

7.1.3 Special Conditions/Commonly Used Special Conditions/ Best Management Practices (BMPs)

Applicability:

Best Management Practices (BMPs) are special conditions included in State Operating Permits that require or prohibit the performance of certain activities or procedures by the permittee.

Content:

In accord with 40 CFR 122.2 Definitions, BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States and the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs are measures to prevent or mitigate water pollution for sources associated with agricultural, municipal, commercial and industrial processes and wastewater treatment. BMPs also apply to storm water sources and permits and land disturbance activities.

Best Management Practices should be included as special conditions when:

- 1) Numeric limitations are infeasible;
- 2) Chemical analyses are inappropriate or impossible;
- 3) A history of leaks and spills exist or housekeeping is sloppy;
- 4) A complex facility lacks toxic pollutant data; and
- 5) Other discharge control options are prohibitively expensive.

The permit writer may use a special condition that requires the permittee to develop, implement, and reevaluate its own BMP for the facility. To select a specific BMP, the permit writer must:

- 1) Determine the processes that apply;
- 2) Evaluate whether the BMP would help to achieve the environmental objectives; and
- 3) Use examples from other permits, pollution prevention sources, or EPA guidance documents.

BMP plans can be submitted for review by the regulatory agency but are usually kept on-site and made available upon request. If a BMP is required, it should be completed within six months and implemented within twelve months of permit issuance.

Legal References:

Code of State Regulations

[10 CSR 20-6.010\(8\)\(B\)](#)

Construction and Operating Permits - Permit Terms and Conditions

[10 CSR 20-6.200\(1\)\(C\)1 and 2](#)

Storm Water Regulations - Storm Water Permits - General - Definitions

Code of Federal Regulations

[40 CFR](#)
[122.44\(k\)](#)

Establishing limitations, standards, and other permit conditions

Other Links:

Key Words:

Best Management Practices, BMP, Special Conditions

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