Ohio Environmental Protection Agency

Fact Sheet For

National Pollutant Discharge Elimination System (NPDES)

General Permit for
Temporary Discharges

I. 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. Occasionally, entities or facilities in Ohio have the need to discharge wastewater for a very limited duration. These projects, characterized as temporary discharges, may be associated with some type of facility or site cleanup, or one-time emergency discharge due to unusual or short-term circumstances, or associated with a pilot project or test facility. The type of pollutants found in temporary discharges may be quite variable due to the differences in projects. Also, flow rates could be quite different depending on the size of the project.

Ohio EPA has elected to issue a statewide general permit to authorize temporary discharges to waters of the State. “Temporary discharges” are defined as facilities or projects that discharge for a time period not to exceed 60 days.

The conditions under the heading "eligibility" are very important because they provide an explanation of what types of discharges are and are not covered by this general permit. The general permit also includes a table listing potential pollutants, some of which the permittee will be required to monitor. Limits, if necessary, will be communicated to the permittee when notified of general permit coverage.

This permit would be a renewal of the current general permit; it is subject to the requirements of Ohio’s anti-degradation rule (Ohio Administrative Code 3745-1-05) because all discharges covered by this permit are by definition new. The general permit is proposed for a duration of five years.

This permit is a renewal of the current permit for Temporary Discharges, OHT000001. The current permit will be terminated when OHT000002 becomes effective.

II. Description of General Permit Coverage

The permit covers new, point source discharges which will continue no more than 60 days. In addition, an entity would not be eligible for more than one period of coverage for sixty days during the five-year duration of the general permit. The discharges must be related to environmental cleanup activity, restoration of aquatic life, or protection of human health or safety, or due to the operation of a pilot project or test facility. Also, the concentration of the discharges must be *de minimus*, defined as less than 65 mg/l for total suspended solids, less than 10 mg/l for oil and grease, and less than ten percent of the waste load allocation for all other applicable pollutants (except for discharges to limited quality waters which are exempt from this third requirement).

The permit does not cover discharges:

- that are expected to continue for more than 60 days;
- that the Director of the Ohio EPA has determined to be contributing to a violation of a water quality standard;
- associated with storm water;
- associated with petroleum corrective actions;
- associated with hydrostatic testing wastewater;
- to combined or sanitary sewers;
- that are within 500 yards of a public water supply intake and cannot meet public water supply standards;
- directly to the Ohio River if the discharge cannot meet public water supply standards at the point of discharge;
- containing pollutants classified as bioaccumulative chemicals of concern such as mercury;
- that are commingled with hazardous wastes or hazardous substances;
- discharges to any receiving water designated Outstanding National Resource Water, Outstanding State Water, Superior High Quality Water other than Lake Erie or Category 3 wetland, or to receiving waters that discharge into a water with one of these designations within two stream miles of the discharge point;
- discharges for which the Director requests an individual permit application;
- increases in regulated pollutants resulting from facility modifications;
- bypasses or upsets of any kind from a treatment works or collection system; and
- wastewater discharges already regulated under an NPDES permit.

III. Treatment, Monitoring Requirements, and Permit Limits

In many cases, treatment is not provided for temporary discharges. In situations where treatment is included, the type of treatment is very dependent upon the chemical characteristics of the wastewater to be discharged.

Parameters to be monitored under this permit will be selected from the table in Part III of the general permit and will be determined based upon information submitted by the applicant with the notice of intent (NOI). Monitoring frequencies and any permit limits will then be developed based upon the flow rate of the temporary discharge, the flow rate of the receiving stream, and the background

water quality of the receiving stream. Permit limits will be established to ensure that the discharge meets instream Ohio water quality standards using the wasteload allocation methods in OAC Chapter 3745-2.

Copies of the draft permit are available on the Ohio EPA, Division of Surface Water website:

http://www.epa.state.oh.us/dsw/permits/gpfact.html

IV. Changes from Current Pemit

The draft permit contains only minor changes from the current permit. The standard permit conditions in Part V of the permit have been revised to incorporate the current standard conditions used in all Ohio general and individual permits. These affect mostly the Reporting and Non-Compliance Notification Sections.

In the Reporting Section (Part V, L.), Ohio EPA has included electronic reporting instructions for use with the Agency's eDMR self-reporting system. In the Non-Compliance Reporting Section (Part V, S.), Ohio EPA has allowed internet reporting of non-compliance, and provided new phone numbers if the permittee wishes to report by telephone.

The Agency has also made minor wording changes to the Transfer Section of the permit (Part V, E.).