

## Ohio Environmental Protection Agency

## Fact Sheet for

## National Pollutant Discharge Elimination System (NPDES)

General Permit for Discharges of Wastewater from  
Petroleum-Related Corrective ActionsI. Background

The federal Water Pollution Control Act [also referred to as the Clean Water Act (CWA)], which was enacted in 1972, provides that the discharge of pollutants to waters of the United States from any point source is unlawful, unless the discharge is in compliance with a NPDES permit. Entities which initiate a corrective action involving ground water or surface water that has come in contact with gasoline or petroleum-related products, have the need to discharge treated wastewater characterized as “petroleum-related corrective action” wastewater from the operation of their facilities. More specifically, petroleum-related corrective actions includes, but is not limited to, the discharge of one or more of the following:

- ground and/or surface water from remediation systems;
- surface and/or ground water accumulating as a result of excavation activity;
- surface water and ground water contaminated by spills; or
- ground water resulting from pumping and/or monitoring aquifer(s).

In order to be classified as a petroleum-related corrective action, all of the discharges listed above must result from any activity involving above-ground or underground storage tanks used to store gasoline, diesel fuel, kerosene, jet fuel, or heating oil, or the transportation of these materials. The primary concern regarding the discharge of wastewater from a petroleum-related corrective action is ensuring that effluent concentrations of pollutants such as oil and grease, lead, toluene, and benzene do not result in violations of Ohio’s water quality standards.

Ohio EPA has elected to renew the existing statewide general permit authorizing the discharge of wastewater from petroleum-related corrective actions to waters of the State. Dischargers which meet the eligibility requirements may apply for coverage this NPDES general permit, instead of seeking coverage under an individual NPDES permit. The primary condition

determining eligibility is ensuring that the discharge consists of only wastewater from a petroleum-related corrective action. Eligibility is discussed in more detail in the next section of this document.

## II. Description of General Permit Coverage

The general permit is proposed for a duration of five years. The following types of discharges are not eligible for coverage under this general permit:

- wastewater discharges associated with a petroleum-related corrective action that are subject to an individual NPDES permit with a final effluent limitation and/or parameter not addressed by this general permit;
- storm water mixed with wastewater from a petroleum-related corrective action;
- new sources of wastewater associated with a petroleum-related corrective action discharged to any Outstanding National Resource Water, Superior High Quality Water, or Category 3 wetland; and
- wastewater discharges associated with a petroleum-related corrective action that the Director has determined to have the reasonable potential to cause or contribute to an exceedance of Ohio Water Quality Standards.

## III. Application for Coverage

Each facility seeking coverage under this general permit must submit a Notice of Intent application (NOI). Federal regulations found in 40 CFR 122.21(a) exclude persons covered by general permits from requirements to submit an application for an individual permit. NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of permittees covered by the general permit, the identities, locations, mailing addresses, and nature of discharge. The NOI application form and instructions for completing the form are available on the following internet website by clicking on "Applying for Coverage":

<http://www.epa.ohio.gov/dsw/permits/gpfact.aspx>

Completed NOI applications must be submitted to the following address:

Ohio Environmental Protection Agency  
Office of Fiscal Administration  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Individuals with an existing discharge who intend to obtain coverage for wastewater discharges under this general permit shall submit an NOI form within 45 days of the effective date of this permit. An applicant will not be covered under the general permit until they receive written notification from the Director of Ohio EPA that a discharge is authorized under the general permit. Dischargers who fail to obtain coverage under the general permit and are not otherwise covered by a NPDES permit are in violation of Ohio Revised Code (ORC) 6111.

#### IV. Changes in the Petroleum-Related Corrective Actions General Permit

Two significant changes and one minor change have been made to the general permit for wastewater discharges associated with a petroleum-related corrective action, and these changes are discussed below.

*New Limits for Lead.* Limits for lead are being proposed based upon a review of monitoring data submitted over the past five years. A number of projects covered under this general permit have discharged lead at levels which could violate the instream standard outside the mixing zone, depending upon the hardness value and available dilution. The approach proposed in the permit requires projects in watersheds with low to medium hardness to use effluent table 001, and be subject to a 30-day lead limit of 6.4 ug/l. Those located in watersheds with higher hardness values must use table 002 and would need to meet a limit of 21 ug/l. Each effluent table includes a footnote which lists the watersheds applicable to that effluent table.

*Appropriate Analytical Methods.* An examination of monitoring data submitted for projects covered under this general permits suggests that some permittees use analytical methods which may not have a method detection level (MDL) low enough to properly evaluate compliance with water quality standards. The proposed permit includes a requirement to use analytical methods which have appropriate (i.e., low enough) MDLs for analyzing lead, benzene, toluene, and ethylbenzene.

*Treatment Additives.* Some existing petroleum-related corrective action projects have requested approval to use one or more additives to facilitate the treatment process. Language has been added to Part IV of the permit which provides the steps which must be followed and the information submitted in order to obtain approval for treatment additives.

A copy of the draft permit is available on the Ohio EPA, Division of Surface Water website: