

NEBRASKA ADMINISTRATIVE CODE

Title 117 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 4 - STANDARDS FOR WATER QUALITY

001 It is the public policy of the State of Nebraska to protect and improve the quality of surface water for human consumption, wildlife, fish and other aquatic life, industry, recreation, and other productive, beneficial uses.

Beneficial uses are assigned to surface waters within or bordering upon the State of Nebraska (Chapters 5 and 6). Assigned and existing beneficial uses are protected by the Antidegradation Clause (Chapter 3) and the narrative and numerical water quality criteria in this chapter. Beneficial uses are also protected by permits issued in accordance with the requirements of these standards, and through Department requirements for the applicable level of treatment or control for point and nonpoint sources of pollution. Some uses require higher quality water than others. When multiple uses are assigned to the same waters, all assigned uses will be protected.

The beneficial uses defined by these standards are:

Primary Contact Recreation

Aquatic Life

Coldwater (Class A and B)
Warmwater (Class A and B)

Water Supply

Public Drinking Water
Agricultural
Industrial

Aesthetics

These uses are not intended in any way to conflict with the quantitative beneficial uses provided for in Neb. Rev. Stat., Ch. 46, regulating irrigation or the authority of the Nebraska Department of Natural Resources.

002 Primary Contact Recreation.

This use applies to surface waters which are used, or have a high potential to be used, for primary contact recreational activities. Primary contact recreation includes activities where the body may come into prolonged or intimate contact with the water, such that water may be accidentally ingested and sensitive body organs (e.g., eyes, ears, nose, etc.) may be exposed. Although the water may be accidentally ingested, it is not intended to be used as a potable water supply unless acceptable treatment is applied. These waters may be used for swimming, water skiing, canoeing, and similar activities. These criteria apply during the recreational period of May 1 through September 30.

002.01 *E. coli*.

E. coli bacteria are not to exceed a geometric mean of 126/100 ml. For increased confidence of the criteria, the geometric mean should be based on a minimum of five samples taken within a 30-day period. This does not preclude fecal coliform limitations based on effluent guidelines. The following single sample maxima will be used solely for issuing periodic public advisories regarding use of waterbodies for Primary Contact Recreation.

002.01A 235/100 ml at designated bathing beaches.

002.01B 298/100 ml at moderately used recreational waters.

002.01C 406/100 ml at lightly used recreational waters.

002.01D 576/100 ml at infrequently used recreational waters.

002.02 Toxic Substances.

These waters are to be free from toxic substances, alone or in combination with other substances, in concentrations that result in adverse health impacts to humans participating in primary contact recreation.

003 Aquatic Life.

003.01 General Criteria for Aquatic Life

The following criteria apply to all aquatic life use classes.

003.01A pH (Hydrogen Ion Concentration).

Hydrogen Ion concentrations, expressed as pH, are to be maintained between 6.5 and 9.0; unless pH values outside this range are due to natural conditions.

003.01B Temperature.

The temperature of a receiving water is not to be increased by a total of more than 5°F (3°C) from natural background outside the mixing zone.

For the Missouri River, from the South Dakota-Nebraska state line near Ft. Randall Dam to Sioux City, Iowa, the maximum temperature limit is 85°F (29°C) with an allowable change of 4°F (2°C) from natural background. For cold waters, the maximum limit is 72°F (22°C) with an allowable change of 5°F (3°C) from natural background. For warm waters, the maximum limit is 90°F (32°C).

For impoundments, the temperature of the epilimnion of surface waters is not to be raised more than 3°F (2°C) above that which existed before the addition of heat of artificial origin. Unless a special study shows that the discharge of heated effluent into the hypolimnion will be desirable, such practice is not recommended and water for cooling should not be pumped from the hypolimnion to be discharged to the same body of water.

003.01C Toxic Substances.

Surface waters are to be free from toxic substances, alone or in combination with other substances, in concentrations that result in acute or chronic toxicity to aquatic life, except as specified in Chapter 2. Toxic substances are not to be present in concentrations that result in objectionable tastes or significant bioaccumulation or biomagnification in aquatic organisms which renders them unsuitable or unsafe for consumption. (In implementing these criteria, the Department will follow procedures outlined in the State's Continuing Planning

Process which comply with the federal water quality standards, 40 C.F.R. § 131.11 (1987)).

003.01C1 The following numerical criteria for the protection of aquatic life and their uses (e.g., fish consumption) are not to be exceeded. Unless otherwise noted, criteria are based on total concentrations.

<u>POLLUTANT</u>	<u>CRITERIA (µg/L)</u>		<u>CAS No.*</u>
	<u>Acute</u>	<u>Chronic</u>	
<u>Pesticides:</u>			
Acrolein	3 ^c	3 ^d	107-02-8
Alachlor	760 ^c	76 ^d	15972-60-8
Aldrin	3.0 ^a	0.0000077 ^{b,e}	309-00-2
Atrazine	330 ^c	12 ^d	1912-24-9
Hexachlorocyclohexane (HCH)-Technical	100 ^a	0.1 ^{b,e}	608-73-1
alpha-Hexachlorocyclohexane (HCH)	(Reserved)	0.0039 ^{b,e}	319-84-6
beta-Hexachlorocyclohexane (HCH)	(Reserved)	0.14 ^{b,e}	319-85-7
Carbaryl	2.1 ^c	2.1 ^d	63-25-2
Chlordane	2.4 ^a	0.0032 ^{b,e}	57-74-9
Chlorpyrifos	0.083 ^c	0.041 ^d	2921-88-2
DCPA ¹	(Reserved)	14,300 ^d	1861-32-1
p,p'-Dichlorodiphenyltrichloroethane or DDT	1.1 ^a	0.0003 ^{b,e}	50-29-3
p,p'-Dichlorodiphenyldichloroethylene or DDT metabolite (DDE)	1050 ^a	0.00018 ^{b,e}	72-55-9
p,p'-Dichlorodiphenyldichloroethane or DDT metabolite (TDE, DDD)	0.6 ^a	0.0012 ^{b,e}	72-54-8
Demeton	(Reserved)	0.1 ^b	8065-48-3
Diazinon	0.17 ^c	0.17 ^d	333-41-5
Dieldrin	0.24 ^a	0.000012 ^{b,e}	60-57-1
Dioxin ²	< 0.01 ^a	0.000000051 ^{b,e}	1746-01-6
alpha-Endosulfan	0.22 ^a	0.056 ^b	959-98-8
beta-Endosulfan	0.22 ^a	0.056 ^b	33213-65-9
Endosulfan sulfate	(Reserved)	40 ^{b,f}	1031-07-8
Endrin	0.086 ^a	0.03 ^{b,f}	72-20-8
Endrin aldehyde	(Reserved)	1.0 ^{b,f}	7421-93-4

POLLUTANT	CRITERIA (µg/L)		CAS No.*
	Acute	Chronic	
Guthion	(Reserved)	0.01 ^b	86-50-0
Heptachlor	0.52 ^a	0.000059 ^{b,e}	76-44-8
Heptachlor epoxide	0.52 ^a	0.00032 ^{b,e}	1024-57-3
Isophorone	117,000 ^a	18,000 ^{b,e}	78-59-1
gamma-Hexachlorocyclohexane (HCH) or Lindane	0.95 ^a	0.16 ^b	58-89-9
Malathion	(Reserved)	0.1 ^b	121-75-5
Methoxychlor	(Reserved)	0.02 ^{b,f}	72-43-5
Metolachlor	390 ^c	100 ^d	51218-45-2
Metribuzin	(Reserved)	100 ^d	21087-64-9
Mirex	(Reserved)	0.001 ^d	2385-85-5
Parathion	0.065 ^c	0.013 ^d	56-38-2
Pentachlorophenol	^e (1.005(pH)-4.869) ^c	0.4 ^{b,e}	87-86-5
Propachlor	(Reserved)	8.0 ^d	1918-16-7
Toxaphene	0.73 ^c	0.0002 ^d	8001-35-2
Tributyltin (TBT)	0.46 ^c	0.072 ^d	.....
Chlorphenoxy Herbicide (2,4-D)	Reserved	12,000 ^{b,f}	94-75-7
Chlorphenoxy Herbicide (2,4,5-TP) [Silvex]	Reserved	400 ^{b,f}	93-72-1
<u>Metals and Inorganics³ :</u>			
Aluminum	750 ^c	87 ^d	7429-90-5
Antimony	88 ^c	30 ^d	7440-36-0
Arsenic	340 ^c	16.7 ^{b,e}	7440-38-2
Beryllium	130 ^a	5.3 ^d	7440-41-7
Cadmium	(See Site-Specific or Aquatic Life Use Class Criteria)		7440-43-9
Chromium (III)	(See Site-Specific or Aquatic Life Use Class Criteria)		16065-83-1
Chromium (VI)	(See Site-Specific or Aquatic Life Use Class Criteria)		18540-29-9
Copper	(0.960)e ^{(0.9422[lnhardness]-1.700) c}	(0.960)e ^{(0.8545[lnhardness]-1.702) d}	7440-50-8
Cyanide	(See Site-Specific or Aquatic Life Use Class Criteria)		57-12-5
Iron	(Reserved)	1,000 ^b	7439-89-6
Lead ⁴	(CF)e ^{(1.273[lnhardness]-1.460) c}	(CF)e ^{(1.273[lnhardness]-4.705) d}	7439-92-1
Manganese	(Reserved)	1,000 ^b	7439-96-5
Mercury ⁵	1.4 ^c	0.77 ^d	7439-97-6

POLLUTANT	CRITERIA (µg/L)		CAS No.*
	Acute	Chronic	
Nickel	$(0.998)e^{(0.846[\ln hardness]+2.255)}$ c	$(0.997)e^{(0.846[\ln hardness]+0.0584)}$ d	7440-02-0
Selenium	See 003.01C3		7782-49-2
Silver	$(0.85)e^{(1.72[\ln hardness]-6.59)}$ c	(Reserved)	7440-22-4
Thallium	1400 ^a	0.47 ^{b,f}	7440-28-0
Zinc	$(0.978)e^{(0.8473[\ln hardness]+0.884)}$ c	$(0.986)e^{(0.8473[\ln hardness]+0.884)}$ d	7440-66-6

PCBs and Related Compounds:

PCBs	2.0 ^a	0.00064 ^{b,e}	.....
Chlorinated Naphthalenes	1,600 ^a	43,000 ^{b,e}	.....

Halogenated Aliphatics:

Halomethanes	11,000 ^a	157 ^{b,e}	.....
Bromoform	(Reserved)	1,200 ^{b,e}	75-25-2
Methyl bromide	(Reserved)	10,000 ^{b,f}	74-83-9
Chloroform	28,900 ^a	1,240 ^b	67-66-3
Carbon tetrachloride	35,200 ^a	50 ^{b,e}	56-23-5
Methylene chloride	(Reserved)	3,000 ^{b,f}	75-09-2
1,2-dichloroethane	118,000 ^a	6,500 ^{b,e}	107-06-2
Hexachloroethane	980 ^a	0.8 ^{b,f}	67-72-1
Pentachloroethane	7,240 ^a	1,100 ^b	76-01-7
Trichlorinated ethanes	18,000 ^a	(Reserved)	25323-89-1
1,1,1-trichloroethane	(Reserved)	200,000 ^{b,f}	71-55-6
1,1,2-trichloroethane	(Reserved)	89 ^{b,e}	79-00-5
Tetrachloroethanes	9,320 ^a	(Reserved)	25322-20-7
1,1,2,2-tetrachloroethane	(Reserved)	30 ^{b,e}	79-34-5
Dichloroethylenes	11,600 ^a	(Reserved)	25323-30-3
1,1-dichloroethylene	(Reserved)	20,000 ^{b,f}	75-35-4
Trans-1,2-dichloroethylene	(Reserved)	4,000 ^{b,f}	156-60-5
Tetrachloroethylene	5,280 ^a	70 ^{b,f}	127-18-4
Trichloroethylene	45,000 ^a	30 ^{b,f}	79-01-6
Chlorodibromomethane	(Reserved)	210 ^{b,e}	124-48-1
Dichlorobromomethane	(Reserved)	270 ^{b,e}	75-27-4
Dichloropropane	23,000 ^a	5,700 ^b	26638-19-7

POLLUTANT	CRITERIA ($\mu\text{g/L}$)		CAS No.*
	Acute	Chronic	
1,2-dichloropropane	(Reserved)	310 ^{b,e}	78-87-5
Dichloropropene	6,060 ^a	244 ^b	26952-23-8
1,3-dichloropropene	(Reserved)	120 ^{b,e}	542-75-6
Hexachlorobutadiene	90 ^a	0.02 ^{b,f}	87-68-3
Hexachlorocyclopentadiene	7.0 ^a	4.0 ^{b,f}	77-47-4
Vinyl Chloride	(Reserved)	16 ^{b,e}	75-01-4
<u>Ethers:</u>			
Bis(2-chloroethyl) Ether	(Reserved)	22 ^{b,e}	111-44-4
Bis(2-chloro-1-methylethyl) Ether	(Reserved)	4,000 ^{b,f}	108-60-1
Bis(chloromethyl) Ether	(Reserved)	0.17 ^{b,e}	542-88-1
Chloroalkyl ethers	238,000 ^a	(Reserved)	.....
Haloethers	360 ^a	122 ^b	.....
<u>Monocyclic Aromatics except Phenols, Cresols, and Phthalates:</u>			
Benzene	5,300 ^a	90 ^{b,f}	71-43-2
Chlorinated benzenes	250 ^a	50 ^b	.....
Chlorobenzene	(Reserved)	800 ^{b,f}	108-90-7
1,2-dichlorobenzene	(Reserved)	3,000 ^{b,f}	95-50-1
1,3-dichlorobenzene	(Reserved)	10 ^{b,f}	541-73-1
1,4,-dichlorobenzene	(Reserved)	900 ^{b,f}	106-46-7
Ethylbenzene	32,000 ^a	130 ^{b,f}	100-41-4
Hexachlorobenzene	6.0 ^a	0.00079 ^{b,e}	118-74-1
Nitrobenzene	27,000 ^a	600 ^{b,f}	98-95-3
Pentachlorobenzene	(Reserved)	0.1 ^{b,f}	608-93-5
1,2,4,5-tetrachlorobenzene	(Reserved)	0.03 ^{b,f}	95-94-3
1,2,4-trichlorobenzene	(Reserved)	0.76 ^{b,e}	120-82-1
Toluene	17,500 ^a	520 ^{b,f}	108-88-3
2,4-dinitrotoluene	330 ^a	17 ^{b,e}	121-14-2
<u>Phenols and Cresols:</u>			
Phenol	10,200 ^a	2,560 ^b	108-95-2
2-chlorophenol	4,380 ^a	800 ^{b,f}	95-57-8
3-methyl-4-chlorophenol	30 ^a	2,000 ^{b,f}	59-50-7
2,4-dichlorophenol	2,020 ^a	60 ^{b,f}	120-83-2

POLLUTANT	CRITERIA (µg/L)		CAS No.*
	Acute	Chronic	
2,4,5-trichlorophenol	100 ^a	63 ^b	95-95-4
2,4,6-trichlorophenol	(Reserved)	6 ^{b,f}	88-06-2
Dinitrophenols	(Reserved)	1,000 ^{b,f}	25550-58-7
Nitrophenols	230 ^a	150 ^b	.....
Nonylphenol	28 ^c	6.6 ^d	1044-05-1
2-methyl-4,6-dinitrophenol	(Reserved)	30 ^{b,f}	534-52-1
2,4-dinitrophenol	(Reserved)	300 ^{b,f}	51-28-5
2,4-dimethylphenol	2,120 ^a	3,000 ^{b,f}	105-67-9
<u>Phthalate Esters:</u>			
Phthalate esters	940 ^a	3.0 ^b	.....
Butylbenzyl phthalate	(Reserved)	1.0 ^{b,e}	85-68-7
Di-N-butyl phthalate	(Reserved)	30 ^{b,f}	84-74-2
Diethyl phthalate	(Reserved)	600 ^{b,f}	84-66-2
Bis(2-ethylhexyl) Phthalate	2,000 ^a	3.7 ^{b,e}	117-81-7
Dimethyl phthalate	(Reserved)	2,000 ^{b,f}	131-11-3
<u>Polycyclic Aromatic Hydrocarbons (PAHs):</u>			
Acenaphthene	1,700 ^a	90 ^{b,f}	83-32-9
Anthracene	(Reserved)	400 ^{b,f}	120-12-7
Benzo(a)anthracene	(Reserved)	0.013 ^{b,e}	56-55-3
Benzo(a)pyrene	(Reserved)	0.0013 ^{b,e}	50-32-8
Benzo(b)fluoranthene	(Reserved)	0.013 ^{b,e}	205-99-2
Benzo(k)fluoranthene	(Reserved)	0.13 ^{b,e}	207-08-9
Chrysene	(Reserved)	1.3 ^{b,e}	218-01-9
Dibenzo(a,h)anthracene	(Reserved)	0.0013 ^{b,e}	53-70-3
Fluoranthene	3,980 ^a	20 ^{b,f}	206-44-0
Fluorene	(Reserved)	70 ^{b,f}	86-73-7
Indeno(1,2,3-cd)pyrene	(Reserved)	0.013 ^{b,e}	193-39-5
Naphthalene	2,300 ^a	620 ^b	91-20-3
2-chloronaphthalene	1,600 ^a	1,000 ^{b,f}	91-58-7
Phenanthrene	30 ^a	6.3 ^b	85-01-8
Pyrene	(Reserved)	30 ^{b,f}	129-00-0

<u>POLLUTANT</u>	<u>CRITERIA (µg/L)</u>		<u>CAS No.*</u>
	<u>Acute</u>	<u>Chronic</u>	
<u>Nitrosamines and other Nitrogen-containing Compounds:</u>			
Nitrosamines	5,850 ^a	12.4 ^{b,e}	.....
Benzidine	2,500 ^a	0.11 ^{b,e}	92-87-5
3,3'-dichlorobenzidine	(Reserved)	1.5 ^{b,e}	91-94-1
1,2-diphenylhydrazine	270 ^a	2.0 ^{b,e}	122-66-7
Acrylonitrile	7,550 ^a	70 ^{b,e}	107-13-1
N-nitrosodibutylamine	(Reserved)	2.2 ^{b,e}	924-16-3
N-nitrosodiethylamine	(Reserved)	12.4 ^{b,e}	55-18-5
N-nitrosodimethylamine	(Reserved)	30 ^{b,e}	62-75-9
N-nitrosodiphenylamine	(Reserved)	60 ^{b,e}	86-30-6
N-nitrosodi-N-propylamine	(Reserved)	5.1 ^{b,e}	621-64-7
N-nitrosopyrrolidine	(Reserved)	340 ^{b,e}	930-55-2

* Chemical Abstract Services Registry Number

^a Concentration not to be exceeded at any time

^b Twenty-four hour average concentration

^c One-hour average concentration

^d Four-day average concentration

^e Human health criteria at the 10⁻⁵ risk level for carcinogens based on the consumption of fish and other aquatic organisms

^f Human health criteria based on the consumption of fish and other aquatic organisms

¹ Dimethyl tetrachloroterephthalate

² 2,3,7,8-tetrachloro-dibenzo-p-dioxin or 2,3,7,8-TCDD

³ Criteria for metals and inorganics apply to dissolved concentrations

⁴ The conversion factor for lead (acute and chronic) is hardness dependent and defined by:

$$CF = 1.46203 - [(\ln \text{hardness})(0.145712)]$$

⁵ Chronic criterion for mercury applies to total recoverable concentrations

Title 117

Chapter 4

003.01C2 The following criteria for the protection of human health based on consumption of fish and other aquatic organisms are not to be exceeded. These criteria are expressed as fish tissue concentrations (mg/kg fish).

<u>POLLUTANT</u>	<u>CRITERIA (mg/kg)</u>	<u>CAS No.*</u>
Methylmercury	0.215	22967-92-6

* Chemical Abstract Services Registry Number

003.01C3 The following Selenium criteria are for the protection of aquatic life. These criteria are expressed preferentially as fish tissue concentrations (mg/kg fish), followed by water column concentrations (mg/L) in the absence of fish tissue information.

<u>POLLUTANT</u>			<u>CAS No.*</u>	
Selenium			7782-49-2	
	<u>FISH TISSUE¹ CRITERIA</u>		<u>WATER COLUMN⁴ CRITERIA</u>	
Criterion Element	Egg/Ovary ²	Fish Whole Body or Muscle ³	Thirty-day average	Intermittent Exposure ⁵
Magnitude	15.1 mg/kg	8.5 mg/kg whole body or 11.3 mg/kg muscle	1.5 µg/L in lakes and reservoirs 3.1 µg/L in streams and rivers	$WOC_{int} = \frac{WQC_{30\text{-day}} - C_{bkgrnd}(1 - f_{int})}{f_{int}}$
Duration	Instantaneous measurement ⁶	Instantaneous measurement ⁶	30 days	Number of days/month with an elevated concentration
Frequency	Not to be exceeded	Not to be exceeded	Not more than once in three years on average	Not more than once in three years on average

¹. Fish tissue elements are expressed as steady-state.

². Egg/Ovary supersedes any whole-body, muscle, or water column element when fish egg/ovary concentrations are measured.

³. Fish whole-body or muscle tissue supersedes water column element when both fish tissue and water column concentrations are measured.

⁴. Water column values are based on dissolved total selenium in water and are derived from fish tissue values via bioaccumulation modeling. Water column values are the applicable criterion element in the absence of steady-state condition fish tissue data.

⁵. Where $WQC_{30\text{-day}}$ is the water column monthly element, for either a lake or stream; C_{bkgrnd} is the average background selenium concentration, and f_{int} is the fraction of any 30-day period during which elevated selenium concentrations occur, with f_{int} assigned a value ≥ 0.033 (corresponding to 1 day).

⁶. Fish tissue data provide instantaneous point measurements that reflect integrative accumulation of selenium over time and space in fish populations at a given site.

* Chemical Abstract Services Registry Number

003.01D Petroleum Oil.

Not to exceed 10 mg/L.

003.01E Total Dissolved Gases.

Not to exceed 110 percent of the saturation value for gases at the existing atmospheric and hydrostatic pressures.

003.01F Hydrogen Sulfide.

Not to exceed 0.002 mg/L as undissociated hydrogen sulfide.

003.01G Chloride.

Not to exceed 860 mg/L at any time or a four-day average concentration of 230 mg/L except as specified in 003.02B2 (Site-specific criteria).

003.01H Alkalinity

No less than 20 mg/L as CaCO₃ except where natural background is less.

003.01I Residual Chlorine.

003.01I1 One-hour average concentration not to exceed 19µg/L.

003.01I2 Four-day average concentration not to exceed 11 µg/L.

003.01J Biological Criteria.

Any human activity causing water pollution which would significantly degrade the biological integrity of a body of water or significantly impact or displace an identified “key species” will not be allowed except as specified in Chapter 2.

Title 117

Chapter 4

003.01J1 Key Species.

Key species are identified endangered, threatened, sensitive, or recreationally-important aquatic species. Key species are designated by stream segment (Chapter 5).

003.02 Site-Specific Criteria for Aquatic Life.

003.02A Procedures for Developing Site-specific Water Quality Criteria.

The water quality criteria in Chapter 4 may not always reflect the toxicity of a chemical in a specific water body. These criteria also represent only a limited number of the natural and manmade chemicals that exist in the environment which may pose a threat to aquatic life. Thus, it may be necessary in some water bodies to develop new water quality criteria or modify existing criteria through site-specific analyses in order to more accurately protect the resident species.

003.02A1 The following are acceptable conditions for developing site-specific criteria.

003.02A1a Resident species of a water body are more or less sensitive than those species used to develop a water quality criterion.

003.02A1a(1) Natural adaptive processes have enabled a viable, balanced aquatic community to exist in waters where natural background levels of a chemical exceed the criterion (e.g., resident species have evolved a genetically-based greater resistance to high concentrations of a chemical).

003.02A1a(2) The composition of aquatic species in a water body is different from those used in deriving a criterion (e.g., most of the species considered among the most sensitive, such as salmonids or the cladoceran, *Daphnia magna*, which were used in developing a criterion, are absent from a water body).

003.02A1b Biological availability and/or toxicity of a chemical may be altered due to differences between the physical and/or chemical characteristics of the water in a water body and the laboratory water used in developing a criterion (e.g., alkalinity, hardness, pH, salinity, suspended solids, turbidity, water temperature).

003.02A1b(1) The effect of seasonality on the physical and/or chemical characteristics of a water body and subsequent effects on biological availability and/or toxicity of a chemical may justify seasonally dependent site-specific criteria.

003.02A2 To insure that the approach to be used in developing site-specific criteria is acceptable, the Department should be involved early in the planning of any site-specific analyses so that an agreement can be reached concerning the availability of existing data, additional data needs, methods to be used in generating new data, testing procedures to be used, schedules to be followed, and quality control and assurance provisions to be used. It is particularly important to involve the Department in the planning of site-specific analyses if a party other than the Department will be conducting the data generation and testing.

003.02A3 Site-specific criteria are to protect all life stages of resident species year-round (or seasonally for seasonally dependent criteria) and prevent acute and chronic toxicity in all parts of a water body. If site-specific criteria are seasonally dependent, the period when the criteria apply is to be clearly identified.

003.02A4 Site-specific criteria are to include both chronic and acute concentrations to better reflect the different tolerances of resident species to the inherent variability between concentrations and toxicological characteristics of a chemical.

003.02A5 Site-specific criteria are to be clearly identified as maximum “not to be exceeded” or average values, and if an average, the averaging period. The conditions, if any, when the criteria apply are to be clearly stated (e.g., specific levels of hardness, pH, or water temperature). Specific sampling requirements (e.g., location, frequency), if any, are to also be identified.

003.02A6 The following are acceptable procedures for developing site-specific criteria.

003.02A6a Site-specific analyses for the development of new water quality criteria are to be conducted in a manner which is

scientifically justifiable and consistent with the assumptions and rationale in Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and their Uses, EPA, 1985.

003.02A6b Site-specific analyses for the modification of existing water quality criteria are to be conducted in accordance with one of the following procedures. These procedures are described in Water Quality Standards Handbook, EPA, December 1983.

003.02A6b(1) Recalculation procedure. This procedure is used to account for differences in sensitivity to a chemical between resident species and those species used in deriving the criterion. Bioassays in laboratory water may be required for untested resident species. Adaptation of numerical toxics criteria to site-specific conditions is explained in Recalculation of State Toxic Criteria, EPA, November 1983.

003.02A6b(2) Indicator species procedure. This procedure is used to account for differences in biological availability and/or toxicity of a chemical between the physical and/or chemical characteristics of the water in a water body and the laboratory water used in developing the criterion. Bioassays in site water using resident species or acceptable nonresident species are required. Reconditioned laboratory water simulating site-specific water quality conditions is an acceptable substitute for site water.

003.02A6b(3) Resident species procedure. This procedure is used to account for differences in both resident species sensitivity and biological availability and/or toxicity of a chemical. Bioassays in site water using resident species are required. Reconditioned laboratory water simulating site-specific water quality conditions is an acceptable substitute for site water.

003.02A6b(4) Other scientifically defensible procedures such as relevant aquatic field studies, laboratory tests, or available scientific literature.

003.02A6b(4)(a) Deviations from EPA procedures are to have justifications which are adequately documented and based on sound scientific rationale.

003.02A6b(4)(b) The data, testing procedures, and application (safety) factors used to develop site-specific criteria are to reflect the nature of the chemical (e.g., persistency, bioaccumulation potential, and avoidance or attraction responses in fish) and the most sensitive resident species of a water body.

003.02A7 A site may be limited to the specific area affected by a point or nonpoint source of pollution; or, if water quality effects on toxicity are not a consideration, the site may be as large as a general biogeographical area permits (e.g., ecoregion, river basin, subbasin). For a number of different water bodies to be designated as one site, their respective aquatic communities cannot vary substantially in sensitivity to a chemical.

003.02B Site-Specific Water Quality Criteria.

003.02B1 Lake Ogallala (Keith County).

003.02B1a Dissolved Oxygen.

The following criteria apply from July 1 through October 15 as specified below. When the Kingsley Hydropower Plant is in operation (generating electricity), these criteria are based on water temperature measurements taken continuously and averaged every hour in the power house of the Kingsley Hydropower Plant and on dissolved oxygen measurements taken continuously and averaged every 10 minutes from Lake Ogallala at the midpoint of the buoy line (1987 location at the outer edge of the stilling basin) at a one meter depth. For purposes of calculating seven-day mean, seven-day mean minimum, and thirty-day mean values at the buoy line, seven-day and thirty-day calculation periods are to be based on a sequence of days not to include any day in which the Kingsley Hydropower Plant is not in operation. The following criteria may also be based on temperature and dissolved oxygen measurements taken from Lake Ogallala at any location except the metalimnion and hypolimnion when the lake exhibits thermal stratification.

003.02B1a(1) When daily mean water temperatures are 18°C or less the following criteria apply:

003.02B1a(1)(a) One-day minimum of not less than 3.0 mg/L.

003.02B1a(1)(b) Daily mean of not less than 4.0 mg/L and no more than 20 percent of the one-day mean values less than 4.2 mg/L.

003.02B1a(1)(c) Seven-day mean of not less than 4.3 mg/L.

003.02B1a(2) When daily mean water temperatures exceed 18°C for four consecutive days of operation, the following criteria apply for as long as daily mean water temperatures continue to exceed 18°C. These criteria take effect on the fifth day of daily mean water temperatures exceeding 18°C.

003.02B1a(2)(a) One-day minimum of not less than 4.0 mg/L.

003.02B1a(2)(b) Daily mean of not less than 5.0 mg/L.

003.02B1a(3) When daily mean water temperatures exceed 18°C for fifteen consecutive days of operation, or when daily mean water temperatures exceed 20°C the dissolved oxygen criteria for Class B - Coldwater Aquatic Life (Chapter 4, 003.03B1) apply as long as daily mean water temperatures continue to exceed 18°C. These criteria take effect on the sixteenth day of daily mean water temperatures exceeding 18°C or on the first day after daily mean water temperatures exceed 20°C.

003.02B1a(4) In implementing paragraphs 003.02B1a(2) and 003.02B1a(3), if an interruption in the operation of Kingsley Hydropower Plant exceeding 24 hours occurs during the count of days leading to a change in criteria, the count of days will be suspended until the plant is back in operation. The first new day of operation is to be counted as the next consecutive day in the original count of days.

003.02B1b Dissolved oxygen criteria for Class B - Coldwater Aquatic Life (Chapter 4, 003.03B1) apply during the period of October 16 through June 30.

003.02B2 Salt Creek – Beal Slough to Platte River (segments LP2-10000 and LP2-20000), Rock Creek (segments LP2-11000, LP2-11100, and LP2-11200, North Fork Rock Creek (segment LP2-11010), Ash Hollow Creek (segment LP2-11110), Little Rock Creek (segment LP2-11120), Jordan Creek (segment LP2-20100), Little Salt Creek (segment LP2-20300), Oak Creek - Elk Creek to Salt Creek (segment LP2-20500), Antelope Creek (segment LP2-20900), Middle Creek - South Branch Middle Creek to Salt Creek (segment LP2-21000), Haines Branch - Holmes Creek to Salt Creek (segment LP2-21200), Holmes Creek (segment LP2-21210), and Oak Lake (lake LP2-L0060). All waterbodies are within the Lower Platte River Basin.

003.02B2a Chloride.

Because these segments have high natural background concentrations of chloride and aquatic life has adapted to these conditions, criteria will be based on natural background values.

003.03 Coldwater Aquatic Life Use Class Specific Criteria.

These are waters which provide, or could provide, a habitat consisting of sufficient water volume or flow, water quality, and other characteristics such as substrate composition which are capable of maintaining year-round populations of coldwater biota. Coldwater biota are considered to be life forms in waters where temperatures seldom exceed 25°C (77°F).

003.03A Total Ammonia (as nitrogen).

003.03A1 One-hour average concentration in mg/L not to exceed the numerical value given by

$$AV = \text{Minimum of } \left\{ \left(\frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}} \right), \text{ or} \right.$$

$$\left. 0.7249 \left(\frac{0.0114}{1 + 10^{7.204 - pH}} + \frac{1.6181}{1 + 10^{pH - 7.204}} \right) (23.12 \times 10^{0.036(20 - Temp)}) \right\}$$

where Temp is °C

003.03A1a The following table shows one-hour average criteria for total ammonia at various temperatures and pHs.

ONE-HOUR AVERAGE CRITERIA FOR TOTAL AMMONIA (mg/L)
Coldwater Aquatic Life Use Classes

Temperature (°C)	pH												
	6.6	6.8	7.0	7.2	7.4	7.6	7.8	8.0	8.2	8.4	8.6	8.8	9.0
0.0	31.28	28.05	24.10	19.73	15.34	11.37	8.11	5.62	3.83	2.59	1.77	1.23	0.88
2.0	31.28	28.05	24.10	19.73	15.34	11.37	8.11	5.62	3.83	2.59	1.77	1.23	0.88
4.0	31.28	28.05	24.10	19.73	15.34	11.37	8.11	5.62	3.83	2.59	1.77	1.23	0.88
6.0	31.28	28.05	24.10	19.73	15.34	11.37	8.11	5.62	3.83	2.59	1.77	1.23	0.88
8.0	31.28	28.05	24.10	19.73	15.34	11.37	8.11	5.62	3.83	2.59	1.77	1.23	0.88
10.0	31.28	28.05	24.10	19.73	15.34	11.37	8.11	5.62	3.83	2.59	1.77	1.23	0.88
12.0	31.28	28.05	24.10	19.73	15.34	11.37	8.11	5.62	3.83	2.59	1.77	1.23	0.88
14.0	31.28	28.05	24.10	19.73	15.34	11.37	8.11	5.62	3.83	2.59	1.77	1.23	0.88
16.0	30.30	27.17	23.35	19.11	14.86	11.02	7.85	5.44	3.71	2.51	1.72	1.19	0.86
18.0	25.67	23.02	19.78	16.19	12.59	9.34	6.65	4.61	3.14	2.13	1.45	1.01	0.73
20.0	21.75	19.50	16.76	13.72	10.67	7.91	5.64	3.90	2.66	1.80	1.23	0.86	0.62
22.0	18.43	16.52	14.20	11.62	9.04	6.70	4.78	3.31	2.25	1.53	1.04	0.73	0.52
24.0	15.61	14.00	12.03	9.85	7.66	5.68	4.05	2.80	1.91	1.29	0.88	0.62	0.44
26.0	13.23	11.86	10.19	8.34	6.49	4.81	3.43	2.37	1.62	1.10	0.75	0.52	0.37
28.0	11.21	10.05	8.64	7.07	5.50	4.08	2.90	2.01	1.37	0.93	0.63	0.44	0.32
30.0	9.50	8.51	7.32	5.99	4.66	3.45	2.46	1.70	1.16	0.79	0.54	0.37	0.27

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003.03A2 Thirty-day average concentration in mg/L not to exceed the numerical value given by

$$CV = 0.8876 \left(\frac{0.0278}{1 + 10^{7.688 - pH}} + \frac{1.1994}{1 + 10^{pH - 7.688}} \right) (2.126 \times 10^{0.028 \times (20 - \text{Maximum of } \{Temp, \text{ or } 7\})})$$

where Temp is °C

003.03A2a The highest four-day average concentration within a thirty-day period is not to exceed 2.5 times the thirty-day criterion.

003.03A2b The following table shows thirty-day average criteria for total ammonia at various temperatures and pHs.

THIRTY-DAY AVERAGE CRITERIA FOR TOTAL AMMONIA (mg/L)
Coldwater Aquatic Life Use Class

Temperature (°C)	pH												
	6.6	6.8	7.0	7.2	7.4	7.6	7.8	8.0	8.2	8.4	8.6	8.8	9.0
0.0	4.85	4.65	4.36	3.98	3.49	2.94	2.35	1.80	1.32	0.95	0.68	0.49	0.36
2.0	4.85	4.65	4.36	3.98	3.49	2.94	2.35	1.80	1.32	0.95	0.68	0.49	0.36
4.0	4.85	4.65	4.36	3.98	3.49	2.94	2.35	1.80	1.32	0.95	0.68	0.49	0.36
6.0	4.85	4.65	4.36	3.98	3.49	2.94	2.35	1.80	1.32	0.95	0.68	0.49	0.36
8.0	4.54	4.36	4.09	3.73	3.28	2.75	2.20	1.68	1.24	0.89	0.64	0.46	0.34
10.0	3.99	3.83	3.60	3.28	2.88	2.42	1.94	1.48	1.09	0.78	0.56	0.40	0.30
12.0	3.51	3.37	3.16	2.88	2.53	2.13	1.70	1.30	0.96	0.69	0.49	0.35	0.26
14.0	3.09	2.96	2.78	2.53	2.23	1.87	1.50	1.14	0.84	0.61	0.43	0.31	0.23
16.0	2.71	2.60	2.44	2.23	1.96	1.64	1.32	1.01	0.74	0.53	0.38	0.27	0.20
18.0	2.38	2.29	2.15	1.96	1.72	1.44	1.16	0.88	0.65	0.47	0.33	0.24	0.18
20.0	2.10	2.01	1.89	1.72	1.51	1.27	1.02	0.78	0.57	0.41	0.29	0.21	0.16
22.0	1.84	1.77	1.66	1.51	1.33	1.12	0.89	0.68	0.50	0.36	0.26	0.19	0.14
24.0	1.62	1.55	1.46	1.33	1.17	0.98	0.79	0.60	0.44	0.32	0.23	0.16	0.12
26.0	1.42	1.37	1.28	1.17	1.03	0.86	0.69	0.53	0.39	0.28	0.20	0.14	0.11
28.0	1.25	1.20	1.13	1.03	0.90	0.76	0.61	0.46	0.34	0.25	0.18	0.13	0.09
30.0	1.10	1.05	0.99	0.90	0.79	0.67	0.53	0.41	0.30	0.22	0.15	0.11	0.08

003.03B Toxic Substances.003.03B1 The following numerical criteria are not to be exceeded.

<u>POLLUTANT</u>	<u>CRITERIA (µg/L)</u>	
	<u>Acute</u>	<u>Chronic</u>
<u>Metals and Inorganics¹:</u>		
Cadmium ²	$(ACF)e^{(0.9789[\ln hardness]-3.866)}$ a	$(CCF)e^{(0.7977[\ln hardness]-3.909)}$ b
Chromium (III)	$(0.316)e^{(0.819[\ln hardness]+3.7256)}$ a	$(0.860)e^{(0.819[\ln hardness]+0.6848)}$ b
Chromium (VI)	16 ^a	11 ^b
Cyanide	22 ^a	5.2 ^b

^a One-hour average concentration^b Four-day average concentration¹ Criteria for metals and inorganics apply to dissolved concentrations² The conversion factors for cadmium are hardness dependent and defined by:

$$ACF = 1.136672 - [\ln hardness (0.041838)]$$

$$CCF = 1.101672 - [\ln hardness (0.041838)]$$

003.03C Class A - Coldwater.

These waters provide a habitat which supports natural reproduction of a salmonid (trout) population. These waters also are capable of maintaining year-round populations of a variety of other coldwater fish and associated vertebrate and invertebrate organisms and plants.

003.03C1 Dissolved Oxygen.

003.03C1a One-day minimum of not less than 8.0 mg/L for salmonid early-life stages. This criterion applies from October 1 through May 31.

003.03C1b One-day minimum of not less than 4.0 mg/L for all life stages other than salmonid early-life stages. This criterion applies from June 1 through September 30.

003.03C1c Seven-day mean minimum of not less than 5.0 mg/L. This criterion applies from June 1 through September 30.

003.03C1d Seven-day mean of not less than 9.5 mg/L for salmonid early-life stages. This criterion applies from October 1 through May 31.

003.03C1e Thirty-day mean of not less than 6.5 mg/L. This criterion applies from June 1 through September 30.

003.03D Class B - Coldwater.

These are waters which provide, or could provide, a habitat capable of maintaining year-round populations of a variety of coldwater fish and associated vertebrate and invertebrate organisms and plants or which support the seasonal migration of salmonids. These waters do not support natural reproduction of salmonid populations due to limitations of flow, substrate composition, or other habitat conditions, but salmonid populations may be maintained year-round if periodically stocked.

003.03D1 Dissolved Oxygen.

003.03D1a One-day minimum of not less than 5.0 mg/L for coldwater fish early-life stages. This criterion applies from April 1 through June 30.

003.03D1b One-day minimum of not less than 4.0 mg/L for all life stages other than coldwater fish early-life stages. This criterion applies from July 1 through March 31.

003.03D1c Seven-day mean minimum of not less than 5.0 mg/L. This criterion applies from July 1 through March 31.

003.03D1d Seven-day mean of not less than 6.5 mg/L for coldwater fish early-life stages. This criterion applies from April 1 through June 30.

003.03D1e Thirty-day mean of not less than 6.5 mg/L. This criterion applies from July 1 through March 31.

003.04 Warmwater Aquatic Life Use Class Specific Criteria.

These are waters which provide, or could provide, a habitat consisting of sufficient water volume or flow, water quality, and other characteristics such as substrate composition which are capable of maintaining year-round populations of warmwater biota. Warmwater biota are considered to be life forms in waters where temperatures frequently exceed 25°C (77°F).

003.04A Total Ammonia (as nitrogen).

003.04A1 One-hour average concentration in mg/L not to exceed the numerical value given by

$$AV = 0.7249 \left(\frac{0.0114}{1 + 10^{7.204 - pH}} + \frac{1.6181}{1 + 10^{pH - 7.204}} \right) \times \text{Minimum of } \{51.93, \text{ or } 23.12(10^{0.036(20 - Temp)})\}$$

where Temp is °C

003.04A1a The following table shows one-hour average criteria for total ammonia at various temperatures and pHs.

ONE-HOUR AVERAGE CRITERIA FOR TOTAL AMMONIA (mg/L)
Warmwater Aquatic Life Use Classes

Temperature (°C)	pH												
	6.6	6.8	7.0	7.2	7.4	7.6	7.8	8.0	8.2	8.4	8.6	8.8	9.0
0.0	48.86	43.80	37.65	30.81	23.96	17.77	12.66	8.77	5.97	4.05	2.77	1.92	1.38
2.0	48.86	43.80	37.65	30.81	23.96	17.77	12.66	8.77	5.97	4.05	2.77	1.92	1.38
4.0	48.86	43.80	37.65	30.81	23.96	17.77	12.66	8.77	5.97	4.05	2.77	1.92	1.38
6.0	48.86	43.80	37.65	30.81	23.96	17.77	12.66	8.77	5.97	4.05	2.77	1.92	1.38
8.0	48.86	43.80	37.65	30.81	23.96	17.77	12.66	8.77	5.97	4.05	2.77	1.92	1.38
10.0	48.86	43.80	37.65	30.81	23.96	17.77	12.66	8.77	5.97	4.05	2.77	1.92	1.38
12.0	42.22	37.85	32.53	26.62	20.70	15.35	10.94	7.58	5.16	3.50	2.39	1.66	1.19
14.0	35.77	32.07	27.56	22.56	17.54	13.01	9.27	6.42	4.37	2.97	2.02	1.41	1.01
16.0	30.30	27.17	23.35	19.11	14.86	11.02	7.85	5.44	3.71	2.51	1.72	1.19	0.86
18.0	25.67	23.02	19.78	16.19	12.59	9.34	6.65	4.61	3.14	2.13	1.45	1.01	0.73
20.0	21.75	19.50	16.76	13.72	10.67	7.91	5.64	3.90	2.66	1.80	1.23	0.86	0.62
22.0	18.43	16.52	14.20	11.62	9.04	6.70	4.78	3.31	2.25	1.53	1.04	0.73	0.52
24.0	15.61	14.00	12.03	9.85	7.66	5.68	4.05	2.80	1.91	1.29	0.88	0.62	0.44
26.0	13.23	11.86	10.19	8.34	6.49	4.81	3.43	2.37	1.62	1.10	0.75	0.52	0.37
28.0	11.21	10.05	8.64	7.07	5.50	4.08	2.90	2.01	1.37	0.93	0.63	0.44	0.32
30.0	9.50	8.51	7.32	5.99	4.66	3.45	2.46	1.70	1.16	0.79	0.54	0.37	0.27

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003.04A2 Thirty-day average concentration in mg/L not to exceed the numerical value given by

$$CV = 0.8876 \left(\frac{0.0278}{1 + 10^{7.688 - pH}} + \frac{1.1994}{1 + 10^{pH - 7.688}} \right) (2.126 \times 10^{0.028 \times (20 - \text{Maximum of } \{Temp, \text{ or } 7\})})$$

where Temp is °C

003.04A2a The highest four-day average concentration within a thirty-day period is not to exceed 2.5 times the thirty-day criterion.

003.04A2b The following table shows thirty-day average criteria for total ammonia at various temperatures and pHs.

THIRTY-DAY AVERAGE CRITERIA FOR TOTAL AMMONIA (mg/L)
Warmwater Aquatic Life Use Classes

	pH												
	6.6	6.8	7.0	7.2	7.4	7.6	7.8	8.0	8.2	8.4	8.6	8.8	9.0
0.0	4.85	4.65	4.36	3.98	3.49	2.94	2.35	1.80	1.32	0.95	0.68	0.49	0.36
2.0	4.85	4.65	4.36	3.98	3.49	2.94	2.35	1.80	1.32	0.95	0.68	0.49	0.36
4.0	4.85	4.65	4.36	3.98	3.49	2.94	2.35	1.80	1.32	0.95	0.68	0.49	0.36
6.0	4.85	4.65	4.36	3.98	3.49	2.94	2.35	1.80	1.32	0.95	0.68	0.49	0.36
8.0	4.54	4.36	4.09	3.73	3.28	2.75	2.20	1.68	1.24	0.89	0.64	0.46	0.34
10.0	3.99	3.83	3.60	3.28	2.88	2.42	1.94	1.48	1.09	0.78	0.56	0.40	0.30
12.0	3.51	3.37	3.16	2.88	2.53	2.13	1.70	1.30	0.96	0.69	0.49	0.35	0.26
14.0	3.09	2.96	2.78	2.53	2.23	1.87	1.50	1.14	0.84	0.61	0.43	0.31	0.23
16.0	2.71	2.60	2.44	2.23	1.96	1.64	1.32	1.01	0.74	0.53	0.38	0.27	0.20
18.0	2.38	2.29	2.15	1.96	1.72	1.44	1.16	0.88	0.65	0.47	0.33	0.24	0.18
20.0	2.10	2.01	1.89	1.72	1.51	1.27	1.02	0.78	0.57	0.41	0.29	0.21	0.16
22.0	1.84	1.77	1.66	1.51	1.33	1.12	0.89	0.68	0.50	0.36	0.26	0.19	0.14
24.0	1.62	1.55	1.46	1.33	1.17	0.98	0.79	0.60	0.44	0.32	0.23	0.16	0.12
26.0	1.42	1.37	1.28	1.17	1.03	0.86	0.69	0.53	0.39	0.28	0.20	0.14	0.11
28.0	1.25	1.20	1.13	1.03	0.90	0.76	0.61	0.46	0.34	0.25	0.18	0.13	0.09
30.0	1.10	1.05	0.99	0.90	0.79	0.67	0.53	0.41	0.30	0.22	0.15	0.11	0.08

Temperature (°C)

Effective Date: June 24, 2019

003.04B Toxic Substances.003.04B1 The following numerical criteria are not to be exceeded.

<u>POLLUTANT</u>	<u>CRITERIA (µg/L)</u>	
	<u>Acute</u>	<u>Chronic</u>
<u>Metals and Inorganics¹:</u>		
Cadmium ²	$(ACF)e^{(0.9789[\ln hardness]-3.421)}$ a	$(CCF)e^{(0.7977[\ln hardness]-3.909)}$ b
Chromium (III)	$(0.316)e^{(0.819[\ln hardness]+3.764)}$ a	$(0.860)e^{(0.819[\ln hardness]+0.724)}$ b
Chromium (VI)	16 ^a	11 ^b
Cyanide	41.3 ^a	9.8 ^b

^a One-hour average concentration^b Four-day average concentration¹ Criteria for metals and inorganics apply to dissolved concentrations² The conversion factors for cadmium are hardness dependent and defined by:

$$ACF = 1.136672 - [\ln hardness (0.041838)]$$

$$CCF = 1.101672 - [\ln hardness (0.041838)]$$

003.04C Class A - Warmwater.

These waters provide, or could provide, a habitat suitable for maintaining one or more identified key species on a year-round basis. These waters also are capable of maintaining year-round populations of a variety of other warmwater fish and associated vertebrate and invertebrate organisms and plants.

003.04C1 Dissolved Oxygen.

003.04C1a One-day minimum of not less than 5.0 mg/L for early-life stages. This criterion applies from April 1 through September 30.

003.04C1b One-day minimum of not less than 3.0 mg/L for all life stages other than early-life stages. This criterion applies from October 1 through March 31.

003.04C1c Seven-day mean minimum of not less than 4.0 mg/L. This criterion applies from October 1 through March 31.

003.04C1d Seven-day mean of not less than 6.0 mg/L for early-life stages. This criterion applies from April 1 through September 30.

003.04C1e Thirty-day mean of not less than 5.5 mg/L. This criterion applies from October 1 through March 31.

003.04D Class B - Warmwater.

These are waters where the variety of warmwater biota is presently limited by water volume or flow, water quality (natural or irretrievable human-induced conditions), substrate composition, or other habitat conditions. These waters are only capable of maintaining year-round populations of tolerant warmwater fish and associated vertebrate and invertebrate organisms and plants. Key species may be supported on a seasonal or intermittent basis (e.g., during high flows) but year-round populations cannot be maintained.

003.04D1 Dissolved Oxygen.

003.04D1a One-day minimum of not less than 5.0 mg/L for early-life stages. This criterion applies from April 1 through September 30.

003.04D1b One-day minimum of not less than 3.0 mg/L for all life stages other than early-life stages. This criterion applies from October 1 through March 31.

003.04D1c Seven-day mean minimum of not less than 4.0 mg/L. This criterion applies from October 1 through March 31.

003.04D1d Seven-day mean of not less than 6.0 mg/L for early-life stages. This criterion applies from April 1 through September 30.

003.04D1e Thirty-day mean of not less than 5.5 mg/L. This criterion applies from October 1 through March 31.

003.05 Nutrient Criteria for Lakes and Impounded Waters.

The following criteria associated with various nutrient classifications apply to lakes or impounded waters according to codes listed in Chapter 6. Criteria are based on seasonal averages from April 1 through September 30. Eastern Lakes and Impounded Waters are located within the Big Blue, Little Blue, Elkhorn, Lower Platte, Missouri Tributaries, and Nemaha River Basins. Western Lakes and Impounded Waters are located within the Loup, Middle Platte, Niobrara, North Platte, Republican, South Platte, and White River-Hat Creek Basins. Natural Sandhill Lakes are not subject to these criteria as they exist in a relatively undisturbed condition.

Chlorophyll *a* represents the desired biological condition (response) and is generally influenced by the amount of phosphorus and nitrogen (cause). Thus, if the chlorophyll *a* criterion is met, total phosphorus or total nitrogen values above the listed values will not be considered to violate their respective criteria.

Lake or Impounded Waters Classification	Codes	Total Phosphorus (µg/L)	Total Nitrogen (µg/L)	Chlorophyll <i>a</i> (µg/L)
Eastern Lakes and Impounded Waters:	E	50	1000	10
Western Lakes and Impounded Waters:	W	40	800	8
Natural Sandhill Lakes:	SH	---	---	---

004 Water Supply.

004.01 Public Drinking Water.

These are surface waters which serve as a public drinking water supply. These waters must be treated (e.g., coagulation, sedimentation, filtration, chlorination) before the water is suitable for human consumption. After treatment, these waters are suitable for drinking water, food processing, and similar uses.

004.01A General Criteria.

Wastes or toxic substances introduced directly or indirectly by human activity in concentrations that would degrade the use (i.e., would produce undesirable physiological effects in humans) will not be allowed.

004.01B Numerical Criteria.

Numerical criteria for the parameters listed below are not to be exceeded. Any substance introduced directly or indirectly by human activity is not to be allowed to enter surface water if one or more of the following numerical standards would be exceeded. The numerical standards listed below are intended to protect beneficial use of public drinking water supply. If the natural background level of a parameter is greater than the numerical standard, this will not in and of itself prohibit the use of the surface water. If the natural background level of a parameter is greater than the numerical standard listed below, the background level is to be used in place of the numerical criteria.

<u>POLLUTANT</u>	<u>NUMERICAL LIMIT</u>	<u>CAS #</u>
Inorganics:		
Antimony ^b	0.0056 mg/L	7440-36-0
Arsenic ^b	0.00018 mg/L	7440-38-2
Asbestos ^c	7 million fibers/liter with fiber length >10 microns	1332-21-4
Barium ^a	1.0 mg/L	7440-39-3
Beryllium ^c	0.004 mg/L	7440-41-7
Cadmium ^c	0.005 mg/L	7440-43-9
Chromium ^c	0.1 mg/L	7439-92-1
Cyanide (as free cyanide) ^a	0.004 mg/L	57-12-5
Fluoride ^c	4.0 mg/L	7681-49-4
Mercury ^c	0.002 mg/L	7439-97-6
Nitrate-nitrogen ^c	10 mg/L	14797-55-8
Nitrite-nitrogen ^c	1 mg/L	14797-65-0
Selenium ^c	0.05 mg/L	7782-49-2
Thallium ^b	0.00024 mg/L	7440-28-0
Organics:		
Alachlor ^c	0.002 mg/L	15972-60-8
Atrazine ^c	0.003 mg/L	1912-24-9
Benzene ^a	0.003 mg/L	71-43-2
Benzo(a)pyrene ^b	0.0000012 mg/L	50-32-8
Carbofuran ^c	0.04 mg/L	1563-66-2
Carbon tetrachloride ^b	0.004 mg/L	56-23-5
Chlorobenzene ^c	0.1 mg/L	108-90-7
Chlordane ^b	0.0000031 mg/L	57-74-9
cis-1,2-Dichloroethylene ^c	0.07 mg/L	156-59-2
Dalapon ^c	0.2 mg/L	75-99-0
Dibromochloropropane (DBCP) ^c	0.0002 mg/L	96-12-8
Dichloromethane ^c	0.005 mg/L	75-09-2
Di(2-ethylhexyl)adipate or Bis(2-ethylhexyl) adipate ^c	0.4 mg/L	103-23-1
Di(2-ethylhexyl)phthalate or Bis(2-Ethylhexyl) Phthalate ^b	0.0032 mg/L	117-81-7
Dinoseb ^c	0.007 mg/L	88-85-7
Dioxin (2,3,7,8-TCDD) ^b	0.0000000005 mg/L	1746-01-6

<u>POLLUTANT</u>	<u>NUMERICAL LIMIT</u>	<u>CAS #</u>
Diquat ^c	0.02 mg/L	85-00-7
Endothall ^c	0.1mg/L	145-73-3
Endrin ^a	0.00003 mg/L	72-20-8
Ethylbenzene ^a	0.068 mg/L	100-41-4
Ethylene dibromide ^c	0.00005 mg/L	106-93-4
Glyphosate ^c	0.7 mg/L	1071-53-6
Heptachlor ^b	0.000000059 mg/L	76-44-8
Heptachlor epoxide ^b	0.00000032 mg/L	1024-57-3
Hexachlorobenzene ^b	0.00000079 mg/L	118-74-1
Hexachlorocyclopentadiene ^a	0.004 mg/L	77-47-4
Lindane ^c	0.0002 mg/L	58-89-9
Methoxychlor ^a	0.00002 mg/L	72-43-5
o-Dichlorobenzene ^c	0.6 mg/L	95-50-1
Oxamyl (Vydate) ^c	0.2 mg/L	23135-22-0
2,4,5-TP Silvex ^c	0.05 mg/L	93-72-1
2,4-D ^c	0.07 mg/L	94-75-7
PCB's ^b	0.00000064 mg/L	-----
Pentachlorophenol ^b	0.0003 mg/L	87-86-5
Picloram ^c	0.5 mg/L	1918-02-1
Simazine ^c	0.004 mg/L	122-34-9
Styrene ^c	0.1 mg/L	100-42-5
trans-1,2-Dichloroethylene ^c	0.1 mg/L	156-60-5
1,2,4-Trichlorobenzene ^b	0.00071 mg/L	120-82-1
Trichloroethylene ^a	0.003 mg/L	79-01-6
Tetrachloroethylene ^c	0.005 mg/L	127-18-4
Toluene ^a	0.057 mg/L	108-88-3
Total trihalomethanes ^c	0.1 mg/L	-----
Toxaphene ^b	0.000007 mg/L	8001-35-2
Vinyl chloride ^b	0.00022 mg/L	75-01-4
Xylenes ^c	10.0 mg/L	1330-20-7
1,2-Dichloropropane ^c	0.005 mg/L	78-87-5
1,2-Dichloroethane ^c	0.005 mg/L	107-06-2
1,1-Dichloroethylene ^c	0.007 mg/L	75-35-4
1,1,1-Trichloroethane ^c	0.2 mg/L	71-55-6
1,1,2-Trichloroethane ^c	0.005 mg/L	79-00-5
p-Dichlorobenzene ^c	0.075 mg/L	106-46-7

<u>POLLUTANT</u>	<u>NUMERICAL LIMIT</u>	<u>CAS #</u>
Radionuclides:		
Beta particles and photon emitters ^c	4 millirems per year	-----
Combined radium-226 and radium-228 ^c	5 pCi/l	-----
Gross alpha particle activity (including radium-226 but excluding radon and uranium) ^c	15 pCi/l	-----
Uranium ^c	0.030 mg/L	7440-61-1
Other Parameters Affecting Use:		
Aluminum ^d	0.2 mg/L	7429-90-5
Chloride ^d	250 mg/L	16887-00-6
Copper ^d	1 mg/L	7440-50-8
Foaming Agents (methylene-blue active substances) ^d	0.5 mg/L	-----
Iron ^d	0.3 mg/L	7439-89-6
Manganese ^d	0.05 mg/L	7439-96-5
Silver ^d	0.10 mg/L	7440-22-4
Sulfate ^d	250 mg/L	14808-79-8
Total Dissolved Solids ^d	500 mg/L	-----
Zinc ^d	5 mg/L	7440-66-6
Other Priority Pollutants		
Nickel ^a	0.61 mg/L	7440-02-0
Acrolein ^a	0.003 mg/L	107-02-8
Acrylonitrile ^b	0.00061 mg/L	107-13-1
Bromoform ^b	0.07 mg/L	75-25-2
Chlorodibromomethane ^b	0.008 mg/L	124-48-1
Chloroform ^a	0.06 mg/L	67-66-3
Dichlorobromomethane ^b	0.0095 mg/L	75-27-4
1,3-Dichloropropene ^b	0.0027 mg/L	542-75-6
Methyl Bromide ^a	0.1 mg/L	74-83-9
Methylene Chloride ^a	0.04 mg/L	75-09-2
1,1,2,2-Tetrachloroethane ^b	0.002 mg/L	79-34-5
2-Chlorophenol ^a	0.03 mg/L	95-57-8

<u>POLLUTANT</u>	<u>NUMERICAL LIMIT</u>	<u>CAS #</u>
2,4-Dichlorophenol ^a	0.01 mg/L	120-83-2
2,4-Dimethylphenol ^a	0.1 mg/L	105-67-9
2-Methyl-4,6-Dinitrophenol ^a	0.002 mg/L	534-52-1
Dinitrophenols ^a	0.01 mg/L	25550-58-7
2,4-Dinitrophenol ^a	0.01 mg/L	51-28-5
Phenol ^a	4 mg/L	108-95-2
2,4,5-Trichlorophenol ^a	0.3 mg/L	95-95-4
2,4,6-Trichlorophenol ^a	0.003 mg/L	88-06-2
3-Methyl-4-Chlorophenol ^a	0.5 mg/L	59-50-7
Acenaphthene ^a	0.07 mg/L	83-32-9
Anthracene ^a	0.3 mg/L	120-12-7
Benzidine ^b	0.000014 mg/L	92-87-5
Benzo(a)Anthracene ^b	0.00012 mg/L	56-55-3
Benzo(b)Fluoranthene ^b	0.00012 mg/L	205-99-2
Benzo(k)Fluoranthene ^b	0.00012 mg/L	207-08-9
Bis(2-Chloroethyl) Ether ^b	0.0003 mg/L	111-44-4
Bis(2-Chloro-1-methylethyl) Ether ^a	0.2 mg/L	108-60-1
Bis(Chloromethyl) Ether ^b	0.000015 mg/L	542-88-1
Butylbenzyl Phthalate ^b	0.001 mg/L	85-68-7
2-Chloronaphthalene ^a	0.8 mg/L	91-58-7
Chrysene ^b	0.0012 mg/L	218-01-9
Dibenzo(a,h)Anthracene ^b	0.000012 mg/L	53-70-3
1,3-Dichlorobenzene ^a	0.007 mg/L	541-73-1
3,3'-Dichlorobenzidine ^b	0.00049 mg/L	91-94-1
Diethyl Phthalate ^a	0.6 mg/L	84-66-2
Dimethyl Phthalate ^a	2.0 mg/L	131-11-3
Di-n-Butyl Phthalate ^a	0.02 mg/L	84-74-2
2,4-Dinitrotoluene ^b	0.00049 mg/L	121-14-2
1,2-Diphenylhydrazine ^b	0.0003 mg/L	122-66-7
Fluoranthene ^a	0.02 mg/L	206-44-0
Fluorene ^a	0.05 mg/L	86-73-7
Hexachlorobutadiene ^a	0.00002 mg/L	87-68-3
Hexachlorocyclohexane (HCH) – Technical ^b	0.000066 mg/L	608-73-1
Hexachloroethane ^a	0.0007 mg/L	67-72-1
Indeno (1,2,3-cd)Pyrene ^b	0.000012 mg/L	193-39-5

<u>POLLUTANT</u>	<u>NUMERICAL LIMIT</u>	<u>CAS #</u>
Isophorone ^b	0.34 mg/L	78-59-1
Nitrobenzene ^a	0.01 mg/L	98-95-3
N-Nitrosodimethylamine ^b	0.0000069 mg/L	62-75-9
N-Nitrosodi-n-Propylamine ^b	0.00005 mg/L	621-64-7
N-Nitrosodiphenylamine ^b	0.033 mg/L	86-30-6
Pentachlorobenzene ^a	0.0001 mg/L	608-93-5
Pyrene ^a	0.02 mg/L	129-00-0
Aldrin ^b	0.0000000077 mg/L	309-00-2
alpha-Hexachlorocyclohexane (HCH) ^b	0.0000036 mg/L	319-84-6
beta-Hexachlorocyclohexane (HCH) ^b	0.00008 mg/L	319-85-7
4,4'-DDT ^b	0.0000003 mg/L	50-29-3
4,4'-DDE ^b	0.00000018 mg/L	72-55-9
4,4'-DDD ^b	0.0000012 mg/L	72-54-8
Dieldrin ^b	0.000000012 mg/L	60-57-1
alpha-Endosulfan ^a	0.02 mg/L	959-98-8
beta-Endosulfan ^a	0.02 mg/L	33213-65-9
Endosulfan Sulfate ^a	0.02 mg/L	1031-07-8
Endrin Aldehyde ^a	0.001 mg/L	7421-93-4

^a Human health criteria based on the consumption of water, fish and other aquatic organisms

^b Human health criteria at the 10⁻⁵ risk level for carcinogens based on the consumption of water, fish and other aquatic organisms

^c Primary Drinking Water MCL

^d Secondary Drinking Water Standard

004.02 Agricultural.

004.02A General Criteria.

Wastes or toxic substances introduced directly or indirectly by human activity in concentrations that would degrade the use (i.e., would produce undesirable physiological effects in crops or livestock) will not be allowed.

004.02B Class A - Agricultural.

These are waters used for general agricultural purposes (e.g., irrigation and livestock watering) without treatment.

004.02B1 Conductivity.

Not to exceed 2,000 umhos/cm between April 1 and September 30.

004.02B2 Nitrate and Nitrite as Nitrogen.

Not to exceed 100 mg/L.

004.02B3 Selenium.

Not to exceed 0.02 mg/L.

004.02C Class B - Agricultural.

These are waters where the natural background water quality limits its use for agricultural purposes. No water quality criteria are assigned to protect this use.

004.03 Industrial.

These are waters used for commercial or industrial purposes such as cooling water, hydroelectric power generation, or nonfood processing water; with or without treatment. Water quality criteria to protect this use will vary with the type of industry involved. Where water quality criteria are necessary to protect this use, site-specific criteria will be developed.

Title 117

Chapter 4

005 Aesthetics.

This use applies to all surface waters of the state. To be aesthetically acceptable, waters are to be free from human-induced pollution which causes: 1) noxious odors; 2) floating, suspended, colloidal, or settleable materials that produce objectionable films, colors, turbidity, or deposits; and 3) the occurrence of undesirable or nuisance aquatic life (e.g., algal blooms). Surface waters are also to be free of junk, refuse, and discarded dead animals.

Enabling Legislation: Neb. Rev. Stat. §81-1505(1)(2)

Legal Citation: Title 117, Ch. 4, Nebraska Department of Environmental Quality