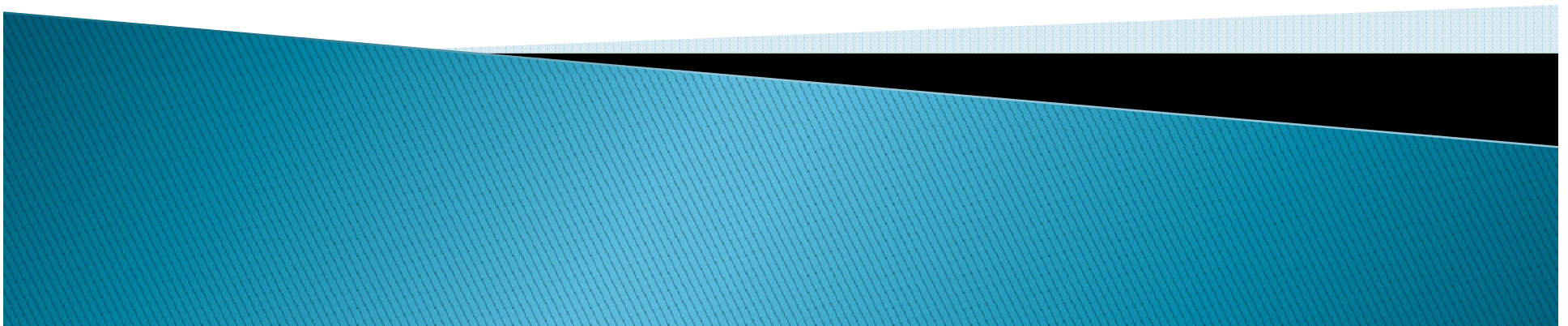


# National Pollution Discharge Elimination System (NPDES) General Permits

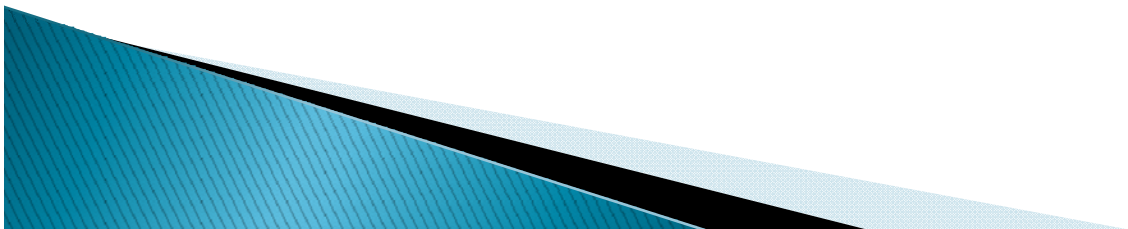
Reuel Anderson and Travis Porter  
Nebraska Department of Environmental Quality





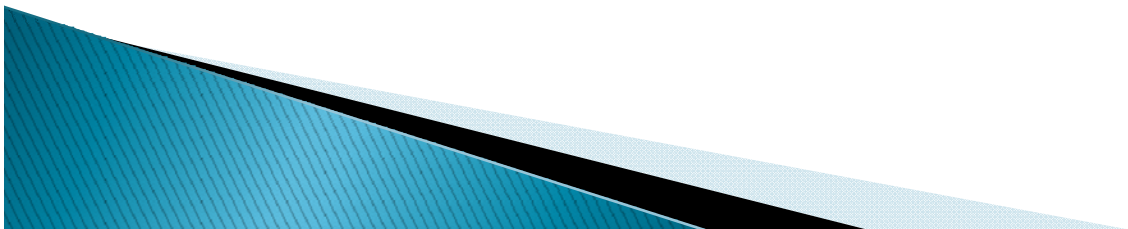
# Current Program

- ▶ Federal Water Pollution Control Act Amendments(1972)
  - Established the core of the program we know today
- ▶ Clean Water Act (1977)
  - Focused on priority pollutants and effluent guidelines
- ▶ Water Quality Act (1987)
  - Focused on water quality–based effluent limits and storm water



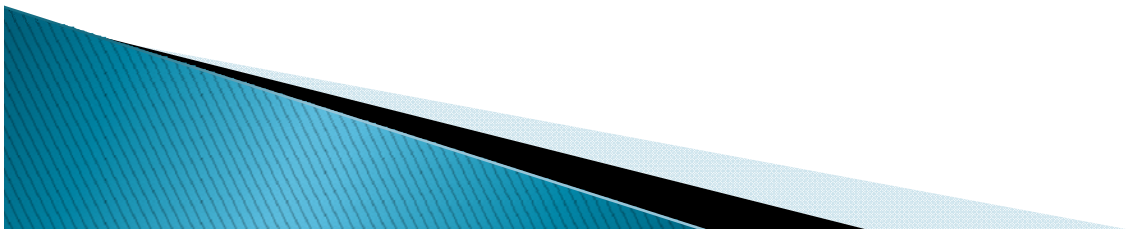
# Federal Water Pollution Control Act Amendments- 1972

- ▶ Objective: Restore or maintain the chemical, physical, and biological integrity of the nation's waters
- ▶ National Goals and Policies include
  - Eliminate the discharge of pollutants to navigable waters by 1985
  - As an interim goal, achieve by July 1, 1983, wherever attainable, a level of water quality that provides for the protection and propagation of fish, shellfish and wildlife and provides for recreation in and on the water
  - Prohibit the discharge of toxic pollutants in toxic amounts



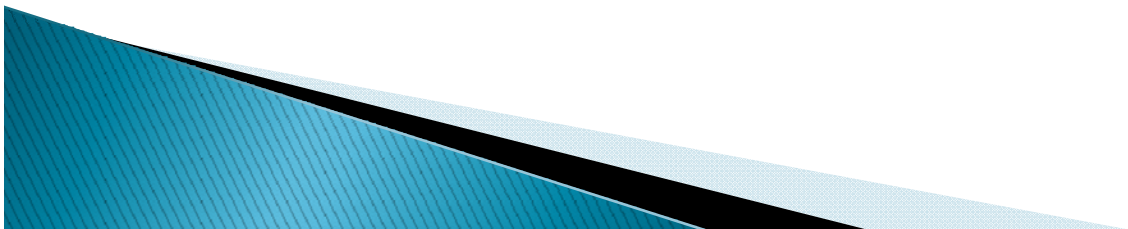
# Federal Water Pollution Act Amendments– 1972 (Continued)

- ▶ Created NPDES program
- ▶ Maximum permit term of five (5) years
- ▶ Technology–based and water quality–based requirements
- ▶ Authorization of state NPDES permitting programs

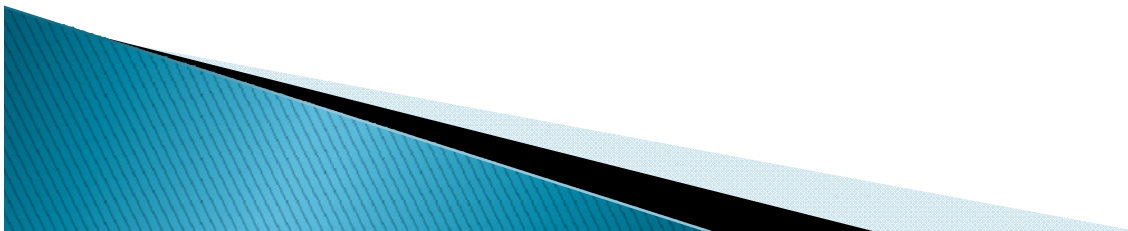


# What is a permit?

- ▶ A permit is a license that is
  - Issued by the government
  - Granting permission to do something that would be illegal in the absence of the permit (e.g., drivers license)
- ▶ There is no right to a permit and it is revocable for cause (e.g., reckless driving)
- ▶ An *NPDES Permit* is a license to discharge and can be revoked for cause

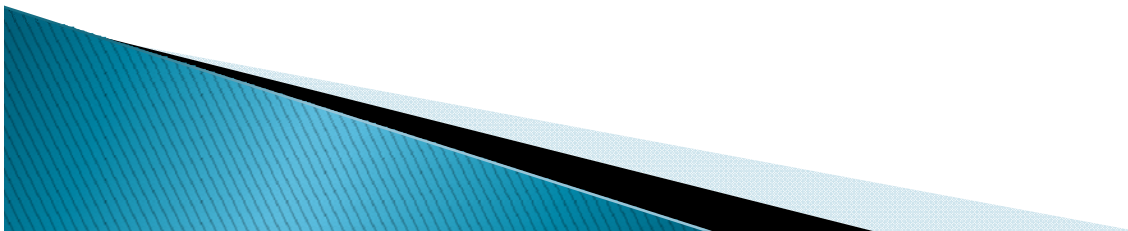


**Who must apply for an NPDES permit?**



# Who must apply for an NPDES permit?

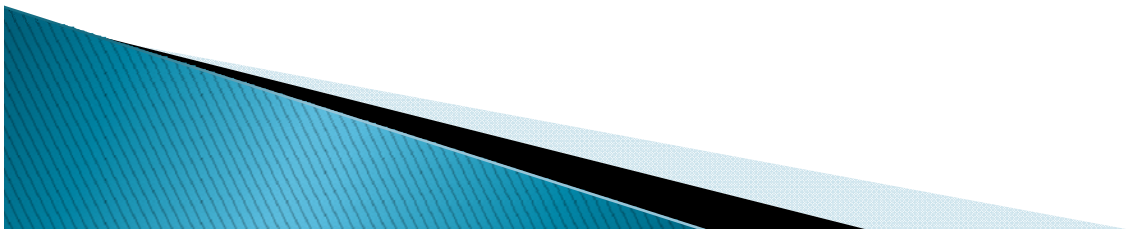
- ▶ Anyone who discharges pollutants or proposes to discharge pollutants to Waters of the State





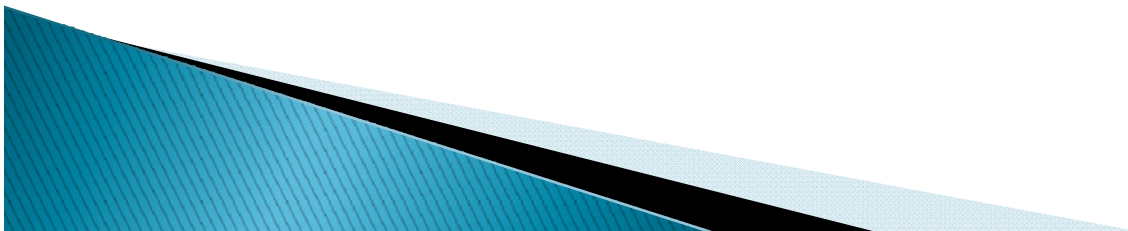
# Waters of the State

- ▶ Waters of the state shall mean all waters within the jurisdiction of this state, including all streams, lakes, ponds, impounding reservoirs, marshes, wetlands, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, situated wholly or partly within or bordering upon the state



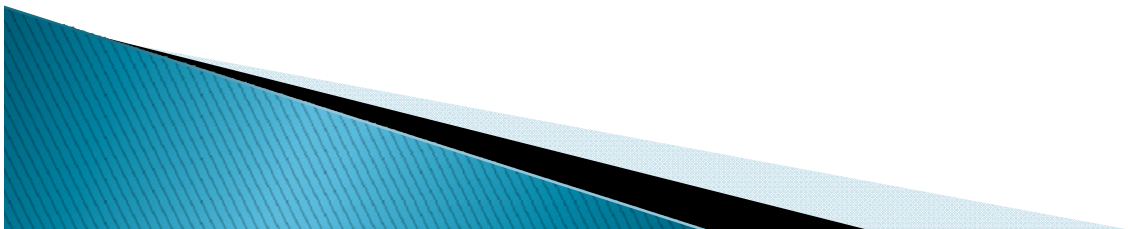
# Types of NPDES Permits

- ▶ Individual Permit
  - 1 application submitted, 1 permit issued
  - Appropriate where facility-specific permit conditions are needed
- ▶ General Permit
  - 1 permit issued, many NOIs submitted
  - Appropriate where sources have similar discharges and would require the same or similar permit conditions



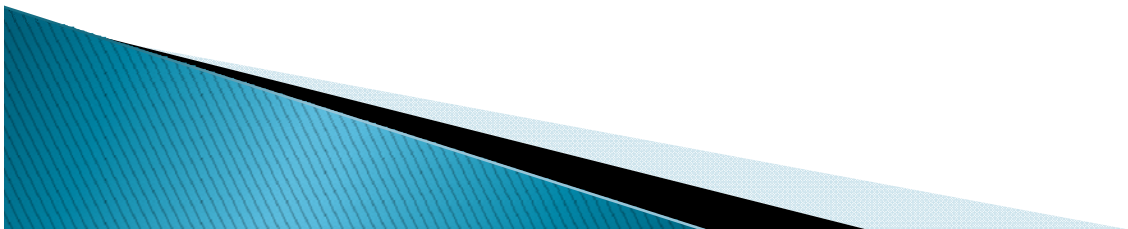
# Nebraska's NPDES General Permits

- ▶ Dewatering Discharges
- ▶ Hydrostatic Testing
- ▶ Groundwater Remediation
- ▶ Application of Pesticides To, Over, or Near Waters of the State
- ▶ Land Application of Concrete Grinding/Grooving Slurry
- ▶ Construction Stormwater
- ▶ Industrial Stormwater



# Dewatering Discharges

- ▶ Authorizes ground and surface water discharges from construction excavations, foundation sumps, utility vaults or wells provided the water being discharged is groundwater or groundwater mixed with storm water
- ▶ Application throughout the entire State of Nebraska excluding State Resource Waters and tribal lands within the State of Nebraska



# STATE RESOURCE WATERS AND PUBLIC WATER SUPPLY SURFACE INTAKES

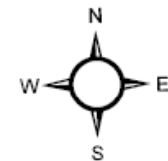
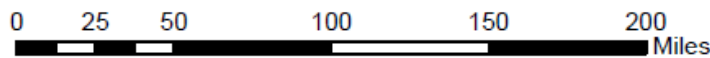


## State Resource Waters

- Streams
- Lakes

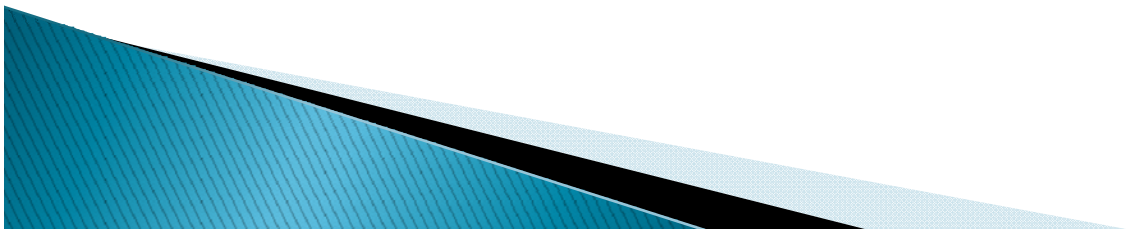
## Public Drinking Water Supply

- Surface Water Intakes



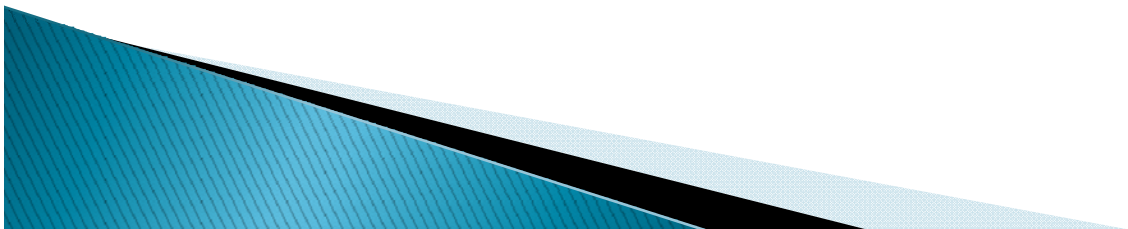
# Dewatering Discharges (Continued)

- ▶ New permit issued on January 1, 2012
- ▶ 180 day clause included
  - Ongoing projects with coverage under the old permit have 180 days to either finish the project or seek coverage under the new permit
- ▶ Effluent limitations and monitoring requirements for construction excavation
  - Total suspended solids – 90mg/L maximum
- ▶ Effluent limitations and monitoring requirements for foundation sumps, utility vaults, and wells
  - Total suspended solids – 30mg/L maximum



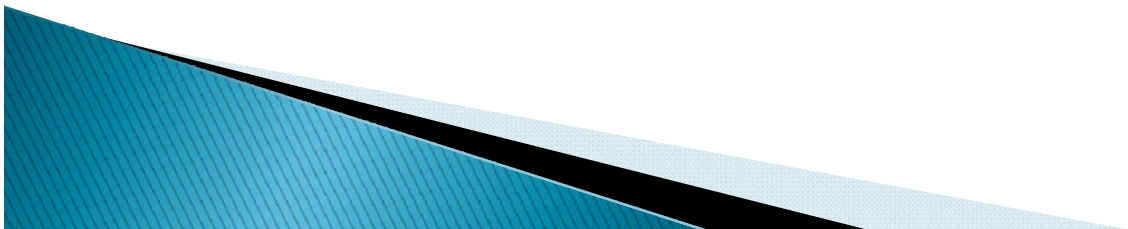
# Dewatering Discharges (Continued)

- ▶ According to the permit, *complete, accurate, and timely DW-NOI forms* will receive authorization automatically within 10 days.
  - Generally authorization is sooner
  - Authorizations are done on a first in/first out basis
- ▶ All projects need to have a NOI submitted
  - Relocation notice available if the project permitted moves within a geographical area described in the original NOI



# Dewatering Discharges (Continued)

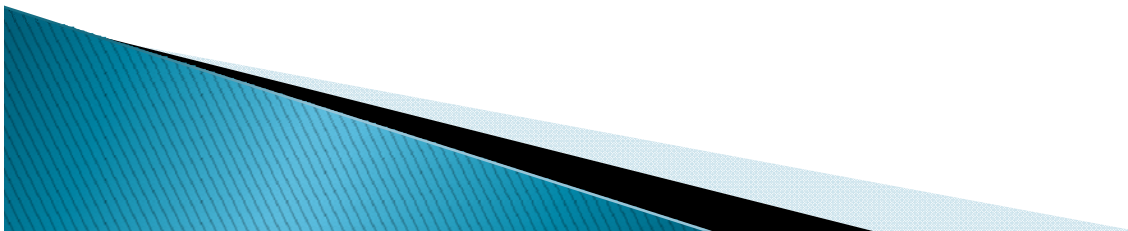
- ▶ Notification is required if the anticipated dates and actual dates varies more than one week
- ▶ DMRs are to be submitted monthly—even if there is no discharge
- ▶ Written notification of termination required after 30 days (on the final DMR form)





# Hydrostatic Testing

- ▶ Authorizes hydrostatic testing water to be land applied or discharged
- ▶ Application throughout the State of Nebraska excluding State Resource Waters and tribal lands within the State of Nebraska



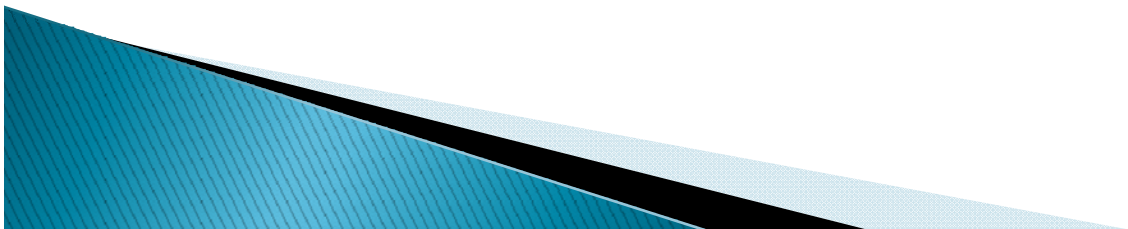
# Hydrostatic Testing (Continued)

- ▶ New permit issued on January 1, 2012
- ▶ 180 day clause included
  - Ongoing projects with coverage under the old permit have 180 days to either finish the project or seek coverage under the new permit
- ▶ Effluent limitations
  - 0.011 mg/L Total Residual Chlorine
  - 10 mg/L Total Petroleum Hydrocarbons
  - 90 mg/L Total Suspended Solids
  - 0.3 mg/L Dissolved Iron
  - Potential for other pollutants



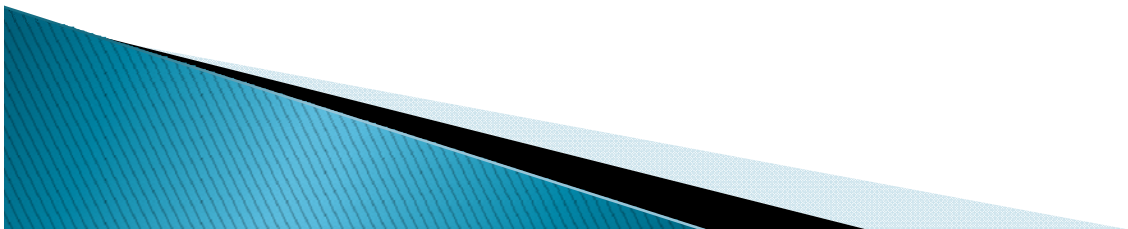
# Hydrostatic Testing (Continued)

- ▶ According to the permit, *complete, accurate, and timely HST-NOI forms* will receive authorization automatically within 10 days.
  - Generally authorization is sooner
  - Authorizations are done on a first in/first out basis
- ▶ All projects need to have a NOI submitted
  - Relocation notice available if the project permitted moves within a geographical area described in the original NOI



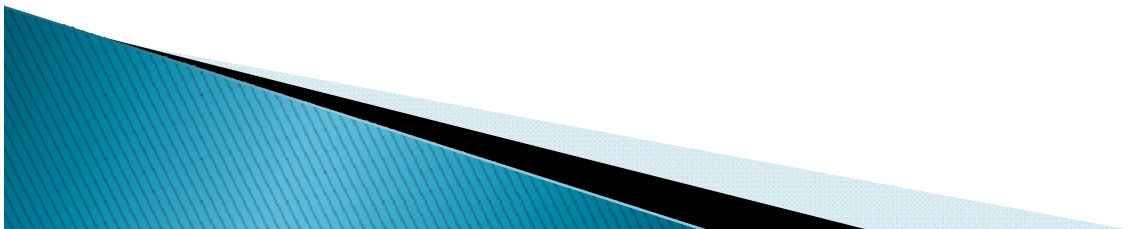
# Hydrostatic Testing (Continued)

- ▶ Notification is required if the anticipated dates and actual dates varies more then one week
- ▶ DMRs are to be submitted monthly
- ▶ Written notification of termination required after 30 days (on the final DMR form)



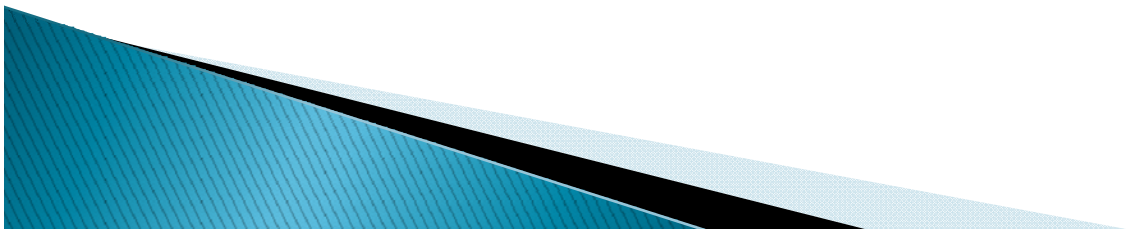
# Dewatering Discharges / Hydrostatic Testing (Continued)

- ▶ How to Apply – Notice of Intent (DW–NOI)(HST–NOI)
  - Facility information, including responsible parties
  - Physical location of the project and discharge
  - Receiving stream or waterbody
  - Notifications and erosion controls
  - Facility contact information
  - Number of outfalls, source of the water, frequency, and flow rates
  - Anticipated start up and end dates
  - Identification of known pollutants
  - Map of project area
  - Certifying officials signature, title, and date!



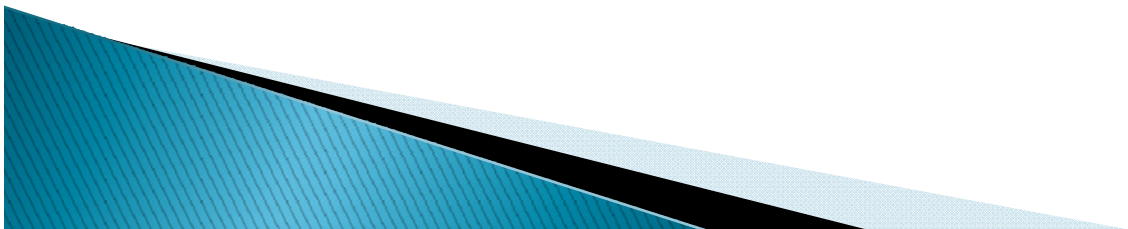
# Groundwater Remediation

- ▶ Authorizes remediation facility treated ground water discharges
- ▶ Application throughout the State of Nebraska except state resource water and public drinking water and excluding tribal lands within the State of Nebraska



# Groundwater Remediation (Continued)

- ▶ Permit Issued on May 1, 2007
- ▶ Current permit expires on April 30, 2012
- ▶ Working on reissuing without change to the current permit
  - REM-NOI
  - DMRs are submitted quarterly



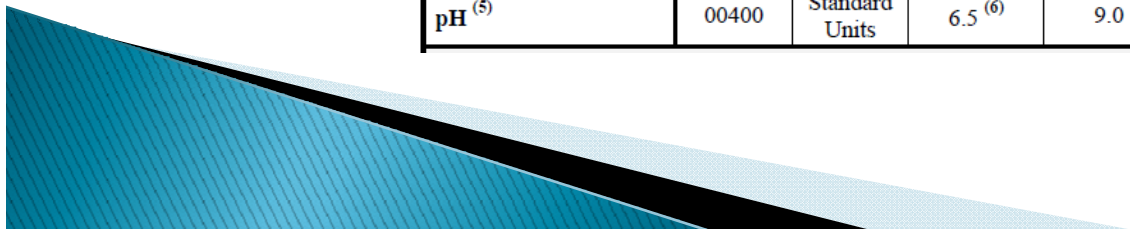
# Groundwater Remediation (Continued)

## Part III. MONITORING REQUIREMENTS AND EFFLUENT LIMITATIONS

### A. Table 1: Fuel Remediation Sites Effluent Limitations and Monitoring Requirements

The remediation discharges associated with a fuel contaminated (gasoline, diesel fuel, jet fuel, kerosene, bunker fuel, and/or other petroleum products) site shall be monitored and subject to the following limitations. Monitoring shall be conducted at the point of discharge from the treatment system(s). The Department may specify alternative or more specific monitoring point(s).

Parameter <sup>(1)</sup>	Storet #	Units	Discharge Limitations		Monitoring Frequency	Sample Type
			Monthly Average	Daily Maximum		
Flow	50050	MGD	Report	Report	Quarterly	Calculated or Measured
Benzene <sup>(2)</sup>	34030	mg/L	Report	0.04	Quarterly	Grab
Xylene <sup>(2)</sup>	81551	mg/L	Report	0.40	Quarterly	Grab
Total Extractable Hydrocarbons <sup>(3)</sup>	46116	mg/L	Report	10	Quarterly	Grab
Ethylbenzene <sup>(2)</sup>	34371	mg/L	Report	Report	Quarterly	Grab
Toluene <sup>(2)</sup>	34010	mg/L	Report	Report	Quarterly	Grab
1,2-Dichloroethane <sup>(2)</sup>	32103	mg/L	Report	Report	Quarterly	Grab
Methyl Tertiary-Butyl Ether <sup>(2)</sup>	22417	mg/L	Report	Report	Quarterly	Grab
Naphthalene	34696	mg/L	Report	Report	Quarterly	Grab
n-Hexane <sup>(2)</sup>	81590	mg/L	Report	Report	Quarterly	Grab
Physical Characteristics <sup>(4)</sup>	N/A	NA	No Visible Hydrocarbon Sheen <sup>(2)</sup>		Quarterly	In Situ and Grab <sup>(2)</sup>
Parameter	Storet #	Units	Discharge Limitations		Monitoring Frequency	Sample Type
			Minimum	Maximum		
pH <sup>(5)</sup>	00400	Standard Units	6.5 <sup>(6)</sup>	9.0	Quarterly	Grab



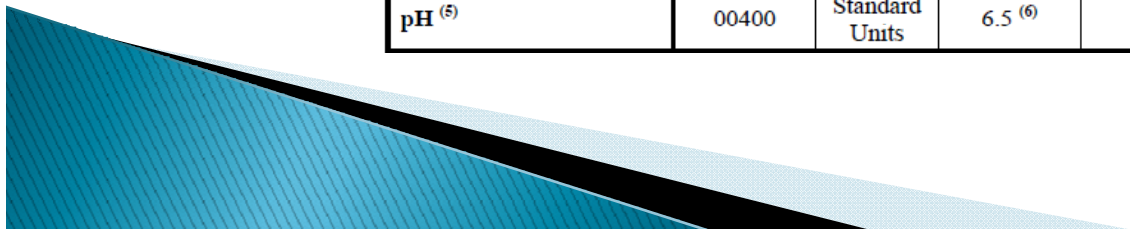


# Groundwater Remediation (Continued)

**B. Table 2: Volatile Organic Chemical Remediation Sites Effluent Limitations and Monitoring Requirements**

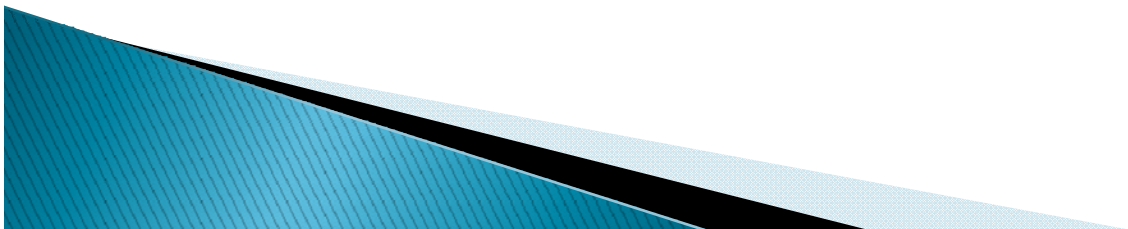
The remediation discharges associated with volatile, organic chemicals contaminated site shall be monitored and subject to the following limitations. Monitoring shall be conducted at the point of discharge from the treatment system(s). The Department may specify alternative or more specific monitoring point(s).

Parameter	Storet #	Units	Discharge Limitations		Monitoring Frequency	Sample Type
			Monthly Average <sup>(1)</sup>	Daily Maximum		
Flow	50050	MGD	Report	Report	Quarterly	Calculated or Measured
1,1-Dichloroethylene <sup>(2)</sup>	34501	µg/L	Report	32	Quarterly	Grab
Carbon Tetrachloride <sup>(2)</sup>	32102	µg/L	Report	44.2	Quarterly	Grab
Chloroform <sup>(2)</sup>	32106	µg/L	Report	Report	Quarterly	Grab
Naphthalene <sup>(2)</sup>	34696	µg/L	Report	620	Quarterly	Grab
Tetrachloroethylene <sup>(2)</sup>	34475	µg/L	Report	88.5	Quarterly	Grab
Toluene	34010	mg/L	Report	Report	Quarterly	Grab
Trichloroethylene <sup>(2)</sup>	39180	µg/L	Report	810	Quarterly	Grab
Vinyl Chloride	34495	µg/L	Report	200	Quarterly	Grab
Physical Characteristics <sup>(3)</sup>	N/A	NA	No Visible Hydrocarbon Sheen <sup>(4)</sup>		Quarterly	In Situ and Grab <sup>(3)</sup>
Parameter	Storet #	Units	Discharge Limitations Minimum	Discharge Limitations Maximum	Monitoring Frequency	Sample Type
pH <sup>(5)</sup>	00400	Standard Units	6.5 <sup>(6)</sup>	9.0	Quarterly	Grab



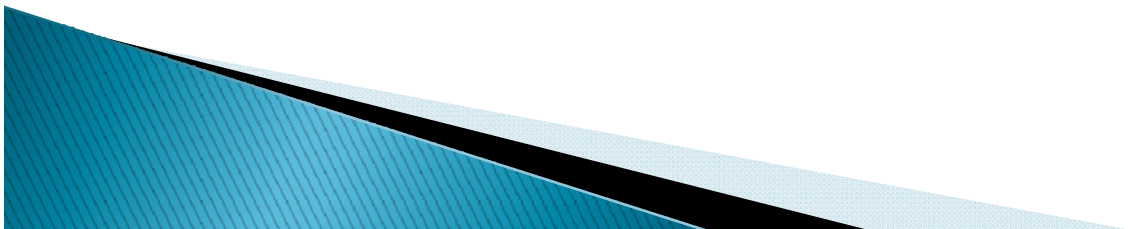
# Pesticides

- ▶ For the application of pesticides to, over and near waters of the State
- ▶ Application throughout the State of Nebraska excluding tribal lands
- ▶ Does not cover terrestrial application or runoff from applications to agricultural land or irrigation return flow from cropland



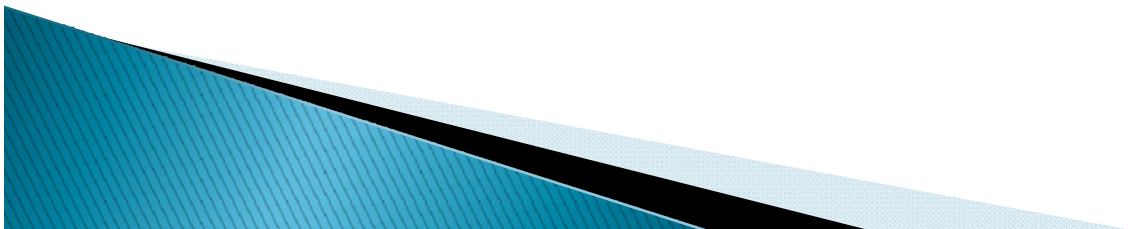
# Pesticides (Continued)

- ▶ Divides waters of the State into three groups
  - Group III– State Resource Waters, Impaired waters for any ingredient in the pesticide, critical habitat for endangered species, 250 feet upstream of any public drinking water intake, 250 feet upstream of state resource water
  - Group II– Flowing or discharging water that does not meet the definition for Group III waters
  - Group I– Non flowing waters or wetlands, bogs, or marshes that does not meet the definition for Group II or III waters.



# Pesticides (Continued)

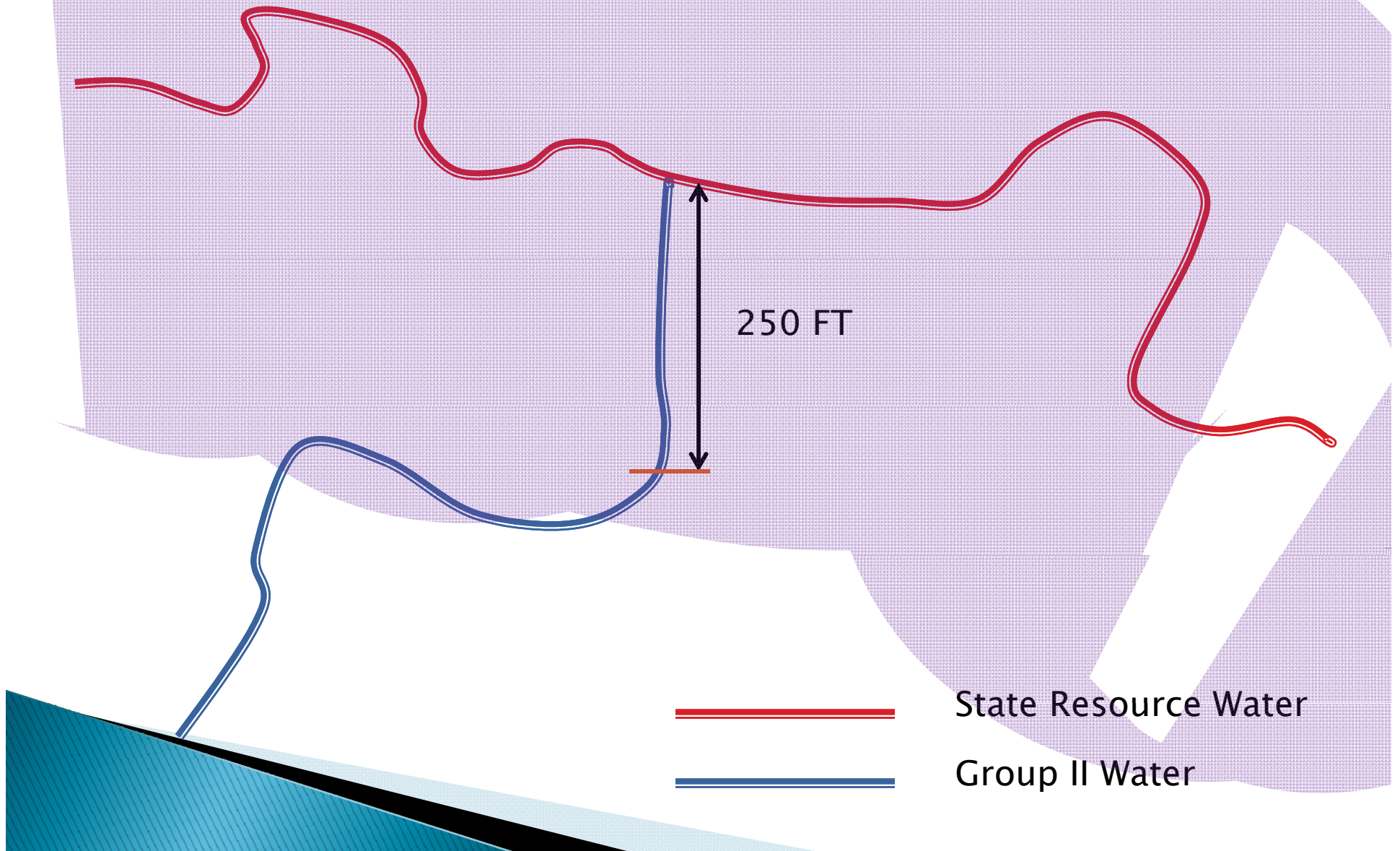
- ▶ Group I and II waters do not need NOI
  - Requirements for BMPs and Pesticide Use Management Plan (PUMP) described in permit
  - No paperwork required to be submitted to DEQ
  - Still have to comply with FIFRA and pesticide label
    - Cannot issue a permit for pesticides not approved for aquatic use
- ▶ Group III
  - NOI required along with submission of PUMP and other paperwork requested
  - The only exemption is the application to control flying insects and their larva including mosquitoes
    - Still need to do endangered species review



# Pesticides (Continued)



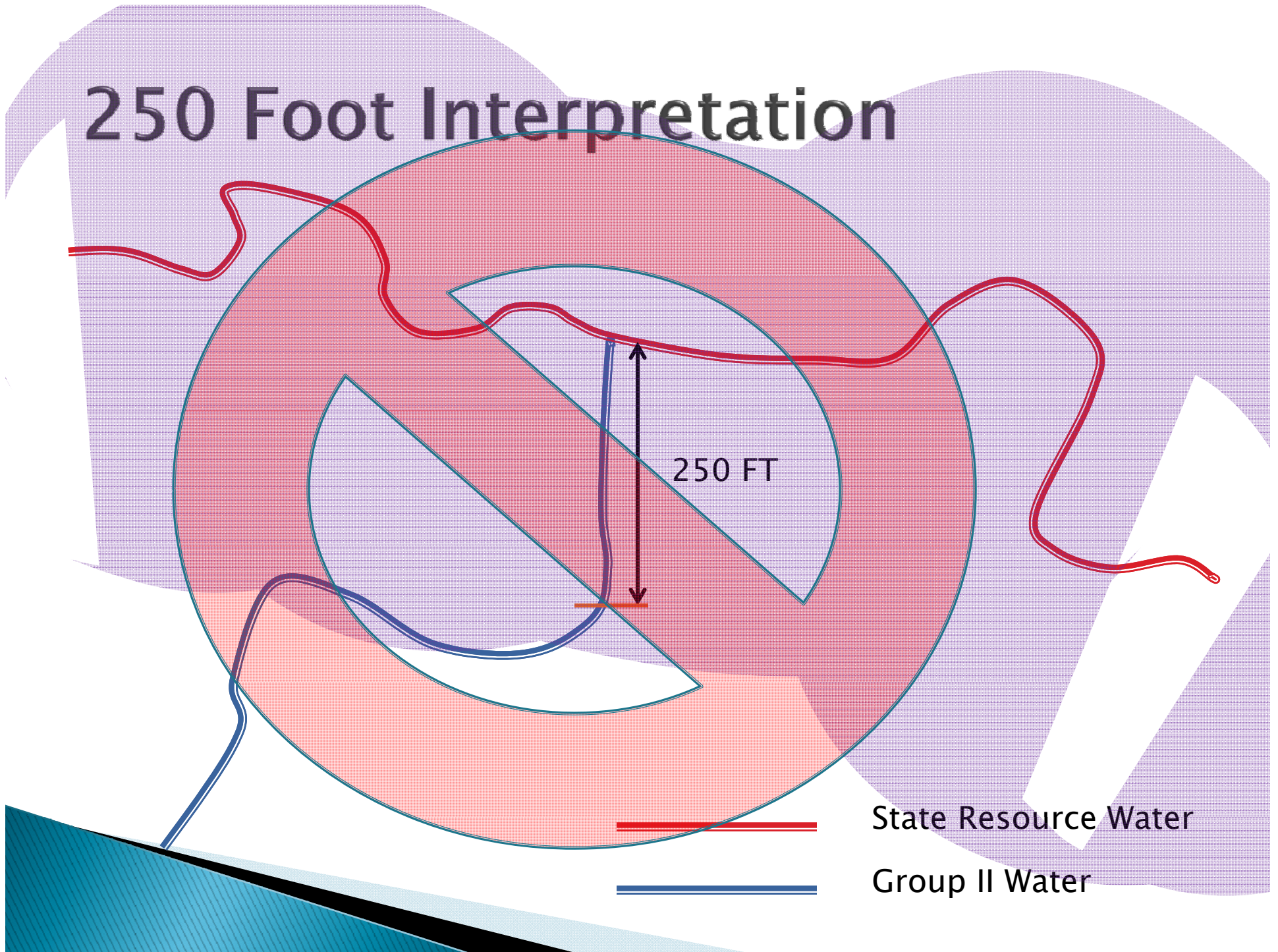
# 250 Foot Interpretation



250 FT

-  State Resource Water
-  Group II Water

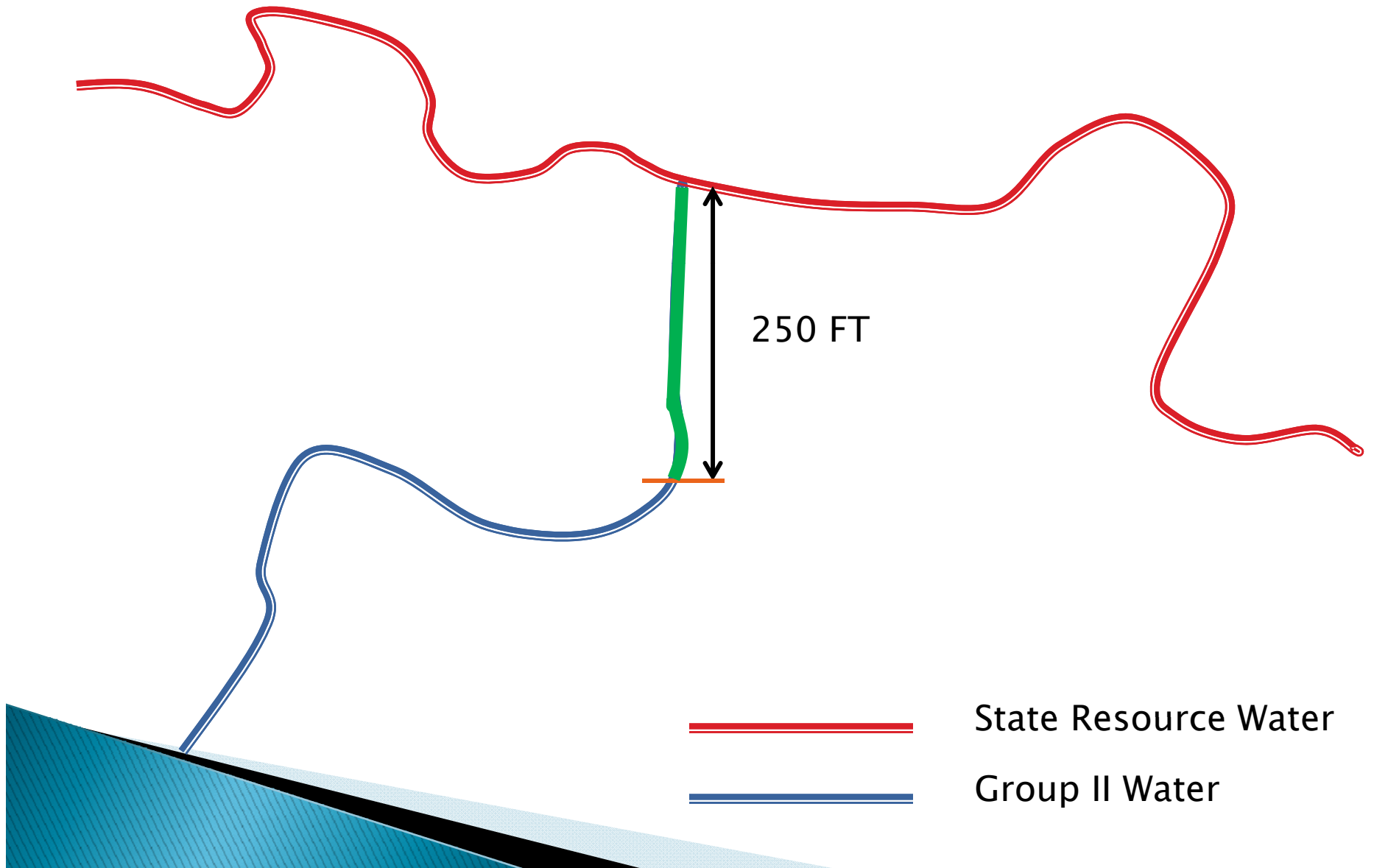
# 250 Foot Interpretation



State Resource Water

Group II Water

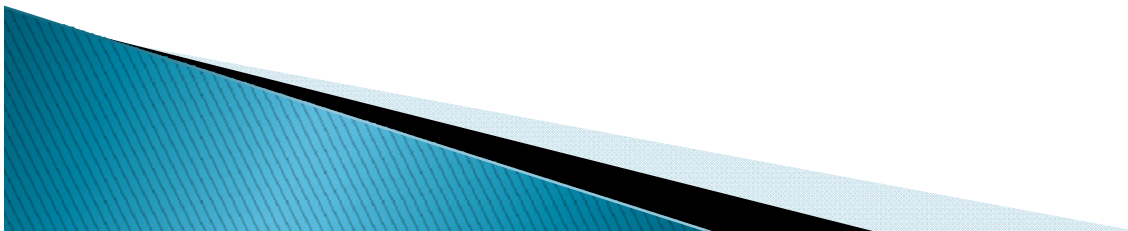
# 250 Foot Interpretation





# Land Application of Grinding/Grooving Slurry

- ▶ Authorizes the land application of concrete grooving/grinding slurry generated from any Public Agency owning a concrete transportation right-of-way
- ▶ Discharge to waters of the State and tribal lands are prohibited



# Grooving and Grinding (Continued)

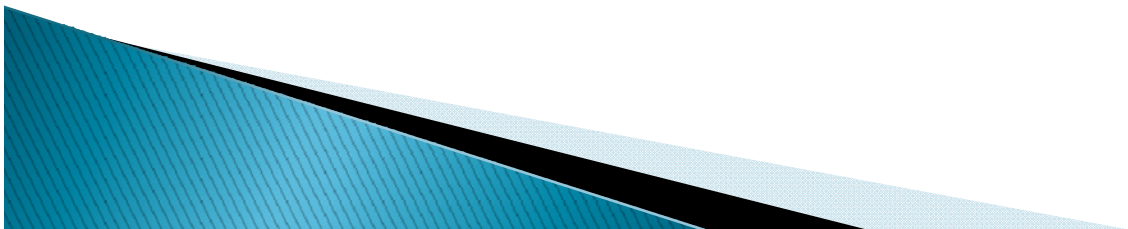
- ▶ No NOI required– Covered by Rule
- ▶ Permits lays out BMPs to be followed
  - e.g., no discharges to environmentally sensitive areas, applied within agronomic rates for liming products, maintain records
- ▶ Slurry may be sold as a liming product for cropland
  - Slurry may not be applied to crops that are intended for distribution in their raw form for direct human consumption (e.g. fresh produce)



# Grooving and Grinding (Continued)

## ▶ Other Prohibitions

- No application to a site unless the water table is more than 30 inches below the surface of the soil
- Slurry may not be spread within 100 feet of any stream, lake, or wetland
- Slurry may not enter a closed drainage system at any time
- Spreading should take place at a minimum 2 feet past the shoulder



# Industrial Storm Water General Permit



**Dave Heineman**  
Governor

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY

**Michael J. Linder**

Director

Suite 400, The Atrium

1200 N Street

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Phone (402) 471-2186

FAX (402) 471-2909

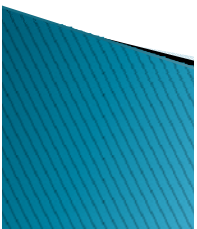
website: [www.deq.state.ne.us](http://www.deq.state.ne.us)

**Authorization to Discharge Under the  
National Pollutant Discharge Elimination System (NPDES)  
General NPDES Permit Number NER900000  
for Storm Water Discharges  
From Industrial Activity to Waters of the State of Nebraska**

This NPDES general permit is issued in compliance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. Secs. 1251 *et. seq.* as amended to date), the Nebraska Environmental Protection Act (Neb. Rev. Stat. Secs. 81-1501 *et. seq.* as amended to date), and the Rules and Regulations promulgated pursuant to these Acts. Application may be made under this general permit for authorization to discharge Storm Water from industrial activity. Owners or Operators issued a discharge authorization under this general permit are required to comply with the limits, requirements, prohibitions, and conditions set forth herein. The issuance of a discharge authorization under this general permit does not relieve Permittees of other duties and responsibilities under the Nebraska Environmental Protection Act, as amended, or established by regulations promulgated pursuant thereto.

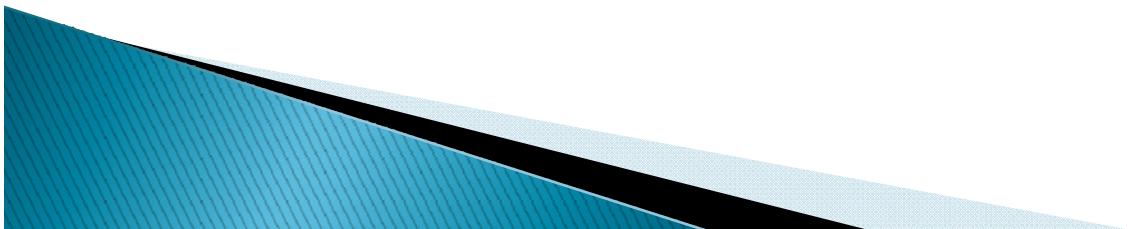
NPDES Permit Number: **NER900000**

This permit shall become effective on **July 1, 2011**.



# Recordkeeping Requirements

- ▶ Site specific Storm Water Pollution Prevention Plan
- ▶ Self Inspection Documentation
- ▶ Industrial Storm Water General Permit
- ▶ Correspondence with the Department
- ▶ Documentation regarding any incidences of significant spills, leaks, or other releases
- ▶ Control measure maintenance



# Recordkeeping Requirements

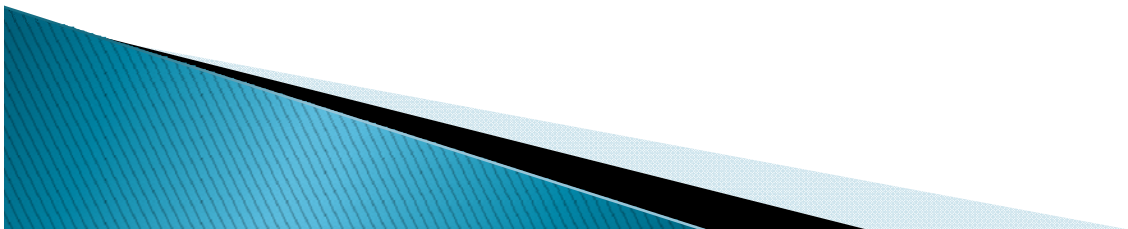
- ▶ Substantially Identical Outfalls
- ▶ Sampling Procedures
- ▶ Deviation from Sampling Procedures
- ▶ Storm Event Monitoring Reports



Storm Water Monitoring

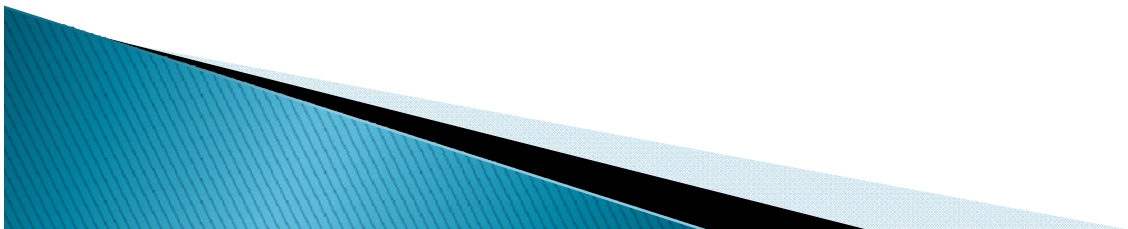
# Reporting and Recordkeeping

- ▶ Notice of Intent
- ▶ Notice of Termination
- ▶ Signatory Authorization Form
- ▶ Relocation Notice
- ▶ Threatened and Endangered Species Guidance Checklist
- ▶ Corrective Actions Report
- ▶ Facility Maps



# Corrective Action Report?

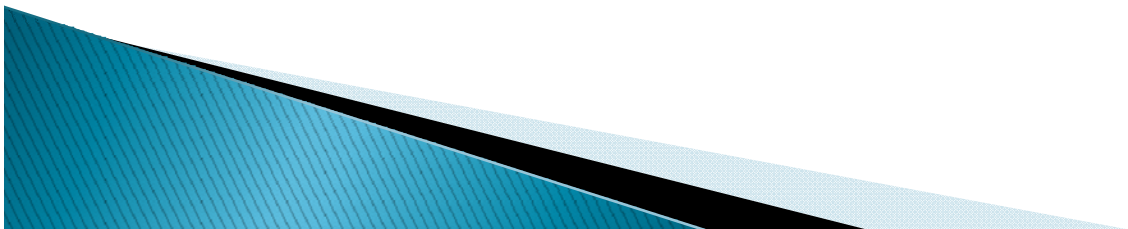
- ▶ Certain conditions are discovered onsite that require documentation and review of your SWPPP to comply with the permit
- ▶ Discussed in detail in Section 3 of the ISW-GP
- ▶ The permit identifies 6 conditions which determine if a review and/or revision is necessary





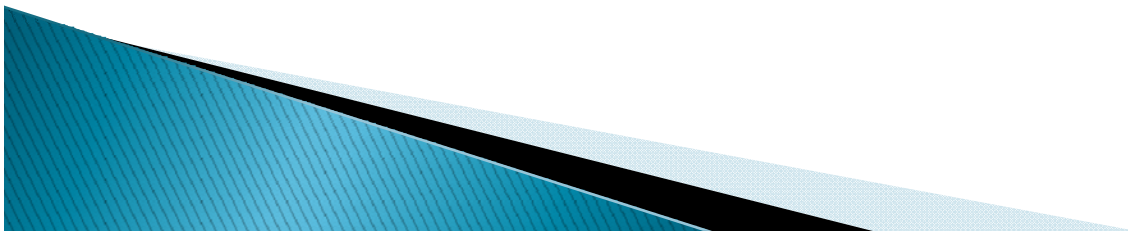
# Conditions Requiring Review

- 1) An unauthorized release or discharge occurs at your facility
- 2) Your control measures are not stringent enough for the discharge to meet applicable water quality standards
- 3) It is determined that modifications to the control measures are necessary to meet the non-numeric effluent limits in this permit
- 4) It is determined during a self inspection that your control measures are not being properly operated and maintained



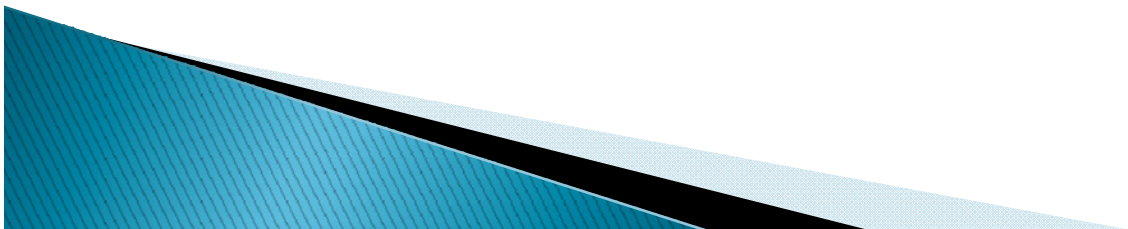
# Conditions Requiring Review

- 5) Changes at the facility significantly alter the nature or quantity of pollutants discharged in storm water from your facility
- 6) The average of 4 quarterly sampling results exceed the applicable benchmark or the sum of quarterly sample results to date is more than four times the benchmark level



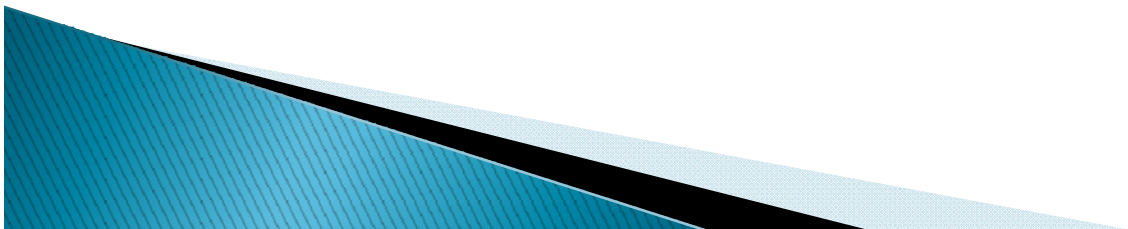
# Corrective Action Deadlines

- ▶ 24 Hour Documentation
  - Identification of the condition triggering the need for corrective action review
  - Description of the problem identified
  - Date the problem was identified



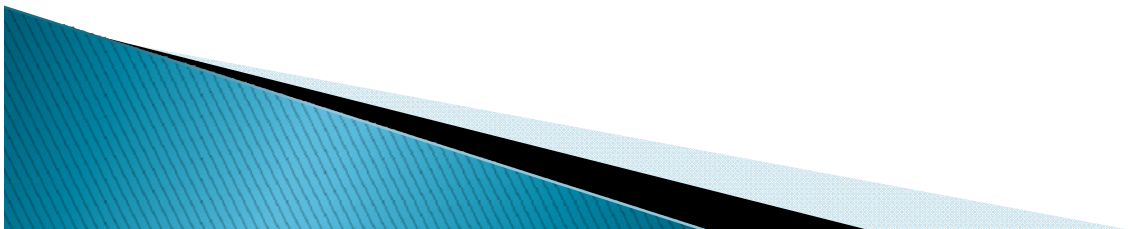
# Corrective Action Deadlines

- ▶ 14 Day Documentation
  - Summary of corrective action taken or to be taken
  - Notice of whether SWPPP modifications are required
  - Date that the corrective action was or will be initiated
  - Date corrective action completed or expected to be completed

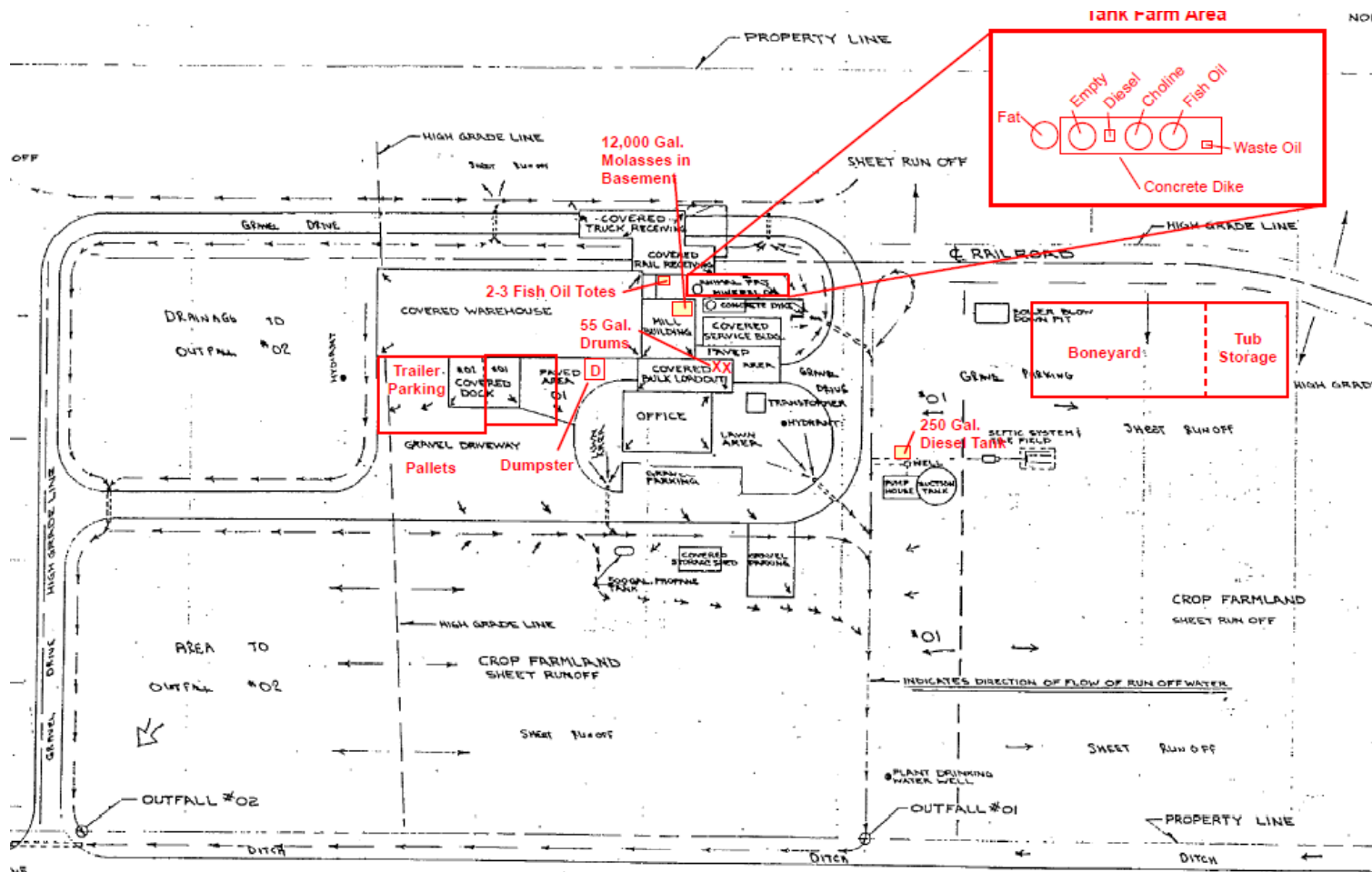


# Corrective Action Report

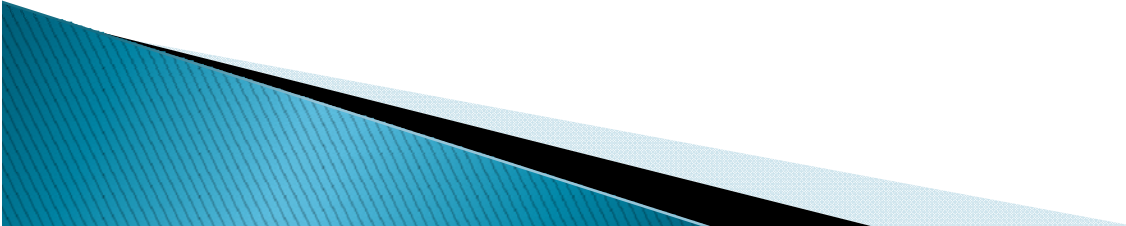
- ▶ The Corrective action report must be submitted to the Department within 30 days of initial discovery
- ▶ Copy of the corrective action report must be retained with your SWPPP



# Site Map



# General Location Map



# Questions?

- ▶ Reuel Anderson
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  - [reuel.anderson@nebraska.gov](mailto:reuel.anderson@nebraska.gov)
  
- ▶ Travis Porter
  - 402-471-4209
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