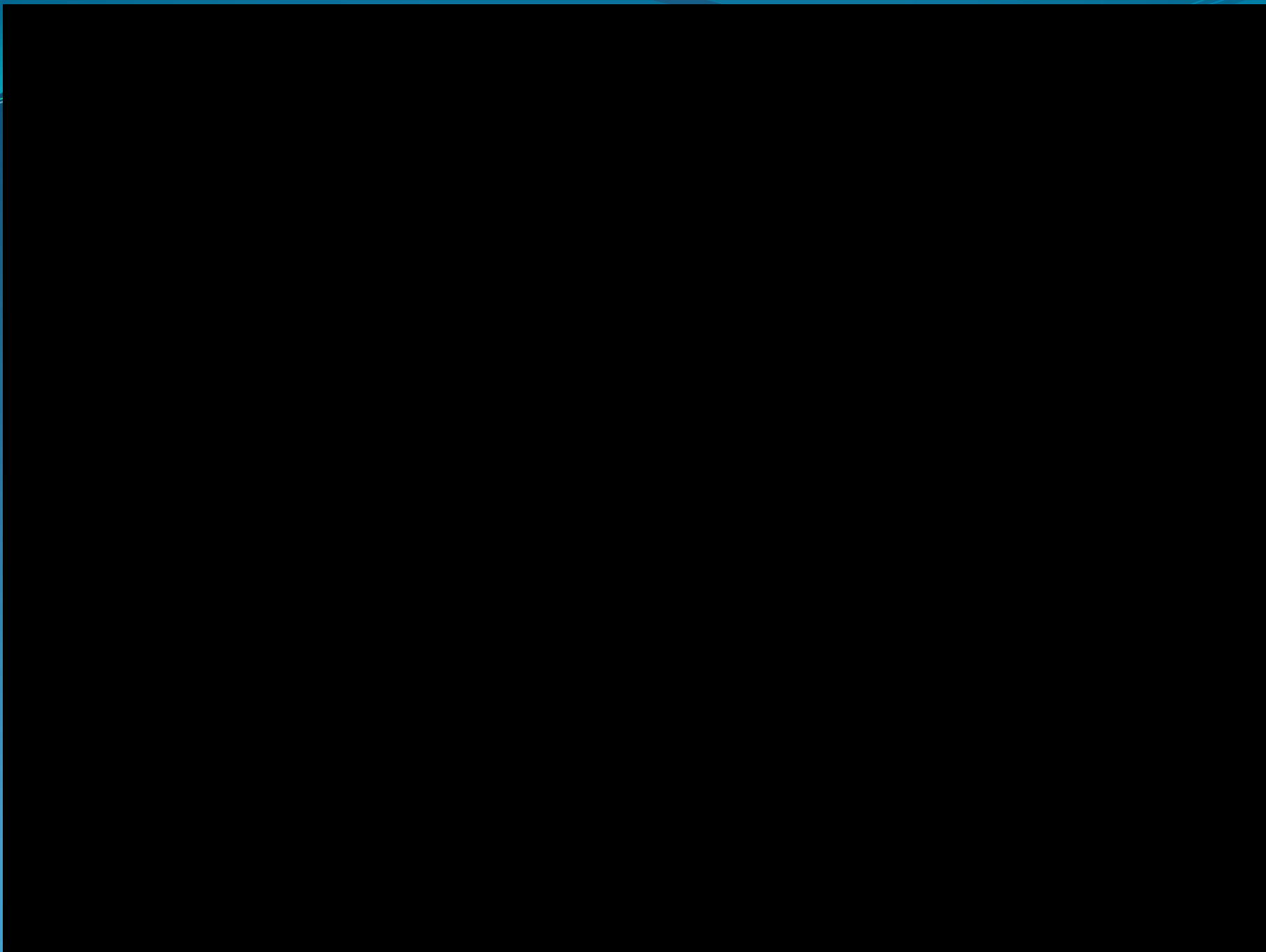


NEBRASKA PRETREATMENT PROGRAM





THE CLEAN WATER ACT

- On October 18, 1972, the Federal Water Pollution Control Act Amendments of 1972 (more commonly referred to as the Clean Water Act, or CWA) became law, declaring the restoration and maintenance of the chemical, physical, and biological integrity of the nation's water a national goal.

GOALS OF THE CLEAN WATER ACT

- Eliminate the discharge of pollutants into navigable waters by 1985.
- Establish water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water by July 1, 1983.
- Prohibit the discharge of toxic pollutants in toxic amounts.
- The 1972 goal has remained unchanged throughout the act's 40-year history.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

- NPDES is the national program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits pursuant to the Clean Water Act and includes any state program approved by EPA.
- Nebraska has had an EPA approved NPDES permit program since June 12, 1974 and an approved pretreatment program since September 7, 1984.

TITLE 119

- The NDEQ promulgated ***TITLE 119 – RULES AND REGULATIONS PERTAINING TO THE ISSUANCE OF PERMITS UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM***
- Title 119 language was adopted mostly from the Federal Register
- This was done in order to implement the NPDES which was created by the Clean Water Act.

WHAT IS PRETREATMENT

- Reduction of the amount of pollutants in wastewater prior to its introduction into the publicly owned treatment works (POTW) to be treated.
- A POTW is a treatment system owned by a state or municipality and used for treating municipal sewage or industrial wastes commonly referred to as wastewater.

Title 119 – Chapter 26 THE GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION

The two primary purposes of the pretreatment regulations

- Prevent the introduction of pollutants into POTWs which will interfere with the operation of the POTW including the use or disposal of municipal sludge.
- Prevent the introduction of pollutants into POTWs which will pass through the treatment works.

WHO REQUIRES A PRETREATMENT PERMIT?

- The General Pretreatment Regulations apply to all nondomestic sources (commonly called Significant Industrial Users) that introduce pollutants into a POTW.

A SIGNIFICANT INDUSTRIAL USER IS DEFINED AS ANY OF THE FOLLOWING

- Subject to federal categorical pretreatment standards
- Discharges an average of 25,000 gallons per day (gpd) or more of process wastewater to the POTW
- Contributes a process waste stream making up 5 percent or more of the average dry-weather hydraulic or organic capacity of the POTW treatment plant
- Designated by the POTW because of its reasonable potential to adversely affect the POTW's operation or violate any pretreatment standard or requirement.

56 INDUSTRIAL CATEGORIES LISTED IN T-119 THAT HAVE PRETREATMENT STANDARDS

- Includes the following: Aluminum Forming, Battery Manufacturing, Concentrated Animal Feeding Operations (CAFO's), Electroplating, Fertilizer Manufacturing, Grain Mills, Iron and Steel Manufacturing, Metal Finishing, Paint Formulating, Petroleum Refining.
- Complete list is available in Title 119 Chapter 27 which includes the 40 CFR part reference for the category.

NATIONAL PRETREATMENT STANDARD

- This means any regulation containing pollutant discharge limits promulgated by the EPA.
- This is a discharge limit to the POTW of specific process wastewaters from industrial categories.
- What this means is that the particular industry will have to perform some type of treatment to ensure that the pretreatment standard is met in their wastewater discharge.

HOW TO APPLY FOR A PERMIT

- Permit application form is available on the NDEQ web page.
- Submit the signed completed permit application along with the citizen attestation form 6 months prior to discharge.
- NDEQ will contact the applicant if additional information is needed.
- Allow about six months for the permit to be drafted and the public notice process.

TITLE 119 REVISIONS

- The most recent revision of the General Pretreatment Regulations was promulgated under the pretreatment Streamlining Rule, which became effective in November 2005. (A copy of that rule is on EPA's website at <http://www.epa.gov/npdes/regulations/streamlining.pdf>)
- NDEQ will be adopting these regulations in the next revision of Title 119. A rough draft of the regulatory changes has been completed and is currently under departmental review. The changes from adopting the Streamlining Rule only impact Title 119 Chapter 26.

WHAT IS THE STREAMLINING RULE?

- The Streamlining Rule revises several provisions of the General Pretreatment Regulations (40 CFR Part 403).
- The Streamlining Rule provides the Control Authority with the flexibility to reduce the burden of technical and administrative requirements without undermining the environmental objectives of the Pretreatment Program.

A FEW OF THE CHANGES MADE BY THE STREAMLINING RULE

- Control Authority (POTW with an approved program) can reduce sampling requirements if an IU demonstrates a pollutant is not present.
- Control Authority can reduce oversight of an IU based on percentage of contribution to the POTW.
- Control Authority can reduce oversight of IUs classified as Non-Significant Categorical Users (discharge < 100 gpd).
- POTW may use BMPs alternatives to numeric limits.
- Clarifies the definition of Significant Non Compliance (SNC).

Questions ?

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