|  |
| --- |
| **National Pollutant Discharge Elimination System - NPDES Program** |
|  |
|  |  |
| **Who to Contact**: NPDES Permits and Compliance Unit (402) 471-4220, or (402) 471-8830.[NPDES Publications](http://deq.ne.gov/Publica.nsf/Pubs_NPDES.xsp)**Who needs to apply?**All persons discharging or proposing to discharge pollutants from a point source into any waters of the state are required to apply for and have a permit under the National Pollutant Discharge Elimination System (NPDES) to discharge including all significant industrial users discharging to a publicly owned treatment works.The Nebraska NPDES program encompasses a number of different types of discharges including: * municipal
* commercial
* industrial wastewater
* industrial discharges to public wastewater treatment systems (also known as the Nebraska pretreatment program)
* industrial and municipal storm water
* municipal combined sanitary and storm sewer overflows and discharges
* livestock waste control

The Department is responsible for developing and issuing NPDES permits, and for insuring that permitted facilities comply with permit requirements. State regulations pertaining to these programs are: * [Title 119 - Rules and Regulations Pertaining to the Issuance of Permits under the National Pollutant Discharge Elimination System](http://deq.ne.gov/RuleAndR.nsf/Title_119.xsp)
* [Title 130 - Livestock Waste Control Regulations](http://deq.ne.gov/RuleAndR.nsf/Title_130.xsp)

**Discharge Monitoring Reports (DMRs)**For those responsible for preparing Discharge Monitoring Reports (DMRs)in accordance with their NPDES permits, training sessions will be held throughout the state in 2011. Instructions for completing Discharge Monitoring Reports can be found here: [DMR Report Inst.pdf](http://deq.ne.gov/Publica.nsf/Pages/WAT162)For assistance in completing DMRs, the following tools are available: [GeoMean Calculator](http://deq.ne.gov/Publica.nsf/Pages/WAT163) and [Flow Rate Calculator.](http://deq.ne.gov/Publica.nsf/Pages/WAT164) You will need to have Microsoft Excel in order to use these calculators **When Do I Apply?**Regulations require a site-specific NPDES permit application be submitted to NDEQ **at least 180 days prior to the date of first discharge.** It is important that you submit a complete and accurate permit application. The 180-day period does not start until a complete application is received. If changes are made or additional information is submitted or is required, the 180-day period may start over. NPDES permits are public noticed for 30 days before being issued. If comments are received and a hearing is required, the Department would schedule a hearing and respond to any comments received at the hearing. This may require an additional 60 to 90 days.General Permit authorizations may take from 7 to 30 days as indicated below.**Types of NPDES Permits** **Discharge to Surface Water**A site specific NPDES Permit is required for discharges of wastewater from a facility to surface waters of the state. For example, discharges of:**Non-Process Wastewater**, which includes cooling water, reverse osmosis or softener reject water, boiler blow down water, or cooling tower blowdown water.**Process Wastewater**, which includes any water that comes into contact with the product; co-products that can become a wastewater or Clean In Place (CIP) and other wash and cleaning water.**Treated Sanitary Wastewater** is subject to secondary treatment standards found in Title 119, Chapter 21. Form 1 and 2A can be used for facilities discharging only treated sanitary wastewater. [NPDES Combined Form 1 & 2A](http://deq.ne.gov/Publica.nsf/Pages/WAT050) These discharges may be subject to categorical effluent guidelines found in [Title 119, Rules and Regulations pertaining to the Issuance of National Pollutant Discharge Elimination System Permits Chapter 27](http://deq.ne.gov/RuleAndR.nsf/pages/119-Ch-27)*.* These are state and federal guidelines based on the technology available to treat the pollutants from a particular industry.In addition, the NPDES permit would regulate any constituentshaving reasonable potential to pollute based on Title 117, Nebraska Surface Water Quality Standards and Title 118 Groundwater Quality Standards and Use Classification. The establishment of allowable levels of pollutants in the discharge depends on the characteristics of the receiving body of water. These limitations are site specific, based on the body of water into which the wastewater is discharged.[NPDES Combined Form 1 & 2C](http://deq.ne.gov/Publica.nsf/Pages/WAT047)**Land Application of Wastewaters**Title 119 Chapter 12 provides [Authorization by Rule](http://deq.ne.gov/RuleAndR.nsf/pages/119-Ch-12) for **domestic** wastewater treatment plant effluent land application. For these facilities that meet the requirements of the chapter and maintain records in accordance with this chapter, no NPDES permit is necessary. An NPDES permit is required for land application of **industrial** wastewater. The permit will require annual soil monitoring, agronomic rate application, site approval and wastewater testing. It will also require an annual report from a certified agronomist. [NPDES Combined Form 1 & 2C](http://deq.ne.gov/Publica.nsf/Pages/WAT047) is also used for applying for this type of permit.If the waste material is solid in nature (e.g., wet cake, etc.), it will be regulated under [Title 132 - Integrated Solid Waste Management Regulations](http://deq.ne.gov/RuleAndR.nsf/Title_132.xsp).**Discharge to a Publicly Owned Treatment Works - Nebraska Pretreatment Permit**This permit must be obtained prior to the discharge of wastewater from a Significant Industrial User facility to a Publicly Owned Treatment Works. A Significant Industrial User is an industrial facility that:Is subject to Effluent Guidelines ([Title 119 Chapter 27](http://deq.ne.gov/RuleAndR.nsf/pages/119-Ch-27)) that include Categorical Pretreatment Standards, or, Discharges 25,000 gallons per day (gpd) of wastewater to the public wastewater treatment facility; or, Contributes 5% or more of the total hydraulic or 5% or more of the organic load of the wastewater treatment facility, Or is designated as such by the Director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW’s operation or for violating a pretreatment standard or requirement. An NPP Permit will require testing to meet Categorical pretreatment guidelines (40 CFR 406, and adopted by [Title 119 Chapter 27](http://deq.ne.gov/RuleAndR.nsf/pages/119-Ch-27).This permit functions to protect municipal public wastewater collection and treatment systems from damage or overloading by industrial dischargers. It is important to note that in the event of an industrially caused upset, pass through, or interference at the POTW, the industry is regulated under [Title 119 Chapter 26](http://deq.ne.gov/RuleAndR.nsf/pages/119-Ch-26) 002 general prohibitions with or without an NPDES permit.An application can be found at [Nebraska Pretreatment Program (NPP) Form](http://deq.ne.gov/Publica.nsf/Pages/WAT049)**Hydrostatic Testing and/or Dewatering Discharges**NPDES permits are required for the discharge of hydrostatic testing fluids and for groundwater dewatering on the industrial site. Both of these activities can be authorized under and NPDES General Permit for Hydrostatic Testing and an NDPES General Permit for Dewatering. Below are links to the permit information:* [NPDES Permit Authorizing Hydrostatic Test Discharges from Pipelines and Storage](http://deq.ne.gov/Publica.nsf/pages/WAT180)
* [NPDES Permit Authorizing Dewatering Discharges](http://deq.ne.gov/Publica.nsf/pages/WAT179)

All applicable application forms are attached to the permit document. Requirements include submission of a Notice of Intent and Minor Monitoring/Reporting to ensure discharged water meets Nebraska’s Water Quality Standards.**Storm Water Permits during Construction** An NPDES Construction Storm Water General Permit – Notice of Intent (CSW-NOI) is needed if construction **disturbs over one acre of land**. The Notice of Intent must be received by the NDEQ at least **seven days in advance of starting land grading** and clearing activities. Development of a Storm Water Pollution Prevention Plan that addresses erosion and sediment control is a primary condition of this permit.The NPDES Construction Storm Water online permit application process is available on this website, [NPDES Permit for Storm Water Discharges from Construction Sites](http://deq.ne.gov/Publica.nsf/pages/WAT012). All applicable application information is included in the online application.Additional Storm Water information can be obtained by calling (402) 471-8330**Storm Water Permits during Operation** An NPDES Industrial Storm Water Permit – Notice of Intent (ISW-NOI) must be received by the NDEQ at least **30 days prior to facility start-up**. Development of a Storm Water Pollution Prevention Plan addressing storm water runoff and exterior housekeeping is a primary condition of this permit.The NPDES Industrial Storm Water permit and associated forms are available on this website, [NPDES Permit for Industrial Storm Water Discharges](http://deq.ne.gov/Publica.nsf/pages/WAT011). All applicable application forms are attached to the permit document.Additional Storm Water information can be obtained by calling (402) 471-4205.**Treated Groundwater Remediation Discharges** An NPDES permit is required for the discharge of treated groundwater from remediation facilities. This activity can be authorized under an NPDES General Permit authorizing treated groundwater remediation discharges. Below is a link to the permit information:* [NPDES Permit Authorizing Treated Groundwater Remediation Discharges](http://deq.ne.gov/Publica.nsf/pages/WAT114)

All applicable application forms are attached to the permit document. Requirements include submission of a Notification of Intent and fuel contamination site/organic chemical contamination site monitoring requirements to ensure discharged water meets Nebraska’s water quality standards.  |
|  |