

Today's Speakers

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Scope and Framework of the NPDES Program-2

General Definitions



- Clean Water Act legislation
- NPDES regulations
- policy and guidance



Scope and Framework of the NPDES Program-3

Federal Regulations



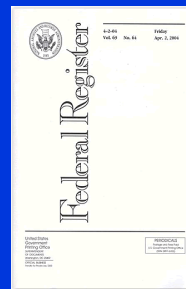
- **Code of Federal Regulations (CFR)**
 - where final promulgated regulations are published
 - published each year—includes regulations final as of July 1
 - Title 40: Protection of Environment
 - www.gpoaccess.gov



Scope and Framework of the NPDES Program-4

Federal Regulations (continued)

- **Federal Register (FR)**
 - where rules are first proposed and then promulgated
 - published daily
 - includes background information (e.g., preamble, summary of response to comments)
 - www.gpoaccess.gov



Scope and Framework of the NPDES Program-5

Key NPDES Regulations

<u>40 CFR Part</u>	<u>Description</u>
121	State Certification of Activities Requiring a Federal License or Permit
122	EPA Administered Permit Programs: The National Pollutant Discharge Elimination System
123	State Program Requirements
124	Procedures for Decisionmaking
125	Criteria and Standards for the National Pollutant Discharge Elimination System
130	Water Quality Planning and Management
131	Water Quality Standards
132	Water Quality Guidance for the Great Lakes System
133	Secondary Treatment Regulation
136	Guidelines for Establishing Test Procedures for the Analysis of Pollutants
401	General Provisions
403	General Pretreatment Regulations
405-499	Effluent Limitations, Guidelines and Standards



Scope and Framework of the NPDES Program-6

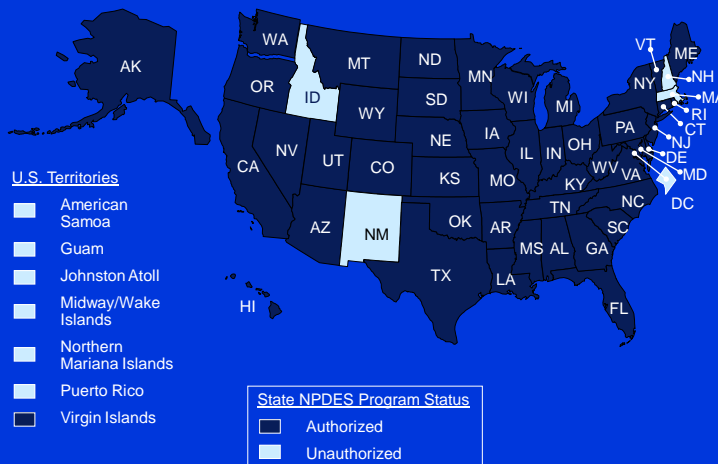
Federal Government and State/Territory/Tribe Roles

- **Before state/territorial/tribal program authorization:**
 - EPA issues permits
 - EPA conducts compliance and monitoring activities
 - EPA enforces
- **After state/territorial/tribal program authorization:**
 - state/territory/tribe implements as above
 - EPA oversees
 - administrative, technical and legal support and training enforcement as necessary
 - grants



Scope and Framework of the NPDES Program-7

NPDES Program Authorizations



Scope and Framework of the NPDES Program-8

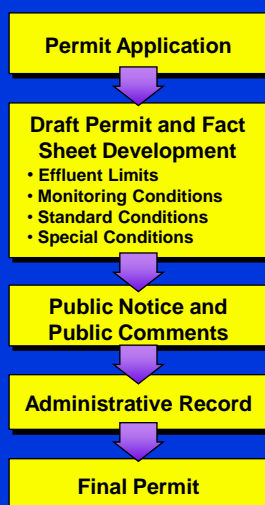
Types of NPDES Permits – Individual

- **Individual Permit**
 - 1 application submitted → 1 permit issued
 - appropriate where facility-specific permit conditions (e.g., effluent limitations, management practices, monitoring and reporting) are needed



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Individual Permit Issuance Process



Scope and Framework of the NPDES Program-10

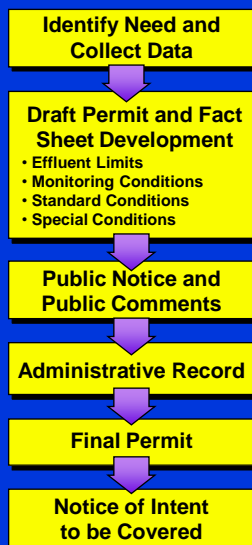
Types of NPDES Permits - General

- **General Permit (40 CFR 122.28)**
 - 1 permit issued → many notices of intent submitted
 - **Appropriate where**
 - multiple, similar sources (e.g., same category or similar process) within the same geographic area require permit coverage
 - sources have similar discharges and would require the same or similar permit conditions
 - **Permit must identify:**
 - area of coverage
 - sources covered
 - application process (Notice of Intent)

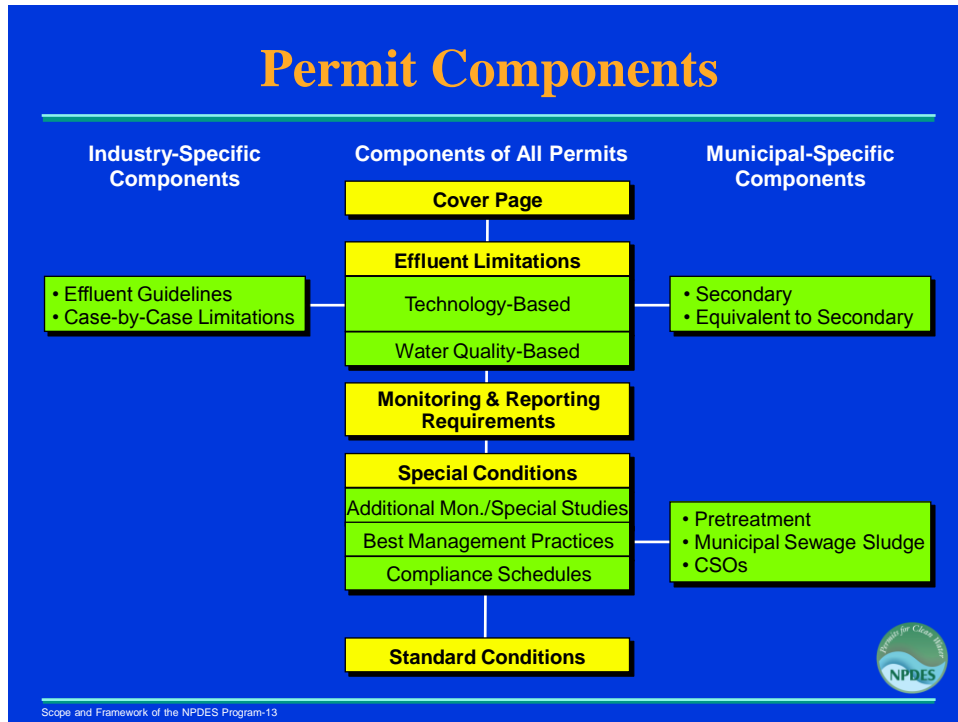



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General Permit Issuance Process



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- ## Types of NPDES Dischargers — POTW and Non-POTW
- EPA groups dischargers into publicly-owned treatment works (**POTW**) and **non-POTW** permits
 - **POTWs** are treatment works *owned by a state or municipality*
 - include devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature
 - **Non-POTWs** include all other facilities and are often called “non-municipals” or “industrials”
- 
- Scope and Framework of the NPDES Program-14

Types of NPDES Permits— Major and Minor

- **Major POTWs**
 - Design flow of 1 million gallons per day (MGD) or greater or
 - Other POTWs designated as a major
- **Major Non-POTWs**
 - Score 80 or more points on the “NPDES Permit Rating Worksheet”
 - Other non-POTWs designated as a major
- **Everything else is a minor**



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Current and Projected NPDES Universe (Estimates)

Type of Facility		Approximate Number of Facilities
Major	Individual Permits	6,700
	• POTWs • Non-POTWs or Non-municipals	(4,200) (2,500)
Minor	Individual Permits	39,000
	• POTWs • Non-POTWs or Non-municipals	(10,000) (29,000)
Minor	• Covered by General Permits • Non-stormwater • POTWs and Industrial Facilities	71,000



Scope and Framework of the NPDES Program-16

NPDES Stormwater Program

- **Phase I - November 16, 1990**
 (effective December 17, 1990)
 - medium and large municipal separate storm sewer systems (MS4s)
 - industrial activity, including large construction activity (≥ 5 acres)

- **Phase II - December 8, 1999**
 (effective February 7, 2000)
 - small MS4s
 - small construction activity (≥ 1 acre and < 5 acres)
 - no exposure (industrial activity)

- **Additional information and fact sheets:**
 - www.epa.gov/npdes/stormwater



Scope and Framework of the NPDES Program-17

Current and Projected NPDES Universe— Stormwater (Estimates)

Type of Facility	Approximate Number of Facilities
Stormwater: Phase I MS4s	1,000
Stormwater: Phase II MS4s	6,000
Stormwater: Phase I Industrial	96,500
Stormwater: Phase II Industrial	36,000
Stormwater: Phase I Construction	158,500 per year
Stormwater: Phase II Construction	91,500 per year



Scope and Framework of the NPDES Program-18

NPDES Program Updates

- **NPDES program scope is dynamic**
 - Revisions to existing regulations
 - New categories of point sources (e.g., certain discharges from vessels)
- **Visit www.epa.gov/npdes regularly for program updates**



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Feedback and Other Presentations

Questions or comments?

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NPDES Permitting

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