



Nebraska Department of Environmental Quality

Wastewater Section

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AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

General NPDES Permit Number NEG710000

A General NPDES Permit Authorizing Treated Ground Water Remediation Discharges

This NPDES permit is issued in compliance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. Secs. 1251 *et. seq.* as amended to date), the Nebraska Environmental Protection Act (Neb. Rev. Stat. Secs. 81-1501 *et. seq.* as amended to date), and the Rules and Regulations promulgated pursuant to these Acts. This general permit establishes prohibitions and other conditions pertaining to these types of discharges. This general permit is issued authorizing ground water remediation facilities to discharge to waters of the state excluding tribal lands within the State of Nebraska. Some treated remediation discharges may be prohibited to those waters identified in Part I in compliance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. Sections. 1251 *et. seq.* as amended to date), the Nebraska Environmental Protection Act (Neb. Rev. Stat. Sections 81-1501 *et. seq.* as amended to date), and the Rules and Regulations promulgated pursuant to these Acts. This general permit establishes prohibitions, limitations and other conditions pertaining to these discharge(s). This general permit does not relieve permittees of other duties and responsibilities under the Nebraska Environmental Protection Act, as amended, or established by regulations promulgated pursuant thereto.

This permit shall become effective on **October 1, 2013**

This permit and the authorization to discharge shall expire at midnight, **September 30, 2018**

Pursuant to the Delegation Memorandum dated January 12, 1999 and signed by the Director, the undersigned hereby executes this document on the behalf of the Director.

Signed this 20th day of September, 2013

Patrick W. Rice, Assistant Director

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Attachments

Appendix A – Standard Conditions

Appendix B- State Resource and Public Drinking Water Supply Streams

Attachment #1: REM-NOI - Remediation Site Notification of Intent

Attachment #2: DGDMMR – Discharge Monitoring Report for Fuel Contaminated Sites

Attachment #3: VOCDMMR – Discharge Monitoring Report for Organic Chemical Contaminated Sites

Attachment #4: PCE - Physical Characteristics Examination Report

Attachment #5: NCR - Noncompliance Report Form

Part I. Eligibility

A. Discharges Authorized by this Permit

This permit authorizes remediation facility treated ground water discharges to surface waters of the state.

B. Area of Application

This permit has application throughout the entire State of Nebraska except for State Resource Waters, Public Drinking Water, Lakes or Impounded Waters, and tribal lands within the State of Nebraska.

C. Limitations on Coverage

This permit does not authorize the following discharges and may be the basis for denial or termination of authorization under this general permit. The Department shall be consulted prior to your submission of the REM-NOI if any of the following conditions apply:

1. Discharges regulated by an existing individual issued NPDES permit;
2. Discharges to State Resource Waters or Public Drinking Water (See Appendix B);
3. Discharges to Lakes or Impounded Waters as required by NDEQ Title 117, Chapter 7;
4. Discharges that, in the determination of the Department, may create potential, negative water quality impacts in the receiving stream, water body, or ground water;
5. Discharges that may adversely impact critical habitat of aquatic-related threatened or endangered species as designated by Nebraska Game and Parks Commission (www.ngpc.state.ne.us) or the U.S. Fish and Wildlife Service (www.fws.gov);
6. Discharges that cannot meet applicable state or federal Environmental Review requirements;
7. Discharges that may adversely affect properties listed or eligible for listing in the National Register of Historic Places (www.nebraskahistory.org) or affecting known or discovered archeological sites;
8. Storm water discharges associated with industrial activity as defined in Title 119, which includes storm water discharges from construction sites of 1 acre or more; and
9. Discharges for which effluent standards have been established in Title 119.

Part II. Authorization to Discharge

A. Authorization

Eligible facilities are defined by the requirements and limitations in Part I. The eligible facilities may apply for authorization to discharge under this general permit using Notice of Intent (REM-NOI) (See Attachment #1). You must use the REM-NOI from provided in Attachment #1 (or a photocopy thereof or electronic REM-NOI form that may become available during the term of this permit provided by NDEQ)

1. You must use the REM-NOI form to notify the Department that as a Permittee, you intend to meet all conditions of this permit. Complete, accurate, and timely REM-NOI forms shall automatically receive authorization ten (10) calendar days after the post-marked date. The Department shall issue a Discharge Authorization Number for the Ground Water Remediation Site described on the REM-NOI. The Department may deny authorization to discharge under the terms and conditions of this permit by providing the applicant with a written notice of the denial and an explanation of the basis for the determination.
 - a. Ongoing projects authorized under the previous version of this permit shall remain in effect no longer than 180 days after the issue date of this permit. Permittees of ongoing projects shall operate under all existing terms and conditions until the project is either terminated or receives authorization under this permit by submitting form REM-NOI.
 - b. You are not prohibited from submitting NOIs after initiating Ground Water Remediation. An NOI submitted to the Department after initiating Ground Water Remediation shall receive authorization consistent with this permit. Authorization of a late NOI shall not preclude the Department from taking enforcement action for discharging pollutants to Waters of the State without a permit.
 - c. New owner/operators of existing discharges have a minimum of 30 days prior to assuming operation of the facility to submit the REM-NOI form.
 - d. Written authorization shall be required for Ground Water Remediation when effluent discharge is within 2,500 feet of any water of the state identified in Appendix B of this permit.

- e. Submittal of the NPDES REM-NOI form does not relieve the applicant of the responsibility to comply with the requirements of other government agencies.
- f. The current addresses and telephone number at the time of permit issuance are:

Wastewater Section
Nebraska Department of Environmental Quality
1200 N Street, The Atrium, Suite 400
P.O. Box 98922
Lincoln, Nebraska 68509-8922
Telephone 402-471-4220
Web Site Address: <http://deq.ne.gov/>

2. Contents of the Notice of Intent

You must provide the following information on the REM-NOI form

Site Information

The following information shall be provided:

- 1) The name of the Certifying Official
- 2) The name of the site;
- 3) The site location in descriptive terms (i.e., street address, or if not available, in relationship to recognizable landmarks);
- 4) A legal description designated in terms of section, township, range and county, provided to the nearest 1/16th of a section, unless the facility occupies a larger area (e.g., NW¹/₄ of the SW¹/₄, S10, T15N, R11E, Douglas County) and/or the GPS locations in latitude and longitude;
- 5) Information on the number of outfalls and the discharge volume anticipated from each; and
- 6) The type of remediation activity (i.e., source of each discharge).

Discharge Information (Identify any of the contaminants and/or pollutants that are present.)

- 1) For fuel (gasoline, diesel fuel, jet fuel, kerosene bunker fuel and other petroleum products) contaminated sites.
- 2) If this is a new fuel remediation site, attach a summary of the most recent:
 - (a) Recovery well analytical data; or
 - (b) Monitoring well analytical data.
- 3) If this is an existing fuel remediation site, attach a copy or copies of the current Discharge Monitoring Report(s).

For volatile organic compound contaminated site.

- 1) If this is a new volatile organic compound remediation site, attach a summary of the most recent:
 - (a) Recovery well analytical data; or
 - (b) Monitoring well analytical data.
- 2) If this is an existing volatile organic compound remediation site, attach a copy or copies of the current Discharge Monitoring Report(s).

Receiving Stream

- 1) The name of the stream or water body that will receive the outfall discharges;
- 2) Does the facility have two or more outfalls that discharge to more than one receiving stream?
Are all of the streams identified?
- 3) Are the receiving stream(s) or water body identified in Appendix B?
- 4) A brief description of any controls used to dissipate energy so as to prevent channel erosion and scouring in the receiving stream or drainage way.

Listed Endangered or Threatened Species or Historical Site(s)

- 1) The permittee shall contact the Nebraska Game and Parks Commission (www.ngpc.state.ne.us) or the U.S. Fish and Wildlife Service (www.fws.gov) to determine if the site discharge(s) will impact endangered or threatened species or their critical habitat; and
- 2) The permittee shall contact the Nebraska Historical Society (www.nebraskahistory.org) to determine if the site discharge(s) will impact a historical site(s) or affecting known or discovered archeological sites.

Remediation Facility Certifying Official's Identity, Mailing Address and Telephone Number

The "Authorized Representative's" Identity, Mailing Address and Telephone Number

Certification Statement

The following certification statement shall be contained in the Notice of Intent:

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

I further certify that:

- 1) I or qualified members of my staff, have reviewed and understand the terms and conditions of NPDES General Permit Number NEG710000;
- 2) The facility identified in Section 1 of this REM-NOI (Notice of Intent) meets the "Eligibility" requirements and is not excluded by the "Limitation of Coverage" requirements, set forth in Section 1 part C of the permit; and
- 3) I understand that the submission of this REM-NOI (Notice of Intent) obligates the facility identified in Section 1 of this Notice of Intent to comply with the terms and conditions of the Permit NEG710000, provided authorization to discharge is obtained.

Signature Requirements

The owner/operator (person, business, or governmental entity) shall sign and submit the initial Notice of Intent. Additional sites REM-NOI s may be submitted under the signature of the Authorized Representative. The owner/operator must specifically authorize the Authorized Representative to perform this task in a previous REM-NOI or other written documentation.

B. Additional Notification Requirements

1. The Department may request additional information from the applicant when it is necessary to adequately review the REM-NOI and evaluate the discharge request.
2. Facilities that discharge to a public or private storm sewer system are obligated to notify the owner or operator of the storm sewer system.

C. Revocation of Discharge Authorization

1. The Director may revoke a permittee's authorization to discharge under the terms and conditions of this permit for any of the following reasons:
 - a. When it becomes necessary to protect the public health and welfare.
 - b. The discharge is adversely affecting a listed endangered or threatened species or its critical habitat;
 - c. The discharge is causing a violation of a surface or ground water quality standard; and
 - d. A permittee fails to submit an alternative permit application requested pursuant to Part II.D.
2. The Department may deny authorization to discharge under the terms and conditions of this permit by providing the applicant with a written notice of the denial and an explanation of the basis for the determination
3. The Department may require the submittal of a different Notice of Intent for an alternative general permit. The Department shall provide an explanation of the basis for any such request.
4. All permittees must meet the requirements set forth in this permit. Failure to do so shall negate any authorization to discharge.
5. Authorization to discharge under the terms and conditions of this permit shall be terminated upon the issuance of the alternative permit or the granting of discharge authorization under another alternative general permit.

D. Requiring an Alternative Permit and Application

1. The Director may require any person authorized to discharge under the terms and conditions of this permit to apply for and obtain either a site-specific NPDES permit or an alternative NPDES general permit. The Department shall provide a written notice that an alternative permits application is required. This notice shall include:
 - a. A brief explanation of the basis for the determination;
 - b. An application or Notice of Intent for an alternative permit; and
 - c. A deadline for submitting the application for the alternative permit.The Director may grant additional time for the submittal of the alternative application following the initial notice.
2. Conditions that may constitute a basis for requesting an alternative application include, but are not limited to:
 - a. The discharge is a significant contributor of pollution;
 - b. The discharge is to a Public Drinking Water Supply;
 - c. The discharger is not in compliance with the terms and conditions of the permit;
 - d. Additional pollution control or prevention technology has become available;
 - e. The promulgation of new effluent limitations that apply to the source;
 - f. The approval of a water quality management plan containing requirements applicable to the source;
 - g. The identification of conditions or pollutant sources not previously recognized; and
 - h. The issuance of an alternative general permit that applies to the discharge.

E. Notification of Changes: Ownership, Name, or Contacts

The permittee is responsible for notifying the Department within 30 days of any transfer of ownership, facility name change, or changes in the owner, operator or Authorized Representative. The former owner and the new owner must provide written notification of ownership changes.

F. Notification of Activities that may alter the Water Quality of the Discharge

The permittee shall notify the Department immediately of any activities or actions that may alter the water quality of remediation discharges. For additional reporting requirements relative to spills, leaks, or effluent physical characteristics (Immediate Reporting Requirements) see Part IV.F.

G. Notification of Project Completion

1. The permittee shall notify the Department prior to initiating remediation activities if the start-up date varies by more than one week of the anticipated submitted in the REM-NOI. Written notification shall be in writing
2. The permittee shall provide the Department with a written notification of the project termination within 30 days after discontinuing the remediation activities.

Part III. MONITORING REQUIREMENTS AND EFFLUENT LIMITATIONS

A. Table 1: Fuel Remediation Sites Effluent Limitations and Monitoring Requirements

The remediation discharges associated with a fuel contaminated (gasoline, diesel fuel, jet fuel, kerosene, bunker fuel, and/or other petroleum products) site shall be monitored and subject to the following limitations. Monitoring shall be conducted at the point of discharge from the treatment system(s). The Department may specify alternative or more specific monitoring point(s).

Parameter ⁽¹⁾	Storet #	Units	Discharge Limitations		Monitoring Frequency	Sample Type
			Monthly Average	Daily Maximum		
Flow	50050	MGD	Report	Report	Quarterly	Calculated or Measured
Benzene ⁽²⁾	34030	mg/L	Report	0.04	Quarterly	Grab
Xylene ⁽²⁾	81551	mg/L	Report	0.40	Quarterly	Grab
Total Extractable Hydrocarbons ⁽³⁾	46116	mg/L	Report	10	Quarterly	Grab
Ethylbenzene ⁽²⁾	34371	mg/L	Report	2.1	Quarterly	Grab
Toluene ⁽²⁾	34010	mg/L	Report	15	Quarterly	Grab
1,2-Dichloroethane ⁽²⁾	32103	mg/L	Report	0.37	Quarterly	Grab
Methyl Tertiary-Butyl Ether ⁽²⁾	22417	mg/L	Report	Report	Quarterly	Grab
Naphthalene	34696	mg/L	Report	0.62	Quarterly	Grab
n-Hexane ⁽²⁾	81590	mg/L	Report	Report	Quarterly	Grab
Physical Characteristics ⁽⁴⁾	N/A	NA	No Visible Hydrocarbon Sheen ⁽²⁾		Quarterly	In Situ and Grab ⁽²⁾
Parameter	Storet #	Units	Discharge Limitations		Monitoring Frequency	Sample Type
			Minimum	Maximum		
pH ⁽⁵⁾	00400	Standard Units	6.5	9.0	Quarterly	Grab

Footnotes:

- (1) If any parameter is not present after the initial analyses, continued monitoring and reporting shall not be required. The parameter(s) shall be indicated as not being present on the VOCDMR (Discharge Monitoring Report).
- (2) EPA Method 8260 shall be used for the aromatic hydrocarbon analyses, unless otherwise specified in writing by the NDEQ.
- (3) The OA-2 test method (University Hygienic Laboratory, Iowa City, IA) shall be used for Total Extractable Hydrocarbon analyses, unless otherwise specified in writing by the NDEQ.
- (4) The procedures, limitations, sampling, record keeping and reporting requirements for this parameter are set forth in the "Physical Characteristics Examination Procedures" Part II. C.
- (5) pH is reported as the negative logarithm of the hydrogen ion concentration. pH results cannot be averaged. Therefore, the pH of all grab samples must be within the limits specified.

Abbreviations: MGD - million gallons per day mg/L – milligram per Liter

B. Table 2: Volatile Organic Chemical Remediation Sites Effluent Limitations and Monitoring Requirements

The remediation discharges associated with volatile, organic chemicals contaminated site shall be monitored and subject to the following limitations. Monitoring shall be conducted at the point of discharge from the treatment system(s). The Department may specify alternative or more specific monitoring point(s).

Parameter	Storet #	Units	Discharge Limitations		Monitoring Frequency	Sample Type
			Monthly Average	Daily Maximum		
Flow	50050	MGD	Report	Report	Quarterly	Calculated or Measured
1,1-Dichloroethylene ⁽¹⁾	34501	µg/L	Report	32	Quarterly	Grab
Carbon Tetrachloride ⁽¹⁾	32102	µg/L	Report	16	Quarterly	Grab
Chloroform ⁽¹⁾	32106	µg/L	Report	1240	Quarterly	Grab
Naphthalene ⁽¹⁾	34696	µg/L	Report	620	Quarterly	Grab
Tetrachloroethylene ⁽¹⁾	34475	µg/L	Report	33	Quarterly	Grab
Toluene	34010	µg/L	Report	15,000	Quarterly	Grab
Trichloroethylene ⁽¹⁾	39180	µg/L	Report	300	Quarterly	Grab
Vinyl Chloride	34495	µg/L	Report	24	Quarterly	Grab
Physical Characteristics ⁽²⁾	N/A	NA	No Visible Hydrocarbon Sheen ⁽³⁾		Quarterly	In Situ and Grab ⁽³⁾
Parameter	Storet #	Units	Discharge Limitations		Monitoring Frequency	Sample Type
			Minimum	Maximum		
pH ⁽⁴⁾	00400	Standard Units	6.5	9.0	Quarterly	Grab
Footnotes:						
<p>⁽¹⁾ If any parameter is not present after the initial analyses, continued monitoring and reporting shall not be required. The parameter(s) shall be indicated as not being present on the VOCDMR (Discharge Monitoring Report).</p> <p>⁽²⁾ The procedures, limitations, sampling, record keeping and reporting requirements for this parameter are set forth in the Physical Characteristics Examination Procedures Part II. C.</p> <p>⁽³⁾ The OA-2 test method (University Hygienic Laboratory, Iowa City, IA) shall be used for Total Extractable Hydrocarbon analyses, unless otherwise specified in writing by the NDEQ.</p> <p>⁽⁴⁾ pH is reported as the negative logarithm of the hydrogen ion concentration. pH results cannot be averaged. Therefore, the pH of all grab samples must be within the limits specified.</p>						
Abbreviations: MGD - million gallons per day µg/L – microgram per Liter or parts per billion (ppb)						

C. Physical Examination of Discharges

1. When sampling activities are required and performed, the permittees shall conduct these qualitative examinations of the discharge. These examinations should be done at least quarterly. The following characteristics shall be noted and recorded using the REM-PCE form or its equivalent:
 - a. Turbidity;
 - b. Color;
 - c. Odor;
 - d. Evidence of petroleum or hydrocarbons (visible or odor);
 - e. Sheens, films, foam in the effluent or in the receiving stream as a result of the discharge; and
 - f. Floating solids.
2. Any unusual characteristics or significant change, that may indicate the presence of pollutants not previously identified or anticipated. These shall be reported to the Department as required in Part II. G. Conditions that warrant reporting include, but are not necessarily limited to:
 - a. Oil sheens;
 - b. Chemical or petroleum odors;
 - c. Septic odors;
 - d. Unusual colors;
 - e. Significantly increased turbidity; and
 - f. Excessive foaming.
3. A summary report on the findings of the physical examinations shall be included with the Discharge Monitoring Report submitted pursuant to Appendix A, Section D.4.

D. Additional Monitoring Requirements

In addition to the preceding monitoring requirements, the Department may request more frequent monitoring or monitoring for additional parameters. Grounds for these additional requirements may include:

1. Qualitative or quantitative examination of the effluent indicates the potential presence of pollutants not identified above;
2. Qualitative or quantitative examination of the effluent indicates that pollutants may be present at levels not previously identified or above permit limitations; and/or
3. The existence of information concerning potential contamination of the water source.

Part IV. OTHER CONDITIONS AND REQUIREMENTS

A. Compliance with Permit Terms and Conditions

Compliance with the terms and conditions of this permit does not relieve the permittee from any liability that may arise as a consequence of their discharges.

B. Discharge affecting Endangered or Threatened Species

This permit does not replace or satisfy any review requirements for Endangered or Threatened species from new or expanded discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species or adversely modify a designated critical habitat. The permittee must conduct any required review and coordinate with appropriate agencies for any project with the potential of affecting threatened or endangered species, or their critical habitat.

C. Discharges Affecting Historical Places or Archeological Sites

This permit does not replace or satisfy any review requirements for Historic Places or Archeological Sites, from new or expanded discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered Archeological Sites. The permittee must be in compliance with National Historic Preservation Act and conduct all required review and coordination related to historic preservation, including significant anthropological sites and any burial sites, with the Nebraska Historic Preservation Officer. You must comply with all applicable state, and local laws concerning the protection of historic properties and places. Your discharge authorization under this permit is contingent upon this compliance.

D. Prohibited Toxic Discharges

Discharges shall be free from toxic substances, which alone or in combination with other substances, create conditions unsuitable for aquatic life, except in instances where there is no net increase in the receiving water body of the quantity or concentration of the toxic substance. The exception shall only apply in instances where water is taken from and discharged to the same water body and no increases in pollutant quantities or concentrations occur.

E. Prohibited Discharges that Cause Aesthetic Violations

Discharges shall not contain pollutants at concentrations or levels that produce objectionable films, foam, colors, turbidity or deposits, or noxious odors in the receiving stream or waterway, except in instances where there is no net increase in pollutant quantities or concentrations in the receiving water body. The exception shall only apply in instances where water is taken from and discharged to the same water body and no increases in pollutant quantities or concentrations occur.

F. Immediate Reporting Requirement

The permittees shall report immediately by telephone upon becoming aware of any of the following:

1. Evidence indicating a possible violation of the effluent limitations and requirements listed in Effluent Limitations and Monitoring Requirements for Dewatering Discharges;
2. Evidence of oil or petroleum product contamination in the effluent (e.g., a visible oil sheen);
3. Any physical characteristic in the effluent that could indicate the presence of a pollutant or pollutants not previously identified or anticipated; and
4. The occurrence, or new knowledge of, any spills, leaks or contamination in the vicinity of the project that could impact the water quality of the effluent.

The telephone numbers are listed in Part II. A. 1. f

G. Implementation of Erosion Control and Energy Dissipation Measures

Permittees shall implement erosion control and energy dissipation measures as necessary to prevent excessive erosion and channel scouring that may result from the discharge flow.

H. Modification of Permit Attachments

The Department may modify the permit attachments (i.e., REM-NOI, DG-DMR, and VOC-DMR forms). The modified forms satisfy the notification and reporting requirements set forth in this permit. If information is submitted on an outdated form, opportunity to resubmit the information shall be provided the permittee, or, at the discretion of the Department, submittals on outdated forms may be accepted.

I. Additional Monitoring Requirements

In addition to monitoring requirements set forth, the Department may request more frequent monitoring.

Appendix A

Conditions applicable to all NPDES permits

The following conditions apply to all NPDES permits:

1. Information Available

- a. All permit applications, fact sheets, permits, discharge data, monitoring reports, and any public comments concerning such shall be available to the public for inspection and copying, unless such information about methods or processes is entitled to protection as trade secrets of the owner or operator under Neb. Rev. Stat. §81-1527, (Reissue 1999) and NDEQ Title 115, Chapter 4.

2. Duty to Comply

- a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Federal Clean Water Act and the Applicable State Statutes and Regulations and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.
- b. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

3. Violations of this permit

- a. Any person who violates this permit may be subject to penalties and sanctions as provided by the Clean Water Act.
- b. Any person who violates this permit may be subject to penalties and sanctions as provided by the Nebraska Environmental Protection Act.

4. Duty to Reapply

- a. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

5. Need to Halt or Reduce Activity not a Defense

- a. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

6. Duty to Mitigate

- a. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

7. Proper Operation and Maintenance

- a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective performance based on designed facility removals, effective management, adequate operator staffing and training, adequate process controls, adequate funding that reflects proper user fee schedules, adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

8. Permit Actions

- a. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

9. Property Rights

- a. This permit does not convey any property rights of any sort, or any exclusive privilege.

10. Duty to Provide Information

- a. The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Director upon request, copies of records required to be kept by this permit.

11. Inspection and Entry

- a. The permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of credentials and other documents as may be required by law, to:
 - i) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - ii) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - iii) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

- iv) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

12. Monitoring and Records

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.
- c. Records of monitoring information shall include:
 - i) The date(s), exact place, time and methods of sampling or measurements;
 - ii) The individual(s) who performed the sampling or measurements;
 - iii) The date(s) analyses were performed;
 - iv) The individual(s) who performed the analyses;
 - v) The analytical techniques or methods used; and
 - vi) The results of such analyses.
- d. Monitoring must be conducted according to test procedures approved under NDEQ Title 119, Chapter 27 002 unless another method is required under 40 CFR subchapters N– Effluent Guidelines and Standards Parts 425 to 471 or O– Sewer Sludge Parts 501 and 503.
- e. Falsifies, Tampers, or Knowingly Renders Inaccurate
 - i) On actions brought by EPA, The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction: be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
 - ii) On action brought by the State, The Nebraska Environmental Protection Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction: be punished pursuant to Neb. Stat. §81-1508.01.

13. Signatory requirement

- a. All applications, reports, or information submitted to the Director shall be signed and certified.
 - i) All permit applications shall be signed as follows:
 - (a) For a corporation
 - (i) By a responsible corporate officer: For the purpose of this section, a responsible corporate officer means:
 - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
 - (b) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (b) For a partnership or sole proprietorship
 - (i) By a general partner or the proprietor.
 - (c) For a municipality, State, Federal, or other public agency
 - (i) By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 - (a) The chief executive officer of the agency, or
 - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- b. Reports and Other Information
 - i) All reports required by permits, and other information requested by the Director shall be signed by a person described in this section [paragraphs 12. a. i) (a),(b), or (c)], or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (a) The authorization is made in writing by a person described in paragraphs 12. a. i) (a),(b), or (c);

- (b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or any individual occupying a named position) and;
 - (c) The written authorization is submitted to the Director.
- c. Changes to Authorization
 - i) If an authorization of paragraphs 12. a. i) (a),(b), or (c);is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification
 - i) All applications, reports and information submitted as a requirement of this permit shall contain the following certification statement:
 - (a) I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
- e. False Statement, Representation, or Certification
 - i) The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
 - ii) The Nebraska Environmental Protection Act provides criminal penalties and sanctions for false statement, representation, or certification in any application, label, manifest, record, report, plan, or other document required to be filed or maintained by the Environmental Protection Act, the Integrated solid waste Management Act, or the Livestock Waste Management Act or the rules or regulations adopted and promulgated pursuant to such acts.

14. Reporting Requirements

a. Planned Changes

- i) The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - (a) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in Title 119, Chapter 4 and 8. Or
 - (b) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Title 119, Chapter 15.
 - (c) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan; The sludge program is not delegated to the State so notification to the Regional Administrator for EPA in addition to the State are required.

b. Anticipated Noncompliance

- i) The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

c. Transfers

- i) This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under Title 119, Chapter 24 in some cases, modification or revocation and reissuance is mandatory.

d. Monitoring Reports

- i) Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- ii) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director.
- iii) Monitoring results shall be submitted on a quarterly basis using the reporting schedule set forth below, unless otherwise specified in this permit or by the Department.

Monitoring Quarters

January - March
April - June
July - September
October – December

DMR Reporting Deadlines

April 28
July 28
October 28
January 28

- i) For reporting results of monitoring of sludge use or disposal practices
 - ii) additional reports may be required by the Regional Administrator (RA).
 - iii) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved in Title 119, Chapter 27, Section 002, or another method required for an industry-specific waste stream under 40 CFR subchapters N – Effluent Guidelines and Standards Parts 425 to 471 and subchapter or O– Sewer Sludge Parts 501 and 503, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director or RA.
 - iv) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.
- e. Compliance schedules.
- i) Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- f. Twenty-four hour reporting.
- i) The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - ii) The following shall be included as information which must be reported within 24 hours under this paragraph.
 - (a) Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - (b) Any upset which exceeds any effluent limitation in the permit.
 - (c) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours.

- g. The Director may waive the written report on a case-by-case basis for reports under section 14. f. ii) (a), (b) and (c) if the oral report has been received within 24 hours.
- h. Other noncompliance.
 - i) The permittee shall report all instances of noncompliance not reported under paragraphs d., e., and f. of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph f. of this section.
- i. Other information
 - i) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
- j. Noncompliance Report Forms
 - i) Noncompliance Report Forms are available from the Department and shall be submitted with or as the written non-compliance report.
 - ii) The submittal of a written noncompliance report does not relieve the permittee of any liability from enforcement proceedings that may result from the violation of permit or regulatory requirements.

15. Bypass

- a. Definitions.
 - i) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
 - ii) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 15. c. and d. of this section.
- c. Notice.
 - i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
 - ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph 14. f. of this section (24-hour notice).
- d. Prohibition of bypass.

- i) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (c) The permittee submitted notices as required under paragraph 15. c. of this section.
- e. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 15. d. i)(a), (b), and (c) .

16. Upset

- a. Definition.
 - i) Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. Effect of an upset.
 - i) An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 16. c. of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. Conditions necessary for a demonstration of upset.
 - ii) A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (a) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (b) The permitted facility was at the time being properly operated.
 - (c) The permittee submitted notice of the upset as required in paragraph 14.f. ii) (a), of this section (24 hour notice).

(d) The permittee complied with any remedial measures required under paragraph (d) of this section.

d. Burden of proof.

i) In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

17. Other Rules and Regulations Liability

a. The issuance of this permit in no way relieves the obligation of the permittee to comply with other rules and regulations of the Department.

18. Severability

a. If any provision of this permit is held invalid, the remainder of this permit shall not be affected.

19. Other Conditions that Apply to NPDES and NPP Permits

a. Land Application of Wastewater Effluent

i) The permittee shall be permitted to discharge treated domestic wastewater effluent by means of land application in accordance with the regulations and standards set forth in NDEQ Title 119, Chapter 12 002. The Wastewater Section of the Department must be notified in writing if the permittee chooses to land apply effluent.

b. Toxic Pollutants

i) The permittee shall not discharge pollutants to waters of the state that cause a violation of the standards established in NDEQ Titles 117, 118 or 119. All discharges to surface waters of the state shall be free of toxic (acute or chronic) substances which alone or in combination with other substances, create conditions unsuitable for aquatic life outside the appropriate mixing zone.

c. Oil and Hazardous Substances/Spill Notification

i) Nothing in this permit shall preclude the initiation of any legal action or relieve the permittee from any responsibilities, liabilities or penalties under section 311 of the Clean Water Act. The permittee shall conform to the provisions set forth in NDEQ Title 126, Rules and Regulations Pertaining to the Management of Wastes. If the permittee knows, or has reason to believe, that oil or hazardous substances were released at the facility and could enter waters of the state or any of the outfall discharges authorized in this permit, the permittee shall immediately notify the Department of a release of oil or hazardous substances. During Department office hours (i.e., 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays), notification shall be made to the Nebraska Department of Environmental Quality at telephone numbers (402) 471-2186 or (877) 253-2603 (toll free). When NDEQ cannot

be contacted, the permittee shall report to the Nebraska State Patrol for referral to the NDEQ Immediate Response Team at telephone number (402) 471-4545. It shall be the permittee's responsibility to maintain current telephone numbers necessary to carry out the notification requirements set forth in this paragraph.

d. Removed Substances

- i) Solids, sludge, filter backwash or other pollutants removed in the course of treatment or control of wastewater shall be disposed of at a site and in a manner approved by the Nebraska Department of Environmental Quality.
 - (a) The disposal of nonhazardous industrial sludges shall conform to the standards established in or to the regulations established pursuant to 40 CFR, Part 257.
 - (b) The disposal of sludge shall conform to the standards established in or to the regulations established pursuant to 40 CFR, Part 503.
 - (c) If solids are disposed of in a licensed sanitary landfill, the disposal of solids shall conform to the standards established in NDEQ Title 132.
- ii) Publicly owned treatment works shall dispose of sewage sludge in a manner that protects public health and the environment from any adverse effects which may occur from toxic pollutants as defined in Section 307 of the Clean Water Act.
- iii) This permit may be modified or revoked and reissued to incorporate regulatory limitations established pursuant to 40 CFR, Part 503.

e. Representative Sampling

- i) Samples and measurements taken as required within this permit shall be representative of the discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. Monitoring points shall not be changed without notification to the Department and with the written approval of the Director.
- ii) Composite sampling shall be conducted in one of the following manners
 - (a) Continuous discharge - a minimum of one discrete aliquot collected every three hours,
 - (b) Less than 24 hours - a minimum of hourly discrete aliquots or a continuously drawn sample shall be collected during the discharge, or
 - (c) Batch discharge - a minimum of three discrete aliquots shall be collected during each discharge.
 - (d) Composite samples shall be collected in one of the following manners:
 - (i) The volume of each aliquot must be proportional to either the waste stream flow at the time of sampling or the total waste stream flow since collection of the previous aliquot,

- (ii) A number of equal volume aliquots taken at varying time intervals in proportion to flow,
 - (iii) A sample continuously collected in proportion to flow, and
 - (e) Where flow proportional sampling is infeasible or non-representative of the pollutant loadings, the Department may approve the use of time composite samples.
 - (f) Grab samples shall consist of a single aliquot collected over a time period not exceeding 15 minutes.
- iii) All sample preservation techniques shall conform to the methods adopted in NDEQ Title 119, Chapter 21 006 unless:
 - (a) In the case of sludge samples, alternative techniques are specified in the 40 CFR, Part 503, or
 - (b) Other procedures are specified in this permit.
- iv) Flow Measurements
 - (a) Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be used to insure the accuracy and reliability of measurements. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements. The accepted capability shall be consistent with that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of +/- 10%. The amount of deviation shall be from the true discharge rates throughout the range of expected discharge volumes. Guidance can be obtained from the following references for the selection, installation, calibration and operation of acceptable flow measurement devices:
- f. Changes of Loadings to Publicly Owned Treatment Work (POTW)
 - i) All POTWs must provide adequate notice to the Director of the following:
 - (a) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to NDEQ Title 119, Chapter 26, if it were directly discharging those pollutants; and
 - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (c) For purposes of this paragraph, adequate notice shall include information on the quality and quantity of effluent introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

20. Definitions

Administrator: The Administrator of the USEPA.

Aliquot: An individual sample having a minimum volume of 100 milliliters that is collected either manually or in an automatic sampling device.

Annually: Once every calendar year.

Authorized Representative: Individual or position designated the authorization to submit reports, notifications, or other information requested by the Director on behalf of the Owner under the circumstances that the authorization is made in writing by the Owner, the authorization specifies the individual or position who is duly authorized, and the authorization is submitted to the Director.

Bimonthly: Once every other month.

Biosolids: Sewage sludge that is used or disposed through land application, surface disposal, incineration, or disposal in a municipal solid waste landfill.

Biweekly: Once every other week.

Bypass: The intentional diversion of wastes from any portion of a treatment facility.

Certifying Official: See Section 13, Standard Conditions above.

Daily Average: An effluent limitation that cannot be exceeded and is calculated by averaging the monitoring results for any given pollutant parameter obtained during a 24-hour day.

Department: Nebraska Department of Environmental Quality.

Director: The Director of the Nebraska Department of Environmental Quality.

Industrial Discharge: Wastewater that originates from an industrial process and / or is noncontact cooling water and / or is boiler blowdown.

Industrial User: A source of indirect discharge (a pretreatment facility).

Monthly Average: An effluent limitation that cannot be exceeded. It is calculated by averaging any given pollutant parameter monitoring results obtained during a calendar month.

Operator: A person (often the general contractor) designated by the owner who has day to day operational control and/or the ability to modify project plans and specifications related to the facility.

Owner: A person or party possessing the title of the land on which the activities will occur; or if the activity is for a lease holder, the party or individual identified as the lease holder; or the contracting government agency responsible for the activity.

Outfall: A discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or

container from which pollutants are or may be discharged into Waters of the State.

Passive Discharge: A discharge from a POTW that occurs in the absence of an affirmative action and is not authorized by the NPDES permit (e.g. discharges due to a leaking valve, discharges from an overflow structure) and / or is a discharge from an overflow structure not designed as part of the POTW (e.g. discharges resulting from lagoon berm / dike breaches).

Publicly Owned Treatment Works (POTW): A treatment works as defined by Section 212 of the Clean Water Act (Public Law 100-4) which is owned by the state or municipality, excluding any sewers or other conveyances not leading to a facility providing treatment.

Semiannually: Twice every year

Significant Industrial User (SIU): All industrial users subject to Categorical Pretreatment Standards or any industrial user that, unless exempted under Chapter 1, Section 105 of NDEQ Title 119, discharges an average of 25,000 gallons per day or more of process water; or contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by the Director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any National Pretreatment Standard or requirement.

Sludge: Any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effect.

30-Day Average: An effluent limitation that cannot be exceeded. It is calculated by averaging any given pollutant parameter monitoring results obtained during a calendar month.

Total Toxic Organics (TTO): The summation of all quantifiable values greater than 0.01 milligrams per liter (mg/l) for toxic organic compounds that may be identified elsewhere in this permit. (If this term has application in this permit, the list of toxic organic compounds will be identified, typically in the Limitations and Monitoring Section(s) and/or in an additional Appendix to this permit.)

Toxic Pollutant: Those pollutants or combination of pollutants, including disease causing agents, after discharge and upon exposure, ingestion, inhalation or assimilation into an organism, either directly from the environment or indirectly by ingestion through food chains will, on the basis of information available to the administrator, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunction (including malfunctions in reproduction) or physical deformations in such organisms or their offspring.

Upset: An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities or improper operation and maintenance or lack thereof.

Volatile Organic Compounds (VOC): The summation of all quantifiable values greater than 0.01 milligrams per liter (mg/l) for volatile, toxic organic compounds that may be identified elsewhere in this permit. (See the definition for Total Toxic Organics above. In many instances, VOCs are defined as the volatile fraction of the TTO parameter. If the term "VOC" has application in this permit, the list of toxic organic compounds will be identified, typically in the Limitations and Monitoring Section(s) and/or in an additional Appendix to this permit.)

Waters of the State: All waters within the jurisdiction of this state including all streams, lakes, ponds, impounding reservoirs, marshes, wetlands, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, situated wholly or partly within or bordering upon the state.

Weekly Average: An effluent limitation that cannot be exceeded. It is calculated by averaging any given pollutant parameter monitoring results obtained during a fixed calendar week. The permittee may start their week on any weekday but the weekday must remain fixed. The Department approval is required for any change of the starting day.

"X" Day Average: An effluent limitation defined as the maximum allowable "X" day average of consecutive monitoring results during any monitoring period where "X" is a number in the range of one to seven days.

21. Abbreviations

CFR: Code of Federal Regulations

kg/Day: Kilograms per Day

MGD: Million Gallons per Day

mg/L: Milligrams per Liter

NOI: Notice of Intent

NDEQ: Nebraska Department of Environmental Quality

NDEQ Title 115: Rules of Practice and Procedure

NDEQ Title 117: Nebraska Surface Water Quality Standards

NDEQ Title 118: Ground Water Quality Standards and Use Classification

NDEQ Title 119: Rules and Regulations Pertaining to the Issuance of Permits under the National Pollutant Discharge Elimination System

NDEQ Title 126: Rules and Regulations Pertaining to the Management of Wastes

NDEQ Title 132: Integrated Solid Waste Management Regulations

NPDES: National Pollutant Discharge Elimination System

NPP: Nebraska Pretreatment Program

POTW: Publicly Owned Treatment Works

µg/L: Micrograms per Liter

WWTF: Wastewater Treatment Facility

Appendix B – State Resource and Public Drinking Water Supply Streams

This appendix identifies stream segments and water bodies that must be identified as State Resource Waters or Public Drinking Water Supplies on the Notice of Intent for General NPDES permits. This information will be used by the Department to determine if additional review of the NOI or other procedures as described in permit. Discharges to state resource waters (listed in **bold**) are not allowed.

This appendix references stream segments by County to facilitate the completion of the Notice of Intent and Relocation Notice forms. In filling out these forms, the applicant need only identify the stream segment or water body by name; the other information supplied is not needed on the forms.

Adams County

Platte River Kearney County line to the Hall County Line – Public Drinking Water; (Stream Segment MP2-10000)

Boyd County

Missouri River from the South Dakota border to the Knox County line - Class A State Resource Water; (Stream segment: NI1-10000)

Brown County

Calamus River from its headwaters to the Rock County line - Class B State Resource Water; (Stream segments: LO2-11300, LO2-11400, LO2-11500 & LO2-11600)

Niobrara River from Rock Creek to the Highway 137 Bridge; Class A State Resource Water; (Stream Segment: NI3-10000)

Long Pine Creek from its headwaters to the confluence of Bone Creek; Class B State Resource Water; (Stream segments: NI3-12400 and NI3-12500)

Buffalo County

Platte River from the Kearney Canal Return to the Hall County Line – Public Drinking Water; (Stream Segment ; MP2-10000)

Burt County

Missouri River from the Thurston County Line to the Washington County Line – Public Drinking Water; (Stream Segment: MT1-10000)

Cass County

Platte River from the Saunders County Line to Missouri River - Public Drinking Water; (Stream Segment: LP1-10000)

Missouri River from the Confluence of the Platte River to the Otoe County Line – Public Drinking Water; (Stream Segment: NE1-10000)

Rock Creek from its headwaters to the confluence of the Missouri River – Public Drinking Water; (Stream Segment: NE1-13700)

Cedar County

Missouri River from the Knox County line to the Dixon County line - Class A State Resource Water; Public Drinking Water; (Stream segment: MT2-10000)

Cherry County

Niobrara River from the Borman Bridge (Section 8, T33N, R27W) to Chimney Creek - Class A State Resource Water (Stream Segment: NI3-20000)

Dakota County

Missouri River from the Confluence of the Big Sioux River to the Thurston County Line – Public Drinking Water; (Stream Segment: MT1-10000)

Missouri River from the Dixon County line to the confluence of the Big Sioux River - Class A State Resource Water; Public Drinking Water (Stream Segment: MT2-10000)

Dawes County

Chadron Creek from its headwaters to its confluence with the White River - Public Drinking Water Standards; (Stream Segment: WH1-11300)

Cunningham Creek from its headwaters to its confluence with Indian Creek - Class A State Resource Water; (Stream segment: WH1-11710)

Dead Man's Creek from its headwaters to the Sioux County line - Public Drinking Water Standards; (Stream Segment: WH1-30100)

Soldier Creek from the Sioux County line to its confluence with the White River - Class A State Resource Water; Public Drinking Water; (Stream segment: WH1-20300)

Squaw Creek from its headwaters to the National Forest Boundary - Class A State Resource Water; (Stream segment WH1-20120)

White River from the Sioux County line to its confluence with Soldier Creek - Class B State Resource Water; Public Drinking Water; (Stream segment: WH1-30000)

White River from Soldier Creek to the South Dakota border - Public Drinking Water standards; (Stream segments: WH1-10000 and WH1-20000)

Dixon County

Missouri River from the Cedar County line to the Dakota County line - Class A State Resource Water; Public Drinking Water (Stream Segment: MT2-10000)

Douglas County

Missouri River from the Washington County Line to the Sarpy County Line – Public Drinking Water; (Stream Segment MT1-10000)

Garfield County

Calamus River from the Loup County line to the confluence with North Loup River - Class B State Resource Water; (Stream segment: LO2-11300)

Hall County

Platte River from Buffalo County Line to Merrick County Line - Public Drinking Water; (Stream Segment ; MP2-10000)

Hamilton County

Platte River from Hall County Line to the confluence of Wood River – Public Drinking Water; (Stream Segment MP2-10000)

Holt County

Elkhorn River from the confluence of the North and South Forks to Holt Creek - Class B State Resource Water; (Stream segment: EL4-40000)

Keith County

North Platte River from Kingsley Dam to the confluence of Whitetail Creek - Class B State Resource Water; (Stream segment: NP1-40000)

Otter Creek from its headwaters to Lake C.W. McConaughy - Class B State Resource Water; (Stream segment: NP2-10300)

Jefferson County

Little Blue River from Big Sandy Creek to Nebraska-Kansas border – Public Drinking Water; (Stream segment LB1-10000)

Kearney County

Platte River from the Kearney Canal Return to the Hall County Line – Public Drinking Water; (Stream Segment ; MP2-10000)

Keya Paha County

Niobrara River from the Cherry County line to Chimney Creek and from Rock Creek to the State Highway 137 Bridge - Class A State Resource Water; (Stream Segment: NI3-20000 & NI3-10000)

Knox County

Missouri River from the Boyd County Line to the Cedar County line - Class A State Resource Water; Public Drinking Water; (Stream Segment: MT2-10000)

Niobrara River from the Boyd/Holt County line to its confluence with the Missouri River - Class A State Resource Water (Stream Segment: NI2-10000)

Verdigre Creek from the North boundary of the town of Verdigre (Sec 5, T30N, R6W) to its confluence with the Niobrara River - Class A State Resource Water (Stream Segment: NI2-10100)

Loup County

Calamus River from the Rock County line to the Garfield County line - Class B State Resource Water; (Stream Segment: LO2-11300)

Merrick County

Platte River from Hall County Line to the confluence of the Wood River – Public Drinking Water; (Stream Segment MP2-10000)

Nemaha County

Missouri River from the Otoe County line to the Richardson County line – Public Drinking Water; (Stream Segment: NE1-10000)

Otoe County

Missouri River from the Cass County line to the Nemaha County line – Public Drinking Water; (Stream Segment: NE1-10000)

Richardson County

Unnamed creek running through Indian Cave State Park (Headwaters originate on private property near the park.) - Class A State Resource Water, (Stream Segment: NE1-10700)

Missouri River from the Nemaha County Line to the Kansas State line – Public Drinking Water; (Stream Segment: NE1-10000)

Rock County

Calamus River from the Brown County line to the Loup County line - Class B State Resource Water; (Stream Segment: LO2-11300)

Long Pine Creek segments near the Brown County line (Long Pine Creek is located in Brown County, but drainage from Rock County flows to it.) - Class B State Resource Water; (Stream segments: NI3-12400 and NI3-12500)

Niobrara River from the Brown County line to the State Highway 137 Bridge - Class A State Resource Water; (Stream Segment: NI3-10000)

Sarpy County

Platte River from the confluence of the Elkhorn River to Missouri River- Public Drinking Water; (Stream Segment: LP1-10000)

Missouri River from the Douglas County Line to the Confluence of the Platte River – Public Drinking Water; (Stream Segment: MT1-10000)

Saunders County

Platte River from the confluence of the Elkhorn River to Cass County Line- Public Drinking Water;
(Stream Segment: LP1-10000)

Platte River from the Confluence of Clear Creek to the Elkhorn River – Public Drinking Water;
(Stream Segment: LP1-20000)

Sioux County

Dead Man's Creek from the Dawes County line to its confluence with the White River; Public
Drinking Water Standards - (Stream Segment: WH1-30100)

**Middle Fork Soldier Creek from its headwaters to its confluence with Soldier Creek - Class A
State Resource Water; (Stream segment: WH1-20310)**

**Soldier Creek from its headwaters to the Dawes County line - Class A State Resource Water;
(Stream segments: WH1-20300 & WH1-20400)**

**White River from its headwaters to the Dawes County line - Class B State Resource Water;
Public Drinking Water standard; (Stream segments: WH1-30000 & WH1-40000)**

Thurston County

Missouri River from the Dakota County Line to the Burt County Line – Public Drinking Water;
(Stream Segment MT1-10000)

Washington County

Missouri River from the Burt County Line to the Douglas County Line – Public Drinking Water;
(Stream Segment MT1-10000)



Nebraska Department of Environmental Quality

Wastewater Section

The Atrium Building, Suite 400, 1200 N Street PO Box 98922
Lincoln, NE 68509-8922
Telephone. 402/471-4220

REM-NOI

NPDES General Permit NEG710000 Remediation Site Notice of Intent For Discharge Authorization

Submission of this REM-NOI fulfills the requirements set forth in Part II of NPDES General Permit Number NEG710000. By submission of this REM-NOI the applicant is requesting authorization to discharge under the terms and conditions of said permit, and is agreeing to meet all of the terms and conditions set forth in said permit.

Once authorization to discharge is granted violations of the terms and conditions of the permit may result in the initiation of enforcement proceedings pursuant to sections 81-1508 through 81-1508.02 of the Nebraska Environmental Protection Act (Reissue 1987 and Cum. Supp. 1994). Among the enforcement options authorized by the Act are civil penalties of up to \$10,000 per day per violation.

The permit should be consulted for additional information on the completion of this REM-NOI. Questions concerning the REM-NOI or the permit should be directed to the Wastewater Section at (402) 471-4220. Written requests and submittals should be sent to the Wastewater Section at the address set forth on page 4 of this REM-NOI.

1. Facility Certifying Official / Owner or Operator

If both the owner and the operator are to be jointly responsible for permit compliance, then both must be identified. If not, only the owner or the operator, whichever meets the requirements as certifying official, is responsible for permit compliance should be identified.

Owner's or Operator's Name _____

2. Identification and Location Of Source

a. Facility Name: _____

b. Facility Location: (location description, not mail address) _____

c. Legal Description:

_____ Quarter of the _____ Quarter, Section _____, Township _____ N, Range _____ (E or W),
County _____

d. Receiving Stream(s): _____

e. Is the Receiving Water listed in Appendix B of the permit? Yes No
(If yes, additional information concerning the discharge may be required).

- | | | |
|--|-----|----|
| f. Is Receiving Water listed in Title 117 Chapter 6? | Yes | No |
| g. Is this remediation discharge to a Municipal Separate Storm Sewer System? | Yes | No |
| h. Have you notified the Municipal Separate Storm Sewer System operator? | Yes | No |
| i. Have you contacted the Nebraska Game and Parks Commission been contacted about potential impact(s) to the listed endangered or threatened species or their critical habitat(s)? | Yes | No |
| j. Have you contacted the Nebraska Historical Society concerning impact(s) to historical site(s)? | Yes | No |
| k. Please provide a brief description of any controls used to dissipate energy so as to prevent channel erosion and scouring in the receiving stream. | | |

3. Certifying Official and Authorized Representative

The responsibilities and requirements of the "Certifying Official" and the "Authorized Representative" are set forth on page 4 of this REM-NOI. If both the owner and the operator are to be jointly responsible for permit compliance, then a certifying official for both must be identified. Only one Authorized Representative can be specified. An Authorized Representative need not be identified if a Certifying Official wishes to be the sole contact for the Department.

a. Certifying Official

Name: _____ Title: _____

Mail Address _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

b. Authorized Representative

Name: _____ Title: _____

Mail Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

6. Certification

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

I further certify that:

I, or qualified members of my staff, have reviewed and understand the terms and conditions of NPDES General Permit Number NEG710000;

The facility identified in Section 1 of REM- NOI meets the "Applicability" requirements and is not excluded by the "Limitation of Coverage" requirements, set forth in Part I. B. of the permit; and

I understand that the submission of this REM-NOI obligates the facility identified in Section 1 of this REM-NOI to comply with the terms and conditions of the Permit NEG710000 provided authorization to discharge is obtained.

Certifying Official's Signature	Date Signed
Printed Certifying Official's Name	Title

Qualifications and Responsibilities of the "Certifying Official" and the "Authorized Representative"
The qualifications and responsibilities of the "Certifying Official" are set forth in NDEQ Title 119 Chapter 13.002:

All permit applications submitted to the Department shall be signed:

002.01 - For a corporation by a responsible corporate officer;

002.02 - For a partnership or sole proprietorship by a general partner or proprietor; and

002.03 - For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official.

The qualifications and responsibilities for the "authorized representative" are set forth in NDEQ Title 119 Chapter 13 003. All other correspondence, reports and DMR's shall be signed by a person designated in 002.01 through 002.03 or a duly authorized representative if such representative is responsible for the overall operation of the facility from which the discharge originates; the authorization is made in writing by the person designated under 002.01 through 002.03 and the written authorization is submitted to the Director.

Submit the completed REM-NOI to:**Mail Address:**

Wastewater Section
Nebraska Department of Environmental Quality
PO Box 98922
Lincoln, NE 68509-8922
Telephone: 402-471-4220

Location Address:

Wastewater Section
Nebraska Department of Environmental Quality
1200 'N' Street, The Atrium, Suite 400
Lincoln, NE 68509



Nebraska Department of Environmental Quality

Wastewater Section

The Atrium Building, Suite 400, 1200 N Street
PO Box 98922
Lincoln, NE 68509-8922
Telephone 402/471-4220

DGDMR (Discharge Monitoring Report) For Fuel Contaminated Ground Water Remediation Sites

This DMR form is to be used for reporting the NPDES monitoring results required for this permitted facility.

Facility Name: _____

Facility Location: _____

NPDES Number: NEG7 _____ - R

If there was no discharge during the entire quarter, check here: _____ ; then complete and sign certification statement. Do not complete pages 2 through 4.

Certification and Signature

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

Certifying Official's or Authorized Representative's Signature**

Date Signed

Signatory's Printed Name & Title

Telephone Number

The qualifications and responsibilities of the "**Certifying Official**" are set forth and in NDEQ Title 119: All permit applications submitted to the Department shall be signed:

002.01 - For a corporation by a responsible corporate officer;

001.02 - For a partnership by a general partner or proprietorship by the proprietor; and

001.03 - For a municipal, State, Federal or other public agency by either a principal executive officer or ranking elected official."

The qualifications and responsibilities for the "**Authorized Representative**" are set forth in NDEQ Title 119, Chapter 13 003: All other correspondence, reports and DMR's shall be signed by a person designated in 002.01 through 002.03 or a duly authorized representative if such representative is responsible for the overall operation of the facility from which the discharge originates; the authorization is made in writing by the person designated under 002.01 through 002.03; and the written authorization is submitted to the Director.

Return the completed form to one of the following addresses:

US Postal Service Address

Wastewater Section
Nebraska Department of Environmental Quality
PO Box 98922
Lincoln, NE 68509-8922

Alternate Carrier Address

Wastewater Section
Nebraska Department of Environmental Quality
The Atrium, 1200 N Street, Suite 400
Lincoln, NE 68509

DMR's are to be submitted on a quarterly basis on the following schedule:January through March Quarter are due by April 28thApril through June Quarter are due by July 28thJuly through September Quarter are due by October 28thOctober through December Quarter are due by January 28th**(Circle the Appropriate Quarter)**

Quarter: _____ Year _____

Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Average	Maximum	Average	Maximum			
Flow (50050)	Report as MGD	Report as MGD			Quarterly		Measured or Calculated
Benzene (34030)	Report	0.04 mg/l			Quarterly		Grab
Xylenes (81551)	Report	0.4 mg/l			Quarterly		Grab
TEH ⁽²⁾ (46116)	Report	10 mg/l			Quarterly		Grab
Ethyl Benzene (34371)	Report	2.1			Quarterly		Grab
Toluene (34010)	Report	15			Quarterly		Grab
1,2-Dichloroethane (32103)	Report	0.37			Quarterly		Grab
Methyl Tertiary-Butyl Ether(22417)	Report	mg/L			Quarterly		Grab
Naphthalene (34696)	Report	mg/L			Quarterly		Grab
n-Hexane(81590)	Report	mg/L			Quarterly		Grab
Physical Characteristics	No Visible Sheen		Report		Quarterly		<i>In Situ</i> and Grab
Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Minimum	Maximum	Minimum	Maximum			
pH (00400)	6.5 S. U.	9.0 S.U.			Quarterly		Grab

Provide date(s) when sampling was performed: _____

Provide any additional information that may be pertinent and identify all attachments:

DMR's are to be submitted on a quarterly basis on the following schedule:January through March Quarter are due by April 28thApril through June Quarter are due by July 28thJuly through September Quarter are due by October 28thOctober through December Quarter are due by January 28th**(Circle the Appropriate Quarter)**

Quarter: _____ Year _____

Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Average	Maximum	Average	Maximum			
Flow (50050)	Report as MGD	Report as MGD			Quarterly		Measured or Calculated
Benzene (34030)	Report	0.04 mg/l			Quarterly		Grab
Xylenes (81551)	Report	0.4 mg/l			Quarterly		Grab
TEH ⁽²⁾ (46116)	Report	10 mg/l			Quarterly		Grab
Ethyl Benzene (34371)	Report	2.1			Quarterly		Grab
Toluene (34010)	Report	15			Quarterly		Grab
1,2-Dichloroethane (32103)	Report	0.37			Quarterly		Grab
Methyl Tertiary-Butyl Ether(22417)	Report	mg/L			Quarterly		Grab
Naphthalene (34696)	Report	mg/L			Quarterly		Grab
n-Hexane(81590)	Report	mg/L			Quarterly		Grab
Physical Characteristics	No Visible Sheen		Report		Quarterly		<i>In Situ</i> and Grab
Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Minimum	Maximum	Minimum	Maximum			
pH (00400)	6.5 S. U.	9.0 S.U.			Quarterly		Grab

Provide date(s) when sampling was performed: _____

Provide any additional information that may be pertinent and identify all attachments:

DMR's are to be submitted on a quarterly basis on the following schedule:

January through March Quarter are due by April 28th April through June Quarter are due by July 28th
 July through September Quarter are due by October 28th October through December Quarter are due by January 28th **(Circle the Appropriate Quarter)**

Quarter: _____ Year _____

Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Average	Maximum	Average	Maximum			
Flow (50050)	Report as MGD	Report as MGD			Quarterly		Measured or Calculated
Benzene (34030)	Report	0.04 mg/l			Quarterly		Grab
Xylenes (81551)	Report	0.4 mg/l			Quarterly		Grab
TEH ⁽²⁾ (46116)	Report	10 mg/l			Quarterly		Grab
Ethyl Benzene (34371)	Report	2.1			Quarterly		Grab
Toluene (34010)	Report	15			Quarterly		Grab
1,2-Dichloroethane (32103)	Report	0.37			Quarterly		Grab
Methyl Tertiary-Butyl Ether(22417)	Report	mg/L			Quarterly		Grab
Naphthalene (34696)	Report	mg/L			Quarterly		Grab
n-Hexane(81590)	Report	mg/L			Quarterly		Grab
Physical Characteristics	No Visible Sheen		Report		Quarterly		<i>In Situ</i> and Grab
Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Minimum	Maximum	Minimum	Maximum			
pH (00400)	6.5 S. U.	9.0 S.U.			Quarterly		Grab

Provide date(s) when sampling was performed: _____

Provide any additional information that may be pertinent and identify all attachments:

DMR's are to be submitted on a quarterly basis on the following schedule:

January through March Quarter are due by April 28th April through June Quarter are due by July 28th
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Quarter: _____ Year _____

Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Average	Maximum	Average	Maximum			
Flow (50050)	Report as MGD	Report as MGD			Quarterly		Measured or Calculated
Benzene (34030)	Report	0.04 mg/l			Quarterly		Grab
Xylenes (81551)	Report	0.4 mg/l			Quarterly		Grab
TEH ⁽²⁾ (46116)	Report	10 mg/l			Quarterly		Grab
Ethyl Benzene (34371)	Report	2.1			Quarterly		Grab
Toluene (34010)	Report	15			Quarterly		Grab
1,2-Dichloroethane (32103)	Report	0.37			Quarterly		Grab
Methyl Tertiary-Butyl Ether(22417)	Report	mg/L			Quarterly		Grab
Naphthalene (34696)	Report	mg/L			Quarterly		Grab
n-Hexane(81590)	Report	mg/L			Quarterly		Grab
Physical Characteristics	No Visible Sheen		Report		Quarterly		<i>In Situ</i> and Grab
Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Minimum	Maximum	Minimum	Maximum			
pH (00400)	6.5 S. U.	9.0 S.U.			Quarterly		Grab

Provide date(s) when sampling was performed: _____

Provide any additional information that may be pertinent and identify all attachments:

**Wastewater Section**

1200 'N' Street, Suite 400, The Atrium

PO Box 98922

Lincoln, NE 68509-8922

Tel. 402/471-4220

Fax 402/471-2909

VOC DMR (Discharge Monitoring Report)**For Organic Compounds Contaminated Ground Water Remediation Sites**

This DMR form is to be used for reporting the NPDES monitoring results required for this permitted facility.

Facility Name: _____

Facility Location: _____

NPDES Number: NEG7 _____ - R

If there was no discharge during the entire quarter, check here: _____ ; then complete and sign certification statement. Do not complete pages 2 through 4.

Certification and Signature

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

 Certifying Official's or Authorized Representative's Signature**

 Date Signed

 Signatory's Printed Name & Title

 Telephone Number

The qualifications and responsibilities of the "**Certifying Official**" are set forth and in NDEQ Title 119:

All permit applications submitted to the Department shall be signed:

002.01 - For a corporation by a responsible corporate officer;

001.02 - For a partnership by a general partner or proprietorship by the proprietor; and

001.03 - For a municipal, State, Federal or other public agency by either a principal executive officer or ranking elected official."

The qualifications and responsibilities for the "**Authorized Representative**" are set forth in NDEQ Title 119, Chapter 13 003: All other correspondence, reports and DMR's shall be signed by a person designated in 002.01 through 002.03 or a duly authorized representative if such representative is responsible for the overall operation of the facility from which the discharge originates; the authorization is made in writing by the person designated under 002.01 through 002.03; and the written authorization is submitted to the Director.

Return the completed form to one of the following addresses:**US Postal Service Address**

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Quarter: _____ Year _____

Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Average	Maximum	Average	Maximum			
Flow (50050)	Report as MGD	Report as MGD			Quarterly		
1,1-Dichloroethylene (34030)	Report	32 µg/L			Quarterly		Grab
Carbon Tetra chloride (81551)	Report	16 µg/L			Quarterly		Grab
Chloroform (46116)	Report	1240 µg/L			Quarterly		Grab
Naphthalene (34696)	Report	620 µg/L			Quarterly		Grab
Tetrachloroethylene (34475)	Report	33 µg/L			Quarterly		Grab
Trichloroethylene (34475)	Report	Report			Quarterly		Grab
Toluene (34010)	Report	15,000			Quarterly		Grab
Vinyl Chloride (34495)	Report	24 µg/L			Quarterly		Grab
Physical Characteristics (N/A)	No Visible Sheen		Report		Quarterly		<i>In Situ</i> and Grab
Parameter Storet #	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Minimum	Maximum	Minimum	Maximum			
pH (00400)	6.5 S. U.	9.0 S.U.			Quarterly		

Provide date(s) when sampling was performed: _____

Provide any additional information that may be pertinent and identify all attachments:

DMR's are to be submitted on a quarterly basis on the following schedule:

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Quarter: _____ Year _____

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	Minimum	Maximum	Minimum	Maximum			
pH (00400)	6.5 S. U.	9.0 S.U.			Quarterly		

Provide date(s) when sampling was performed: _____

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Quarter: _____ Year _____

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Physical Characteristics (N/A)	No Visible Sheen		Report		Quarterly		<i>In Situ</i> and Grab
Parameter Storet #	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Minimum	Maximum	Minimum	Maximum			
pH (00400)	6.5 S. U.	9.0 S.U.			Quarterly		

Provide date(s) when sampling was performed: _____

Provide any additional information that may be pertinent and identify all attachments:

DMR's are to be submitted on a quarterly basis on the following schedule:

January through March Quarter are due by April 28th April through June Quarter are due by July 28th

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Quarter: _____ Year _____

Parameter (Storet #)	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Average	Maximum	Average	Maximum			
Flow (50050)	Report as MGD	Report as MGD			Quarterly		
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Physical Characteristics (N/A)	No Visible Sheen		Report		Quarterly		<i>In Situ</i> and Grab
Parameter Storet #	Discharge Limitations		Monitoring Results		Monitoring Frequency	# of Samples Analyzed	Sample Type
	Minimum	Maximum	Minimum	Maximum			
pH (00400)	6.5 S. U.	9.0 S.U.			Quarterly		

Provide date(s) when sampling was performed: _____

Provide any additional information that may be pertinent and identify all attachments:



Nebraska Department of Environmental Quality

Wastewater Section
The Atrium Building, Suite 400, 1200 N Street
PO Box 98922
Lincoln, NE 68509-8922
Tel. 402/471-4220

PCE Instructions **(For the Physical Characteristics Examination Report)**

1. Physical Characteristic Examination (PCE) Procedure

This procedure involves qualitative observations for characteristics of color, turbidity, odors, surface sheens, septic conditions, or any other unusual conditions (e.g., off-gassing). PCE observations are to be made both *in situ* and on grab samples. PCE results are to be recorded on the REM-PCE report or other approved format. PCE results are to be used as indicators of potential pollution problems. If none of the listed characteristics are observed, do not submit the Physical Characteristics Examination (PCE) Report.

2. Immediate Notification and Follow-Up

Discharges displaying any characteristics: turbidity, color, odors, off gassing, sheens, films, hydrocarbon contamination, or foaming indicates the possible presence of pollution. The discharge needs to be immediately discontinued and the Department notified. Notification is required, if the discharge causes:

- a. Distress to fish and/or aquatic organisms;
- b. Plant life;
- c. Wildlife and/or livestock; or
- d. Creates a public health concern.;

Following the notification, the permittee shall take appropriate follow-up actions as specified by the Department, which may include, but are not necessarily limited to: follow-up investigation, additional testing, alternative disposal options, and/or treatment. It is also possible that the discharge may be allowed without further action if it is determined that the discharge would not result in excessive pollution.

Excessive pollution is defined as pollution in amounts that would result in a violation of a permit limit or of water quality criteria set forth in NDEQ Title 117 and 118. This includes the narrative and aesthetic standards for surface waters:

Water shall be free from human-induced pollution that causes:

- a. Noxious odors;
- b. Floating, suspended, colloidal, or settleable materials that produce objectionable films, colors, turbidity;
- c. Deposits; and
- d. The occurrence of undesirable or nuisance aquatic life (e.g., algal blooms).

3. Periodic Reporting

In addition to the immediate notification requirements described, a summary report of the findings of the Physical Characteristic Examination procedure results is to be submitted as an attachment to the REM-DMR pursuant to Appendix A, Subsection D of the NPDES permit.

4. Record Keeping

Records of the physical examination results need to be kept and need to include the following information:

- a. The date and time of the observation
- b. Name of the observer; and
- c. Summary information on the observations made.



Nebraska Department of Environmental Quality

Wastewater Section

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PCE (Physical Examination Characteristics) Report

This form may be used to record observations of the physical characteristics of water discharges as required on some NPDES permit. The use of this form is generally not required by NPDES permits. Therefore an alternative report form containing the same information may be used

Project/Facility Name _____

Date and Time of Observation _____

Name of Observer _____

Parameter	Observations
Turbidity	
Color	
Odor	
Petroleum or Hydrocarbons Present	
Sheens or Films	
Foam or Foaming Below Discharge	
Floating Solids	
Off-Gassing	

Record any other observations or additional information: _____

Is there evidence or potential evidence of excessive pollution as defined in the PCE procedure?



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The Atrium Building, Suite 400, 1200 N Street
PO Box 98922
Lincoln, NE 68509-8922
Telephone 402/471-4220

NCR (Non-Compliance Report) Instructions

1. The Non-Compliance Report form needs to be submitted within 5 days of becoming aware of any permit violation. In addition, an oral report of the violation needs to be made within 24 hours of becoming aware of a permit violation. Other reporting requirements may also apply; see the Reporting Requirements and Standard Conditions in your NPDES permit for more details.
2. Complete the heading on the report, including: permittee or facility name, NPDES permit number, outfall number, and the date(s) on which sampling was conducted.
3. In the left column, list the parameter(s) for which the noncompliance(s) occurred. In the columns to the right, provide the requested information on the monitoring values found, the permit limits, their units and the frequency of analysis, and the sample type (e.g., grab or 24 hour composite). Be sure to provide the flow data requested in the last row, as well.
4. Also provide on the form or in an attachment (e.g., a laboratory report) monitoring information on the other parameters tested at the same time or over the same time period.
5. Provide an explanation of what caused the non-compliance, and what actions were taken to correct and to prevent a recurrence of the non-compliance. If necessary, provide additional information on the nature of the violation, the exact time frame over which it occurred, and any impacts that were observed in the receiving stream. Attachments may be used as needed.
6. The Certifying Official or Authorized Representative who meets the following qualifications must sign the NCR form.

The "**Certifying Official**" is responsible for signing all permit applications and meets the requirements set forth in NDEQ Title 119 Chapter 13.002:

"All permit applications submitted to the Department shall be signed:

002.01 – For a corporation, by a responsible corporate officer;

001.02 – For a partnership or proprietorship, by a general partner or the sole proprietor; and

001.03 – For a municipal, State, Federal or other public agency by either a principal executive officer or ranking elected official."

The qualifications and responsibilities for the "authorized representative" are set forth in NDEQ Title 119 Chapter 13 003. All other correspondence, reports and DMR's shall be signed by a person designated in 002.01 through 002.03 or a duly authorized representative if such representative is responsible for the overall operation of the facility from which the discharge originates; the authorization is made in writing by the person designated under 002.01 through 002.03 and the written authorization is submitted to the Director.

7. **Return the completed form to one of the following addresses:**

US Postal Service Address

Wastewater Section
Nebraska Department of Environmental Quality
PO Box 98922
Lincoln, NE 68509-8922

Alternate Carrier Address

Wastewater Section
Nebraska Department of Environmental Quality
The Atrium, 1200 N Street, Suite 400
Lincoln, NE 68509



Nebraska Department of Environmental Quality

Wastewater Section

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Lincoln, NE 68509-8922
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NCR (Non-Compliance) Report

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Facility Name: _____ Facility Location: _____

NPDES Permit Number: NEG7 _____ Outfall Number: _____

Parameter	Date(s) Monitored	Type of Limit Minimum, Average or Maximum	Permit Limit Include units (e.g., mg/L or kg/day)	Test Result Include Units (e.g., mg/L or kg/day)	Flow (MGD) or Volume (Gallons)

