or if a TMDL is in effect, your facility's discharge complies with the Waste Load Allocation in the TMDL?

YES Downstream surface waters are impaired and we have taken action to ensure our discharges are not contributing to the impairment; and/or if a TMDL is in effect, we comply with the Waste Load Allocation.

NO Downstream surface waters are impaired and we have not taken action to ensure our discharges are not contributing to the impairment; and/or if a TMDL is in effect, we have not complied with the Waste Load Allocation. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*

Not Applicable Downstream surface waters are not listed for water quality impairments or we do not discharge a specific pollutant that would contribute to the impairment.

Sediment and Erosion Control

Permit MNG49 requires exposed soil areas with a continuous positive slope that pose a risk of sediment discharge to waters (not including water inside the pit or quarry) must have temporary erosion protection or permanent cover for the exposed soil areas year round, according to the following slopes and time frames: steeper than 3:1—protection/cover established within 7 days; 10:1-3:1—protection/cover established within 14 days; flatter than 10:1—protection/cover established within 21 days.

6. Are all exposed soil areas with a continuous positive slope that pose a risk of sediment discharge to surface waters (not including water inside the pit or quarry) adequately protected with either temporary erosion protection or permanent cover?

YES We have provided temporary protection or permanent cover to all exposed soil areas with a continuous positive slope that pose a risk of sediment discharge to surface waters within the timeframe required by the Permit MNG49.

NO We have not provided temporary protection or permanent cover to all exposed soil areas with a continuous positive slope that pose a risk of sediment discharge to surface waters within the timeframe required by the Permit MNG49. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*

7. Is silt fence or other effective sediment control installed around temporary erodable stockpiles or strippings/overburden stored outside the pit or quarry?

- YES** We have placed silt fence or other sediment control around erodable stockpiles stored outside the pit or quarry.
- NO** We do not have silt fence or other sediment control around erodable stockpiles stored outside the pit or quarry. *This is a violation of the Permit MNG49 and must be reported on the compliance table at the end of this form.*
- Not Applicable** We do not have erodable stockpiles or strippings/overburden stored outside the pit or quarry. *Continue with question (9).*

8. Are temporary erodable stockpiles or strippings/overburden placed in surface waters, including stormwater conveyances such as curb and gutter systems, or conduits and ditches?

- YES** We have placed stockpiles in surface waters, including stormwater conveyances. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*
- NO** We do not have stockpiles in surface waters, including stormwater conveyances.

If your facility is not located within 2,000 feet of an ORVW, trout water or trout stream, continue with question (10).

Stormwater discharging within 2,000 feet of an ORVW and/or trout water as listed in Minn. R. 6264.0050, subp. 2 and 4 must meet the following requirements:

- All exposed soil areas with a slope of 3:1 or steeper, that have a continuous positive slope to a ORVW or trout water must have temporary erosion protection or permanent cover within three days after the area is no longer being actively worked. All other continuous positive slopes to ORVWs or trout water must have erosion protection within seven days after the area is no longer actively worked.
- Temporary sediment basins must be used for common drainage locations that serve an area with five or more acres disturbed at one time.
- An undisturbed buffer zone of not less than 100 linear feet from the receiving water (not including tributaries) shall be maintained at all times, with exceptions for water crossings or limited water access.

Stormwater discharges within 2,000 feet of trout streams must minimize temperature impacts using one or more of the following controls:

- Minimize Impervious surfaces.
- Minimize discharges from impervious surfaces to the trout stream.
- Infiltrate stormwater.
- Stormwater ponds must incorporate temperature mitigation methods such as shading, and draw down within 24 hours.

9. Does stormwater from your site which discharges within 2,000 feet of ORVWs, trout waters and/or trout streams meet the above additional requirements?

- YES** We implement measures to address the additional requirements for discharges to ORVWs, trout waters and/or trout streams.
- NO** We do not implement measures to address the additional requirements for discharges to ORVWs, trout waters and/or trout streams. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*

10. If you operate a sand and gravel pit in which pit water is pumped out and discharges to surface waters, have you or will you conduct daily flow monitoring and take at least one sample annually beginning January 1, 2007, for pH, total suspended solids (TSS), and turbidity of the discharged water?

- YES** We have or will conduct flow monitoring and take a sample of pump-out water for pH, TSS, and turbidity.
- NO** We have not conducted flow monitoring or sampling of pump-out water for pH, TSS, and turbidity as required. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form. Continue with question (12).*
- Not Applicable** We do not pump water from our site or we do not operate a sand and gravel pit. *Continue with question (12).*

The effluent limits for water that is pumped from a sand and gravel pit are the following:

- TSS must be no more than a maximum of 30 milligrams per liter.
- Turbidity must be no more than a maximum of 25 nephelometric turbidity units.
- pH must be within a range of 6.5 to 8.5 standard units.

11. If you have taken a sample of pit pump-out water, do the results meet effluent limits?

- YES** We have monitored our pump-out water and results of TSS, turbidity and pH monitoring meet effluent limits.
- NO** We have monitored our pump-out water and results of TSS, turbidity and/or pH monitoring do not meet effluent limits. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*
- Not Applicable** We have not yet monitored our pit pump-out water.

A Pollution Prevention Plan (Plan) must be prepared for each site. The Plan must describe appropriate Best Management Practices (BMPs) to reduce or eliminate water pollution at the site. The Plan shall include a site map that identifies the facility's location, nearby surface waters, pit-dewatering points, directions of stormwater runoff from the site and the name of surface water that receives any discharge from the facility. The Plan shall also include a list of potential pollution sources at the site, such as fuel storage tanks, materials storage, vehicle/equipment maintenance areas. Finally, the Plan must specify BMPs that are used to minimize or eliminate pollution at the site.

12. Have you prepared and implemented a Plan for your facility?

- YES** We have prepared and implemented a Plan for our facility.
- NO** We have not prepared and implemented a Plan for our facility. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*

13. Do you inspect the facility at least monthly during active operations to ensure the Plan is followed?

- YES** We do inspect the facility at least once a month to ensure the Plan is followed.
- NO** We do not inspect the facility at least once a month to ensure the Plan is followed. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*

14. Do you submit an Annual Report by January 30 of each year following permit issuance?

- YES** We do submit an Annual Report by January 30 of each year.
- NO** We did not/have not submitted an Annual Report by January 30 of each year. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*
- Not Applicable** This is our first year of permit coverage so we have not had the opportunity to submit our first Annual Report yet.

If your facility does not have a hot mix asphalt plant with a wet scrubber for air emission control, continue with question (17).

Wet scrubber wastewater management

Scrubber wastewater is to be contained within pipes, aboveground tanks or impoundments. Impoundments are to be designed by a registered engineer and are to be operated to ensure that the leakage rate does not exceed 500 gallons/acre/day. A water balance and inspection shall be conducted on each impoundment at least once each operating year. Pipes and aboveground tanks are to be operated and maintained to prevent leaks.

15. Do you manage your scrubber wastewater containment to meet the above Permit MNG49 requirements to ensure adequate containment of wastewater?

- YES** We utilize containment structures, and operate and inspect them to meet the above Permit MNG49 requirements.
- NO** We do not utilize adequate containment structures or operate and/or inspect them to meet the above Permit MNG49 requirements. *This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.*

Wet scrubber wastewater disposal

Scrubber wastewater may be used for roadbed preparation or dust control on unpaved roads if the asphalt plant is in the process of relocating, has ceased operation for the year, or if alterations to the impoundment are needed. Wastewater shall be applied in such a manner as to prevent runoff or prolonged ponding and shall not discharge to surface waters.

16. Do you dispose of your scrubber wastewater in such a manner that it meets the above permit requirements?

- YES** We dispose of scrubber wastewater in such a manner as to meet the above Permit MNG49 requirements.
- NO** We do not dispose of scrubber wastewater in such a manner as to meet the above Permit MNG49 requirements.
This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.
- Not Applicable** We have not disposed of scrubber wastewater at this site.

If you are closing your facility and no longer want coverage for your facility under the Permit MNG49, continue with question (17), otherwise this is the conclusion of the audit.

Final stabilization and closure

In order to be released from the inspection, recording and reporting requirements of the Permit MNG49 for a site where you no longer conduct operations the Permittee is to certify that:

- There is no stormwater runoff and/or pit/quarry dewatering or other process wastewater discharging from the site; or
- A new owner or operator has assumed responsibility for the site; or
- The site achieves final stabilization—drainageways that leave the site are stabilized to prevent erosion, disturbed soil areas are stabilized with uniform perennial vegetative cover with a density of at least 70 percent over all pervious areas; permanent stormwater treatment for new impervious surfaces created as a result of site activities shall be installed to treat 0.5 inches of runoff from the new impervious areas.

17. Have you ensured that there is either no runoff, or another owner or operator has assumed responsibility, or the site is stabilized, for all sites that you no longer wish to have covered by the Permit MNG49?

- YES** We have met the termination requirements for those sites we no longer want covered by the Permit MNG49.
- NO** We have not met the termination requirements for those sites we no longer want covered by the Permit MNG49.
This is a violation of the Permit MNG49 and should be reported on the compliance table at the end of this form.

Compliance Table

For each item that you indicated was a violation, summarize the violation below and how it will be corrected.

Question #	Description of the Violation	Corrective Actions to be Taken to Address the Violation