

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

Form	Title/Applicability	Regulatory Citation
I	General Information	40 CFR §122.21(f)
2A	New and Existing Publicly Owned Treatment Works	40 CFR §122.21(j)
2B	Concentrated Animal Feeding Operations and Concentrated Aquatic Animal Production Facilities	40 CFR §122.21(i)
2C	Existing Manufacturing, Commercial, Mining, and Silvicultural Operations	40 CFR §122.21(g)
2D	New Manufacturing, Commercial, Mining, and Silvicultural Operations That Have Not Yet Commenced Discharge of Process Wastewater	40 CFR §122.21(k)
2E	Manufacturing, Commercial, Mining, and Silvicultural Facilities Which Discharge Only Nonprocess Wastewater	40 CFR §122.21(f)
2F	Stormwater Discharges Associated with Industrial Activity	40 CFR §122.26(c)
2S	New and Existing Treatment Works Treating Domestic Sewage	40 CFR §122.21(q)

Form I – 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”)

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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