Permit Types, Technology-based Effluent Limitations & Effluent Limitation Guidelines

NPDES & APDES Permits

- Is a License…
- Issued by:
  - EPA or
  - Authorized State or Tribe
- Granting Permission to Discharge to Water
- Controls Point Source Discharge of Pollutants into Waters of the US
- A Permit is a Privilege, Not a Right
- Permit term = 5 years

What is an Individual Permit?

- Specifically Tailored for 1 Facility
- Permitting Authority May Determine:
  - If a facility is not appropriate for coverage under a General Permit and
  - Require it to apply for an individual permit
- Similarly, a Facility May Opt to Apply for an Individual Permit

What is a General Permit?

- Cover Multiple Facilities Within a Specific Category
- May be Issued to Dischargers Within the Same Geographic Area (e.g. Cook Inlet)
- Multiple Facilities Can be Covered Under a Single Permit
- Allows Permitting Authority to Allocate Resources Efficiently
- Provide More Timely Permit Coverage
- Ensures Consistency of Permit Conditions for Similar Facilities

Industry-Specific Components

- Effluent Guidelines
- Case-by-Case Limitations

Components of All Permits

Cover Page

Effluent Limitations

Technology-based

Water Quality-based

Monitoring & Reporting Requirements

Special Requirements

Additional Monitoring and/or Special Studies

Best Management Practices

Compliance Schedule

Standard Conditions

Municipal-Specific Components

- Secondary
- Equivalent to Secondary

- Pretreatment
- Municipal Sewage Sludge
- CSOs

Technology-based Effluent Limitations (TBELs)

- Purpose:
  - Establish Minimum Level of Pollutant controls for All Point Source Dischargers
    - Non-Conventional Pollutants
    - Conventional Pollutants
    - Toxic Pollutants

Effluent Limitation Guidelines (ELGs)

- Authority
  - Promulgated under CWA § 304(b)
  - Updated according to CWA § 304(m)

    For Direct Discharges:
    - Annual Reviews and Preliminary Plans
    - Public Comments
    - Final Program Plan (Every Two Years)

ELGs Continued:

- Address Specific Industrial Categories
- Specify Maximum Levels of Pollutants that May be Discharged
- Each facility must Generally Comply with Applicable Technology-based Effluent Limits
  - Within Industrial Category or Subcategory
- Generally Provides Equity Among Dischargers within Categories

ELGs Apply to 3 Facility Types:

- Existing facilities (Direct Dischargers)
  - Best Practicable Technology (BPT),
  - Best Available Technology (BAT), or
  - Best Conventional Pollutant Control Technology (BCT)
- Existing Facilities (Indirect Dischargers)
  - Pretreatment Standards for Existing Sources (PSES)
- New Sources (Direct or Indirect)
  - New Source Performance Standards (NSPS) or
  - Pretreatment Standards for New Sources (PSNS).

ELGs Continued:

- EPA Conducts an Assessment for an Industrial Category or Subcategory as a Whole:
  - Performance of Best Pollution Control Technologies
  - Pollution Prevention Practices Available
  - Economic Achievability of Technology
    - Can Consider:
      - Costs
      - Benefits
      - Affordability

40 CFR 435
Oil & Gas Extraction
Point Source Category

- Subpart A – Offshore
  - Federal Waters and State Waters in Territorial Sea
  - Exception for Alaska State Waters in the Territorial Sea for Water Based Drilling Fluids and Drill Cuttings, and Well Treatment, Workover, and Completion Fluids
- Subpart C – Onshore
- Subpart D – Coastal
  - State Waters Only
  - Exception for Cook Inlet for Produced Water in addition to those listed Previously for Alaska Territorial Seas

Technology-based Effluent Limitations

- Incorporate TBELs from ELGs into a Permit
- If no ELG Exists, TBELs can be Developed Based on Best Professional Judgment (40 CFR 125.3(c))
- If ELGs Exist, TBELs are Developed and Compared to any Calculated WQBELs

Cindi Godsey
Environmental Engineer
222 W. 7th Avenue, Box 19
Anchorage, AK 99513
(907)271-6561/(800)781-0983
godsey.cindi@epa.gov