

Proposed changes to Title 117 – Nebraska Water Quality Standards

- **1 – Per NGPC request update list of key species.**
 - Remove species either no longer endangered, or likely extirpated from the state.
 - Add species considered to be sensitive (no newly endangered species listed).
 - Add scientific names to remove ambiguity.
- **2 – Waterbody use designations – add Primary Contact Recreation to 870 stream segments**
 - Per CWA Section 101(a)(2) states are required to designate Primary Contact Recreation to all designated streams, unless a Use Attainability Analysis shows that the PCR use is not attainable.
 - 1,558 stream segments designated.
 - 308 currently have PCR designations.
 - 380 UAA on segments has shown that PCR is not attainable (due to low flows, lack of depth, substrate, etc.).
 - Remaining 870 segments need to have PCR because the use is attainable.
 - New PCR designation would prompt new disinfection requirements for 15 NPDES permit holders with mechanical plants to discharge during the recreation season (May 1 – September 30).
 - 291 municipal or domestic wastewater treatment facilities permitted by the Department through NPDES.
 - 132 are lagoon facilities that discharge seasonally outside of the recreation season – have no disinfection requirements.
 - 159 are mechanical facilities:
 - All but 15 mechanical facilities have E. coli limits in their NPDES permits:
 - 12 of these facilities will be required to upgrade to include disinfection ability.
 - 2 facilities will still not be required to disinfect – because they will not be within 30 miles of a rec stream.
 - 1 facility already has disinfection equipment but does not currently use it (Chadron).
- **3 – New waterbodies**
 - It is proposed to add 4 stream segments:
 - They are tributaries to the Platte River near Elm Creek – 3 perennial segments, 1 intermittent segment (which is proposed because the intermittent stream segment is down stream of a perennial reach).
 - It is proposed to add 8 lakes / reservoirs:
 - Newly constructed or newly identified.
- **4 - Removal of waterbodies**
 - Spencer Hydro Dam Lake no longer exists due to the dam being destroyed in 2019 flooding:
 - The stream segment exists in Chapter 5 and is flowing unimpeded.
- **6 - Errata Correction**
 - EPA recently published “2021 Revision Aquatic Life Ambient Water Quality Criterion for Selenium”.

- They previously omitted the language “When selenium inputs are increasing” in the footnote of the criteria table.
 - It is proposed to incorporate that language into Title 117 in the footnotes and narrative descriptions of selenium criteria
- **7 – Proposed housekeeping changes**
 - Update stream and lake names and waterbody identification numbers to conform to Geographic Names Information System
 - Correct spelling errors
 - Add a reference in Chapter 4 Section 003.02B2a to the Continuing Planning Process Document No. 3.7 “Natural Background Chloride Criteria, Site Specific Chloride Criteria Implementation procedure”.