## WASTEWATER 101

Part 4
Where does treated water go?





# Wastewater Surveillance Program Water Environment Federation

nwbe.org nwbe@wef.org



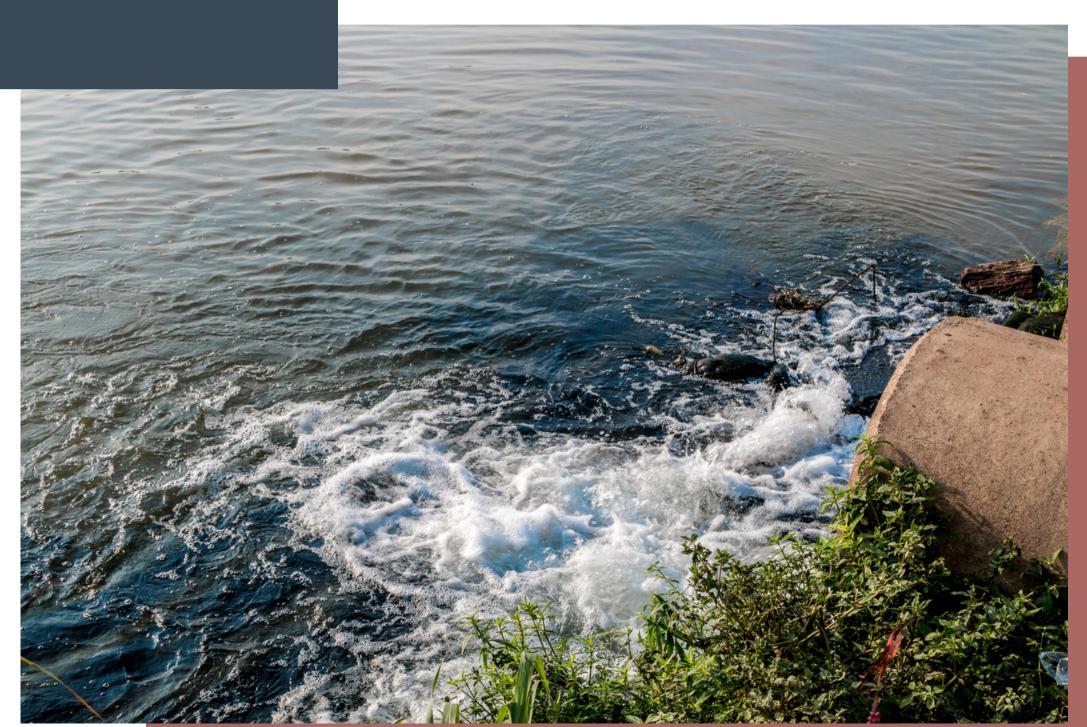
## DISCLAIMER

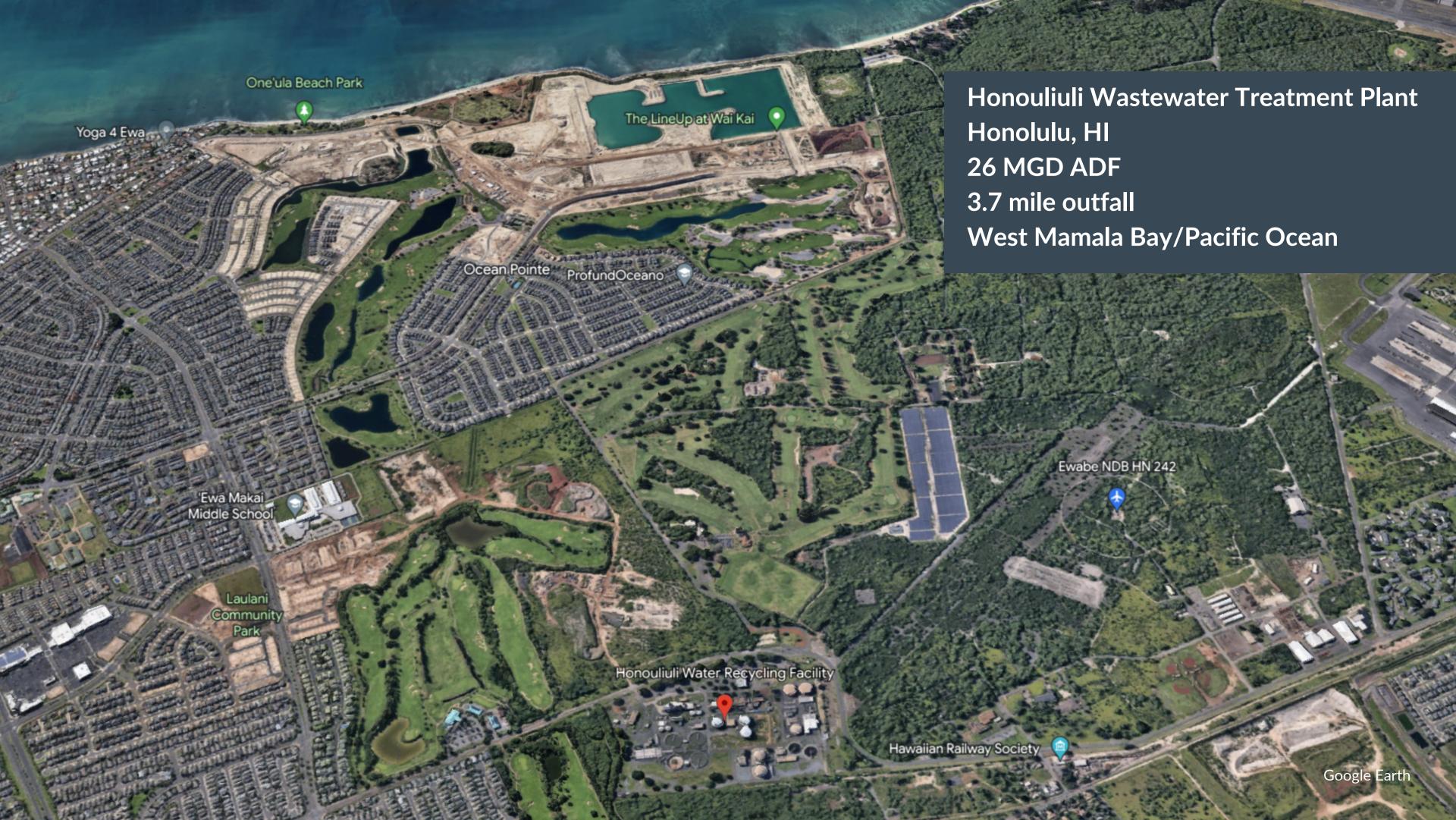
Development and production of this material was made possible through funding from the US Centers for Disease Control and Prevention (CDC) to the Water Environment Federation (WEF) under Cooperative Agreement CK20-2003 (Improving Clinical and Public Health Outcomes through National Partnerships to Prevent and Control Emerging and Re-Emerging Infectious Disease Threats). This material is solely the responsibility of WEF and does not necessarily represent the official position of CDC.



# TREATED EFFLUENT DISCHARGE

- Through long or short outfalls
- Into receiving waters
  - Streams, rivers, lakes, bays, or coastal ocean waters
  - (Usually) known as Waters of the United States











# TREATED EFFLUENT DISCHARGE

- Through long or short outfalls
- Into receiving waters
  - Streams, rivers, lakes, bays, or coastal ocean waters
  - (Usually) known as Waters of the United States



## WATERS OF THE UNITED STATES

DEPARTMENT OF DEFENSE Department of the Army, Corps of

33 CFR Part 328

ENVIRONMENTAL PROTECTION

[EPA-HQ-OW-2021-0602; FRL-6027.4-01-40 CFR Part 120

Revised Definition of "Waters of the

AGENCY: Department of the Army, Corps AGENCY: Department of the Army, Cort of Engineers, Department of Defense; and Environmental Protection Agency

SUMMARY: The Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") are finalizing a Army ("the agencies") are manizing a rule defining the scope of waters protected under the Clean Water Act. In developing this rule, the agencies considered the text of the relevant provisions of the Clean Water Act and the statute as a whole, the scientific record, relevant Supreme Court case law, and the agencies' experience and technical expertise after more than 45 years of implementing the longstanding pre-2015 regulations defining "waters of

ne United States.
This final rule advances the objective the United States. of the Clean Water Act and ensures critical protections for the nation's vital water resources, which support public health, environmental protection, agricultural activity, and economic growth across the United States. DATES: This action is effective on March

econcies have

Agency, 1200 renusyrvania Avenue NW, Washington, DC 20460; telephone number: (202) 564-2281; email address: CWAwotus@epa.gov, and Stacey Jensen, Office of the Assistant Secretary of the Army for Civil Works, Department of

the Army, 108 Army Pentagon, Washington, DC 20310-0104; telephone wasnington, DC 20310-0104, telephone number: (703) 459-6026; email address: number: (100) 409-0020, eman audioss. usarmy.pentagon.hqda-asa-cw.mbx.asacw-reporting@army.mil.

SUPPLEMENTARY INFORMATION:

Table of Contents

II. General Information

A. What action are the agencies taking? I. Executive Summary

B. What is the agencies' authority for taking this action? What are the incremental costs and

benefits of this action?

III. Background

1. Legal Background The Clean Water Act . The Clean water Act The 1986 Regulations Defining "Waters

3. U.S. Supreme Court Decisions
4. Post-Rapanos Appellate Court Decisions 5. Post-Rapanos Implementation of the

3. The Agencies' Post-Rapanos Rules The 2015 Clean Water Rule

1. The 2015 Clean Water Kule
2. The 2019 Repeal Rule
3. The 2020 Navigable Waters Protection

4. Legal Challenges to the Rules
5. 2021 Executive Order and Review of the Navigable Waters Protection Rule Navigable waters Protection Kille
C. Summary of Co-Regulator Engagement
and Stakeholder Outreach
and Stakeholder Outreach and Stakeholder Outreach V. Revised Definition of "Waters of the

1. The Agencies Are Exercising the

Quean water Act

This Rule Advances the Objective of the

The Scope of This Rule Is Limited Clean Water Act Consistent With the Law, the Science, and Agency Expertise
4. This Rule is Both Generally Familiar and

Implementable
5. Public Comments Received and Agency to This Rule

Federal Register/Vol. 88, No. 11/Wednesday, January 18, 2023/Rules and Regulations D. Placement of the Definition of "Waters of the United States" in the Code of

E. Severability
F. Jurisdictional Determinations Issued Under Previous Rules

G. Implementation Tools H. Publicly Available Jurisdictional Information and Permit Data niormation and Fermit Data
V. Statutory and Executive Order reviews

A. Executive Order 12866; Regulatory Planning and Review; Executive Order 13563: Improving Regulation and

13563; improving Regulation and Regulatory Review
B. Paperwork Reduction Act (PRA)
C. Regulatory Flexibility Act (RFA)
D. Unfunded Mandates Reform Act

(UMRA)
E. Executive Order 13132: Federalism
F. Executive Order 13175: Consultation
and Coordination With Indian Tribal Executive Order 13045: Protection o

S. EXECUTIVE OLDER 13045; Protection of Children From Environmental Health Risks and Safety Risks RISKS and Salety RISKS
H. Executive Order 13211: Actions

Concerning Regulations That Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use National Technology Transfer and

Advancement Act
J. Executive Order 12898: Federal Actions J. EXECUTIVE ORDER 12090; FEBRUARY ACTION TO Address Environmental Justice in Minority Populations and Low-Income Populations K. Congressional Review Act

Congress enacted the Federal Water I. Executive Summary Pollution Control Act Amendments of ronuuon Control Act Amenuments of 1972, Public Law 92–500, 86 Stat. 816, as amended, 33 U.S.C. 1251 et seq. (Clean Water Act or Act) "to restore and maintain the chemical, physical, and 1. The Agencies Are Exercising the
Authority Granted by Congress To Define
"Waters of the United States" Under the
Clean Water Act restructuring" and "complete rewriting" of the then-existing statutory framework, designed to "establish an all-encompassing program of water an encompassing program or water pollution regulation." City of Milwaukee v. Illinois, 451 U.S. 304, 317–18 (1981) (citation omitted). Congress thus intended the 1972 Act to be a bold step forward in providing protections for the nation's waters. Central to the framework and

tions provided by the Clean Water



most Federal programs to protect water quality under the Clean Water Act—for example, water quality standards, permitting to address discharges of Permitting to address discharges of pollutants, including discharges of dredged or fill material, processes to address impaired waters, oil spill affect the integrity of waters for which the Federal interest is indisputable—the traditional navigable waters, the danuonai navigaoie waters, the lerritorial seas, and interstate waters prevention, preparedness and response programs, and Tribal and State water territorial seas, and interstate waters— this rule ensures that Clean Water Act Pre-2015 regulations are commonly Pre-2015 regulations are commonly referred to as "the 1986 regulations," and this preamble will refer to them as such but the againstiac note that "the Anograms, and India and State water quality certification programs—because the Clean Water Act uses the term Programs apply to protect those paragraph (a)(1) waters by including and this preamble will refer to them as such, but the agencies note that "the 1986 regulations" have largely been in place since 1977 and were also amended in 1993 to add an exclusion.4 he Clean Water Act uses the term "navigable waters" in establishing such the 'waters of the United States,'' programs.

As a unanimous Supreme Court
As a unanimous Supreme Court
delegated a "breadth of federal
Act and expected the Environmental
Department of the Army ("the
difficulties of defining precise bounds to
Historia Bayriew Homes, 474 U.S. 121,
Supreme Court noted that "lflaced with
of sequency is regulatory authority." In the Clean Water
Department of the Army ("the
difficulties of defining precise bounds to
Historia Bayriew Homes, 474 U.S. 121,
Supreme Court noted that "lflaced with
of its regulatory authority, an agency
history and may look to the to of the "waters of the United States."
Where waters do not significantly affect
the integrity of waters for which the the integrity of waters for which the Federal interest is indisputable, this rule leaves regulation exclusively to the important to note that the feet that is Since 2015, the agencies have inalized three rules revising the definition of "waters of the United States." See 80 FR 37054 (June 29, Tibes and States, Additionally, it is important to note that the fact that a States." See 80 FK 37054 Uune 29, 2015); 84 FR 56626 (October 22, 2019); 85 FR 22250 (April 21, 2020). The more states of the 2020 "Marianhla Water" aportant to note that the fact that a vater is one of the "waters of the United water is one or the waters or the United States" does not mean that no activity 65 FR 22250 (April 21, 2020). The most recent rule, the 2020 "Navigable Waters Protection Rule" ("2020 NWPR"), States does not mean that no activity can occur in that water; rather, it means that activities must comply with the that activities must comply with the clean Water Act's permitting programs, and those programs include numerous statutory exemptions and regulatory Protection Rule" ("2020 NWPR"), substantially departed from prior rules defining "waters of the United States." January 20, 2021, President Biden and Executive Order 13990, entitle such a problem of defining the bounds of its regulatory authority, an agency may appropriately look to the legislative statutory and underlying policies of its the Court went on to state that EPA and the Corps have separate signed Executive Order 13990, enutuea Executive Order on Protecting Public Health and the Environment and EPA and the Corps have separate regulations defining the statutory term waters of the United States," but their interpretations was enherontially Restoring Science to Tackle the Climate Crisis, directing all executive aterpretations were substantially departments and agencies to departments and agencies to immediately review and, as appropriate action to address the promulgation of the consistent with applicable law, take action to address the promulgation of consistent and other actions statutory grants of authority." Id. at 13
The Court went on to state that
"plrotection of aquatic ecosystems,
Congress recognized demanded by: erpretations were substantially milar and remained largely unchanged etween 1977 and 2015, See, e.g., 42 FR between 1977 and 2015, See, e.g., 42 FR
37122, 37144 (July 19, 1977); 44 FR
32854, 32901 (June 7, 1979). This rule
founded on that familiar pre-2015
Water Act's protections for decades he (Plrotection of aquatic ecosystems, congress recognized, demanded broad for [w] attention to control pollution, and it is essential that discharge of pollutants be controlled at the source. Supreme Court has twice more action to address the promulgation of Federal regulations and other actions that conflict with national policies of making in ords definition that has bounded the Clean Water Act's protections for decades, has been codified multiple times, and has that conflict with national policies of science-based decision making in order to improve public health, protect our and ancare access to class been coained multiple times, and has been implemented by every administration in the last 45 years. The to improve public health, protect our environment, and ensure access to clean air and water, 86 FR 7037 (published language 25, 2021 sianad language 26, 2021 sianad language 20 preme Court has twice more essed the complex issue of Clean Addressed the complex issue of Clean Water Act jurisdiction over "waters of the United States." Solid Waste Agency of Northern Gook County V. U. S. Army ("SWANCC"): Rapsanos V. United States, challenge. In developing this rule, the gencies considered the text of the levant provisions of the Clean Water arr and water, 86 PK 7037 (published January 25, 2021, signed January 20, 2021). After completing a review of and reconsidering the record for the 2020 NWPR, on line 9, 2021, the agencies NWPR, on June 9, 2021, the agencies NWPR, on June 9, 2021, the agencies announced their intention to revise or announced their intention to revise or replace the rule. The 2020 NWPR was subsequently vacated by two district courts, as discussed further below. Journs, as anscussed turner below.

In this rule, consistent with the eneral framework of the 1986 Scale in Hamework of the 1986 regulations, the agencies interpret the term "waters of the United States" to ovisions of the Clean Water e statute as a whole, the cord, relevant Supreme traditional navigable waters, the ord, relevant oupleme aw, and the agencies' and technical expertise after • traditional navigable waters, the territorial seas, and interstate waters ("paragraph (a)(1) waters");

\*\*Total Common Memory of "waters of the territorial seasons" ("management (a)(2)) 45 years of implementing the by years of implementing the pre-2015 regulations waters of the United States." United States" ("paragraph (a)(2)
impoundments"); arience includes more pounaments;

• tributaries to traditional navigable of implementing those ensistent with the Supreme • Unduaries to traditional navigation waters, the territorial seas, interstate waters, or paragraph (a)(2) s in Riverside Bayview, nos. The agencies

e, no further inquiry is the wetland is mal. But where a wetland is avigable water, the , or an interstate water, outary, this rule requires an showing for that adjacent er the relatively permanent or the significant nexus And that inquiry, under either fundamentally concerns the etland's relationship to the aragraph (a)(1) water rather onship between the wetland and the covered water h it is adjacent. In other words, ent wetland must have a ous surface connection to a ly permanent, standing or isly flowing water connected agraph (a)(1) water or must lone or in combination with arly situated waters significantly he chemical, physical, or gical integrity of a paragraph (a)(1) In addition, this rule codifies several ions from the definition of gstanding exclusions for prior iverted cropland and waste treatment ms, and for features that were rally considered non-jurisdictional nder the pre-2015 regulatory regime.<sup>6</sup> This rule advances the Clean Water

Act's statutory objective as it is informed by the best available science concerning the functions provided by within the other jurisdictional water quality of traditional navigable A comprehensive report prepared by EPA's Office of Research and Development entitled Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis of the Scientific Evidence (hereinafter,

<sup>6</sup> The "pre-2015 regulatory regime" refers to the agencies' pre-2015 definition of "waters of the United States," implemented consistent with relevant cale was all longstanding practice, as informed by applicable guidance, training, and experience.

Aperionce.

7 U.S. Environmental Protection Agency.
Connectivity of Streams and Wetlands to
Domstream Waters: A Review and Synthesis of the
Scientific Evidence (Final Report), EPA(600/R—14/
475F (2015), available at https://cfpub.epa.gov/
ncea/risk/recordisplay.cfm?deid=296414.

esday, January 18, 2023/Rules and Regulations

r an interstate water ongstanding regulation vered water that is not covered: the wetland must

iters of the United States," including

upstream tributaries, adjacent wetlands, as well as intrastate lakes and ponds, streams, and wetlands that do not fall categories to restore and maintain the waters, the territorial seas, and interstate waters (i.e., the paragraph (a)(1) waters).

"Science Report") in 2015 synthesized the peer-reviewed science. Since the

release of the Science Report, additional published peer-reviewed scientific literature has strengthened and supplemented the report's conclusion The Technical Support Document for the Final Rule: Revised Definition of "Waters of the United States" (hereinafter, "Technical Support Document") provides additional scientific and technical information about issues raised in this rule.89

The agencies' interpretation also reflects consideration of the statute as a whole, including both its objective in section 101(a) and its policies, such as that of section 101(b), which states in part that "it is the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution, [and] to plan the evelopment and use (including restoration, preservation, and enhancement) of land and water resources." 33 U.S.C. 1251(b). The agencies find that the scope of Clean Water Act jurisdiction established in this final rule enhances States' ability to protect waters within their borders, such as by participating in the section 401 certification process and by providing input during the permitting rocess for out-of-state section 402 and 404 permits that may affect their waters. See 33 U.S.C. 1341, 1342(b), 1344(h)(1)(E). Indeed, in impler and participating in the Clean Water Act's regulatory requirements and framework, States can have more powerful and holistic tools for addressing water quality than they would have in implementing state-only laws and regulations

Further, this rule is based on the agencies' conclusion that the significant nexus standard is consistent with the statutory text and legislative history, advances the objective of the Clean Water Act, is informed by the scientific record and Supreme Court case law, and propriately considers the policies of the Act. The agencies have also determined that the relatively permanent standard is appropriate to include in this rule because, while it

<sup>6</sup> Appendix A of the Technical Support Document contains a glossary of terms used in the document. Appendix B of the Technical Support Document contains the references cited in the document. Appendix C of the Technical Support Document is a list of citations that have been published since the Science Report and that contain findings relevant to the report's conclusions.

to the report's conclusions.

"Throughout this preamble, when the agencies refer to "science," that means foundational principles related to chemical, physical, and biological integrity, including biology, hydrology, geology, chemistry, and soil science; the Science Report; and the Technical Support Document for this rule.

Revised Definition of "Waters of the United States" Federal Register / Vol. 88, No. 11 / Wednesday, January 18, 2023 / Rules and Regulations



## CLEAN WATER ACT

- Enacted in 1972
- Prohibits:
  - Discharge of pollutants
  - To waters of the United States
  - From point sources
  - Without a permit

National Pollutant DischargeElimination System (NPDES)program



iStock photo



## "POLLUTANT"

The term pollutant is defined very broadly in the Clean Water Act . It includes any type of industrial, municipal, and agricultural waste discharged into water. Some examples are dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste. By law, a pollutant is not sewage from vessels or discharges incidental to the normal operation of an Armed Forces vessel, or certain materials injected into an oil and gas production well.





## "POINT SOURCE"

The term point source is also defined very broadly in the Clean Water Act and it has been through 25 years of litigation. It means any discernible, confined and discrete conveyance, such as a pipe, ditch, channel, tunnel, conduit, discrete fissure, or container. It also includes vessels or other floating craft from which pollutants are or may be discharged. By law, the term "point source" also includes concentrated animal feeding operations, which are places where animals are confined and fed. By law, agricultural stormwater discharges and return flows from irrigated agriculture are not "point sources."

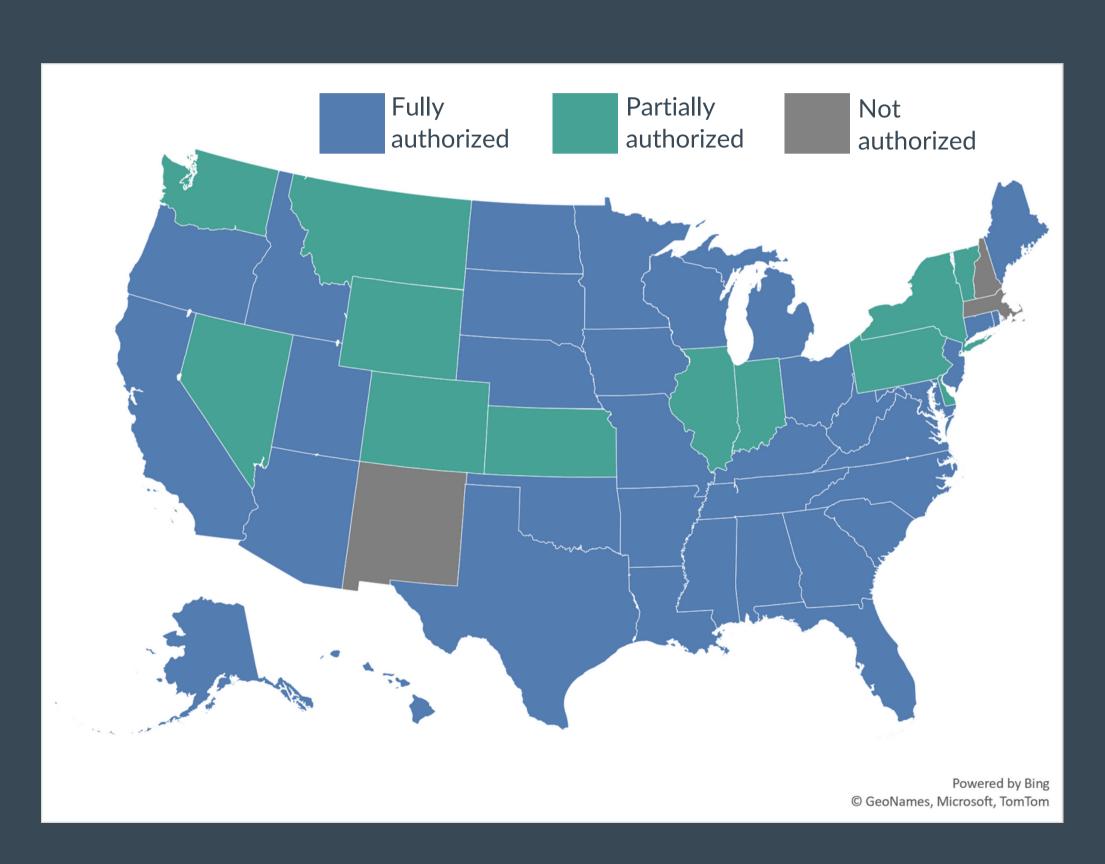




Issued by EPA or authorized states



Issued by EPA or authorized states





Issued by EPA or authorized states

Permits include

limits on
pollutants that
can be
discharged

and

monitoring and reporting requirements



Issued by EPA or authorized states

Permits include

limits on
pollutants that
can be
discharged

and

monitoring and reporting requirements

Monitoring and reporting requirements can apply to:

influent, effluent, or receiving waters

### PERMIT EXAMPLES

City of Boone, Iowa, Sewage Treatment Plant

Brightwater Wastewater Treatment Plant, King County, Washington

Saint Regis Mohawk Tribe

7 MGD capacity
Activated sludge plant
Serves 13,000 people

36 MGD ADF
Advanced treatment
Serves 189,000 people

65,000 gallons per day
Activated sludge
Serves a few hundred people

### **PERMIT PARTS:** THE COVER PAGE

### City of Boone, Iowa, Sewage Treatment Plant

#### IOWA DEPARTMENT OF NATURAL RESOURCES National Pollutant Discharge Elimination System (NPDES) Permit

OWNER NAME & ADDRESS

CITY OF BOONE CITY HALL P.O.BOX 550 BOONE, IA 50036 FACILITY NAME & ADDRESS BOONE CITY OF STP

1721 MCHOSE DRIVE BOONE, IA 50036

Section 33, T84N, R26W Boone County

IOWA NPDES PERMIT NUMBER: 0819001 DATE OF ISSUANCE: 08/01/2019 DATE OF EXPIRATION: 07/31/2024

YOU ARE REQUIRED TO FILE FOR RENEWAL OF THIS PERMIT BY: 02/02/2024

EPA NUMBER: IA0058076

This permit is issued pursuant to the authority of section 402(b) of the Clean Water Act (33 U.S.C 1342(b)), Iowa Code section 455B.174, and rule 567-64.3, Iowa Administrative Code. You are authorized to operate the disposal system and to discharge the pollutants specified in this permit in accordance with the effluent limitations, monitoring requirements and other terms set forth in this

You may appeal any condition of this permit by filing a written notice of appeal and request for administrative hearing with the director of this department within 30 days of your receipt of this permit.

Any existing unexpired Iowa operation permit or Iowa NPDES permit previously issued by the department for the facility identified above is revoked by the issuance of this permit. This provision does not apply to any authorization to discharge under the terms and conditions of a general permit issued by the department or to any permit issued exclusively for the discharge of stormwater.

FOR THE DEPARTMENT OF NATURAL RESOURCES

NPDES Section ENVIRONMENTAL SERVICES DIVISION

BOONE CITY OF STP

Permit Number: 0819001

001 DISCHARGE FROM AN ACTIVATED SLUDGE WASTEWATER TREATMENT FACILITY.

HONEY CREEK

HONEY CREEK TO DES MOINES RIVER Route of Flow:

### **Brightwater Wastewater Treatment Plant,** King County, Washington

Issuance Date: February 26, 2018 Expiration Date: February 28, 2023

Effective Date: March 01, 2018

#### National Pollutant Discharge Elimination System Waste Discharge Permit No. WA0032247

State of Washington DEPARTMENT OF ECOLOGY Northwest Regional Office 3190 160th Avenue SE Bellevue, WA 98008-5452

In compliance with the provisions of The State of Washington Water Pollution Control Law Chapter 90.48 Revised Code of Washington

The Federal Water Pollution Control Act (The Clean Water Act) Title 33 United States Code, Section 1342 et seq.

#### King County Department of Natural Resources and Parks, **Wastewater Treatment Division**

King Street Center, KSC-NR-700 201 South Jackson Street Seattle, Washington 98104-3855

is authorized to discharge in accordance with the Special and General Conditions that follows

Plant Name: Brightwater Wastewater Treatment Plant (WWTP)

Plant Location: 22505 SR 9 SE, Woodinville, WA 98072

Plant Type: Activated Sludge with Hollow Fiber Membranes; Chemically Enhanced Primary Treatment for Peak Wet Weather Flows

Receiving Water: Puget Sound

Diffuser 1 Latitude: -122.416948716 Longitude:

Diffuser 2 47.776987265

Water Quality Section Manager Northwest Regional Office Washington State Department of Ecology

#### Saint Regis Mohawk Tribe



#### United States Environmental Protection Agency

290 Broadway New York, New York 10007

NPDES NO. SR0240281

#### NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

The following Permittee is authorized to discharge subject to the requirements set forth in this permit:

Permittee (mailing address)	Facility (location address)			
Saint Regis Mohawk Tribe	Saint Regis Mohawk Tribe Wastewater Treatment Plant			
71 Margaret Terrance Memorial Way	47 Sanitation Plant Road			
Akwesasne, New York 13655	Akwesasne, New York 13655			
EPA has classified this discharge as a minor discharge.				

The Permittee may discharge from the discharge point identified below:

Outfall	Effluent description	Outfall latitude	Outfall longitude	Receiving water name and classification
001	wastewater	44°, 58', 50.18"	74°, 39', 24.5"	St. Regis River / B

Issuance date	Effective date (EDP)	Expiration date	Renewal application date
July 21 , 2021	September 1, 2021	August 31, 2026	March 1, 2026

To meet the provisions of the Clean Water Act (CWA) as amended, 33 United States Code (U.S.C.) 1251 et seq. and its implementing regulations, the Permittee shall comply with the requirements in this permit

I, Javier Laureano, do hereby certify that this permit with all attachments is a full, true and correct copy of the permit issued by EPA, on July

Javier Laureano, Director Water Division

U.S. Environmental Protection Agency Region 2

### PERMIT PARTS: EFFLUENT LIMITS

### City of Boone, Iowa, Sewage Treatment Plant

Outfall: 001 Effective Dates: 03/01/2023 to 07/31/2024									
Pa	rameter	Season	<u>l</u>	Lim	it Type	<u>Limits</u>			
E. COLI									
		MAR		Geometr	ic Mean	151 #/100	ML		
		APR		Geometr	ic Mean	151 #/100	ML	_	
		MAY		Geometr	ic Mean	151 #/100	MI.		
Outfall: 001 Effective Dates: 08/01/2019 to 07/31/2024									
	Parameter Season Limit Ty			Limit	Type	Limits			

 Parameter
 Season
 Limit Type
 Limits

 AMMONIA NITROGEN (N)
 AUG
 30 Day Average
 1.0 MG/L
 56.2 LBS/DAY

 AUG
 Daily Maximum
 16.2 MG/L
 947.2 LBS/DAY

Effluent Limitations:

You are prohibited from discharging pollutants except in compliance with the following effluent limitations:

 ${\bf 001~DISCHARGE~FROM~AN~ACTIVATED~SLUDGE~WASTEWATER~TREATMENT~FACILITY}.$ 

Parameter	Season	Limit Type	<u>Limits</u>
CBOD5			85% Removal Required
	Yearly	7 Day Average	40 MG/L 2335 LBS/DAY
	Yearly	30 Day Average	25 MG/L 1460 LBS/DAY
TOTAL SUSP	ENDED SOLII	OS	85% Removal Required
	Yearly	7 Day Average	45 MG/L 2627 LBS/DAY
	Yearly	30 Day Average	30 MG/L 1751 LBS/DAY
AMMONIA N	ITROGEN (N)		
	JAN	30 Day Average	3.5 MG/L 200.6 LBS/DAY
	JAN	Daily Maximum	15.2 MG/L 886.7 LBS/DAY
	FEB	30 Day Average	4.1 MG/L 232.8 LBS/DAY
	FEB	Daily Maximum	14.2 MG/L 828.8 LBS/DAY
	MAR	30 Day Average	3.5 MG/L 176.0 LBS/DAY
	MAR	Daily Maximum	14.7 MG/L 857.4 LBS/DAY
	APR	30 Day Average	1.6 MG/L 89.8 LBS/DAY
	APR	Daily Maximum	15.7 MG/L 916.6 LBS/DAY
	MAY	30 Day Average	1.8 MG/L 107.1 LBS/DAY
	MAY	Daily Maximum	15.2 MG/L 886.7 LBS/DAY
	JUN	30 Day Average	1.3 MG/L 77.1 LBS/DAY
	JUN	Daily Maximum	14.4 MG/L 843.1 LBS/DAY
	JUL	30 Day Average	1.0 MG/L 59.2 LBS/DAY
	JUL	Daily Maximum	17.6 MG/L 1026.5 LBS/DAY

Brightwater Wastewater Treatment Plant, King County, Washington

Se	Effluent Limits: Outfall 001 ee discharge coordinates on cover	sheet
Parameter	Average Monthly <sup>a</sup>	Average Weekly <sup>b</sup>
Biochemical Oxygen Demand (5-day) (BOD <sub>5</sub> )	30 milligrams/liter (mg/L) 10,233 pounds/day (lbs/day) 85% removal of influent BOD <sub>5</sub>	45 mg/L 15,350 lbs/day
Total Suspended Solids (TSS)	30 mg/L 10,233 lbs/day 85% removal of influent TSS	45 mg/L 15,350 lbs/day
Total Residual Chlorine	0.5 mg/L	0.75mg/L
Parameter	Minimum	Maximum
pH	6.0 standard units	9.0 standard units
Parameter	Monthly Geometric Mean	Weekly Geometric Mean
Fecal Coliform Bacteria <sup>c</sup>	200/100 milliliter (mL)	400/100 mL
a Average monthly effluent limit	t means the highest allowable avera	ge of daily discharges over a calendar

- Average monthly effluent limit means the highest allowable average of daily discharges over a calendar month. To calculate the discharge value to compare to the limit, you add the value of each daily discharge measured during a calendar month and divide this sum by the total number of daily discharges measured. See footnote c for fecal coliform calculations.
- b Average weekly discharge limit means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges' measured during that week. See footnote c for fecal coliform calculations.
- Ecology provides directions to calculate the monthly and the weekly geometric mean in publication No. 04-10-020, Information Manual for Treatment Plant Operators.

### Saint Regis Mohawk Tribe

#### PART II. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

#### A. Final Effluent Limitations—Outfall Number 001

The Permittee shall maintain compliance with the following effluent limitations at Outfall 001, with compliance measured at Monitoring Location.

#### **Effluent Limitations Table**

·		Eff	luent limitation	ns	Monitoring re	quirements		
Parameter	Units	Average monthly	Average weekly	Maximum daily	Sample type	Minimum sampling frequency	Parameter Code	Footnotes
Benzene	μg/L			10	Grab	1/Month	34030	(5)
BODs	mg/l	30	45		Composite	Every 2 weeks	00310	(2)
BOD₅	lb/day	87.57	131.35		Composite			
Chromium	mg/l	7.56		20.90	Grab	1/Month	01118	
Color	CU				Grab	1/Month	08000	(6)
Copper	mg/l	0.49		1.34	Grab	1/Month	01042	
Dissolved Oxygen	mg/l	6.0*			Grab	1/Month	00300	(6)
E. Coli	Colonies/ 100 ml	126			Grab	1/Month	51040	(4)
Effluent Flow	mgd			0.350	Continuous		50050	(1)
Effluent Total Suspended Solids	mg/L	30	45		Composite	Every 2 weeks	00530	(2)
Effluent Total Suspended Solids	lb/day	87.57	131.35		Composite			(6)
Lead	mg/l	0.30		0.94	Grab	1/Month	01114	
Nickel	mg/l	5.65		14.20	Grab	1/Month	01074	
pH	standard units		Minimum 6.5 Maximum 8.5		Grab	Daily	00400	(6)
Chlorine, Total Residual	mg/L			0.5	Grab	Daily	50060	(3)



## TYPICAL EFFLUENT LIMITS

### **Usually includes:**

- 5-day biochemical oxygen demand (BOD or cBOD)
- Total suspended solids (TSS)
- pH
- Dissolved oxygen (DO)
- Total residual chlorine (TRC)
- Fecal indicator bacteria (such as E. coli or fecal coliform)
- Toxicity testing

### Plus maybe some combination of:

- Nitrogen (ammonia, nitrate/nitrite, Total Kjeldahl Nitrogen, total nitrogen)
- Phosphorus (total phosphorus)
- Metals, such as copper, lead, nickel, zinc
- Specific organic pollutants
- Other pollutants of concern

## PERMIT PARTS: EFFLUENT LIMITS

### City of Boone, Iowa, Sewage Treatment Plant

Outfall: 001 Effective Dates: 03/01/2023 to 07/31/2024									
	Parameter Season		Lim	it Type	<u>Limits</u>				
E. COLI									
	MAR			Geometr	ric Mean	151 #/100	ML		
	APR			Geometr	ric Mean	Mean 151 #/100 ML			
Γ			MAY		Geometr	ric Mean	151 #/100	MI.	
		Outfall: 0	01 Eff	fective Dates:	08/01/2	019 to 07/31	1/2024		
L		Parameter Season Limit Type				Limit'	Type	Limits	
Ļ	AMMONIA NITROGEN (N)								
	- Г	INC. 20D I LONGE KALDODIN							

Effluent Limitations:

You are prohibited from discharging pollutants except in compliance with the following effluent limitations:

Outfall: 001 Effective Dates: 08/01/2019 to 07/31/2024							
Parameter	Season	Limit Type	Limits				
CBOD5			85% Removal Required				
	Yearly	7 Day Average	40 MG/L 2335 LBS/DAY				
		20 D					

001 DISCHARGE FROM AN ACTIVATED SLUDGE WASTEWATER TREATMENT FACILITY.

	Yearly	7 Day Average	40 MG/L 2335 LBS/DAY
	Yearly	30 Day Average	25 MG/L 1460 LBS/DAY
TOTAL SUSPENDED SOLIDS			85% Removal Required
	Yearly	7 Day Average	45 MG/L 2627 LBS/DAY
	Yearly	30 Day Average	30 MG/L 1751 LBS/DAY
AMMONIA NI	TROGEN (N)		
	IAN	30 Day Average	3.5 MG/L 200.6 LBS/DAY

## cBOD, TSS, ammonia, nitrate, acute toxicity with Ceriodaphnia and Pimephales, DO, pH, E. coli

APK	30 Day Average	1.6 MG/L 89.8 LBS/DAY
APR	Daily Maximum	15.7 MG/L 916.6 LBS/DAY
MAY	30 Day Average	1.8 MG/L 107.1 LBS/DAY
MAY	Daily Maximum	15.2 MG/L 886.7 LBS/DAY
JUN	30 Day Average	1.3 MG/L 77.1 LBS/DAY
JUN	Daily Maximum	14.4 MG/L 843.1 LBS/DAY
JUL	30 Day Average	1.0 MG/L 59.2 LBS/DAY
JUL	Daily Maximum	17.6 MG/L 1026.5 LBS/DAY

Brightwater Wastewater Treatment Plant, King County, Washington

Saint Regis Mohawk Tribe

Effluent Limits: Outfall 001						
See discharge coordinates on cover sheet						
Parameter	Average Monthly <sup>a</sup>	Average Weekly <sup>b</sup>				
Biochemical Oxygen	30 milligrams/liter (mg/L)	45 mg/L				
Demand (5-day) (BOD <sub>5</sub> )	10,233 pounds/day (lbs/day)	15,350 lbs/day				
	85% removal of influent BOD <sub>5</sub>					
Total Suspended Solids (TSS)	30 mg/L	45 mg/L				
	10,233 lbs/day	15,350 lbs/day				
	85% removal of influent TSS					
Total Residual Chlorine	0.5 mg/L	0.75mg/L				
Parameter	Minimum	Maximum				
pH	1	1				
	DAD TOO TOO					

## BOD, TSS, TRC, pH, fecal coliform discharge measured during a calendar month and divide this sum by the total number of daily

discharges measured. See footnote c for fecal coliform calculations.

Average weekly discharge limit means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges' measured during that week. See footnote c for fecal coliform calculations.

Ecology provides directions to calculate the monthly and the weekly geometric mean in publication No. 04-10-020, Information Manual for Treatment Plant Operators.

#### PART II. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

#### A. Final Effluent Limitations—Outfall Number 001

The Permittee shall maintain compliance with the following effluent limitations at Outfall 001, with compliance measured at Monitoring Location.

#### **Effluent Limitations Table**

	Units	Effluent limitations			Monitoring requirements			
Parameter		Average monthly	Average weekly	Maximum daily	Sample type	Minimum sampling frequency	Parameter Code	Footnotes
Benzene	μg/L			10	Grab	1/Month	34030	(5)
BODs	mg/l	30	45		Composite	Every 2 weeks	00310	(2)
BOD <sub>5</sub>	lb/day	87.57	131.35		Composite			
Chromium								

## BOD, TSS, DO, pH, *E. coli*, TRC, metals (Cr, Cu, Pb, Ni, Zn), color, flow

E. Co.										
Effluent Flow	mgd			0.350	Continuous		50050	(1)		
Effluent Total Suspended Solids	mg/L	30	45		Composite	Every 2 weeks	00530	(2)		
Effluent Total Suspended Solids	lb/day	87.57	131.35		Composite			(6)		
Lead	mg/l	0.30		0.94	Grab	1/Month	01114			
Nickel	mg/l	5.65		14.20	Grab	1/Month	01074			
рН	standard units	Minimum 6.5 Maximum 8.5			Grab	Daily	00400	(6)		
Chlorine, Total Residual	mg/L			0.5	Grab	Daily	50060	(3)		

## **PERMIT PARTS:** SECONDARY TREATMENT REQUIREMENT

City of Boone, Iowa, Sewage Treatment Plant

**Brightwater Wastewater Treatment Plant,** King County, Washington

Saint Regis Mohawk Tribe

Permit Number:

You are prohibited from discharging pollutants except in compliance with the following

001 DISCHARO	001 DISCHARGE FROM AN ACTIVATED SLUDGE WASTEWATER TREATMENT FACILITY.									
Outfall: 001 Effective Dates: 08/01/2019 to 07/31/2024										
Parameter	Season	Limit Type	Limits							
CBOD5			85% Removal Required							
	Yearly	7 Day Average	40 MG/L 2335 LBS/DAY							
	Yearly	30 Day Average	25 MG/L 1460 LBS/DAY							
TOTAL SUSPE	ENDED SOLIDS		85% Removal Required							
	Yearly	7 Day Average	45 MG/L 2627 LBS/DAY							
	Yearly	30 Day Average	30 MG/L 1751 LBS/DAY							

Effluent Limits: Outfall 001 See discharge coordinates on cover sl							
Parameter	Average Monthly <sup>a</sup>						
Biochemical Oxygen Demand (5-day) (BOD <sub>5</sub> )	30 milligrams/liter (mg/L) 10,233 pounds/day (lbs/day) 85% removal of influent BOD <sub>5</sub>						
Total Suspended Solids (TSS)	30 mg/L 10,233 lbs/day 85% removal of influent TSS						

Footnote (2): The arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic means of the values of influent samples collected at approximately the same time during the same period (85 percent removal).

85% removal of cBOD and TSS required

85% removal of BOD and TSS required

85% removal of cBOD and TSS required

## PERMIT PARTS: MONITORING REQUIREMENTS

City of Boone, Iowa, Sewage Treatment Plant

Brightwater Wastewater Treatment Plant, King County, Washington

Saint Regis Mohawk Tribe

Outfall	Wastewater Parameter	Sample Frequency	Sample Type	Monitoring Location
The follo	wing monitoring requirements shall be in effect	from 08/01/2019 to 07/31/2024		
001	BIOCHEMICAL OXYGEN DEMAND (BOD5)	2 TIMES PER WEEK	24 HOUR COMPOSITE	RAW WASTE
001	FLOW	7/WEEK OR DAILY	24 HOUR TOTAL	RAW WASTE
001	NITROGEN, TOTAL (AS N)	1 TIME PER WEEK	24 HOUR COMPOSITE	RAW WASTE
001	NITROGEN, TOTAL KJELDAHL (AS N)	1 EVERY MONTH	24 HOUR COMPOSITE	RAW WASTE
001	PH	2 TIMES PER WEEK	GRAB	RAW WASTE
001	PHOSPHORUS, TOTAL (AS P)	1 TIME PER WEEK	24 HOUR COMPOSITE	RAW WASTE
001	TEMPERATURE	2 TIMES PER WEEK	GRAB	RAW WASTE
001	TOTAL SUSPENDED SOLIDS	2 TIMES PER WEEK	24 HOUR COMPOSITE	RAW WASTE
001	CBOD5	2 TIMES PER WEEK	24 HOUR COMPOSITE	EFFLUENT PRIOR TO DISINFECTION
001	TOTAL SUSPENDED SOLIDS	2 TIMES PER WEEK	24 HOUR COMPOSITE	EFFLUENT PRIOR TO DISINFECTION
001	ACUTE TOXICITY, CERIODAPHNIA	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	EFFLUENT AFTER DISINFECTION
001	ACUTE TOXICITY, PIMEPHALES	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	EFFLUENT AFTER DISINFECTION
001	AMMONIA NITROGEN (N)	2 TIMES PER WEEK	24 HOUR COMPOSITE	EFFLUENT AFTER DISINFECTION
001	DISSOLVED OXYGEN	2 TIMES PER WEEK	GRAB	EFFLUENT AFTER DISINFECTION
001	NITRATE NITROGEN (AS N)	1 EVERY MONTH	24 HOUR COMPOSITE	EFFLUENT AFTER DISINFECTION
001	NITROGEN, TOTAL (AS N)	1 TIME PER WEEK	24 HOUR COMPOSITE	EFFLUENT AFTER DISINFECTION
001	PH	5 TIMES PER WEEK	GRAB	EFFLUENT AFTER DISINFECTION
001	PHOSPHORUS, TOTAL (AS P)	1 TIME PER WEEK	24 HOUR COMPOSITE	EFFLUENT AFTER DISINFECTION
001	TEMPERATURE	2 TIMES PER WEEK	GRAB	EFFLUENT AFTER DISINFECTION
The follow	wing monitoring requirements shall be in effect	from 03/01/2023 to 07/31/2024		
001	E. COLI	GEO, MEAN 1/3 MONTHS	GRAB	EFFLUENT AFTER DISINFECTION

#### 32. Monitoring requirements

#### S2.A. Monitoring schedule

The Permittee must monitor in accordance with the following schedule and the requirements specified in Appendix A.

Parameter	Units & Speciation	Sample Type								
(1) Wastewater influent, monitored at Headworks										
Wastewater Influent means the raw sewage flow from the collection system into the treatment facility. Sample the wastewater entering the headworks of the treatment plant excluding any side-stream returns from inside the plant.										
Flow	MGD Continuous <sup>a</sup> Metered/Recorded									
BOD <sub>5</sub>	mg/L	5/week	24-hr Composite b							
BOD <sub>5</sub>	lbs/day	5/week	Calculation <sup>c</sup>							
TSS	mg/L		24-hr Composite							
TSS	lbs/day	5/week	Calculation							

#### PART II. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

#### A. Final Effluent Limitations—Outfall Number 001

The Permittee shall maintain compliance with the following effluent limitations at Outfall 001, with compliance measured at Monitoring Location

#### Effluent Limitations Table

		Effluent limitations			Monitoring requirements			
Parameter	Units	Average monthly	Average weekly	Maximum daily	Sample type	Minimum sampling frequency	Parameter Code	Footnotes
Benzene	μg/L			10	Grab	1/Month	34030	(5)
BODs	mg/l	30	45		Composite	Every 2 weeks	00310	(2)
BOD₅	lb/day	87.57	131.35		Composite			
Chromium	mg/l	7.56		20.90	Grab	1/Month	01118	
Color	CU				Grab	1/Month	08000	(6)
Copper	mg/l	0.49		1.34	Grab	1/Month	01042	
Dissolved Oxygen	mg/l	6.0*			Grab	1/Month	00300	(6)
E. Coli	Colonies/ 100 ml	126			Grab	1/Month	51040	(4)
Effluent Flow	mgd			0.350	Continuous		50050	(1)
Effluent Total Suspended Solids	mg/L	30	45		Composite	Every 2 weeks	00530	(2)
Effluent Total Suspended Solids	lb/day	87.57	131.35		Composite			(6)
Lead	mg/l	0.30		0.94	Grab	1/Month	01114	
Nickel	mg/l	5.65		14.20	Grab	1/Month	01074	
рН	standard units		Minimum 6.5 Maximum 8.5		Grab	Daily	00400	(6)
Chlorine, Total Residual	mg/L			0.5	Grab	Daily	50060	(3)

Required to monitor raw waste + effluent prior/after disinfection

Influent monitoring requirements include 24-hour composites 2 times per week

Required to monitor influent + final effluent + chemically-enhanced primary treatment bypass

Influent monitoring requirements include 24-hour composites 5 times per week

Required to monitor effluent only; no specific influent monitoring requirements

Effluent monitoring requirements include composite samples every 2 weeks



## TERMINOLOGY

### OUTFALL

Pipe or other conduit, sometimes with diffusers, that conveys final effluent to a receiving water

## RECEIVING WATER

A stream, river, lake, bay, or coastal water that receives treated effluent

## WATERS OF THE U.S.

Waters (or impoundments or tributaries of those waters) currently used, or used in the past, for interstate or foreign commerce, including all tidal waters, plus the territorial seas and interstate waters and wetlands



## TERMINOLOGY

### **POLLUTANT**

Any type of industrial, municipal, or agricultural waste discharged into water; very broadly defined

### POINT SOURCE

Any discernible, confined and discrete conveyance, such as a pipe, ditch, channel, tunnel, conduit, discrete fissure, or container; also broadly defined

### **NPDES**

National Pollutant
Discharge Elimination
System; governs
discharge of pollutants
from point sources into
waters of the U.S.





## WHAT TO ASK YOUR UTILITY PARTNERS

- What influent monitoring requirements does your current NPDES permit contain?
  - What parameters do you need to measure?
  - Our How frequently do you need to measure them?
  - What type of samples do you need to take and where do you need to take them to satisfy the influent monitoring requirements?
- How do you expect your influent monitoring requirements to change, if at all, in future permits?



## NPDES PERMIT RESOURCES



NPDES FAQs on epa.gov



Enforcement and
Compliance History Online
(ECHO) data downloads on
<a href="mailto:echo.epa.gov">echo.epa.gov</a>



Fact sheet on NPDES permits and wastewater surveillance on <a href="mailto:nwbe.org">nwbe.org</a>



iStock photo

# This was Part 4 of WASTEWATER 101: Where does treated water go?

Other parts in the series include:

Part 1: What is wastewater?

Part 2: How is wastewater collected?

Part 3: How is wastewater treated?

Part 5: How is water quality monitored?

Part 6: Who works in the wastewater sector?



