

Appendix B

Definitions, Abbreviations, and Acronyms (for the purposes of the 2021 ISW-GP)

B.1 DEFINITIONS

Action Area: all areas to be affected directly or indirectly by the storm water discharges, allowable non-storm water discharges, and storm water discharge-related activities, and not merely the immediate area involved in these discharges and activities.

Best Available Technology Economically Achievable (BAT): defined in CWA section 304(b)(2).

Best Conventional Pollutant Control Technology (BCT): defined in CWA section 304(b)(4).

Best Management Practices (BMPs): schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of 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. (See 40 CFR 122.2)

Best Practicable Control Technology Currently Available (BPT): defined in CWA section 304(b)(1).

Co-located Industrial Activities: any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the storm water regulations at 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations or identified by the SIC code list in Appendix D.

Control Measure: refers to any storm water control or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

Corrective Action: for the purposes of the permit, any action taken, or required to be taken, to repair, modify, or replace any storm water control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

Critical Habitat: as defined in the Endangered Species Act at 16 U.S.C. 1531 for a threatened or endangered species, (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

Department: Nebraska Department of Environment and Energy, or NDEE.

Director: the Director of the Nebraska Department of Environment and Energy.

Discharge: when used without qualification, means the "discharge of a pollutant." See Title 119, Chapter 1 038.

Discharge of a pollutant: any addition of any "pollutant" or combination of pollutants to "waters of the state" from any "point source". This includes discharge into waters of the state from surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a state, municipality or other party which do not lead to treatment systems; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Discharge Point or Outfall: for the purposes of this permit, the location where collected and concentrated storm water flows are discharged from the facility such that the first receiving waterbody into which the discharge flows, either directly or through a separate storm sewer system, is a water of the state.

Discharge-related activities: activities that cause, contribute to, or result in storm water and allowable non-storm water point source discharges, and measures such as the siting, construction, and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Drought-stricken area: a period of below average water content in streams, reservoirs, ground-water aquifers, lakes, and soils. For the purposes of this permit, a drought-stricken area is identified by the National Drought Mitigation Center as an intensity of at least D1 Drought – Moderate. Information on Drought Monitoring is available from the National Drought Mitigation Center at: <http://drought.unl.edu/>.

Effluent Limitations Guideline (ELG): defined in 40 CFR § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

EPA Approved or Established Total Maximum Daily Loads (TMDLs): “EPA Approved TMDLs” are those that are developed by NDEE and approved by EPA. “EPA Established TMDLs” are those that are developed by EPA.

Existing Discharger: an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Expanded Discharges: instances where an alteration or addition to a facility could significantly change the nature or increase the quantity of pollutants from a facility’s storm water discharge.

Facility or Activity: any NPDES “point source” (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See Title 119, Chapter 1 046, see also 40 CFR 122.2.

Feasible: for the purposes of this permit, feasible means technologically possible and economically practicable and achievable in light of best industry practices.

Hazardous Waste: for the purposes of this permit, any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See 40 CFR §261.2.

Historic Property: as defined in the National Historic Preservation Act regulations means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe that meet the National Register criteria.

Impaired Water (or “Water Quality Impaired Water” or “Water Quality Limited Segment”): a water is impaired for purposes of this permit if it has been identified by the NDEE pursuant to Section 303(d) of the Clean Water Act as not meeting applicable state water quality standards. Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established. Impaired waters are identified in the NDEE Surface Water Quality Integrated Report

Indian Country or Indian Country Lands: (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) all dependent Indian communities within the borders of the United States, whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe. (18 U.S.C. 1151)

Infeasible: for the purposes of this permit, not technologically possible or not economically practicable and achievable in light of best industry practices

Industrial Activity: the 10 categories of industrial activities included in the definition of “storm water discharges associated with industrial activity” as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Industrial Storm Water: storm water runoff from industrial activity.

Infeasible: for the purposes of this permit, infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices.

Monitored Outfall: means any discernible, confined and discrete conveyance, including but not limited to any pipe, sewer, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, collection system, or other conveyances, which do not lead to treatment systems, from which pollutants are or may be discharged, (i.e. a shallow swale or rill, a depression, or a curb cut could fit such a description.)

Municipal Separate Storm Sewer System (MS4): all separate storm sewers that are defined as “large” or “medium” or “small” municipal separate storm sewer systems pursuant to this chapter or designated under Title 119, Chapter 10.

Large MS4: all municipal separate storm sewers that are located in an incorporated place with a population of 250,000 or more as determined by the most recent Decennial Census by the Bureau of the Census, or designated by the Director as part of the large municipal separate storm sewer system due to the interrelationship between the discharges of the designated storm sewer and the discharges from municipal separate storm sewers designated as a Large MS4.

Medium MS4: all municipal separate storm sewers that are located in an incorporated place with a population of 100,000 or more but less than 250,000, as determined by the most recent Decennial Census by the Bureau of the Census or designated by the Director as part of the medium municipal separate storm sewer system due to the interrelationship between the discharges of the designated storm sewer and the discharges from municipal separate storm sewers designated as a Medium MS4.

Small MS4: all separate storm sewers that are not defined as “large” or “medium” municipal separate storm sewer systems pursuant to this chapter or designated under Title 119, Chapter 10. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Permitted MS4: authorized under an NPDES permit for the discharge of storm water from a municipal separate storm sewer system to waters of the state of Nebraska.

Narrative Limits: descriptive aesthetics requirements (rather than numeric limits) as described in Title 117, Chapter 4, Part 005.

New Discharger: a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Source: any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or
- after proposal of standards of performance in accordance with section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal. (See 40 CFR 122.2)

New Source Performance Standards (NSPS): technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

No Exposure: all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See Title 119, Chapter 10 007, (see also 40 CFR 122.26(g)).

Operator: any entity with a storm water discharge associated with industrial activity that meets either of the following two criteria:

- The entity has operational control over industrial activities, including the ability to modify those activities; or

- The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Person: an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. (See 40 CFR 122.2)

Point source: any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. See Title 119, Chapter 1 088.

Pollutant: defined at 40 CFR §122.2. A partial listing from this definition includes: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See Title 119, Chapter 1 089.

Pollutant of concern: a pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a 303(d) list.

Portable Facility: temporary asphalt or concrete plant located on or contiguous to a construction site, subject to Department approval.

Primary Industrial Activity: includes any activities performed on-site which are (1) identified by the facility's primary SIC code; or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Qualified Personnel: Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at your facility, and who can also evaluate the effectiveness of control measures.

Reportable Quantity Release: a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff Coefficient: the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Run-On: sources of storm water that drain from land located upslope or upstream from the regulated facility.

Semi-Arid Climate: areas where annual rainfall averages from 10 to 20 inches. For the state of Nebraska, this climate region includes the panhandle.

Sheet flow: means an overland flow or downslope movement of water taking the form of a thin, continuous film over relatively smooth and level surfaces and not concentrated into channels or conveyances.

Significant materials: includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is

required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).

State Resource Waters ‘Class A’: For antidegradation purposes, State Resource Waters ‘Class A’ are surface waters, whether or not they are designated in the Surface Water Quality Standards, which constitute an outstanding State or National resource, such as waters within national or state parks, national forests or wildlife refuges, and waters of exceptional recreational or ecological significance. Waters which provide a unique habitat for federally designated endangered or threatened species and rivers designated under the Wild and Scenic Rivers Act are also included. The existing quality of these surface waters shall be maintained and protected. See Title 117, Chapter 3, Part 002.

State Resource Waters ‘Class B’: For antidegradation purposes, State Resource Waters ‘Class B’ are surface waters, whether or not they are designated in the Surface Water Quality Standards, which possess an existing quality which exceeds levels necessary to maintain recreational and/or aquatic life uses. The existing water quality of these surface waters shall be maintained and protected. However, the State may choose, in accordance with Neb. Rev. Stat. § 81-1513, to allow lower water quality as a result of important and necessary economic or social development in the area. There shall be achieved the highest statutory and regulatory requirements for all new and existing point sources and all cost-effective and reasonable best management practices for nonpoint source control. In cases where potential water quality impairment associated with a thermal discharge is involved, the method of implementation of this antidegradation policy shall be consistent with Section 316 of the CWA.

Storm Event: a precipitation event that results in a measurable amount of precipitation.

Storm Water: storm water runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Storm Water Discharges Associated with Construction Activity: a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Storm Water Discharges Associated with Industrial Activity: the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial facility. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on facility lands separate from the facility's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above-described areas. Industrial facilities include those that are federally, state, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14). The term also includes those facilities designated under the provisions of 40 CFR 122.26(a)(1)(v). See 40 CFR 122.26(b)(14).

Storm Water Pollution Prevention Team: the storm water pollution prevention team is responsible for overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining storm water control measures and taking corrective actions when required. Each member of the storm water pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit,

the most updated copy of your SWPPP, and other relevant documents or information that must be kept with the SWPPP. The individuals on the “Storm water Team” must be identified in the SWPPP.

Total Maximum Daily Loads (TMDLs): the sum of the individual wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources and natural background. If receiving water has only one point source discharger, the TMDL is the sum of that point source WLA plus the LAs for any nonpoint sources of pollution and natural background sources, tributaries, or adjacent segments. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Waters of the State: 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 and underground, natural or artificial, public or private, situated wholly or partly within or bordering upon the state.

Water Quality Standards: defined in 40 CFR § 131.3, and are provisions of State or Federal law which consist of a designated use or uses for the waters of the United States, water quality criteria for such waters based upon such uses, and an antidegradation policy to protect high- quality waters. Water quality standards protect the public health or welfare, enhance the quality of water, and serve the purposes of the Act.

“You” and “Your”: as used in this permit intended to refer to the permittee, the operator, or the discharger as the context indicates and that party’s facility or responsibilities. The use of “you” and “your” refers to a particular facility and not to all facilities operated by a particular entity. For example, “you must submit” means the permittee must submit something for a particular facility. Likewise, “all your discharges” would refer only to discharges at that one facility.

B.2 ABBREVIATIONS AND ACRONYMS**AIM:** Advanced Implementation Measures**BAT:** Best Available Technology Economically Achievable**BCT:** Best Conventional Pollutant Control Technology**BOD5:** Biochemical Oxygen Demand (5-day test)**BMP:** Best Management Practice**BPT:** Best Practicable Control Technology Currently Available**CERCLA:** Comprehensive Environmental Response, Compensation and Liability Act**CFR:** Code of Federal Regulations**CSW-GP:** Construction Storm Water General Permit**COD:** Chemical Oxygen Demand**CWA:** Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 *et seq*)**EPA:** U. S. Environmental Protection Agency**ISW-SEMR:** Industrial Storm Water – Storm Event Monitoring Report**ISW-GP:** Industrial Storm Water General Permit**LA:** Load Allocations**MGD:** Million Gallons per Day**mg/L:** Milligrams per liter**MS4:** Municipal Separate Storm Sewer System**NEC:** No Exposure Certification**NOI:** Notice of Intent**NOT:** Notice of Termination**NPDES:** National Pollutant Discharge Elimination System**NRC:** National Response Center**NSPS:** New Source Performance Standard**NTU:** Nephelometric Turbidity Unit**OSM:** U. S. Office of Surface Mining**RCRA:** Resource Conservation and Recovery Act**RQ:** Reportable Quantity**SDS:** Safety Data Sheet**SIC:** Standard Industrial Classification**SMCRA:** Surface Mining Control and Reclamation Act**SPCC:** Spill Prevention, Control, and Countermeasures**S.U.:** Standard Units**SWPPP:** Storm Water Pollution Prevention Plan**TMDL:** Total Maximum Daily Load**TSDF:** Treatment, Storage, or Disposal Facility**TSS:** Total Suspended Solids**USGS:** United States Geological Survey**WLA:** Wasteload Allocation