

Ohio NPDES Program Updates

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Presentation Overview

- DSW and NPDES updates:
 - SB1 implementation
 - New NPDES application requirements
 - IT revamp
 - NPDES Program update
 - Pretreatment Program update
 - Rules update
 - 316(b) update
- Questions

Senate Bill 1 (ORC 6111.03)



- Signed into law on 4/2/15
- Effects municipal facilities
 - Considered a major OR
 - $ADDF \geq 1.0$ MGD
- New orthophosphate monitoring requirement
- TP Technical and Financial Capability Study

ORC 6111.03

Not later than December 1, 2016, a POTW with a design flow of 1 MGD or more, or designated as a major discharger by the director, shall be required to begin monthly monitoring of total and dissolved reactive phosphorus pursuant to a new NPDES permit, an NPDES permit renewal or a director-initiated modification.

Orthophosphate Sampling

- Who?
 - Municipal facilities that are considered major or have ADDF ≥ 1.0 MGD.
- When?
 - Permits due to expire before 12/1/2016 will have this requirement included in their renewal.
 - Permits expiring after 12/1/2016 will have a minor modification, likely in May 2016, to incorporate the requirements.
 - Some permits will be in the 'gray zone'.

ORC 6111.03

Not later than December 1, 2017, a POTW with a design flow of 1 MGD or more that, on July 3, 2015, is not subject to a phosphorus limit shall complete and submit to the director a study that evaluates the technical and financial capability of the existing treatment facility to reduce the final effluent discharge of phosphorus to 1 mg/l using possible source reduction measures, operational procedures and unit process configurations.

TP Technical and Feasibility Study

- What?
 - Study evaluates the technical and financial capability of permittees to reduce total phosphorus to 1 mg/L or lower
 - source reduction measures
 - operational procedures
 - unit process configurations
- Who?
 - Effects municipal facilities **that do not have TP limits as of 7/3/15**
 - Considered a major OR ADDF ≥ 1.0 MGD
- When?
 - Implementation outside of the permit
 - Letter from Ohio EPA in early 2016
 - Submission of study before 12/1/17



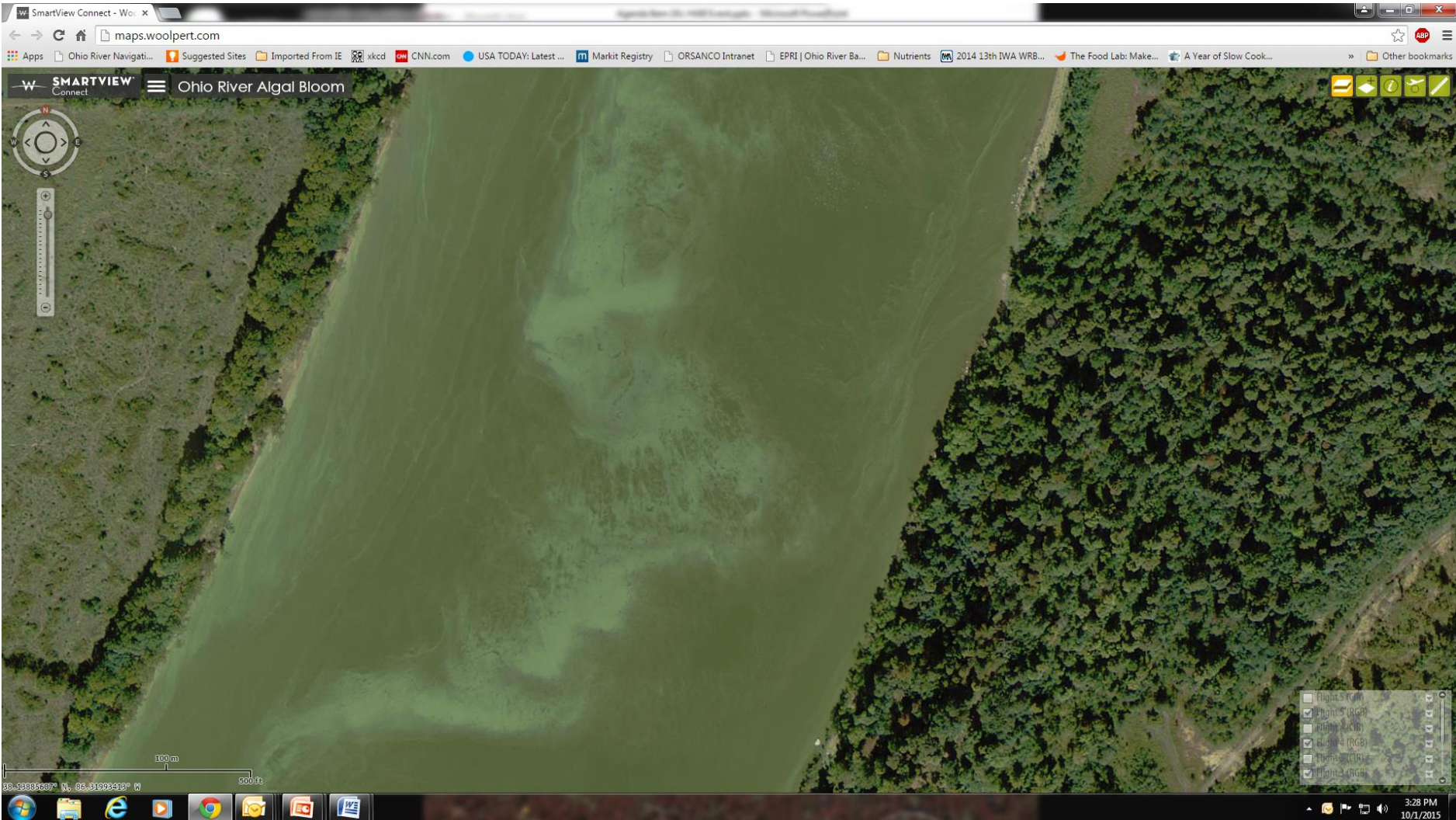
TP Technical and Feasibility Study

- Ohio EPA is currently developing guidance and a website on this requirement.
- The Evaluation for Reducing Discharge of Phosphorus form is being modified and can be used to meet the SB1 requirement:
www.epa.state.oh.us/dsw/permits/npdesform.aspx
- A similar evaluation is also required for LEB majors that currently have a 1 mg/l TP limit.

Reasons - Lake Erie



Ohio River Aerial Survey



NPDES Application Data Submittal for POTWs

- NPDES applications will have new data submittal requirements, consistent with 40 CFR 122.21.
- Affects POTWs with design flows greater than 1.0 MGD.
- POTWs with a pretreatment program already submit this information as part of their pretreatment annual reports and will not need to re-submit the information.

NPDES Application Data

- Three scans for parameters including
 - metals
 - antimony, beryllium, silver, thallium not typical now
 - hardness
 - volatile organic compounds
 - acid-extractable compounds
 - base-neutral compounds.

United States Environmental Protection Agency

Office of Enforcement Washington, DC 20460

EPA Form 3510-2C Revised August 1990 Previous editions are obsolete

Permits Division

EPA

**Application Form 2C -
Wastewater Discharge
Information**

Consolidated Permits Program

This form must be completed by all persons applying for an EPA permit to discharge wastewater (existing manufacturing, commercial, mining, and silvicultural operations).

Printed on Recycled Paper

NPDES Application Data

- A letter will be sent in February 2016 with information about this requirement to facilities who will need to meet the new application requirement.
- Affected POTWs with permits that expire after March 1, 2018, will need to include the data as part of their renewal application.

NPDES Application Data



- For more information refer to the fact sheet available at:
www.epa.ohio.gov/dsw/permits/individuals.aspx
- The list of parameters can be found in Appendix J to 40 CFR 122.
- Contact Ashley Ward
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IT Update

- Currently available forms:
 - Annual Sewage Sludge Report
 - General NPDES Applications



IT Update

- Coming soon:
 - Individual NPDES Applications
 - CAFO NPDES Applications
 - No Exposure Applications
 - Pretreatment Applications (IDPs)
 - 401 Forms
 - NPDES Reports

NPDES Program Changes

- Major NPDES Permit Lead
 - Central Office has led the major permit renewals for years; now district offices will be the lead for most major permits.
- Renewing NPDES Permits by Expiration Date
 - Previous goal was to renew permits within the state fiscal year as allowed by federal law.
- Need to submit applications on time – no later than 180 days prior to expiration



NPDES Renewal Applications

- DSW has not previously enforced the 180 day permit application submittal.
- A new compliance and enforcement process will encourage timely submittals.
- DSW is considering requiring applications 7 months, instead of 6 months, in advance.
- Major or complex permits, early submittal of applications appreciated.

NPDES Program Changes

- Historically, all parties reviewed a draft permit during the public notice period.
- Now, a 14-day permittee review period of the draft permit is being offered prior to public notice as a “preview”.
- All communications during this review are included in the public record.

“If something
is to grow,
it has to
change.”

Pretreatment Updates

- Streamlining Optional Changes
 - Alternative National Categorical Standards
 - Non-Significant Categorical Industrial Users
 - Mid-Tier Categorical Industrial Users
 - Monitoring Waivers
 - General Control Mechanisms

Pretreatment Updates

Local Limit Justification Reports PE Stamp Requirements

- Ohio EPA is considering changing the requirements to only require a PE stamp for local limit technical justifications for new or revised local limits.
- Stay tuned! Check our rules website:

epa.ohio.gov/dsw/dswrules.aspx#120473213-interested-party-review



Pretreatment Update

- New federal rule revisions:
 - Dental Office Categorical Standard Proposal
 - Oil and Gas Extraction Category Proposal
 - Hazardous Pharmaceutical Waste Rule, public comment period ended December 24, 2015

CWA § 316(b) – Intake Structures

- Requires U.S. EPA to issue regulations on the design and operation of intake structures in order to minimize adverse environmental impacts.
- In 2014, U.S. EPA promulgated 316(b) regulations for existing sources. These are included in the NPDES permit regulations, 40 CFR Parts 122 & 125 (Subparts I, J, & N).
- Industrial facilities that get non-potable water from an intake structure are responsible for ensuring the intake is 316(b) compliant – even if they get the water through a 3rd party contract.

CWA § 316(b) – Intake Structures

- Take away points:
 - If an NPDES permit will expire after July 17, 2018, the application renewal must document compliance with these regulations.
 - If a facility uses 125 MGD or more of intake water, impingement and entrainment studies likely.
 - If a facility uses 2 MGD or more, special provisions likely.
 - Other facilities may need to demonstrate Best Technology Available case by case.

Questions?