EPA’s Updated NPDES Permit Application Forms

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NPDES Application and Program Updates

Rule

- Final rule published February 12, 2019 (84 FR 3324)
- Effective on June 12, 2019
- Purpose:
  - Modernize NPDES regulations
  - Promote submission of complete permit applications
  - Clarify regulatory requirements
- Revisions addressed:
  - Regulatory definitions (40 CFR §122.2)
  - Permit application requirements (40 CFR §122.21)
  - Public notice requirements (40 CFR §122.24)
NPDES Application and Program Updates

Rule

- Revisions to permit application requirements
  - EPA contact information to obtain forms
  - NAICS codes for industrial dischargers
  - New discharger data submission (within 24 months)
  - Data age for permit renewal (last 4½ years)
  - Reporting electronic mail addresses
  - Reporting numbers of SIUs and NSCIUs
  - Cooling water intake structure indication
  - Variance request indication
Updated NPDES Permit Application Forms

- Conform to final NPDES Application and Program Updates Rule
- Consistent style and format
- Improved instructions
- More closely align with underlying federal regulations
- Now available on EPA’s website

https://www.epa.gov/npdes/npdes-applications-and-forms
State NPDES Application Forms

- A state’s forms may differ from EPA’s but must contain minimum required information
- NPDES Application and Program Updates Rule provides states 1 to 2 years to make conforming changes
  - June 12, 2020 – deadline to make conforming programmatic and regulatory changes
  - June 12, 2021 – deadline if statutory changes are needed
EPA NPDES Application Forms

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Form 1 – General Information

- Added requirement to include “email address” to applicant and facility operator contact information
- Added requirement to include up to four (4) NAICS codes describing activities conducted at the facility
- Added requirement to indicate whether the applicant uses cooling water and, if yes, the source of the cooling water
- Added requirement to indicate if applicant plans to apply for a CWA technology variance (if known at the time of application)
Form 2A - New and Existing Publicly Owned Treatment Works (POTWs)

- Added requirement to include “email address” to applicant, biosolids transporters’ and receivers’, and contractors’ contact information
- Added requirement to indicate if applicant plans to apply for a CWA technology variance (if known at the time of application)
- A requirement that new POTW applicants provide initial sampling data within 24 months of commencement of discharge
- Clarification of reporting requirements for the number of SIUs and NSCIUs, including SIUs and NSCIUs that truck or haul waste, discharging to the POTW
Form 2B - Concentrated Animal Feeding Operations (defined at 40 CFR § 122.23) and Concentrated Aquatic Animal Production Facilities (defined at 40 CFR § 122.24)

- No new regulatory updates
Form 2C - Existing Manufacturing, Commercial, Mining, and Silvicultural Operations

• Establishes that effluent data from the previous 4½ years “may be used” to meet testing requirements (if available), provided that
  ▫ all data requirements are met,
  ▫ all data are representative of the discharge, and
  ▫ all representative data are considered in the values reported.
Form 2D - New Manufacturing, Commercial, Mining, and Silvicultural Operations That Have Not Yet Commenced Discharge of Process Wastewater

- Clarification that effluent monitoring data must be submitted within 24 months of commencement of discharge (changed from “two years”)

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Form 2E - Manufacturing, Commercial, Mining, and Silvicultural Facilities Which Discharge Only Nonprocess Wastewater

- No new regulatory updates
Form 2F - Stormwater Discharges Associated with Industrial Activity

- No new regulatory updates
Form 2S - New and Existing Treatment Works Treating Domestic Sewage

• Added requirements to include “email address” to all sections requiring contact information (multiple sections of form)
Upcoming Webinar Series

October 1, 2019 (2:00-3:30) – Overview of EPA’s NPDES Permit Application Forms

November 13, 2019 (2:00-3:30) – Tips for Submitting a Complete Application and Answers to Frequently Asked Questions

https://www.epa.gov/npdes/npdes-applications-and-forms
Additional Resources for Permittees

- Webinars

- Tips for Completing an EPA NPDES Permit Application

- More detailed checklists on what to include with an application

- Other Ideas?
Questions?

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