

# National NPDES Permit Writers Conference Agenda

July 22-26, 2013

Shepherdstown, WV

## Monday, July 22, 2013

Two stand-alone workshops will be offered simultaneously on Day One. Developing Water Quality Based Effluent Limits (WQBELs) for Nutrient Pollution will be focused on municipal permitting, and Surface Water Linkages: Standards, TMDLs, Permits, and Enforcement will focus on industrial and stormwater issues. These workshops will be a full day focused on working through some of the most complex issues facing permit writers.

<b><u>Surface Water Linkages: Standards, TMDLs, Permits, and Enforcement</u></b>	<b><u>Developing Water Quality Based Effluent Limits (WQBELs) for Nutrient Pollution</u></b>
Room: 151 Instructional West (IW)	Room: 105 Instructional East (IE)
Lead: Jennifer Molloy and Jamie Fowler Presenters: Heather Goss, Dave Hair	Lead: Danielle Stephan Presenters: Rich Remigio, Greg Currey (contractor)
This session will provide quick primers for the water quality-based approach (standards, TMDLs, permits, enforcement); summarize many of the common challenges faced by permit writers when trying to translate WLAs into WQBELs or other permit provisions; and give attendees an opportunity to work through several permitting scenarios and discuss the legal vulnerabilities, likely water quality outcomes and enforceability.	During this workshop, participants will identify applicable water quality standards, determine if WQBELs are needed and calculate numeric WQBELs for nitrogen and phosphorus. The training will focus on writing WQBELs for Publicly Owned Treatment Works (POTWs) to comply with the requirements of the Clean Water Act and existing NPDES regulations.

## Tuesday, July 23, 2013

Day Two will be a plenary session. Topics to be discussed include:

	Room: Main Auditorium	
	<b>Session</b>	<b>Speakers</b>
8:00 AM	Registration at Main Lobby	
8:30 AM	Welcome and State of the NPDES Program Discussion of recent and upcoming achievements and challenges in the NPDES program.	Deborah Nagle, Director Water Permits Division
9:00 AM	<b>BREAK</b>	
9:15 AM	Introduction to States Talking to States	Alexandra Dunn, Executive Director Association of Clean Water Authorities
9:30 AM	<i>States Talking To States: Permit Processes and Coordination</i> A panel of state speakers discussing best practices and innovative approaches.	<i>Moderator:</i> Alexandra Dunn <i>Speakers:</i> Marty Haroldson, North Dakota Chris Henninger, Arizona Ernie Kelley, Vermont Michele Reid, Nevada Amanda Sappington, Missouri
11:00	NPDES Litigation Update We will provide a review of the year's hottest NPDES litigation topics, including the two Supreme Court cases ( <i>Decker v. Northwest Environmental Defense Center</i> and <i>L.A. County Flood Control District v. NRDC</i> ) and the role and treatment of agency guidance.	Erin Flannery, Water Permits Division Louis Eby, Water Permits Division Kevin Weiss, Water Permits Division
11:30 PM	<b>LUNCH</b>	
1:00 PM	The EPA – State Relationship	Andrew Sawyers, Director Office of Wastewater Management
1:15 PM	Integrated Planning The integrated planning approach is a voluntary approach that allows municipalities to evaluate how best to meet all of their CWA requirements.	Kevin Weiss, Water Permits Division Sonja Biorn-Hansen, Oregon Loren Denton, OECA
2:00 PM	<b>BREAK</b>	
2:15 PM	<i>States Talking To States: Water Quality Permitting</i> A panel of state speakers discussing best practices and innovative approaches.	<i>Moderator:</i> Alexandra Dunn <i>Speakers:</i> Glen Behrend, Georgia Bill Drenzo, Wyoming Bill Hinkel, Maine Bill Johnson, California Kim Shelley, Utah Paul Skubinna, Montana Shane Sumida, Hawaii
4:15 PM	End of Plenary	
4:30 PM	Welcome Reception – location TBD	
6:00 PM	<b>DINNER</b>	

## Wednesday, July 24, 2013

Wednesday will consist of four breakout session periods. Attendees should pick one session at each time. Please note some sessions are offered twice.

**For more information on each session, please refer to the list at the end of this document.**

IE = Instructional East Building

IW = Instructional West Building

<b>MORNING</b>				
Rooms	103 IE	105 IE	114 IE	158 IW
Session 1 8:00 AM – 9:30 AM	Permit Quality Reviews	CWA 316(a) Thermal Variances	Modeling and Permitting	Ambient Criteria Update and Implementation Flexibilities Discussion
<b>BREAK</b>				
Session 2 10:00 AM – 11:30 AM	CSOs – Post Construction Compliance Monitoring	Water Quality Trading	Effluent Limitations Guidelines Update	Water Quality Permitting for Toxics and Chemicals

### LUNCH

<b>AFTERNOON</b>				
Session 1 1:00 PM – 2:30 PM	Ambient Criteria Update and Implementation Flexibilities Discussion	Tools for Permit Writers and Permit Writer Training	Challenges in Industrial Permitting	Modeling and Permitting
<b>BREAK</b>				
Session 2 3:00 PM – 4:30 PM	Pretreatment	Animal Agriculture, Nutrients, and the NPDES Permit Program	Water Quality Permitting for Toxics and Chemicals	Implementing Integrated Planning: Expanding the Role of Permits

## Thursday, July 25, 2013

Thursday will consist of four breakout session periods. Attendees should pick one session at each time. Please note some sessions are offered twice.

**For more information on each session, please refer to the list at the end of this document.**

IE = Instructional East Building

IW = Instructional West Building

### MORNING

Rooms	103 IE	105 IE	114 IE	109 IE
Session 1 8:00 AM – 9:30 AM	Opportunities for Strengthening General Permits	Integration and Collaboration Between CWA and SDWA Programs	TMDL to Permits	Whole Effluent Toxicity (WET) Implementation Demonstration
<b>BREAK</b>				
Session 2 10:00 AM – 11:30 AM	Climate Change	Permitting for Pathogen-Related Water Quality Criteria	Opportunities for Strengthening General Permits	NPDES Web Resources

### LUNCH

### AFTERNOON

Session 1 1:00 PM – 2:30 PM	Challenges in Industrial Permitting	New Concepts in Post-Construction Stormwater and Green Infrastructure	TMDL to Permits	Whole Effluent Toxicity (WET) Implementation Demonstration
<b>BREAK</b>				
Session 2 3:00 PM – 4:30 PM	Tools for Permit Writers and Permit Writer Training	Significant Developments in Stormwater Permitting	Permitting for Downstream Protection	NPDES Electronic Reporting

## Friday, July 26, 2013

Day Five will consist of additional plenary sessions and a wrap up focusing on the direction of the NDPES program.

	Room: Gymnasium	
	<b>Session</b>	<b>Speakers</b>
9:00 AM	Directions of the EPA Water Program Discussion of emerging challenges and priorities in the water and NPDES program.	Ellen Gilinsky, Senior Advisor to the Assistant Administrator for Water
9:30 AM	Facilitated Discussion on the Future of the NPDES Program Attendees will work together to identify themes and challenges for the next 10 years of NPDES permitting.	Facilitated by Amelia Letnes
9:45 AM	<b>BREAK</b>	
10:00 AM	Facilitated Discussion on the Future of the NPDES Program Small Group Discussions	
10:40 AM	Facilitated Discussion on the Future of the NPDES Program Report Out	
11:00 AM	Closing and Evaluations	Tom Laverty, Chief, State and Regional Branch of the Water Permits Division
11:30 AM	<b>LUNCH</b>	

## Breakout Sessions and Descriptions

Title	Speakers	Abstract
Ambient Criteria Update and Implementation Flexibilities Discussion	Erin Flannery Keith Kathryn Gallagher Heather Goss Sara Hilbrich	Provide information and training on the WQS (including a brief update on recent and upcoming WQ criteria) and permitting implementation tools available to provide flexibility in implementing ambient WQ criteria.
Animal Agriculture, Nutrients, and the NPDES Permit Program	Becky Mitschele Shanika Whitehurst Gary Kelman	This session will review the structure and scope of the NPDES regulations for CAFOs and focus on how two parts of the NPDES CAFO regulations, technical standards and nutrient management plans, provide flexibility in addressing nutrient runoff from manure application.
Challenges in Industrial Permitting	Marcus Zobrist Jack Faulk Karen Milam	What are the challenges that you face in industrial permitting? Bring your challenges and your successes. ELGs are having a hard time keeping up with industrial change, BPJ determinations are becoming more challenging and getting greater scrutiny, and most permit writers lack the resources to do BPJ. How do we effectively permit these sources given these constraints?
Climate Change	Sarita Hoyt Jenny Molloy Karen Metchis Thomas Johnson	This session will provide an overview of many of the specific challenges related to climate change, outline some of the approaches already being taken by NPDES programs, and provide an opportunity to discuss what the most critical next steps should be.
CSOs - Post Construction Compliance Monitoring	Mohammed Billah	This breakout session will present the expectations of the post construction compliance monitoring program under the Clean Water Act (CWA) and Combined Sewer Overflow (CSO) Control Policy.
CWA 316(a) Thermal Variances	Sam Kaplan Tom Mугan Chuck Nieder	A discussion on thermal variances under section 316(a) of the Clean Water Act .
Effluent Limitations Guidelines Update	Robert Wood Jan Matuszko	EPA will provide an update on Effluent Guidelines Development including 304(m) and recently proposed Steam Electric revision. Also to be discussed will be ELGs currently under development, including Unconventional Oil and Gas and recently completed ELGs such as Airport Deicing.
NPDES Whole Effluent Toxicity (WET) Implementation Demonstration Workshop	Laura Phillips Jackie Clark Brian Trulear Deborah DeBiasi Sean Furjanic Bill Dimond Steve Rubin	This session will provide a variety of hands-on instructional/interactive exhibits focusing on WET NPDES permit implementation (i.e., WET Tool, WET permit development) to WET technical subjects (i.e., EPA WET test methods, Toxicity Identification Evaluations/Toxicity Reduction Evaluations). NPDES permit and WET technical experts will be available to interact and answer questions from the participants.

Title	Speakers	Abstract
Integration and Collaboration Between CWA and SDWA Programs	Sarita Hoyt Jim Taft	A state-EPA workgroup seeks to identify opportunities for better integration and collaboration between the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA) programs. Certain CWA programs and activities can be used to enhance water quality protection for sources of drinking water and vice versa. Specifically, this is an opportunity to explore and learn from NPDES practitioners about potential impacts on sources of drinking water in NPDES permitting and pretreatment decisions.
Integrated Planning: Compliance Schedules in Municipal Permits and Financial Capability	Kevin Weiss	The integrated planning approach is a voluntary approach that allows municipalities to evaluate how best to meet all of their CWA requirements to better allow sequencing wastewater and stormwater projects in a way that allows the highest priority environmental projects to come first. The approach encourages the inclusion of innovative solutions, such as green infrastructure. This session will involve an open discussion with State and Regional permit writers regarding their experiences with municipalities developing and submitting Integrated Plans as well as permitting issues, such as the use of compliance schedules in NPDES permits, that are arising under the Integrated Planning approach.
Modeling and Permitting	Taimur Shaikh Michael Haire Rich Remigio	This forum will focus on permit writers, and those interested, with experience using water quality modeling beyond the simple, steady state mass balance equation approach described in the Technical Support Document (TSD). The session's format will include sharing and the comparing of notes and lessons learned from regions and states that have used water quality models to conduct reasonable potential analysis and deriving permit limits.
New Concepts in Post-Construction Stormwater and Green Infrastructure	Holly Galavotti Raymond Bahr	This breakout session will showcase some of the more recent concepts in controlling post-construction stormwater discharges and in promoting green infrastructure concepts. Some of the topic areas include the following: EPA's work on the stormwater rule, case studies in the use of green infrastructure, EPA's Campus Rainworks Challenge.
NPDES Electronic Reporting	Carey Johnston Jackie Clark	A discussion about electronic reporting in the NPDES program and what the upcoming NPDES Electronic Reporting rule would cover.

Title	Speakers	Abstract
NPDES Web Resources	Carey Johnston Sandra Rivera	Learn to leverage your web resources and gain insight into the evolving web and its flexibility in providing supported data. Explore the social media channels EPA uses to reach new audiences and how you can establish thought leadership and build community across multiple channels. See firsthand what is being done to increase electronic reporting of data by regulated entities. EPA has developed the NPDES Electronic Reporting Tool (NeT) to facilitate electronic data reporting and submittal of Notice of Intent (NOI) data directly from the regulated community to the Integrated Compliance Information System (ICIS). OECA will provide a hands on demonstration of ECHO, ICIS and NeT and explain how EPA's upcoming 2013 MSGP will be incorporated into it.
Opportunities for Strengthening General Permits	Greg Schaner	One of the fundamental changes prescribed by the Clean Water Act Action Plan is to strengthen and improve the enforceability of NDPES permits by ensuring that lessons learned from compliance and enforcement inspections/audits are applied to permits during the renewal process. This session will cover a range of examples of problematic language that should be avoided and examples of more effective permit language that should be included. A discussion will follow.
Permit Quality Reviews	Sharmin Syed Beth Ragnauth Dave Hair	EPA has recently transitioned its permit quality review process from Headquarters to EPA Regions. This allows them to better coordinate and integrate the program evaluations with the enforcement focused State Review Framework (SRF). This session will discuss recent experiences with the integrated process from both regional and state perspectives, and to introduce the final draft of review materials to the larger group.
Permitting for Downstream Protection	Melissa McCoy Danielle Stephan Rich Remigio Ruth Chemerys	This session will provide an overview on downstream protection and WQS, and its applicability to the NPDES program. A facilitated brainstorming session will be held to collect thoughts and experiences for addressing downstream protection for permitting.
Permitting for Pathogen-Related Water Quality Criteria	Tracy Bone Robyn Stuber Mark Matthews Rich Remigio	This session will focus on approaches for water quality-based permitting for pathogen and its selected pathogen-indicators. Firstly, an overview on the 2012 revised ambient recreational water quality criteria (RWQC) will be provided. Also included in the session will be an overview on current implementation practices related to pathogen-based permitting and materials that are currently under development. And if time permits, an open floor discussion on hurdles and successes related to pathogen-related permitting will be facilitated with participants.

Title	Speakers	Abstract
Pretreatment	Jan Pickrel	This breakout/workshop provides a brief overview of the National Pretreatment Program regulations and the relationship between the National Pretreatment Program and POTW NPDES Program. This workshop also discusses typical duties and responsibilities of State and EPA acting as Pretreatment Program Approval Authorities.
Significant Developments in Stormwater Permitting	Erika Farris David Johnson	This breakout session will explore several current issues facing the NPDES stormwater permitting program, including how to incorporate post-construction performance standards and TMDL requirements into MS4 permits, and options for addressing the federal requirement to provide natural buffers around receiving waters during construction.
TMDL to Permits	Robyn Stuber Elizabeth Sablad Jamie Marincola	This session will explore challenges in implementing TMDLs through permits. It will consider solutions used by states and Regions, and how they can be used more broadly.
Tools for Permit Writers and Permit Writer Training	Dave Hair John DeFriese Sonia Bjorn-Hansen Siegelinde Pylpchuk Bruce Kent	This session provides an opportunity for EPA HQ, Regions and NPDES states to present and demonstrate tools that they have developed to facilitate permit development and to ensure that permits are of high quality. The session will also provide EPA HQ, Regions, and states with a chance to highlight their efforts and approaches to train permit writers and improve efficiency, quality, and consistency. During and after the presentations, the breakout participants are encouraged to ask questions and share experiences from their state/Regional efforts.
Water Quality Permitting for Toxics and Chemicals	Dave Hair Kathryn Gallagher Robert Pepin Paul Kaspar Tom Muga Nancy Kmet	What are the challenges that you face in permitting for toxics and other chemicals? Bring your challenges and your successes to our panel of experienced NPDES and WQS staff.
Water Quality Trading	Amelia Letnes Ginny Snead Sonja Biorn-Hansen	This session will focus on presenting an overview of the basic concepts of water quality trading and present case studies where states have been successfully implementing trading programs.
Writing Stronger General Permits	Greg Schaner Seth Heminway	The increasing reliance by NPDES permit programs on the use of general permits has brought with it policy challenges that highlight the difference between the general and individual permit approaches. During this session, several of the most prominent of these challenges will be explored by EPA and state permit writers in an open discussion with participants.