

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 122, 123, 403, and 501**

[FRL-5328-9]

**National Pollutant Discharge Elimination System Permit Application Requirements for Publicly Owned Treatment Works and Other Treatment Works Treating Domestic Sewage****AGENCY:** Environmental Protection Agency.**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) today proposes to amend permit application requirements and application forms for publicly owned treatment works (POTWs) and other treatment works treating domestic sewage (TWTDS). TWTDS include facilities that generate sewage sludge, provide commercial treatment of sewage sludge, manufacture a product derived from sewage sludge, or provide disposal of sewage sludge. Today's notice solicits public comments on the proposed regulations, proposed forms and instructions.

The proposed regulations and Form 2A would replace existing Standard Form A and Short Form A to account for changes in the NPDES program since the forms were issued in 1973. This proposal would consolidate POTW application requirements, including information regarding toxics monitoring, whole effluent toxicity (WET) testing, pretreatment facility and hazardous waste contributions, and combined sewer overflows (CSOs). The most significant proposed revisions would require toxic and WET monitoring by major and pretreatment POTWs and monitoring of 17 parameters by minor POTWs. EPA believes this information is needed in order for permitting authorities to issue permits that will adequately protect the Nation's water resources.

The proposed regulations and Form 2S would replace the existing Interim Sewage Sludge form. The most significant proposed revision would require POTWs and other TWTDS to analyze sludge and provide data for ten metals, nitrogen, and phosphorus. Class I sludge management facilities (pretreatment POTWs) would also have to analyze for most of the priority pollutants. The Interim Form only requires the use of existing data. EPA believes the additional information is needed in order for permitting authorities to issue permits that meet the requirements of the sewage sludge use or disposal regulations.

The costs associated with the new requirements are not significant since many permitting authorities require essentially the same information already through a variety of reporting mechanisms. The proposed rule allows waivers where information is already available to the permitting authority. The new forms would make it easier for permit applicants to provide the necessary information with their applications and would minimize the need for additional follow-up information requests from permitting authorities. The proposal is estimated to reduce the current annual reporting and record keeping burden by about 9,000 hours, or ten percent. EPA is interested in identifying additional ways to further reduce the burden associated with the applications and is seeking comment on the use of electronic data transmission and other streamlining opportunities.

**DATES:** In order to be considered, comments must be received on or before March 5, 1996.

**ADDRESSES:** Comments should be addressed to Municipal and Sludge Application Rule Comment Clerk, Water Docket MC-4101; United States Environmental Protection Agency, 401 M Street SW., Washington, DC, 20460. Commenters are also requested to submit an original and 3 copies of their written comments as well as an original and 3 copies of any attachments, enclosures, or other documents referenced in the comments. Commenters who want receipt of their comments acknowledged should include a self-addressed, stamped envelope. All comments must be postmarked or delivered by hand by March 5, 1996. No facsimiles (faxes) will be accepted.

EPA will also accept comments electronically. Comments should be addressed to the following Internet address: ow-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Electronic comments will be transferred into a paper version for the official record. EPA will attempt to clarify electronic comments if there is an apparent error in transmission. Comments provided electronically will be considered timely if they are submitted electronically by 11:59 p.m. (Eastern time) March 5, 1996. EPA is experimenting with electronic commenting, therefore commenters may want to submit both electronic comments and duplicate paper comments. This document has also been placed on the Internet for public review

and downloading at the following location: gopher.epa.gov.

**FOR FURTHER INFORMATION CONTACT:** For information on Form 2A and municipal wastewater permitting issues in this notice, contact George Utting, (202) 260-9530, Permits Division (4203), United States Environmental Protection Agency, 401 M Street S.W., Washington, D.C., 20460.

For information on Form 2S and sewage sludge permitting issues in this notice, contact Wendy Bell, (202) 260-9534, Permits Division (4203), United States Environmental Protection Agency, 401 M Street S.W., Washington, D.C., 20460.

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## I. Background

### A. Purpose of Today's Proposal

Today's notice proposes to amend NPDES permit application regulations for publicly owned treatment works (POTWs) and other treatment works treating domestic sewage (TWTDS). Proposed Form 2A would apply to POTWs and replace Standard Form A and Short Form A, which were developed in 1973. Proposed Form 2S would be used to report sewage sludge information consistent with applicable permit program regulations and technical standards for sewage sludge use or disposal. Proposed Form 2S would be used by POTWs and other TWTDS.

EPA proposes these application regulations and forms for several reasons. First, this rulemaking addresses changes to the NPDES program since 1973. The NPDES program applicable to

POTWs has changed significantly since that time, specifically in the areas of toxics control, water quality-based permitting and pretreatment programs. Second, the proposal would consolidate application requirements from existing regulations into a "modular" permit application form, thereby streamlining and clarifying the process for permit applicants. Third, these revisions will provide permit writers with the information necessary to develop appropriate NPDES permits consistent with requirements of the Clean Water Act and thus also help to ensure for permittees the effectiveness of the permit as a shield for purposes of compliance with the CWA. Fourth, the Agency seeks to reduce redundant reporting by allowing waivers where information is already available to the permitting authority and, further, to provide a platform for electronic data transmission.

The proposed revisions would result in a net reduction in overall reporting burden hours nationwide. The burden reduction for the combined municipal and sludge proposed application requirements is calculated to be nearly 9,000 hours annually, from a total existing annual burden of 80,000 hours. This is due in part to the reduced number of WET tests calculated to be performed by POTWs. It is also due to the reduced number of major respondents that would be required to comply with the proposed regulations as compared to the number of major respondents estimated to complete the existing municipal application forms (i.e., different criteria apply). Finally, the respondent burden for CWA sec. 308 application requests also would be expected to decrease, because much of the information currently obtained through routine and medium sec. 308 requests is reflected in the proposed rule.

This burden reduction accounts for nearly 9,000 of the 287,000 hours projected to be saved, for an overall reduction of twenty-five percent for the NPDES program. The total savings will be achieved through revisions to this form, revisions to stormwater application forms, revisions to the industrial application form 2C, and reductions in discharge monitoring reports (DMRs). It is anticipated, however, that most of the NPDES burden reduction will involve reduced burden for DMRs, which currently account for greater than eighteen million annual burden hours.

At the same time, this proposed rule would result in increased net costs to municipal and sludge applicants of more than four million dollars per year

on a nationwide basis. It is calculated that this proposal would apply to more than 7,000 permit applications per year, with a total universe per year of more than three thousand applicants each for municipal and sludge permitting. Costs vary considerably from application to application. Thus, the average five-year cost per application would range from an average of about \$450 (less than \$100 per year) for small municipalities to an average of about \$4,000 (less than \$1,000 per year) for larger municipalities. Most of the costs associated with this proposal would be due to proposed pollutant data requirements for municipal permittees.

The Agency believes that the proposed increased costs are appropriate because certain data may be necessary to the permit writer in order to allow the issuance of permits that provide a "shield" to permittees (see discussion, "Permit as a Shield," at I.F.), and to ensure compliance with Clean Water Act requirements, especially water quality standards.

### B. History of the NPDES Permit Program

#### 1. National Pollutant Discharge Elimination System

##### a. Federal Water Pollution Control Act Amendments of 1972

The Clean Water Act (CWA) was enacted in 1972 (Federal Water Pollution Control Act Amendments of 1972) to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. CWA sec. 101(a), 33 U.S.C. 1251(a). The immediate predecessor to the CWA was the Water Quality Act of 1965 (Pub. L. 89-234). The 1965 Act directed each State to develop water quality standards for all interstate navigable waters. States had difficulty developing these standards, however, and by 1971 barely half the States had developed complete programs. States that did develop standards had difficulty implementing them because the 1965 Act lacked a workable mechanism for translating State water quality standards into limits enforceable against individual dischargers.

In response to this dilemma, Congress passed the CWA. Section 402 directed EPA to assume a substantial role in directing and defining the nation's water pollution control programs. The Act established the National Pollutant Discharge Elimination System (NPDES) permit program to be administered by EPA and the States with EPA approval. The NPDES program prohibits the discharge of any pollutant into waters of the United States except when

authorized by a permit (sec. 301(a) and 402).

Section 301 significantly changed the methods used to set and enforce standards to abate and control water pollution. First, it introduced the concept of minimum technology-based discharge requirements. Initially, sec. 301(b)(1)(B) required POTWs to achieve effluent limitations based on secondary treatment. The "degree of effluent reduction achievable through application of secondary treatment" was to be defined by the Administrator, pursuant to sec. 304(d)(1). Later, POTWs were to achieve a more stringent level of technology-based discharge limits based on best practicable waste treatment technology (BPWTT) under sec. 301(b)(2)(B). That section was repealed in 1981. Finally, POTWs were required to comply with any more stringent limitations necessary to implement any applicable State water quality standards. Water quality-based discharge limitations were imposed by sec. 301(b)(1)(C).

To achieve the effluent reductions called for in sec. 301, sec. 402 provides for the NPDES permit program to implement and enforce these controls. NPDES permits may be issued on the condition that authorized discharges meet the applicable requirements of the CWA, including: technology-based limitations; water quality-based limitations; new source performance standards; toxic and pretreatment effluent standards; inspection and monitoring provisions; and ocean discharge criteria. EPA was authorized to issue regulations to implement these provisions throughout the CWA. NPDES permit requirements are based either on regulations promulgated under these sections or, in the absence of regulations, on the permit writer's best professional judgment (BPJ), when necessary to carry out the provisions of the CWA. CWA sec. 402(a)(1), 33 U.S.C. 1342(a)(1). The CWA also authorized States to assume responsibility for issuing NPDES permits, provided that State programs meet the requirements of sec. 402(b) and regulations published under sec. 304(i)(2) (previously, sec. 304(h)(2)). EPA promulgated the original regulations outlining the NPDES program on December 22, 1972 (37 FR 28390) and May 22, 1973 (38 FR 13528).

The CWA required the Administrator to promulgate guidelines for "establishing uniform application forms and other minimum requirements for the acquisition of information" from point sources, within 60 days after its enactment. CWA sec. 304(i)(1) (previously, sec. 304(h)(1)). EPA

promulgated short forms to enable dischargers to meet deadlines imposed by the CWA, on February 27, 1973 (38 FR 5279). These included Short Form A, which was to be completed by all POTWs. EPA promulgated standard forms to gather additional information from certain dischargers, on July 24, 1973 (38 FR 19894). This rule included Standard Form A, for POTWs meeting certain criteria relating to size, population, and industrial contributions. At the time, there were no effluent standards for POTWs. Secondary treatment regulations, setting limits for biochemical oxygen demand, suspended solids, fecal coliform, and pH, were not promulgated until August 17, 1973 (38 FR 22298).

#### b. Changes leading to the Clean Water Act of 1977

The first major change in the NPDES program's focus was the shift from conventional to toxic pollutants. Though sec. 307(a) required EPA to identify and establish effluent standards for toxic pollutants, the thrust of the "first round" of NPDES permits was to control conventional pollutants, rather than to identify and establish standards for toxic pollutants. As the NPDES program was implemented, several interested parties criticized the Agency's lack of progress in establishing sec. 307(a) standards. Among the terms in settlement of litigation in 1976, EPA was to establish technology-based standards as necessary to address 65 compounds or classes of compounds for certain industries. See *NRDC v. EPA*, 8 E.R.C. 2120 (D.D.C. 1976). This list of 65 compounds is now contained in 40 CFR 401.15.

In 1977, amendments to the Clean Water Act refocused Agency priorities on the control of toxic pollutants. As a result, the NPDES program expanded beyond control of conventional pollutants to control of nonconventional pollutants, such as ammonia, chlorine, and nitrogen, as well as certain metals and organic chemicals. The list of the 65 compounds was incorporated into sec. 307 when the CWA was amended in 1977 (see Committee Print Number 95-32, Hearings before the Subcommittee on Investigations and Review of the Committee on Public Works and Transportation, U.S. House of Representatives, pages 399-405) and subsequently was published on January 31, 1978 (43 FR 4109). The compounds on the list were chosen according to various criteria, including known occurrence in point source effluents and substantial evidence of carcinogenicity in studies of humans or animal systems. Because the list included broad

categories or classes of chemicals (e.g., chlorinated benzenes, DDT and metabolites, haloethers, etc.), EPA restructured the list in order to evaluate and control the specific pollutants of greatest concern. This produced a list of 129 individual high priority toxic pollutants. As information became available regarding the toxic effects of chemicals on the list, the Agency amended the regulations to establish the current list of 126 "priority pollutants." See 40 CFR Part 423, Appendix A. The 1977 amendments also amended sec. 402(b)(8)&(9) to require that approved State NPDES programs provide for administration of the pretreatment program to regulate industrial users of POTWs.

In 1979, EPA extensively revised the NPDES regulations to implement changes in the CWA, to conform to recent court decisions, and to clarify and improve existing procedures. The 1979 regulatory revisions eliminated duplication of substantive and procedural requirements between the existing State and Federal NPDES program regulations. Under the final regulations, promulgated on June 7, 1979 (44 FR 32854), the basic substantive and procedural requirements applicable to all NPDES permits were set out in Parts 122 and 124. Part 123 established State NPDES permit program requirements. EPA believed that this new regulatory structure would simplify the regulations and avoid inconsistencies between State and Federal programs. These regulations were challenged judicially and, as discussed below, petitions for review were merged with and resolved in litigation challenging the consolidated permit regulations and subsequent rulemakings.

#### c. Permit Consolidation and Deconsolidation

To simplify permitting programs, EPA published regulations on May 19, 1980 (45 FR 33290), to consolidate the requirements and procedures for five of the permit programs administered by the Agency: the NPDES program, the Underground Injection Control (UIC) program under the Safe Drinking Water Act (SDWA), State "dredge or fill" programs under sec. 404 of the CWA, the Hazardous Waste Management (HWM) program under the Resource Conservation and Recovery Act (RCRA), and the Prevention of Significant Deterioration (PSD) program under the Clean Air Act. The Agency believed it would be efficient to consolidate environmental permitting programs wherever feasible. This effort sought to

eliminate gaps and overlaps and ensure consistency among the programs.

At the same time, EPA revised certain of the permit application regulations. The Agency created three new application forms: Form 1, Form 2B, and Form 2C. Form 1 requires general information about permit applicants and was required to be completed by applicants for each of the five types of permits under the consolidated permit rule. Form 2B is specific to part of the NPDES program, specifically, permit applications for concentrated animal feeding operations and aquatic animal production dischargers. Form 2C, also specific to the NPDES program, applies to manufacturing, commercial, mining, and silvicultural operations. All three forms incorporated EPA's emphasis on toxic pollutants and other modifications to the CWA and NPDES program regulations.

Following promulgation of the consolidated permit regulations, interested parties complained that the consolidated format made the regulations unnecessarily difficult to use. The division of responsibilities among various entities at the State and Federal levels resulted in additional problems. In practice, consolidated processing of multiple permits was rare because the various permit programs regulated different activities with different standards and thus imposed different types of requirements on permittees. Subsequent petitions for judicial review of various aspects of the consolidated permit regulations were consolidated with pending petitions for review of the June 7, 1979, final NPDES regulations in the United States Court of Appeals for the District of Columbia Circuit.

As part of an agreement to resolve that litigation, and in response to problems encountered by permit writers, EPA deconsolidated the five permitting programs on April 1, 1983 (48 FR 14146). The NPDES regulations remain in Part 122 (substantive permit requirements) and Part 123 (State program requirements). Part 124 (common permitting procedures) remains applicable to all of the programs. On September 1, 1983 (48 FR 39611), EPA promulgated additional revisions covering a number of issues affecting the consolidated permit program.

After deconsolidation, the NPDES program continued to use Forms 1, 2B, and 2C. In 1984, EPA amended Form 2C to include toxic pollutant sampling and, in 1986, promulgated two new NPDES forms: Form 2D, for use by new manufacturing, commercial, mining and silvicultural operations; and Form 2E,

for use by facilities that do not discharge process wastewater (51 FR 26982, July 28, 1986). The Agency did not, however, revise either Standard Form A or Short Form A. Thus, these two forms do not request information to reflect all of the CWA's current requirements, including the emphasis on the control of toxic pollutants.

#### d. The Water Quality Act of 1987 and Water Quality-Based Permitting

On February 4, 1987, the CWA was amended again by the Water Quality Act (WQA) of 1987 (Pub. L. 100-4). The WQA included several provisions that affect POTWs and other TWTDS. Statutory amendments included requirements addressing sewage sludge, storm water, and water quality-impaired streams. In response to the 1987 amendments, EPA published technical revisions to amend the NPDES regulations on January 4, 1989 (54 FR 246). EPA promulgated final regulations for State sludge management programs on May 2, 1989 (54 FR 18716). As part of the WQA implementation effort, the Agency published rules implementing CWA sec. 304(l) and other changes to surface water toxics regulations on June 2, 1989 (54 FR 23868). This 1989 rulemaking recognized the Agency's commitment to protect water quality through water quality-based permitting.

The 1987 amendments provided that States were to adopt numeric water quality criteria for the "priority pollutants" listed pursuant to sec. 307(a)(1), if discharge of those pollutants could reasonably be expected to interfere with a designated use under State water quality standards. States were to adopt these criteria whenever they reviewed, revised, or added new water quality standards. Subsequent review of all States indicated that 43 States had adopted the criteria as required. Fourteen States, however, were not fully in compliance with the 1987 amendments as of December 22, 1992. On that date, EPA promulgated chemical-specific numeric criteria for those States, as necessary, to comply with the CWA (57 FR 60848).

On July 22, 1994, EPA published its whole effluent toxicity (WET) policy (59 FR 37494). The policy is intended (i) to promote uniform, nationwide compliance with statutory and regulatory requirements for the control of WET, and (ii) to assist permit writers in implementing these requirements. The policy reflects EPA's experience in implementing the 1989 water quality-based permitting regulations at 40 CFR 122.44(d). The WET policy provides for: evaluation of acute and chronic WET water quality criteria attainment at the

edge of the respective mixing zones; review of all major dischargers for reasonable potential to cause or contribute to exceedance of WET water quality criteria; consideration of available WET testing data and other information in evaluating whether a discharger has reasonable potential to cause or contribute to exceedance of WET criteria; imposition of effluent limitations to control WET upon finding reasonable potential to cause or contribute to exceedance of WET criteria; imposition of WET monitoring conditions where appropriate for dischargers that do not have effluent limitations to control WET; schedules for compliance with WET effluent limitations; application of water quality permitting regulations to apply without regard to the pollutant(s) that may be causing toxicity, including ammonia and chlorine; and application of the water quality-based permitting regulations to all dischargers, including POTWs.

#### 2. Background of the Pretreatment Program

Congress recognized that regulating only those pollutant sources discharging effluent directly into the nation's waters would not achieve the CWA's goal to eliminate pollutant discharges. Consequently, the CWA required EPA to promulgate nationally applicable pretreatment standards that restrict the introduction of pollutants from industrial users of POTWs, also called indirect dischargers.

EPA first issued pretreatment standards on November 8, 1973 (38 FR 30982). Following the 1977 CWA amendments, EPA revised those regulations and issued the "General Pretreatment Regulations for Existing and New Sources of Pollution," on June 26, 1978 (43 FR 27736). The regulations were revised again on January 28, 1981 (46 FR 9439). As amended, the pretreatment regulations at 40 CFR Part 403 require that "any POTW (or combination of POTWs operated by the same authority) with design influent flow rates greater than five million gallons per day (mgd) and receiving from industrial users pollutants that pass through or interfere with the operation of the POTW" establish pretreatment programs as part of its NPDES permit. In addition, POTWs with design influent flow rates of less than five mgd may be required to develop pretreatment programs if non-domestic wastes cause upsets, sludge contamination, or violations of NPDES permit conditions or if their industrial users are subject to national pretreatment standards. EPA estimates

that 1,500 treatment facilities are required to administer such pretreatment programs.

The National Pretreatment Program's primary goal is protection of POTWs and the environment from the effects of discharges into municipal sewerage systems. This protection is achieved principally through regulating industrial users that discharge toxic pollutants or unusually large amounts of conventional pollutants into municipal systems. The General Pretreatment Regulations control pollutant discharges into POTWs in several ways. First, prohibited discharge standards apply to all industrial and commercial establishments connected to POTWs. 40 CFR 403.5. These standards include general prohibitions against the introduction of pollutants into POTW that may pass through the POTW or interfere with the operations of the POTW, as well as specific prohibitions relating to the introduction of pollutants which have the potential to create hazards for the POTW, such as heat, explosivity, and corrosivity. Second, categorical pretreatment standards apply to discharges by industrial users in specific industrial categories determined to be significant sources of toxic pollutants. Categorical standards are designed to ensure that wastewaters from direct and indirect industrial dischargers are subject to similar levels of treatment.

Finally, 40 CFR 403.5(c) requires POTWs to develop and enforce local limits designed to ensure that industrial users meet both the general and specific prohibitions. Thus, local limits are intended to ensure that POTWs are able to comply with NPDES limits, including water-quality based standards. Local limits are Federally enforceable pretreatment standards, as defined by sec. 307(d). In cases where local limits are more stringent than categorical standards, the more stringent limit applies and is enforceable as a Federal standard.

On July 24, 1990, EPA promulgated amendments to the NPDES and General Pretreatment Regulations to reflect the findings of the "Report to Congress on the Discharge of Hazardous Wastes to Publicly Owned Treatment Works," also known as the Domestic Sewage Study (DSS) (55 FR 18716). The rule contained a number of regulatory changes intended to improve control of hazardous wastes discharged to POTWs, including revisions to the application requirements for POTWs at 40 CFR 122.21(j). Paragraphs 122.21(j) (1)-(3) contain whole effluent toxicity (WET) testing requirements, and paragraph 122.21(j)(4) requires POTWs with

approved pretreatment programs to submit a written technical evaluation of the need to revise local limits. Today, EPA proposes to revise the WET reporting requirements at § 122.21(j) and to revise the provision for the local limits technical evaluation by making this a POTW pretreatment program requirement rather than an application requirement based on concerns about the timing of such evaluations relative to imposition of water quality-based effluent limitations in POTW permits.

### 3. Program To Control Combined Sewer Overflows

Combined sewer systems (CSSs) are wastewater collection systems that transport both sanitary wastewater and storm water to POTWs. During dry weather, CSSs carry sanitary wastes, as well as industrial and commercial discharges, to POTW treatment plants. In periods of heavy wet weather flows, transported sewer waters can overflow the regulator structures, which normally convey waste streams to the treatment plant, and discharge into adjacent surface waters. These discharges are called "combined sewer overflows" (CSOs). CSOs often contain high levels of suspended solids, bacteria, pathogens, and, in many instances, heavy metals and other toxic pollutants, floatables, nutrients, oxygen-demanding materials, oil and grease, and other contaminants.

CSOs are point source discharges subject to technology-based treatment requirements and applicable water quality-based standards through NPDES permits. Because they occur prior to the headworks of the POTW treatment plant, these discharges are not considered discharges from a POTW and, consequently, are not subject to secondary treatment requirements.

In the United States, approximately 1,100 (mostly older) municipalities have CSSs, with approximately 11,000 CSO outfalls that periodically discharge untreated sewage, commercial and industrial wastes, and storm water during wet weather events. Almost 85 percent of these municipalities are located in the Northeast and Great Lakes areas. Studies conducted in recent years reveal that CSO discharges are a leading cause of reduced water quality, increased health risks, degraded ecological conditions, and impaired beneficial uses within the Nation's surface waters. Although pollutant concentrations in CSOs frequently are lower than those in untreated average-flow municipal wastewater (due to dilution occurring during high flows), CSOs often result in large pollutant loadings within a short time, potentially

causing beach closures, shellfish bed closures, and fish kills.

In 1989, EPA published the National Combined Sewer Overflow Control Strategy (54 FR 37370, Sept. 8, 1989). On April 19, 1994, EPA expanded on the 1989 strategy by publishing the CSO Control Policy (59 FR 18688). The Policy was developed through negotiated dialogue with State, environmental group, and municipal representatives. The Policy explains EPA's expectations for control of CSOs under the CWA and guides NPDES permitting authorities in issuing permits for CSO discharges. The Policy outlines a phased approach to permitting requirements. Under a Phase I permit, the permittee should document implementation of the nine minimum control measures identified in the Policy as minimum technology-based requirements established through best professional judgment (BPJ) to minimize CSO discharges. The nine minimum controls include review and modification of local pretreatment programs to minimize CSO impacts on receiving waters; maximization of flow to the POTW for treatment; control of solids and floatables; and monitoring to characterize effectively CSO impacts and the efficacy of CSO controls.

The nine minimum controls are measures that can generally be implemented expeditiously to reduce CSOs and their effects on receiving water quality. The Phase I permit should not only require implementation of the nine minimum controls, but should also require development of a long-term control plan. The long-term control plan describes the long-term control strategy developed to ultimately result in compliance with the requirements of the CWA (including attainment of water quality standards). Under a Phase II permit, the permittee implements the specific controls described in the long-term control plan.

### C. Sewage Sludge Program

#### 1. Statutory Requirements for Sewage Sludge

In 1987, Congress amended sec. 405 to establish a comprehensive sewage sludge control program. This program regulates the use and disposal of sewage sludge by POTWs and by other treatment works treating domestic sewage (TWTDS). Section 405 required EPA to develop technical standards that would establish sewage sludge management practices and acceptable levels of toxic pollutants in sludge.

Section 405 also provides that NPDES permits issued to TWTDS contain requirements implementing the sewage

sludge standards, unless sewage sludge control requirements are included in a permit issued under one of the following: Subtitle C of the Solid Waste Disposal Act; Part C of the Safe Drinking Water Act; the Marine Protection, Research, and Sanctuaries Act; the Clean Air Act; or EPA-approved State programs that comply with sec. 405. EPA may also issue "sludge-only" permits to TWTDS that are not otherwise subject to the NPDES program or to the other permitting programs listed above.

## 2. Sewage Sludge Permit Program Regulations

On May 2, 1989, EPA promulgated regulations establishing the legal and programmatic framework for the National Sewage Sludge Program (54 FR 18716). Sewage sludge management provisions are to be incorporated into EPA-issued permits or permits issued by a State under an EPA-approved sewage sludge program. Sewage sludge information reporting requirements were also added to the overall NPDES permit application requirements of 40 CFR 122.21. The new regulations, however, neither listed the specific sewage sludge information requirements nor provided a form for reporting this information. Instead, the rulemaking cross-referenced the existing State Sludge Management Program regulations in Part 501 and required applicants to submit the information listed at § 501.15(a)(2). Paragraphs (i)–(v) of § 501.15(a)(2) require information on the location and permitting status of the TWTDS. Paragraphs (vi)–(xii) require technical information on the applicant's sewage sludge use or disposal practice(s).

On February 19, 1993, EPA amended the sewage sludge permit program regulations (58 FR 9404). This amendment phased in requirements for submitting sewage sludge permit application information. Any TWTDS that is required to have, or that requests, site-specific pollutant limits was required to submit permit application information by August 18, 1993, for the first round of Part 503 standards. Other TWTDS with NPDES permits must submit application information with their next NPDES permit applications. Finally, TWTDS without NPDES permits ("sludge-only facilities") were to submit identification and screening information to the permitting authority by February 19, 1994, for the first round of Part 503 standards.

## 3. Part 503 Technical Standards

On November 25, 1992, EPA promulgated the sewage sludge use and

disposal standards required by section 405 of the CWA (58 FR 9248, *et seq.*, February 19, 1993). These standards regulate the use and disposal of sewage sludge when it is applied to land, placed on a surface disposal site (including sludge-only landfills), fired in a sewage sludge incinerator, or sent to a municipal solid waste landfill (MSWLF). The standards for each regulated sewage sludge use or disposal method consist of general requirements, pollutant limits, management practices, operational standards, and requirements for monitoring, recordkeeping, and reporting. A number of parties petitioned for review of the regulations and on November 15, 1994, the United States Court of Appeals for the District of Columbia Circuit remanded several aspects of the regulations for modification or additional justification. *Leather Industries of America, Inc. v. Environmental Protection Agency*, 40 F.3d 392 (D.C. Cir. 1994).

## 4. Implementation of Part 503 Technical Standards

Section 405(f) of the CWA requires that permits issued to facilities involved in sewage sludge generation, treatment, or disposal include Part 503 requirements. Both POTWs and other TWTDS are engaged in sewage sludge generation, treatment, or disposal. However, some of these facilities are not required to obtain NPDES discharge permits pursuant to sec. 402 of the CWA because they do not discharge pollutants to surface waters. These are "sludge-only" facilities.

POTW permits must contain requirements implementing applicable Part 503 technical standards and other Part 122 permit conditions (such as boilerplate conditions and compliance monitoring requirements). POTW permits may also contain any other conditions the permitting authority develops on a case-by-case basis to protect public health and the environment. The permit also establishes a POTW's responsibilities for sewage sludge it sends to other facilities for disposal.

In addition to POTWs, other TWTDS may also be issued permits. These treatment works include facilities dedicated to sewage sludge disposal (i.e., surface disposal sites and sewage sludge incinerators), as well as certain facilities that provide treatment or otherwise change the quality of the sewage sludge before ultimate use or disposal. Sewage sludge has undergone a change in quality if its pollutant concentrations, pathogen levels, or vector attraction properties have been altered sufficiently to change the

sludge's regulatory status under Part 503. Therefore, processes such as stabilization, composting, digestion, heat treatment, or blending with bulking agents or with sewage sludge from another treatment works may all qualify as sewage sludge treatment. (For a more detailed discussion of who must apply for a permit, see the preamble to the May 2, 1989, regulations at 54 FR 18725.)

## 5. Interim Sewage Sludge Permit Application Form

On November 8, 1993, EPA published a notice about the interim sewage sludge permit application form (58 FR 59260). This interim form was developed to simplify the application process until Form 2S was completed. Section 122.21(d)(3)(ii) requires sewage sludge permit applications to include the information at § 501.15(a)(2), which includes both specific and general information. This interim form ensures that permittees submit the necessary information; helps permittees to understand exactly which requirements apply to them; and makes the application requirements consistent for all permittees.

Proposed Form 2S is based on the interim application form. EPA welcomes comments on the proposed Form 2S, especially from users of the interim form.

### D. NPDES Watershed Strategy

The Watershed Protection Approach is an Agency initiative which promotes integrated solutions to address surface water, ground water, and habitat concerns on a watershed basis. It represents EPA's renewed emphasis on addressing all stressors within a hydrologically defined drainage basin, instead of viewing individual pollutant sources in isolation. It is not a new program competing with, or replacing, existing programs; rather, it provides a management framework, within which baseline CWA program requirements, related public health concerns, and newer initiatives can be integrated to address restoration and protection of aquatic ecosystems cost-effectively.

The Watershed Protection Approach has four components. First, it focuses protection and restoration activities within a geographically defined resource, the watershed. Second, it emphasizes the involvement of all affected stakeholders within a watershed; these may include Federal authorities, State governments, local governments, the regulated community, environmental groups, and other interested parties. Third, it stresses the need for appropriate stakeholders to

take comprehensive, integrated actions to address environmental priorities. Finally, it promotes a regular effort to evaluate the success of these actions in protecting and restoring the watershed.

The broad range of NPDES functions and activities gives the NPDES program a key role in implementing the Watershed Protection Approach. On March 21, 1994, the EPA Assistant Administrator for Water issued the NPDES Watershed Strategy. The Strategy represents a first step toward OW's goal of fully integrating the NPDES program into the broader Watershed Protection Approach.

The Strategy outlines national objectives and implementation activities: (1) to integrate NPDES program functions into the broader Watershed Protection Approach; and (2) to support the development of Statewide basin management approaches. To this end, the Strategy identifies six areas that are considered essential for the Agency to support these objectives:

**Statewide Coordination**—Support the development of Statewide basin management frameworks, coordinate EPA Office of Water grants application and reporting processes, and coordinate interstate basin efforts to facilitate implementation of the Watershed Protection Approach;

**NPDES Permits**—Implement a methodology for issuing NPDES permits on a watershed basis and emphasize training on watershed protection. Streamline the NPDES permit development, issuance, and review process. Develop and implement innovative approaches to NPDES permitting on a watershed basis, where feasible;

**Monitoring and Assessment**—Develop a Statewide monitoring strategy; establish point source ambient monitoring requirements, where appropriate, to facilitate the development of monitoring consortia and individual monitoring efforts; and promote comparable data collection, analysis, and utilization by all stakeholders;

**Programmatic Measures and Environmental Indicators**—Revise existing national accountability measures to facilitate implementation of the Watershed Protection Approach and establish new measures of success that reflect assessment of progress toward short- and long-term watershed protection goals;

**Public Participation**—Utilize existing NPDES public participation process and development of basin-wide management plans to encourage informed participation by watershed stakeholders,

educate stakeholders about watershed planning efforts, and seek broad public participation in identifying local environmental goals; and

**Enforcement**—Include emphasis on minor facilities which are discharging to priority basins, within the base national enforcement program, and use 308 authorities, inspections and supplemental environmental projects, where appropriate, to support watershed protection activities.

The Agency views today's rulemaking as an opportunity to further the objectives of the Watershed Protection Approach and the NPDES Watershed Strategy. Both proposed Form 2A and proposed Form 2S request information which support these objectives. These questions are discussed in detail below. The Agency requests comment on what specific additional changes might be made to proposed Form 2A and proposed Form 2S to support the Watershed Protection Approach.

#### *E. Permit Writer's Information Needs Related to Endangered Species and Historic Properties*

EPA is considering whether the permit application regulations should require permit applicants to provide available information related to endangered species and historic properties. The Endangered Species Act, 16 U.S.C. § 1531 *et seq.*, creates certain obligations requiring the Agency to consult with other federal agencies (U.S. Fish and Wildlife Service and National Marine Fisheries Services) when EPA carries out, authorizes, or funds an action that may affect threatened or endangered ("listed") species. The National Historic Preservation Act, 16 U.S.C. § 470 *et seq.*, creates certain obligations requiring the Agency to consult with State officials (State Historic Preservation Officers) and/or federal officials at the Advisory Council for Historic Preservation in order for EPA to take into account the effect on historic properties of an "undertaking," as that term is defined by the National Historic Preservation Act. EPA believes that the collection of such information would be useful to regulatory officials in considering permit applications for activities or undertakings that may affect listed species or historic properties, respectively. Absent information in the permit application, EPA may need to collect such information on a case-by-case basis, which could delay the permit issuance process in some instances.

EPA invites public comment on the information that could or should be provided by the permit applicant. Specifically, if EPA established permit

application questions about listed species or historic properties, what kind of information can or should the permit applicant provide? Would it be appropriate to request that the permit applicant identify whether there are known or suspected listed species, including species proposed for listing and designated critical habitat, or historic properties in the area of the POTW discharge (or sludge use or disposal site by a TWTDS) that would be affected by that POTW discharge (or sludge use or disposal by a TWTDS)? How could or should EPA provide applicants with flexibility to assist regulatory officials in the consideration of potential impacts of activities on listed species or historic properties? Though EPA does not propose what type of information related to endangered species or historic properties would be sought in today's proposal, any such information collection requests in the final regulation may affect the costs associated with complying with the permit application regulations, both in terms of financial cost and burden hours. EPA invites public comment on all aspects of efficient federal permitting of POTWs (and TWTDS) consistent with requirements of the Endangered Species Act and the National Historic Preservation Act.

#### *F. Permit as a Shield*

Section 402(k) of the CWA, also known as the "shield" provision, provides that compliance with an NPDES permit shall be deemed compliance, for purposes of sec. 309 and 505 enforcement, with sec. 301, 302, 306, 307, and 403 of the CWA (except for any standard imposed under sec. 307 for toxic pollutants injurious to human health). In response to questions raised regarding EPA's interpretation of the scope of the "shield" associated with NPDES permits under the CWA, the Agency issued a policy statement on July 1, 1994, to describe the Agency's current position on the scope of the authorization by EPA to discharge under an NPDES permit and the shield thus associated with permit authorization.

As part of an application for an individual NPDES permit, EPA requires that an applicant provide certain information on its facility. In the case of industrial permit application, this includes specific information about the presence and quantity of a number of specific pollutants in the facility's effluent, as well as general information on all waste streams and operations contributing to the facility's effluent and the treatment the wastewater receives. Present application requirements for

municipal discharges focus primarily on the operation and treatment processes at the municipal treatment works, although some quantitative information is also required.

Historically, EPA has viewed the permit, together with material submitted during the application process and information in the public record accompanying the permit, as important bases for an authorization to discharge under sec. 402 of the CWA. The availability of the sec. 402(k) shield is predicated upon the issuance of an NPDES permit and a permittee's full compliance with all applicable application requirements, any additional information requests made by the permit authority and any applicable notification requirements under 40 CFR §§ 122.41(l) and 122.42, as well as any additional requirements specified in the permit.

In the July 1, 1994, policy statement, the Agency explained that a permit provides authorization and therefore a shield for the following pollutants resulting from facility processes, waste streams and operations that have been clearly identified in writing in the permit application process when discharged from specified outfalls:

(1) Pollutants specifically limited in the permit or pollutants which the permit, fact sheet, or administrative record explicitly identify as controlled through indicator parameters (of course, authorization is only provided to discharge such pollutants within the limits and subject to the conditions set forth in the permit);

(2) Pollutants for which the permit authority has not established limits or other permit conditions, but which are specifically identified in writing as present in facility discharges during the permit application process; and

(3) Pollutants not identified as present but which are constituents of wastestreams, operations or processes that were clearly identified during the permit application process (the permit, of course, may explicitly prohibit or limit the scope of such discharges).

With respect to subparts 2 and 3 of the permit authorization described above, the Agency recognizes that a discharger may make changes to its permitted facility (which contribute pollutants to the effluent at a permitted outfall) during the effective period of the NPDES permit. Pollutants associated with these changes (provided they are within the scope of the operations identified in the permit application) are also authorized provided the discharger has complied in a timely manner with all applicable notification requirements (see 40 CFR 122.41(l) and 122.42 (a) and

(b) and the permit does not otherwise limit or prohibit such discharges. Section 122.42(b) requires that POTWs must provide adequate notice, including information on the quality and quantity of discharges to the POTW and anticipated impacts on the quantity or quality of effluent discharged by the POTW, of new introductions of pollutants by indirect dischargers into the POTW and any substantial change in the volume or character of pollutants being introduced by sources introducing pollutants into the POTW at the time of permit issuance.

Notwithstanding any pollutants that may be authorized pursuant to subparts 1 and 2 above, an NPDES permit does not authorize the discharge of any pollutants associated with wastestreams, operations, or processes which existed at the time of the permit application and which were not clearly identified during the application process.

In the July 1994 policy statement, the Agency committed to revise the NPDES permit application regulations for both municipal and industrial discharges, so as to ensure that applicants would have the responsibility to characterize more fully the nature of their effluents and the contributions of their effluents to receiving waters. The Agency stated that, in addressing this issue, it would review EPA's position on the scope of the shield provided by sec. 402(k).

Generally, the discharger is in the best position to know the nature of its discharge and potential sources of pollutants. Consequently, requiring as full a disclosure as technically possible in the permit application is one option EPA may want to consider in light of the protection afforded the discharger by the permit shield. However, in the case of POTWs, providing a permit shield only for pollutant discharges fully and completely characterized in the permit application could represent a significant burden on POTWs if they were required to identify every pollutant discharged. This is so because of the potential pollutant contribution into POTW sewer systems from industrial users and residential dischargers. Narrowing the scope of the shield and consequent expansion of potential liability would likely raise the cost associated with the failure to anticipate, detect, and provide information on these discharges.

The Agency has concerns that, using the current application form, permitting authorities using the existing municipal application forms may not always receive the information about an applicant's discharge needed to develop permits consistent with the requirements of the CWA. In today's

proposed rule, the Agency is updating its POTW discharge application requirements (proposed Form 2A and proposed § 122.21(j)) to provide more information to permit writers and to streamline the permitting process by ensuring that the information needed from most applicants is consolidated onto a single application form. The Agency solicits comment on whether the proposal adequately addresses these concerns. Moreover, EPA is seeking the public's views on how to strike the proper balance between the need for environmental protection, incentives to ensure adequate disclosure, and the discharger's need for certainty that its conduct meets legal requirements.

The Agency also specifically requests comment on adding additional application requirements that would make applicants responsible for providing more information than that specified on the form. For example, the Agency is considering adding a question asking whether the POTW has any other information on pollutants not otherwise requested on the form. The Agency is also considering whether to ask whether the POTW has any information on adverse impacts on water quality, such as information concerning beach closings, citizen complaints, or fish kills. In providing comments on such questions, commenters should state whether they would have a chilling effect on—that is, might tend to inhibit—the activities of POTWs already participating, for example, in ambient monitoring. Comment is also requested on the extent to which such information is already available to permitting authorities.

#### *G. Pollutant Data from POTWs*

In preparing options for pollutant data collection for today's proposed rule, the Agency sought to identify relevant pollutant data records for reference. In so doing, the Agency reviewed POTW effluent "priority pollutant scan" data from EPA Region VI and from North Carolina. These data represented data from samples of the effluents of several hundred POTWs with a design flow greater or equal to one (1.0) mgd (i.e., "major" POTWs). Although the information requested by the Region and State differed in some respects, each required major POTWs to report on all "priority pollutants" (i.e., the pollutants listed in 40 CFR Part 122, Appendix D, Tables II and III). The Agency compiled this information in a database, and analyzed it to determine the pollutants most frequently detected in these effluents.

The Agency concluded that, although this survey was not conducted based on

statistical methodologies, it was possible to discern certain general patterns in the incidence of pollutants reported. Our review of Region VI and North Carolina data indicated that over 90% of 300 POTWs sampled reported at least one of the chemicals listed in Appendix D, Table III. Copper and zinc each appeared in two-thirds of all the POTWs surveyed; lead and nickel each appeared in about thirty percent of the effluents sampled; antimony, arsenic, cadmium, and silver each appeared in more than fifteen percent of facilities; and mercury and cyanide each appeared in slightly fewer than fifteen percent. Certain volatile organics (i.e., THMs) each appeared in roughly a quarter or more of the POTWs sampled; and certain base neutral compounds (i.e., phthalate esters) each showed up in ten to twenty percent of POTWs. Finally, only a few of the pesticides listed in Appendix D, Table II were reported in a small number of these scans.

While this information was not determinative in the Agency's decisions about what to include on the forms, it was consistent with other information provided, and supported some of the Agency's assumptions articulated elsewhere in this preamble concerning the appropriate pollutant test data to require from major POTWs. Notably lacking, however, were data on discharges from "minor" POTWs (those with a design flow of less than one (1.0 mgd). The Agency is seeking information concerning the discharges from minor POTWs and intends to collect such information between this proposal and the final rule that will provide a basis for determining the appropriate sampling requirements for those POTWs.

#### *H. Public Consultation in the Development of Today's Proposal*

In the course of developing today's proposed rule, EPA made efforts to consult with interested stakeholders in the application process. In late 1993 and early 1994, the Agency sought feedback on draft forms and other elements of the proposal from States with approved NPDES programs, local governments, the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), the Association of Metropolitan Sewerage Agencies (AMSA), the California Association of Sanitation Agencies (CASA), the Water Environment Federation (WEF), and several environmental groups. In response to this outreach effort, the Agency received written comments from a dozen States, several municipalities, and from AMSA. Agency representatives also met with State and

municipal representatives and conducted a conference call through WEF.

With respect to the POTW wastewater discharge application, the Agency was particularly interested in issues relating to pollutant data collection. The Agency indicated that it was considering a tiered approach, based upon POTW size and the level of industrial contribution (i.e., whether the POTW was required to implement a local pretreatment program). Most commenters generally supported the idea of a tiered approach (i.e., that the Agency not require the same information from all POTWs). The Agency received an array of suggestions concerning what pollutant data should be required. Among the concerns raised by commenters were the following: ease of completion; flexible implementation by States; reduced pollutant data requirements; sensitivity to impacts on small municipalities; and elimination of redundant reporting. In addition, the Agency received numerous technical comments concerning various details of the information to be reported.

In response, the Agency has made changes to the proposed rule to provide a user-friendly modular design for the forms and has revised its initial approach to municipal pollutant data collection for this proposal. The Agency's proposed approach to pollutant data collection would limit pollutant data requests to those pollutants of greatest concern and would require less pollutant data from smaller municipalities. However, the Agency is still considering several options concerning the amount of pollutant data to be provided, including options that would require minor POTWs to provide sampling data on metals, some organic compounds, and whole effluent toxicity.

With respect to the sludge application, the Agency was interested in the type and amount of pollutant data currently requested by States. Responses showed variation among States. Comments were also received that questioned the need for some of the information to be collected by Form 2S. The Agency has removed some questions that it agrees are not necessary for sludge permit applications. The Agency also requests comment on several options for pollutant data collection.

Finally, the Agency proposes to allow the use of existing data and to reduce redundant reporting by allowing permitting authorities to waive reporting of information to which they have direct access. This proposal is discussed in more detail in those portions of the preamble which focus on

the relevant provisions of the proposed rule. The Agency also solicits comments on alternative considerations specifically addressed to pollutant data submission and industrial user information.

## II. Approach Taken in Today's Notice

### *A. Scope of Today's Rulemaking*

Today's notice proposes two sets of NPDES application requirements and a corresponding permit application form, together with instructions, for each. Proposed § 122.21(j) contains application requirements pertaining to wastewater treatment and discharge at publicly owned treatment works (POTWs), and would require that applicants submitting this information to EPA use new Form 2A. Proposed § 122.21(q) contains application requirements pertaining to generation, treatment, and disposal of sewage sludge at POTWs and other treatment works treating domestic sewage, and would require that applicants submitting applications to EPA use new Form 2S.

The proposed forms would be used both by EPA and by approved NPDES States that choose to adopt these forms. Approved States could also elect to use forms of their own design so long as the information requested includes at least the information required by the final NPDES/sludge regulations. EPA and State NPDES authorities may request additional information from permit applicants whenever necessary to establish appropriate permit limits and conditions. CWA sec. 308.

The proposed forms and instructions for each form are included with today's proposed rule as an appendix to the rulemaking package. EPA is not intending to publish the forms and instructions with the final rule, so as to reduce the length of the Federal Register notice for the final rulemaking, and solicits comment on this issue.

### *B. The Agency Proposes to Revise the Definition of POTW and Existing Permit Application Requirements for POTWs*

Today, EPA proposes to revise the definition of the term "POTW," as defined in 40 CFR Part 122 to conform more exactly with the definition of the term at 40 CFR Part 403. "POTW" is defined at 40 CFR 403.3 as "a treatment works . . . which is owned by a State or municipality." This definition includes devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature, as well as sewers, pipes, and other conveyances that carry wastewater to a

POTW treatment plant. As defined, the term "POTW" also refers to the municipality that has jurisdiction over the discharges to and from such a treatment plant. In today's proposed rule, the Agency proposes to revise the definition of POTW in Part 122 so as to be consistent with the more commonly understood definition located in Part 403.

The Agency's intention is to simplify and clarify, though EPA recognizes that any change may create unanticipated confusion. The Agency solicits comments on effects on conforming the Part 122 definition with the Part 403 definition. Specifically, the Agency is interested in the extent the change would affect: implementation of the Combined Sewer Overflow policy; regulatory consideration of sanitary sewer overflows; and implementation and applicability of the NPDES and pretreatment programs to sewerage collection systems that are not owned/operated by the owner/operator of the treatment plant to which collected waste waters are transported.

The Agency proposes to revise whole effluent toxicity testing requirements found in the existing POTW permit application regulations at § 122.21(j). Under existing § 122.21(j) (1)-(3), a POTW must provide the results of whole effluent biological toxicity testing as part of its NPDES permit application, if the POTW has a design flow equal to or greater than one million gallons per day; if it has (or is required to have) an approved pretreatment program; or if it is required to report by the Director (NPDES State Program Director or EPA Regional Administrator). The Agency proposes to revise this requirement to reflect Agency guidance and policy, as well as practical experience in implementing existing requirements, as set forth at proposed § 122.21(j)(4).

The Agency proposes to change the pretreatment requirement for local limit calculations from an application requirement to a permit requirement. Under existing § 122.21(j)(4), any POTW with an approved pretreatment program must provide a written technical evaluation of the need to revise local limits under 40 CFR 403.5(c)(1). The existing provision requires that the local limits evaluation be done prior to permit issuance. This has generated feedback from States and municipalities that it would be better to require the evaluation after permit issuance, so as to avoid the need for a second technical evaluation if the POTW's permit limits are revised in the new permit. In response to these concerns, the Agency proposes to change this from an application requirement to a POTW

pretreatment program requirement, at proposed § 403.8(f)(4)(B).

#### *C. EPA Proposes Form 2A for POTWs to Replace Standard Form A and Short Form A*

Today EPA proposes a new NPDES application form, Form 2A, for POTWs. Currently, POTWs may be required to submit one of two forms, depending on the size of the POTW. While both of these forms are approved Federal forms, the NPDES regulations do not require use of the forms by POTWs when applying for a permit. Standard Form A is intended to be used by all POTWs with a design flow equal to or exceeding one million gallons per day. Standard Form A contains questions about the facility and collection system, discharges to and from the facility (including information on some specific pollutant parameters), and scheduled improvements and schedules of implementation. Short Form A is intended for use by all POTWs with a design flow of less than one million gallons per day. Short Form A contains only fifteen questions of a summary nature, and asks for virtually no information on specific pollutants. Many States use one or both of the Federal forms, but a number of States have developed State forms that request information not included on the Federal forms.

EPA proposes to replace both Standard Form A and Short Form A with a single Form 2A, subdivided into two parts, titled "Basic Application Information" and "Supplemental Application Information". Basic application information would include information about the collection system and the treatment plant, general information concerning the types of discharges from the treatment plant, identification of outfalls, certain effluent characteristics, and scheduled improvements. The Agency believes that a separate short form for all minor POTWs is no longer appropriate, because in order to establish adequate permit limits, information such as that mentioned above must be collected from all POTWs, regardless of size.

On the other hand, the Agency recognizes the need to be selective in requiring further additional information. For this reason, the Agency has divided the proposed form into two parts. To limit the reporting burden for smaller POTWs without significant industrial contributions, EPA proposes to require effluent monitoring data for 17 parameters from POTWs with design flows less than one million gallons per day (mgd) and without pretreatment programs. These 17 parameters consist

mostly of conventional and nonconventional pollutants. Larger POTWs and pretreatment POTWs, by comparison, would be required to report effluent monitoring data for metals and organic compounds as well as the 17 parameters required for smaller POTWs. Thus, the Basic Application Information part of Form 2A would require reporting on those parameters required of all POTWs, while the Supplemental Application Information part of the form would be used by applicants providing data on toxic pollutants (i.e., larger POTWs and pretreatment POTWs). Similarly, the Supplemental Application Information part of Form 2A is intended to be used by applicants required to provide the results of whole effluent toxicity tests, applicants with significant industrial users, and applicants with CSOs.

The Agency also invites comment on requiring use of the form itself. As explained previously, EPA conducted significant public outreach to design an application form that is easy to use, including outreach on the form itself. Use of the form would provide all of the information requested in the proposed application regulations, whereas modification of the form may result in failure to provide information to be required in the proposed regulations. On the other hand, EPA seeks to provide maximum flexibility by "streamlining" procedures for permit development. The Agency seeks comment on whether requiring use of the form would interfere with streamlining permitting procedures.

#### *D. Applicability of Form 2A to Privately Owned and Federally Owned Treatment Works*

As in the case of existing Standard Form A and Short Form A, EPA proposes that Form 2A and the application requirements at § 122.21(j) be required only for POTWs. However, the Agency proposes that the Director have the discretion to use the proposed form for treatment works that are not POTWs. As previously discussed, the NPDES program has evolved considerably since Standard Form A and Short Form A were promulgated in 1973, and now embraces facilities that operate similarly to POTWs but which do not meet the regulatory definition of POTW. Although not owned by a State or municipality, such facilities nevertheless receive predominantly domestic wastewater, provide physical and/or biological treatment, and discharge effluent to waters of the United States. Such facilities include Federally owned treatment works (FOTWs) and privately owned treatment

works that treat primarily domestic wastewater.

EPA is aware that Federal and State permitting authorities use a number of mechanisms for obtaining NPDES permit application information from non-POTW treatment works. These mechanisms include Standard Form A, Short Form A, Form 2C ("Existing Manufacturing, Commercial, Mining, and Silvicultural Operations"), and Form 2E ("Facilities Which Do Not Discharge Process Wastewater"). The Agency believes that Form 2A would in many cases be the more appropriate application form for non-POTW treatment works, and solicits comments on its applicability to such facilities.

Nevertheless, the Agency does not propose to require Form 2A for non-POTW treatment works. Despite many functional similarities to POTWs, such facilities do not share the same regulatory requirements and thus might not be required to report the same information to permitting authorities. In many instances, non-POTW treatment works are not required under the NPDES regulations to develop pretreatment programs, meet secondary treatment requirements, or report results of whole effluent toxicity testing with their permit applications. For those facilities, requiring such information through Form 2A might be unnecessary.

The Agency solicits comments on whether the provisions of § 122.21(j) and the requirement to use Form 2A should be extended to treatment works other than POTWs. EPA is particularly interested in commenters' views on how to collect appropriate information in appropriate circumstances. EPA also seeks to design permit application requirements to account for privatization of treatment plants initially constructed as publicly owned treatment works. The permit application requirements in this proposed rule may be appropriate for partially privatized portions of POTWs, particularly because the proposed information regulations in today's rule would solicit information about sewerage collection systems that might not otherwise be collected under the industrial permit application regulations. Finally, EPA solicits comment on the extent of the similarity between POTWs and FOTWs, for example, whether FOTWs would have combined sewage collection systems. In another part of today's proposal, EPA is soliciting comment about the definition of POTW to which the permit application regulations would apply.

#### *E. EPA Proposes Revised Application Requirements and Form 2S for Sewage Sludge Permits*

Today, EPA also proposes a new form, Form 2S, to collect information on sewage sludge from treatment works treating domestic sewage (TWTDS). The term "treatment works treating domestic sewage" is a broad one, intended to reach facilities that generate sewage sludge or effectively change its pollutant characteristics as well as facilities that control its disposal. The term includes all POTWs and other facilities that treat domestic wastewater. It also includes facilities that do not treat domestic wastewater but that treat or dispose of sewage sludge, such as sewage sludge incinerators, composting facilities, commercial sewage sludge handlers that process sludge for distribution, and sites used for sewage sludge disposal. In addition, EPA may designate a facility a TWTDS when the facility's sludge quality or sludge handling, use, or disposal practices have the potential to adversely effect public health and the environment. Septic tanks or similar devices are not considered TWTDS.

In addition to proposing sewage sludge application requirements in new paragraph 122.21(q), EPA also proposes to delete the cross-reference to § 501.15(a)(2) in paragraph 122.21(d)(3)(ii). This would consolidate all of the sewage sludge application requirements in paragraph 122.21(q). The information included in § 122.21(d)(3)(ii) and § 501.15(a)(2) was not intended to be a final, comprehensive list of all of the application information required of a TWTDS. Such a comprehensive list was not possible until after promulgation of the technical sewage sludge standards. Rather, with these sections, EPA provided a minimum set of information requirements to suffice until more comprehensive sewage sludge permit application regulations could be promulgated. In light of the promulgation of technical sewage sludge use or disposal standards, at 40 CFR Part 503, EPA today proposes to modify the sewage sludge permit application requirements to add new § 122.21(q) and to revise paragraph § 122.21(d)(3)(ii) accordingly.

EPA intends to maintain consistency between the NPDES permit application requirements of Part 122 and the State sewage sludge permitting requirements of Parts 123 and 501. This reflects EPA's belief that a TWTDS should submit the same application information regardless of whether the permitting authority regulates sludge management under an approved NPDES or under a non-NPDES

program. Therefore, under today's rulemaking, EPA also proposes to revise the language of §§ 123.25(a)(4) and 501.15(a)(2) to modify the sludge information requirements. EPA seeks comment on this revision.

#### *F. Reasons for Separate Form 2A and Form 2S*

EPA today proposes two separate forms for municipal wastewater discharges and sludge for several reasons. First, the forms would differ in their applicability. Form 2A would apply only to POTWs; Form 2S would require information from all TWTDS. Most facilities that generate, treat, or dispose of sewage sludge are POTWs, and will be required to submit both application forms. However, several thousand TWTDS do not discharge to surface waters and therefore are not required to have NPDES discharge permits. Thus, they would be required to submit Form 2S but not Form 2A.

Second, separate application forms are also appropriate because wastewater and sewage sludge are often regulated by different permitting authorities. In 41 States and territories, the NPDES program is administered at the State level through an EPA-approved NPDES program. Therefore, POTWs in NPDES States would obtain NPDES permits from the State permitting authority (by submitting Form 2A to the State) and sewage sludge permits from EPA (by submitting Form 2S to the EPA Regional Office). Separate application forms would facilitate this bifurcated permitting process. In addition, even when a State sludge permitting program is approved, the program will not necessarily be administered by the State's NPDES permitting authority. For example, a POTW in a State with both NPDES and sludge permitting authority could receive its NPDES permit from the water management agency and its sewage sludge permit from a solid waste agency. Separate Forms 2A and 2S would also facilitate permitting in this situation.

#### *G. EPA Solicits Comment on the Use of Electronic Application Forms*

Consistent with recent amendments to the Paperwork Reduction Act, the Agency intends to develop electronic data submission as an alternative form of application. The use of electronic media should help to streamline the application process and to reduce the amount of repetition associated with completing application forms that are only available on hard copy. As previously noted, the elimination of redundant reporting is one of the goals of this rulemaking.

It is not clear, however, how this would best be accomplished, especially because permit application forms must be "signed" to ensure reliability of permit application information (and enforceability of the permit application regulations). Options range from transmitting data electronically, submitting disk copies, or submitting a hard copy. It might be most feasible to have electronic forms that could be distributed and completed electronically, and then printed, signed, and submitted. Although the Agency is considering how "signatures" for electronic submissions could be obtained, there are other issues concerning the use of application forms, such as how to attach accompanying documents. The Agency solicits comments regarding the interest that applicants and permitting authorities may have in this area, and suggestions as to how it could most feasibly be accomplished.

### III. Description of Proposed Requirements

#### A. EPA Proposes to Revise Requirements in § 122.21 (c), (d) and (f) Concerning the Use of Forms 1, 2A, and 2S

EPA proposes revisions to the existing general application requirements for all NPDES permittees, which would require the use of Forms 2A and 2S by applicants for EPA-issued permits. The proposed rule would not require applicants using these forms to use Form 1, as is currently required. Today's proposed rule substantially incorporates the requirements of § 122.21(f) into the requirements of proposed § 122.21 paragraphs (j) and (q).

##### 1. Requirement to Submit Form 2A

EPA proposes in § 122.21(d) to require POTWs to submit the information at § 122.21(j) using Form 2A or an equivalent form approved by the Director. The Agency proposes to require applicants for EPA-issued permits to complete Form 2A, but is considering not requiring the use of the form so long as the proposed regulatory requirements are met. The Agency intends to allow the use of any method of electronic data submission the Agency may approve as part of the final rule in lieu of the form itself.

##### 2. Requirement to Submit Form 2S

EPA also proposes in § 122.21 paragraphs (c)(2)(iii) and (d) to require TWTDS to submit the information at § 122.21(q) using Form 2S or an equivalent form approved by the Director. As with Form 2A, the Agency proposes to require applicants for EPA-

issued permits to complete Form 2S, but is considering not requiring the use of the form so long as the proposed regulatory requirements are met. Also as with Form 2A, the Agency intends to allow the use of any method of electronic data submission the Agency may approve as part of the final rule.

#### B. Application Requirements for POTWs (40 CFR 122.21(j))

Today's proposed rule includes application requirements for all POTWs. These requirements are proposed at 40 CFR 122.21(j). Form 2A tracks the information required by the regulation in parallel fashion. Applicants for State-issued permits are not required to use Form 2A, so long as the other application form provided by the Director requests the information required by proposed § 122.21(j).

EPA acknowledges concerns relating to redundant reporting which were raised by State and municipal commenters during the consultation process. The Agency does not wish to require applicants to report information already provided or available to the permitting authority. Today's proposal would allow permitting authorities to waive reporting requirements, as appropriate. The introductory paragraph of proposed § 122.21(j) would allow the Director to waive any requirement in proposed paragraph (j) if the Director has access to substantially identical information. The Agency solicits comment on this approach and, specifically, on the conditions for allowing such a waiver. In today's proposed rule, the Agency also solicits comments on more narrowly defined waivers for specific requirements (see discussion below concerning pollutant data requirements and industrial user information requirements).

The Agency also solicits comment on ways to allow the permit writer or permitting authority discretion in waiving particular information where the permitting authority determines that such information is not necessary for the application. In other words, there may be flexible ways to look at each applicant in light of the overall "matrix of characteristics" regarding a particular facility. Where, for example, historical data indicate that additional sampling is not warranted unless other conditions have changed, the Agency is allowing the permitting authority to waive such sampling. Such flexibility would involve a holistic approach to implementing these proposed requirements. The Agency solicits comment as to ways in which it could be accomplished without making these provisions entirely discretionary, and

thus making it difficult for the applicant to predict how discretion would be exercised. This might be particularly relevant on the second and subsequent rounds of permitting under these proposed provisions. The Agency also seeks comment on what information might be appropriate and what information might be inappropriate for such waivers.

##### 1. Basic Application Information

Today's proposal would require all POTW applicants to provide the information in proposed § 122.21(j)(1). All of this information is also requested in Questions 1–16 of the Basic Application Information part of proposed Form 2A.

Proposed § 122.21(j)(1) of today's rule would require information on the POTW's service area and physical plant. The proposed rule would require all applicants to provide information regarding the community served and physical characteristics of the treatment works.

Proposed § 122.21(j)(1)(i) requests facility identification information. Proposed § 122.21(j)(1)(ii) requests information about the applicant, which may or may not be the facility itself. Proposed § 122.21(j)(1)(iii) asks the applicant to provide permit numbers of any existing environmental permits that have been issued to the facility.

Proposed § 122.21(j)(1)(iv) would require the applicant to list the municipalities and populations served by the POTW. The POTW may serve several areas (including unincorporated connector districts) in addition to the one in which it is located. The permit writer needs to know what areas are served and the actual population served in order to calculate the potential domestic sewage loading to the facility. The information on the community is also useful for providing notice and public comment for permit reissuance, and for public education.

Proposed § 122.21(j)(1)(v) would require the applicant to report the facility's design flow rate and the annual average daily flow rate for each of the past three years. This information enables the permitting authority to calculate limits appropriate to the POTW, to alert the permitting authority to the need for flow restrictions or facility expansion, and to compare design and actual flows.

Proposed § 122.21(j)(1)(vi) would require information on the type of collection system used by the facility. The applicant would also identify whether the collection system is a separate sanitary system or a combined storm and sanitary system. The

applicant would also estimate the percent of sewer line that each type comprises. Familiarity with the type of collection system enables the permit writer to anticipate combined collection system overloading in wet weather. The current application form, Standard Form A, requests that the applicant also provide the length of the collection system (in miles). The proposed rule does not include this requirement because the Agency does not believe that such information is useful to the permit writer.

Proposed § 122.21(j)(1)(vii) would also require information on inflow and infiltration. Inflow is the uncontrolled entrance of water into the collection system from surface sources such as unsealed manholes. Infiltration is water that enters the collection system through deteriorated or defective pipes, joints, and connections. Both conditions may indicate the need for special permit conditions (such as best management practices) to reduce the inadvertent flow of water to the POTW. EPA requests comment on the availability of inflow and infiltration information at POTWs. This provision would also request information on steps the facility is taking to minimize inflow and infiltration.

Proposed § 122.21(j)(1)(viii) would require the applicant to provide a topographic map that includes information on the layout of the treatment plant, including all unit processes; intake and discharge structures; wells, springs, and other surface water bodies; sewage sludge management facilities; and the location(s) at which hazardous waste enters the treatment plant by truck, rail, or dedicated pipe. This provision reflects the topographic map requirements of § 122.21(f)(7), and is more specifically designed to include features most likely to be found at a POTW.

Proposed § 122.21(j)(1)(ix) would require the applicant to submit a process flow diagram or schematic, together with a narrative description. The permit writer uses this information to develop secondary treatment and water quality-based permit requirements, as well as other applicable permit conditions.

Proposed § 122.21(j)(1)(x) would require information about bypasses, which are intentional diversions of wastestreams from any part of a treatment plant. Regulations governing bypasses are set forth at 40 CFR 122.41(m). Facilities experiencing bypasses are required to estimate the frequency, duration, and volume of bypass incidents, and the reasons why

bypasses have occurred. Information on bypasses is used by the permit writer to develop appropriate permit limits and conditions for these discharges.

Proposed § 122.21(j)(1)(xi) would require general information regarding discharges to waters of the United States as well as discharges to destinations other than surface waters. This information enables the permit writer to account for all wastewater that enters the POTW, regardless of whether or not it is discharged directly to receiving waters. From a watershed permitting standpoint, permitting authorities may use this information to identify flows that individually or collectively may have an impact on the watershed, whether or not they are discharged directly into waters of the U.S.

If any effluent is discharged to surface impoundments with no discharges to waters of the U.S., the applicant would report the location of each surface impoundment, the annual average daily volume discharged to each surface impoundment, and whether the discharge is continuous or intermittent. If effluent is applied to the land, the applicant must provide the site location, the site size, and the annual average daily volume of effluent applied. The applicant must also state whether land application is continuous or intermittent. This information alerts the permit writer to the potential for point source discharges to arise from land application sites under certain circumstances, such as cold weather or high volume discharges, or from surface impoundments.

Proposed § 122.21(j)(1)(xi) would also require the applicant to report whether wastewater is discharged to another treatment works, the means by which the wastewater is transported, the average daily flow rate to that facility, and information identifying the receiving facility. The applicant must also identify the organization transporting the discharge, if other than the applicant. The permit writer needs this information in order to track the wastewater and verify the transfer.

Finally, proposed § 122.21(j)(1)(xi) would require information on other types of disposal, such as underground percolation or injection. These types of disposal may result in the transfer of pollutants to waters of the U.S. through underground flows, and thus are of interest both to the permit writer in writing the permit and to the permitting authority in designing watershed protection strategies.

Proposed § 122.21(j)(1)(xii) would require the applicant to report whether the POTW is located on a Federal Indian Reservation, discharges to a receiving

water that is on a Federal Indian Reservation or upstream of and eventually flows through a Federal Indian Reservation. This information enables the permit writer to identify the proper permitting authority and applicable requirements, including applicable water quality standards.

Proposed § 122.21(j)(1)(xiii) would require the applicant to provide information about any scheduled facility improvements. Improvements to the facility may change its flow or removal efficiency, necessitating a permit modification. The permit writer may modify the permit when the improvement is complete, or may include alternate limits in the permit that would take effect upon completion of the improvement.

The current application form, Standard Form A, requests certain information about required improvements including information on dates for completion of the preliminary plan, completion of the final plan, awarding of contract, and site acquisition. EPA is proposing to delete these requirements but solicits comment on their usefulness. Standard Form A also requires the applicant to identify the authority imposing the improvement and the general and specific action codes. The Agency proposes to delete this requirement because permit writers have indicated that this information is unnecessary to writing the permit.

## 2. Information on Effluent Discharges

Proposed § 122.21(j)(2) of today's rule would require all POTWs that discharge effluent to waters of the U.S. to provide specific information for each outfall through which effluent is discharged to surface waters, excluding CSO outfalls. This information would be reported in Questions 17, 18, and 19 of the Basic Application Information part of proposed Form 2A. The applicant would be required to submit the information required for each outfall.

Proposed § 122.21(j)(2)(i) would require general information about each outfall. The applicant must specify the outfall number, location, latitude and longitude, distance from shore (if applicable), distance below surface (if applicable), and average daily flow (in million gallons per day). EPA enters the latitude and longitude points into the water quality data base STORET. Maps of the location of water discharges are developed to examine the relationship between NPDES outfalls and other areas of concern, such as drinking water intake points or sensitive ecosystems. This information is also used to establish water quality-based effluent limits appropriate for the particular

receiving water. The locational data requested by this question also supports the Watershed Protection Approach, because it provides Federal and State environmental managers with information they need to geographically locate discharge points.

Latitude and longitude would be required to be reported to the nearest second. This is consistent with EPA's Locational Data Policy (LDP) (See "Locational Data Policy Implementation Guidance, Guide to the Policy (March 1992)"). In accordance with this policy, all latitude/longitude measurements in Agency data collection should have accuracies of better than 25 meters (i.e., roughly, one second).

Proposed § 122.21(j)(2)(i) would require information about the interval and duration of effluent discharges that are seasonal or periodic. Such discharges arise from certain conditions, usually related to the process at an industrial user, whereby the industrial user discharges intentionally at specified times following treatment. For each outfall with an intermittent discharge, the applicant must report the annual frequency, duration, flow, and the months in which the discharge occurs. The permit writer uses this information to develop permit limits that reflect the intermittent nature of such discharges.

Proposed § 122.21(j)(2)(i) would also require the applicant to specify whether the outfall is equipped with a diffuser and the type of diffuser (e.g., high-rate) used. The permit writer uses this information to make mixing zone calculations. (See "Technical Support Document for Water Quality-based Toxics Control," EPA/505/2-90-001, March 1991.)

Most POTWs discharge treated effluent to surface waters such as streams or rivers. Proposed § 122.21(j)(2)(ii) solicits information that describes and identifies the receiving waters into which each outfall discharges. Information about the type of receiving water is useful to the permit writer because mixing zones and wasteload allocations may be calculated differently for different types of receiving waters.

This provision would also require the name of the watershed, the Soil Conservation Service watershed code, the name of the State management basin, and the United States Geological Survey hydrologic code. This locational information supports the Watershed Protection Approach, by providing Federal and State environmental managers with a means of locating dischargers within the U.S. Soil Conservation Service watershed

categorization system, a State's river basin categorization system, and the U.S. Geological Survey cataloging scheme. Some States, as well as EPA Regions, are implementing a basin management approach to watershed protection and will require the information requested by this question.

Proposed § 122.21(j)(2)(iii) would require information on the level of treatment for discharges from each outfall. The CWA requires POTWs, with some exceptions, to treat influent to the level of secondary treatment prior to discharge. Secondary treatment is defined at 40 CFR 133.102 in terms of five-day biochemical oxygen demand (BOD<sub>5</sub>), total suspended solids (SS or TSS), and pH. Part 133 allows adjustments to the secondary treatment requirements for POTWs that meet certain criteria. In addition, some POTWs are subject to requirements for "treatment equivalent to secondary treatment," as described in § 133.105. Finally, some POTWs may have more advanced levels of treatment necessary, for example, to meet water-quality based standards for certain pollutants, such as nitrogen and phosphorous.

This provision would require data on design removal efficiencies for BOD<sub>5</sub> and SS. Information on these parameters is necessary in order for the permit writer to set pollutant limits that accurately reflect the pollutant removal that the POTW can achieve. It may also alert the permitting authority to the need for improvements to the treatment facility.

Proposed § 122.21(j)(2)(iii) would also require information on disinfection, which usually follows secondary or advanced treatment and which destroys bacteria, viruses, and other pathogens in the wastewater. Disinfection most commonly occurs through chlorination. Many POTWs also dechlorinate their effluent prior to discharge because excessive free chlorine in a wastewater discharge can cause aquatic toxicity in the receiving water.

### 3. Effluent Monitoring for Specific Parameters

The purpose of proposed § 122.21(j) and proposed Form 2A is to provide the permit writer with the minimum information necessary to issue to a POTW an NPDES permit that contains effluent limitations consistent with the goals of the CWA. EPA recognizes that the quality of a POTW's effluent depends on several factors, such as the number and type of industrial users of the POTW, and that not all POTWs need to report the same information to ensure developing NPDES permits to achieve designated uses of the Nation's waters.

Hence, EPA proposes a tiered approach to collect needed effluent monitoring information.

The Agency proposes to require all POTWs to report effluent monitoring information for the 17 parameters listed at proposed 40 CFR Part 122, Appendix J, Table 1 ("Effluent Parameters For All POTWs") (see also proposed Form 2A, Basic Application Information, question 19). These parameters have a high likelihood of being present in most POTW effluents.

EPA is proposing to require additional reporting of pollutant-specific data for POTWs with a design flow greater than or equal to 1.0 mgd; POTWs that have or are required to have a pretreatment program; and other POTWs required to provide this information to the permitting authority. In general, the pollutants for which additional data would be required are those for which there are State water quality standards, other than dioxin, asbestos, and "priority pollutant" pesticides. Thus, the Agency would require, at a minimum, data on those pollutants listed at proposed 40 CFR Part 122, Appendix J, Table 2 ("Effluent Parameters For Selected POTWs and Treatment Works Treating Domestic Sewage") (see also proposed Form 2A, Part A, Supplemental Application Information: Expanded Effluent Testing). The Agency would not require data, unless otherwise specified by the permitting authority, on those pollutants listed at proposed 40 CFR Part 122, Appendix J, Table 3 ("Other Parameters for Treatment Works Treating Domestic Sewage And Selected POTWs").

Proposed § 122.21(j)(3) would require that data be separately provided for each outfall through which treated sanitary effluent is discharged to waters of the United States. Further, EPA recognizes that a POTW's effluent may have similar qualities at more than one of its outfalls. EPA thus proposes to allow applicants to provide the effluent data from only one outfall as representative of all such outfalls, where two or more outfalls with substantially identical effluents, and with the approval of the permitting authority on a case-by-case basis. For outfalls to be considered substantially identical, they should, at a minimum, be located at the same plant, be subject to the same level of treatment, and have passed through the same types of treatment processes. The Agency solicits comment on this approach and, particularly, on whether data should be separately collected from all such outfalls. Alternatively, should applicants generally be encouraged to follow this approach rather than

selectively approved on a case-by-case basis?

EPA proposes that effluent and monitoring data submitted to the permitting authority meet the following conditions:

**1. Maximum Period of Sample Collection:** All data summarized in response to these questions is proposed to be collected within a 3-year period preceding the permit application date.

**2. Minimum Number of Daily Sample Analyses:** Results from a minimum of three separate daily sample analyses (pollutant scans) are proposed to accommodate data needs for each analyte on which information is requested. Additional samples might be required on a case-by-case basis.

**3. Seasonal Considerations:** For most POTWs, EPA expects that the three, or more, sets of results for daily sample analyses summarized in response to these information needs would represent typical daily discharges occurring during at least three different calendar seasons. For most applicants, EPA proposes to require that a minimum of 4 months and a maximum of 8 months separate at least one pair of the daily sample analysis results included in the summary. Applicants unable to meet this time requirement due to, for example, periodic, discontinuous, or seasonal discharges could obtain alternative guidance on this requirement from their permitting authority. Permitting authorities might alter this requirement to address considerations of specific POTWs.

**4. Testing Methods:** Sampling and analysis is proposed to be conducted in accordance with methods approved under 40 CFR Part 136. Applicants would be expected to use methods that enable pollutants to be detected at levels adequate to meet water quality-based standards. Where no approved method can detect a pollutant at the water quality-based standards level, applicants would be expected to use the most sensitive approved method. If the applicant believed that an alternative method should be used (e.g., due to matrix interference), the applicant would need to obtain prior approval from the permitting authority. If an alternative method approved in accordance with 40 CFR Part 136 is specified in the existing permit, the applicant would be expected to use that method unless otherwise directed by the permitting authority. When no approved analytical method exists, an applicant could use a suitable method and provide a description of the method. "Suitable method" means a method that is sufficiently sensitive to measure as close to the water quality-based

standard as possible. The permit writer needs to know which testing methods are used in order to assess the technical validity of the results.

**5. Daily Samples:** For most POTWs, sampling is proposed to be conducted using composite samples mixed on a flow-proportional basis over a 24-hour period from at least eight sample aliquots (100 ml minimum) collected using an automated sample collection device. The flow-proportional basis would involve either varying the intervals between the collection of equal volume samples or varying the sample volumes collected over equal interval collection periods. The reason for using automated samplers is that they are designed to make the necessary adjustments according to the rate of flow.

For POTWs where automated sample collection devices are not available, it is proposed that appropriate daily composite samples for analysis would be produced by mixing at least four sample aliquots (100 ml minimum), each collected to represent typical segments of the operating day effluent flows.

Because pH, temperature, cyanide, total phenols, residual chlorine, oil and grease, and bacterial indicators cannot be properly sampled by continuous sampling devices, summarized results for each daily analysis are proposed to be based on individual analysis of a minimum of four grab samples collected to represent typical effluent flows over the operating day. A grab sample has 100 ml minimum volume, collected over 15 minutes or less.

For effluents from treatment ponds or other impoundments that have retention times of greater than 24 hours, single grab samples (100 ml minimum collected over 15 minutes or less) would be considered adequate to represent daily conditions for all analytes reported.

**6. Maximum Data Summarization Requirements:** EPA recognizes that not all analytes are sampled and analyzed at the same frequency for effluents from a single POTW or across all POTWs. EPA thus proposes that summarized results for analytes should include all data collected over the preceding three-year period, ending the calendar quarter preceding the permit application date (providing, for example, a total of 3 annual samples or 12 quarterly samples summarized per analyte, as well as any other samples taken by the applicant).

For those analytes sampled and analyzed at monthly or more frequent intervals, EPA proposes that applicants only summarize and report data collected over a single one-year period

(e.g., providing a summary of 12 monthly samples, together with any other samples taken during that period, per analyte). The one-year period included in this data summarization interval would end the calendar quarter preceding the permit application date.

Applicants would be required to indicate for each analyte the number of samples summarized and whether each summary represents a one or three year summarization period.

**7. All Data Must Be Reported:** For each analyte, EPA proposes that all samples conducted and analyzed in accordance with 40 CFR Part 136 during the reporting period be reported (i.e., included with all other data for the period reported), regardless of whether or not they were required by the permitting authority or these proposed regulations.

**8. Data Must Be Summarized:** For each analyte, EPA proposes that applicants report the maximum daily discharge, expressed either as concentration or mass, of all of the samples reported. Applicants would also report the average daily discharge, expressed either as concentration or mass, of all the samples reported.

The Agency is considering requiring applicants to report only concentration numbers on the application or, alternatively, requiring that applicants who wish to report mass also provide flow information used in calculating the mass figures reported. Thus, applicants would be required to report the flow rate used in calculating the maximum daily discharge and the average of all of the flow rates used in calculating the average daily discharge.

Some States may wish to have individual pollutant data reports, rather than summary data, from applicants, either from all applicants or on a case-by-case basis, in addition to or instead of the summary data required by proposed § 122.21(j)(3). States would be encouraged to obtain this information in the manner considered most suitable to their needs.

**9. Existing Data May Be Reported:** Where the applicant has existing data for a given pollutant, and where such data meet the conditions described above, EPA proposes to allow the use of such data in lieu of data collected solely for the purpose of the permit application. If, for example, the applicant were to have pollutant data from two samples, only one more sample would be needed to meet the minimum requirement of three samples, assuming that other conditions were met. Also, where such data have previously been reported to the permitting authority, the permitting

authority could waive such requirements as having been satisfied.

The Agency proposes the above conditions in an effort to be clear about the nature of what needs to be reported. Accordingly, the Agency solicits comment on whether these conditions are sufficiently clear, on the one hand, or whether they are overly restrictive, on the other.

The Agency also solicits comment on each of the particular conditions described above. The Agency is particularly interested in comment on two of these conditions: whether three pollutant scans is the appropriate number to require; and whether the three-year requirement for reporting test data should be waived, as proposed, where sampling for pollutants is done on a monthly basis.

The analytical data proposed to be reported would result from a variety of analytical methods, with detection limits ranging from less than 1 ppb to more than 10 ppb. The toxic analytes that are of most concern at low concentrations are primarily analyzed by gas chromatography (GC), gas chromatography/mass spectrometry (GC/MS), inductively coupled plasma emission spectrometry (ICP), and atomic absorption spectrometry (AA), and high resolution capillary column gas chromatography/high resolution mass spectrometry (HRGC/HRMS). These methods have different numeric analytical endpoints, based upon detection (e.g., method detection limit) or quantification (e.g., minimum level) levels. In addition, the wide latitude of data reporting definitions and conventions in use in various regulatory programs complicates the generation and interpretation of analytical data reported with this proposal.

In order for permit writers to develop appropriate permit requirements, they must be able to establish whether a pollutant is present and whether a reasonable potential for environmental impairment exists, as defined by water quality standards and criteria. To properly make such determinations, permit writers require more complete data and documentation than has been previously supplied with the application form, because any ambiguity increases the likelihood that the permit writer will need to include in the permit limits that are near or below 10 ppb or, alternatively, additional monitoring requirements for those pollutants for which the data are ambiguous.

Thus, it is in the best interests of both the applicant and the permitting authority that the proposed rule would require that the method detection limit (MDL), minimum level (ML), or other

designated method endpoint, together with identification of the corresponding analytical methods used be stated in the permit application. Along with this information, the proposal would require applicants to submit pollutant data based upon actual sample values. In other words, even where test values are below the detection or quantification level of the method used, the actual data value should be reported, rather than reporting "non-detect" ("ND") or "zero" ("0") in such instances. If the endpoint of the method used is reported along with the actual sample results, the permitting authority will be able to determine if the data is in the "non-detect" range or "below quantification" range.

The Agency has provided guidance to the applicant in the proposed Form 2A instructions in order to minimize the conditions that lead to inaccurate sampling data. The Agency proposes that the permit applicant: (1) alert its laboratory to the analytical and detection limit requirements and the expectations for documentation; and (2) report the necessary documentation to ensure that the permit writer is fully informed as to the methods used and the results obtained. For more detailed information concerning analytical issues (acceptable methods, effluent-specific detection limits, and documentation of data and analytical problems), applicants should refer to the "Guidance on Evaluation, Resolution, and Documentation of Analytical Problems Associated with Compliance Monitoring", EPA 821-B-93-001, June 1993.

#### a. Pollutant Data Reporting Requirements for All POTWs

EPA has identified certain pollutants that are commonly found in POTW effluents, regardless of size, and for which permit limits may be necessary to prevent adverse effects on receiving waters. Proposed § 122.21(j)(3) would require each applicant, regardless of size, to provide monitoring information for the pollutants listed in proposed Appendix J, Table 1. These include the conventional pollutants (defined, at 40 CFR 401.16, as biochemical oxygen demand, total suspended solids, pH, fecal coliform, and oil and grease), as well as other parameters that are common to domestic wastestreams, such as ammonia (and other nitrogen compounds), and compounds of other origin, such as chlorine (which is used for disinfection during the treatment process).

The complete list is, as follows:

Flow  
Temperature

Bacterial indicators (*E. coli*, Enterococci, Fecal coliform)  
5-day biochemical oxygen demand (BOD<sub>5</sub> or CBOD<sub>5</sub>)  
Chlorine (total residual, TRC)  
Kjeldahl nitrogen (total organic as N)  
Oil and Grease  
Total dissolved solids  
Total suspended solids  
pH  
Phosphorus (PO<sub>4</sub>-P)  
Dissolved oxygen  
Hardness (as CaCO<sub>3</sub>)  
Ammonia (as N)  
Nitrate + Nitrite (as N)

The secondary treatment regulations at 40 CFR Part 133 describe the minimum level of effluent quality that must be attained in terms of BOD<sub>5</sub> (or CBOD<sub>5</sub>), TSS, and pH, and specify technology-based criteria for each parameter. Control of BOD<sub>5</sub> (or CBOD<sub>5</sub>) is necessary to ensure sufficient dissolved oxygen in the receiving water to protect aquatic life; BOD<sub>5</sub> (or CBOD<sub>5</sub>) is also a key parameter in biological treatment systems. Extremely high levels of suspended solids in the POTW's influent can interfere with POTW operations. High TSS levels in the effluent also block light in the receiving water and inhibit photosynthesis. Permit writers use information for these, as well as all other parameters listed above, to set appropriate water quality-based limits for permit applicants. In instances where POTWs have been allowed to substitute chemical oxygen demand (COD) or total organic carbon (TOC) for BOD<sub>5</sub>, in accordance with 40 CFR 133.104, applicants would report the substituted parameter.

EPA has determined that enterococci and *E. coli* are better biological indicator organisms than fecal coliform. From 1973 through 1982, the Agency studied marine and freshwater bathing beaches. These studies reveal strong correlations between instances of gastrointestinal illness and concentrations of certain indicator organisms at these beaches. That is, in both fresh and marine waters, enterococci and *E. coli* were strongly correlated with gastroenteritis. (For more information on this study, see "Ambient Water Quality Criteria for Bacteria—1986," EPA440/5-84-002, January 1986.)

Because high numbers of these organisms in receiving water indicate an increased potential for human gastrointestinal illness following swimming or ingestion, and because both enterococci and *E. coli* are contained in all domestic sewage, indicating the potential for gastrointestinal illness, EPA is

proposing to require all POTWs to test for these biological indicator organisms in their discharged effluents. The Agency is also proposing, however, to allow the use of fecal coliform as the biological indicator for those applicants where the applicable permitting authorities have not yet switched to monitoring requirements for enterococci and *E. coli*. EPA solicits comments on allowing the use of fecal coliform in cases where permitting authorities have not switched from using fecal coliform as the pathogen indicator. The Agency also solicits comment as to whether testing for enterococci and *E. coli* should be required at all before the Agency has developed approved test methods for these parameters.

The Agency proposes that all POTWs report chlorine and ammonia levels. EPA's experience with toxicity identification evaluations (TIEs) at many POTWs indicate that chlorine and ammonia frequently cause effluent toxicity. Additional studies also reveal frequent adverse effects by these compounds within receiving waters. Therefore, at POTWs that chlorinate their wastewaters without subsequent dechlorination prior to discharge, chlorine may be present in concentrations sufficient to cause toxicity in receiving waters. Ammonia, which is common in nearly all sanitary sewage, is highly toxic to aquatic life in its un-ionized form. The ratio of the relatively toxic un-ionized ammonia form ( $\text{NH}_3$ ) compared with the considerably less toxic ionized ammonium form ( $\text{NH}_4^+$ ) is dependent on pH and temperature.

Chlorine and ammonia are listed in many State water quality standards, and "The Quality Criteria for Water 1986" (EPA 440/5-86-001, also known as the "Gold Book") lists criteria for both pollutants. Chlorine and ammonia can react to form chloramines, which can be toxic, and are more persistent in the aquatic environment than elemental chlorine. In estuaries or ocean water, bromamines can also form. Analytical methods recommended for the quantification of total residual chlorine (TRC) also indicate the presence of chloramines and bromamines. If a disinfectant other than chlorine is used, the permitting authority has the discretion to require additional data for that disinfectant. If alternative disinfection technologies are used, the applicant must submit a description of the alternate process.

Depending on the type of treatment provided, different sampling regimes may be appropriately required. For example, POTWs that do not use chlorination for disinfection, and do not

otherwise use chlorine in their treatment processes, perhaps should not be required to sample for chlorine. The Agency solicits comment on whether to waive chlorine data from such POTWs.

EPA criteria for nitrate, nitrite, and phosphorus are published in The Gold Book. Because these parameters are prevalent in most POTW effluents and because of their impacts on receiving waters, EPA is proposing to require all applicants to test for them. Nitrogen and phosphorus are often limiting nutrients in marine and fresh water systems, respectively. Excessive loadings of nitrogen (discharged as ammonia (including ammonium), nitrate, nitrite, and organic nitrogen) and phosphorus (discharged as phosphate) can stimulate algae growth, interfering with shoreline aesthetics and recreational uses. In addition, decaying algae can reduce dissolved oxygen concentrations, thus impairing the aquatic environment. At concentrations not typically encountered in surface waters, nitrate is toxic to fish.

Today, EPA proposes monitoring and reporting requirements for total nitrate plus nitrite, Kjeldahl nitrogen, and total phosphate. EPA is proposing to request the reporting of nitrate plus nitrite, combined rather than separately, because the chemical equilibrium between the two forms can change rapidly when chemical conditions in effluents and receiving waters differ. Such differences can cause concentration ratios between these two nitrogen oxide forms to change rapidly shortly after effluents enter receiving waters. Thus, separately knowing the effluent concentrations of nitrate and nitrite often bears little significance to their likely concentrations shortly after discharge into receiving waters. Kjeldahl nitrogen concentrations (a measure of organic nitrogen concentrations) are requested to allow permit writers to evaluate the total concentration and total mass of nitrogen discharged, determined by summing concentrations of discharged ammonia, nitrate plus nitrite, and Kjeldahl nitrogen, when all are reported in equivalent nitrogen concentrations ( $\text{NH}_3 - \text{N}$  and  $\text{NO}_2 + \text{NO}_3 - \text{N}$ ). Phosphate is to be reported in equivalent phosphorus concentrations ( $\text{PO}_4 - \text{P}$ ). Concentrations of elemental phosphorus in most effluents occur at less than potentially toxic levels; consequently, no reporting requirements are proposed for elemental phosphorus.

The Gold Book also provides criteria values on concentrations of oil and grease. Concentrations of oil and grease sufficient to create a sheen on the receiving water not only affect aesthetic

qualities of these waters, but may also reduce the re-aeration rate of the receiving waters, potentially contributing to dissolved oxygen sag problems. Oil and grease may also indicate the presence of other high-molecular-weight organic pollutants of concern, because they are often discharged with or act as a sink for such pollutants. Finally, oil and grease interfere with POTW operations. Therefore, today's proposal includes monitoring and reporting requirements regarding concentrations of oil and grease.

Standard Form A currently requires applicants to test for most of the parameters discussed above. Today EPA is proposing to delete reporting requirements for the following parameters, which are currently included on the list for which sampling is required on Standard Form A:

- Chemical Oxygen Demand
- Fecal Streptococci
- Settleable matter
- Total Coliform Bacteria
- Total Organic Carbon
- Total Solids

EPA is proposing to delete chemical oxygen demand (COD) and total organic carbon (TOC) because biochemical oxygen demand ( $\text{BOD}_5$  or  $\text{CBOD}_5$ ) is generally more relevant to municipal treatment systems. EPA is proposing to delete settleable matter and total solids because there is considerable overlap between these parameters and total suspended solids and total dissolved solids. The Agency believes that the two selected parameters provide sufficient information to permit writers. Finally, the Agency proposes to drop reporting requirements for fecal streptococci and total coliform bacteria because the Agency believes that the selected pathogens (*E. coli*, enterococci, and fecal coliform) are better indicators for risk. The Agency requests comments on its proposal to delete the above Standard Form A parameters from the proposed application requirements.

In addition to the parameters discussed above, Standard Form A requires that POTWs indicate the presence of (but not provide quantitative data for) certain pollutants, if known. Such pollutants include metals, as well as other toxic and non-conventional pollutants. The Agency is proposing to require that some POTWs sample and report on certain toxic (priority) pollutants, as described in the discussion, "Reporting of Additional Pollutants for Some POTWs" (at III.B.3.b). The Agency is proposing, however, not to include POTW reporting requirements for the following pollutants listed on Standard Form A:

Bromide  
 Chloride  
 Fluoride  
 Sulfide  
 Aluminum  
 Barium  
 Boron  
 Cobalt  
 Iron  
 Manganese  
 Titanium  
 Tin  
 Algicides  
 Chlorinated Organic Compounds  
 Pesticides  
 Surfactants  
 Radioactivity

A number of these parameters (including bromide, chloride, boron, cobalt, iron, manganese, titanium, and tin) are proposed for deletion because they are relatively less toxic than priority pollutants for which the Agency is proposing to require testing (see, "Reporting of Additional Pollutants for Some POTWs" (at III.B.3.b)); and the levels of these pollutants in most municipal discharges are low. EPA is proposing to delete algicides, pesticides, and chlorinated organic compounds because the Agency does not believe it is relevant to ask for information about these contaminants at this level of generality.

EPA considered, but does not include as part of today's proposal, requirements that all applicants test and report on sulfide and sulfate concentrations in effluents. Sulfide is of concern because the anaerobic decomposition of sewage and other naturally deposited organic material is a major source of hydrogen sulfide. EPA considered proposing monitoring requirements for sulfate because high sulfate concentrations, which are caused by sewer corrosion, are converted anaerobically to hydrogen sulfide. Hydrogen sulfide is toxic to aquatic life; it also biologically reoxidizes on sewer walls that are exposed to air, forming sulfuric acid that corrodes the concrete of the sewer channels. It was considered that, based on this monitoring information, the permit writer could set permit limits for sulfide and sulfate or to require appropriate best management practices. These monitoring requirements, however, were not included as part of today's proposed requirements because of the view that sulfide is rapidly converted to sulfate in aerobic waters, which rapidly dissipates its toxic risk. In most instances, maintaining monitoring requirements and permit limits for dissolved oxygen to maintain attainable uses of receiving waters will adequately safeguard receiving waters

from toxic risks due to sulfide or sulfate potentially contained in effluents. Regarding corrosivity within the sewer system, the Agency believes that, in general, the POTW is in a better position than the permit writer to address such concerns. Special considerations may lead to the requirement that some applicants submit analytical results for these chemicals, as determined on case-by-case basis. EPA invites comment on these conclusions.

The Agency also considered testing for surfactants, but is not proposing to require such testing as part of this rule because: most POTWs do not discharge surfactants at toxic levels; the Agency has not developed water quality criteria for surfactants; and sources are difficult to control. In cases where surfactants in municipal wastestreams occur at toxic levels, the Agency believes that whole effluent toxicity (WET) testing should reveal any toxicity arising from surfactants. EPA invites comment on this approach.

The Agency also considered including monitoring requirements for three additional nonconventional pollutants: aluminum, barium, and fluoride; because of their regular appearance in analytical results from the numerous pollutant scans reviewed during preparation of the proposed rule and because published criteria exist for these three conventional pollutants. But such requirements have not been included on the proposed rule for the following reasons:

(1) Toxicity problems related to excess aluminum concentrations, especially for aquatic organisms, occur primarily in acidic receiving waters (most often in waters with pH less than 6.0) having low hardness levels (i.e., concentrations of calcium less than 2.0 mg/l). The majority of effluent water analyses reviewed did not contain sufficient aluminum concentrations to likely impair beneficial uses of receiving waters;

(2) Although barium regularly appeared in the pollutant scans of effluents reviewed by EPA, the concentrations reported in all samples remained below the 1.0 mg/l Gold Book criterion value for barium in domestic water supplies; and

(3) According to the 1972 "Blue Book", potentially adverse physiological effects due to excess fluoride concentrations increase with increasing environmental temperatures. Consequently, recommended criteria for fluoride range from 1.4 to 2.4 mg/l for average annual air temperatures of 50 to 91°F. Concentrations for the majority of reported results from the many pollutant analyses reviewed by EPA

revealed that although fluoride was a regular constituent of effluents, in the majority of the instances it occurred at concentrations less than suggested Blue Book criteria.

At this time, based on information currently available to EPA, concentrations of aluminum, barium, and fluoride in the majority of effluents are generally less than those necessary to produce significant risk for beneficial uses of receiving water. As such, EPA concludes at this time that it is unwarranted to require all dischargers to monitor for these chemicals as part of the municipal application process. Individual permit writers can, nevertheless, require analysis of any or all of these chemicals, wherever treatment works or environmental considerations suggest that such requirements are warranted. Further, EPA intends to continually review this conclusion as more effluent monitoring results become available, and continues to seek informed input from outside EPA on this decision.

#### b. Reporting of Additional Pollutants for Some POTWs

As discussed above, the Agency proposes to require all POTWs to report information on pollutant parameters commonly associated with POTW effluents. Proposed § 122.21(j)(3) (see also, proposed Part A in the Supplemental Application Information part of Form 2A) requires the reporting of additional parameters listed in proposed Appendix J, Table 2, by those POTWs that the Agency believes are most likely to discharge toxic pollutants to receiving waters. Toxic pollutants may interfere with POTW performance or pass through the POTW to receiving waters, thus potentially causing adverse water quality impacts.

Certain POTWs discharge toxic organic and inorganic pollutants primarily as a result of contributions from non-domestic sources. Section 122.21(j)(3)(iii) of today's proposal requires the applicant to submit monitoring data for the pollutants listed in proposed Appendix J, Table 2, if the POTW meets any one of the following criteria: (1) The POTW has a design flow rate equal to or greater than 1.0 mgd; (2) the POTW has a pretreatment program or is required to have one under 40 CFR Part 403; or (3) the POTW is otherwise required to submit this data by the permitting authority.

POTWs with a design flow equal to or greater than 1.0 mgd are designated as "major" POTWs by the Agency. EPA estimates that roughly 25 percent of the approximately 16,000 POTWs nationwide have design flows of at least

1.0 mgd. The Agency has found that major POTWs have a high potential to discharge toxic pollutants because of the strong likelihood that they receive industrial wastewaters and because of the large number of substances entering the treatment works from various sources. Therefore, the Agency believes that it is necessary to collect toxic pollutant data from these POTWs.

EPA also proposes to require data on toxic pollutants from POTWs that are required to develop pretreatment programs under 40 CFR Part 403. A POTW is required to develop a pretreatment program if it receives discharges from significant industrial users that may interfere with the POTW or pass through the treatment works. Approximately ten percent (approximately 1,500) of all POTWs have or are required to develop pretreatment programs. Most POTWs with pretreatment programs are also major POTWs, and so this criterion only slightly expands the requirements of this provision.

In addition to POTWs with design flows greater than or equal to 1.0 mgd and POTWs with pretreatment programs, EPA is proposing to allow the permitting authority to require any other POTW to submit monitoring data for some or all of the pollutants listed in proposed Appendix J, Table 2. The Agency would recommend that the permitting authority require an applicant to perform a complete or partial pollutant scan if toxicity is known or suspected in a POTW's effluent. Alternatively, if the facility's effluent causes adverse water quality effects, or if the POTW discharges to an impaired receiving water, the permit writer could require the applicant to provide analytical results from a complete pollutant scan.

The permit writer could also require the applicant to test for these parameters depending on the number or kinds of industrial users. EPA is proposing to grant the permit writer such discretion because smaller POTWs that receive industrial contributions also have the potential to discharge toxic pollutants. Although a POTW with a design flow less than 1.0 mgd may not have as great a volume of toxic pollutants entering its treatment system as a larger POTW, the impact of its industrial users could easily be more pronounced due to other considerations, such as smaller treatment capacity or an effluent-dominated receiving stream. Testing for toxic pollutants would provide the information needed to write a protective permit for such a POTW.

The Agency solicits comments on the above criteria for determining which

POTWs must test effluent for the pollutants in proposed Appendix J, Table 2. The Agency also solicits comment on whether other POTWs should be required to sample for some or all of these pollutants. Alternatively, the Agency solicits comment as to whether other POTWs should be required to provide any existing data on these pollutants. Such data would be important information in conducting watershed assessments.

The proposed approach for determining which POTWs must submit data on toxic pollutants is not the only approach being considered by the Agency. Among the alternatives being considered is one that would expand upon the approach described above, and require toxics data from two groups of non-pretreatment minors, each of which includes about half of all minor POTWs. In this approach, POTWs with a population between 1,000 and 10,000 (and not otherwise required to report as described above) would be required to provide a single pollutant scan for the Metals, Cyanide, and Total Phenols and the Volatile Organics groups in proposed Appendix J, Table 2. POTWs with a population of less than 1,000 (and not otherwise required to report as described above) would be required to provide a single scan for certain metals (i.e., cadmium, chromium, copper, lead, nickel, zinc, silver, and mercury). The Agency specifically solicits comment on this alternative approach. Commenters are requested to address the suggested cutoff points for different levels of reporting, the pollutants for which reporting is suggested, and the number of samples that should be required.

EPA proposes that POTWs meeting the three criteria enumerated above monitor for the pollutants in proposed Appendix J, Table 2, and any other pollutants for which there are established State water quality standards. Proposed Table 2 is a subset of the priority pollutants list previously described. As discussed in the background discussion of this preamble, these pollutants are regulated under the CWA and have been identified by Congress and/or EPA as potential threats to human health or aquatic life. Proposed Table 2 also includes total phenols, a parameter commonly used as an indicator pollutant for certain priority pollutants. Also as discussed, EPA and most States have developed numeric criteria and standards for most of these pollutants.

Proposed Appendix J, Table 2 represents pollutants that have been identified in priority pollutant scans of effluent from POTWs. Permit writers will be able to use data on these

pollutants as a basis to derive appropriate permit limits.

The Agency is proposing to not require pollutant data for certain priority pollutants (i.e., dioxin, asbestos, and priority pollutant pesticides). Available information on the occurrence of asbestos, dioxin, and priority pollutant pesticides reveals that these pollutants rarely occur at detectable levels in POTW effluents. Absent information to the contrary, the Agency does not consider asbestos to be a pollutant of concern in municipal wastewater effluents. Dioxin, while nearly ubiquitous, is present in such minute amounts in those industrial outfalls where it is known to be present in relatively high concentrations, that the Agency does not believe that, in general, it is appropriate to require POTWs to monitor for the pollutant at the POTW outfall, due to the high level of dilution in municipal wastestreams. Permitting authorities may wish to require such monitoring on a case-by-case basis if there is reason to believe that dioxin may be present in measurable amounts. To the extent that priority pollutant pesticides, including, for example, DDT and PCBs, appear in municipal wastestreams, the Agency believes that their presence is due, for the most part, to background concentrations, rather than to new introductions by discharges to the POTW. Where these pesticides result in toxicity problems or where other conditions merit, the Agency believes that permitting authorities should require sampling for them on a case-by-case basis. In the alternative, the Agency is considering adding pesticides to the list of required pollutants in proposed Appendix J, Table 2. The Agency solicits comment on whether routine monitoring and screening should be required for pesticides from all POTWs meeting the criteria of proposed § 122.21(j)(3)(iii) or whether the proposed approach is the appropriate one.

EPA also solicits comment on alternative ways to collect information in permit application about pollutants that occur in low levels, such as dioxin, or that otherwise present water quality concerns even in highly dilute effluent. As discussed previously, the proposal would require information about significant industrial users from certain POTWs so the permit writer should have sufficient knowledge about the potential for pass through of such pollutants. The Agency is interested in commenters' views on the adequacy of SIU identification for the purposes of developing adequate POTW permit limitations. Proposed § 122.21(j)(3)

would also require that POTWs meeting the above criteria monitor for pollutants not listed in proposed Appendix J, Table 2, for which the State or EPA have established State water quality standards (see discussion in Background section of this preamble). A number of States have established water quality standards for pollutants not listed as CWA sec. 307(a) priority pollutants. For the reasons stated in the above paragraph, the Agency believes that it is appropriate to require sampling for these pollutants, as well.

In addition, EPA considered, but is not proposing, requiring applicants to monitor for other pollutants, such as those on the "Gold Book" list of Federal Water Quality criteria, those regulated under the Safe Drinking Water Act, or those on data bases such as the Toxics Release Inventory System (TRIS), the Aquatic Toxicity Information Retrieval data base (AQUIRE), and the Integrated Risk Information System (IRIS). The Agency determined that adding these other pollutants to the list of pollutants proposed would impose additional monitoring and reporting requirements on the applicant, at substantial additional cost, but without significant benefit. Additionally, not all pollutants on these lists have been assigned numeric criteria. Moreover, available information reviewed by EPA does not indicate that these chemicals occur with either sufficient frequency or at high enough concentrations in typical POTW effluents to support their inclusion among pollutants for which monitoring is proposed to be uniformly required.

Under today's proposal, in proposed 122.21(j)(3)(v), permit writers would have the option to require monitoring and reporting for any other potentially toxic chemicals for which the authority has a reasonable basis to suspect that such materials may be contained in POTW effluents. Such basis could include the presence of industrial users known to release chemicals not included among the pollutants for which routine analyses are otherwise required. EPA invites comments on all aspects of this proposal that would allow for case-by-case information requests that might otherwise extend the time involved in streamlined permit issuance procedures.

In addition, EPA solicits comment on whether to require applicants to summarize and report, as part of the application process, analytical results for any toxic pollutant determined during the three-year period preceding the application to be a known or likely constituent of the facility's discharge. That is, when an applicant has reason to know or suspect the presence of other

toxic constituents in their effluents, its reporting requirements would not necessarily be limited either to the general list of toxic pollutants provided by proposed Appendix J, Tables 1 and 2, or to specific monitoring requirements placed on the applicant by the permitting authority. EPA considers results from toxic release inventory (TRI) as providing one likely basis for information that could cause applicants to initiate additional effluent monitoring analyses during the application process.

Finally, the Agency is interested in providing flexibility where POTWs can demonstrate that the risk of occurrence of pollutants in the discharge is sufficiently small. The Agency seeks comment on whether POTWs could be exempted from providing information on specific pollutants where there are statistically valid data to allow the permitting authority to predict the absence of particular pollutants. In addition, EPA solicits comments on the appropriateness of exempting POTWs from providing information about certain contaminants which are detectable in only a small fraction of POTWs (e.g., less commonly occurring metals such as antimony) and which would not be expected to occur based on other data about the POTW or the indirect discharge.

Other approaches to collecting pollutant data were considered for proposal. EPA solicits comment on each of these, as follows:

#### *A. Types of Industrial Contributors*

This approach would have required monitoring for specific pollutants, depending on the identity of industrial users discharging to the POTW. Although this approach was supported by a number of commenters in the course of our outreach efforts, it appeared to be too difficult to implement for non-pretreatment POTWs. Non-pretreatment POTWs are not required to do user inventories of, for example, all categorical industries, and thus would probably be unaware of what monitoring data to provide. On the other hand, pretreatment POTWs would be required to provide entire priority pollutant scans if they had only 2-3 different types of industries. The Agency solicits comment on how, specifically, such an approach would work and how it would benefit applicants and provide permit writers with appropriate information.

#### *B. TRI as a Basis for Determining Additional Pollutants for Sampling*

It was suggested that we use TRI data to determine what additional pollutants for which to require sampling. Although

industrial user TRI reports are not currently provided to POTWs by TRI-reporting industries, such reporting could be required, for example, through the pretreatment program. Of course, permit writers may always request TRI data from EPA. At issue is whether the applicant should be required to provide additional monitoring data for pollutants reported through TRI. The Agency solicits comment as to whether this approach might be feasible and whether it would provide useful information to the permit writer that is not otherwise available.

#### *C. Existing Pollutant Data from SIUs*

In order to obtain information on pollutants that occur in POTW discharges in low concentrations, permit writers could make use of information provided to POTWs by SIUs during the term of the existing permit. The Agency solicits comment on this approach, and is particularly interested in whether such information could be provided in lieu of requiring end-of-pipe effluent data for certain pollutants (e.g., dioxin, pesticides, or other organic chemicals received principally from industrial sources).

#### *D. Ambient Data*

Another issue considered was whether or not to require POTWs to provide the results of ambient monitoring as part of the permit application. Although some have suggested that this information would be helpful for implementation of the watershed approach, States were generally opposed to requiring POTWs to collect ambient data. The view was expressed that it is the permitting authority's responsibility to collect this information, and not the POTW's responsibility to provide it. Nevertheless, the Agency is interested in soliciting comment as to whether such data should be required.

#### *E. Bioaccumulation Data*

Although analytical methods to assess bioaccumulation in the aquatic biota are available, they are costly compared to approved test methods for pollutants in effluent. Since WET tests are an indirect indicator for human health risks, the Agency is not proposing to require bioaccumulation data from POTWs. However, such data are directly relevant to human health risk considerations. Therefore, the Agency solicits comment on whether to require bioaccumulation data. Because of cost considerations, the Agency also solicits comment as to what tradeoffs, in terms of other types of reporting, might make such an approach acceptable.

#### 4. Effluent Monitoring For Whole Effluent Toxicity

As discussed in the background section, the July 24, 1990, amendments to the General Pretreatment Regulations require that certain POTWs provide the results of whole effluent biological toxicity testing as part of their NPDES permit application (40 CFR 122.21(j)(1)-(3)). Such testing was required to have been conducted since the last NPDES permit reissuance or permit modification, under 40 CFR 122.62(a), whichever occurred later.

In today's proposed rule, EPA proposes to revise this provision. Proposed § 122.21(j)(4) sets forth these revised requirements. First, all POTWs are required to identify any biological tests the applicant believes to have been conducted within three years of the date of application.

Second, as in the existing regulation, the following POTWs would be required to conduct and provide the results of whole effluent biological toxicity (WET) tests:

(A) All POTWs with design influent equal to or greater than one million gallons per day;

(B) All POTWs with approved pretreatment programs or POTWs required to develop a pretreatment program;

(C) Other POTWs, as required by the Director, based upon consideration of the following factors:

(1) The variability of the pollutants or pollutant parameters in the POTW effluent (based on chemical-specific information, the type of treatment facility, and types of industrial contributors);

(2) The dilution of the effluent in the receiving water (ratio of effluent flow to receiving stream flow);

(3) Existing controls on point or non-point sources, including total maximum daily load calculations for the water body segment and the relative contribution of the POTW;

(4) Receiving stream characteristics, including possible or known water quality impairment, and whether the POTW discharges to a coastal water, one of the Great Lakes, or a water designated as an outstanding natural resource; or

(5) Other considerations (including but not limited to the history of toxic impact and compliance problems at the POTW), which the Director determines could cause or contribute to adverse water quality impacts.

The Agency specifically solicits comment on whether the requirement to conduct WET testing should be extended to other POTWs. The Agency is considering several options, including:

(1) requiring all minor POTWs not covered under the above criteria to submit the results of a minimum of one WET test, so as to allow the permitting authority to scan for minor POTWs that may have toxicity problems; and

(2) where a State has identified a watershed as a priority watershed, requiring one or more WET tests for all POTWs discharging to the watershed.

Third, the Agency proposes to require WET tests for each outfall from the treatment works (not including CSOs), with exceptions for identical outfalls similar to those proposed for pollutant specific data, as discussed above. Proposed § 122.21(j)(4) would require that data be separately provided for each outfall through which treated sanitary effluent is discharged to waters of the United States. EPA proposes to allow the applicant, where the POTW has two or more outfalls with substantially identical effluents discharging to the same receiving stream, and with the approval of the permitting authority on a case-by-case basis, to provide the results of WET testing from only one outfall as representative of all such outfalls. For outfalls to be considered substantially identical, they should at a minimum be located at the same treatment plant, be subject to the same level of treatment and have passed through the same types of treatment processes. The Agency solicits comment on this approach and, particularly, on whether WET test data should be separately collected from all such outfalls.

The existing WET testing requirements do not specify the number or frequency of tests required, the number of species to be used, or whether to provide the results of acute or chronic toxicity tests. Proposed § 122.21(j)(4) sets minimum reporting requirements of four quarterly tests for a year, using multiple species (no less than two species, e.g., fish, invertebrate, plant), and testing for acute or chronic toxicity, depending on the range of receiving water dilution. This proposal is based in part on Agency guidance, and in part on Agency experience in the implementation of that guidance.

In March 1991, EPA issued guidance establishing Agency policy for WET testing protocols (see "Technical Support Document for Water Quality-Based Toxics Control (1991)," or "TSD"). In that document, the Agency recommended "as a minimum that three species (for example, a vertebrate, an invertebrate, and a plant) be tested quarterly for a minimum of a year" (see, TSD p. 58). In making this recommendation, the Agency explained that the use of three species is more

protective than two species since a wider range of species sensitivity can be measured. In practice, however, a number of permitting authorities are only requiring the use of two species. Since existing requirements for using three species are less common, the Agency proposes to require the use of "multiple species." The Agency proposes this as a minimum requirement, and does not intend it as a change in the policy recommendations outlined in the TSD.

In setting a minimum frequency of quarterly testing for a year, the Agency indicated that this was recommended to adequately assess the variability of toxicity observed in effluents, as follows:

Below this minimum, the chances of missing toxic events increase. The toxicity test result for the most sensitive of the tested species is considered to be the measured toxicity for a particular effluent sample.

The data generation recommendations \* \* \* represent minimum testing requirements. Since uncertainty regarding whether or not an effluent causes toxic impact is reduced with more data, EPA recommends that this test frequency be increased where necessary to adequately assess effluent variability. If less frequent testing is required in the permit, it is preferable to use three species tested less frequently than to test the effluent more frequently with only a single species whose sensitivity to the effluent is not well characterized. (TSD, p. 59)

It is the Agency's understanding that many permitting authorities currently require quarterly testing. While other permitting authorities require less frequent monitoring, at least from some facilities, in many instances such information is being collected on a yearly basis. This proposal would only require one cycle of quarterly testing within three years of the date of the permit application (i.e., only once in five years). The Agency solicits comment on whether this is an appropriate frequency, and specifically whether permitting authorities should be allowed to waive quarterly testing on a case-by-case basis. Commenters should indicate what specific criteria would have to be met for such a waiver.

The current whole effluent toxicity testing requirements, at § 122.21(j), do not specify whether applicants should test for acute or chronic toxicity. An acute toxicity test is defined as a test of 96-hours or less in duration in which lethality (of the test organism) is the measured endpoint. A chronic toxicity test is defined as a long-term test in which sublethal effects, such as fertilization, growth, and reproduction, are usually measured, in addition to lethality. (TSD, p.4.)

The Agency proposes that testing for acute or chronic toxicity be based upon the ratio of receiving water to effluent at the edge of the mixing zone. The term "mixing zone" refers to an area around an outfall within which a State may allow ambient concentrations above water quality criteria levels. States may have two or more mixing zones (e.g., an acute mixing zone, beyond which acute criteria must be met, and a chronic mixing zone, beyond which chronic criteria must be met). Not all States allow calculation of effluent limitations using mixing zones, and mixing zones are not universally allowed by States that do allow use of mixing zones. For purposes of determining whether acute or chronic toxicity testing is appropriate, the ratio of receiving water to effluent should be considered at the point nearest to the outfall where water quality criteria are required to be met. This proposal incorporates the recommendations of the 1991 TSD, which stated that applicants should conduct acute or chronic testing based upon the following dilutions:

(A) Acute toxicity testing if the dilution of the effluent is greater than 1000:1 at the edge of the mixing zone;

(B) Acute or chronic toxicity testing if the dilution of the effluent is between 100:1 and 1000:1 at the edge of the mixing zone. Acute testing may be more appropriate at the higher end of this range (1000:1), and chronic testing may be more appropriate at the lower end of this range (100:1); and

(C) Chronic testing if the dilution of the effluent is less than 100:1 at the edge of the mixing zone. (See TSD, pp. 58–59.) In order to determine the proper dilution ratio, measurement should be made at the point where chronic criteria apply. Thus, where there is a chronic mixing zone, the dilution ratio should be measured at the edge of the chronic mixing zone. It may be inappropriate to use an acute test if there is too little dilution.

Although the Agency is not proposing to require that applicants follow these recommendations, the Agency believes that they are reasonable, based on the discussion in the TSD. For example, with regard to the use of chronic toxicity testing where the dilution ratio falls below 100:1, the Agency stated, "[t]he rationale for this recommendation is that chronic toxicity has been observed in some effluents down to the 1.0 percent effect concentration. Therefore, chronic toxicity tests, although somewhat more expensive to conduct, should be used directly in order to make decisions about toxic impact." (TSD, p. 59.) The Agency solicits comment as to whether these

recommendations should instead be added as requirements in the final rule.

The whole effluent toxicity testing requirements that currently exist, at § 122.21(j), do not specify which information must be reported as a result of such testing. To clarify reporting requirements for the applicant and the permit writer, EPA today proposes specific reporting requirements in § 122.21(j)(4). First, applicants required to perform WET tests under the proposed rule are required to indicate the number of tests performed since permit reissuance and since any modification of the permit pursuant to 40 CFR 122.62(a). It is up to the permitting authority to determine whether previously submitted results provide the equivalent of the information proposed to be required. Proposed § 122.21(j)(4)(v) sets forth in detail the information that the Agency believes will provide the permit writer with adequate information to determine whether the test was conducted in accordance with EPA methods and protocols and whether the reported results are otherwise valid. The Agency solicits comment on whether the information requested is the proper information to require or whether other information should be required, including for purposes of quality assurance. As in the current regulatory requirements, in conducting the testing, applicants must use EPA-approved methods. The Agency solicits comment on this approach.

Where biomonitoring data have been submitted to the permitting authority within three years of the permit application, applicants would be required to provide the dates on which such data were submitted and a summary of the results of each such test. Where any WET test conducted within three years prior to the permit application reveals toxicity, proposed § 122.21(j)(4)(vi) would require that applicants, at a minimum, provide any information they may have on the cause of toxicity. Further, applicants would be required to provide written details of any toxicity reduction evaluation conducted. Toxicity reduction evaluations (TREs) are used to investigate the causes and sources of toxicity and identify the effectiveness of corrective actions to reduce it. The purpose of a TRE is to help bring dischargers into compliance with water quality-based whole effluent toxicity requirements where monitoring indicates unacceptable effluent toxicity. The permitting authority may require a permittee to conduct a TRE in those cases where the discharger is unable to adequately explain and immediately

correct non-compliance with a whole effluent toxicity permit limit or requirement. TREs may be required of permittees under existing permits or through a variety of other legally binding mechanisms. Since the results from TREs may have considerable impact in the evaluation of municipal permit applications, this kind of information would need to be available to the permit writer. It is recommended that applicants conducting a TRE at the time of permit application would provide a brief summary of the status and results from the ongoing TRE.

The Agency solicits comment on all of the above proposed revisions to the existing WET test requirements.

##### 5. Industrial Discharges, Pretreatment, and RCRA/CERCLA Waste

Today's proposed rule would require applicants to provide information on industrial (non-domestic) discharges to the POTW, particularly discharges from significant industrial users (SIUs). This information is to be required by proposed § 122.21(j)(5).

Proposed § 122.21(j)(5)(i) would require the applicant to list the total number of significant industrial users (SIUs) and categorical industrial users discharging to the POTW, to estimate the average daily flow from these users and from all industrial (non-domestic) users, and to estimate the percent of total influent contributed by each class of users. This information provides the permit writer with a means of determining the relative impact, individually and collectively, of industrial contributions to the POTW.

As defined in 40 CFR 403.3, the term "industrial user" means "a source of indirect discharge," which in turn is defined as the introduction of pollutants into a POTW from any non-domestic source regulated under sec. 307(b), (c), or (d) of the CWA. In general, this term encompasses industrial and commercial sources of toxic pollutants discharging to POTWs. Commercial entities such as hospitals, nursing homes, restaurants, offices, and stores may be included.

A categorical industrial user is any discharger subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N. "Significant industrial user" is defined at 40 CFR 403.3(t) as any categorical industrial user and any other industrial user that:

- (1) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater);
- (2) contributes a process wastestream which makes up 5 percent or more of

the average dry weather hydraulic or organic capacity of the POTW; or

(3) is designated as such by the control authority (40 CFR 403.12(a)) because of a reasonable potential to adversely affect the POTW's operation or violate pretreatment requirements.

Proposed § 122.21(j)(5)(ii) would require POTWs with approved pretreatment programs to describe any substantial modifications to the POTW's pretreatment program that have not yet been approved in accordance with 40 CFR 403.18. EPA is considering revising the pretreatment regulations to streamline approved program requirements. Such revisions may make the need for this information unnecessary.

Proposed § 122.21(j)(5)(iii) would require information on individual significant industrial users (SIUs) discharging to POTWs. This provision is similar to questions currently found on Standard Form A. The Agency desires to incorporate into the final rule provisions that reduce duplication of effort. One possible way is to allow the applicant to reference substantially similar information about SIUs previously submitted to the permitting authority rather than to resubmit the information. The Agency solicits comments on using this approach in the final rule and suggestions of other possible options. EPA is also considering whether to waive, either entirely or on a case-by-case basis, such reporting for any POTW with an approved pretreatment program under 40 CFR Part 403 that submits an annual report within the year preceding its application to the extent that the annual report contains information equivalent to that required in proposed Section M. The Agency solicits comment on this question.

The proposed provision requires POTWs to provide the following information for each SIU: Name and mailing address, description of the industrial processes affecting the discharge, principal products and raw materials, average daily volume of process and non-process wastewater discharged, and whether the SIU is subject to local limits or categorical pretreatment standards. The description of each SIU's industrial activity and its principal products and raw materials alerts the permit writer to the potential presence of pollutants in the discharge in concentrations that may be of concern to the POTW, and can be useful in establishing permit limits. Information on the average daily volume of process wastewater discharged helps the permit writer to estimate pollutant loads to the POTW. Knowing the

volume of non-process wastewater discharged will alert both the permit writer and the POTW to the possibility of hydraulic overload to the system, and will help the POTW minimize such occurrences.

Currently, Standard Form A requires the applicant to identify the quantities of product manufactured and raw materials used by each SIU. The Agency is not proposing to require this information in today's proposal because neither the amount of production nor the amount of raw materials used necessarily correlates directly to the toxicity of the waste stream. For example, the SIU might use all of the raw material and release little into the waste stream. The Agency is instead requesting a narrative description of products and raw materials involved in the industrial activity.

Standard Form A also requires the applicant to characterize each SIU's industrial discharge. Although this information may be necessary to establish permit limits at some POTWs, this question appears to be unnecessary. In many cases, the permit writer is able to determine parameters of concern from the principal products and raw materials for that industrial user. In other cases the permit writer may request this information on a case-by-case basis.

The proposed provision would also require the applicant to describe any problems at the POTW attributable to wastewater discharged by SIUs. Identification of such problems is necessary to set permit limits for pollutants that the POTW might not adequately remove, and should lead to other strategies for control of toxic pollutants, such as: more stringent local limits or other pretreatment requirements; best management practices, if the toxic pollutants appear to be from diffuse sources; or toxicity reduction evaluations (TRES), if toxicity testing shows that the effluent causes an excursion above water quality standards in the receiving stream. Instances of pass through and interference identified in this step will alert the permit writer to violations of the POTW's NPDES permit.

#### 6. Discharges From Hazardous Waste Sources

Proposed § 122.21(j)(6) would require applicants to provide general information concerning discharges of RCRA hazardous wastes to POTWs and discharges from hazardous waste cleanup or remediation sites. The purpose of this information is to alert the permit writer to potential concerns

regarding the constituents of such discharges.

Proposed § 122.21(j)(5)(i) would require the applicant to provide information about any hazardous wastes, as defined under Subtitle C of the Resource Conservation and Recovery Act (RCRA), or authorized State law, that are delivered to the facility by truck, rail, or dedicated pipe. This requirement does not apply to RCRA hazardous wastes discharged to a sewer system that mix with domestic sewage before reaching the POTW, because the Domestic Sewage Exclusion (sec. 1004(27) of RCRA) provides that solid or dissolved material in domestic sewage is not solid waste as defined in RCRA, and therefore is not a hazardous waste.

If the POTW receives RCRA hazardous waste by truck, rail, or dedicated pipe, the applicant must list, for each waste received, the hazardous waste number, quantity, and method by which it is received. The permit writer would use this information to coordinate appropriate RCRA requirements including, where appropriate, additional permit terms to address such requirements. In addition, this information will enable permitting authorities to identify potential impacts in the POTW's discharge.

In order to establish appropriate permit requirements, the permit writer also needs to be aware of wastewaters discharged to the POTW that originate from remedial activities conducted under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the RCRA corrective action program, or other authorities. POTWs are sometimes used for the disposal of wastewaters generated during remediation of CERCLA (Superfund) sites or during RCRA corrective action activities at industrial facilities. Paragraphs (ii)-(iv), in proposed § 122.21(j)(6), would require the applicant to identify wastewaters from remedial activities known or expected to be received during the life of the permit, the origin of such wastes and the treatment, if known, that such wastes receive prior to entering the POTW. This information is intended to help the permit writer decide whether to establish additional monitoring or permit requirements for the effluent and sewage sludge.

#### 7. Combined Sewer Overflows

In developing permit requirements to meet BAT/BCT using BPJ and to meet applicable water quality standards for CSO discharges, the permit writer requires certain information. To ensure that the permit writer has the necessary

information, EPA proposes to require information that reflects the Agency's 1994 CSO Control Policy (see discussion in background section). This paragraph is intended to complement, and not overlap, other reporting that POTWs may be required to provide by the NPDES authority in accordance with the CSO Control Policy.

Proposed § 122.21(j)(7)(i) would require information about the combined sewer system (CSS), including a system map and system diagram that describe the relevant features of the system. Applicants are also required to identify the number of CSO discharge points to be covered by the permit application. Because municipalities with CSOs often have more than one treatment plant, different POTW permits may include different outfalls from their CSS.

Similarly, proposed § 122.21(j)(7)(ii) would require that applicants provide information on each outfall specifically covered by the application. This includes some locational information similar to that for outfalls of treated effluent in proposed § 122.21(j)(2), paragraphs (i) and (ii). As discussed previously, this sort of locational data is consistent with Agency policy concerning the reporting of such information. It also provides permitting authorities with a means of locating dischargers within the U.S. Soil Conservation Service watershed categorization system, a State's river basin categorization system, and the U.S. Geological Survey cataloging scheme.

This provision would also require information about any monitoring conducted on the outfall by the applicant and any CSO incidents that occurred in the year previous to the permit application. Finally, proposed § 122.21(j)(7)(ii)(E) would require the permittee to identify any significant industrial users (see discussion on pretreatment and industrial user information) that contribute to the CSO and to describe any known water quality impacts, such as beach or shellfish bed closings and fish kills. The Agency considers this to be a minimal amount of information to be provided to the permit writer, inasmuch as the permit writer must have adequate information to specifically authorize discharges at each of the identified outfalls.

#### 8. Contractors

Proposed § 122.21(j)(8) would require the applicant to identify all contractors responsible for any operation or maintenance aspects of the POTW and to specify such contractors' responsibilities. This information

enables the permit writer to determine who has primary responsibility for the operation and maintenance of the POTW, and thus determine whether a contractor should be included on the permit as a co-permittee.

#### 9. Certification

Proposed § 122.21(j)(9) would require the signature of a certifying official in compliance with 40 CFR 122.22, which requires the signature of a certifying official on all NPDES applications. The certification would apply to all attachments identified on the application form, as well as any others included by the applicant.

#### 10. Revision to Pretreatment Program Requirements

Existing § 122.21(j)(iv) requires applicants with a pretreatment program to provide a technical evaluation of the need to revise local limits, under 40 CFR 403.5(c)(1). Since 1990, when that requirement was promulgated, the Agency has received numerous requests to change the provision to make it effective after the date of permit issuance. The concern has been raised that a POTW most needs to review its local limits after permit reissuance, when new permit limits are in place, rather than prior to permit reissuance.

The Agency agrees with these comments and proposes to make this change. In order to be clear, the provision has been reworded and is proposed to be moved to 40 CFR 403.8(f)(4), with the existing POTW pretreatment program requirements. The Agency solicits comment on this approach.

#### C. Application Requirements for TWTDS (40 CFR 122.21(q))

Under § 122.21(d)(3)(ii), POTWs and other treatment works treating domestic sewage (TWTDS) are currently required to submit the sewage sludge information listed at § 501.15(a)(2) with their permit applications. Today EPA proposes regulatory language at § 122.21(q) to update the information that must be reported. Proposed revised § 501.15(a)(2) would reference the requirements of proposed § 122.21(q). EPA also proposes a new form, Form 2S, for collection of this information. Section (q) would require all TWTDS, except "sludge-only" facilities, to report information regarding sewage sludge generation, treatment, use, and disposal. The permitting authority may also require a "sludge-only" facility to submit a permit application containing this information. These proposed new requirements are intended to clarify existing sewage sludge application

requirements, as necessary to implement the Agency's Part 503 standards for sewage sludge use or disposal.

As with the proposed POTW application requirements, the Agency does not wish to require redundant reporting by TWTDS. Thus, the Agency is proposing to allow a waiver for information required to be reported under § 122.21(q) similar to that proposed for § 122.21(j). This would allow the Director to waive any requirements in proposed paragraph (q) if the Director has access to substantially identical information. The Agency solicits comment on this approach and the proposed conditions for allowing such a waiver.

Also as with the proposed POTW application requirements, the Agency also solicits comment on ways to allow the permit writer or permitting authority discretion in waiving particular information where the permitting authority determines that such information is not necessary for the application. In other words, there may be flexible ways to look at each applicant in light of the overall "matrix of characteristics" regarding a particular facility. Where, for example, historical data indicate that additional sampling is not warranted unless other conditions have changed, the Agency is considering waiving such sampling. Such flexibility would involve a holistic approach to implementing these proposed requirements, and the Agency solicits comment as to ways in which it could be accomplished without making these provisions entirely discretionary, so that one could predict the exercise of discretion. This might be particularly relevant on the second and subsequent rounds of permitting under these proposed provisions. The Agency also seeks comment on what information might be appropriate and what information might be inappropriate for such waivers.

#### 1. Facility Information

Proposed § 122.21(q)(1) would require summary information on the identity, size, location, and status of the facility. Proposed paragraph (ii) would request that the facility location be described by latitude and longitude to the nearest second. This information meets the specifications of EPA's Locational Data Policy and supports the Watershed Protection Approach, by providing permit writers and other Federal and State environmental managers with a means of geographically locating potential sources of polluted runoff. EPA believes that this change would

merely clarify, without expanding, an existing reporting requirement.

## 2. Applicant Information

Proposed § 122.21(q)(2) would require information concerning the identity of the applicant and its status as a Federal, State, private, public, or other entity.

## 3. Permit Information

Proposed § 122.21(q)(3) restates the § 501.15(a)(2)(v) requirement that the applicant list the facility's NPDES permit number and any other permit numbers or construction approvals received or applied for under various authorities.

## 4. Federal Indian Reservations

Proposed § 122.21(q)(4) clarifies existing § 501.15(a)(2)(iv), which asks only "whether the facility is located on Indian Lands." A sewage sludge use or disposal permit, however, may cover activities occurring beyond the boundaries of the "facility." Therefore, the proposed paragraph asks whether any generation, treatment, storage, land application, or disposal of sewage sludge occurs on a Federal Indian Reservation. EPA believes that this information will better enable the permit writer to identify the proper permitting authority and applicable requirements.

## 5. Topographic Map

Proposed § 122.21(q)(5) would require the applicant to submit the following information on a topographic map (or maps) depicting the area one mile beyond the property boundaries of the TWTDS: All sewage sludge management facilities, all water bodies, and all wells used for drinking water listed in public records or otherwise known to the applicant within 1/4 mile of the property boundaries. This proposed requirement is different from the existing topographic map requirement at § 501.15(a)(2)(vi) in that the proposed requirement asks for information on use and disposal sites rather than just disposal sites. EPA believes that it is just as important to get information on land application sites as on disposal sites. Neither the existing nor the proposed requirements request a map for sites that extend more than a mile beyond the TWTDS's property boundary. The permitting authority could request maps of all use or disposal sites if they believe that this information is necessary to develop adequate permits. EPA requests comments on whether maps should be required for all use or disposal sites, or whether this requirement should be modified in some other way.

## 6. Sewage Sludge Handling

Proposed § 122.21(q)(6) would require the applicant to prepare a flow diagram, and/or a narrative description that identifies all sewage sludge management practices (including on-site storage) to be employed during the life of the permit. EPA believes that this information is necessary because the applicant may employ sewage sludge management practices not covered under the more specific questions proposed in today's rule. To draft a complete permit, the permit writer must be aware of all sewage sludge storage, use, or disposal practices that may have an adverse affect on public health and the environment. EPA requests comments on whether more specific information about on-site and off-site storage of sewage sludge should be required of permit applicants.

## 7. Sewage Sludge Quality

Currently, § 501.15(a)(2)(vii) requires applicants to report "any sludge monitoring data the applicant may have." However, this requirement neither identifies the parameters that must be reported nor provides a mechanism for reporting this information. Proposed Form 2S and § 122.21(q)(7) would address this need by requiring monitoring data for specific parameters in sewage sludge that is used or disposed.

Proposed paragraph (i) of § 122.21(q)(7) would require all Class I sludge management facilities to submit the results of at least one toxicity characteristic leaching procedure (TCLP) conducted during the last five years to determine whether the sewage sludge is a hazardous waste. The TCLP is described in 40 CFR Part 261, Appendix II, and is a method for determining whether a solid waste exhibits the characteristic of toxicity, in accordance with 40 CFR 261.24. 40 CFR Part 503 does not establish requirements for the use or disposal of sewage sludge determined to be hazardous under the procedures in Appendix II of 40 CFR Part 261 and § 261.24. Hazardous sewage sludge must be used or disposed of in accordance with the hazardous waste regulations in 40 CFR Parts 261–268, or authorized State law. Using the results of the hazardous waste test, the permitting authority will determine which requirements apply to the use or disposal of the applicant's sewage sludge. EPA requests comments on whether facilities should be allowed to use a method other than a TCLP to show that their sewage sludge is non-hazardous and whether non-Class I

sludge management facilities should be required to perform a TCLP.

Proposed paragraph (ii) of § 122.21(q)(7) would require all applicants to submit data on individual pollutants in the sewage sludge. Existing data could be submitted if it were two years old or less. EPA is proposing a two-tier approach for collection of pollutant data that is based on whether the treatment works has an industrial wastewater pretreatment program.

Under the two-tier approach, Class I sludge management facilities would submit sewage sludge data for the pollutants listed in proposed 40 CFR Part 122, Appendix J, Table 2 ("Effluent and Sewage Sludge Parameters for Selected POTWs and Treatment Works Treating Domestic Sewage") and Table 3 ("Other Effluent and Sewage Sludge Parameters for Treatment Works Treating Domestic Sewage and Selected POTWs") and for other selected pollutants, as part of the application for a permit for the use or disposal of sewage sludge. Other TWTDS would be required to submit data for the pollutants regulated in Part 503 and for other selected pollutants.

*a. Class I sludge management facilities.* A Class I sludge management facility is any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) and any TWTDS classified as a Class I sludge management facility because of the potential for the TWTDS's sewage sludge use or disposal practice to affect public health and the environment adversely. Under today's proposal a Class I sludge management facility would submit sewage sludge concentration data for all the priority pollutants, except asbestos, as listed in Tables 2 and 3 of Appendix J; for the Part 503 pollutants; and for total kjeldahl nitrogen (TKN), ammonia, nitrate, and phosphorus (total).

EPA is proposing to require Class I sludge management facilities to submit data on the priority pollutants because they are known to have adverse effects on human health and the environment and are of concern to the general public. Since sewage sludge from Class I sludge management facilities has an industrial component, it is important to reassure the public that this sewage sludge will not cause harm if it is used or disposed according to Part 503. A pollutant scan every five years should help promote the beneficial use of sewage sludge by demonstrating its quality. If any pollutants that are not regulated by Part 503 show up in the scan, the results would enable the permitting authority to determine whether additional permit

conditions (i.e., in addition to the requirements in Part 503) are necessary to protect public health and the environment.

Many Class I sludge management facilities are already required by their pretreatment program to monitor their sewage sludge for these pollutants. In addition, many State sewage sludge programs require monitoring for some or all of these pollutants. EPA seeks comments on this approach.

Section 405(d) of the CWA contemplates a phased approach to establishing numerical limits for pollutants in sewage sludge that is used or disposed. Moreover, sec. 405(d)(2)(D) of the CWA provides that "[f]rom time to time, but not less often than every 2 years, the Administrator shall review the regulation \* \* \* for the purpose of identifying additional pollutants and promulgating regulations for such pollutants \* \* \*."

The Standards for the Use or Disposal of Sewage Sludge that were published on February 19, 1993, constitute Round One of EPA's sewage sludge standards program. The Agency has identified a tentative list of pollutants for which limits will be established in a Round Two regulation (i.e., an amendment to the Round One regulation) and has announced a tentative schedule for the publication of that amendment.

Pollutants on the tentative list for the Round Two regulation include acetic acid (2,4,-dichlorophenoxy), aluminum, antimony\*, asbestos, barium, beryllium\*, boron, butanone (2-), carbon disulfide, cresol (p-), cyanide (soluble salts and complexes)\*, dioxin/dibenzofuran (all monochloro to octochloro congeners), endsulfan-II, fluoride, manganese, methylene chloride\*, nitrate\*, nitrite\*, pentachloronitrobenzene, phenol\*, phthalate (bis-2-ethylhexyl)\*, polychlorinated biphenyls (co-planar), propanone (2-), silver\*, thallium\*, tin, titanium, toluene\*, trichlorophenoxyacetic acid (2,4,5-), trichlorophenoxypropionic acid ([2-(2,4,5-)], and vanadium. EPA has indicated that it retains the discretion either to add to or delete pollutants from the above list of pollutants.

The Agency is considering adding the above pollutants to the list of pollutants for which data have to be submitted by Class I sludge management facilities with a permit application. Eleven of the above pollutants are included in Tables 2 or 3 of proposed Appendix J or are nutrients (see pollutants marked with an asterisk). Therefore, this approach would require that Class I sludge management facilities submit data for 20

additional pollutants. The Agency requests comments on this proposal.

*b. All TWTDS.* Part 503 contains pollutant limits for ten inorganic pollutants for sewage sludge that is land applied (subpart B), three inorganic pollutants for sewage sludge placed on an unlined surface disposal site (subpart C), and five inorganic pollutants for sewage sludge fired in a sewage sludge incinerator (subpart E). There are no pollutant limits in Part 503 for sewage sludge placed on a lined surface disposal site or for sewage sludge placed in a municipal solid waste landfill unit.

The pollutants for which limits are included in Part 503 are arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc. Part 503 also contains an operational standard for pathogens (i.e., fecal coliform, *Salmonella* sp. bacteria, enteric viruses, and viable helminth ova) and for total hydrocarbons (THC). The operational standards for pathogens are values that can not be exceeded in sewage sludge and the operational standard for THC is a value that can not be exceeded in the air emissions for a sewage sludge incinerator stack.

With today's rulemaking, EPA proposes that applicants for a sewage sludge use or disposal permit submit sewage sludge concentration data for all of the Part 503 inorganic pollutants. The permitting authority needs to determine whether a TWTDS can change its use or disposal practice if the need arises. Data for all of the Part 503 pollutants will help the permitting authority make that determination.

The Agency is aware that many TWTDS employ only one sewage sludge use or disposal practice, and that such treatment works may object to submitting data for pollutants that are not regulated for that practice. Nevertheless, EPA believes that the additional information burden to collect and submit data for all of the Part 503 pollutants is offset by the value of the data to the permitting authority. The Agency solicits comments on whether an applicant should be required to submit data only for the pollutants regulated for the TWTDS's use or disposal practice.

As indicated previously, EPA also proposes that all applicants submit sewage sludge data for TKN, ammonia, nitrate-nitrogen, and total phosphorus with a permit application. In addition, the percent solids of the sewage sludge that is used or disposed of would have to be reported. Percent solids is required to ensure that all sewage sludge data can be converted to dry weight values.

Information on the nitrogen and phosphorus content of sewage sludge is needed for several reasons. One important use of the nitrogen data is to help the permit writer to evaluate the design of the agronomic rate for a land application site. Part 503 requires that sewage sludge be land applied at a rate that is equal to or less than the agronomic rate for the application site. The Agency also can use the data on nutrients in sewage sludge in future considerations as to whether to establish limits for nitrogen and phosphorus in sewage sludge.

The Agency is also considering adding certain pathogens to the list of pollutants for which data would be required with an application. These include *Salmonella* sp. bacteria, enteric viruses, and viable helminth ova. Part 503 contains density levels for these microorganisms that cannot be exceeded in sewage sludge that is used or disposed. In addition to pathogens, the Agency is also considering requesting data for fecal coliform, which is used in Part 503 as a pathogen indicator. The permitting authority would use these data to determine whether the sewage sludge meets the Class A or Class B pathogen requirements in Part 503. Pathogen data only would have to be submitted by persons who land apply or place sewage sludge in a surface disposal site. EPA is seeking comments on this issue as part of today's proposal.

Results of current efforts within the Agency may require that limits be established prior to the Round Two sewage sludge regulation, for dioxin/dibenzofuran and co-planar polychlorinated biphenyls (PCBs) in sewage sludge that is used or disposed. Dioxin/dibenzofuran is a carcinogen that is highly toxic in low concentrations. Because the chemical structure of co-planar PCBs is similar to the chemical structure of dioxin/dibenzofuran, they are expected to have similar human health effects (i.e., toxic in low concentrations). Data for these two pollutants could be used to develop Part 503 limits for these pollutants or to evaluate the Part 503 limits. For this reason, the Agency is considering requesting all TWTDS to submit data for these pollutants with a sewage sludge permit application. EPA seeks comments on whether TWTDS who are not Class I sludge management facilities should be required to submit data on these two pollutants.

#### 8. Requirements for a Person Who Prepares Sewage Sludge

Proposed § 122.21(q)(8) identifies permit application information that a person who prepares sewage sludge for

use or disposal would be required to submit. A "person who prepares," as defined at 40 CFR 503.9(r), is "either the person who generates sewage sludge during the treatment of domestic sewage in a treatment works or the person who derives a material from sewage sludge." This section would thus pertain to any POTW or other treatment works that generates sewage sludge. It also would include facilities (such as composting operations) that receive sewage sludge from another facility and then derive a material from that sewage sludge.

Paragraphs (i) and (ii) of proposed § 122.21(q)(8) would request information on the amount of sewage sludge "prepared" at the facility. This includes the amount generated (paragraph (i)) plus any other amount that is received from off-site (paragraph (ii)). These paragraphs are intended to clarify the existing requirement at § 501.15(a)(2)(x), which tells the applicant to report annual sludge production volume. Paragraph (ii) would also solicit information on sewage sludge treatment practices at any off-site facility from which sewage sludge is received. The off-site facility providing the sewage sludge is, by definition, also a "person who prepares," and, therefore, would also be subject to sludge permitting requirements. EPA believes that information on the delivering facility enables the permit writer to assess the quality of sewage sludge received by the applicant. It also fosters more appropriate allocation of permit requirements between the applicant's facility and an off-site "person who prepares."

As in the case of the Municipal Application regulations, the Agency desires to incorporate into the final rule provisions that reduce duplication of effort. One possible way is to allow the applicant to reference substantially similar information previously submitted to a permitting authority rather than resubmit the information. The Agency solicits comments on using this approach in the final rule and suggestions of other possible options.

Before sewage sludge is applied to the land or placed on an active sewage sludge unit, it must meet the requirements for pathogen reduction in § 503.32 and for vector attraction reduction in § 503.33. Therefore, paragraph (iii) of proposed § 122.21(q)(8) would request information on sewage sludge treatment processes at the applicant's facility, including pathogen or vector attraction reduction processes. The permit writer needs to know whether pathogen and vector attraction reduction requirements

are met at the applicant's facility and thus should be addressed in the applicant's permit. If these requirements are not met by the applicant, pathogen and vector attraction reduction must be met by a subsequent "person who prepares" or the owner/operator of a surface disposal site.

"Exceptional quality" (EQ) sewage sludge must meet the ceiling concentrations in 40 CFR 503.13(b)(1), the pollutant concentrations in § 503.13(b)(3), the Class A pathogen requirements in § 503.32(a), and one of the vector attraction reduction requirements in § 503.33 (b)(1) through (b)(8). Because of its high quality, "EQ" sewage sludge is not subject to the general requirements of § 503.12 or the management practices of § 503.14. Therefore, fewer permitting and permit application requirements pertain to facilities generating such sewage sludge. Proposed paragraph (iv) of § 122.21(q)(8) would ask for the amount of sewage sludge that is applied to the land. EPA believes that this information is all that is needed to develop sewage sludge conditions for such a facility. Under paragraph (iv), the applicant would not need to provide the other, more-detailed, information in proposed § 122.21(q)(8) paragraphs (v) and (vi) for sewage sludge meeting "EQ" criteria.

The existing requirement at § 501.15(a)(2)(viii) asks for the "name of any distributors when the sludge will be disposed of through distribution and marketing." This requires the names of any facilities that sell or give away "EQ" sewage sludge. EPA believes that "EQ" sewage sludge should be treated similarly to other fertilizers. Thus, the Agency believes that the names of distributors should not be required and is proposing to delete the requirement at § 501.15(a)(2)(viii). The Agency seeks comments on this approach.

Paragraph (v) of proposed § 122.21(q)(8) would seek information on sewage sludge that is not "EQ," but is nevertheless placed in a bag or other container for sale or give-away for application to the land. Under Part 503, such sewage sludge must meet the Class A pathogen requirements in § 503.32(a) and one of the vector attraction reduction requirements in § 503.33(b)(1) through (8). In addition, the sewage sludge must meet either the pollutant concentrations in Table 3 of § 503.13 or the annual pollutant loading rates (APLRs) in Table 4 of § 503.13. If this sewage sludge meets the Table 3 pollutant concentrations, it is "EQ" sewage sludge and thus would be subject to proposed paragraph (iv). Proposed paragraph (v) would only apply to sewage sludge subject to the

Table 4 APLRs that is placed in a bag or other container for application to the land. EPA proposes to require that the applicant employing this type of sewage sludge use provide the volume of sewage sludge placed in bags or other containers and a copy of all labels or notices that accompany the product being sold or given away.

Paragraph (vi) of proposed § 122.21(q)(8) would seek information about any other "person who prepares" who receives sewage sludge from the applicant's facility. This information helps the permit writer to identify which permit requirements should apply to the applicant and whether the subsequent preparer needs to obtain a permit. Paragraphs (C) and (E) of proposed paragraph (vi) would provide the permit writer with necessary information on the quality of the sewage sludge that is ultimately land applied. This information also enables the permit writer to identify activities of the subsequent "person who prepares" that may subject the applicant to additional regulation or permit requirements. Therefore, these requirements would ensure that the sewage sludge will meet all applicable Part 503 requirements at the time of land application, regardless of the number of parties involved. One possible way to obtain this information is to allow the applicant to reference substantially similar information previously submitted to a permitting authority rather than resubmit the information. The Agency solicits comments on using this approach in the final rule and suggestions of other possible options.

#### 9. Land Application of Bulk Sewage Sludge

Proposed § 122.21(q)(9) would request information on sewage sludge that is land applied in bulk form. This section would apply only where the applicant's permit must contain all applicable Part 503 requirements for land application. This section would not apply if the applicant generates "EQ" sewage sludge subject to proposed § 122.21(q)(8)(iv), or if the applicant places sewage sludge in a bag or other container for sale or give-away for application to the land subject to proposed § 122.21(q)(8)(v). In neither of these cases is it necessary to control the ultimate land application through a permit and thus the applicant would not need to provide this information as part of the application. The section also would not apply if the applicant provides sewage sludge to another "person who prepares" subject to proposed § 122.21(q)(8)(vi). In this case, the ultimate land application would be

controlled by the subsequent "person who prepares."

Paragraph (i) of proposed § 122.21(q)(9) would clarify the existing requirement at § 501.15(a)(2)(x) which tells the applicant to report annual sludge production volume. Paragraph (ii) asks how the applicant will satisfy the § 503.12(i) notification requirement for land application sites in a State other than the State where the sewage sludge is prepared.

Paragraph (A) of proposed § 122.21(q)(9)(iii) would ask the applicant to identify the land application site. This question would request locational information which supports the Watershed Protection Approach, by providing permit writers and other Federal and State environmental managers with a means of geographically locating potential sources of polluted runoff.

Paragraphs (B) and (C) of proposed § 122.21(q)(9)(iii) would ask the applicant to identify the land application site owner and applier, if different than the applicant. EPA believes that this information is necessary in order to ensure that the permit is issued to the correct party. These proposed paragraphs would clarify and expand on existing requirements at § 501.15(a)(2)(viii).

One of the land application management practices in § 503.14 mandates that bulk sewage sludge shall not be applied to land at greater than the agronomic rate. Therefore, paragraphs (D) and (E) of proposed § 122.21(q)(9)(iii) would ask the applicant to identify the type of land application site, the type of vegetation grown on that site, if known at the time of permit application, and the vegetation's nitrogen requirement. This information enables the permit writer to calculate an appropriate permit management practice regarding agronomic rate. EPA recognizes that different crops may be grown on a site during the life of a permit. If the crop for a site is not known or likely to change, the applicant should submit whatever information is available.

Paragraph (F) of proposed § 122.21(q)(9)(iii) would request information on vector attraction reduction measures undertaken at the land application site. Before sewage sludge is applied to the land, it must meet the requirements for vector attraction reduction in § 503.33. These measures may be undertaken either by the "person who prepares" sewage sludge or by the operator of the land application site.

Paragraph (G) of proposed § 122.21(q)(9)(iii) would ask the

applicant to submit any existing ground-water monitoring data for the land application site. Section 503.14(d) states that bulk sewage sludge may not be applied to land at greater than the agronomic rate. Section 503.11(b)(2) explains that "agronomic rate" is the whole sludge application rate that minimizes the amount of nitrogen that passes below the root zone and into the ground water. EPA believes that permitting authorities need to review existing ground-water monitoring data for land application sites in order to ensure that sewage sludge application rates are appropriately protective of ground water.

Section 501.15(a)(2)(ix) asks for information necessary to determine if the site is appropriate for land application and a description of how the site will be managed. This requirement could be interpreted in different ways. Today's rule attempts to clearly specify the site management requirements in proposed paragraphs (D)-(G) of proposed § 122.21(q)(9)(iii). The permitting authority could request other site management information if it is needed to identify appropriate permit conditions.

Proposed § 122.21(q)(9)(iv) would request information that the permitting authority needs in order to verify whether the § 503.12(e)(2)(i) requirement for appliers of bulk sewage sludge subject to cumulative pollutant loading rates (CPLRs) has been met. A cumulative pollutant loading rate, as defined in § 503.11(f) is "the maximum amount of an inorganic pollutant that can be applied to an area of land." This information enables EPA to ensure that the CPLRs are not exceeded when more than one facility is sending sewage sludge subject to CPLRs to the same site.

Proposed § 122.21(q)(9)(v) restates the requirement in existing § 501.15(a)(2)(ix) for information on land application sites not identified at the time of permit application.

#### 10. Surface Disposal

Proposed § 122.21(q)(10) requests information on sewage sludge that is placed on a surface disposal site. By definition, a sewage sludge surface disposal site is a TWTDS. Many surface disposal site owner/operators, however, would not have to complete this section, but would instead submit the limited background information required by § 122.21(c)(2)(iii). The applicant would be required to provide the information requested by proposed § 122.21(q)(10) only if the surface disposal site were already covered by an NPDES permit; if the owner/operator were requesting site-specific pollutant limits; or if the

permitting authority were requiring a full application.

Paragraph (i) of proposed § 122.21(q)(10) would clarify the existing requirement at § 501.15(a)(2)(x) which tells the applicant to report annual sludge production volume. Paragraph (ii) of proposed § 122.21(q)(10) would require that the applicant provide the name or number, address, telephone number, and amount of sewage sludge placed on each surface disposal site that the applicant does not own or operate. This paragraph would clarify and expand on existing requirements at § 501.15(a)(2)(viii). EPA believes that this information is necessary in order to ensure that the permit is issued to the correct party.

Paragraph (iii) of proposed § 122.21(q)(10) would request detailed information on each active sewage sludge unit at each surface disposal site that the applicant owns or operates. A "sewage sludge unit" is defined in § 503.21(n) as "land on which only sewage sludge is placed for final disposal." A "surface disposal site" is "an area of land that contains one or more sewage sludge units." Information on each active sewage sludge unit is necessary because Part 503 provides for different pollutant limits, monitoring requirements, and management practices for each unit. This information enables the permitting authority to establish proper permit conditions.

Paragraph (l) of § 122.21(q)(10)(iii) would request information on sewage sludge sent to the active sewage sludge unit by any facility other than the applicant's. This information helps the permit writer to determine which requirements apply to the surface disposal site owner/operator and which apply to the facility which sends sewage sludge to the surface disposal site. As previously mentioned, one way to reduce duplicate reporting, is to allow the applicant to reference substantially similar information already submitted to a permitting authority. The Agency solicits comments on using this approach in the final rule and suggestions for other options.

Paragraph (J) of proposed § 122.21(q)(10)(iii) would request information on vector attraction reduction measures undertaken at the active sewage sludge unit. Before sewage sludge is placed on an active sewage sludge unit, it must meet the requirements for vector attraction reduction in § 503.33. Since vector attraction reduction measures may be performed either by the facility preparing sewage sludge or by the surface disposal site owner/operator, EPA believes that both should be

required to supply information on their practices.

Section 503.24(n)(2) requires surface disposal sites to demonstrate by way of a ground-water monitoring program or certification that sludge placed on an active sewage sludge unit does not contaminate the underlying aquifer. In order to ensure that this requirement is implemented, paragraph (K) of proposed § 122.21(q)(10)(iii) would request information on ground-water monitoring programs or certifications. Because many communities rely on ground water as a source of drinking water, EPA believes that this information is necessary to protect public health and the environment.

After August 18, 1993, only surface disposal sites showing good cause may apply for site-specific pollutant limits. Paragraph (L) of proposed § 122.21(q)(10)(iii) would request the information necessary for the permit writer to determine whether such site-specific limits are warranted. This information would include a demonstration that the values for site parameters at the applicant's site differ from those used to develop the surface disposal pollutant limits in Part 503.

#### 11. Incineration

Proposed § 122.21(q)(11) would request information on sewage sludge that is fired in a sewage sludge incinerator. According to § 503.41(k), a sewage sludge incinerator is "an enclosed device in which only sewage sludge and auxiliary fuel are fired." A sewage sludge incinerator is a TWTDS and is required to submit a full permit application.

Paragraph (i) of proposed § 122.21(q)(11) would clarify the existing requirement at § 501.15(a)(2)(x) which tells the applicant to report annual sludge production volume. Paragraph (ii) of proposed § 122.21(q)(11) would require that the applicant provide the name or identifying number, address, telephone number, and amount of sewage sludge fired in each sewage sludge incinerator that the applicant does not own or operate. This paragraph would clarify existing requirements at § 501.15(a)(2)(viii). EPA believes that this information is necessary in order to ensure that the permit is issued to the correct party.

Paragraph (iii) of proposed § 122.21(q)(11) would request detailed information on each sewage sludge incinerator that the applicant owns or operates. Paragraph (B) of proposed paragraph (iii) would request the total amount of sewage sludge fired annually in each incinerator. This information is

necessary because the monitoring requirements for sewage sludge incinerators are based on the total amount fired.

Paragraphs (C) and (D) of proposed § 122.21(q)(11)(iii) would request information on compliance with the beryllium and mercury National Emissions Standards for Hazardous Air Pollutants (NESHAPs). Section 503.43 paragraphs (a) and (b) require compliance with these standards through a cross-reference to 40 CFR Part 61 subparts C and E. If the incinerator is required to perform stack testing, these paragraphs would require the applicant to submit a report of that testing.

Under § 503.43, the pollutant limits applicable to each sewage sludge incinerator are calculated based on factors unique to each incinerator. Paragraphs (E), (F), and (G) of proposed § 122.21(q)(11)(iii) would require each applicant to submit these factors for their incinerator(s). Calculating pollutant limits on an individual basis allows the actual performance of each incinerator and actual site conditions, such as topography, to be taken into account. EPA believes that this is more appropriate than mandating national pollutant limitations for sewage sludge incinerators.

In the development of Part 503, EPA determined that it would be infeasible to establish individual limits for each hydrocarbon in sewage sludge incinerator exit gas. Instead, the Agency adopted a 100 ppm total hydrocarbon (THC) limit and required continuous THC monitoring to show compliance. Part 503 was amended, on February 25, 1994 (59 FR 9095), to allow sewage sludge incinerators whose exit gas does not exceed 100 ppm carbon monoxide (CO) to show compliance with the THC operational standard by monitoring CO instead of THC. Paragraphs (H), (I), and (J) of proposed § 122.21(q)(11)(iii) would request the incinerator information necessary to establish the correct hydrocarbon monitoring requirements.

Many of the incinerator's site-specific factors that are used to calculate pollutant limits and compliance with the operational standard are highly dependent on the temperature at which the incinerator is operated and the rate at which sewage sludge is fed into the incinerator. For most incinerators, these parameters are determined during an initial performance test. In order to appropriately calculate pollutant limits and ensure appropriate pollutant limits and that the incinerator is operated within the parameters of the original performance test, EPA needs to know the information in paragraphs (K)

through (O) of proposed § 122.21(q)(11)(iii).

Paragraphs (P) and (Q) of proposed § 122.21(q)(11)(iii) would request information on the monitoring equipment and air pollution control devices installed on the incinerator. Information on this equipment is necessary to ensure that the facility complies with the management practices at § 503.45.

#### 12. Disposal in a Municipal Solid Waste Landfill

Proposed § 122.21(q)(12) would request information on sewage sludge that is sent to a municipal solid waste landfill (MSWLF). Section 503.4 states that sewage sludge sent to a MSWLF that complies with the requirements in 40 CFR Part 258 constitutes compliance with sec. 405(d) of the CWA. The questions in § 122.21(q)(12) are necessary to ensure the availability of accurate information about a MSWLF and the sewage sludge that is sent there.

Paragraphs (i) and (ii) of proposed § 122.21(q)(12) would clarify existing requirements at § 501.15(a)(2)(v), (viii), and (x) that request information on other permits, the location of disposal sites, and the annual sludge production volume. Paragraph (iii) would request information on the sewage sludge quality to ensure that it is acceptable for a MSWLF. Paragraph (iv) would request available information on whether the MSWLF is in compliance with Part 258.

#### 13. Contractors

Proposed § 122.21(q)(13) would require the applicant to provide contractor information. The applicant would be required to identify all contractors responsible for any operation or maintenance aspects of the TWTDS, and specify their responsibilities. The permitting authority uses this information to determine who has primary responsibility for the operation and maintenance of the TWTDS.

#### 14. Other Information

Proposed § 122.21(q)(14) would require the applicant to report any information necessary to determine the appropriate standards for permitting under 40 CFR Part 503, and any other information the permitting authority may request and reasonably require to assess the sewage sludge use and disposal practices, to determine whether to issue a permit, or to identify appropriate permit requirements. This paragraph restates the existing requirements in § 501.15(a)(2)(xi) and (xii).

## 15. Signature

Proposed § 122.21(q)(15) would require that a certifying official sign the form in compliance with 40 CFR 122.22. This would ensure that the person signing the form has the authority to speak for and legally bind the permittee.

## IV. Paperwork Reduction Act

The information collection requirements in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* An Information Collection Request document has been prepared by EPA (ICR No. 0226.13) and a copy may be obtained from Sandy Farmer, Information Policy Branch; EPA; 401 M St., S.W. (Mail code 2136); Washington, DC 20460; or by calling (202) 260-2740.

This collection of information has an estimated reporting burden averaging 10.7 hours per response, including annual recordkeeping burden. These estimates include time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Information Policy Branch; EPA; 401 M St., S.W. (Mail Code 2136); Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA." The final rule will respond to any OMB or public comments on the information collection requirements contained in this proposal.

## V. Executive Order 12866

Under Executive Order 12866 (58 FR 51735 (October 4, 1993)), the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order."

Pursuant to the terms of Executive Order 12866, it has been determined that this rule is a "significant regulatory action" because it may adversely affect local governments by incrementally increasing permit application costs. As such, this action was submitted to OMB for review. Changes made in response to OMB suggestions or recommendations will be documented in the public record.

## VI. Executive Order 12875

Under Executive Order 12875 (58 FR 58093 (October 28, 1993)), no executive agency shall promulgate any regulation that is not required by statute and that creates a mandate upon a State, local, or tribal government, unless:

(a) Funds to pay the direct costs associated with the regulation are provided by the Federal Government, or

(b) The agency, prior to promulgation, provides OMB a description of its consultation with representatives of the affected governments, the nature of their concerns, any written communications submitted to the agency by them, and the agency's position supporting the need for the regulation. Each agency is also required to develop an effective process to permit elected officials and other representatives of these governments an opportunity to provide meaningful and timely input on significant unfunded mandates.

As discussed above ("Public Consultation in the Development of Today's Proposal," at I.H.), the Agency consulted with States, local governments, and other parties in the development of this proposed rule. This is further discussed in the discussion below ("Unfunded Mandates Reform Act of 1995 and Consultation with State, Local, and Tribal Governments," at VII).

## VII. Unfunded Mandates Reform Act of 1995 and Consultation With State, Local, and Tribal Governments

Title II of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), Public Law 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the Unfunded Mandates Act, EPA generally must prepare a written statement, including a cost-benefit analysis, for

rules with Federal mandates that may result in expenditures to State, local, and tribal governments in the aggregate, or to the private sector, of \$100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the Unfunded Mandates Act generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted.

Under section 203 of the Unfunded Mandates Act, EPA must develop a small government agency plan before it establishes regulatory requirements that may significantly or uniquely affect small governments, including tribal governments. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

EPA has determined that this rule does not include a Federal mandate that may result in expenditures of \$100 million or more to either State, local and tribal governments in the aggregate, or to the private sector in any year. To the extent enforceable duties arise as a result of today's proposed rule on State, local and tribal governments, such enforceable duties do not result in a significant regulatory action being imposed upon State, local and tribal governments since the estimated aggregate cost of compliance for them is not expected to exceed \$5.7 million annually. Thus, today's proposed rule is not subject to the written statement requirement in section 202 of the Act.

In compliance with E.O. 12875, which requires the involvement of State, local and tribal governments in the development of certain Federal regulatory actions, EPA conducted a wide outreach effort and actively sought the input of representatives of State, local, and tribal governments in the process of developing the proposed rule. Agency personnel have communicated with State and local representatives in

a number of different forums. For example, EPA staff involved in development of today's proposed rule invited comments on earlier drafts of the proposed rulemaking, forms, and instructions from States and local governments both directly and through organizations such as the Association of Metropolitan Sewerage Agencies (AMSA), the Water Environment Federation (WEF), and the California Association of Sanitation Agencies (CASA). In response to these efforts, the Agency was able to communicate directly, including through meetings and telephone communications, with representatives of a number of interested State and local representatives, including representatives of more than twenty-five local governments. Cities represented in a telephone conference arranged through WEF included Price (UT), Owosso (MI), Saginaw (MI), Rockwood (MI), Grand Rapids (MI), Roseburg (OR), Central Marin San. Dist. (CA), Little Rock (AR), Dallas (TX), Northeast Ohio Regional Sewer Dist. (OH). Cities represented in a meeting with AMSA representatives included Detroit (MI), Boise (ID), City of Los Angeles (CA), Phoenix (AZ), Passaic Valley (NJ); Middleton (NJ), Hampton Roads (VA), Orange County (CA), Anchorage (AK), and Alexandria (VA). Other discussions were held individually with representatives of local governments. The Agency received written comments from AMSA, several cities, and a number of States. In the comments received from States, a number of issues were raised concerning possible impacts on local governments. EPA invited, but did not receive, written comments from the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA) and the National League of Cities.

Once the proposed rule is finalized, the Agency intends to provide information through a variety of sources, and to educate and advise local governments concerning compliance with the proposed requirements. In the Communication Plan prepared for this proposal, the Agency has outlined which organizations EPA will contact directly concerning the proposal. The same parties will also be contacted directly regarding the final rulemaking. The communication plan is available in the record supporting this proposal. The Agency seeks to assist, educate, and advise applicants on how to comply with the permit application requirements primarily through the instructions to the proposed forms, and seeks comment as to how the

instructions could be improved. Additionally, the Agency intends to provide training for permit writers, so that they can assist, educate, and advise applicants on an as-needed basis when completing their applications.

#### VIII. Regulatory Flexibility Act

The Regulatory Flexibility Act (Pub. L. 96-354) requires Federal agencies to consider the effect of proposed rules on small entities. Agencies must consider alternatives to proposed rules that would minimize the economic impact on small entities so long as these alternatives are consistent with the stated objective of the statute under which such rules are developed. However, the requirements of the Regulatory Flexibility Act do not alter standards otherwise applicable to agency action. For example, section 405 of the CWA requires EPA to promulgate regulations that are adequate to protect public health or the environment against reasonably anticipated adverse effects.

In developing these proposed regulations, EPA considered the effects of the proposed regulations on small entities. The regulatory flexibility analysis (RFA) conducted for this proposed rule meets the requirements specified in the "Guidelines for Implementing the Regulatory Flexibility Act" (U.S. EPA, Office of Regulatory Management and Evaluation and Office of Policy, Planning, and Evaluation, April 1992).

Most of the applicants that would be required to complete the municipal and sludge application forms, if finalized, are small entities. For the purposes of the RFA, EPA employs the definition of small government entities that was originally advanced in a related rulemaking. See U.S. EPA, "Regulatory Impact Analysis of the Part 503 Sewage Sludge Regulation," November 25, 1992, for a complete discussion of the development of this definition. For the purposes of this rule, the term "small government entities" is considered to mean small POTWs. Small POTWs are defined as POTWs processing less than 1 million gallons per day (mgd) of wastewater. POTWs of this size generally serve a population of 10,000 people or less. This definition is consistent with the designation of major and minor POTWs under the NPDES program.

The estimate of the number of small POTWs subject to both sets of proposed application requirements is based on the number of minor POTWs. Also, for the purposes of the RFA, the Agency conservatively assumed that all "sludge-only" POTWs are small entities.

Generally, treatment facilities serving large populations (greater than 10,000) generate effluent of sufficient volume that it must be discharged to waters of the U.S., and thus require an NPDES permit. The Agency also assumed for purposes of the RFA that all privately owned treatment facilities are small entities. Overall, EPA estimates that nearly 70 percent of municipal applicants and 74 percent of sludge applicants are small entities.

EPA considered a range of regulatory options for the proposed forms. In this proposal, the Agency has developed a two-tier approach for municipal applicants and a two-tier approach for sludge applicants. Applicants are categorized according to size and whether or not they are required to have a pretreatment program. Under each regulatory option considered, less stringent standards are required for smaller facilities that are less likely to pollute and have a lower capacity to absorb large monitoring costs.

The costs of complying with the proposed application requirements would consist entirely of paperwork and testing costs associated with completing the forms and collecting the required information. Therefore, the costs for these activities estimated in the ICR for this proposed rule are used in the RFA. The five-year compliance cost estimates for POTWs applying for NPDES permits (i.e., for both sets of application requirements) range from \$681 to \$3,627 for small POTWs under the four regulatory options under consideration for the municipal permit application and the three regulatory options under consideration for the sludge application requirements. The five-year compliance cost estimates for the various options under this proposed rule range from approximately \$507 to \$2,849 for small privately owned treatment works. These costs would represent between 0.06 and 0.31 percent of the average annual revenues of small POTWs and small privately owned treatment works. As a percent of average household expenditures on sewage treatment, these figures would range between 0.10 and 0.54 percent for small POTWs and small privately owned treatment works. The five-year compliance costs for sludge-only facilities (i.e., paperwork costs associated with the proposed sludge application requirements) range from \$375 to \$2,809 under the three regulatory options under consideration for small POTWs and from \$299 to \$2,849 for privately owned treatment works. These costs would represent well below 0.5 percent of both the average annual revenues for small treatment works (public and private) and of the

average annual household costs for sewage treatment. Thus, impacts on small treatment facilities and their customers are not expected to be severe.

List of Subjects

40 CFR Part 122

Environmental protection, Administrative practice and procedure, Confidential business information, Reporting and recordkeeping requirements, Sewage disposal, Waste treatment and disposal, Water pollution control.

40 CFR Part 123

Confidential business information, Hazardous materials, Reporting and recordkeeping requirements, Sewage disposal, Waste treatment and disposal, Water pollution control, Penalties.

40 CFR Part 403

Confidential business information, Reporting and recordkeeping requirements, Waste treatment and disposal, Water pollution control.

40 CFR Part 501

Confidential business information, Environmental protection, Reporting and recordkeeping requirements, Publicly owned treatment works, Sewage disposal, Waste treatment and disposal.

Dated: November 2, 1995.

Carol M. Browner,  
Administrator.

For the reasons set forth in the preamble, EPA proposes to amend 40 CFR Chapter I as follows:

**PART 122—EPA ADMINISTERED PERMIT PROGRAMS: THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

\* \* \* \* \*

1. The authority citation for part 122 continues to read as follows:

Authority: Clean Water Act, 33 U.S.C. 1251 et seq.

2. Section 122.2 is amended by revising the definition for "Publicly owned treatment works ("POTW")" and adding a definition for "TWTDS" in alphabetical order to read as follows:

**§ 122.2 Definitions.**

\* \* \* \* \*

*Publicly owned treatment works ("POTW")* means a treatment works as defined by section 212 of the CWA, which is owned by a "State" or "municipality" (as defined by section 502(4) of the CWA). This definition includes any devices and systems used in the storage, treatment, recycling and

reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant, as defined in § 403.3(p) of this chapter. The term also means the municipality as defined in section 502(4) of the CWA, which has jurisdiction over the Indirect Discharges, as defined in § 403.3(g) of this chapter, to and the discharges from such a treatment works.

\* \* \* \* \*

*TWTDS* means treatment works treating domestic sewage.

\* \* \* \* \*

3–6. Section 122.21 is amended by revising paragraph (c)(2)(i) through (iii) introductory text, paragraph (d)(3), the introductory text of paragraph (f), paragraph (j) and by adding paragraph (q) before the notes to read as follows:

**§ 122.21 Application for a permit (applicable to State programs, see § 123.25).**

\* \* \* \* \*

(c) \* \* \*

(2) *Permits under section 405(f) of CWA.* (i) Any existing treatment works treating domestic sewage (TWTDS) required to have site-specific pollutant limits, or requesting such limits, as provided in 40 CFR Part 503, must submit the permit application information required by paragraph (d)(3)(iii) of this section within 180 days after publication of a standard applicable to its sewage sludge use or disposal practice(s). After this 180-day period, TWTDS may only apply for site-specific pollutant limits for good cause and such requests must be made within 180 days of becoming aware that good cause exists.

(ii) Any TWTDS with a currently effective NPDES permit, not addressed under paragraph (c)(2)(i) of this section, must submit the application information required by paragraph (d)(3)(iii) of this section at the time of its next NPDES permit renewal application. Such information must be submitted in accordance with paragraph (d) of this section.

(iii) Any other existing TWTDS not addressed under paragraphs (c)(2)(i) or (ii) of this section must submit the information listed in paragraphs (c)(2)(iii)(A) through (E) of this section, to the Director within 1 year after publication of a standard applicable to its sewage sludge use or disposal practice(s), using Form 2S or another form approved by the Director. The Director shall determine when such TWTDS must apply for a permit.

\* \* \* \* \*

(d) \* \* \*

(3)(i) All applicants for EPA-issued permits, other than POTWs, new sources, and TWTDS, must complete Forms 1 and either 2B, 2C, or 2E of the consolidated permit application forms to apply under § 122.21 and paragraphs (f), (g), (h), and (i) of this section.

(ii) All POTWs must submit the application information required by paragraph (j) of this section, within the time periods established in paragraph (c)(2) of this section, using Form 2A or another form approved by the Director. All POTWs applying for EPA-issued permits must complete Form 2A.

(iii) All TWTDS, except "sludge-only facilities" subject to paragraph (c)(2)(iii) of this section, must submit the application information required by paragraph (q) of this section, within the time periods established in paragraph (c)(2) of this section, using Form 2S or another form approved by the Director. All such applicants applying for EPA-issued permits must complete Form 2S.

\* \* \* \* \*

(f) *Information requirements.* All applicants for NPDES permits, other than POTWs and other TWTDS, shall provide the following information to the Director, using the application form provided by the Director (additional information required of applicants is set forth in paragraphs (g) through (k) of this section).

\* \* \* \* \*

(j) *Application requirements for new and existing POTWs.* Unless otherwise indicated, all POTWs shall provide, at a minimum, the information in this paragraph (j) to the Director, using Form 2A or another application form provided by the Director. The Director may waive any requirement of this paragraph if the Director has access to substantially identical information.

(1) *Basic application information.* All applicants shall provide the following information:

(i) *Facility information.* Name, mailing address, and location of the facility for which the application is submitted;

(ii) *Applicant information.* Name, mailing address, and telephone number of the applicant, and indication as to whether the applicant is the facility's owner, operator, or both;

(iii) *Existing environmental permits.* Identification of all environmental permits or construction approvals received or applied for (including dates) under any of the following programs:

(A) Hazardous Waste Management program under the Resource Conservation and Recovery Act (RCRA), subpart C of this part;

(B) UIC program under the Safe Drinking Water Act (SDWA);

(C) NPDES program under Clean Water Act (CWA);

(D) Prevention of Significant Deterioration (PSD) program under the Clean Air Act;

(E) Nonattainment program under the Clean Air Act;

(F) National Emission Standards for Hazardous Pollutants (NESHAPS) preconstruction approval under the Clean Air Act;

(G) Ocean dumping permits under the Marine Protection Research and Sanctuaries Act;

(H) Dredge or fill permits under section 404 of the CWA; and

(I) Other relevant environmental permits, including State permits;

(iv) *Population*. The name and population of each municipal entity served by the facility, including unincorporated connector districts;

(v) *Flow rate*. The facility's design flow rate and annual average daily flow rate for each of the previous 3 years;

(vi) *Collection system*. Identify type(s) of collection system(s) used by the treatment works (i.e., separate sanitary sewers or combined storm and sanitary sewers) and an estimate of the percent of sewer line that each type comprises;

(vii) *Inflow and infiltration*. The current average daily flow rate volume of inflow and infiltration, in gallons per day, and steps the facility is taking to minimize inflow and infiltration;

(viii) *Topographic map*. A topographic map (or other map if a topographic map is unavailable) extending at least one mile beyond property boundaries of the treatment plant, including all unit processes, and showing:

(A) Treatment plant area and unit processes;

(B) The pipes or other structures through which wastewater enters the treatment plant and the pipes or other structures through which treated wastewater is discharged from the treatment plant. Include outfalls from bypass piping, if applicable;

(C) Each well where fluids from the treatment plant are injected underground;

(D) Wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant within the map area;

(E) Sewage sludge management facilities (including on-site treatment, storage, and disposal sites) within the property boundaries; and

(F) Location at which waste classified as hazardous under RCRA enters the treatment plant by truck, rail, or dedicated pipe;

(ix) *Process flow diagram or schematic*.

(A) A diagram showing the processes of the treatment plant, including all bypass piping. This includes a water balance showing all treatment units, including disinfection, and showing daily average flow rates at influent and discharge points, and approximate daily flow rates between treatment units; and

(B) A narrative description of the diagram;

(x) *Bypasses*. The following information for each outfall that is a discharge from a bypass point:

(A) The actual or approximate number of wet-weather and dry-weather bypass incidents in the twelve months prior to the date of the permit application;

(B) The actual or approximate duration of each wet-weather or dry-weather bypass incident;

(C) The actual or approximate volume, in millions of gallons, of each wet-weather or dry-weather bypass incident; and

(D) The reason(s) why such bypasses occurred;

(xi) *Outfalls and other discharge or disposal methods*. The following information for outfalls to waters of the United States and other discharge or disposal methods:

(A) For effluent discharges to waters of the United States, the total number and types of outfalls (e.g. treated effluent, CSOs) to surface water;

(B) For wastewater discharged to surface impoundments:

(1) The location of each surface impoundment;

(2) The annual average daily volume discharged to each surface impoundment; and

(3) Whether the discharge is continuous or intermittent;

(C) For wastewater applied to the land:

(1) The location of each land application site;

(2) The size of each land application site, in acres;

(3) The annual average daily volume applied to each land application site, in gallons per day; and

(4) Whether land application is continuous or intermittent;

(D) For wastewater discharged to another facility:

(1) The means by which the discharge is transported;

(2) The name, mailing address, contact person, and phone number of the organization transporting the discharge, if the transport is provided by a party other than the applicant;

(3) The name, mailing address, contact person, phone number, and NPDES permit number (if any) of the receiving facility; and

(4) The average daily flow rate from this facility into the receiving facility, in millions of gallons per day; and

(E) For wastewater disposed of in a manner not included in paragraphs (j)(1)(ix) (A) through (D) of this section (e.g., underground percolation, underground injection):

(1) A description of the disposal method, including the location and size of each disposal site, if applicable;

(2) The annual average daily volume disposed of by this method, in gallons per day; and

(3) Whether disposal through this method is continuous or intermittent;

(xii) *Federal Indian reservations*.

Information concerning whether the facility is located on a Federal Indian Reservation or whether the facility discharges to a receiving stream that flows through a Federal Indian Reservation; and

(xiii) *Scheduled improvements, schedules of implementation*. The following information regarding scheduled improvements:

(A) The outfall number of each outfall affected;

(B) A narrative description of each required improvement;

(C) Scheduled or actual dates of completion for the following:

(1) Commencement of construction;

(2) Completion of construction;

(3) Commencement of discharge; and

(4) Attainment of operational level;

and

(D) A description of permits and clearances concerning other Federal and/or State requirements;

(2) *Information on effluent discharges*.

Each applicant must provide the following information for each outfall, including bypass points, through which effluent is discharged, as applicable:

(i) *Description of outfall*. The following information about each outfall:

(A) Outfall number;

(B) State, county, and city or town in which outfall is located;

(C) Latitude and longitude, to the nearest second;

(D) Distance from shore and depth below surface;

(E) Average daily flow rate, in million gallons per day;

(F) The following information for each outfall with a seasonal or periodic discharge:

(1) Number of times per year the discharge occurs;

(2) Duration of each discharge;

(3) Flow of each discharge; and

(4) Months in which discharge occurs; and

(G) Whether the outfall is equipped with a diffuser and the type (e.g., high-rate) of diffuser used;

(ii) *Description of receiving waters.* The following information (if known) for each outfall through which effluent is discharged to waters of the United States:

(A) Type (e.g., stream, river, lake, estuary, ocean) and name of receiving water;

(B) Name of watershed/river/stream system and United States Soil Conservation Service 14-digit watershed code;

(C) Name of State Management/River Basin and United States Geological Survey 8-digit hydrologic cataloging unit code; and

(D) Critical flow of receiving stream and total hardness of receiving stream at critical low flow (if applicable); and

(iii) *Description of treatment.* The following information describing the treatment provided for discharges from each outfall to waters of the United States:

(A) The highest level of treatment (e.g., primary, equivalent to secondary, secondary, advanced, other) that is provided for the discharge for each outfall and:

(1) Design biochemical oxygen demand (BOD<sub>5</sub> or CBOD<sub>5</sub>) removal (percent);

(2) Design suspended solids (SS) removal (percent); and, where applicable;

(3) Design phosphorus (P) removal (percent);

(4) Design nitrogen (N) removal (percent); and

(5) Any other removals that an advanced treatment system is designed to achieve.

(B) A description of the type of disinfection used, and whether the treatment plant dechlorinates (if disinfection is accomplished through chlorination);

(3) *Effluent monitoring for specific parameters.* (i) As provided in paragraphs (j)(3) (ii) through (x) of this section all applicants shall submit to the Director effluent monitoring information for samples taken from each outfall through which effluent is discharged to waters of the United States, except for CSOs. The Director may allow applicants to submit sampling data for only one outfall on a case-by-case basis, where the applicant has two or more outfalls with substantially identical effluent;

(ii) All applicants must sample and analyze for the pollutants listed in Appendix J of this part, Table 1;

(iii) The following applicants must sample and analyze for the pollutants listed in Appendix J of this part, Table 2, and for any other pollutants for which the State or EPA have established water

quality standards applicable to the receiving waters:

(A) All POTWs with a design influent flow rate equal to or greater than one million gallons per day;

(B) All POTWs with approved pretreatment programs or POTWs required to develop a pretreatment program; and

(C) Other POTWs, as required by the Director;

(iv) Unless otherwise required by the Director, applicants are not required to sample for the pollutants listed in Appendix J of this part, Table 3;

(v) The Director should require sampling for additional pollutants, as appropriate, on a case-by-case basis;

(vi) Applicants must provide data from a minimum of three samples taken within three years prior to the date of the permit application. Samples must be representative of the discharge from each outfall, and at least two samples should be at least four months, but no more than eight months apart. Existing data may be used, if available, in lieu of sampling done solely for the purpose of this application. The Director should require additional samples, as appropriate, on a case-by-case basis;

(vii) All existing data for pollutants specified in paragraphs (j)(3) (ii) through (v) of this section that is collected within three years of the application must be included with the pollutant data submitted by the applicant. If, however, the applicant samples for a specific pollutant on a monthly or more frequent basis, it is only necessary, for such pollutant, to provide all data collected within one year of the application;

(viii) Applicants must collect samples of effluent and analyze such samples for pollutants in accordance with analytical methods approved under 40 CFR part 136 unless an alternative is specified in the existing NPDES permit. When no analytical method is approved, applicants may use any suitable method and must provide a description of the method. Grab samples must be used for pH, temperature, cyanide, total phenols, residual chlorine, oil and grease, fecal coliform, *E. coli*, and enterococci. For all other pollutants, 24-hour flow-weighted composite samples must be used. For a flow-weighted composite sample, only one analysis of the composite of aliquots is required. A single grab sample may be taken for effluent from holding ponds or other impoundments, so long as they have a retention time of greater than 24 hours;

(ix) The effluent monitoring data provided must include at least the following information for each parameter:

(A) Maximum daily discharge, expressed as concentration or mass, based upon actual sample values;

(B) Average daily discharge for all samples, expressed as concentration or mass, based upon actual sample values, and the number of samples used to obtain this value;

(C) The analytical method used; and

(D) The threshold level (i.e., method detection limit, minimum level, or other designated method endpoints) for the analytical method used; and

(x) Unless otherwise required by the Director, metals must be reported as total recoverable;

(4) *Effluent monitoring for whole effluent toxicity.* (i) All applicants shall provide an identification of any biological toxicity tests that the applicant knows or has reason to believe have been made during the three years prior to the date of the application on any of the applicant's discharges or on a receiving water in relation to a discharge.

(ii) As provided in paragraphs (j)(4) (iii) through (ix) of this section, the following applicants shall submit to the Director the results of valid whole effluent biological toxicity tests for acute or chronic toxicity for samples taken from each outfall through which effluent is discharged to surface waters, except for combined sewer overflows:

(A) All POTWs with design influent flow rate equal to or greater than one million gallons per day;

(B) All POTWs with approved pretreatment programs or POTWs required to develop a pretreatment program; and

(C) Other POTWs, as required by the Director, based on consideration of the following factors:

(1) The variability of the pollutants or pollutant parameters in the POTW effluent (based on chemical-specific information, the type of treatment plant, and types of industrial contributors);

(2) The ratio of effluent flow to receiving stream flow;

(3) Existing controls on point or non-point sources, including total maximum daily load calculations for the receiving stream segment and the relative contribution of the POTW;

(4) Receiving stream characteristics, including possible or known water quality impairment, and whether the POTW discharges to a coastal water, one of the Great Lakes, or a water designated as an outstanding natural resource water; or

(5) Other considerations (including, but not limited to, the history of toxic impacts and compliance problems at the POTW) that the Director determines

could cause or contribute to adverse water quality impacts.

(iii) Where the POTW has two or more outfalls with substantially identical effluent discharging to the same receiving stream segment, the Director may allow applicants to submit whole effluent toxicity data for only one outfall on a case-by-case basis.

(iv) Each applicant required to perform whole effluent biological toxicity testing pursuant to paragraph (j)(4)(ii) of this section shall provide the results of a minimum of four quarterly tests for a year. Applicants shall conduct tests with multiple species (no less than two species; e.g., fish, invertebrate, plant), and test for acute or chronic toxicity, depending on the range of receiving water dilution. It is recommended that applicants conduct acute or chronic testing based on the following dilutions:

(A) Acute toxicity testing if the dilution of the effluent is greater than 1000:1 at the edge of the mixing zone;

(B) Acute or chronic toxicity testing if the dilution of the effluent is between 100:1 and 1000:1 at the edge of the mixing zone. Acute testing may be more appropriate at the higher end of this range (1000:1), and chronic testing may be more appropriate at the lower end of this range (100:1); and

(C) Chronic testing if the dilution of the effluent is less than 100:1 at the edge of the mixing zone.

(v) Each applicant required to perform whole effluent biological toxicity testing pursuant to paragraph (j)(4)(ii) of this section shall provide the number of chronic or acute whole effluent toxicity tests that have been conducted since the last permit reissuance.

(vi) Provide the results using the form provided by the Director, or test summaries if available and comprehensive, for each whole effluent toxicity test conducted pursuant to paragraph (j)(4)(ii) of this section for which such information has not been reported previously to the Director.

(vii) Whole effluent toxicity testing conducted pursuant to paragraph (j)(4)(ii) of this section shall be conducted using methods approved under 40 CFR part 136.

(viii) For biomonitoring data submitted to the Director within three years prior to the date of the application, applicants must provide the dates on which the data were submitted and a summary of the results.

(ix) Each POTW required to perform whole effluent biological testing pursuant to paragraph (j)(4)(ii) of this section must provide any information on the cause of toxicity and written details of any toxicity reduction

evaluation conducted, if any whole effluent toxicity test conducted within the past three years revealed toxicity.

(5) *Industrial discharges and pretreatment.* Applicants must submit the information in paragraphs (j)(5)(i) through (iii) of this section, as applicable, regarding industrial user discharges to the POTW.

(i) *General information.* General information on industrial users.

(A) Number of significant industrial users (SIUs) and categorical industrial users (CIUs) discharging to the POTW;

(B) Total average daily flow rate from all industrial (non-domestic) users, from SIUs, and from all CIUs discharging to the POTW; and

(C) Estimated percent of total influent contributed by all industrial (non-domestic) users, by SIUs only, by CIUs only, and by domestic sources discharging to the POTW.

(ii) *Pretreatment program and local limits.* POTWs with an approved pretreatment program under 40 CFR part 403 shall provide information concerning pretreatment program modifications that are required to be submitted but have not been approved in accordance with 40 CFR 403.18.

(iii) *Significant industrial users.* POTWs with one or more significant industrial users (SIUs) shall provide the following information for each SIU, as defined at 40 CFR 403.3(t), that discharges to the POTW:

(A) Name and mailing address;

(B) Description of all industrial processes that affect or contribute to the SIU's discharge;

(C) Principal products and raw materials of the SIU;

(D) Average daily volume of wastewater discharged, indicating the amount attributable to process flow and non-process flow;

(E) Whether the SIU is subject to local limits;

(F) Whether the SIU is subject to categorical standards, and if so, under which category(ies) and subcategory(ies); and

(G) Whether any problems at the POTW (e.g., upsets, pass through, interference) have been attributed to the SIU in the past three years;

(6) *Discharges from hazardous waste generators and from waste cleanup or remediation sites.* POTWs receiving RCRA, CERCLA, or RCRA Corrective Action wastes or wastes generated at another type of cleanup or remediation site must provide the following information:

(i) *RCRA hazardous waste.* If the POTW receives by truck, rail, or dedicated pipe any wastes that are regulated as RCRA hazardous wastes

pursuant to 40 CFR part 261, or authorized State, or if it is expected to receive such wastes during the life of the permit, the applicant must report the following:

(A) The method by which the waste is received (i.e., whether by truck, rail, or dedicated pipe); and

(B) The hazardous waste number and amount received annually of each hazardous waste;

(ii) *CERCLA wastewaters.* If the POTW receives wastewaters that originate from response activities undertaken pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), or if it is expected to receive such wastewaters during the life of the permit, the applicant must report the following:

(A) The identity and description of the site(s) at which the wastewater originates or is expected to originate;

(B) The identities of the hazardous constituents in the wastewater; and

(C) The extent of treatment, if any, the wastewater receives or will receive before entering the POTW;

(iii) *RCRA corrective action wastewaters.* If the POTW receives wastewaters that originate from remedial activities undertaken pursuant to sections 3004(u) or 3008(h) of RCRA, or authorized State, or if it is expected to receive such wastewaters during the life of the permit, the applicant must report the following:

(A) The identity and description of the facility(ies) at which the wastewater originates or is expected to originate;

(B) The identities of the hazardous constituents in the wastewater; and

(C) The extent of treatment, if any, the wastewater receives or will receive before entering the POTW; and

(iv) *Wastewaters from other remedial activities.* If the POTW receives wastewaters that originate from remedial activities other than those in paragraphs (j)(6) (ii) and (iii) of this section, the applicant shall provide a written description that includes the following information:

(A) The identity and description of the facility(ies) at which the wastewater originates or is expected to originate;

(B) The identities of the hazardous constituents in the wastewater; and

(C) The extent of treatment, if any, the wastewater receives or will receive before entering the POTW;

(7) *Combined sewer overflows.* Each applicant with combined sewer systems shall provide the following information:

(i) *Combined sewer system information.* The following information regarding the combined sewer system:

(A) *CSO discharge points.* The number of combined sewer overflow

(CSO) discharge points in the combined sewer system to be covered by the application;

(B) *System map.* A map indicating the location of the following:

- (1) All CSO discharge points;
- (2) Sensitive use areas potentially affected by CSOs (e.g., beaches, drinking water supplies, shellfish beds, sensitive aquatic ecosystems, and outstanding natural resource waters); and
- (3) Waters supporting threatened and endangered species potentially affected by CSOs;

(C) *System diagram.* A diagram of the combined sewer collection system that includes the following information:

- (1) The location of major sewer trunk lines, both combined and separate sanitary;
- (2) The locations of points where separate sanitary sewers feed into the combined sewer system;
- (3) In-line and off-line storage structures;
- (4) The locations of flow-regulating devices; and
- (5) The locations of pump stations; and

(D) *System evaluation.* A list of studies, including modeling studies, hydraulic studies, past monitoring efforts, and facility plans, that have been performed on the collection system since the last permit application; and

(i) *Information on CSO outfalls.* The following information for each CSO discharge point covered by the permit application:

- (A) *Description of outfall.* The following information on each outfall:
- (1) Outfall number;
  - (2) State, county, and city or town in which outfall is located;
  - (3) Latitude and longitude, to the nearest second; and
  - (4) Distance from shore and depth below surface;

(B) *Monitoring.* Indicate if any of the following were monitored in the past year for this CSO and provide the results of this monitoring:

- (1) Rainfall;
  - (2) CSO flow volume;
  - (3) CSO water quality;
  - (4) Receiving water quality; and
  - (5) The number of storm events;
- (C) *CSO incidents.* The following information about CSO incidents:
- (1) The number of incidents in the past year;
  - (2) The average duration per incident;
  - (3) The average volume per CSO incident; and

(4) The minimum rainfall that caused a CSO incident in the last year;

(D) *Description of receiving waters.* The following information about receiving waters:

(1) Name and type of receiving water (e.g., stream/river, lake/pond, estuary, ocean);

(2) Name of watershed/stream system and the United States Soil Conservation Service watershed (14-digit) code (if known); and

(3) Name of State Management/River Basin and the United States Geological Survey hydrologic cataloging unit (8-digit) code (if known); and

(E) *CSO operations.* The following information concerning CSO operations:

(1) Whether the CSO includes contributions from significant industrial users; and

(2) A description of any known water quality impacts on the receiving water caused by the CSO (e.g., permanent or intermittent beach closings, permanent or intermittent shellfish bed closings, fish kills, fish advisories, other recreational loss, or exceedance of any applicable State water quality standard);

(3) *Contractors.* All applicants shall provide the name, mailing address, telephone number, and responsibilities of all contractors responsible for any operational or maintenance aspects of the facility; and

(4) *Signature.* All applications shall be signed by a certifying official in compliance with § 122.22.

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(q) *Sewage sludge management.* All treatment works treating domestic sewage, except "sludge-only facilities" subject to paragraph (c)(2)(iii) of this section, shall provide the information in this paragraph to the Director, using Form 2S or another form approved by the Director. The Director may waive any requirement of this paragraph if the Director has access to substantially identical information.

(1) *Facility information.* All applicants shall submit the following information:

(i) The name, mailing address, and location of the treatment works treating domestic sewage for which the application is submitted;

(ii) The facility's latitude and longitude to the nearest second, and method of determination;

(iii) Whether the facility is a Class I Sludge Management Facility;

(iv) The design influent flow rate (in million gallons per day); and

(v) The total population served;

(2) *Applicant information.* All applicants shall submit the following information:

(i) The name, mailing address, and telephone number of the applicant;

(ii) Indication whether the applicant is the owner, operator, or both; and

(iii) The applicant's status as Federal, State, private, public, or other entity;

(3) *Permit information.* All applicants shall submit the facility's NPDES permit number, if applicable, and a listing of all other Federal, State, and local permits or construction approvals received or applied for under any of the following programs:

(i) Hazardous Waste Management program under the Resource Conservation and Recovery Act (RCRA);

(ii) UIC program under the Safe Drinking Water Act (SDWA);

(iii) NPDES program under the Clean Water Act (CWA);

(iv) Prevention of Significant Deterioration (PSD) program under the Clean Air Act;

(v) Nonattainment program under the Clean Air Act;

(vi) National Emission Standards for Hazardous Air Pollutants (NESHAPS) preconstruction approval under the Clean Air Act;

(vii) Dredge or fill permits under section 404 of CWA; and

(viii) Other relevant environmental permits, including State or local permits;

(4) *Federal Indian Reservations.* All applicants shall identify any generation, treatment, storage, land application, or disposal of sewage sludge that occurs on Federal Indian Reservations;

(5) *Topographic map.* All applicants shall submit a topographic map (or other map if a topographic map is unavailable) extending one mile beyond property boundaries of the facility and showing the following information:

(i) All sewage sludge management facilities, including use and disposal sites;

(ii) All water bodies; and

(iii) Wells used for drinking water listed in public records or otherwise known to the applicant within 1/4 mile of the facility property boundaries;

(6) *Sewage sludge handling.* All applicants shall submit a line drawing and/or a narrative description that identifies all sewage sludge management practices employed during the term of the permit, including all units used for collecting, dewatering, storing, or treating sewage sludge, the destination(s) of all liquids and solids leaving each such unit, and all processes used for pathogen reduction and vector attraction reduction;

(7) *Sewage sludge quality.* (i) If the applicant is a "Class I sludge management facility," the applicant shall submit the results of a toxicity characteristic leaching procedure (TCLP), as described in 40 CFR part 261, conducted in the last five years to determine whether the sewage sludge is a hazardous waste.

(ii) The applicant shall submit sewage sludge monitoring data for the

parameters indicated in paragraphs (q)(7)(ii) (A) through (B) of this section. Monitoring data shall be two years old or less. The data for each parameter shall include the concentration in sewage sludge (mg/kg dry weight), the sample date(s), the analytical method, and the minimum detection level for the analysis.

(A) "Class I Sludge Management Facilities," as defined in § 122.2, shall submit sewage sludge monitoring data for TKN, ammonia, nitrate, total phosphorus, the pollutants in Appendix J of this part, Tables 2 and 3, and any other parameters for which limits in sewage sludge have been established in 40 CFR part 503 on the date of permit application.

(B) All other facilities required to apply under this section shall submit sewage sludge monitoring data for TKN, ammonia, nitrate, total phosphorus and those pollutants for which limits in sewage sludge have been established in 40 CFR part 503 on the date of permit application;

(8) *Preparation of sewage sludge.* If the applicant is a "person who prepares" sewage sludge, as defined at 40 CFR 503.9(r), the applicant shall provide the following information:

(i) If the applicant's facility generates sewage sludge, the total dry metric tons per 365-day period generated at the facility;

(ii) If the applicant's facility receives sewage sludge from another facility, the following information for each facility from which sewage sludge is received:

(A) The name, mailing address, and location of the other facility;

(B) The total dry metric tons per 365-day period received from the other facility; and

(C) A description of any treatment processes occurring at the other facility, including blending activities and treatment to reduce pathogens or vector attraction characteristics;

(iii) If the applicant's facility changes the quality of sewage sludge through blending, treatment, or other activities, the following information:

(A) Whether the Class A pathogen reduction requirements in 40 CFR 503.32(a) or the Class B pathogen reduction requirements in 40 CFR 503.32(b) are met, and a description of any treatment processes used to reduce pathogens in sewage sludge;

(B) Whether any of the vector attraction reduction options of 40 CFR 503.33(b)(1) through (b)(8) are met, and a description of any treatment processes used to reduce vector attraction properties in sewage sludge; and

(C) A description of any other blending, treatment, or other activities

that change the quality of sewage sludge;

(iv) If sewage sludge from the applicant's facility meets the ceiling concentrations in 40 CFR 503.13(b)(1), the pollutant concentrations in 40 CFR 503.13(b)(3), the Class A pathogen requirements in 40 CFR 503.32(a), and one of the vector attraction reduction requirements in 40 CFR 503.33(b)(1) through (b)(8), and if the sewage sludge is applied to the land, the applicant shall provide the total dry metric tons per 365-day period of sewage sludge subject to this paragraph that is applied to the land;

(v) If sewage sludge from the applicant's facility is sold or given away in a bag or other container for application to the land, and the sewage sludge is not subject to paragraph (q)(8)(iv) of this section, the applicant shall provide the following information:

(A) The total dry metric tons per 365-day period of sewage sludge subject to this paragraph that is sold or given away in a bag or other container for application to the land; and

(B) A copy of all labels or notices that accompany the sewage sludge being sold or given away;

(vi) If sewage sludge from the applicant's facility is provided to another "person who prepares," as defined at 40 CFR 503.9(r), and the sewage sludge is not subject to paragraph (q)(8)(iv) of this section, the applicant shall provide the following information for each facility receiving the sewage sludge:

(A) The name and mailing address of the receiving facility;

(B) The total dry metric tons per 365-day period of sewage sludge subject to this paragraph that the applicant provides to the receiving facility;

(C) A description of any treatment processes occurring at the receiving facility, including blending activities and treatment to reduce pathogens or vector attraction characteristic;

(D) A copy of the notice and necessary information that the applicant is required to provide the receiving facility under 40 CFR 503.12(g); and

(E) If the receiving facility places sewage sludge in bags or containers for sale or give-away to application to the land, a copy of any labels or notices that accompany the sewage sludge;

(9) *Land application of bulk sewage sludge.* If sewage sludge from the applicant's facility is applied to the land in bulk form, and is not subject to § 122.21(q)(8)(iv), (v), or (vi), the applicant shall provide the following information:

(i) The total dry metric tons per 365-day period of sewage sludge subject to

this paragraph (q)(9) that is applied to the land;

(ii) If any land application sites are located in States other than the State where the sewage sludge is prepared, a description of how the applicant will notify the permitting authority for the State(s) where the land application sites are located;

(iii) The following information for each land application site that has been identified at the time of permit application:

(A) The name (if any), and location for the land application site;

(B) The name, mailing address, and telephone number of the site owner, if different from the applicant;

(C) The name, mailing address, and telephone number of the person who applies sewage sludge to the site, if different from the applicant;

(D) Whether the site is agricultural land, forest, a public contact site, or a reclamation site, as such site types are defined under 40 CFR 503.11;

(E) The type of vegetation grown on the site, if known, and the nitrogen requirement for this vegetation;

(F) Whether either of the vector attraction reduction options of 40 CFR 503.33(b)(9) or (b)(10) is met at the site, and a description of any procedures employed at the time of use to reduce vector attraction properties in sewage sludge; and

(G) Any available ground-water monitoring data, with a description of the well locations and approximate depth to ground water, for the land application site;

(iv) The following information for each land application site that has been identified at the time of permit application, if the applicant intends to apply bulk sewage sludge subject to the cumulative pollutant loading rates in 40 CFR 503.13(b)(2) to the site:

(A) Whether the applicant has contacted the permitting authority in the State where the bulk sewage sludge subject to 40 CFR 503.13(b)(2) will be applied, to ascertain whether bulk sewage sludge subject to 40 CFR 503.13(b)(2) has been applied to the site on or since July 20, 1993, and if so, the name of the permitting authority and the name and phone number of a contact person at the permitting authority;

(B) Identification of facilities other than the applicant's facility that have sent, or are sending, sewage sludge subject to the cumulative pollutant loading rates in 40 CFR 503.13(b)(2) to the site since July 20, 1993, if, based on the inquiry in paragraph (q)(9)(iv)(A) of this section, bulk sewage sludge subject to cumulative pollutant loading rates in

40 CFR 503.13(b)(2) has been applied to the site since July 20, 1993;

(v) If not all land application sites have been identified at the time of permit application, the applicant shall submit a land application plan that, at a minimum:

(A) Describes the geographical area covered by the plan;

(B) Identifies the site selection criteria;

(C) Describes how the site(s) will be managed;

(D) Provides for advance notice to the permit authority of specific land application sites and reasonable time for the permit authority to object prior to land application of the sewage sludge; and

(E) Provides for advance public notice as required by State and local law, but in all cases requires notice to landowners and occupants adjacent to or abutting the proposed land application site;

(10) *Surface disposal.* If sewage sludge from the applicant's facility is placed on a surface disposal site, the applicant shall provide the following information:

(i) The total dry metric tons of sewage sludge from the applicant's facility that is placed on surface disposal sites per 365-day period;

(ii) The following information for each surface disposal site receiving sewage sludge from the applicant's facility that the applicant does *not* own or operate:

(A) The site name or number, contact person, mailing address, and telephone number for the surface disposal site; and

(B) The total dry metric tons from the applicant's facility per 365-day period placed on the surface disposal site; and

(iii) The following information for each active sewage sludge unit at each surface disposal site that the applicant owns or operates:

(A) The name or number and the location of the active sewage sludge unit;

(B) The total dry metric tons placed on the active sewage sludge unit per 365-day period;

(C) The total dry metric tons placed on the active sewage sludge unit over the life of the unit;

(D) A description of any liner for the active sewage sludge unit, including whether it has a maximum permeability of  $1 \times 10^{-7}$  cm/sec;

(E) A description of any leachate collection system for the active sewage sludge unit, including the method used for leachate disposal, and any Federal, State, and local permit number(s) for leachate disposal;

(F) If the active sewage sludge unit is less than 150 meters from the property

line of the surface disposal site, the actual distance from the unit boundary to the site property line;

(G) The remaining capacity (dry metric tons) for the active sewage sludge unit;

(H) The date on which the active sewage sludge unit is expected to close, if such a date has been identified;

(I) The following information for any other facility that sends sewage sludge to the active sewage sludge unit:

(1) The name, contact person, and mailing address of the facility; and

(2) Available information regarding the quality of the sewage sludge received from the facility, including any treatment at the facility to reduce pathogens or vector attraction characteristics;

(J) Whether any of the vector attraction reduction options of 40 CFR 503.33(b)(9) through (b)(11) is met at the active sewage sludge unit, and a description of any procedures employed at the time of disposal to reduce vector attraction properties in sewage sludge;

(K) The following information, as applicable to any ground-water monitoring occurring at the active sewage sludge unit:

(1) A description of any ground-water monitoring occurring at the active sewage sludge unit;

(2) Any available ground-water monitoring data, with a description of the well locations and approximate depth to ground water;

(3) A copy of any ground-water monitoring plan that has been prepared for the active sewage sludge unit; and

(4) A copy of any certification that has been obtained from a qualified ground-water scientist that the aquifer has not been contaminated; and

(L) If site-specific pollutant limits are being sought for the sewage sludge placed on this active sewage sludge unit, information to support such a request;

(11) *Incineration.* If sewage sludge from the applicant's facility is fired in a sewage sludge incinerator, the applicant shall provide the following information:

(i) The total dry metric tons of sewage sludge from the applicant's facility that is fired in sewage sludge incinerators per 365-day period;

(ii) The following information for each sewage sludge incinerator firing the applicant's sewage sludge that the applicant does *not* own or operate:

(A) The name and/or number, contact person, mailing address, and telephone number of the sewage sludge incinerator; and

(B) The total dry metric tons from the applicant's facility per 365-day period fired in the sewage sludge incinerator;

(iii) The following information for each sewage sludge incinerator that the applicant owns or operates:

(A) The name and/or number and the location of the sewage sludge incinerator;

(B) The total dry metric tons per 365-day period fired in the sewage sludge incinerator;

(C) Information, test data, and documentation of ongoing operating parameters indicating that compliance with the National Emission Standard for Beryllium in 40 CFR part 61 will be achieved;

(D) Information, test data, and documentation of ongoing operating parameters indicating that compliance with the National Emission Standard for Mercury in 40 CFR part 61 will be achieved;

(E) The dispersion factor for the sewage sludge incinerator, as well as modeling results and supporting documentation;

(F) The control efficiency for parameters regulated in 40 CFR 503.43, as well as performance test results and supporting documentation;

(G) Information used to calculate the risk specific concentration (RSC) for chromium, including the results of incinerator stack tests for hexavalent and total chromium concentrations, if the applicant is requesting a chromium limit based on a site-specific RSC value;

(H) The concentration (ppm) of total hydrocarbons (THC) or Carbon Monoxide (CO) in the exit gas for the sewage sludge incinerator, as well as supporting documentation, both before and after correction for zero percent moisture and correction to seven percent oxygen as required in 40 CFR 503.44;

(I) The oxygen concentration in the sewage sludge incinerator stack exit gas;

(J) Information used to determine the moisture content of the sewage sludge incinerator stack exit gas;

(K) The type of sewage sludge incinerator;

(L) The combustion temperature, as obtained during the performance test of the sewage sludge incinerator to determine pollutant control efficiencies;

(M) The following information on sewage sludge feed rate:

(1) Sewage sludge feed rate in dry metric tons per day;

(2) Identification of whether the feed rate submitted is average use or maximum design; and

(3) A description of how the feed rate was calculated;

(N) The incinerator stack height in meters for each stack, including identification of whether actual or creditable stack height was used;

(O) The operating parameters for the sewage sludge incinerator air pollution control device(s), as obtained during the performance test of the sewage sludge incinerator to determine pollutant control efficiencies;

(P) Identification of the monitoring equipment in place, including (but not limited to) equipment to monitor the following:

(1) Total hydrocarbons or Carbon Monoxide;

(2) Percent oxygen;

(3) Percent moisture; and

(4) Combustion temperature; and

(Q) A list of all air pollution control equipment used with this sewage sludge incinerator;

(12) *Disposal in a municipal solid waste landfill.* If sewage sludge from the applicant's facility is sent to a municipal solid waste landfill (MSWLF), the applicant shall provide the following information for each MSWLF to which sewage sludge is sent:

(i) The name, contact person, mailing address, location, and all applicable permit numbers of the MSWLF;

(ii) The total dry metric tons per 365-day period sent from this facility to the MSWLF;

(iii) A determination of whether the sewage sludge meets applicable requirements for disposal of sewage sludge in a MSWLF, including the results of the paint filter liquids test and any additional requirements that apply on a site-specific basis; and

(iv) Information, if known, indicating whether the MSWLF complies with criteria set forth in 40 CFR Part 258;

(13) *Contractors.* All applicants shall provide the name, mailing address, telephone number, and responsibilities of all contractors responsible for any operational or maintenance aspects of the facility;

(14) *Other information.* At the request of the permitting authority, the applicant shall provide any other information necessary to determine the appropriate standards for permitting under 40 CFR part 503, and shall provide any other information necessary to assess the sewage sludge use and disposal practices, determine whether to issue a permit, or identify appropriate permit requirements; and

(15) *Signature.* All applications shall be signed by a certifying official in compliance with § 122.22.

7. Part 122 is amended by adding Appendix J to read as follows:

Appendix J to Part 122—NPDES Permit Testing Requirements for Publicly Owned Treatment Works (§ 122.21(j)) and Treatment Works Treating Domestic Sewage (§ 122.21(q))

Table 1—Effluent Parameters for All POTWS

Ammonia (as N)  
 Biochemical oxygen demand (BOD-5 or CBOD-5)  
 Chlorine (total residual, TRC)  
 Dissolved oxygen  
*E. Coli*  
 Enterococci  
 Fecal coliform  
 Flow Rate  
 Hardness (as CaCO<sub>3</sub>)  
 Kjeldahl nitrogen  
 Nitrate/Nitrite  
 Oil and grease  
 pH  
 Phosphorus  
 Temperature  
 Total dissolved solids  
 Total suspended solids

Table 2—Effluent and Sewage Sludge Parameters for Selected POTWS and Treatment Works Treating Domestic Sewage

*Metals (Total Recoverable), Cyanide and Total Phenols*

Antimony 7440-36-0  
 Arsenic 7440-38-2  
 Beryllium 7440-41-7  
 Cadmium 7440-43-9  
 Chromium 7440-47-3  
 Copper 7440-50-8  
 Lead 7439-92-1  
 Mercury 7439-97-6  
 Nickel 7440-02-0  
 Selenium 7782-49-2  
 Silver 7440-22-4  
 Thallium 7440-28-0  
 Zinc 7440-66-6  
 Cyanide 57-12-5  
 Phenols, total

*Volatile Organic Compounds*

Acrolein 107-02-8  
 Acrylonitrile 107-13-1  
 Benzene 271-43-2  
 Bromoform 75-25-2  
 Carbon tetrachloride 56-23-5  
 Chlorobenzene

108-90-7  
 Chlorodibromomethane 124-48-1  
 Chloroethane 75-00-3  
 2-chloroethylvinyl ether 110-75-8  
 Chloroform 67-66-3  
 Dichlorobromomethane 75-27-4  
 1,1-dichloroethane 75-34-3  
 1,2-dichloroethane 107-06-2  
 Trans-1,2-dichloroethylene 156-60-5  
 1,1-dichloroethylene 75-35-4  
 1,2-dichloropropane 78-87-5  
 1,3-dichloropropene 542-75-6  
 Ethylbenzene 100-41-4  
 Methyl bromide 74-83-9  
 Methyl chloride 74-87-3  
 Methylene chloride 75-09-2  
 1,1,2,2-tetrachloroethane 630-20-6  
 Tetrachloroethylene 127-18-4  
 Toluene 108-88-3  
 1,1,1-trichloroethane 71-55-6  
 1,1,2-trichloroethane 79-00-5  
 Trichloroethylene 79-01-6  
 Vinyl chloride 75-01-4

*Acid-extractable compounds*

P-chloro-m-cresol 59-50-7  
 2-chlorophenol 95-57-8  
 2,4-dichlorophenol 120-83-2  
 2,2,4-dimethylphenol 105-67-9  
 4,6-dinitro-o-cresol 534-52-1  
 2,4-dinitrophenol 51-28-5  
 2-nitrophenol 887-5-5  
 4-nitrophenol 100-02-7  
 Pentachlorophenol 87-86-5  
 Phenol 108-295-2  
 2,4,6-trichlorophenol 88-06-2

*Base-Neutral Compounds*

Acenaphthene 83-32-9  
 Acenaphthylene 208-96-8  
 Anthracene

120-12-7	621-64-7
Benzidine	N-nitrosodimethylamine
92-87-5	62-75-9
Benzo(a)anthracene	N-nitrosodiphenylamine
56-55-3	86-30-6
Benzo(a)pyrene	Phenanthrene
50-32-8	85-01-8
3,4 benzofluoranthene	Pyrene
205-99-2	129-00-0
Benzo(ghi)perylene	1,2,4-trichlorobenzene
191-24-2	120-82-1
Benzo(k)fluoranthene	Table 3—Other Effluent and Sewage
207-08-9	Sludge Parameters for Treatment
Bis (2-chloroethoxy) methane	Works Treating Domestic Sewage and
111-91-1	Selected POTWS
Bis (2-chloroethyl) ether	<i>Metals</i>
111-44-4	Molybdenum
Bis (2-chloroisopropyl) ether	7439-98-7
108-60-1	<i>Pesticides</i>
Bis (2-ethylhexyl) phthalate	Aldrin
117-81-7	309-00-2
4-bromophenyl phenyl ether	Alpha-BHC
101-55-3	319-84-6
Butyl benzyl phthalate	Beta-BHC
85-68-7	319-85-7
2-chloronaphthalene	Delta-BHC
91-58-7	319-86-8
4-chlorophenyl phenyl ether	Gamma-BHC
7005-72-3	58-89-9
Chrysene	Chlordane
218-01-9	57-74-9
Di-n-butyl phthalate	4,4'-DDD
84-74-2	72-54-8
Di-n-octyl phthalate	4,4'-DDE
117-84-0	72-55-9
Dibenzo(a,h)anthracene	4,4'-DDT
53-70-3	50-29-3
1,2-dichlorobenzene	Dieldrin
95-50-1	60-57-1
1,3-dichlorobenzene	Alpha-endosulfan
541-73-1	959-98-8
1,4-dichlorobenzene	Beta-endosulfan
106-46-7	33213-65-9
3,3'-dichlorobenzidine	Endosulfan sulfate
91-94-1	1031-07-8
Diethyl phthalate	Endrin
84-66-2	72-20-8
Dimethyl phthalate	Endrin aldehyde
131-11-3	7421-93-4
2,4-dinitrotoluene	Heptachlor
121-14-2	76-44-8
2,6-dinitrotoluene	Heptachlor epoxide
606-20-2	1024-57-3
1,2-diphenylhydrazine	PCB-1016 (Aroclor 1016)
122-66-7	12674-11-2
Fluoranthene	PCB-1221 (Aroclor 1221)
206-44-0	11104-28-2
Fluorene	PCB-1232 (Aroclor 1232)
86-73-7	11141-16-5
Hexachlorobenzene	PCB-1242 (Aroclor 1242)
118-74-1	53469-21-9
Hexachlorobutadiene	PCB-1248 (Aroclor 1248)
87-68-3	12672-29-6
Hexachlorocyclopentadiene	PCB-1254 (Aroclor 1254)
77-47-4	11097-69-1
Hexachloroethane	PCB-1260 (Aroclor 1260)
67-72-1	11096-82-5
Indeno(1,2,3-cd)pyrene	Toxaphene
193-39-5	8001-35-2
Isophorone	<i>Other</i>
78-59-1	2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)
Naphthalene	1746-01-6
91-20-3	
Nitrobenzene	
98-95-3	
N-nitrosodi n-propylamine	

## PART 123—STATE PROGRAM REQUIREMENTS

8a. The authority citation for part 123 continues to read as follows:

Authority: Clean Water Act, 33 U.S.C. 1251 et seq.

8b. Section 123.25 is amended by revising paragraph (a)(4) to read as follows:

### § 123.25 Requirements for permitting.

(a) \* \* \*

(4) Sections 122.21(a), (b), (c)(2), (e) through (k), (m) through (p), and (q)—(Application for a permit);

\* \* \* \* \*

## PART 403—GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION

9. The authority citation for part 403 continues to read as follows:

Authority: Sec. 54(c)(2) of the Clean Water Act of 1977, (Pub. L. 95-217) sections 204(b)(1)(C), 208(b)(2)(C)(iii), 301(b)(1)(A)(ii), 301(b)(2)(C), 301(h)(5), 301(i)(2), 304(e), 304(g), 307, 308, 309, 402(b), 405, and 501(a) of the Federal Water Pollution Control Act (Pub. L. 92-500) as amended by the Clean Water Act of 1977 and the Water Quality Act of 1987 (Pub. L. 100-4).

10. Section 403.8 is amended by revising paragraph (f)(4) to read as follows:

### § 403.8 Pretreatment Program Requirements: Development and Implementation by POTW.

\* \* \* \* \*

(f) \* \* \*

(4) The POTW shall:

(i) Develop local limits as required in § 403.5(c)(1), or demonstrate that they are not necessary; and

(ii) Following permit issuance or reissuance, provide a written technical evaluation of the need to revise local limits under 40 CFR 403.5(c)(1).

\* \* \* \* \*

## PART 501—STATE SLUDGE MANAGEMENT PROGRAM REGULATIONS

11. The authority citation for part 501 continues to read as follows:

Authority: Clean Water Act, 33 U.S.C. 1251 et seq.

12. Section 501.15 is amended by removing the reference “§ 501.15(a)(2)(ix)” in paragraphs (d)(4) introductory text, (d)(4)(i)(C), and (d)(5)(ii)(B) and adding in its place “§ 122.21(q)(9)(v)”, and by revising paragraph (a)(2) to read as follows:

**§ 501.15 Requirements for permitting.**

(a) \* \* \*

(2) *Information requirements.* All treatment works treating domestic sewage shall submit to the Director the

information listed at 40 CFR 122.21 (q) within the time frames established in paragraph (d)(1)(ii) of this section.

\* \* \* \* \*

Note: The following form will not appear in the Code of Federal Regulations.

**BILLING CODE 6560-50-P**

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NPDES PERMIT NUMBER:

FACILITY NAME:

FORM  
**2A**  
NPDES

**BASIC APPLICATION INFORMATION**

**APPLICATION OVERVIEW**

Form 2A has been developed in a modular format and consists of a "Basic Application Information" packet and a "Supplemental Application Information" packet. All applicants must complete the Basic Application Information packet. Some applicants also must complete portions of the Supplemental Application Information packet. To obtain the Supplemental Application Information packet, contact your permitting authority. The following items explain which parts of Form 2A you must complete.

**BASIC APPLICATION INFORMATION:**

All applicants must complete the Basic Application Information packet.

**SUPPLEMENTAL APPLICATION INFORMATION:**

**A. Expanded Effluent Testing Data.** A treatment works that discharges effluent to surface waters of the United States and meets one or more of the following criteria must complete Part A (Expanded Effluent Testing Data) of the Supplemental Application Information packet:

1. Has a design flow rate greater than or equal to 1 mgd, or
2. Is required to have a pretreatment program (or has one in place), or
3. Is otherwise required by the permitting authority to provide the information.

**B. Toxicity Testing Data.** A treatment works that meets one or more of the following criteria must complete Part B (Toxicity Testing Data) of the Supplemental Application Information packet:

1. Has a design flow rate greater than or equal to 1 mgd, or
2. Is required to have a pretreatment program (or has one in place), or
3. Is otherwise required by the permitting authority to submit results of toxicity testing.

**C. Industrial User Discharges, Pretreatment, and RCRA/CERCLA Wastes.** A treatment works that accepts process wastewater from any significant industrial users (SIUs) or receives RCRA or CERCLA wastes must complete Part C (Industrial User Discharges, Pretreatment and RCRA/CERCLA Wastes) of the Supplemental Application Information packet. SIUs are defined as:

1. All industrial users subject to Categorical Pretreatment Standards under 40 Code of Federal Regulations (CFR) 403.6 and 40 CFR Chapter I, Subchapter N (see instructions); and
2. Any other industrial user that:
  - a. Discharges an average of 25,000 gallons per day or more of process wastewater to this treatment works (with certain exclusions); or
  - b. Contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of this treatment plant; or
  - c. Is designated as a SIU by the control authority.

Refer to the instructions for further explanation.

**D. Combined Sewer Systems.** A treatment works that has a combined sewer system must complete Part D (Combined Sewer Systems) of the Supplemental Application Information packet.

**ALL APPLICANTS MUST COMPLETE THE CERTIFICATION ON PAGE 7.**

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**TREATMENT WORKS:**

All treatment works must complete this Basic Application Information packet

**1. Facility Information.**

Facility name \_\_\_\_\_

Mailing address \_\_\_\_\_

Contact person \_\_\_\_\_

Title \_\_\_\_\_

Phone number \_\_\_\_\_

Facility address  
(not P.O. Box) \_\_\_\_\_

**2. Applicant Information.** If the applicant is different from the above, provide the following

Applicant name \_\_\_\_\_

Mailing address \_\_\_\_\_

Contact person \_\_\_\_\_

Title \_\_\_\_\_

Phone number \_\_\_\_\_

Is the applicant the owner or operator (or both) of this treatment works?

\_\_\_\_\_ owner \_\_\_\_\_ operator \_\_\_\_\_ other (describe) \_\_\_\_\_

Indicate whether correspondence regarding this permit should be directed to the facility or the applicant.

\_\_\_\_\_ facility \_\_\_\_\_ applicant

**3. Existing Environmental Permits.** Provide the permit number of any existing environmental permits that have been issued to your facility (include state-issued permits).

NPDES \_\_\_\_\_ PSD \_\_\_\_\_

UIC \_\_\_\_\_ Other \_\_\_\_\_

RCRA \_\_\_\_\_ Other \_\_\_\_\_

**4. Population.** List the municipalities or areas served (municipalities and incorporated service areas). Also list their populations of the total population served.

Name \_\_\_\_\_ Population Served \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total population served \_\_\_\_\_

5. Indicate the design influent flow rate of your treatment plant (i.e., the wastewater flow rate that your plant was built to handle). Also provide the average daily flow rate and maximum daily flow rate for each of the last three years. Each year's data must be based on a 12-month time period, with the 12th month of "this year" occurring no more than three months prior to this application submittal.

a. Design maximum daily influent flow rate \_\_\_\_\_ mgd

Two Years Ago \_\_\_\_\_ Last Year \_\_\_\_\_ This Year \_\_\_\_\_

b. Annual average daily flow rate \_\_\_\_\_ mgd

c. Maximum daily flow rate \_\_\_\_\_ mgd

**6. Collection System.** Indicate the type(s) of collection system(s) flowing into this treatment plant. Check all that apply. Also estimate the percent contribution (by miles) of each

\_\_\_\_\_ Separate sanitary sewer

\_\_\_\_\_ Combined storm and sanitary sewer

**7. Inflow and Infiltration.** Estimate the average number of gallons per day that flow into the treatment works from inflow and/or infiltration.

\_\_\_\_\_ gpd

Briefly explain any steps underway or planned to minimize inflow and infiltration.

\_\_\_\_\_

\_\_\_\_\_

**8. Topographic Map.** Attach to this application a topographic map of the area extending at least one mile beyond property boundaries. This map must show the outline of the facility and the following information. (You may submit more than one map if one map does not show the entire area.)

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10. Bypass. (cont'd)

e. Does your treatment plant have backup generators to allow plant operation and treatment to continue during power outages?  
Yes \_\_\_ No \_\_\_

11. Discharges and Other Disposal Methods.

a. Does your treatment works discharge effluent to waters of the U.S.? ["Waters of the U.S." are defined in the instructions.]  
Yes \_\_\_ No \_\_\_

If yes, list how many of each of the following types of discharge points your treatment works uses:  
Discharges of treated effluent \_\_\_\_\_  
Discharges of untreated or partially treated effluent (bypass points) \_\_\_\_\_  
Combined sewer overflow points \_\_\_\_\_  
Other \_\_\_\_\_

b. Does your treatment works discharge effluent to basins, ponds, or other surface impoundments that do not have outlets for discharge to waters of the U.S.?  
Yes \_\_\_ No \_\_\_

If yes, provide the following for each surface impoundment:  
Location of each surface impoundment(s) \_\_\_\_\_  
Annual average daily volume discharged to surface impoundment(s) \_\_\_\_\_  
Is discharge \_\_\_ continuous or \_\_\_ intermittent?  
Does your treatment works land-apply treated wastewater?  
Yes \_\_\_ No \_\_\_

If yes, provide the following for each land application site:  
Location \_\_\_\_\_  
Number of acres \_\_\_\_\_

8. Topographic Map (cont'd)

a. The area surrounding the treatment plant, including all unit processes.  
b. The pipes or other structures through which wastewater enters the treatment works and the pipes or other structures through which treated wastewater is discharged from the treatment plant. Include outfalls from bypass piping, if applicable.  
c. Each well where wastewater from the treatment plant is injected underground.  
d. Wells, springs, other surface water bodies, and drinking water wells that are: 1) within 1/4 mile of the property boundaries of the treatment works, and 2) listed in public record or otherwise known to the applicant.  
e. Any areas where the sewage sludge produced by the treatment works is stored, treated, or disposed.  
f. If the treatment works receives waste that is classified as hazardous under the Resource Conservation and Recovery Act (RCRA) by truck, rail, or special pipe, show on the map where that hazardous waste enters the treatment works and where it is treated, stored, and/or disposed.

9. Process Flow Diagram or Schematic. Provide a diagram showing the processes of the treatment plant, including all bypass piping. Also provide a water balance showing all treatment units, including clarifiers (e.g., aeration and dechlorination). The water balance must show daily average flow rates at influent and discharge points and approximate daily flow rates between treatment units. Include a brief narrative description of the diagram. An example of a typical diagram is shown in Figure A of the instructions.

10. Bypass. Does your treatment plant have the ability to bypass untreated or partially treated wastewater?  
Yes \_\_\_ No \_\_\_  
If so, answer only part a.

a. How many times in the past 12 months has your treatment plant bypassed untreated or partially treated wastewater?  
Wet weather \_\_\_ incidents ( \_\_\_ actual or \_\_\_ approx.)  
Dry weather \_\_\_ incidents ( \_\_\_ actual or \_\_\_ approx.)

b. What was the average duration per bypass incident?  
Wet weather \_\_\_ hours ( \_\_\_ actual or \_\_\_ approx.)  
Dry weather \_\_\_ hours ( \_\_\_ actual or \_\_\_ approx.)

c. What was the average volume per bypass incident?  
Wet weather \_\_\_ million gallons ( \_\_\_ actual or \_\_\_ approx.)  
Dry weather \_\_\_ million gallons ( \_\_\_ actual or \_\_\_ approx.)

d. Briefly explain why bypass occurs at your treatment plant.  
\_\_\_\_\_

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11. Discharges and Other Disposal Methods. (cont'd.)

Annual average daily volume applied to site \_\_\_\_\_  
Is land application \_\_\_\_\_ continuous or \_\_\_\_\_ intermittent?

d. Does your treatment works discharge or transport treated or untreated wastewater to another treatment works?  
Yes \_\_\_\_\_ No \_\_\_\_\_

Describe the means by which the wastewater from your treatment works is discharged or transported to the other treatment works (e.g., tank, truck, pipe):  
\_\_\_\_\_  
\_\_\_\_\_

If transport is by a party other than the applicant, provide:  
Transporter name \_\_\_\_\_  
Mailing address \_\_\_\_\_

Contact person \_\_\_\_\_

Title \_\_\_\_\_

Phone number \_\_\_\_\_

For each treatment works that receives this discharge, provide the following:  
Name \_\_\_\_\_  
Mailing address \_\_\_\_\_  
\_\_\_\_\_

Contact person \_\_\_\_\_

Title \_\_\_\_\_

Phone number \_\_\_\_\_

If known, provide the NPDES permit number of the treatment works that receives this discharge.  
\_\_\_\_\_

11. Discharges and Other Disposal Methods. (cont'd.)

Provide the average daily flow rate from your treatment works into the receiving facility.  
\_\_\_\_\_ mgd

e. Does your treatment works include combined sewer overflows?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, also complete Part D of the Supplemental Application Information packet.

Does your treatment works discharge or dispose of its wastewater in a manner not included in 11.a. - 11.g. above (e.g., underground percolation, well injection)?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, provide the following for each disposal method:  
Description of method (including location and size of site(s) if applicable):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Annual daily volume disposed of by this method: \_\_\_\_\_

Is disposal through this method \_\_\_\_\_ continuous or \_\_\_\_\_ intermittent?

12. Federal Indian Reservation.

a. Is your treatment works located on a Federal Indian Reservation?  
Yes \_\_\_\_\_ No \_\_\_\_\_

b. Does your treatment works discharge to a receiving water that is either on a Federal Indian Reservation or that is upstream from (and eventually flows through) a Federal Indian Reservation?  
Yes \_\_\_\_\_ No \_\_\_\_\_

c. If the answer to 12.a. or 12.b. is "Yes," briefly describe.  
\_\_\_\_\_  
\_\_\_\_\_

**FACILITY NAME:** \_\_\_\_\_  
**EPA ID NUMBER:** \_\_\_\_\_  
 (for official use only)

**NPDES PERMIT NUMBER:** \_\_\_\_\_  
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**13. Operation/Maintenance Performed by Contractor(s).**

Are any operational or maintenance aspects (related to wastewater treatment and effluent quality) of your treatment works the responsibility of a contractor?

Yes \_\_\_ No \_\_\_

If yes, list the name, address, telephone number and status of each contractor and describe the contractor's responsibilities (attach additional pages if necessary).

Name \_\_\_\_\_  
 Mailing address \_\_\_\_\_  
 Telephone number \_\_\_\_\_  
 Responsibilities of contractor \_\_\_\_\_

**14. Scheduled Improvements, Schedules of Implementation.** Provide information on any uncompleted implementation schedule or uncompleted plans for improvements that will affect the wastewater treatment, effluent quality, or design capacity of your treatment works. If your treatment works has several different implementation schedules or is planning several improvements, submit separate responses to question 14 for each. (If none, go to the directions at the bottom of this page.)

a. List the outfall number (assigned in question 15) for each outfall that is covered by this implementation schedule.

b. Indicate whether the planned improvements or implementation schedule are:

Required by local, state, or Federal agencies.

Yes \_\_\_ No \_\_\_

**14. Scheduled Improvements, Schedules of Implementation.** (cont'd.)

Planned independently of any requirement of local, state, or Federal agencies.

Yes \_\_\_ No \_\_\_

c. Provide a narrative description of each improvement required or planned for outfall(s) listed in 14. a.

\_\_\_\_\_

d. Provide the proposed new maximum daily influent design flow rate (if applicable).

\_\_\_\_\_ mgd

e. Provide dates imposed by any compliance schedule or any actual dates of completion for the implementation steps listed below, as applicable. For improvements planned independently of local, state, or Federal agencies, indicate planned or actual completion dates, as applicable. Indicate dates as accurately as possible.

Implementation Stage	Schedule MO / DY / YR	Actual Completion MO / DY / YR
- Begin construction	___ / ___ / ___	___ / ___ / ___
- End construction	___ / ___ / ___	___ / ___ / ___
- Begin discharge	___ / ___ / ___	___ / ___ / ___
- Attain operational level	___ / ___ / ___	___ / ___ / ___

f. Have appropriate permits/consentances concerning other Federal/state requirements been obtained?

Yes \_\_\_ No \_\_\_

Describe briefly.

**IF THIS TREATMENT WORKS DISCHARGES EFFLUENT TO WATERS OF THE UNITED STATES (AS DEFINED IN THE INSTRUCTIONS), GO TO QUESTION 15.**

**IF THIS TREATMENT WORKS DOES NOT DISCHARGE EFFLUENT TO WATERS OF THE UNITED STATES (AS DEFINED IN THE INSTRUCTIONS), DO NOT COMPLETE QUESTIONS 14-16. INSTEAD, GO TO QUESTION 19 (CERTIFICATION STATEMENT).**

**NOTE:** You may also be required to complete portions of the Supplemental Application Information packet. See the Application Overview for more information.

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**WASTEWATER DISCHARGES:**

Complete questions 15-17 once for each outfall (including bypass points) through which effluent is discharged. Do not include information on combined sewer overflows in this section.

**15. Description of Outfall.**

- a. Outfall number \_\_\_\_\_
- b. Location \_\_\_\_\_  
(City or town, if applicable) \_\_\_\_\_ (Zip Code) \_\_\_\_\_
- (County) \_\_\_\_\_ (State) \_\_\_\_\_  
(Latitude) \_\_\_\_\_ (Longitude) \_\_\_\_\_
- c. Distance from shore (if applicable) \_\_\_\_\_ ft.
- d. Depth below surface (if applicable) \_\_\_\_\_ ft.
- e. Average daily flow rate \_\_\_\_\_ mgd
- f. Is outfall either an intermittent or a periodic discharge?  
\_\_\_\_\_ Yes \_\_\_\_\_ No (go to 15.g.) If yes, provide the following information:  
Number of times/year discharge occurs \_\_\_\_\_  
Average duration of each discharge \_\_\_\_\_  
Average flow per discharge \_\_\_\_\_ mgd  
Months in which discharge occurs \_\_\_\_\_  
Is outfall equipped with a diffuser? \_\_\_\_\_ Yes \_\_\_\_\_ No

**16. Description of Receiving Waters. (cont'd.)**

- d. Name of State Management/River Basin (if known): \_\_\_\_\_  
United States Geological Survey 8-digit hydrologic cataloging unit code (if known): \_\_\_\_\_
  - e. Critical low flow of receiving stream (if applicable).  
acute \_\_\_\_\_ cfs chronic \_\_\_\_\_ cfs
  - f. Total hardness of receiving stream at critical low flow (if applicable).  
\_\_\_\_\_ mgd of CaCO<sub>3</sub>
- 17. Description of Treatment.**
- a. What is the highest level of treatment (if any) provided for the discharge from this outfall?  
\_\_\_\_\_ Primary \_\_\_\_\_ Secondary \_\_\_\_\_ Equivalent to secondary \_\_\_\_\_  
\_\_\_\_\_ Advanced \_\_\_\_\_ Other. Describe: \_\_\_\_\_

**b. Indicate the following removal rates (as applicable):**

- Design BOD<sub>5</sub> removal or \_\_\_\_\_ %
- Design CBOD<sub>5</sub> removal \_\_\_\_\_ %
- Design SS removal \_\_\_\_\_ %
- Design P removal \_\_\_\_\_ %
- Design N removal \_\_\_\_\_ %
- Other \_\_\_\_\_ %

**c. What type of disinfection is used for the effluent from this outfall? If disinfection varies by season, please describe.**

If disinfection is by chlorination, is deschlorination used for this outfall?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

d. Does the treatment plant have post aeration? \_\_\_\_\_ Yes \_\_\_\_\_ No

**16. Description of Receiving Waters.**

- a. Type: \_\_\_\_\_ Stream/River \_\_\_\_\_ Estuary \_\_\_\_\_ Lake \_\_\_\_\_  
\_\_\_\_\_ Ocean \_\_\_\_\_ Other: \_\_\_\_\_
- b. Name of receiving water: \_\_\_\_\_
- c. Name of watershed/river/stream system: \_\_\_\_\_  
United States Soil Conservation Service 14-digit watershed code (if known): \_\_\_\_\_

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**EFFLUENT TESTING DATA:**

All treated water and discharge effluent to waters of the United States must provide effluent testing data for the following pollutants. Provide the indicated effluent testing information required by the permitting authority for each outfall through which effluent is discharged. Do not include information on combined sewer overflows in this section. All information reported must be based on data collected through analyses conducted using 40 CFR Part 136 methods. In addition, this data must comply with QA/QC requirements of 40 CFR Part 136 and other appropriate QA/QC requirements for standard methods for analytes not addressed by 40 CFR Part 136. At a minimum, effluent testing data must be based on at least three pollutant scans. Refer to the instructions for further explanation and for specific pollutant scan requirements.

18. Effluent Testing Information: Conventional and Nonconventional Pollutants. All applicants that discharge to waters of the United States must provide effluent testing data for the following pollutants. Provide the indicated effluent testing information required by the permitting authority for each outfall through which effluent is discharged. Do not include information on combined sewer overflows in this section. All information reported must be based on data collected through analyses conducted using 40 CFR Part 136 methods. In addition, this data must comply with QA/QC requirements of 40 CFR Part 136 and other appropriate QA/QC requirements for standard methods for analytes not addressed by 40 CFR Part 136. At a minimum, effluent testing data must be based on at least three pollutant scans. Refer to the instructions for further explanation and for specific pollutant scan requirements.

Outfall number: \_\_\_\_\_ (Complete question 18 once for each outfall discharging effluent to waters of the United States.)

PARAMETER	MAXIMUM DAILY VALUE		AVERAGE DAILY VALUE	
	Month	Day	Month	Day
pH (Min/Max)				
Flow Rate				
Temperature (Winter)				
Temperature (Summer)				

POLLUTANT	MAXIMUM DAILY DISCHARGE		AVERAGE DAILY DISCHARGE		ANALYTICAL METHOD	ML / MDL
	Month	Day	Month	Day		
<b>CONVENTIONAL AND NONCONVENTIONAL COMPOUNDS:</b>						
AMMONIA (as N)						
BIOCHEMICAL OXYGEN DEMAND (Report one)	BOD-5					
CHLORINE (TOTAL RESIDUAL, TRC)	CBOD-5					
DISSOLVED OXYGEN						
E. COLI						
ENTEROCOCCI						
FECAL COLIFORM						
HARDNESS (as CaCO <sub>3</sub> )						
KJELDAHL NITROGEN						
NITRATE/NITRITE						
OIL and GREASE						
PHOSPHORUS (Total)						
TOTAL DISSOLVED SOLIDS (TSD)						
TOTAL SUSPENDED SOLIDS (TSS)						
OTHER						

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**CERTIFICATION:**

All applicants must complete this certification section. Failure to include this certification in an application for the purposes of this certification. All applicants must complete all applicable sections of Form 2A, as required in the Regulatory Overview. Indicate below which parts of Form 2A you have completed and are submitting. By signing this certification statement, applicants confirm that they have reviewed Form 2A and have completed all sections that apply to the facility for which this application is submitted.

19. Indicate which parts of Form 2A you have completed and are submitting:

- Basic Application Information packet
- Supplemental Application Information packet:
  - Part A (Expanded Effluent Testing Data)
  - Part B (Toxicity Testing, Biomonitoring Data)
  - Part C (Industrial User Discharges, Pretreatment, and RCRA/CERCLA Wastes)
  - Part D (Combined Sewer Systems)

**ALL APPLICANTS MUST COMPLETE THE FOLLOWING 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 gather and evaluate 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 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.

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Name and official title \_\_\_\_\_  
Signature \_\_\_\_\_

Phone number \_\_\_\_\_  
Date signed \_\_\_\_\_

Upon request of the permitting authority, you must submit any other information necessary to assess wastewater treatment practices at your treatment works or identify appropriate permitting requirements.

Send this completed application to: \_\_\_\_\_  
Send information concerning permit fee to: \_\_\_\_\_

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**FORM 2A**  
NPDES

**SUPPLEMENTAL APPLICATION INFORMATION**

**APPLICATION OVERVIEW**

Form 2A has been developed in a modular format and consists of a "Basic Application Information" packet and a "Supplemental Application Information" packet. All applicants must complete the Basic Application Information packet. Some applicants also must complete portions of the Supplemental Application Information packet. To obtain the Supplemental Application Information packet, contact your permitting authority. The following items explain which parts of Form 2A you must complete.

**BASIC APPLICATION INFORMATION:**

All applicants must complete the Basic Application Information packet.

**SUPPLEMENTAL APPLICATION INFORMATION:**

**A. Expanded Effluent Testing Data.** A treatment works that discharges effluent to surface waters of the United States and meets one or more of the following criteria must complete Part A (Expanded Effluent Testing Data) of the Supplemental Application Information packet:

1. Has a design flow rate  $\geq 1$  mgd, or
2. Is required to have a pretreatment program (or has one in place), or
3. Is otherwise required by the permitting authority to provide the information.

**B. Toxicity Testing Data.** A treatment works that meets one or more of the following criteria must complete Part B (Toxicity Testing Data) of the Supplemental Application Information packet:

1. Has a design flow rate  $\geq 1$  mgd, or
2. Is required to have a pretreatment program (or has one in place), or
3. Is otherwise required by the permitting authority to submit results of toxicity testing.

**C. Industrial User Discharges, Pretreatment, and RCRA/CERCLA Wastes.**

A treatment works that accepts process wastewater from any significant industrial users (SIUs) or receives RCRA or CERCLA wastes must complete Part C (Industrial User Discharges, Pretreatment and RCRA/CERCLA Wastes) of the Supplemental Application Information packet. SIUs are defined as:

1. All industrial users subject to Categorical Pretreatment Standards under 40 Code of Federal Regulations (CFR) 403.6 and 40 CFR Chapter I, Subchapter N (see instructions); and
2. Any other industrial user that:
  - a. Discharges an average of 25,000 gallons per day or more of process wastewater to this treatment works (with certain exclusions); or
  - b. Contributes a process wastewater that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of this treatment plant; or
  - c. Is designated as a SIU by the control authority.

Refer to the instructions for further explanation.

**D. Combined Sewer Systems.** A treatment works that has a combined sewer system must complete Part D (Combined Sewer Systems) of the Supplemental Application Information packet.

**REMINDER: MAKE SURE YOU SIGN THE CERTIFICATION ON PAGE 7 OF THE BASIC APPLICATION INFORMATION PACKET.**

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FORM  
**2A**  
NPDES

**PART A. EXPANDED EFFLUENT TESTING DATA**

Refer to the directions on the cover page to determine whether this section applies to your treatment works. If you complete Part A, you must also complete questions 18 and 19 of the Basic Application Information packet.

**Effluent Testing: 1 mgd and Pretreatment Treatment Works.** If your treatment works has a design capacity greater than or equal to 1 mgd or it has (or is required to have) a pretreatment program, or otherwise required by the permitting authority to provide the data, then provide effluent testing data for the following pollutants. Provide the indicated effluent testing information and any other information required by the permitting authority for each outfall through which effluent is discharged. Do not include information on combined sewer overflows in this section. All information reported must be based on data collected through analyses conducted using 40 CFR Part 136 methods. In addition, this data must comply with QA/QC requirements of 40 CFR Part 136 and other appropriate QA/QC requirements for standard methods for analyses not addressed by 40 CFR Part 136. Indicate in the blank rows provided below any data you may have on pollutants not specifically listed in this form. At a minimum, effluent testing data must be based on at least three pollutant scans. Refer to the instructions for further explanation and for specific pollutant scan requirements.

Outfall number: \_\_\_\_\_ (Complete question A.1 once for each outfall discharging effluent to waters of the United States.)

POLLUTANT CAS REGISTRY NUMBER	MAXIMUM DAILY DISCHARGE			AVERAGE DAILY DISCHARGE			ANALYTICAL METHOD	ML / SOL
	Conc.	Units	Times	Conc.	Units	Number of Samples		
<b>METALS (TOTAL RECOVERABLE), CYANIDE, AND PHENOLS.</b>								
ANTIMONY 7440-360								
ARSENIC 7440-382								
BERYLLIUM 7440-41-7								
CADMIUM 7440-43-9								
CHROMIUM 7440-47-3								
COPPER 7440-50-8								
LEAD 7439-92-1								
MERCURY 7439-97-6								
NICKEL 7440-02-0								
SELENIUM 7782-49-2								
SILVER 7440-22-4								

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Outfall number \_\_\_\_\_ (Complete question A. 1. once for each outfall discharging effluent to waters of the United States.)

POLLUTANT CAS REGISTRY NUMBER	MAXIMUM DAILY DISCHARGE			AVERAGE DAILY DISCHARGE			ANALYTICAL METHOD	ML / MDL
	Conc.	Units	Mass	Conc.	Units	Mass		
<b>METALS (TOTAL RECOVERABLE), CYANIDE, AND PHENOLS. (cont'd)</b>								
THALLIUM 7440-28-0								
ZINC 7440-66-6								
CYANIDE 57-12-5								
PHENOLS, TOTAL								
Use this space (or a separate sheet) to provide information on other metals requested by the permit writer.								
<b>VOLATILE ORGANIC COMPOUNDS.</b>								
ACROLEIN 107-02-06								
ACRYLONITRILE 107-13-1								
BENZENE 71-43-2								
BROMOFORM 75-95-2								
CARBON TETRACHLORIDE 56-23-5								
CHLOROBENZENE 108-90-7								
CHLORODIBROMOMETHANE 124-48-1								
CHLOROETHANE 75-00-3								
2-CHLOROETHYL VINYL ETHER 110-75-8								
CHLOROFORM 67-56-3								
DICHLOROBROMOMETHANE 75-27-4								
1,1-DICHLOROETHANE 75-34-3								
1,2-DICHLOROETHANE 107-06-2								
TRANS-1,2-DICHLORO- ETHYLENE 156-60-5								

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POLLUTANT CAS REGISTRY NUMBER	MAXIMUM DAILY DISCHARGE			AVERAGE DAILY DISCHARGE			ANALYTICAL METHOD	ML / MDL
	Conc.	Units	Mass	Conc.	Units	Mass		
<b>VOLATILE ORGANIC COMPOUNDS. (cont'd)</b>								
1,1-DICHLOROETHYLENE 75-35-4								
1,2-DICHLOROPROPANE 78-87-5								
1,3-DICHLOROPROPENE 542-75-6								
ETHYLBENZENE 109-41-4								
METHYL BROMIDE 74-83-9								
METHYL CHLORIDE 74-87-3								
METHYLENE CHLORIDE 75-09-2								
1,1,2,2-TETRACHLOROETHANE 79-34-5								
TETRACHLOROETHYLENE 127-18-4								
TOLUENE 106-98-3								
1,1,1-TRICHLOROETHANE 71-55-6								
1,1,2-TRICHLOROETHANE 79-00-5								
TRICHLOROETHYLENE 79-01-5								
VINYL CHLORIDE 75-01-4								
Use this space (or a separate sheet) to provide information on other volatile organic compounds requested by the permit writer.								
<b>ACID-EXTRACTABLE COMPOUNDS.</b>								
P-CHLORO-M-CRESOL 59-50-7								
2-CHLOROPHENOL 95-57-8								
2,4-DICHLOROPHENOL 129-83-2								
2,6-DIMETHYLPHENOL 105-67-9								

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Outfall number \_\_\_\_\_ (Complete question A.1. once for each outfall discharging effluent to waters of the United States.)

POLLUTANT CAS REGISTRY NUMBER	MAXIMUM DAILY DISCHARGE			AVERAGE DAILY DISCHARGE			ANALYTICAL METHOD	ML / MDL
	Conc.	Units	Mass	Conc.	Units	Mass		
<b>ACID-EXTRACTABLE COMPOUNDS. (cont'd)</b>								
4,6-DINITRO-O-CRESOL								
594-52-1								
2,4-DINITROPHENOL								
51-28-5								
2-NITROPHENOL								
88-75-5								
4-NITROPHENOL								
100-02-7								
PENTACHLOROPHENOL								
87-86-5								
PHENOL								
108-95-2								
2,4,6-TRICHLOROPHENOL								
88-06-2								
Use this space (or a separate sheet) to provide information on other acid-extractable compounds requested by the permit writer.								
<b>BASE-NEUTRAL COMPOUNDS.</b>								
ACENAPHTHENE								
83-32-9								
ACENAPHTHYLENE								
208-96-8								
ANTHRACENE								
120-12-7								
BENZIDINE								
92-87-5								
BENZO(A)ANTHRACENE								
56-55-3								
BENZO(A)PYRENE								
50-32-8								
3,4-BENZOFLUORANTHENE								
205-99-2								
BENZO(GH)PERYLENE								
191-24-2								
BENZO(K)FLUORANTHENE								
207-08-9								
BIS (2-CHLOROETHOXY)								
METHANE / 111-91-1								
BIS (2-CHLOROETHYL)								
ETHER / 111-44-4								
BIS (2-CHLOROISOPROPYL)								
ETHER / 102-60-1								

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POLLUTANT CAS REGISTRY NUMBER	MAXIMUM DAILY DISCHARGE			AVERAGE DAILY DISCHARGE			ANALYTICAL METHOD	ML / MDL
	Conc.	Units	Mass	Units	Conc.	Units		
BASE-NEUTRAL COMPOUNDS (cont'd)								
BIS (2-ETHYLHEXYL) PHTHALATE /117-81-7								
4-BROMOPHENYL PHENYL ETHER /101-55-3								
BUTYL BENZYL PHTHALATE 85-68-7								
2-CHLORONAPHTHALENE 91-58-7								
4-CHLOROPHENYL PHENYL ETHER /7005-72-3								
CHRYSENE 218-01-9								
DI-N-BUTYL PHTHALATE 84-74-2								
DI-N-OCTYL PHTHALATE 117-84-0								
DIBENZO(A,H)ANTHRACENE 53-70-3								
1,2-DICHLOROBENZENE 95-50-1								
1,3-DICHLOROBENZENE 541-73-1								
1,4-DICHLOROBENZENE 106-46-7								
3,3'-DICHLOROBENZIDINE 81-94-1								
DIETHYL PHTHALATE 84-66-2								
DIMETHYL PHTHALATE 131-11-3								
2,4-DINITROTOLUENE 121-14-2								
2,6-DINITROTOLUENE 606-20-2								
1,2-DIPHENYLHYDRAZINE 122-66-7								
FLUORANTHENE 206-44-0								
FLUORENE 86-73-7								
HEXACHLOROBENZENE 118-74-1								
HEXACHLOROBUTADIENE 87-68-3								

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\_\_\_\_\_

Outfall number \_\_\_\_\_ (Complete question A.1. once for each outfall discharging effluent to waters of the United States.)

POLLUTANT CAS REGISTRY NUMBER	MAXIMUM DAILY DISCHARGE			AVERAGE DAILY DISCHARGE			ANALYTICAL METHOD	ML / MDL
	Conc.	Units	Mass	Units	Mass	Units		
<b>BASE-NEUTRAL COMPOUNDS (cont'd)</b>								
HEXACHLOROCHYCLO- PENTADIENE/77-47-4								
HEXACHLOROETHANE 67-72-1								
INDENO(1,2,3-CD)PYRENE 183-39-5								
ISOPHORONE 78-58-1								
NAPHTHALENE 91-20-3								
NITROBENZENE 98-95-3								
N-NITROSODI- N-PROPYLAMINE/621-64-7								
NI-NITROSODIMETHYLAMINE 62-75-9								
NI-NITROSODIPHENYLAMINE 86-30-6								
PENENANTHRENE 85-01-8								
PYRENE 129-00-0								
1,2,4-TRICHLOROBENZENE 128-82-1								

Use this space (or a separate sheet) to provide information on other base-neutral compounds requested by the permit writer.

Use this space (or a separate sheet) to provide information on other pollutants (e.g., pesticides) requested by the permit writer.

**END OF PART A**  
**REFER TO THE APPLICATION OVERVIEW TO DETERMINE**  
**WHICH OTHER PARTS OF FORM 2A YOU MUST COMPLETE.**



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**B.2. Individual Test Data. (cont'd.)**

Test number: \_\_\_\_\_ Test number: \_\_\_\_\_

c. Give the sample collection method(s) used. For multiple grab samples, indicate the number of grab samples used.

24-Hour composite	
Grab	

d. Indicate where the sample was taken in relation to disinfection (check all that apply for each.)

Before disinfection	<input checked="" type="checkbox"/>
After disinfection	<input checked="" type="checkbox"/>
After dechlorination	<input checked="" type="checkbox"/>

e. Describe the point in the treatment process at which the sample was collected.

Sample was collected: \_\_\_\_\_

f. For each test, indicate whether the test was intended to assess chronic or acute toxicity.

Chronic toxicity	
Acute toxicity	

g. Provide the type of test performed.

Static	
Static-removal	
Flow-through	

h. Source of dilution water. If laboratory water, specify type.

Laboratory water	
Receiving water	

i. Type of dilution water. If salt water, specify "natural" or type of artificial salt water used.

Fresh water	
Salt water	

j. Give the percentage effluent used for all concentrations in the test series.


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B.2. Individual Test Data. (cont'd.) Test number: \_\_\_\_\_ Test number: \_\_\_\_\_ Test number: \_\_\_\_\_

k. Parameters measured during the test. (Provide minimum/maximum)

pH		
Salinity		
Temperature		
Ammonia		
Dissolved oxygen		

l. Test Results.

Acute:			
Percent survival in 100% effluent		%	%
LC <sub>50</sub>		%	%
95% C.I.			
Other (describe)			
Chronic:			
NOEC			
IC <sub>25</sub>			
Other (describe)			

m. Control responses.

Control Mortality		%	%
Other (describe)			

B.3. Toxicity Reduction Evaluation. Is your treatment works involved in a Toxicity Reduction Evaluation?  Yes  No  
If yes, describe: \_\_\_\_\_  
Date submitted: \_\_\_\_\_  
Summary of results: (see instructions) \_\_\_\_\_

B.4. Summary of Submitted Biomonitoring Test Information. If you have submitted biomonitoring test information, or information regarding the cause of toxicity, within the past three years, provide the dates the information was submitted to the permitting authority and a summary of the results.

**END OF PART B.  
REFER TO THE APPLICATION OVERVIEW TO DETERMINE  
WHICH OTHER PARTS OF FORM 2A YOU MUST COMPLETE.**

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**FORM 2A NPDES**  
**PART C. INDUSTRIAL USER DISCHARGES, PRETREATMENT, AND RCRA/CERCLA WASTES**

All treatment works receiving discharges from significant industrial users or which receive RWA or CERCLA wastes must complete Part C.

**GENERAL INFORMATION:**

**C.1. Number of Significant Industrial Users and Categorical IUs.** Provide the number of each of the following types of industrial users that discharge to your treatment works.

- a. Number of non-categorical significant industrial users (SIUs). \_\_\_\_\_
  - b. Number of categorical industrial users. \_\_\_\_\_
- C.2. Average Daily Flow from Industrial Users.** Estimate the total average daily wastewater flow from all industrial users.
- a. All industrial users. \_\_\_\_\_ mgd
  - b. Non-categorical SIUs only. \_\_\_\_\_ mgd
  - c. Categorical industrial users only. \_\_\_\_\_ mgd

**C.4. Pretreatment Program.** Does your treatment works have an approved pretreatment program?

Yes \_\_\_\_\_  
No \_\_\_\_\_

If yes, have there been any substantial modifications to the treatment work's approved pretreatment program that have not been approved in accordance with 40 CFR 403.18?

Yes \_\_\_\_\_  
No \_\_\_\_\_

If yes, identify on a separate piece of paper all substantial modifications that have not been approved.

**C.3. Industrial User Contributions.** Estimate the percent total influent contribution for each of the following:

- All industrial users \_\_\_\_\_ %
- Non-categorical SIUs only \_\_\_\_\_ %
- Categorical industrial users only \_\_\_\_\_ %
- Domestic sources only \_\_\_\_\_ %

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FACILITY NAME:

**SIGNIFICANT INDUSTRIAL USER (SIU) INFORMATION**

Supply the following information for each SIU. If more than one SIU discharges to your treatment works, copy questions C.5 - C.10 and provide the information requested for each SIU.

**C.5. Significant Industrial User Information.** Provide the name and address of each SIU discharging to your treatment works. (Submit additional pages as necessary.)

Name \_\_\_\_\_  
Mailing address \_\_\_\_\_  
\_\_\_\_\_

**C.6. Industrial Processes.** Describe all of the industrial processes that affect or contribute to the SIU's discharge.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C.7. Principal Product(s) and Raw Material(s).**

Principal product(s): \_\_\_\_\_  
Principal raw material(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C.8. Flow Rate.**

a. Process wastewater flow rate. Indicate the average daily volume of process wastewater discharged into the collection system in gallons per day (gpd) and whether the discharge is continuous or intermittent.  
\_\_\_\_\_ gpd ( \_\_\_\_\_ continuous or \_\_\_\_\_ intermittent)

b. Non-process wastewater flow rate. Indicate the average daily volume of non-process wastewater flow discharged into the collection system in gallons per day (gpd) and whether the discharge is continuous or intermittent.  
\_\_\_\_\_ gpd ( \_\_\_\_\_ continuous or \_\_\_\_\_ intermittent)

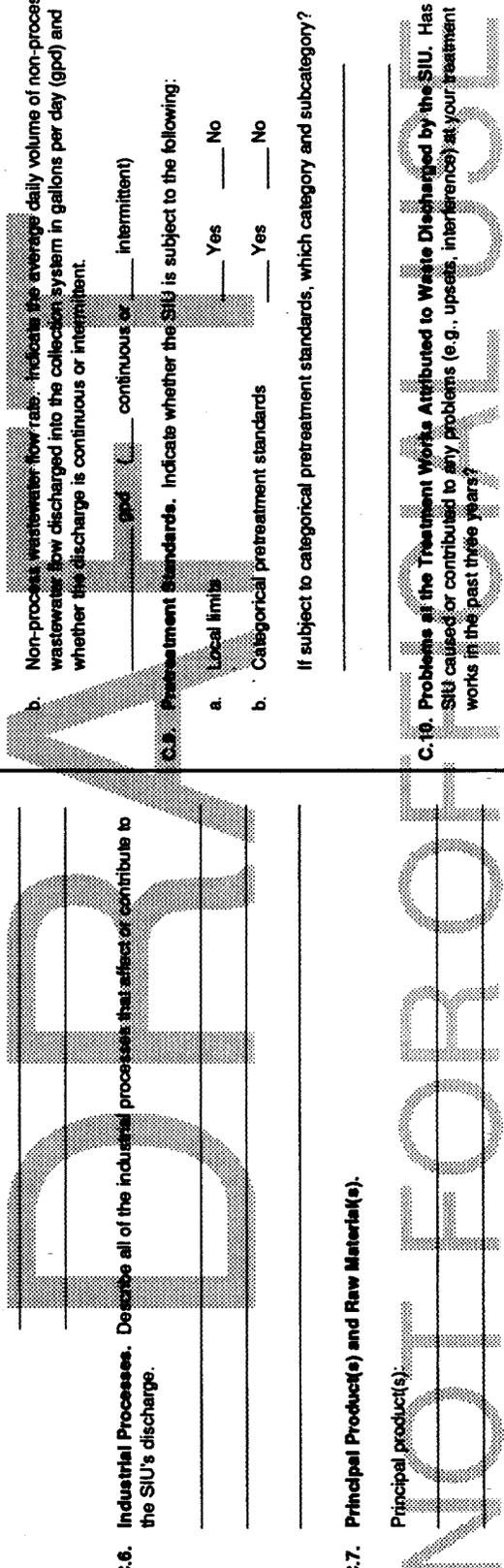
**C.9. Pretreatment Standards.** Indicate whether the SIU is subject to the following:

- a. Local limits \_\_\_\_\_ Yes \_\_\_\_\_ No
- b. Categorical pretreatment standards \_\_\_\_\_ Yes \_\_\_\_\_ No

If subject to categorical pretreatment standards, which category and subcategory? \_\_\_\_\_

**C.10. Problems at the Treatment Works Attributed to Waste Discharged by the SIU.** Has the SIU caused or contributed to any problems (e.g., upsets, interference) at your treatment works in the past three years?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, describe each episode.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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Approval Expires XX-XX-XX

FACILITY NAME: \_\_\_\_\_  
 NPDES PERMIT NUMBER: \_\_\_\_\_  
 EPA ID NUMBER:  
 (for official use only)

**RCRA HAZARDOUS WASTE RECEIVED BY TRUCK, RAIL OR DEDICATED PIPELINE:**

*Note: You should have already indicated on the appropriate map all points at which RCRA hazardous waste enters the treatment works by truck, rail, or dedicated pipe (quantity of the waste applicable to intermittent product).*

**C.11. RCRA Waste.** Does your treatment works receive or has it in the past three years received RCRA hazardous waste by truck, rail, or dedicated pipe?  
 Yes \_\_\_\_\_  
 No (go to C.14.) \_\_\_\_\_

**C.12. Waste Transport.** Method by which RCRA waste is received (check all that apply):  
 Truck \_\_\_\_\_ Rail \_\_\_\_\_ Dedicated Pipe \_\_\_\_\_

**CERCLA (SUPERFUND) WASTEWATER AND RCRA REMEDIATION/CORRECTIVE ACTION WASTEWATER:**

**C.14. CERCLA Waste.** Does your treatment works currently (or is it expected during the life of this permit that your treatment works will) receive waste from a CERCLA (Superfund) site remediation?  
 Current: Yes (complete C.15 - C.17.) \_\_\_\_\_ Future: Yes (complete G.15 - C.17.) \_\_\_\_\_  
 No \_\_\_\_\_

Provide a list of sites and the requested information (C.15 - C.17.) for each current and future site.

If no CERCLA waste is currently received and none is expected in the future, go to C.18.

**C.15. Waste Origin.** Describe the site and type of facility at which the CERCLA waste originates (or is expected to originate in the next five years), along with EPA ID numbers.

**C.16. Pollutants.** List the CERCLA pollutants that are received (or are expected to be received). Include data on volume and concentration. (Attach additional sheets if necessary.)

**C.13. Waste Description.** Give EPA hazardous waste number and amount (volume or mass, specify units).

EPA Hazardous Waste Number	Amount	Units
_____	_____	_____
_____	_____	_____
_____	_____	_____

**C.17. Waste Treatment.**

a. Is this waste treated (or will it be treated) prior to entering your treatment works?  
 Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe the treatment (provide information about the removal efficiency):  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Is the discharge (or will the discharge be) continuous or intermittent?  
 Continuous \_\_\_\_\_  
 Intermittent \_\_\_\_\_

If intermittent, describe discharge schedule.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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EPA ID NUMBER:  
(for official use only)

NPDES PERMIT NUMBER:

FACILITY NAME:

**C.18. RCRA Corrective Action Waste.** Does your treatment works currently (or is it expected during the life of this permit that your treatment works will) receive wastes generated at a site undergoing RCRA corrective action?

Current:  Yes (complete C.19. - C.21.) Future:  Yes (complete C.19. - C.21.)  
 No  No

Provide a list of sites and the requested information (C.19. - C.21.) for each site.

If no RCRA corrective action waste is currently received and none is expected in the future, go to C.22.

**C.19. Waste Origin.** Describe the site and type of facility at which the RCRA Corrective Action Waste originates (or is expected to originate).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C.20. Pollutants.** List the pollutants contained in RCRA corrective action waste that are received (or are expected to be received). Attach additional sheets if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C.21. Waste Treatment.** Is this waste treated (or will it be treated) prior to entering your treatment works?

Yes  No

If yes, describe the treatment, removal efficiency, and frequency of discharge.

\_\_\_\_\_  
\_\_\_\_\_

Is the discharge (or will the discharge be) continuous or intermittent?

Continuous  Intermittent

If intermittent, describe discharge schedule.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C.22. Other Wastes from Remediation/Clean-up Sites.** Describe any wastewaters received by the treatment works that are generated at a remediation/clean-up site not listed above (e.g., leaking underground tank remediation sites and state-mandated remediation sites):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**END OF PART C.  
REFER TO THE APPLICATION OVERVIEW TO DETERMINE  
WHICH OTHER PARTS OF FORM 2A YOU MUST COMPLETE.**

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EPA ID NUMBER:  
(for official use only)

NPDES PERMIT NUMBER:

FACILITY NAME:

**FORM 2A NPDES PART D. COMBINED SEWER SYSTEMS**

If your response to any question requires a map, complete Part D.

**D.1. Combined Sewer Overflow (CSO) Discharge Points.** Provide the number of CSO discharge points in the combined sewer system covered by this application.

**D.2. System Map.** Provide a map indicating the following:

- a. All CSO discharge points.
- b. Sensitive use areas potentially affected by CSOs (e.g., beaches, drinking water supplies, shellfish beds, sensitive aquatic ecosystems, and outstanding natural resource waters).
- c. Waters that support threatened and endangered species potentially affected by CSOs.

**D.3. System Diagram.** Provide a diagram, either in the map provided in D.2. or on a separate drawing, of the combined sewer collection system that includes the following information:

- a. Locations of major sewer trunk lines, both combined and sanitary.
- b. Locations of points where separate sanitary sewers feed into the combined sewer system.
- c. Locations of in-line and off-line storage structures.
- d. Locations of flow-regulating devices.
- e. Locations of pump stations.

**D.4. System Evaluation.** List below studies that have been performed since the last permit application on the collection system. Include modeling studies, hydraulic studies, past monitoring efforts, and facility plans.

Date	Title/Description	Author

GO TO D.5 ON NEXT PAGE

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FACILITY NAME:

**CSO OUTFALLS**

Complete questions D.5., D.6. and D.8. once for each CSO discharge point.

**D.5. Description of Outfall.**

- a. Outfall number \_\_\_\_\_
- b. Location \_\_\_\_\_  
(City or town, if applicable)
- (State) \_\_\_\_\_ (County) \_\_\_\_\_
- (Latitude) \_\_\_\_\_ (Longitude) \_\_\_\_\_
- c. Distance from shore (if applicable) \_\_\_\_\_ ft.
- d. Depth below surface (if applicable) \_\_\_\_\_ ft.

**D.6. Monitoring.** Which of the following were monitored during the last year for this CSO?

- \_\_\_\_\_ Rainfall \_\_\_\_\_ CSO flow volume
- \_\_\_\_\_ CSO water quality \_\_\_\_\_ Receiving water quality

How many storm events were monitored during the last year? \_\_\_\_\_

**D.7. CSO Incidents.**

- a. Give the number of CSO incidents in the last year.  
\_\_\_\_\_ incidents ( \_\_\_\_\_ actual or \_\_\_\_\_ approx.)
- b. Give the average duration per CSO incident.  
\_\_\_\_\_ hours ( \_\_\_\_\_ actual or \_\_\_\_\_ approx.)
- c. Give the average volume per CSO incident.  
\_\_\_\_\_ million gallons ( \_\_\_\_\_ actual or \_\_\_\_\_ approx.)
- d. Give the minimum rainfall that caused a CSO incident in the last year.  
\_\_\_\_\_ inches of rainfall

**D.8. Description of Receiving Waters.**

- a. Type: \_\_\_\_\_ Stream/River \_\_\_\_\_ Estuary \_\_\_\_\_ Lake  
\_\_\_\_\_ Ocean \_\_\_\_\_ Other: \_\_\_\_\_
- b. Name of receiving water: \_\_\_\_\_

**D.9. Description of Receiving Waters.** (cont'd.)

- c. Name of watershed/river/stream system: \_\_\_\_\_  
United States Soil Conservation Service 14-digit watershed code (if known): \_\_\_\_\_
- d. Name of State Management/River Basin: \_\_\_\_\_  
United States Geological Survey 8-digit hydrologic cataloging unit code (if known): \_\_\_\_\_

**D.9. CSO Operations.**

- a. Does the combined sewer flow include contributions from significant industrial users?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- b. Describe any known water quality impacts on the receiving water caused by this CSO (e.g., permanent or intermittent beach closings, permanent or intermittent shell fish bed closings, fish kills, fish advisories, other recreational loss, or violation of any applicable State water quality standard).  
\_\_\_\_\_

END OF PART D.

REFER TO THE APPLICATIONS OVERVIEW  
TO DETERMINE WHICH OTHER PARTS OF FORM 2A  
YOU MUST COMPLETE.

## Instructions For Completing Form 2A Application For a NPDES Permit

### Background Information

Each wastewater treatment works that discharges treated effluent to waters of the United States must apply for a permit for its discharges. This permitting requirement is part of the National Pollutant Discharge Elimination System (NPDES) program, which is implemented by the U.S. Environmental Protection Agency (EPA). You can obtain a permit for your treatment works by filling out and sending in the appropriate form(s) to your permitting authority. If the State in which your treatment works is located operates its own NPDES program, then the State is your permitting authority and you should ask your State for permit application forms. On the other hand, if EPA operates the NPDES program in your State, then EPA is the permitting authority, and you must fill out and send in Form 2A.

These instructions explain how to fill out each question in Form 2A. Be sure to read the Application Overview section on the cover page of Form 2A before you start filling out the form. Not every applicant will have to fill out every section of Form 2A. The Application Overview section will help you determine which portions of Form 2A apply to your treatment works.

EPA has developed Form 2A in a modular format, consisting of two packets: The Basic Application Information packet and the Supplemental Application Information packet. At a minimum, all applicants must complete the Basic Application Information packet, which contains questions 1-19. As directed by the Application Overview section on page 1 of the form, certain applicants will also need to complete one or more parts of the Supplemental Application Information packet.

### Commonly Asked Questions

#### *What If I Need More Space for My Answer?*

Some questions on Form 2A require you to write out short answers. If you need more room for your answer than is provided on the form, attach a separate sheet called "Additional Information." At the top of the separate sheet, put the name of your plant, your plant's NPDES permit number, and the number of the outfall that you are writing about. Also, next to your answer, put the question number (from Form 2A). Provide this information on any drawings or other papers that you attach to your application as well.

#### *Will the Public Be Able to See the Information I Submit?*

Any information you submit on Form 2A will be available to the public. If you send in more information than is requested on Form 2A that is considered company-privileged information, you may ask EPA to keep that extra information confidential. Note that you cannot ask EPA to keep effluent data confidential. If you want any of your plant's information to be confidential, tell EPA this when you submit your application. Otherwise, EPA may make the information public without letting you know in advance. For more information on claims of confidentiality, see EPA's business confidentiality regulations at Title 40, Part 2 of the Code of Federal Regulations (CFR).

#### *How Do I Complete the Forms?*

Answer every question on Form 2A that applies to your treatment works. If your answer to a question requires more room than there is on the form, attach additional sheets (see above). If a particular question does not apply to your treatment works, write "N/A" (meaning "not applicable") as your answer to that question. If you need advice on how to fill out these forms, write or contact your EPA Regional Office or your State office at the following address:

#### Completing Form 2A

##### *Facility Name and NPDES Permit Number*

At the top of each page of Form 2A, put your plant's name and NPDES permit number (if you already have been assigned one) in the appropriate boxes. Also put this information on the top of any "Additional Information" sheets you attach. Do not write anything in the space marked "EPA ID Number."

As stated above, Form 2A consists of two packets: the Basic Application Information packet and the Supplemental Application Information packet. These instructions provide directions for completing both of these packets.

#### Basic Application Information Packet

*Paperwork Reduction Act Notice:* The public reporting and recordkeeping burden for this collection of information (the Basic Application Information Packet) is estimated to average 5.3 hours per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously

applicable instructions and requirements; train personnel to respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Chief, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2136), 401 M St., S.W., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St., N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Include the OMB control number in any correspondence. Do not send the completed application form to these addresses.

All applicants must complete the Basic Application Information packet, which consists of questions 1-19. Note that some questions in this packet may not apply to your treatment works. For these questions, write "N/A" in the response space.

#### *Application Overview*

Read the Application Overview before completing any of Form 2A. This section will help you determine which questions and parts of Form 2A apply to your facility. Note that the permitting authority may require you to complete certain questions or provide additional information as well.

As stated above, all applicants must complete the Basic Application Information packet. However, only certain types of applicants will need to complete the Supplemental Application Information packet. Refer to the directions in the Application Overview section on Form 2A to determine which parts of the Supplemental Application Information packet you need to complete.

#### *Treatment Works*

##### 1. Facility Information

Provide your plant's official or legal name. Do not use a nickname or short name. Also provide your plant's mailing address, a contact person at the plant, his/her title, and that person's work telephone number. The contact person should be someone who has a thorough understanding of the operation of your treatment works. The permitting authority may call this person if there are questions about the application. Also provide the actual facility address (if different than the mailing address). The facility location should be a street address (not a Post Office box number)

or other description of the actual location of the facility. Be sure to provide the city or county and state in which your facility is located.

## 2. Applicant Information

If someone other than the facility contact person is actually submitting this application, provide the name and mailing address of that person's organization. Also provide the name of a contact person, his/her title, and his/her work telephone number. The permitting authority may call this person if there are questions about the application.

In addition, indicate whether this applicant is the owner or operator (or both) of the treatment works. If it is neither, describe the relationship of the applicant to the treatment works (e.g., contractor). Also indicate whether you want correspondence regarding this application (phone calls, letters, the permit, etc.) directed to the applicant or to the facility address provided in question 1.

## 3. Existing Environmental Permits

Provide the permit number of each currently effective permit issued to the treatment works for NPDES, UIC, RCRA, PSD, and any other environmental program. If you have previously filed an application but have not yet received a permit, give the number of the application, if any. If you have more than one currently effective permit under a particular permit program, list each such permit number. List any other relevant environmental permits under "Other." These may include permits issued under the following programs: (1) Federal: Ocean Dumping Act, Section 404 of the Clean Water Act, or the Surface Mining Control and Reclamation Act; (2) State: new air emission sources in nonattainment areas under Part D of the Clean Air Act or State permits issued under Section 404 of the Clean Water Act; or (3) local: any applicable local environmental permit programs.

## 4. Population

For all the cities, towns, and unincorporated areas served by your plant, enter the number of people served by your plant at the time you complete this form. If you do not know the population of each area, then only provide the total population for your entire treatment works. If another treatment works discharges into your plant, give the name of that other treatment works and the population it serves.

## 5. Flow

a. Provide your plant's current design maximum daily influent flow rate. "Design maximum daily influent flow rate" means the average amount of wastewater flow your plant was designed to receive on a daily basis. Enter the flow number in million gallons per day (mgd). Treatment works with a design flow less than 5 mgd must provide the design influent flow rate to two decimal places. Treatment works that are greater than or equal to 5 mgd must report this to 1 decimal place. This is because fluctuations of 0.01 mgd to .09 mgd in smaller treatment works represent a significant percentage of daily flow.

b. Enter the annual average daily flow rate, in million gallons per day, that your plant actually treated this year and each of the past two years for days that your plant actually discharges. Each year's data must be based on a 12-month time period, with the 12th month of "this year" occurring no more than three months prior to this application submittal.

c. Enter the maximum daily flow rate, in million gallons per day (mgd), that your plant received this year and each of the past two years. Each year's data must be based on a 12-month time period, with the 12th month of "this year" occurring no more than three months prior to this application submittal.

## 6. Collection System

Indicate what type of collection system brings wastewater to your plant. If you check both of the collection systems indicated on the form, you must also provide an estimate of what percentage (in terms of miles of pipe) of your entire collection system each type represents. For example, 80 percent separate sanitary sewers would mean that 80 percent of the actual miles of pipes are separate sanitary sewers (and 20 percent are combined sewers).

- "Separate sanitary sewer" means a system of pipes that only carries:

(1) Domestic wastewater from connections to houses, hotels, non-industrial office buildings, institutions, or sanitary waste from industrial facilities.

(2) Industrial wastewater received through connections to industrial plants or facilities. This consists of water that is used in the manufacturing processes conducted at the facility.

- "Combined storm and sanitary sewer" means a system of pipes that carries a mixture of storm water runoff and sanitary wastewater.

## 7. Inflow and Infiltration

Estimate, in gallons per day (gpd), the average amount of water that enters the treatment works through inflow and infiltration. Also explain any actions you are taking to correct or decrease inflow and infiltration.

- "Inflow" means that water enters the sewer system from the land's surface in an uncontrolled way. Usually, this happens when surface water runs in through unsealed manhole covers. It may also happen when people illegally connect their foundation drains, roof leaders, cellar drains, yard drains, or catch basins to the sewer system.

- "Infiltration" happens when non-wastewater seeps into the sewer system from the ground. Ground water usually leaks into the sewer system through defective pipes, pipe joints, connections, or manholes.

## 8. Topographic Map

Provide a topographic map or maps of the area extending at least to one mile beyond the property boundaries of the facility which clearly show the following:

- The area surrounding the treatment plant, including all unit processes;
- The pipes or other structures through which wastewater enters the treatment plant and the pipes or other structures through which treated wastewater is discharged from the treatment plant. Include outfalls from bypass piping, if applicable;
  - Each well where wastewater from the plant is injected underground;
  - Wells, springs, other surface water bodies, and drinking water wells that are: (1) Within 1/4 mile of the property boundaries of the treatment plant, and (2) listed in the public record or otherwise known to you;
  - Any areas where the sewage sludge produced by the treatment plant is stored, treated, or disposed;
  - If the treatment works receives waste that is classified as hazardous under the Resource Conservation and Recovery Act (RCRA) by truck, rail, or special pipe, show on the map where that hazardous waste enters the treatment plant and where it is treated stored, and/or disposed.

If a discharge structure, hazardous waste disposal site, or injection well associated with the facility is located more than one mile from the plant, include it on the map, if possible. If not, attach additional sheets describing the location of the structure, disposal site, or well, and identify the U.S. Geological Survey (or other) map corresponding to the location.

On each map, include the map scale, a meridian arrow showing north and

latitude and longitude at the nearest whole second. On all maps of rivers, show the direction of the current, and in tidal waters, show the directions of the ebb and flow tides. Use a 7½ minute series map published by the U.S. Geological Survey, which may be obtained through the U.S. Geological Survey Offices listed below. If a 7½ minute series map has not been published for your facility, then you may use a 15 minute series map from the U.S. Geological Survey. If neither a 7½ minute or 15 minute series map has been published for your facility site, use a plat map or other appropriate map, including all the requested information; in this case, briefly describe land uses in the map area (e.g., residential, commercial).

Maps may be purchased at local dealers (listed in your local yellow pages) or purchased over the counter at the following USGS Earth Science Information Centers (ESIC):

Anchorage-ESIC, 4230 University Dr., Rm. 101, Anchorage, AK 99508-4664, (907)786-7011  
 Lakewood-ESIC, Box 25046, Bldg. 25, Rm. 1813, Denver Federal Center, MS 504, Denver, CO 80225-0046, (303)236-5829  
 Lakewood Open Files-ESIC, Box 25286, Bldg. 810, Denver Federal Center, Denver, CO  
 Menlo Park-ESIC, Bldg. 3, Rm. 3128, MS 532, 345 Middlefield Rd., Menlo Park, CA 94025-3591, (415)329-4309  
 Reston-ESIC, 507 National Center, Reston, VA 22092, (703)648-6045  
 Rolla-ESIC, 1400 Independence Rd., MS 231, Rolla, MO 65401-2602, (314)341-0851  
 Salt Lake City-ESIC, 2222 West 2300 South, Salt Lake City, UT 84119, (801)975-3742  
 Sioux Falls-ESIC, EROS Data Center, Sioux Falls, SD 57198-0001, (605)594-6151  
 Spokane-ESIC, U.S. Post Office Bldg., Rm. 135, 904 W. Riverside Ave., Spokane, WA 99201-1088, (509)353-2524  
 Stennis Space Center-ESIC, Bldg. 3101, Stennis Space Center, MS 39529, (601)688-3541  
 Washington, D.C.-ESIC, U.S. Dept. of Interior, 1849 C St., NW, Rm. 2650, Washington, D.C. 20240, (202)208-4047

All maps should be either on paper or other material appropriate for reproduction. If possible, all sheets should be approximately letter size with margins suitable for filing and binding. As few sheets as necessary should be used to clearly show what is involved. Each sheet should be labeled with your facility's name, permit number, location (city, county, or town), date of drawing, and designation of the number of sheets of each diagram as "page \_\_\_\_ of \_\_\_\_."

#### 9. Process Flow Diagram or Schematic

Provide a process flow diagram or schematic that shows how wastewater flows through your plant. On your diagram, include all bypass piping.

"Bypass piping" is a system of pipes, conduits, gates, and valves that can be used to intentionally divert wastewater flow from any part of your plant directly to a discharge point. A bypass happens before the wastewater has been fully treated. Title your diagram "Schematic Wastewater Flow." An example of a diagram or schematic is shown in Figure A below. Also write a brief description of your diagram.

In addition to the diagram, provide a water balance that shows the following items:

- All treatment units. Treatment units include all processes used to treat wastewater, such as chlorination and dechlorination units.
- The daily average flow rate (in mgd) that has entered your plant and that has been discharged from your plant over the past 12 months.
- The daily average flow rate (in mgd) *between* treatment units in your facility for the past 12 months.

#### Figure A—Process Flow Diagram

If possible, submit diagrams that are approximately letter size (8 ½×11 inches) and leave blank room at the edges so the permitting authority can file or bind the diagram(s) with your application. Submit the fewest number of diagrams that show the whole area. Label all of your plant's discharge points with their outfall numbers. At the top of each sheet, write your plant's name, NPDES permit number, location (city, county, or town), the date you made the diagram, and the number of each diagram sheet as "page \_\_\_\_ of \_\_\_\_" (e.g., page 2 of 4).

#### 10. Bypass

A "bypass" is the intentional diversion of wastewater (e.g., through an arrangement of pipes, conduits, gates, and/or valves) from any portion of your treatment plant to a discharge point before that wastewater is fully treated. Bypasses are prohibited unless the criteria in 40 CFR 122.41(m) are satisfied. For questions 10.a-10.c., provide information on both wet weather and dry weather bypasses if the treatment plant has the ability to bypass untreated or partially treated wastewater.

- a. Provide the number of bypass incidents that occurred at your plant during the past 12 months. Indicate whether this is an actual or approximate number.
- b. Provide the average number of hours that each bypass lasted during the past 12 months. Indicate whether this is an actual or approximate number.
- c. Provide the average volume (in million gallons) of the bypasses over the

past 12 months. The average volume is the total number of gallons that were diverted from your plant divided by the number of bypasses. Indicate whether this is an actual or approximate number.

d. Describe why bypasses happen at your plant.

e. Provide information regarding the presence and use of backup generators at your plant.

#### 11. Discharges and Other Disposal Methods

a. Indicate whether your treatment works discharges effluent to waters of the United States. If the answer to 11.a. is "No," then go to 11.b.

List the number of each type of outfall to waters of the United States your treatment works has. If your plant has outfalls (other than bypass points) that discharge something other than treated sanitary effluent, give the total number of these outfalls and describe what type of effluent is discharged through them.

Note: If your treatment works discharges to waters of the United States, then you must also complete the following sections of Form 2A:

- Questions 15-18;
- Refer to the Application Overview section to determine whether you must also complete the Effluent Testing Information in Part A of the Supplemental Application Information packet.

b. A surface impoundment with no point source discharge (to waters of the U.S.) is a holding pond or basin that is large enough to contain all wastewaters discharged into it. It has no places where water overflows from it. It is used for evaporation of water and very little water seeps into the ground. Your plant must report the location of each surface impoundment, on average how much water is placed in the impoundment each day, and how often water is discharged into the surface impoundment (continuous or intermittent). If your plant discharges to more than one surface impoundment, use an additional sheet (or sheets) to give this information for each impoundment. Attach the additional sheet(s) to the application form. The information on the location of the surface impoundment may be referenced on the topographic map prepared under question 8.

c. Land application is the spraying or spreading of treated wastewater over an area of land. If your plant applies wastewater to land, you must list the site location, how many acres the site is, how much water is applied (as annual average daily application), and how often the wastewater is applied to the site (continuous or intermittent). If your plant applies wastewater to more than

one site, provide the information for each site on a separate sheet (or sheets). Attach the additional sheet(s) to your application form. The information on the location of the surface impoundment may be referenced on the topographic map prepared under question 8.

d. If your plant discharges treated or untreated wastewater to another treatment works (including a municipal waste transport or collection system), provide the information requested in question 11.d. If your plant sends wastewater to more than one treatment works, provide this information for each treatment works on an additional sheet (or sheets). Attach the additional sheet(s) to your application form. Describe how the wastewater is transported to the other treatment works. Also provide the name and mailing address of the company that transports your plant's wastewater to this treatment works as well as the name, phone number, and title of the contact person at the transportation company.

Provide the name and mailing address of each treatment works that receives wastewater from your plant as well as the name, phone number, and title of the contact person at the treatment works that receives your plant's wastewater. Also, provide the NPDES number for the treatment works, if you know it. Indicate the average daily flow, in million gallons per day, that is sent from your plant to the other treatment works.

e. Indicate whether your treatment works discharges, or has the potential to discharge, through combined sewer overflows. If your response to this question is "Yes," then you must also complete Part D of the Supplemental Application Information packet.

f. If your plant disposes of its wastewater in some way that was not described by 11.a.–11.e., briefly describe how your plant discharges or disposes of its wastewater. Also give the annual daily volumes disposed of this way and indicate whether the discharge is continuous or intermittent. Other ways to discharge or dispose include underground percolation and well injection.

## 12. Federal Indian Reservation

Federal Indian Reservation means all land within the limits of any Indian reservation under the jurisdiction of the United States Government notwithstanding the issuance of any patent, and including rights-of-way running through the reservation. Indicate whether your plant is located on (i.e., within the limits of) a Federal

Indian Reservation and whether the water body into which your plant discharges flows through a Federal Indian Reservation after it receives your plant discharge. If you mark "Yes" for either of these questions, describe which parts of your plant are located on a Federal Indian Reservation or indicate how far upstream from a Federal Indian Reservation your plant's discharge is.

## 13. Operation/Maintenance Performed by Contractor(s)

If a contractor carries out any operational or maintenance aspects associated with wastewater treatment or effluent quality at this facility, provide the name, mailing address, and telephone number of each such contractor. Also provide a description of the activities performed by the contractor. Attach additional pages if necessary.

## 14. Scheduled Improvements, Schedules of Implementation

Provide information on any improvements to your treatment works that you are currently planning. Include only those improvements that will affect the wastewater treatment, effluent quality, or design capacity of your treatment works (such improvements may include regionalization of treatment works). Also list the schedule for when these improvements will be started and finished. If your treatment works has more than one improvement planned, use a separate sheet of paper to provide information for each one.

a. List each outfall number that is covered by the implementation schedule. The outfall numbers you use must be the same as the ones provided under question 15.

b. Indicate whether the planned improvements or implementation schedules are required by or planned independently of any local, state, or Federal agencies.

c. Provide a brief description of the improvements to be made for the outfalls listed in question 14.a.

d. If you are submitting Form 2A for a renewal of an existing NPDES permit and you plan to change your treatment works' influent design flow rate, then provide the proposed new maximum daily influent design flow rate in mgd.

e. Provide the information requested for each planned improvement. Supply dates for the following stages of any compliance schedule. For improvements that are planned independently of local, State, or Federal agencies, indicate planned or actual completion dates, as applicable. If a step has already been finished, give the date when that step was completed.

- "Begin Construction" means the date you plan to start construction.

- "End Construction" means the date you expect to finish construction.

- "Begin Discharge" means the date that you expect a discharge will start.

- "Attain Operational Level" means the date that you expect the effluent level will meet your plant's implementation schedule conditions.

f. Note whether your treatment works has received appropriate permits or clearances that are required by other Federal or State requirements. If you have received such permits, describe them.

Note: If this treatment works discharges treated wastewater to waters of the United States, go to question 15. If this treatment works does not discharge treated wastewater to waters of the United States, do not complete questions 15–18. Instead, go to question 19 (Certification Statement). (You may also be required to complete portions of the Supplemental Application Information packet.)

## Effluent Discharges

Answer questions 15–17 once for each outfall through which your treatment works discharges effluent to surface waters of the United States. Do not include information about combined sewer overflow discharge points. Surface water means creeks, streams, rivers, lakes, estuaries, and oceans. If your treatment works has more than one outfall, copy and complete questions 15–17 once for each outfall.

## 15. Description of Outfall

a.–e. Give the outfall number and its location. For location, provide the city or town (if applicable); ZIP code; the county; the state; and the latitude and longitude to the nearest second. If this outfall is a subsurface discharge (e.g., into an estuary, lake, or ocean), indicate how far the outfall is from shore and how far below the water's surface it is. Measure the distances in feet. Give these distances at the lowest point of low tide. Also provide the average daily flow rate in million gallons per day.

f. Mark whether this outfall is a periodic or intermittent discharge. A "periodic discharge" is one that happens regularly (for example, monthly or seasonally), but is not continuous all year. An "intermittent discharge" is one that happens sometimes, but not regularly. Discharges from holding ponds, lagoons, etc., may be included as periodic or intermittent. Do not include discharges from bypass points or combined sewer overflows in your answer. Give the number of times per year a discharge occurs from this outfall. Also tell how long each

discharge lasts and how much water is discharged, in million gallons per day. List each month when discharge happens. If you do not have records of exact months in which such discharges occurred, provide an estimate based on the best available information.

g. Note whether the outfall is equipped with a diffuser. If so, provide a brief description of the type of diffuser used (e.g., high-rate).

16. Description of Receiving Waters

a. Indicate which type of water this outfall discharges into—stream/river, lake, estuary, ocean, or other (describe).

b. Give the names of the surface waters to which this outfall discharges. For example, "Control Ditch A, then into Stream B, then into River C, and finally into River D in River Basin E."

c. Provide the name of the watershed/river/stream system in which the receiving water (identified in question 16.b.) is located. If known, also provide the 14-digit watershed code assigned to this watershed by the U.S. Soil Conservation Service.

d. Provide the name of the State Management/River Basin into which

this outfall discharges. If known, also provide the 8-digit hydrologic cataloging unit code assigned by the U.S. Geological Survey.

e. If the water body is a river or stream, provide the acute and chronic critical low flow in cubic feet per second (cfs). If you are unsure of these numbers, the U.S. Geological Survey may be able to give them to you. Or you may be able to get these numbers from prior studies.

f. Give the total hardness of the receiving stream at critical low flow, in milligrams per liter of CaCO<sub>3</sub>, if applicable.

17. Description of Treatment

a. Indicate the highest level of treatment that your plant provides for the discharge from this outfall.

b. Give the design removal rates, in percent, for biochemical oxygen demand (BOD<sub>5</sub>) or carbonaceous biochemical oxygen demand (CBOD<sub>5</sub>), suspended solids (SS), phosphorus (P), and nitrogen (N).

c. Describe the type of disinfection your plant uses (for example, chlorination, ozonation, ultraviolet, etc.)

and any seasonal variation that may occur. If your plant uses chlorination, indicate whether it also dechlorinates.

d. Note whether the facility has post aeration.

Effluent Testing Data

18. Effluent Testing Information: Conventional and Nonconventional Pollutants

All applicants that discharge effluent to waters of the United States must complete question 18. Refer to the Application Overview section to determine if you must also complete the Effluent Testing Information in Part A of the Supplemental Application Information packet.

Do not include information about combined sewer overflow discharge points in question 18.

Refer to the following table to determine which effluent testing information questions you must complete and to determine the number of pollutant scans on which to base your data.

Treatment works characteristics	Form 2A requirements	Minimum No. of scans (see Appendix A)
<ul style="list-style-type: none"> <li>•Design flow rate less than 1 mgd, <i>and</i> .....</li> <li>•Not required to have (or does not have) a pretreatment program.</li> <li>•Design flow rate greater than or equal to 1 mgd, <i>or</i> .....</li> </ul>	Question 18 .....	3
<ul style="list-style-type: none"> <li>•Required to have a pretreatment program (or has one in place), <i>or</i>.</li> <li>•Otherwise required by the permitting authority to provide the data.</li> </ul>	Question 18 <i>and</i> Part A of Supplemental Application Information Packet.	3

Complete question 18 *once for each outfall* through which effluent is discharged to waters of the United States. Indicate on each page the outfall number (as assigned in questions 15–17) for which the data are provided. Using the blank rows provided on the form, submit any data the facility may have for pollutants not specifically listed in question 18.

For specific instructions on completing the pollutant tables in question 18, refer to Appendix A of these instructions.

Certification

19. Certification

Note: Before completing the Certification statement, review the Application Overview section on the cover page of Form 2A to make sure that you have completed all applicable sections of Form 2A, including any parts of the Supplemental Application Information packet.

All permit applications must be signed and certified. Also indicate in

the boxes provided which sections of Form 2A you are submitting with this application.

An application submitted by a *municipality, State, Federal, or other public agency* must be signed by either a principal executive officer or ranking elected official. A principal executive officer of a Federal agency includes: (1) The chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

An application submitted by a *corporation* must be signed by a responsible corporate officer. A responsible corporate officer means: (1) A president, secretary, treasurer, or vice president in charge of a principal business function, or any other person who performs similar policy- or decision-making functions; or (2) the manager of manufacturing, production, or operating facilities employing more

than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

An application submitted by a *partnership or sole proprietorship* must be signed by a general partner or the proprietor, respectively.

After completing the certification statement (all applicable sections of Form 2A must also be complete), submit the application to:

Supplemental Application Information Packet

EPA has developed Form 2A in a modular format, consisting of two packets: the Basic Application Information packet and the Supplemental Application Information packet. At a minimum, all applicants must complete the Basic Application Information packet. As directed by the Application Overview section on the

cover page of the form, certain applicants will also need to complete one or more parts of the Supplemental Application Information packet.

The Supplemental Application Information packet is divided into the following parts:

- Part A Expanded Effluent Testing Data
- Part B Toxicity Testing Data
- Part C Industrial User Discharges, Pretreatment, and RCRA/CERCLA Wastes
- Part D Combined Sewer Systems

Refer to the Application Overview section to determine which part(s) of the Supplemental Application Information packet you must complete.

**Part A: Expanded Effluent Testing Data**

*Paperwork Reduction Act Notice:* The public reporting and recordkeeping burden for this collection of information (Part A:

Expanded Effluent Data) is estimated to average 5.7 hours per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Chief, OPPE Regulatory Information Division, U.S.

Environmental Protection Agency (2136), 401 M St., SW., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St., NW., Washington, DC 20503. Attention: Desk Officer for EPA. Include the OMB control number in any correspondence. Do not send the completed application form to these addresses.

Note: All applicants that discharge effluent to waters of the United States must complete question 18 of the Basic Application Information packet. Refer to the Application Overview section to determine if you must also complete the Effluent Testing Information in Part A of the Supplemental Application Information packet.

Refer to the following table to determine which effluent testing information questions you must complete and to determine the number of pollutant scans on which to base your data.

Treatment works characteristics	Form 2A requirements	Minimum No. of scans (see appendix A)
• Design flow rate less than 1 mgd, <i>and</i> .....	Question 18 .....	3
• Not required to have (or does not have) a pretreatment program .....	Question 18 <i>and</i> Part A of Supplemental Application Information Packet.	3
• Design flow rate greater than or equal to 1 mgd, <i>or</i> .....	.....	.....
• Required to have a pretreatment program (or has one in place) <i>or</i> .....	.....	.....
• Otherwise required by the permitting authority to provide the date .....	.....	.....

The following instructions apply only to treatment works completing Part A of the Supplemental Application Information packet. Note that the permitting authority may require additional testing on a case-by-case basis.

Complete Part A *once for each outfall* through which effluent is discharged to waters of the United States. Indicate on each page the outfall number (as assigned in questions 15–17 of the Basic Application Information packet) for which the data are provided. Using the blank rows provided on the form, submit any data the facility may have for pollutants not specifically listed in Part A.

For specific instructions on completing the pollutant tables in Part A, refer to Appendix A of these instructions.

Note: After completing Part A, refer to the Application Overview section to determine which other sections of Form 2A you must complete. If you have completed all other required sections of Form 2A, you may proceed to the Certification Statement in question 19 of the Basic Application Information packet.

**Part B. Toxicity Testing Data**

*Paperwork Reduction Act Notice:* The public reporting and recordkeeping burden for this collection of information (Part B: Toxicity Testing Data) is estimated to average 4.5 hours per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Chief, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2136), 401 M St., S.W., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St., N.W., Washington, DC 20503. Attention: Desk Officer for EPA. Include the OMB control number in any correspondence.

Do not send the completed application form to these addresses.

Treatment works meeting one or more of the following criteria must submit the results of whole effluent toxicity testing:

1. Treatment works with a design influent flow rate greater than or equal to one mgd; *or*
2. Treatment works with an approved pretreatment program (as well as those required to have one); *or*
3. Treatment works otherwise required by the permitting authority to submit the results of whole effluent toxicity testing.

Applicants completing Part B must submit the results from any whole effluent toxicity test conducted during the past three years that have not been reported or submitted to the permitting authority for each outfall discharging effluent to the waters of the United States. Do not include information on combined sewer overflows in this section. If the applicant conducted a whole effluent toxicity test during the past three years that revealed toxicity, then provide any information available on the cause of the toxicity or any results of a toxicity reduction evaluation, if one was conducted.

Test results provided in Part B must be based on multiple species being

tested quarterly for a minimum of one year. For multiple species, EPA requires a minimum of two species (e.g., vertebrates and invertebrates). The permitting authority may require the applicant to include other species (e.g., plants) as well. Applicants must provide these tests for acute or chronic toxicity, depending on the range of the receiving water dilution. EPA recommends that applicants conduct acute or chronic toxicity testing based on the following dilutions:

- Acute toxicity testing if the dilution of the effluent is greater than 1000:1 at the edge of the mixing zone.
- Acute or chronic toxicity testing if the dilution of the effluent is between 100:1 and 1000:1 at the edge of the mixing zone. Acute testing may be more appropriate at the higher end of this range (1000:1), and chronic testing may be more appropriate at the lower end of this range (100:1).
- Chronic toxicity testing if the dilution of the effluent is less than 100:1 at the edge of the mixing zone.

All data provided in Part B must be based on tests performed within three years prior to completing this application. The tests must have been conducted since the last NPDES permit issuance or permit modification under 40 CFR 122.62(a). In addition, applicants only need to submit data that have not previously been submitted to the permitting authority. Thus, if test data have already been submitted (within the last three years) in accordance with an issued NPDES permit, the treatment works may note the dates the tests were submitted and need not fill out the information requested in question B.2. for that test.

Additional copies of Part B may be used in submitting the required information. A permittee having no significant toxicity in the effluent over the past year and who has submitted all toxicity test results through the end of the calendar quarter preceding the time of permit application would need to supply no additional data as toxicity testing data as part of this application. Instead, the applicant should complete question B.4., which requests a summary of bioassay test information already submitted. (See below for more detailed instructions on completing question B.4.)

Where test data are requested to be reported, the treatment works has the option of reporting the requested data on Form 2A or on reports supplied by the laboratories conducting the testing, provided the data requested are complete and presented in a logical fashion. The permitting authority

reserves the right to request that the data be reported on Form 2A.

#### B.1. Required Tests

a. Provide the total number of chronic and acute whole effluent toxicity tests conducted in the past three years. A "chronic" toxicity test continues for a relatively long period of time, often one-tenth the life span of the organism or more. An "acute" toxicity test is one in which the effect is observed in 96 hours or less.

#### B.2. Individual Test Data

Complete B.2. for each test conducted in the last three years for which data has not been submitted. Use the columns provided on the form for each test and specify the test number at the top of each column. Use additional copies of question B.2. if more than three tests are being reported. The parameters listed on the form are based on EPA-recommended test methods. Permittees may be required by the permitting authority to submit additional test parameter data for the purposes of quality assurance.

If the treatment works is conducting whole effluent toxicity tests and reporting its results in accordance with an NPDES permit requirement, then the treatment works may note the dates the tests were submitted and need not fill out the information requested in question B.2. for those tests (unless otherwise required by the permitting authority).

a. Provide the information requested on the form for each test reported. Under "Test species," provide the scientific name of the organism used in the test. The "Outfall number" reported must correlate to the outfall numbers listed in questions 15-17 of the Basic Application Information packet.

b. Provide the source of the toxicity test methods followed. In conducting the tests, the treatment works must use methods approved in accordance with 40 CFR Part 136 [Note: Approved methods are currently under development].

c. Indicate whether 24-hour composite or grab samples were used for each test. For multiple grab samples, provide the number of grab samples used. Refer to Appendix A of the instructions for a definition of composite and grab samples.

d. Indicate whether the sample was taken before or after disinfection and/or after dechlorination.

e. Provide a description of the point in the treatment process at which the sample was collected.

f. Indicate whether the test was intended to assess chronic or acute toxicity.

g. Indicate which type of test was performed. A "static" test is a test performed with a single constant volume of water. In a "static-renewal" test, the volume of water is renewed at discrete intervals. In a "flow-through" test, the volume of water is renewed continuously.

h. Indicate whether laboratory water or the receiving water of the tested outfall was used as the source of dilution water. If laboratory water was used, provide the type of water used.

i. Indicate whether fresh or salt water was used as the dilution water. For salt water, specify whether the salt water was natural or artificial (specify the type of artificial water used).

j. For each concentration in the test series, provide the percentage of effluent used.

k. Provide the minimum and maximum parameters measured during the test for pH, salinity, temperature, ammonia, and dissolved oxygen.

l. Provide the results of each test performed. For acute toxicity tests, provide the percent survival of the test species in 100 percent effluent. Also provide the LC<sub>50</sub> (Lethal Concentration to 50 percent) of the test. "LC<sub>50</sub>" is the effluent (or toxicant) concentration estimated to be lethal to 50 percent of the test organisms during a specific period. Indicate any other test results in the space provided.

For chronic toxicity tests, provide data at the most sensitive endpoint. While this is generally expressed as a "NOEC" (No Observed Effect Concentration), it may be expressed as an "Inhibition Concentration" (e.g., "IC<sub>25</sub>"—Inhibition Concentration to 25 percent). The NOEC is the highest measured concentration of an effluent (or a toxicant) at which no significant adverse effects are observed on the test organisms at a specific time of observation. The IC<sub>25</sub> is the effluent (or toxicant) concentration estimated to cause a 25 percent reduction in reproduction, fecundity, growth, or other non-quantal biological measurements. Indicate any other test results in the space provided.

m. Provide the mortality (in percent) of the control group. Indicate any other relevant information about the control group in the space provided.

#### B.3. Toxicity Reduction Evaluation

A Toxicity Reduction Evaluation (TRE) is a site-specific study conducted in a stepwise process designed to identify the causative agents of effluent toxicity, evaluate the effectiveness of

toxicity control options, and then confirm the reduction in effluent toxicity. If the treatment works is conducting a TRE as part of a NPDES permit requirement or enforcement order, then you only need to provide the date of the last progress report concerning the TRE in the area reserved for details of the TRE.

#### B.4. Summary of Submitted Biomonitoring Test Information

As stated above, applicants that have already submitted the results of biomonitoring test information over the past three years do not need to resubmit this data with Form 2A. Instead, indicate in question B.4. the date you submitted each report and provide a summary of the test results for each report. Include in this summary the following information: the outfall number and collection dates of the samples tested, dates of testing, toxicity testing method(s) used, and a summary of the results from the test (e.g. 100% survival in 40% effluent).

Note: After completing Part B, refer to the Application Overview section to determine which other sections of Form 2A you must complete. If you have completed all other required sections of Form 2A, you may proceed to the Certification Statement in question 19 of the Basic Application Information packet.

#### Part C. Industrial User Discharges, Pretreatment, and RCRA/CERCLA Wastes

*Paperwork Reduction Act Notice:* The public reporting and recordkeeping burden for this collection of information (Part C: Industrial User Discharges, Pretreatment, and RCRA/CERCLA Wastes) is estimated to average 4.3 hours per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Chief, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2136), 401 M St., S.W., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget,

725 17th St., N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Include the OMB control number in any correspondence. Do not send the completed application form to these addresses.

All treatment works receiving discharges from significant industrial users (SIUs) or facilities that receive RCRA or CERCLA wastes must complete Part C.

A "categorical industrial user" is an industrial user that is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N, which are technology-based standards developed by EPA setting industry-specific effluent limits. (A list of Industrial Categories subject to Categorical Pretreatment Standards is included in Appendix B.)

A "significant industrial user" is defined in 40 CFR 403.3(t) as an industrial user that:

(1) is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and

(2) any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the treatment works (excluding sanitary, non-contact cooling and boiler blowdown wastewater); contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the treatment works; or is designated as such by the Control Authority as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the treatment works operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

An "industrial user" means any industrial or commercial entity that discharges wastewater that is not domestic wastewater. Domestic wastewater includes wastewater from connections to houses, hotels, non-industrial office buildings, institutions, or sanitary waste from industrial facilities. The number of "industrial users" is the total number of industrial and commercial users that discharge to the treatment works.

For the purposes of completing the application form, please provide information on non-categorical SIUs and categorical industrial users separately.

#### General Information

##### C.1. Number of Industrial Users

Provide the number of SIUs and the number of categorical industrial users only that discharge to your treatment works.

##### C.2. Average Daily Flow From Industrial Users

Provide an estimate of the daily flow of wastewater, in mgd, received from all industrial users, significant industrial users only, and categorical industrial users only.

##### C.3. Industrial User Contributions

Estimate the contribution (in terms of the percent of total daily influent) from all industrial users, significant industrial users only, categorical industrial users only, and domestic sources only.

##### C.4. Pretreatment Program

Indicate whether the treatment works has an approved pretreatment program. An "approved pretreatment program" is a program administered by a treatment works that meets the criteria established in 40 CFR 403.8 and 403.9 and that has been approved by a Regional Administrator or State Director. If the answer to question C.4. is no, go to C.5.

Note: If this treatment works has or is required to have a pretreatment program, you must also complete Parts A and B of the Supplemental Application Information packet.

If the treatment works has an approved pretreatment program, identify any substantial modifications to the POTW's approved pretreatment program that have not been approved in accordance with 40 CFR 403.18.

#### Significant Industrial User (SIU) Information

All treatment works that receive discharges from SIUs must complete questions C.5.-C.10.

If your treatment works receives wastewater from more than one SIU, complete questions C.5.-C.10. *once for each SIU.*

##### C.5. Significant Industrial User Information

Provide the name and mailing address of each SIU. Submit additional pages as necessary.

##### C.6. Industrial Processes

Describe the actual process(es) (rather than simply listing them) at the SIU that affect or contribute to the SIU's discharge. For example, in describing a metal finishing operation, include such information as how the product is cleaned prior to finishing, what type of plating baths are in operation (e.g., nickel, chromium), how paint is applied, and how the product is polished. Attach additional sheets if necessary.

**C.7. Principal Product(s) and Raw Material(s)**

List principal products that the SIU generates and the raw materials used to manufacture the products.

**C.8. Flow Rate**

“Process wastewater” means any water that, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Indicate the average daily volume, in gallons per day, of process wastewater and non-process wastewater that the SIU discharges into the collection system. Specify whether the discharges are continuous or non-continuous.

**C.9. Pretreatment Standards**

Indicate whether the SIU is subject to local limits and categorical pretreatment standards. “Local limits” are enforceable local requirements developed by treatment works to address Federal standards as well as state and local regulations.

“Categorical pretreatment standards” are national technology-based standards developed by EPA, setting industry-specific effluent limits. These standards are implemented by 40 CFR 403.6.

**C.10. Problems at the Treatment Works Attributed to Waste Discharged by the SIU**

Provide information concerning any problems the treatment works has experienced that are attributable to discharges from the SIUs. Problems may include upsets or interference at the plant, corrosion in the collection system, or other similar events.

***RCRA Hazardous Waste Received by Truck, Rail or Dedicated Pipeline*****C.11. RCRA Waste**

As defined in Section 1004(5) of the Resource Conservation and Recovery Act (RCRA), “Hazardous waste” means “a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may:

(A) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or

(B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.”

Those solid wastes that are considered hazardous are listed under 40 CFR Part 261. Treatment works that

accept hazardous wastes by truck, rail, or dedicated pipeline (a pipeline that is used to carry hazardous waste directly to a treatment works without prior mixing with domestic sewage) within the property boundary of the treatment works are considered to be hazardous waste treatment, storage, and disposal facilities (TSDFs) and, as such, are subject to regulations under RCRA. Under RCRA, mixtures of domestic sewage and other wastes that commingle in the treatment works collection system prior to reaching the property boundary, including those wastes that otherwise would be considered hazardous, are excluded from regulation under the domestic sewage exclusion. Hazardous wastes that are delivered directly to the treatment works by truck, rail, or dedicated pipeline do not fall within the exclusion. Hazardous wastes received by these routes may only be accepted by treatment works if the treatment works complies with applicable RCRA requirements for TSDFs.

Applicants completing questions C.11.–C.13. should have indicated all points at which RCRA hazardous waste enters the treatment works by truck, rail, or dedicated pipe in the map provided in question 8 of the Basic Application Information packet.

**C.12. Waste Transport**

Indicate the method by which RCRA waste is received at the treatment works.

**C.13. Waste Description**

Provide the EPA hazardous waste numbers, which are located in 40 CFR Part 261, Subparts C & D, and the amount (in volume or mass) received.

***CERCLA (Superfund) Wastewater and RCRA Remediation/Corrective Action Wastewater***

Substances that are regulated under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) are described and listed in 40 CFR Part 302. Questions C.14.–C.22. apply to the type, origin, and treatment of CERCLA wastes currently (or expected to be) discharged to the treatment works.

**C.14. CERCLA Waste**

Indicate whether this treatment works currently receives waste from a CERCLA (Superfund) site or plans to accept waste from a CERCLA site in the next five years. If it does, provide the information requested in C.15.–C.17.

If the treatment works receives, or plans to receive, CERCLA waste from more than one site, complete questions C.15.–C.17, once for each site.

**C.15. Waste Origin**

Provide information about the CERCLA site that is discharging waste to the treatment works. Information must include a description of the type of facility and an EPA identification number if one exists.

**C.16. Pollutants**

Provide a list of the pollutants that are or will be discharged by the CERCLA site and the volume and concentration of such pollutants.

**C.17. Waste Treatment**

Provide information concerning the treatment used (if any) by the CERCLA site to treat the waste prior to discharging it to the treatment works. The information should include a description of the treatment technology, information on the frequency of the discharge (continuous or intermittent) and any data concerning removal efficiency.

**C.18. RCRA Corrective Action Waste**

Indicate whether this treatment works currently receives RCRA Corrective Action Waste or plans to accept RCRA Corrective Action Waste in the next five years. If it does, provide the information requested in C.19.–C.21.

If there is more than one site from which RCRA Corrective Action Waste is, or is expected to be, received, attach additional sheets with the information requested in questions C.19.–C.21. for each site.

**C.19. Waste Origin**

Provide a description of the site and of the type of facility that discharges or is expected to discharge the RCRA corrective action waste.

**C.20. Pollutants**

Provide a list of the pollutants that are or will be discharged by each RCRA corrective action site.

**C.21. Waste Treatment**

Provide information concerning the treatment used (if any) by the RCRA corrective action site to treat the waste prior to discharging it to the treatment works. The information should include a description of the treatment technology, any data concerning removal efficiency, and information on the frequency of the discharge (continuous or intermittent). If the discharge is intermittent, describe the discharge schedule.

**C.22. Other Wastes From Remediation/Clean-up Sites**

Describe any wastewater received or expected to be received from leaking

underground tank remediation sites and from remediation/cleanup sites that are regulated by other laws (state, municipal, etc.).

Note: After completing Part C, refer to the Application Overview section to determine which other sections of Form 2A you must complete. If you have completed all other required sections of Form 2A, you may proceed to the Certification Statement in question 19 of the Basic Application Information packet.

#### Part D. Combined Sewer Systems

*Paperwork Reduction Act Notice:* The public reporting and recordkeeping burden for this collection of information (Part D: Combined Sewer Systems) is estimated to average 8.2 hours per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Chief, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2136), 401 M St., S.W., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St., N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Include the OMB control number in any correspondence. Do not send the completed application form to these addresses.

##### D.1. Combined Sewer Overflow (CSO) Discharge Points

A combined sewer system collects a mixture of both sanitary wastewater and storm water runoff.

Indicate the number of CSO discharge points in the combined sewer system covered by this application. Complete questions D.5.–D.9. *once for each discharge point.* Attach additional pages as necessary.

##### D.2. System Map

Indicate on a system map all CSO discharge points. For each such point, indicate any sensitive use areas and any waters supporting threatened or endangered species that are potentially affected by CSOs. Sensitive use areas include beaches, drinking water supplies, shellfish beds, sensitive

aquatic ecosystems, and outstanding natural resource waters.

Applicants may provide the information requested in question D.2. on the map submitted in response to question 8 in the Basic Application Information packet.

All maps should be either on paper or other material appropriate for reproduction. If possible, all sheets should be approximately letter size with margins suitable for filing and binding. As few sheets should be used as necessary to show clearly what is involved. All discharge points should be identified by outfall number. Each sheet should be labeled with the applicant's name, NPDES permit number, location (city, county, or town), date of drawing, and designation of the number of sheets of each diagram as "page \_\_\_\_\_ of \_\_\_\_\_."

##### D.3. System Diagram

Diagram the location of combined and separate sanitary major sewer trunk lines and indicate any connections where separate sanitary sewers feed into the combined sewer system. Clearly indicate the location of all flow controlling devices in the system. Include storage equipment, flow regulating devices, and pump stations. Also indicate the areas of drainage associated with each CSO and the pumping capacity of each pump station.

The drawing should be either on paper or other material appropriate for reproduction. If possible, all sheets should be approximately letter size with margins suitable for filing and binding. As few sheets should be used as necessary to show clearly what is involved. All discharge points should be identified by outfall number. Each sheet should be labeled with the applicant's name, NPDES permit number, location (city, county, or town), date of drawing, and designation of the number of sheets of each diagram as "page \_\_\_\_\_ of \_\_\_\_\_."

##### D.4. System Evaluation

List any studies that have been performed on the combined sewer system since the last permit application, including inflow/infiltration studies, engineering studies, hydraulic studies, and water quality studies.

##### CSO Outfalls

Fill out a copy of questions D.5.–D.9. *once for each CSO discharge point.* Attach additional pages as necessary.

##### D.5. Description of Outfall

a.–d. Provide the outfall number and location (including city or town if applicable, state, county, and latitude

and longitude to the nearest second). For subsurface discharges (e.g., discharges to lakes, estuaries, and oceans), provide the distance (in feet) of the discharge point from the shore and the depth (in feet) of the discharge point below the surface of the discharge point. Provide these distances at the lowest point of low tide.

##### D.6. Monitoring

Indicate whether rainfall, CSO flow volume, CSO water quality, and/or receiving water quality were monitored during the past 12 months. Provide the number of storm events monitored during the past 12 months as well.

##### D.7. CSO Incidents

a. Provide the number of CSO incidents that have occurred in the past 12 months. Indicate whether this is an actual or approximate number.

b. Provide the average duration (in hours) per CSO event. Indicate whether this is an actual or approximate value.

c. Provide the average volume (in million gallons) of discharge per CSO incidents over the past 12 months. Indicate whether this is an actual or approximate number.

d. Provide the minimum amount of rainfall that caused a CSO incident in the past 12 months.

##### D.8. Description of Receiving Waters

a. Indicate the type of water body into which the CSO outfall (identified in D.5.a.) discharges.

b. List the name(s) of immediate receiving waters starting at the CSO discharge point and moving downstream. For example, "Control Ditch A, thence to Stream B, thence to River C, and thence to River D in the River Basin E."

c. Provide the name of the watershed/river/stream system in which the receiving water (identified in question D.8.b.) is located. If known, also provide the 14-digit watershed code assigned to this watershed by the U.S. Soil Conservation Service.

d. Provide the name of the State Management/River Basin into which this outfall discharges. If known, also provide the 8-digit hydrologic cataloging unit code assigned by the U.S. Geological Survey.

##### D.9. CSO Operations

a. Indicate whether wastewater from significant industrial users (refer to the instructions to Part C for a definition) can enter the combined sewer system.

b. Provide a description of any known water quality impacts on the receiving water caused by CSO from this discharge point.

Note: After completing Part D, refer to the Application Overview section to determine which other sections of Form 2A you must complete. If you have completed all other required sections of Form 2A, you may proceed to the Certification Statement in question 19 of the Basic Application Information packet.

#### Appendix A—Guidance for Completing the Effluent Testing Information

##### All Treatment Works

All applicants must provide data for each of the pollutants in question 18 of the Basic Application Information packet. Some applicants must also provide data for the pollutants in Part A of the Supplemental Application Information packet. All applicants submitting effluent testing data must base this data on a minimum of three pollutant scans. All samples analyzed must be representative of the discharge from the sampled outfall.

If you have existing data that fulfills the requirements described below, you may use that data in lieu of conducting additional sampling. If you measure more than the required number of daily values for a pollutant and those values are representative of your wastestream, you must include them in the data you report. In addition, use the blank rows provided on the form to provide any existing sampling data that your facility may have for pollutants not listed in the appropriate sections. All data provided in the application must be based on samples taken within three years prior to the time of this permit application.

Sampling data must be representative of the treatment works' discharge and take into consideration seasonal variations. At least two of the samples used to complete the effluent testing information questions must have been taken no fewer than 4 months and no more than 8 months apart. For example, one sample may be taken in April and another in October to meet this requirement. Applicants unable to meet this time requirement due to periodic, discontinuous, or seasonal discharges can obtain alternative guidance on this requirement from their permitting authority.

The collection of samples for the reported analyses should be supervised by a person experienced in performing wastewater sampling. Specific requirements contained in the applicable analytical methods should be followed for sample containers, sample preservation, holding times, and collection of duplicate samples. Samples should be taken at a time representative of normal operation. To the extent feasible, all processes that contribute to wastewater should be in

operation and the treatment system should be operating properly with no system upsets. Samples should be collected from the center of the flow channel (where turbulence is at a maximum), at a location specified in the current NPDES permit, or at any location adequate for the collection of a representative sample.

A minimum of four grab samples must be collected for pH, temperature, cyanide, total phenols, residual chlorine, oil and grease, fecal coliform, E. coli, and enterococci (applicants need only provide data on either fecal coliform or E. coli and enterococci). For all other pollutants, 24-hour composite samples must be collected. However, a minimum of one grab sample, instead of a 24-hour composite, may be taken for effluent from holding ponds or other impoundments that have a retention period greater than 24 hours.

Grab and composite samples are defined as follows:

- Grab sample: an individual sample of at least 100 milliliters collected randomly for a period not exceeding 15 minutes.
- Composite sample: a sample derived from two or more discrete samples collected at equal time intervals or collected proportional to the flow rate over the compositing period. The composite collection method may vary depending on pollutant characteristics or discharge flow characteristics.

The permitting authority may allow or establish appropriate site-specific sampling procedures or requirements, including sampling locations, the season in which sampling takes place, the duration between sampling events, and protocols for collecting samples under 40 CFR Part 136. Contact EPA or the State permitting authority for detailed guidance on sampling techniques and for answers to specific questions. The following instructions explain how to complete each of the columns in the pollutant tables in the effluent testing information sections of Form 2A.

**Maximum Daily Discharge.** For composite samples, the daily discharge is the average pollutant concentration and total mass found in a composite sample taken over a 24-hour period. For grab samples, the daily discharge is the arithmetic or flow-weighted total mass or average pollutant concentration found in a series of at least four grab samples taken during the operating hours of the treatment works during a 24-hour period.

To determine the maximum daily discharge values, compare the daily discharge values from each of the sample events. Report the highest total

mass and highest concentration level from these samples.

- "Concentration" is the amount of pollutant that is present in a sample with respect to the size of the sample. The daily discharge concentration is the average concentration of the pollutant throughout the 24-hour period.

- "Mass" is calculated as the total mass of the pollutant discharged over the 24-hour period.

- All data must be reported as both concentration and mass (where appropriate). Use the following abbreviations in the columns headed "Units."

ppm	Parts per million.
gpd	Gallons per day.
mgd	Million gallons per day.
su	Standard units.
mg/l	Milligrams per liter.
ppb	Parts per billion.
ug/l	Micrograms per liter.
lbs	Pounds.
ton	Tons (English tons).
mg	Milligrams.
g	Grams.
kg	Kilograms.
T	Tonnes (metric tons).

**Average Daily Discharge.** The average daily discharge is determined by calculating the arithmetic mean daily pollutant concentration and the arithmetic mean daily total mass of the pollutant from each of the sample events within the three years prior to this permit application. Report the concentration, mass, and units used under the Average Daily Discharge column, along with the number of samples on which the average is based. Use the unit abbreviations shown above in "Maximum Daily Discharge."

If data requested in Form 2A have been reported on the treatment works' Discharge Monitoring Reports (DMRs), you may compile such data and report it under the maximum daily discharge and the average daily discharge columns of the form.

**Analytical Method.** All information reported must be based on data collected through analyses conducted using 40 CFR Part 136 methods. Applicants should use methods that enable pollutants to be detected at levels adequate to meet water quality-based standards. Where no approved method can detect a pollutant at the water quality-based standards level, the most sensitive approved method should be used. If the applicant believes that an alternative method should be used (e.g., due to matrix interference), the applicant should obtain prior approval from the permitting authority. If an alternative method is specified in the existing permit, the applicant should

use that method unless otherwise directed by the permitting authority. Where no approved analytical method exists, an applicant may use a suitable method but must provide a description of the method. For the purposes of the application, "suitable method" means a method that is sufficiently sensitive to measure as close to the water quality-based standard as possible.

Indicate the method used for each pollutant in the "Analytical Method" column of the pollutant tables. If a method has not been approved for a pollutant for which you are providing data, you may use a suitable method to measure the concentration of the pollutant in the discharge, and provide a detailed description of the method used or a reference to the published method. The description must include the sample holding time, preservation techniques, and the quality control measures used. In such cases, indicate the method used and attach to the application a narrative description of the method used.

Reporting Levels. The applicant should provide the method detection limit (MDL), minimum level (ML), or other designated method endpoint reflecting the precision of the analytical method used.

All analytical results must be reported using the actual numeric values determined by the analysis. In other words, even where analytical results are below the detection or quantitation level of the method used, the actual data should be reported, rather than reporting "non-detect" ("ND") or "zero" ("0"). Because the endpoint of the method has also been reported along with the test results, the permitting

authority will be able to determine if the data are in the "non-detect" or "below quantitation" range.

For any dilutions made and any problems encountered in the analysis, the applicant should attach an explanation and any supporting documentation with the application. For GC/MS, report all results found to be present by spectral confirmation (i.e., quantitation limits or detection limits should not be used as a reporting threshold for GC/MS).

Total Recoverable Metals. Total recoverable metals are measured from unfiltered samples using EPA methods specified in 40 CFR Part 136.3. A digestion procedure is used to solubilize suspended materials and destroy possible organic metal complexes. The method measures dissolved metals plus those metals recovered from suspended particles by the method digestion.

#### Appendix B: Industrial Categories Subject to National Categorical Pretreatment Standards

##### *Industrial Categories With Pretreatment Standards in Effect*

Aluminum Forming  
Asbestos Manufacturing  
Battery Manufacturing  
Builder's Paper and Board Mills  
Carbon Black Manufacturing  
Coil Coating  
Copper Forming  
Electrical and Electronic Components  
Electroplating  
Feedlots  
Ferroalloy Manufacturing  
Fertilizer Manufacturing  
Glass Manufacturing  
Grain Mills Manufacturing  
Ink Formulating

Inorganic Chemicals  
Iron and Steel Manufacturing  
Leather Tanning and Finishing  
Metal Finishing  
Metal Molding and Casting  
Nonferrous Metals Forming and Metal Powders  
Nonferrous Metals Manufacturing  
Organic Chemicals, Plastics and Synthetic Fibers  
Paint Formulating  
Paving and Roofing  
Pesticide Manufacturing  
Petroleum Refining  
Pharmaceutical Manufacturing  
Porcelain Enameling  
Pulp, Paper and Paperboard  
Rubber Manufacturing  
Soap and Detergents Manufacturing  
Steam Electric Power Generating  
Sugar Processing  
Timber Products Manufacturing  
*Industrial Categories With Effluent Guidelines Currently Under Development (Proposed and Final Action Dates)*

Pulp, Paper, and Paperboard (12/17/93–TBD)  
Pesticide Formulating, Packaging, and Repackaging (4/14/94–8/95)  
Centralized Waste Treatment (12/15/94–9/96)  
Pharmaceutical Manufacturing (2/95–8/96)  
Metal Products and Machinery, Phase I (3/95–9/96)  
Industrial Laundries (12/96–12/98)  
Transportation Equipment Cleaning (12/96–12/98)  
Landfills and Incinerators (3/97–3/99)  
Metal Products and Machinery, Phase II (12/97–12/99)

BILLING CODE 6560-50-P

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FACILITY NAME: \_\_\_\_\_  
EPA ID NUMBER:  
(for official use only)

NPDES PERMIT NUMBER: \_\_\_\_\_

FORM  
**25**  
NPDES

**PRELIMINARY INFORMATION**

This page is designed to indicate whether the applicant is to complete Part 1 or Part 2. Review each category, and then complete Part 1 or Part 2, as indicated. For purposes of this form, the term "you" refers to the applicant. "This facility" and "your facility" refer to the facility for which application information is submitted.

**DRAFT**

**FACILITIES INCLUDED IN ANY OF THE FOLLOWING CATEGORIES MUST COMPLETE PART 2.**

1. Facilities that are required to have air emissions control specific pollutant limits. (This includes "stack only" facilities that are applying for air specific pollutant limits.)
2. Facilities with a currently effective NPDES permit.
3. Facilities which have been directed by the permitting authority to submit a full permit application at this time.

**ALL OTHER FACILITIES MUST COMPLETE PART 1.**

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**PART 1: LIMITED BACKGROUND INFORMATION**

This part should be completed only by "single-use" facilities—that is, facilities that do not currently have, and are not applying for, an NPDES permit for a direct discharge to a surface body of water. This part also does not pertain to facilities that are requesting, or that are required to have, clean-water discharge permits to their permits. For purposes of this form, the term "year" refers to the applicant, "this facility" and "year facility" refer to the facility for which application information is submitted.

**1. Facility Information.**

a. Facility name

b. Mailing address

c. Contact person

Title

Phone number

d. Facility address  
(not P.O. Box)

e. Indicate the type of facility:

- Publicly owned treatment works (POTW)
- Privately owned treatment works
- Federally owned treatment works
- Blending or treatment operation
- Surface disposal site
- Sewage sludge incinerator
- Other. If other, explain:

**2. Applicant Information.** If the applicant is different from the above, provide the following:

a. Applicant name

b. Mailing address

c. Contact person

**2. Applicant Information. (cont'd).**

Title

Phone number

d. Is the applicant the owner or operator (or both) of this facility?

\_\_\_\_\_ owner \_\_\_\_\_ operator \_\_\_\_\_ other (describe) \_\_\_\_\_

e. Indicate whether correspondence regarding this permit should be directed to the facility or the applicant.

\_\_\_\_\_ facility \_\_\_\_\_ applicant

3. Sewage sludge amount. Provide the total dry matter tons per latest 365-day period of sewage sludge handled under the following practices:

a. Amount generated at the facility: \_\_\_\_\_

b. Amount received from off site: \_\_\_\_\_

c. Amount treated or blended on site: \_\_\_\_\_

d. Amount sold or given away in a bag or other container to applicants on the land: \_\_\_\_\_

e. Amount of bulk sewage sludge shipped off site for treatment or blending: \_\_\_\_\_

f. Amount applied to the land in bulk form: \_\_\_\_\_

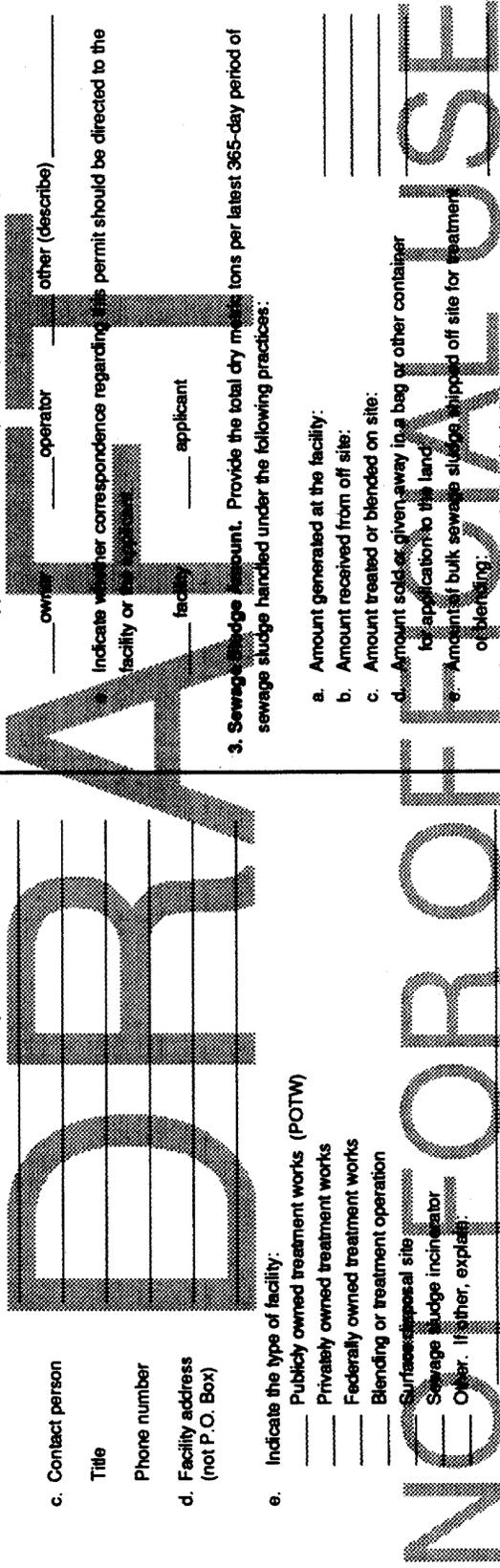
g. Amount placed on a surface disposal site: \_\_\_\_\_

h. Amount fired in a sewage sludge incinerator: \_\_\_\_\_

i. Amount sent to a municipal solid waste landfill: \_\_\_\_\_

j. Amount used or disposed by another practice: \_\_\_\_\_

Describe: \_\_\_\_\_





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NPDES PERMIT NUMBER:

FACILITY NAME:

6. Sewage Sludge Sent to Other Facilities. Is sewage sludge from your facility provided to another facility for treatment, distribution, use, or disposal?

Yes No

If yes, provide the following information for the facility receiving the sewage sludge:

- a. Name of facility: \_\_\_\_\_
- b. Facility contact. Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_
- c. Facility mailing address. Street or P.O. Box: \_\_\_\_\_ City or Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- d. Which activities does the receiving facility provide? (check all that apply):  
 Treatment or blending  
 Sale or giveaway in bag or other container  
 Land application  
 Sewage disposal  
 Other (describe): \_\_\_\_\_

7. Use and Disposal Sites. (cont'd)

d. Site type:

- Agricultural
- Forest
- Public contact
- Reclamation
- Other (describe): \_\_\_\_\_
- Lawn or home garden
- Surface disposal
- Incineration
- Municipal Solid Waste Landfill

Certification. I certify under penalty of law that this document and all attachments were prepared under my supervision and pursuant to instructions to determine whether an officer for purposes of this certification.

I certify under penalty of law that this document and all attachments were prepared under my supervision and pursuant to instructions to determine whether an officer for purposes of this certification. I assure that the information submitted is 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.

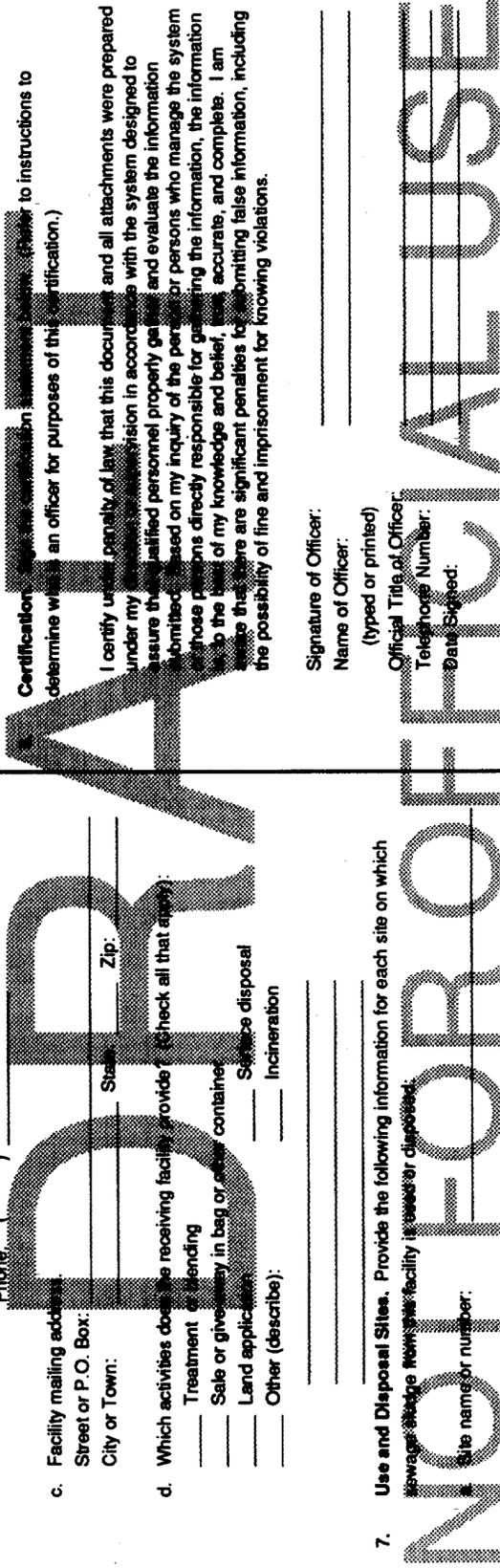
Signature of Officer:  
Name of Officer:

(typed or printed)  
Official Title of Officer:  
Telephone Number:  
Date Signed:

7. Use and Disposal Sites. Provide the following information for each site on which sewage sludge from your facility is used or disposed.

- a. Site name or number: \_\_\_\_\_
- b. Site contact. Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_
- c. Site location. (Complete 1 or 2)  
 1. Street or Route #: \_\_\_\_\_  
 County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 City or Town: \_\_\_\_\_  
 2. Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

Send the completed application form to:



Form Approved  
OMB Number  
Approval Expires XX-XX-XX

EPA ID NUMBER:  
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NPDES PERMIT NUMBER:

FACILITY NAME:

**PART 2: PERMIT APPLICATION INFORMATION**

Complete this form to answer "yes" to any of the questions in this Part 2. If you answer "no" to all questions, you do not need a permit. If you answer "yes" to any question, you must obtain a permit. This facility must have a permit to discharge pollutants into navigable waters. If you answer "yes" to any question, you must also complete Part 3 of this form. This facility must have a permit to discharge pollutants into navigable waters. If you answer "yes" to any question, you must also complete Part 3 of this form.

**APPLICATION OVERVIEW — SEWAGE SLUDGE USE OR DISPOSAL INFORMATION**

Part 3 is divided into two sections: Part 3, Section A, pertains to all applicants. The applicability of Sections 3, C, D, and E depends on your facility's sewage sludge management practices. Part 3, Section B, pertains to applicants who own or operate a surface disposal unit.

1. **SECTION A: GENERAL INFORMATION.**  
Section A must be completed by all applicants.
2. **SECTION B: GENERATION OF SEWAGE SLUDGE OR PREPARATION OF A MATERIAL DERIVED FROM SEWAGE SLUDGE.**  
Section B must be completed by applicants who either:
  - 1) Generate sewage sludge, or
  - 2) Derive a material from sewage sludge.
3. **SECTION C: LAND APPLICATION OF BULK SEWAGE SLUDGE.**  
Section C must be completed by applicants who either:
  - 1) Apply sewage to the land, or
  - 2) Generate sewage sludge which is applied to the land by others.

**NOTE:** Applicants who meet either or both of the two above criteria are exempted from this requirement if all sewage sludge from their facility falls into one of the following three categories:

  - 1) The sewage sludge from this facility meets the ceiling and pollutant concentrations, Class A pathogen reduction requirements, and one of vector attraction reduction options 1-8, as identified in the instructions, or
  - 2) The sewage sludge from this facility is placed in a bag or other container for sale or give-away for application to the land, or
  - 3) The sewage sludge from this facility is sent to another facility for treatment or blending.
4. **SECTION D: SURFACE DISPOSAL.**  
Section D must be completed by applicants who own or operate a surface disposal unit.
5. **SECTION E: INCINERATION.**  
Section E must be completed by applicants who own or operate a sewage sludge incinerator.

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Form Approved  
OMB Number  
Approval Expires XX-XX-XX

EPA ID NUMBER:  
*(for official use only)*

NPDES PERMIT NUMBER:

FACILITY NAME:

### A. GENERAL INFORMATION

All applicants must complete this section.

#### A.1. Facility Information.

a. Facility name \_\_\_\_\_

b. Mailing address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Contact person \_\_\_\_\_

Title \_\_\_\_\_

Phone number \_\_\_\_\_

d. Facility address  
(not P.O. Box) \_\_\_\_\_  
\_\_\_\_\_

e. Facility latitude: \_\_\_\_\_

Facility longitude: \_\_\_\_\_

Method of latitude/longitude determination:

\_\_\_\_ USGS map \_\_\_\_\_ Other (describe): \_\_\_\_\_

\_\_\_\_ Field survey \_\_\_\_\_

If map used, provide datum and scale: \_\_\_\_\_

f. Is this facility a Class I sludge management facility?

\_\_\_\_ Yes \_\_\_\_\_ No

If yes, submit the results of a toxicity characteristic leaching procedure (TCLP) performed on this facility's sewage sludge. Submit the results of all TCLPs performed during the last five years, if not previously submitted.

g. Facility design influent flow rate: \_\_\_\_\_ mgd

h. Total population served: \_\_\_\_\_

#### A.1. Facility Information.(cont'd)

i. Indicate the type of facility:

\_\_\_\_ Publicly owned treatment works (POTW)

\_\_\_\_ Privately owned treatment works

\_\_\_\_ Federally owned treatment works

\_\_\_\_ Blending or treatment operation

\_\_\_\_ Surface disposal site

\_\_\_\_ Sewage sludge incinerator

\_\_\_\_ Other (describe): \_\_\_\_\_

A.2. Applicant Information. If the applicant is different from the above, provide the following:

a. Applicant name \_\_\_\_\_

b. Mailing address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ Contact person \_\_\_\_\_

Title \_\_\_\_\_

Phone number \_\_\_\_\_

d. Is the applicant the owner or operator (or both) of this facility?

\_\_\_\_ owner \_\_\_\_\_ operator \_\_\_\_\_ other (describe) \_\_\_\_\_

e. Indicate whether correspondence regarding this permit should be directed to the facility or the applicant.

\_\_\_\_ facility \_\_\_\_\_ applicant

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NPDES PERMIT NUMBER:

FACILITY NAME:

**A.3. Permit Information.**

- a. Facility's NPDES permit number (if applicable): \_\_\_\_\_
- b. List on this form or an attachment, all other Federal, State, and local permits or construction approvals received or applied for that regulate this facility's sewage sludge management practices:

Permit Number: \_\_\_\_\_ Type of Permit: \_\_\_\_\_

**A.4. Federal Indian Reservation.** Does any generation, treatment, storage, application to land, or disposal of sewage sludge from this facility occur on a Federal Indian Reservation?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe:

**A.5. Topographic Map.** Provide a topographic map or maps (or other appropriate map(s) if a topographic map is unavailable) that shows the following items of information. Map(s) should include the area one mile beyond all property boundaries of the facility.

- a. Location of all sewage sludge management facilities including land application sites and locations where sewage sludge is generated, treated, or disposed.

- b. Location of all water bodies within one mile beyond the facility's property boundaries.

- c. Location of all wells used for drinking water listed in public records or otherwise known to the applicant within 1/4 mile of the facility property boundaries.

**A.6. Line Drawing.** Provide a line drawing and/or a narrative description that identifies all sewage sludge processes that will be employed during the term of the permit, including all processes used for collecting, dewatering, storing, or treating sewage sludge, the destination(s) of all liquids and solids leaving each unit, and all methods used for pathogen reduction and vector attraction reduction.

**A.7. Contractor Information.**

Are any operational or maintenance aspects of this facility related to sewage sludge generation, treatment, use or disposal the responsibility of a contractor?

Yes \_\_\_\_\_ No \_\_\_\_\_

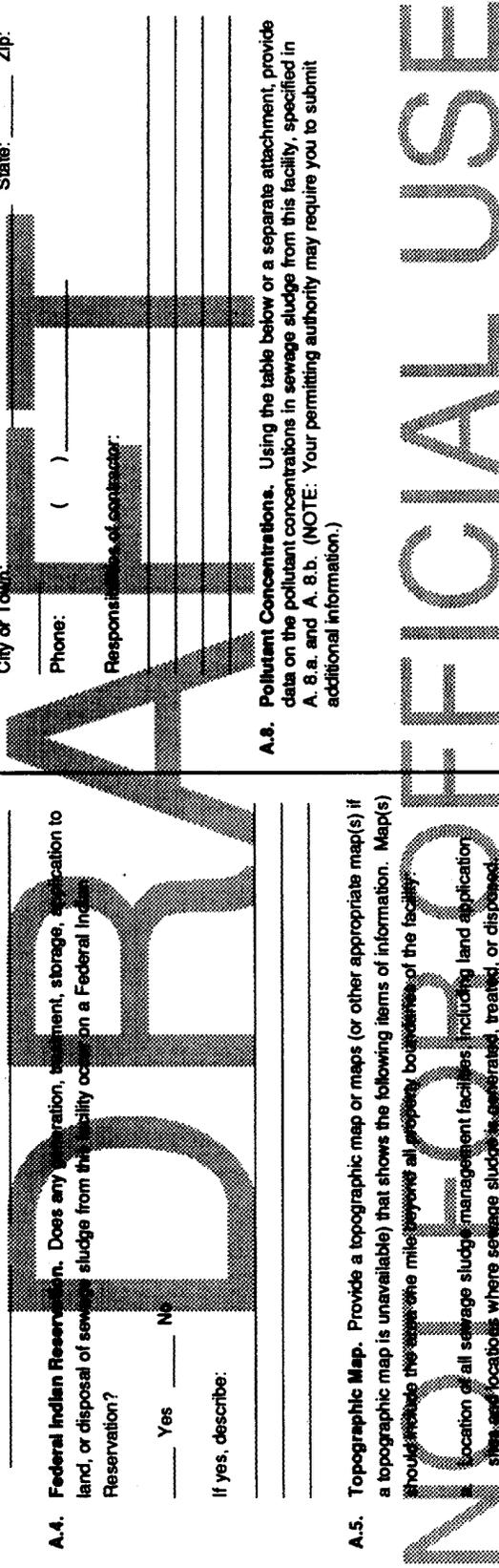
If yes, provide the following for each contractor (attach additional pages if necessary):

Name: \_\_\_\_\_  
Street or P.O. Box: \_\_\_\_\_  
City or Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

Responsibilities of contractor: \_\_\_\_\_

**A.8. Pollutant Concentrations.** Using the table below or a separate attachment, provide data on the pollutant concentrations in sewage sludge from this facility, specified in A. 8.a. and A. 8.b. (NOTE: Your permitting authority may require you to submit additional information.)



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**A.8.a. Monitoring Information for All Facilities.** All facilities must provide the information requested below. Information must be based on at least one sample. If you have existing information from multiple samples, provide up to three data points taken at least one month apart. Data provided for the pollutants listed below must be no more than two years old.

**A.8.b. Additional Monitoring Information for Class I Sludge Management Facilities.** Class I sludge management facilities must provide the information requested below. Information must be based on at least one sample. If you have existing information from multiple samples, provide up to three data points taken at least one month apart. Data provided for the pollutants listed below must be no more than two years old.

POLLUTANT NAME (USE HAZARDOUS POLLUTANTS)	CONCENTRATION (including any sample)	ANALYSIS DATE	ANALYTICAL METHOD	MINIMUM DETECTION LEVEL (FOR ANALYSIS)
<b>PART 503 METALS</b>				
ARSENIC 7440-38-2				
CADMIUM 7440-43-9				
CHROMIUM 7440-47-3				
COPPER 7440-50-8				
LEAD 7439-92-1				
MERCURY 7439-97-6				
MOLYBDENUM 7439-98-7				
NICKEL 7440-02-0				
SELENIUM 7782-49-2				
ZINC 7440-66-6				
<b>NUTRIENTS</b>				
TKN				
AMMONIA				
NITRATE				
TOTAL PHOSPHORUS				
OTHER				
PERCENT SOLIDS				
<b>OTHER METALS AND CYANIDE</b>				
ANTIMONY 7440-96-0				
BERYLLIUM 7440-41-7				
SILVER 7440-22-4				
THALLIUM 7440-28-0				
CYANIDE 57-12-6				
<b>VOLATILE ORGANIC COMPOUNDS</b>				
ACROBEN 107-02-7				
ACETONITRILE 107-13-1				
BENZENE 71-43-2				
BROMOFORM 75-25-2				
CARBON TETRACHLORIDE 56-23-5				
CHLOROBENZENE 108-90-7				
CHLORODIBROMOMETHANE 124-48-1				
CHLOROETHANE 78-06-2				
2-CHLOROETHYL VINYL ETHER/110-72-8				
CHLOROFORM 67-63-3				
DICHLOROBROMOMETHANE 75-27-4				
1,1-DICHLOROETHANE 75-34-3				
1,2-DICHLOROETHANE 107-06-2				
TRANS-1,2-DICHLORO- ETHYLENE/156-60-5				
1,1-DICHLOROETHYLENE 75-35-4				
1,2-DICHLOROPROPANE 78-87-5				
1,3-DICHLOROPROPENE 542-75-6				
ETHYLBENZENE 100-41-4				
METHYL BROMIDE 74-83-9				

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FACILITY NAME:

**A.8.b. Monitoring Information for Class I Sludge Management Facilities (cont'd)**

POLLUTANT NAME (USE REGULATORY NUMBER)	CONCENTRATION Reporting unit	SAMPLE DATE	ANALYTICAL METHOD	DETECTION LIMIT FOR ANALYSIS	POLLUTANT NAME (USE REGULATORY NUMBER)	CONCENTRATION Reporting unit	SAMPLE DATE	ANALYTICAL METHOD	DETECTION LIMIT FOR ANALYSIS
<b>VOLATILE ORGANIC COMPOUNDS (cont'd)</b>									
METHYL CHLORIDE 74-87-3					ACENAPHTHENE 83-92-9				
METHYLENE CHLORIDE 75-09-2					ACENAPHTHYLENE 208-96-8				
1,1,2-TRICHLOROETHANE 79-34-5					ANTHRACENE 120-12-7				
TETRACHLOROETHYLENE 127-18-4					BENZIDINE 92-87-5				
TOLUENE 108-88-3					1,2,3,4-TETRAHYDROANTRACENE 153-89-3				
1,1,1-TRICHLOROETHANE 71-55-6					ACENAPHTHYLENE 50-33-2				
1,1,2-TRICHLOROETHANE 79-00-5					3,4-DIFLUOROANTHRAcene 205-99-8				
TRICHLOROETHYLENE 79-01-6					PERFLUOROPOLYETHER 107-25-1				
VINYL CHLORIDE 75-01-4					BENZOPHENANTHRAcene 207-08-9				
<b>ACID-EXTRACTABLE COMPOUNDS</b>									
P- CHLORO-M-CRESOL 59-50-7					BIS (2-CHLOROETHOXY) METHANE / 111-91-1				
2-CHLOROPHENOL 95-57-8					BIS (2-CHLOROETHYL) ETHER/111-44-4				
2,4-DICHLOROPHENOL 120-83-2					BIS (2-CHLOROISOPROPYL) ETHER/108-60-1				
2,4,6-TRICHLOROPHENOL 135-67-8					BIS (2-ETHYLHEXYL) PHTHALATE / 117-81-7				
4-DINITRO-CRESOL 534-52-1					4-BROMOPHENYL PHENYL ETHER / 101-55-3				
2,4-DINITROPHENOL 51-28-5					BUTYL BENZYL PHTHALATE 85-83-7				
2-NITROPHENOL 88-75-5					2-CHLORONAPHTHRENE 91-58-7				
4-NITROPHENOL 100-02-7					4-CHLOROPHENYL PHENYL ETHER / 7005-72-3				
PENTACHLOROPHENOL 87-86-5					CHRYSENE 218-01-9				
PHENOL 108-95-2					D-N-BUTYL PHTHALATE 84-74-2				
2,4,6-TRICHLOROPHENOL 98-06-2					D-N-OCTYL PHTHALATE 117-84-0				
					DIBENZO(A,H)ANTHRACENE 59-70-9				
					1,2-DICHLOROBENZENE 95-50-1				
					1,3-DICHLOROBENZENE 541-73-1				

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FACILITY NAME: \_\_\_\_\_  
EPA ID NUMBER: \_\_\_\_\_  
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**A.8 b. Monitoring Information for Class I Sludge Management Facilities (cont'd).**

INSTITUTE NAME AND IDENTIFY NUMBER	SAMPLE DATE	ANALYTICAL METHOD	CONCENTRATION (mg/L or ug/L)	CONCENTRATION (mg/L or ug/L)	INSTITUTE NAME AND IDENTIFY NUMBER	SAMPLE DATE	ANALYTICAL METHOD	CONCENTRATION (mg/L or ug/L)	CONCENTRATION (mg/L or ug/L)
<b>BASE-NEUTRAL COMPOUNDS (cont'd)</b>									
1,4-DICHLOROBENZENE					ALDRIN				
106-46-7					309-00-2				
3,3-DICHLOROBENZIDINE					ALPHA-BHC				
91-94-1					319-84-6				
DIETHYL PHTHALATE					BETA-BHC				
84-66-2					319-85-7				
DIMETHYL PHTHALATE					DELTA-BHC				
131-11-3					319-86-8				
2,4-DINITROTOLUENE					DELTA-BHC				
121-14-2					319-86-8				
2,6-DINITROTOLUENE					DELTA-BHC				
606-20-2					319-86-8				
1,2-DIPHENYLHYDRAZINE					DELTA-BHC				
122-66-7					319-86-8				
FLUORANTHENE					DELTA-BHC				
20844-0					319-86-8				
FLUORENE					DELTA-BHC				
86-73-7					319-86-8				
HEXACHLOROBENZENE					DELTA-BHC				
118-74-1					319-86-8				
HEXACHLOROBUTADIENE					DELTA-BHC				
87-68-3					319-86-8				
HEXACHLOROCYCLO-PENTADIENE / 77-47-4					DELTA-BHC				
HEXACHLOROETHANE					319-86-8				
67-72-1					DELTA-BHC				
BENZENE, 1,2-DICHLOROPHENYLENE					DELTA-BHC				
83-39-5					319-86-8				
BENZOPHENE					DELTA-BHC				
78-59-1					319-86-8				
NAPHTHALENE					DELTA-BHC				
91-20-3					319-86-8				
NITROBENZENE					DELTA-BHC				
98-95-3					319-86-8				
N-NITROSODI-N-PROPYLAMINE / 621-64-7					DELTA-BHC				
N-NITROSODIMETHYLAMINE					319-86-8				
62-75-9					DELTA-BHC				
N-NITROSODIPHENYLAMINE					319-86-8				
86-30-6					DELTA-BHC				
PHENANTHRENE					319-86-8				
85-01-8					DELTA-BHC				
PYRENE					319-86-8				
129-00-0					DELTA-BHC				
1,2,4-TRICHLOROBENZENE					319-86-8				
120-82-1					DELTA-BHC				

**PESTICIDES**

ALDRIN					ALDRIN				
309-00-2					309-00-2				
ALPHA-BHC					ALPHA-BHC				
319-84-6					319-84-6				
BETA-BHC					BETA-BHC				
319-85-7					319-85-7				
DELTA-BHC					DELTA-BHC				
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FACILITY NAME:

**A.8.b. Monitoring Information for Class I Sludge Management Facilities (cont'd).**

POLLUTANT NAME (USE REGULATORY NUMBER)	CONCENTRATION Range by Sample	SAMPLE DATE	ANALYTICAL METHOD	INTERIM DETECTION LEVEL FOR ANALYSIS	POLLUTANT NAME (USE REGULATORY NUMBER)	CONCENTRATION Range by Sample	SAMPLE DATE	ANALYTICAL METHOD	INTERIM DETECTION LEVEL FOR ANALYSIS
<b>PESTICIDES (cont'd)</b>									
PCB-1260									
11096-82-5									
TOXAPHENE									
8001-35-2									
OTHER									
2,3,7,8-TETRACHLORODIBENZO- P-DIOXIN (TCDD)/1746-01-6									

**A.9. Certification.** Read and submit the following certification statement with this application. Refer to the instructions to determine who is an officer for purposes of this certification.

Indicate which parts of Form 2S you have completed and are submitting:

Limited Background Information packet

Permit Application Information packet:

- Part A (General Information)
- Part B (Generation of Sewage Sludge or Preparation of a Material Derived from Sewage Sludge)
- Part C (Land Application of Bulk Sewage Sludge)
- Part D (Surface Disposal)
- Part E (Incineration)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with the system designed to assure that qualified personnel properly gather and evaluate 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 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.

Signature of Officer: \_\_\_\_\_

Name of Officer:  
(typed or printed) \_\_\_\_\_

Official Title of Officer: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Date Signed: \_\_\_\_\_

Upon request of the permitting authority, you must submit any other information necessary to assess sewage sludge use or disposal practices at your facility or identify appropriate permitting requirements.

Send this completed application to: \_\_\_\_\_

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NPDES PERMIT NUMBER:

FACILITY NAME:

### B. GENERATION OF SEWAGE SLUDGE OR PREPARATION OF A MATERIAL DERIVED FROM SEWAGE SLUDGE

Complete this section if your facility generates sewage sludge or recycles a material from sewage sludge.

#### B.1. Amount Generated On Site.

Total dry metric tons per 365-day period generated at your facility: \_\_\_\_\_

**B.2. Amount Received from Off Site.** If your facility receives sewage sludge from another facility for treatment, use, or disposal, provide the following information for each facility from which sewage sludge is received. If you receive sewage sludge from more than one facility, attach additional pages as necessary.

- a. Facility name \_\_\_\_\_
- b. Contact person \_\_\_\_\_
- c. Phone number \_\_\_\_\_
- d. Mailing address \_\_\_\_\_
- e. Facility address (not P.O. Box) \_\_\_\_\_

f. Total dry metric tons per 365-day period received from this facility: \_\_\_\_\_

Describe, on this form or on another sheet of paper, any treatment processes known to occur at the off-site facility, including blending activities and treatment to reduce pathogens or vector attraction characteristics:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### B.3. Treatment Provided at Your Facility.

a. Which class of pathogen reduction is achieved for the sewage sludge at your facility? \_\_\_\_\_ Class A \_\_\_\_\_ Class B \_\_\_\_\_ Neither or unknown

b. Describe, on this form or another sheet of paper, any treatment processes used at your facility: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Which vector attraction reduction option is used for the sewage sludge at your facility? \_\_\_\_\_

- Option 1 (Minimum 38 percent reduction in volatile solids)
- Option 2 (Anaerobic process, with bench-scale demonstration)
- Option 3 (Aerobic process, with bench-scale demonstration)
- Option 4 (Specific oxygen uptake rate for aerobically digested sludge)
- Option 5 (Aerobic processes plus raised temperature)
- Option 6 (Raise pH to 12 and retain at 11.5)
- Option 7 (75 percent solids with no unstabilized solids)
- Option 8 (80 percent solids with unstabilized solids)
- None or unknown

d. Describe, on this form or another sheet of paper, any treatment processes used at your facility to reduce vector attraction properties of sewage sludge:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DRAFT  
NOT FOR OFFICIAL USE

**FACILITY NAME:** \_\_\_\_\_  
**NPDES PERMIT NUMBER:** \_\_\_\_\_  
**EPA ID NUMBER:** \_\_\_\_\_  
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**OMB Number**  
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**B.3. Treatment Provided at Your Facility. (cont'd)**  
 e. Describe, on this form or another sheet of paper, any other sewage sludge treatment or blending activities not identified in (a) - (d) above:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

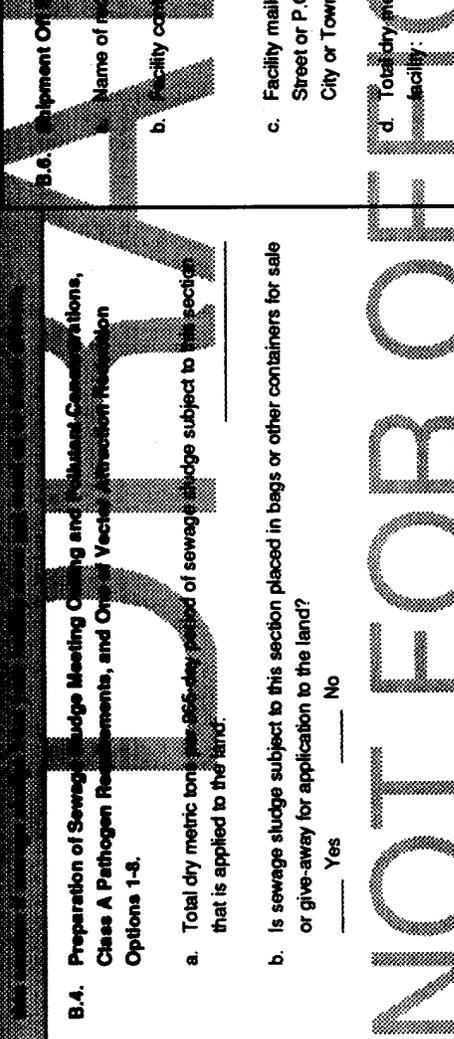
**B.5. Sale or Give-Away in a Bag or Other Container for Application to the Land. (cont'd)**  
 b. Attach, with this application, a copy of all labels or notices that accompany the sewage sludge being sold or given away in a bag or other container for application to the land.

**B.4. Preparation of Sewage Sludge Meeting Class A Pathogen Reduction, Class A Pathogen Requirements, and One of Vectors Destruction Reduction Options 1-5.**  
 a. Total dry metric tons per 365-day period of sewage sludge subject to this section that is applied to the land:  
 \_\_\_\_\_  
 b. Is sewage sludge subject to this section placed in bags or other containers for sale or give-away for application to the land?  
 Yes \_\_\_\_\_ No \_\_\_\_\_

**B.6. Shipment Off Site for Treatment or Blending**  
 a. Name of receiving facility: \_\_\_\_\_  
 b. Facility contact: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Phone: ( \_\_\_\_\_ ) \_\_\_\_\_  
 c. Facility mailing address:  
 Street or P.O. Box: \_\_\_\_\_  
 City or Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**B.5. Sale or Give-Away in a Bag or Other Container for Application to the Land.**  
 d. Total dry metric tons per 365-day period of sewage sludge provided to receiving facility: \_\_\_\_\_  
 e. Does the receiving facility provide additional treatment to reduce pathogens in sewage sludge from your facility? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Which class of pathogen reduction is achieved for the sewage sludge at the receiving facility?  
 \_\_\_\_\_ Class A \_\_\_\_\_ Class B \_\_\_\_\_ Neither or unknown

**B.5. Sale or Give-Away in a Bag or Other Container for Application to the Land.**  
 a. Total dry metric tons per 365-day period of sewage sludge placed in a bag or other container at your facility for sale or give-away for application to the land: \_\_\_\_\_



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FACILITY NAME:

**B.6. Shipment Off Site for Treatment or Blending. (cont'd)**

Describe, on this form or another sheet of paper, any treatment processes used at the receiving facility to reduce pathogens in sewage sludge:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the receiving facility provide additional treatment to reduce vector attraction characteristics of the sewage sludge? Yes \_\_\_\_\_ No \_\_\_\_\_

Which vector attraction reduction option is met for the sewage sludge at the receiving facility?

- Option 1 (Minimum 38 percent reduction in volatile solids)
- Option 2 (Aerobic process, with bench-scale demonstration)
- Option 3 (Aerobic process, with bench-scale demonstration)
- Option 4 (Specific oxygen uptake rate for aerobically digested sludge)
- Option 5 (Aerobic processes at a raised temperature)
- Option 6 (Fats and oils are retained at 11.5%)
- Option 7 (75 percent solids with no unstabilized solids)
- Option 8 (90 percent solids with unstabilized solids)
- None

Describe, on this form or another sheet of paper, any treatment processes used at the receiving facility to reduce vector attraction properties of sewage sludge:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

g. Does the receiving facility provide any additional treatment or blending activities not identified in (e) or (f) above? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe—on this form or another sheet of paper—the treatment or blending activities not identified in (e) or (f) above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B.6. Shipment Off Site for Treatment or Blending. (cont'd)**

h. If you answered yes to (e), (f), or (g), attach a copy of any information you provide the receiving facility to comply with the "notice and necessary information" requirement of 40 CFR 503.12(g).

i. Does the receiving facility place sewage sludge from your facility in a bag or other container for sale or give-away for application to the land? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, provide a copy of all labels or notices that accompany the product being sold or given away.



**B.7. Land Application of Bulk Sewage Sludge.**

a. Total dry metric tons per 365-day period of sewage sludge applied to all land application sites:

Do you identify all land application sites in Section C of this application? Yes \_\_\_\_\_ No \_\_\_\_\_

If no, submit a copy of the land application plan with this application (see instructions).

c. Are any land application sites located in States other than the State where you generate sewage sludge or derive a material from sewage sludge? Yes \_\_\_\_\_ No \_\_\_\_\_

**FACILITY NAME:** \_\_\_\_\_ **NPDES PERMIT NUMBER:** \_\_\_\_\_

**EPA ID NUMBER:** \_\_\_\_\_ **Form Approved**  
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**B.7. Land Application of Bulk Sewage Sludge. (cont'd)**

If yes, describe—on this form or another sheet of paper—how you notify the permitting authority for the States where the land application sites are located. Provide a copy of the notification.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**B.8. Surface Disposal.**

a. Total dry metric tons of sewage sludge from your facility placed on all surface disposal sites per 365-day period: \_\_\_\_\_

b. Do you own or operate all surface disposal sites to which you send sewage sludge for disposal? Yes \_\_\_\_\_ No \_\_\_\_\_

If no, answer B.8.c - B.8.f for each surface disposal site that you do not own or operate. If you send sewage sludge to more than one such surface disposal site, attach additional pages as necessary.

Incinerator name or number: \_\_\_\_\_

Incinerator contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Owner \_\_\_\_\_ Operator \_\_\_\_\_

Contact is incinerator: \_\_\_\_\_

Incinerator mailing address: \_\_\_\_\_

**B.9. Incineration.**

a. Total dry metric tons of sewage sludge from your facility fired in all sewage sludge incinerators per 365-day period: \_\_\_\_\_

b. Do you own or operate all sewage sludge incinerators in which sewage sludge from your facility is fired? Yes \_\_\_\_\_ No \_\_\_\_\_

If no, complete B.9.c-f for each sewage sludge incinerator that you do not own or operate. If you send sewage sludge to more than one such sewage sludge incinerator, attach additional pages as necessary.

Incinerator name or number: \_\_\_\_\_

Incinerator contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Owner \_\_\_\_\_ Operator \_\_\_\_\_

Contact is incinerator: \_\_\_\_\_

Incinerator mailing address: \_\_\_\_\_

**B.10. Disposal in a Municipal Solid Waste Landfill.** Provide the following information for each municipal solid waste landfill on which sewage sludge from your facility is placed. If sewage sludge is placed on more than one municipal solid waste landfill, attach additional pages as necessary.

Total dry metric tons of sewage sludge from your facility fired in this sewage sludge incinerator per 365-day period: \_\_\_\_\_

Site name or number: \_\_\_\_\_

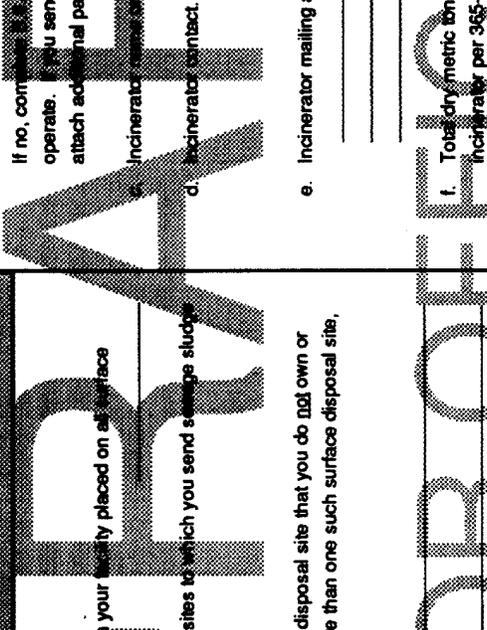
Site contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Site owner \_\_\_\_\_ Site operator \_\_\_\_\_

Contact is: \_\_\_\_\_

Mailing address \_\_\_\_\_

Total dry metric tons of sewage sludge from your facility placed on this surface disposal site per 365-day period: \_\_\_\_\_



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B.10. Disposal in a Municipal Solid Waste Landfill. (cont'd)

B.10. Disposal in a Municipal Solid Waste Landfill. (cont'd)

f. List, on this form or an attachment, the numbers of all other Federal, State, and local permits that regulate the operation of this municipal solid waste landfill:  
Permit Number: \_\_\_\_\_ Type of Permit: \_\_\_\_\_  
\_\_\_\_\_

a. Name of landfill: \_\_\_\_\_  
b. Landfill contact: \_\_\_\_\_  
Title: \_\_\_\_\_  
Phone: ( ) \_\_\_\_\_  
Contact is: \_\_\_\_\_ Landfill owner \_\_\_\_\_ Landfill operator \_\_\_\_\_

g. Submit, with this application, information to determine whether the sewage sludge meets applicable requirements for disposal of sewage sludge in a municipal solid waste landfill (e.g., results of paint filter liquids test and TCLP test).

c. Mailing address for municipal solid waste landfill.  
Street or P.O. Box: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
City or Town: \_\_\_\_\_

Does the municipal solid waste landfill comply with applicable criteria set forth in 40 CFR Part 268?  
Yes \_\_\_\_\_ No \_\_\_\_\_

d. Location of municipal solid waste landfill.  
Street or Route #: \_\_\_\_\_  
County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
City or Town: \_\_\_\_\_

e. Total dry metric tons of sewage sludge from your facility placed in this municipal solid waste landfill per day period: \_\_\_\_\_

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**C. LAND APPLICATION OF BULK SEWAGE SLUDGE**

Consent to apply for a permit under this part of the National Pollutant Discharge Elimination Act (NPDES) is hereby given by the undersigned, who is authorized to execute this permit on behalf of the applicant, to the United States Environmental Protection Agency (EPA) and to the State of New York. The applicant understands that the permit is subject to the terms and conditions of the permit and to the terms and conditions of the NPDES program. The applicant also understands that the permit is subject to the terms and conditions of the NPDES program and to the terms and conditions of the NPDES program.

**C.1. Identification of Land Application Site.**

a. Site name or number: \_\_\_\_\_  
 b. Site location. (Complete 1 or 2)  
 1. Street or Route #: \_\_\_\_\_  
 County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 City or Town: \_\_\_\_\_  
 2. Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

**C.2. Owner Information.**

a. Are you the owner of this land application site? Yes \_\_\_\_\_ No \_\_\_\_\_  
 b. If no, provide the following information about the owner:  
 Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Street or P.O. Box: \_\_\_\_\_  
 City or Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**C.3. Appplier Information.**

a. Are you the person who applies, or who is responsible for application of, sewage sludges to this land application site? Yes \_\_\_\_\_ No \_\_\_\_\_  
 b. If no, provide the following information for the person who applies:  
 Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Street or P.O. Box: \_\_\_\_\_  
 City or Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**C.4. Site Type.** Identify the type of land application site from among the following:

Agricultural land \_\_\_\_\_ Reclamation site \_\_\_\_\_  
 Forest \_\_\_\_\_  
 Public contact site \_\_\_\_\_  
 C.5. Crop or Other Vegetation Grown on Site.

a. What type of crop or other vegetation is grown on this site?  
 \_\_\_\_\_  
 b. What is the nitrogen requirement for this crop or vegetation?  
 \_\_\_\_\_

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FACILITY NAME:

C.6. Cumulative Loadings and Remaining Allotments. (cont'd)

C.6. Vector Attraction Reduction.

Are any vector attraction reduction requirements met when sewage sludge is applied to the land application site?

Yes  No

If yes, answer C.6.a and C.6.b:

a. Indicate which vector attraction reduction option is met:

Option 9 (injection below land surface)

Option 10 (injection into soil within 6 feet)

b. Describe, on this form or another sheet of paper, any treatment procedures used at the land application site to reduce vector attraction properties of sewage sludge:

C.7. Ground-Water Monitoring.

Are any ground-water monitoring data available for this land application site?

Yes  No

If yes, submit the ground-water monitoring data with this permit application. Also submit a written description of the well locations, appropriate depth to ground water, and the ground-water monitoring procedures used to obtain these data.

Complete this section only if the sewage sludge applied to this site since July 20, 1993, has been subject to the monitoring requirements of 40 CFR 140.104.

C.8. Cumulative Loadings and Remaining Allotments.

a. Have you contacted the permitting authority in the State where the bulk sewage sludge subject to CPLRs will be applied, to ascertain whether bulk sewage sludge subject to CPLRs has been applied to this site on or since July 20, 1993?

If no, sewage sludge subject to CPLRs may not be applied to this site.

If yes, provide the following information:

Permitting authority: \_\_\_\_\_

Contact person: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

b. Based upon this inquiry, has bulk sewage sludge subject to CPLRs been applied to this site since July 20, 1993?

Yes  No

If no, skip C.8.c.

If yes, answer question C.8.c.

c. Provide the following information for every facility other than yours that is sending, or has sent, bulk sewage sludge subject to CPLRs to this site since July 20, 1993. If more than one such facility sends sewage sludge to this site, attach additional pages as necessary.

Name of facility: \_\_\_\_\_

Facility contact Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Facility mailing address: \_\_\_\_\_

Street or P.O. Box: \_\_\_\_\_

City or Town: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

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NPDES PERMIT NUMBER:

FACILITY NAME:

**D. SURFACE DISPOSAL**

Complete this section if you wish to operate a surface disposal unit.  
Complete Sections D.1 - D.4 for each active sewage sludge unit.

**D.1. Information on Active Sewage Sludge Units.**

- a. Unit name or number: \_\_\_\_\_
- b. Unit location: \_\_\_\_\_
- c. Total dry metric tons of sewage sludge placed on the active sewage sludge unit per 365-day period: \_\_\_\_\_
- d. Total dry metric tons of sewage sludge placed on the active sewage sludge unit over the life of the unit: \_\_\_\_\_
- e. Does the active sewage sludge unit have a liner with a maximum hydraulic conductivity of  $1 \times 10^{-7}$  cm/sec? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, describe the liner (or attach a description): \_\_\_\_\_

**D.1. Information on Active Sewage Sludge Units. (cont'd)**

h. Provide the following information:

- Remaining capacity of active sewage sludge unit, in dry metric tons: \_\_\_\_\_
- Anticipated closure date for active sewage sludge unit, if known: \_\_\_\_\_
- Provide, with this application, a copy of any closure plan that has been developed for this active sewage sludge unit.

Sewage Sludge from this facility is transported to other facilities other than your facility? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, provide the following information for each such facility. If sewage sludge is sent to this active sewage sludge unit from more than one such facility, attach additional pages as necessary.

- a. Name of facility: \_\_\_\_\_
- b. Facility contact: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Phone: ( ) \_\_\_\_\_

c. Facility mailing address.

Street or P.O. Box: \_\_\_\_\_  
City or Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
d. Which class of pathogen reduction is achieved before sewage sludge leaves the other facility?  
Class A \_\_\_\_\_ Class B \_\_\_\_\_ None or unknown \_\_\_\_\_

e. Describe, on this form or another sheet of paper, any treatment processes used at the other facility to reduce pathogens in sewage sludge:  
\_\_\_\_\_  
\_\_\_\_\_

g. If you answered no to either D.1.e or D.1.f, answer the following question:

Is the boundary of the active sewage sludge unit less than 150 meters from the property line of the surface disposal site? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, provide the actual distance in meters: \_\_\_\_\_

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FACILITY NAME:

D.2. Sewage Sludge from Other Facilities (cont'd)

1. Which vector attraction reduction option is achieved before sewage sludge leaves the other facility?

- Option 1 (Minimum 38 percent reduction in volatile solids)
- Option 2 (Anaerobic process, with bench-scale demonstration)
- Option 3 (Aerobic process, with bench-scale demonstration)
- Option 4 (Specific oxygen uptake rate for aerobically digested sludge)
- Option 5 (Aerobic processes plus raised temperature)
- Option 6 (Raise pH to 12 and retain at 11.5)
- Option 7 (70 percent solids with no unstabilized solids)
- Option 8 (90 percent solids with unstabilized solids)
- None or unknown

g. Describe, on this form or another sheet of paper, any treatment processes used at the other facility to reduce vector attraction properties of sewage sludge.

h. Describe, on this form or another sheet of paper, any other sewage sludge treatment activities performed by the other facility that are not identified in (d) - (g) above:

D.3. Vector Attraction Reduction. (cont'd)

b. Describe, on this form or another sheet of paper, any treatment processes used at the active sewage sludge unit to reduce vector attraction properties of sewage sludge:

D.4. Ground-Water Monitoring.

a. Is ground-water monitoring currently conducted at this active sewage sludge unit, or are ground-water monitoring and sampling activities planned for this active sewage sludge unit? Yes \_\_\_ No \_\_\_

If yes, provide a copy of available ground-water monitoring data. Also provide a written description of the well locations, the approximate depth to ground water, and the ground-water monitoring procedures used to obtain these data.

b. Has a ground-water monitoring program been prepared for this active sewage sludge unit? Yes \_\_\_ No \_\_\_

If yes, submit a copy of the ground-water monitoring program with this permit application.

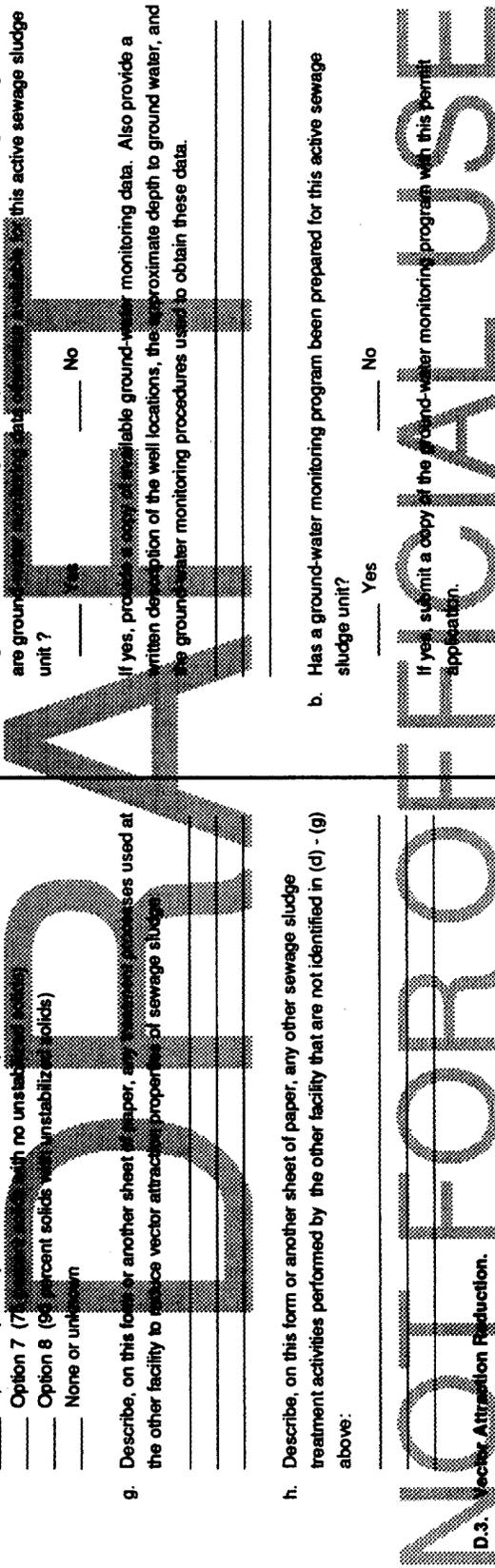
c. Have you obtained a certification from a qualified ground-water scientist that the aquifer below the active sewage sludge unit has not been contaminated? Yes \_\_\_ No \_\_\_

If yes, submit a copy of the certification with this permit application.

D.5. Site-Specific Limits. Are you seeking site-specific pollutant limits for the sewage sludge placed on the active sewage sludge unit?

Yes \_\_\_ No \_\_\_

If yes, submit information to support the request for site-specific pollutant limits with this application.



D.3. Vector Attraction Reduction.

a. Which vector attraction reduction option, if any, is met when sewage sludge is placed on this active sewage sludge unit?

- Option 9 (Injection below land surface)
- Option 10 (Incorporation into soil within 6 hours)
- Option 11 (Covering active sewage sludge unit daily)

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FACILITY NAME:

**E. INCINERATION**

Complete this section if you are incinerating sewage sludge. If you are not incinerating sewage sludge, you may skip this section. If you are incinerating sewage sludge, you must complete this section. If you are not incinerating sewage sludge, you may skip this section.

**E.1. Incinerator Identification.**

- a. Incinerator name or number \_\_\_\_\_
- b. Incinerator location \_\_\_\_\_

**E.2. Amount Fired.** Dry weight tons per 365-day period of sewage sludge fired in the sewage sludge incinerator: \_\_\_\_\_

**E.3. Beryllium NESHAP.**

- a. Is the sewage sludge fired in this incinerator "beryllium-containing waste" as defined in the instructions? Yes \_\_\_\_\_ No \_\_\_\_\_

Submit, with this application, information, test data, and description of measures taken that demonstrate whether the sewage sludge incinerated is beryllium-containing waste, and will continue to remain as such.

- b. If the answer to (a) is yes, submit with this application a complete report of the latest beryllium emission rate testing and documentation of ongoing incinerator operating parameters indicating that the NESHAP emission rate limit for beryllium has been and will continue to be met.

**E.4. Mercury NESHAP.**

- a. How is compliance with the mercury NESHAP being demonstrated?  
 \_\_\_\_\_ Stack testing \_\_\_\_\_ Sewage sludge sampling  
 (if checked, complete E.4.b) (if checked, complete E.4.c)
- b. If stack testing is conducted, submit the following information with this application:

**E.4. Mercury NESHAP. (cont'd)**

- A complete report of stack testing and documentation of ongoing incinerator operating parameters indicating that the incinerator has met, and will continue to meet, the mercury NESHAP emission rate limit.

- Copies of mercury emission rate tests for the two most recent years in which testing was conducted.

- a. If sewage sludge sampling is used to demonstrate compliance, submit a complete report of sewage sludge sampling and documentation of ongoing incinerator operating parameters indicating that the incinerator has met, and will continue to meet, the mercury NESHAP emission rate limit.

**E.5. Dispersion Factor.**

- a. Dispersion factor, in micrograms/cubic meter per gram/second: \_\_\_\_\_

- b. Name and type of dispersion model: \_\_\_\_\_

- c. Submit a copy of the modeling results and supporting documentation with this application.

**E.6. Control Efficiency.**

- a. Control efficiency, in hundredths, for the following pollutants:

Arsenic: \_\_\_\_\_  
 Cadmium: \_\_\_\_\_  
 Chromium: \_\_\_\_\_  
 Lead: \_\_\_\_\_  
 Nickel: \_\_\_\_\_

- b. Submit a copy of the results of performance testing and supporting documentation (including testing dates) with this application.

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NIPDES PERMIT NUMBER:

FACILITY NAME:

**E.7. Risk Specific Concentration for Chromium.**

- a. Risk specific concentration (RSC) used for chromium, in micrograms per cubic meter: \_\_\_\_\_
- b. Which basis was used to determine the RSC?  
 \_\_\_\_\_ Table 2 in 40 CFR 503.43  
 \_\_\_\_\_ Equation 6 in 40 CFR 503.43 (site-specific determination)
- c. If Table 2 was used, identify the type of incinerator used as the basis:  
 \_\_\_\_\_ Fluidized bed with wet scrubber  
 \_\_\_\_\_ Fluidized bed with wet scrubber and wet electrostatic precipitator  
 \_\_\_\_\_ Other types \_\_\_\_\_ wet scrubber  
 \_\_\_\_\_ Other types \_\_\_\_\_ wet scrubber and wet electrostatic precipitator
- d. If Equation 6 was used, provide the following:  
 \_\_\_\_\_ Decimal fraction of hexavalent chromium concentration to total chromium concentration in stack exit gas:  
 \_\_\_\_\_ Submit results of incinerator stack tests for hexavalent and total chromium concentrations, including date(s) of test, with this application.

**E.8. Operational Standard for Total Hydrocarbons (THC) or Carbon Monoxide (CO).**  
If you monitor THC, complete the following:

- a. Raw value for THC concentration in stack emissions, in ppm: \_\_\_\_\_
- b. Moisture content in stack gas, in percent: \_\_\_\_\_
- c. Oxygen concentration in stack gas, in percent: \_\_\_\_\_
- d. Corrected value for THC concentration in stack emissions, in ppm: \_\_\_\_\_
- e. Submit, with this application, documentation used to derive raw THC concentration, moisture content, oxygen concentration, and corrected THC concentration.  
If you monitor CO, complete the following:  
 \_\_\_\_\_ a. Raw value for CO concentration in stack emissions, in ppm:  
 \_\_\_\_\_ b. Moisture content in stack gas, in percent:  
 \_\_\_\_\_ c. Oxygen concentration in stack gas, in percent:  
 \_\_\_\_\_ d. Corrected value for CO concentration in stack emissions, in ppm:  
 \_\_\_\_\_ e. Submit, with this application, documentation used to derive raw CO concentration, moisture content, oxygen concentration, and corrected CO concentration.

**E.9. Operating Parameters.**

- a. Incinerator type: \_\_\_\_\_
- b. Combustion temperature: \_\_\_\_\_  
 Submit, with this application, supporting documentation such as testing date(s), a description of temperature measurement and data recording and handling systems, and a description of how such combustion temperature data have been averaged.
- c. Sewage sludge feed rate, in dry metric tons/day: \_\_\_\_\_  
 Indicate whether value submitted is:  
 \_\_\_\_\_ Average use  
 \_\_\_\_\_ Maximum design
- Submit, with this application, supporting documentation describing how the feed rate was calculated: \_\_\_\_\_
- d. Incinerator stack height, in meters: \_\_\_\_\_  
 Indicate whether value submitted is:  
 \_\_\_\_\_ Actual stack height  
 \_\_\_\_\_ Creditable stack height
- e. Submit, with this application, information documenting the operating parameters for the air pollution control device(s) used for this sewage sludge incinerator.

**E.10. Monitoring Equipment.** List the equipment in place to monitor the following parameters: \_\_\_\_\_

- a. Total hydrocarbons or carbon monoxide: \_\_\_\_\_
  - b. Percent oxygen: \_\_\_\_\_
  - c. Moisture content: \_\_\_\_\_
  - d. Combustion temperature: \_\_\_\_\_
  - e. Other: \_\_\_\_\_
- E.11. Air Pollution Control Equipment.** Submit, with this application, a list of all air pollution control equipment used with this sewage sludge incinerator.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## Instructions for Completing Form 2S

*Application for a Sewage Sludge Permit*

Paperwork Reduction Act Notice: The public reporting and recordkeeping burden for this collection of information is estimated to average 11.6 hours per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Chief, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2136), 401 M St., S.W., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St., N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Include the OMB control number in any correspondence. Do not send the completed application form to these addresses.

*Overview*

This application form collects information from persons that are required to apply for a sewage sludge use or disposal permit.

*Who Must Submit Application Information?*

The following persons are "treatment works treating domestic sewage" that are required to submit sewage sludge permit application information:

- Any person who generates sewage sludge that is ultimately regulated by Part 503 (i.e., it is applied to the land, placed on a surface disposal site, fired in a sewage sludge incinerator, or placed in a municipal solid waste landfill unit);
- Any person who derives material from, or otherwise changes the quality of, sewage sludge (e.g., an intermediate treatment facility such as a composting facility, or a facility that processes sewage sludge for sale or give away in a bag or other container for application to the land), if that sewage sludge is used or disposed in a manner subject to Part 503;
- Any person who owns or operates a sewage sludge surface disposal site;

- Any person who fires sewage sludge in a sewage sludge incinerator; and

- Any other person required by the permitting authority to submit permit application information.

For purposes of this form, *you* refers to the applicant. *This facility* and *your facility* refer to the facility for which application information is being submitted.

*Facility* should be interpreted to include activities potentially subject to regulation under the sewage sludge program—e.g., areas of sewage sludge treatment, storage, land application, surface disposal, or incineration, even if such activities do not occur at the same location.

*Which Parts of The Form Apply?*

Form 2S is presented in a modular format, enabling information collection to be tailored to your facility's sewage sludge generation, treatment, use, or disposal practices. The form is divided into two main parts:

- *Part 1* is limited screening information that must be submitted by "sludge-only" (non-NPDES) facilities that are not applying for site-specific pollutant limits and have not been directed to submit a full permit application at this time.
- *Part 2* must be submitted by facilities that are submitting a full permit application at this time. These include the following:

- Facilities with a currently effective NPDES permit.
- Facilities that are required to have, or are requesting, site-specific pollutant limits, including "sludge-only" facilities that are applying for site-specific pollutant limits. (Note: all sewage sludge incinerators are required to have site-specific pollutant limits.)
- Facilities that have been directed by the permitting authority to apply for a permit at this time.

Complete either Part 1 or Part 2, but not both (unless otherwise instructed by the permitting authority).

Part 2 is divided into the following sections:

- *Section A* is general information to be provided by all applicants that fill out Part 2.
- *Section B* must be completed by any facility that generates sewage sludge or derives a material from sewage sludge.
- *Section C* must be completed by any facility that applies bulk sewage sludge to the land, or whose bulk sewage sludge is applied to the land. (Most applicants that provide this information will also submit Section B

information, because it is unlikely that EPA would permit a land applier who does not generate or change the quality of sewage sludge.)

- *Section D* must be completed by the owner/operator of a surface disposal site.

- *Section E* must be completed by the owner/operator of a sewage sludge incinerator.

You need only submit the Sections of Part 2 that apply.

*Part 1: Limited Background Information*

Part 1 requests a limited amount of information from "sludge-only" facilities (facilities without a currently-effective NPDES permit) that are not requesting site-specific permit limits and are not directed by the permitting authority to submit a full permit application at this time. This limited screening information must be submitted as expeditiously as possible, but no later than 180 days after publication of an applicable use or disposal standard. It is intended to allow the permitting authority to identify these facilities, track sewage sludge use and disposal, and establish priorities for permitting.

## 1. Facility Information.

a. Provide the facility's official or legal name. Do not use a colloquial name.

b. Provide the complete mailing address of the office where correspondence should be sent. This may differ from the facility location given in Question 1.d.

c. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application, and who can be contacted by the permitting authority if necessary.

d. Provide the physical location of the facility. If the facility lacks a street address or route number, provide the most accurate alternative geographic information (e.g., township and range, section or quarter section number, or nearby highway intersection).

e. Indicate the type of facility.

A *publicly owned treatment works* (POTW) is any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a State or municipality. This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

A *privately owned treatment works* is any device or system which is (a) used to treat wastes from any facility whose

operator is not the operator of the treatment works and (b) not a POTW or federally owned treatment works.

A *federally owned treatment works* is a facility that is owned and operated by a department, agency, or instrumentality of the Federal Government that treats wastewater, a majority of which is domestic sewage, prior to discharge in accordance with a permit issued under section 402 of the Federal Water Pollution Control Act.

A *blending or treatment operation* means any sewage sludge or wastewater treatment device or system, regardless of ownership (including Federal facilities), used in the storage, treatment, recycling, and reclamation of domestic sewage, including land dedicated for the disposal of sewage sludge. For purposes of this form, such devices or systems include blending or treatment operations that derive material from sewage sludge but do not generate sewage sludge.

A *surface disposal site* is an area of land that contains one or more active sewage sludge units.

An *active sewage sludge unit* is land on which only sewage sludge is placed for final disposal. This does not include land on which sewage sludge is either stored or treated. Land does not include waters of the United States, as defined in 40 CFR 122.2.

A *sewage sludge incinerator* is an enclosed device in which only sewage sludge and auxiliary fuel are fired.

## 2. Applicant Information.

a. If someone other than the facility contact person is submitting this application, provide the name of that person's organization.

b. Provide the complete mailing address of the applicant's organization.

c. Provide the name and work telephone number of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application, and who can be contacted by the permitting authority if necessary.

d. Indicate whether this applicant is the owner or operator (or both) of the facility. If it is neither, describe the relationship of the applicant to the facility.

e. Indicate whether you want correspondence regarding this application directed to the applicant or to the facility address provided in question 1.

3. Sewage Sludge Amount. List, on a dry weight basis, the total dry metric tons of sewage sludge per latest 365-day period handled at this facility.

*Dry weight basis* means calculated on the basis of having been dried at 105 degrees C until reaching a constant

weight (i.e., essentially 100 percent solids content).

a. The *amount generated* is, for purposes of this application, the amount of sewage sludge generated during the treatment of domestic sewage at the facility.

b. The *amount received from off site* is any additional amount of sewage sludge handled at your facility that is not generated during the treatment of domestic sewage at your facility.

c. The *amount treated or blended on site* is the amount of sewage sludge generated on site, plus the amount received from off site, that undergoes treatment on site. *Treatment* is the preparation of sewage sludge for final use or disposal. Treatment, for purposes of this form, includes the following:

- Thickening and stabilization;
- Processing (e.g., composting) for purposes of pathogen reduction and vector attraction reduction; and
- Blending with a bulking agent or with sewage sludge from another facility.

Treatment does not include storage of sewage sludge.

d. The *amount sold or given away in a bag or other container for application to the land* is the amount placed in a bag or other container at your facility.

An *other container* is either an open or closed receptacle, including but not limited to, a bucket, box, carton, vehicle, or trailer with a load capacity of one metric ton or less.

e. The *amount of bulk sewage sludge shipped off site for treatment or blending* is the amount of sewage sludge that is shipped to another facility in bulk form (i.e., not in a bag or other container), where the other facility derives a material from the sewage sludge (i.e., it is a "person who prepares").

This question does not cover sewage sludge sent directly to a land application site, surface disposal site, municipal solid waste landfill, or sewage sludge incinerator.

f. The *amount applied to the land in bulk form* is the amount of bulk sewage sludge from your facility that is sent directly to a land application site from your facility. It does not cover sewage sludge placed in a bag or other container, nor does it cover sewage sludge shipped off site for treatment or for sale or give-away in a bag or other container.

g. The *amount placed on a surface disposal site* is the amount of sewage sludge from your facility that is placed on a surface disposal site, regardless of whether you own or operate the surface disposal site.

h. The *amount fired in a sewage sludge incinerator* is the amount of sewage sludge from your facility that is fired in a sewage sludge incinerator, regardless of whether you own or operate the sewage sludge incinerator.

i. The *amount sent to a municipal solid waste landfill* (MSWLF) is the amount of sewage sludge from your facility that is sent directly to a MSWLF, which is a discrete area of land or an excavation that receives household waste and other solid wastes.

j. The *amount used or disposed by another practice* is the amount of sewage sludge generated on site or received from off site that is not covered in Questions 3.d–3.i above.

4. Pollutant Concentrations. Provide available data on the concentrations of the listed pollutants in the sewage sludge from this facility. If concentration data are available for pollutants not on this list, provide those data as well. Provide up to three data points taken at least one month apart during the last two years. If data from the last two years are unavailable, provide the most recent data.

Express pollutant concentrations as dry weight concentrations.

You may use a separate attachment in addition to, or instead of, the table provided.

You need not perform additional pollutant monitoring to comply with this requirement; rather, only available data are requested.

Calculations on a *dry weight basis* are based on sewage sludge having been dried at 105 degrees Celsius until reaching a constant weight (i.e., essentially 100 percent solids content).

The Part 503 sewage sludge use or disposal regulation requires the use of Test Method SW-846 (in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," Second and Third Editions) to analyze samples of sewage sludge for compliance with Part 503. SW-846 is recommended, but not required, for purposes of providing sewage sludge quality information in the permit application.

5. Treatment Provided at Your Facility. Provide the following information regarding sewage sludge treatment on site. This question does not request information on sewage sludge treatment at an off-site use or disposal facility.

a. Indicate the class of pathogen reduction (Class A or Class B) that is achieved at your facility. You may select "neither or unknown" only if sewage sludge is placed on an active sewage sludge unit that is covered with soil or other material at the end of each operating day, sent to another facility

for additional treatment, fired in a sewage sludge incinerator, or placed on a municipal solid waste landfill unit.

Options for meeting Class A pathogen reduction are listed at § 503.32(a). Options for meeting Class B pathogen reduction are listed at § 503.32(b).

b. Provide a written description of any treatment processes used to reduce pathogens in sewage sludge, including an indication of how the treatment fulfills one of the options for meeting Class A or Class B pathogen reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

c. Indicate whether any of the vector attraction reduction options in § 503.33(b) (1)–(11) are met before sewage sludge leaves the facility. Options 1–8 are typically met at the point where sewage sludge is generated or where a material is derived from sewage sludge, and Options 9–11 are typically met at the point of use or disposal.

You may select “none or unknown” only in the following cases:

- If sewage sludge is fired in a sewage sludge incinerator; or

- If sewage sludge is placed on a municipal solid waste landfill unit.

*Land application:* Sewage sludge applied to agricultural land, a forest, a public contact site, or a reclamation site must meet one of the vector attraction reduction options 1–10, which are defined at § 503.33(b) (1)–(10), respectively. Sewage sludge applied to a lawn or home garden, or placed in a bag or other container for sale or give-away for application to the land, must meet any of options 1–8, defined at § 503.33(b) (1)–(8), respectively.

*Surface disposal:* Sewage sludge placed on an active sewage sludge unit must meet one of vector attraction reduction options 1–11, which are defined at § 503.33(b) (1)–(11), respectively.

d. Provide a written description of any treatment processes used to reduce vector attraction characteristics of sewage sludge, including an indication of how the treatment fulfills one of options 1–11 for vector attraction reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

6. Sewage Sludge Sent to Other Facilities. If sewage sludge from your facility is sent to an off-site facility for treatment, distribution, use, or disposal, provide the information requested below for each receiving facility. If sewage sludge is sent to more than one off-site facility, attach additional pages if necessary.

For purposes of this form, an *off-site facility* is a facility or site that is located on land physically separate from the land used in connection with your facility. “Off site” may include facilities or sites that you own if they are not located on the same property or on adjacent property.

a. Provide the facility’s official or legal name. Do not use a colloquial name.

b. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the facility receiving the sewage sludge, and who can be contacted by the permitting authority if necessary.

c. Provide the complete mailing address at the off-site facility where correspondence should be sent.

d. Indicate which activities the receiving facility performs on the sewage sludge from your facility.

7. Use and Disposal Sites. If sewage sludge is sent directly from your facility to a use or disposal site (i.e., it is not sent to another facility), provide the following information for each such site (attach additional pages if necessary):

a. Provide the site name and/or number. The name and/or number is any designation commonly used to refer to the site. If the site has been previously designated in another permit, use that designation.

b. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the use or disposal site, and who can be contacted by the permitting authority if necessary.

c. Answer either question 1 or question 2.

1. Provide the physical location (street address) of the site. If the site lacks a street address or route number, provide the most accurate alternative geographic information (e.g., township and range, section or quarter section number, nearby highway intersection).

2. Provide the latitude and longitude of the center of the site. If a map was used to obtain latitude and longitude, provide map datum (e.g., NAD 27, NAD 83) and map scale (e.g., 1:24000, 1:100000).

d. The *site type* is the intended end use of the land. Applicable sewage sludge use and disposal standards, and thus permit conditions, differ according to type of site.

*Agricultural land* is land on which a food crop, a feed crop, or a fiber crop is grown. This includes range land, which is open land with indigenous vegetation, and pasture, which is land on which animals feed directly on crops such as grasses, grain stubble, or stover.

*Forest* is a tract of land thick with trees and underbrush.

A *public contact site* is land with a high potential for contact by the public. Public contact sites include public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.

A *reclamation site* is land that has been drastically disturbed by strip mining, fires, construction, etc. As part of the reclamation process, sewage sludge is applied for its nutrient and soil conditioning properties to help stabilize and revegetate the land.

For purposes of this form, a *lawn or home garden* is privately-owned land on which crops or other vegetation are grown for private, non-commercial use and on which use by the general public does not occur.

A *surface disposal site* is an area of land that contains one or more active sewage sludge units. An *active sewage sludge unit* is land on which only sewage sludge is placed for final disposal.

A *sewage sludge incinerator* is an enclosed device in which sewage sludge and auxiliary fuel are fired.

A *municipal solid waste landfill* is a discrete area of land or an excavation that receives household waste and other solid wastes.

8. Certification. All permit applications must be signed and certified.

An application submitted by a *municipality, State, Federal, or other public agency* must be signed by either a principal executive officer or ranking elected official. A principal executive officer of a Federal agency includes: (1) The chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

An application submitted by a *corporation* must be signed by a responsible corporate officer. A responsible corporate officer means: (1) A president, secretary, treasurer, or vice president in charge of a principal business function, or any other person who performs similar policy- or decision-making functions; or (2) the manager of manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

An application submitted by a *partnership or sole proprietorship* must be signed by a general partner or the proprietor, respectively.

Part 2: Permit Application Information as well as "sludge-only" facilities that sections of Part 2 cover your facility's  
 Part 2 of this form pertains to facilities are applying for site-specific pollutant sewage sludge use or disposal practices.  
 that are submitting a full permit limits. Table 1, below, summarizes which  
 application at this time. This includes Review items 1-5 of the Application sections cover which activities.  
 facilities applying for an NPDES permit Overview section to determine which

TABLE 1.—GUIDELINES FOR COMPLETING PART 2

Activity(ies) performed	A	B	C	D	E
Generates sewage sludge or derives material from sewage sludge .....	✓	✓ (B.1-B.3)			
That meets ceiling concentrations in Table 1 of 40 CFR 503.13, pollutant concentrations in Table 3 of §503.13, Class A pathogen requirements in §503.32, and one of the eight vector attraction reduction options in §503.33 (b) (1)-(8) .....	✓	✓ (B.4)			
That is sold or given away in bag or other container for application to the land .....	✓	✓ (B.5)			
That is shipped off site for treatment or blending .....	✓	✓ (B.6)			
That is applied to the land in bulk form .....	✓	✓ (B.7)	✓		
That is placed on a surface disposal site .....	✓	✓ (B.8)			
That is fired in a sewage sludge incinerator .....	✓	✓ (B.9)			
That is sent to a municipal solid waste landfill .....	✓	✓ (B.10)			
Applies bulk sewage sludge to land .....	✓		✓		
Owens or operates a surface disposal site .....	✓			✓	
Fires sewage sludge in a sewage sludge incinerator .....	✓				✓

Section A: General Information

All applicants must complete Section A, which requests general information about the facility.

A.1. Facility Information.

a. Provide the facility's official or legal name. Do not use a colloquial name.

b. Provide the complete mailing address of the office where correspondence should be sent. This may differ from the facility location given in Question 1.d.

c. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application, and who can be contacted by the permitting authority if necessary.

d. Provide the physical location (street address) of the facility. If the facility lacks a street address or route number, provide the most accurate alternative geographic information (e.g., township and range, section or quarter section number, nearby highway intersection).

e. Provide the latitude and longitude of the facility. This information is required by EPA's Locational Data Policy. If a map was used to obtain latitude and longitude, provide map datum (e.g., NAD 27, NAD 83) and map scale (e.g., 1:24000, 1:100000).

f. Indicate whether the facility is a Class I sludge management facility. A Class I sludge management facility is either:

- Any POTW required to have an approved pretreatment program under 40 CFR 403.8(a), including any POTW

located in a State assuming local pretreatment program responsibilities pursuant to 40 CFR 403.10(e); or

- Any treatment works treating domestic sewage, as defined in 40 CFR 122.2, classified as a Class I sludge management facility by the EPA Regional Administrator, or, in the case of approved State programs, the Regional Administrator in conjunction with the State Director, because of the potential for its sewage sludge use or disposal practices to adversely affect public health and the environment.

If your facility is a Class I sludge management facility, you must perform a toxicity characteristic leaching procedure (TCLP) on this facility's sewage sludge. Submit the results (pass or fail) of all TCLP tests you have performed during the past five years that you have not already submitted to the permitting authority.

g. Provide the facility's design influent flow rate. "Design influent flow rate" means the average flow the treatment works was designed to treat. Enter the design influent flow rate in million gallons per day (mgd), to two decimal places (e.g., 3.12 mgd translates to three million one hundred twenty thousand gallons per day).

h. For all areas served by the treatment works (municipalities and unincorporated service areas), enter the best estimate of the actual population served at the time of application. If another treatment works discharges into this treatment works, provide on a separate attachment the name of the other treatment works and the actual population it serves (it is not necessary

to list the communities served by the other treatment works).

- i. Indicate the type of facility.

A publicly owned treatment works (POTW) is any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a State or municipality. This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

A privately owned treatment works is any device or system which is (a) used to treat wastes from any facility whose operator is not the operator of the treatment works and (b) not a POTW or federally owned treatment works.

A federally owned treatment works is a facility that is owned and operated by a department, agency, or instrumentality of the Federal government that treats wastewater, a majority of which is domestic sewage, prior to discharge in accordance with a permit issued under section 402 of the Federal Water Pollution Control Act.

A blending or treatment operation means any sewage sludge or wastewater treatment device or system, regardless of ownership (including Federal facilities), used in the storage, treatment, recycling, and reclamation of domestic sewage, including land dedicated for the disposal of sewage sludge. For purposes of this form, such devices or systems include blending or treatment operations that derive material from sewage sludge but do not generate sewage sludge.

A *surface disposal site* is an area of land that contains one or more active sewage sludge units. An *active sewage sludge unit* is land on which only sewage sludge is placed for final disposal. This does not include land on which sewage sludge is either stored or treated. Land does not include waters of the United States, as defined in 40 CFR 122.2.

A *sewage sludge incinerator* is an enclosed device in which sewage sludge and auxiliary fuel are fired.

#### A.2. Applicant Information.

a. If someone other than the facility contact person is submitting this application, provide the name of that person's organization.

b. Provide the complete mailing address of the applicant's organization.

c. Provide the name and work telephone number of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application, and who can be contacted by the permitting authority if necessary.

d. Indicate whether this applicant is the owner or operator (or both) of the facility. If it is neither, describe the relationship of the applicant to the facility.

e. Indicate whether you want correspondence regarding this application directed to the applicant or to the facility address provided in question 1.

A.3. Permit Information. Provide the facility's NPDES permit number, if any. Also provide the number and type of any relevant Federal, State, or local environmental permits or construction approvals received or applied for, including but not limited to permits issued under any of the following programs:

- Hazardous Waste Management program under RCRA;
- UIC program under SDWA;
- Prevention of Significant Deterioration (PSD) program under the Clean Air Act;
- Nonattainment program under the Clean Air Act;
- National Emission Standards for Hazardous Air Pollutants (NESHAPS) preconstruction approval under the Clean Air Act;
- Ocean dumping permits under the Marine Protection, Research, and Sanctuaries Act; or
- Dredge or fill permits under Section 404 of CWA.

A.4. Federal Indian Reservation. Identify any generation, treatment, storage, application to land, or disposal of sewage sludge that occurs on a Federal Indian Reservation.

A.5. Topographic Map. Provide a topographic map or maps (or other

appropriate map(s) if a topographic map is unavailable) that shows the items identified below, including the areas one mile beyond the property boundaries of the facility.

a. Location of all sewage sludge management facilities, including land application sites and locations where sewage sludge is generated, treated, or disposed;

b. Location of all water bodies within one mile beyond the facility's property boundaries; and

c. Location of all wells used for drinking water listed in public records or otherwise known to you within 1/4 mile of the facility property boundaries.

On each map, include the map scale, a meridian arrow showing north, and latitude and longitude at the nearest whole second. Use a 7 1/2-minute series map published by the U.S. Geological Survey (USGS), which may be obtained through the USGS Earth Science Information Center (ESIC) listed below. If a 7 1/2-minute series map has not been published for your facility site, then you may use a 15-minute series map from the U.S. Geological Survey. If neither a 7 1/2-minute nor 15-minute series map has been published for your facility site, use a plat map or other appropriate map, including all the requested information; in this case, briefly describe land uses in the map area (e.g., residential, commercial). If you have previously prepared a map that includes these three items, that map may be submitted to fulfill this requirement if it is still accurate.

Maps may be purchased at local dealers (listed in your local yellow pages) or purchased over the counter at the following USGS Earth Science Information Centers (ESIC):

- Anchorage-ESIC, 4230 University Dr., Rm. 101, Anchorage, AK 99508-4664, (907)786-7011
- Lakewood-ESIC, Box 25046, Bldg. 25, Rm. 1813, Denver Federal Center, MS 504, Denver, CO 80225-0046, (303)236-5829
- Lakewood Open Files-ESIC, Box 25286, Bldg. 810, Denver Federal Center, Denver, CO
- Menlo Park-ESIC, Bldg. 3, Rm. 3128, MS 532, 345 Middlefield Rd., Menlo Park, CA 94025-3591, (415)329-4309
- Reston-ESIC, 507 National Center, Reston, VA 22092, (703)648-6045
- Rolla-ESIC, 1400 Independence Rd., MS 231, Rolla, MO 65401-2602, (314)341-0851
- Salt Lake City-ESIC, 2222 West 2300 South, Salt Lake City, UT 84119, (801)975-3742
- Sioux Falls-ESIC, EROS Data Center, Sioux Falls, SD 57198-0001, (605)594-6151
- Spokane-ESIC, U.S. Post Office Bldg., Rm. 135, 904 W. Riverside Ave., Spokane, WA 99201-1088, (509)353-2524
- Stennis Space Center-ESIC, Bldg. 3101, Stennis Space Center, MS 39529, (601)688-3541

Washington, D.C.-ESIC, U.S. Dept. of Interior, 1849 C St., NW, Rm. 2650, Washington, D.C. 20240, (202)208-4047

All maps should be either on paper or other material appropriate for reproduction. If possible, all sheets should be approximately letter size with margins suitable for filing and binding. As few sheets as necessary should be used to clearly show what is involved. Each sheet should be labeled with your facility's name, permit number, location (city, county, or town), date of drawing, and designation of the number of sheets of each diagram as "page \_\_\_\_\_ of \_\_\_\_\_".

A.6. Line Drawing. Attach to this form a line drawing, simple flow diagram, or narrative description that identifies all sewage sludge processes employed during the permit term, including the information requested on the application form.

#### A.7. Contractor Information.

If a contractor carries out any operational or maintenance aspects associated with this facility, provide the name, mailing address, and telephone of each such contractor. Also provide a description of the activities performed by the contractor. Attach additional pages if necessary.

#### A.8. Pollutant Concentrations.

- All facilities must complete *Section A.8.a.* (Part 503 Metals, Nutrients, and percent solids).
- Complete *Section A.8.b.* if this facility is a Class I sludge management facility.

A *Class I sludge management facility* is either:

- Any POTW required to have an approved pretreatment program under 40 CFR 403.8(a), including any POTW located in a State assuming local pretreatment program responsibilities pursuant to 40 CFR 403.10(e)); or
- Any treatment works treating domestic sewage, as defined in 40 CFR 122.2, classified as a Class I sludge management facility by the EPA Regional Administrator, or, in the case of approved State programs, the Regional Administrator in conjunction with the State Director, because of the potential for its sewage sludge use or disposal practices to adversely affect public health and the environment.

Provide pollutant concentration data as follows:

- Submit data for each of the pollutants listed in the appropriate section.
- For the listed pollutants, data may not be more than two years old. If existing data are not available for a pollutant, you must obtain and analyze at least one sample for that pollutant.

- In addition, if you have any available concentration data for pollutants *not* listed in the section you are completing, provide those data as well. If data for such additional pollutants are not available from the last two years, provide the most recent data.

- Express pollutant concentrations as dry weight concentrations.

- You may use a separate attachment in addition to or instead of the table provided.

Calculations on a *dry weight basis* are based on sewage sludge having been dried at 105 degrees Celsius until reaching a constant weight (i.e., essentially 100 percent solids content).

The Part 503 sewage sludge use or disposal regulation requires the use of Test Method SW-846 (in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," Second and Third Editions) to analyze samples of sewage sludge for compliance with Part 503. SW-846 is recommended, but not required, for purposes of providing sewage sludge quality information in the permit application.

A.9. Certification. All permit applications must be signed and certified. Also indicate in the boxes provided, which sections of Form 2S you are submitting with this application.

An application submitted by a *municipality, State, Federal, or other public agency* must be signed by either a principal executive officer or ranking elected official. A principal executive officer of a Federal agency includes: (1) The chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

An application submitted by a *corporation* must be signed by a responsible corporate officer. A responsible corporate officer means: (1) A president, secretary, treasurer, or vice president in charge of a principal business function, or any other person who performs similar policy- or decision-making functions; or (2) the manager of manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

An application submitted by a *partnership or sole proprietorship* must be signed by a general partner or the proprietor, respectively.

#### *Section B: Generation of Sewage Sludge or Preparation of a Material Derived From Sewage Sludge*

Complete this section if you are a "person who prepares sewage sludge." A *person who prepares sewage sludge* is a person who generates sewage sludge during the treatment of domestic sewage in a treatment works or who derives a material from sewage sludge. This section, therefore, pertains to any POTW or other treatment works that generates sewage sludge, as well as to any facility that derives a material from sewage sludge (e.g., it composts sewage sludge or blends sewage sludge with another material). Simply distributing sewage sludge or placing it in a bag or other container for sale or give-away for application to the land is not considered "deriving a material" from sewage sludge (because it does not change sludge quality), and thus a facility that only distributes or bags a sewage sludge would not be automatically required to provide the information in this section.

B.1. Amount Generated On Site. Provide the total dry metric tons per 365-day period of sewage sludge that is generated at your facility. Report only the amount of sewage sludge that is generated during treatment of domestic sewage in a treatment works, not the amount of material that is derived from sewage sludge.

B.2. Amount Received from Off Site. Provide the following information if your facility receives any sewage sludge from an off-site facility for further treatment (including blending), use, or disposal at your facility. If your facility receives sewage sludge from more than one off-site facility, provide this information separately for each such facility. Attach additional pages as necessary.

For purposes of this form, an *off-site* facility is a facility or site that is located on land physically separate from the land used in connection with your facility. "Off site" may include facilities or sites that you own if they are not located on the same property or on adjacent property.

a. Provide the official or legal name of the off-site facility. Do not use a colloquial name.

b. Provide the name and work telephone number of a person who is thoroughly familiar with the operation of the off-site facility and with the facts reported in this section, and who can be contacted by the permitting authority if necessary.

c. Provide the complete mailing address at the off-site facility where correspondence should be sent.

d. Provide the physical location (street address) of the off-site facility. If

the facility lacks a street address or route number, provide the most accurate alternative geographic information (e.g., township and range, section or quarter section number, nearby highway intersection).

The off-site facility providing the sewage sludge is, by definition, also a "person who prepares sewage sludge". Both you and the off-site facility are required to apply for a permit and are required to ensure that applicable Part 503 requirements are met.

e. Provide the total dry metric tons per 365-day period received from the off-site facility.

f. Describe any treatment processes occurring at the off-site facility, including blending activities and treatment to reduce pathogens or vector attraction characteristics. "Treatment" does not include dewatering.

B.3. Treatment Provided at Your Facility. Provide the following information regarding sewage sludge treatment at your facility. This question does *not* request information on sewage sludge treatment at an off-site use or disposal facility.

a. Indicate the class of pathogen reduction (Class A or Class B) that is achieved before sewage sludge leaves the facility. You may select "neither or unknown" only if sewage sludge is placed on an active sewage sludge unit that is covered with soil or other material at the end of each operating day, sent to another facility for additional treatment, fired in a sewage sludge incinerator, or placed on a municipal solid waste landfill unit.

Options for meeting Class A pathogen reduction are listed at § 503.32(a). Options for meeting Class B pathogen reduction are listed at § 503.32(b).

b. Provide a written description of any treatment processes used to reduce pathogens in sewage sludge, including an indication of how the treatment fulfills one of the options for meeting Class A or Class B pathogen reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

c. Indicate whether any of vector attraction reduction options 1-8 are met before sewage sludge leaves the facility. Options 1-8 are published at § 503.33(b) (1)-(8), and typically are met at the point of sewage sludge generation.

Options 9, 10, and 11 (published at § 503.33(b) (9)-(11), respectively) are also available, but are typically met at the point of use or disposal and are covered elsewhere in this form.

You may select "none or unknown" only in the following cases:

- If sewage sludge is sent to another facility for additional treatment;

- If option 9 (injection below land surface) or option 10 (incorporation into soil within six hours) is met at a *land application site*;

- If option 9 (injection below land surface), option 10 (incorporation into soil within six hours), or option 11 (daily cover) is met at an active sewage sludge unit at a surface disposal site;

- If sewage sludge is fired in a sewage sludge incinerator; or

- If sewage sludge is placed on a municipal solid waste landfill unit.

*Land application:* Sewage sludge applied to agricultural land, a forest, a public contact site, or a reclamation site must meet one of the vector attraction reduction options 1–10, which are defined at § 503.33(b) (1)–(10), respectively. Sewage sludge applied to a lawn or home garden, or placed in a bag or other container for sale or give-away for application to the land, must meet any of options 1–8, defined at § 503.33(b) (1)–(8), respectively.

*Surface disposal:* Sewage sludge placed on an active sewage sludge unit must meet one of vector attraction reduction options 1–11, which are defined at § 503.33(b) (1)–(11), respectively.

d. Provide a written description of any treatment processes used to reduce vector attraction characteristics of sewage sludge, including an indication of how the treatment fulfills one of options 1–8 for vector attraction reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

e. Provide a written description of any other treatment or blending activities not described in B.3.b or B.3.d above. "Other treatment" does not include dewatering or placement of sewage sludge in a bag or other container for sale or give-away for application to land. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

**B.4. Preparation of Sewage Sludge Meeting Ceiling Concentrations, Pollutant Concentrations, Class A Pathogen Requirements, and One of Vector Attraction Reduction Options 1–8.**

Complete this section if sewage sludge from this facility meets *all* of the following criteria:

- The ceiling concentrations in Table 1 of § 503.13(b)(1) and the pollutant concentrations in Table 3 of § 503.13(b)(3);

- The Class A pathogen reduction requirements in § 503.32(a); *and*

- One of the vector attraction reduction options in § 503.33(b) (1)–(8).

Sewage sludge meeting *all* of these criteria is exempt from the general requirements of § 503.12 and the management practices of § 503.14, and thus fewer permitting and permit application requirements typically pertain to facilities generating such sludge. For this reason, if you are eligible to complete Section B.4, you may skip Sections B.5–B.7 unless specifically required to complete any of them by the permitting authority.

a. Provide the total dry metric tons per 365-day period of sewage sludge that is applied to the land and that meets the Table 1 ceiling concentrations, the Table 3 pollutant concentrations, Class A pathogen requirements, and one of vector attraction reduction options 1–8.

b. Indicate whether sewage sludge that meets the Table 1 ceiling concentrations, the Table 3 pollutant concentrations, Class A pathogen requirements, and one of vector attraction reduction options 1–8 is placed in bags or other containers at your facility.

Sewage sludge placed in a bag or other container must meet the Table 1 ceiling concentrations, the Class A pathogen requirements, one of vector attraction reduction options 1–8, and either the Table 3 pollutant concentrations or the annual pollutant loading rates (APLRs) in Table 4 of § 503.13. This question does not pertain to sewage sludge meeting APLRs.

An *other container* is either an open or closed receptacle, including but not limited to a bucket, a box, a carton, and a vehicle or trailer with a load capacity of one metric ton or less.

**B.5. Sale or Give-Away in a Bag or Other Container for Application to the Land.** Complete this section if sewage sludge from this facility is sold or given away in a bag or other container for application to the land. *Skip* this section, however, for any sewage sludge you reported in Section B.4 (i.e., sludge meeting Table 1 ceiling concentrations, Table 3 pollutant concentrations, Class A pathogen requirements, and one of vector attraction reduction options 1–8).

A *bag or other container* includes an open or closed receptacle such as a bucket, box, carton, or vehicle or trailer with a load capacity of one metric ton or less.

a. Provide the total dry metric tons per 365-day period placed in bags or other containers for sale or give-away.

b. Attach with this application a copy of any label or information sheet that accompanies the product being sold or given away. When sewage sludge is placed in a bag or other container for sale or give-away for application to the

land, either a label must be affixed to the bag or other container, or an information sheet must be provided to the person receiving the sewage sludge. The label or information sheet must contain the following information:

- The name and address of the person who prepared the sewage sludge that is sold or given away in a bag or other container for application to the land;

- A statement that application of the sewage sludge to the land is prohibited except in accordance with the instructions on the label or information sheet; and

- The annual whole sludge application rate for the sewage sludge that does not cause any of the annual pollutant loading rates in Table 4 of § 503.13 to be exceeded.

**B.6. Shipment-Off Site for Treatment or Blending.** Complete this section if you provide sewage sludge to another facility, and that facility provides treatment or blending (i.e., it derives a material from sewage sludge).

*Skip* this section, however, for any sewage sludge that is:

- Covered in Section B.4 (i.e., it meets the Table 1 ceiling concentrations, the Table 3 pollutant concentrations, Class A pathogen requirements, and one of vector attraction reduction options 1–8);

- Covered in Section B.5 (i.e., it is placed in a bag or other container at your facility); or

- Sent directly from your facility to a land application site or surface disposal site.

If you provide sewage sludge to more than one facility that provides treatment or blending, complete Section B.6 for each such facility. Attach additional pages as necessary.

a. Provide the official or legal name of the facility receiving the sewage sludge. Do not use a colloquial name.

b. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the facility receiving the sewage sludge, and who can be contacted by the permitting authority if necessary.

c. Provide the complete mailing address of the receiving facility where correspondence should be sent.

d. Provide the total dry metric tons per 365-day period your facility sends to the receiving facility. Do not include sewage sludge that other facilities send to the receiving facility.

e. Indicate whether the facility receiving the sewage sludge provides additional treatment to reduce pathogens in sewage sludge from your facility. Also indicate whether Class A or Class B pathogen reduction is

achieved before the sewage sludge leaves the receiving facility.

Options for meeting Class A pathogen reduction are listed at § 503.32(a).

Options for meeting Class B pathogen reduction are listed at § 503.32(b).

Provide a written description of any treatment processes used at the receiving facility to reduce pathogens in sewage sludge, including an indication of how the treatment fulfills one of the options for meeting Class A or Class B pathogen reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

f. Indicate whether the facility receiving the sewage sludge provides additional treatment to reduce vector attraction characteristics of the sewage sludge from your facility. Also indicate whether any of vector attraction reduction options 1–8 are met before the sewage sludge leaves the receiving facility. Options 1–8 are typically met at the point of sewage sludge generation or treatment; additional options are available, but these are typically met at the point of use or disposal.

*Land application:* Sewage sludge applied to agricultural land, forest, a public contact site, or a reclamation site must meet one of vector attraction reduction options 1–10, which are defined at § 503.33(b) (1)–(10), respectively. Sewage sludge applied to a lawn or home garden, or placed in a bag or other container for sale or give-away for application to the land, must meet one of vector attraction reduction options 1–8, defined at § 503.33(b) (1)–(8), respectively.

*Surface disposal:* Sewage sludge placed on an active sewage sludge unit meet one of vector attraction reduction options 1–11, which are defined at § 503.33(b) (1)–(11), respectively.

Provide a written description of any treatment processes used at the receiving facility to reduce vector attraction reduction characteristics of sewage sludge, including an indication of how the treatment fulfills one of options 1–8 for vector attraction reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

g. Provide a written description of any other treatment or blending not described in B.6.e or B.6.f above. This does not include dewatering of sewage sludge. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

h. If you generate sewage sludge or derive a material from sewage sludge, and you provide that sewage sludge to

another person who derives a material from the sewage sludge, § 503.12(g) requires you to provide that person with notice and necessary information to comply with land application requirements of Part 503. If you answered “yes” to B.6.e, B.6.f, or B.6.g, the receiving facility is a “person who prepares sewage sludge” and you must provide, with this application, a copy of any notice and other information you provide to the receiving facility.

i. If the receiving facility places sewage sludge from your facility in a bag or other container for sale or give-away for application to the land, provide a copy of all labels or notices that accompany the product being sold or given away.

A *bag or other container* includes an open or closed receptacle such as a bucket, box, carton, or vehicle or trailer with a load capacity of one metric ton or less.

When sewage sludge is placed in a bag or other container for sale or give-away for application to the land, either a label must be affixed to the bag or other container, or an information sheet must be provided to the person receiving the sewage sludge. The label or information sheet must contain the following information:

- The name and address of the person who prepared the sewage sludge that is sold or given away in a bag or other container for application to the land;
- A statement that application of the sewage sludge to the land is prohibited except in accordance with the instructions on the label or information sheet; and
- The annual whole sludge application rate for the sewage sludge that does not cause any of the annual pollutant loading rates in Table 4 of § 503.13 to be exceeded.

B.7. Land Application of Bulk Sewage Sludge. Complete this section if bulk sewage sludge from your facility is sprayed or spread onto the land surface, injected below the land surface, or incorporated into the soil in order to condition the soil or fertilize crops or vegetation grown in the soil.

*Skip* this section, however, for sewage sludge that is:

- Covered in Section B.4 (i.e., it meets the ceiling concentrations in Table 1 of § 503.13(b)(1), the pollutant concentrations in Table 3 of § 503.13(b)(3), the Class A pathogen reduction requirements in § 503.32(a), and one of the vector attraction reduction options in § 503.33(b)(1)–(8));

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- Covered in Section B.5 (i.e., it is placed in a bag or other container for

sale or give-away for application to the land); or

- Covered in Section B.6 (i.e., it is sent to another facility for treatment or for blending).

*Bulk sewage sludge* is defined as sewage sludge that is not sold or given away in a bag or other container for application to the land. (A *bag or other container* includes an open or closed receptacle such as a bucket, box, carton, or vehicle or trailer with a load capacity of one metric ton or less.)

If you complete this section (which requests summary information for all bulk sewage sludge that is applied to the land), also complete Section C for each land application site.

a. Provide the total dry metric tons per 365-day period your facility sends to all land application sites. Do not include sewage sludge sent to land application sites by other facilities.

b. Indicate whether all land application sites are identified in Section C of this application. If you are not identifying all sites in Section C, provide a copy of the land application plan with this permit application. (Information is collected in Section C for each land application site that has been identified at the time of permit application.)

Current regulations require you to submit a *land application plan* at the time of permit application if you intend to apply sewage sludge to land application sites that have not been identified at the time of permit application. (This requirement does not apply if your sewage sludge meets the ceiling concentrations in Table 1 of § 503.13(b)(1), the pollutant concentrations in Table 3 of § 503.13(b)(3), the Class A pathogen reduction requirements in § 503.32(a), and one of the vector attraction reduction options in § 503.33(b) (1)–(8).)

At a minimum, the land application plan must:

- Describe the geographical area covered by the plan;
- Identify site selection criteria;
- Describe how sites will be managed;
- Provide for advance notice to the permitting authority of specific land application sites and a reasonable time for the permitting authority to object prior to the sewage sludge application; and
- Provide for advance public notice as required by State and local law, but in all cases require notice to land owners and occupants adjacent to or abutting the proposed land application sites.

The permit writer will work with you to develop additional details of the land application plan on a case-by-case basis.

Such details include site selection criteria (site slope, run-on and run-off control, etc.) and site management guidelines (sludge application rates, access controls, etc.).

The land application plan is an alternative to either (1) requiring identification of, and permit conditions for, all potential land application sites at the time of permit issuance, or (2) requiring an individual permit action for each approval of a land application site. A land application plan provides for public notice when the land application plan is developed as part of the permit, and it discusses how the public will be notified on a case-by-case basis. For this reason, public notice of the permit will be required to reach areas within the territorial scope of the land application plan. The public notice must indicate that the permit includes a land application plan, and the fact sheet must briefly describe the contents of the land application plan.

c. If any land application sites are located in States other than the State where you generate the bulk sewage sludge or derive the material from sewage sludge, describe how the permitting authority will be notified in the States where the land application sites are located.

The *permitting authority* is either:

- The State, in cases where the State has an EPA-approved sewage sludge management program; or
- The EPA Region, in cases where a State sewage sludge management program has not yet been approved.

The notice must include the following:

- The physical location, by either street address or latitude and longitude, of each land application site;
- The approximate time period bulk sewage sludge will be applied to the site;
- The name, address, and telephone number of the person who prepares the bulk sewage sludge and the NPDES permit number (if applicable) of their facility; and
- The name, address, and telephone number of the person who will apply the bulk sewage sludge and the NPDES permit number (if applicable) for their facility.

B.8. Surface Disposal. Complete this section if sewage sludge from your facility is placed on a surface disposal site. If you own or operate a surface disposal site, also complete Section D.

a. Provide the total dry metric tons per 365-day period that is sent from your facility to all surface disposal sites. Do not include sewage sludge sent to surface disposal sites by other facilities.

A *surface disposal site* is an area of land that contains one or more *active sewage sludge units*. An *active sewage sludge unit* is a sewage sludge unit that has not closed. A *sewage sludge unit* is land on which only sewage sludge is placed for final disposal, excluding land on which sewage sludge is either stored or treated.

b. If sewage sludge from your facility is placed on any surface disposal sites that you do *not* own or operate, complete B.8.c–B.8.f for each surface disposal site that you do not own or operate. If you send sewage sludge to more than one surface disposal site that you do not own or operate, attach additional pages as necessary.

c. Provide the official or legal name (or number) of the site receiving the sewage sludge. Do not use a colloquial name.

d. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the surface disposal site, and who can be contacted by the permitting authority if necessary.

Indicate whether the facility contact is the site owner, the site operator, or both. For purposes of this form, the *owner* is the person that owns a part of or the entire facility. The *operator* is the person responsible for the overall operation of the facility, and may be different from the *owner*. In general, the operator is the person responsible for the daily functioning of the facility, including sewage sludge use or disposal.

e. Provide the complete mailing address for the surface disposal site where correspondence should be sent.

f. Provide the total dry metric tons of sewage sludge per 365-day period *from your facility* placed on this surface disposal site. Do not include sewage sludge sent to this surface disposal site by other facilities.

B.9. Incineration. Complete this section if sewage sludge from your facility is fired in a sewage sludge incinerator. If you own or operate a sewage sludge incinerator, also complete Section E.

a. Provide the total dry metric tons of sewage sludge per 365-day period that is sent from your facility to all sewage sludge incinerators. Do not include sewage sludge sent to sewage sludge incinerators by other facilities.

A *sewage sludge incinerator* is an enclosed device in which sewage sludge and auxiliary fuel are fired. *Auxiliary fuel* is fuel used to augment the fuel value of sewage sludge, including natural gas, fuel oil, coal, gas generated during anaerobic digestion of sewage sludge, and municipal solid waste (not

to exceed 30 percent of the dry weight of sewage sludge and auxiliary fuel together).

b. If you do not own or operate a sewage sludge incinerator in which sewage sludge from your facility is fired, complete B.9.c–B.9.f each sewage sludge incinerator that you do not own or operate.

c. Provide the official or legal name or number of the sewage sludge incinerator. Do not use a colloquial name.

d. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the sewage sludge incinerator, and who can be contacted by the permitting authority if necessary.

Indicate whether the incinerator contact is the owner, the operator, or both. For purposes of this form, the *owner* is the person that owns a part of or the entire facility. The *operator* is the person responsible for the overall operation of the facility, and may be different from the *owner*. In general, the operator is the person responsible for the daily functioning of the facility, including sewage sludge use or disposal.

e. Provide the complete mailing address at the sewage sludge incinerator where correspondence should be sent.

f. Provide the total dry metric tons of sewage sludge per 365-day period *from your facility* fired in this sewage sludge incinerator. Do not include sewage sludge sent to this incinerator by other facilities.

B.10. Disposal on a Municipal Solid Waste Landfill.

Complete this section if sewage sludge from your facility is placed on a municipal solid waste landfill (MSWLF) unit.

Provide the information in this section once for each MSWLF on which sewage sludge from your facility is placed. If sewage sludge from your facility is placed on more than one MSWLF, attach additional pages as necessary.

The Part 503 sewage sludge use or disposal regulation does not impose additional requirements on sewage sludge that is sent to a MSWLF, but they cross-reference existing criteria for MSWLFs at 40 CFR Part 258. Therefore, if sewage sludge from your facility is placed on a MSWLF unit, your permit must contain conditions regulating such disposal.

A *MSWLF unit* is a discrete area of land or an excavation that receives household waste, and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under § 257.2. A

MSWLF unit also may receive other types of RCRA subtitle D wastes, such as commercial solid waste, nonhazardous sludge, small quantity generator waste and industrial solid waste. Such a landfill may be publicly or privately owned.

a. Provide the official or legal name of the MSWLF. Do not use a colloquial name.

b. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the MSWLF, and who can be contacted by the permitting authority if necessary.

c. Provide the complete mailing address for the MSWLF where correspondence should be sent. This may differ from the MSWLF location given below.

d. Provide the physical location (street address) of the MSWLF. If the MSWLF lacks a street address or route number, provide the most accurate alternative geographic information (e.g., township and range, section or quarter section number, nearby highway intersection).

e. Provide the total dry metric tons per 365-day period that is sent from your facility to this MSWLF. Do not include sewage sludge sent to the MSWLF by other facilities.

f. Provide the number and type of any relevant Federal, State, or local environmental permits or construction approvals received or applied for by the MSWLF.

g. Submit information to determine whether the sewage sludge placed on this MSWLF meets applicable requirements for disposal of sewage sludge on a MSWLF.

Sewage sludge placed on a MSWLF must meet requirements in Part 258 concerning the quality of materials placed on a MSWLF unit. In particular:

- Placement on a MSWLF of bulk or noncontainerized liquid waste, as determined using the Paint Filter Liquids Test (Method 9095 in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods—EPA Pub. No. SW-846."), is prohibited.

- Placement on a MSWLF of a regulated hazardous waste, as defined in 40 CFR 261.3, is prohibited.

- If sewage sludge is used as a cover at a MSWLF, the MSWLF owner/operator must demonstrate that the sewage sludge is suitable for use as a cover, and that it provides sufficient control of disease vectors, fires, odors, blowing litter, and scavenging and does not present a threat to human health and the environment.

h. Indicate whether the MSWLF complies with criteria set forth in 40 CFR Part 258.

Part 258 specifies minimum Federal criteria for MSWLFs, including landfills that accept sewage sludge along with household waste. Among these requirements are location restrictions, facility design and operating criteria, ground-water monitoring, and corrective action, closure and post-closure care, along with financial assurance requirements. In contrast to Part 503, Part 258 controls sewage sludge placed on MSWLFs through a facility design and management practice approach. In Part 503, EPA has adopted the Part 258 criteria as the appropriate standard for sewage sludge disposed of with municipal waste. EPA concluded that if sewage sludge is disposed of in a MSWLF complying with Part 258 criteria, public health and the environment are protected.

Note that the POTW is legally responsible for knowing whether a MSWLF is in compliance with Part 258 and may be liable if it sends its sludge to an MSWLF that is not in compliance with Part 258.

#### *Section C: Land Application of Bulk Sewage Sludge*

Complete this section if you completed Section B.7 (Land Application of Bulk Sewage Sludge). Unless the permitting authority specifically requires you to complete this section, you may *skip* this section for sewage sludge that is covered in any of the following sections of this application:

- *Section B.4* (the sewage sludge meets the ceiling concentrations in Table 1 of § 503.13(b)(1), the pollutant concentrations in Table 3 of § 503.13(b)(3), the Class A pathogen reduction requirements in § 503.32(a), and one of the vector attraction reduction options in § 503.33(b) (1)–(8)). Such sewage sludges are exempt from the general requirements and management practices of Part 503 when they are land applied (unless the permitting authority requires otherwise), and thus the site information in Section C is not required for permitting.

- *Section B.5* (the sewage sludge is placed in a bag or other container for sale or give-away for application to the land). Section C does not cover the sale or give-away of sewage sludge in a bag or other container for application to the land because EPA typically will not control the users of such sewage sludge (typically, home gardeners or other small-scale users), or the land on which

the sludge is applied, through the generator's permit.

- *Section B.6* (the sewage sludge is sent to another facility for treatment or for blending). Section C does not apply to a generator that sends sewage sludge to another facility for treatment or for blending, because the Part 503 requirements addressed by Section C will largely be the responsibility of the receiving facility.

*Bulk sewage sludge* is defined as sewage sludge that is not sold or given away in a bag or other container for application to the land. (A *bag or other container* includes an open or closed receptacle such as a bucket, box, carton, or vehicle or trailer with a load capacity of one metric ton or less.)

Provide the information in this section for *each* land application site that has been identified at the time of permit application. Attach additional pages as necessary. In cases where the sewage sludge is applied to numerous sites with similar characteristics, you may combine the information for several sites under a single response (the name and address of each site must still be provided, however).

#### C.1. Identification of Land Application Site.

a. Provide the site name or number. The name or number is any designation commonly used to refer to the site. If the site has been previously designated in another permit, use that designation.

b. Answer either question 1 or question 2.

1. Provide the physical location (street address) of the land application site. If the site lacks a street address or route number, provide the most accurate alternative geographic information (e.g., township and range, section or quarter section number, nearby highway intersection).

2. Provide the latitude and longitude of the facility. If a map was used to obtain latitude and longitude, provide map datum (e.g., NAD 27, NAD 83) and map scale (e.g., 1:24000, 1:100000).

#### C.2. Owner Information.

a. Indicate whether you are the owner of this land application site. For purposes of this form, the owner is the person that owns a part of or the entire land application site.

b. If you are not the owner of this land application site, provide the name, telephone number, and complete mailing address for the site owner.

#### C.3. Applier Information.

a. Indicate whether you are the person who applies sewage sludge to this land application site.

b. If you are not the person who applies sewage sludge to this land application site, provide the name,

telephone number, and mailing address of the person who applies sewage sludge to this land application site.

C.4. Site Type. The "type of land application site" is the intended end use of the land. Part 503 regulates bulk sewage sludge applied to agricultural land, forest, public contact sites, reclamation sites, and lawns and home gardens. Proper identification of the type of land application site is important because the applicable Part 503 requirements—and thus permit conditions—differ according to the type of site.

*Agricultural land* is land on which a food crop, a feed crop, or a fiber crop is grown. This includes range land, which is open land with indigenous vegetation, and pasture, which is land on which animals feed directly on crops such as grasses, grain stubble, or stover.

*Forest* is a tract of land thick with trees and underbrush.

A *public contact site* is land with a high potential for contact by the public. Public contact sites include public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.

A *reclamation site* is land that has been drastically disturbed by strip mining, fires, construction, etc. As part of the reclamation process, sewage sludge is applied for its nutrient and soil conditioning properties to help stabilize and revegetate the land.

C.5. Crop or Other Vegetation Grown on Site.

a. Identify the type of crop or other vegetation grown on this land application site. If the crop or vegetation to be grown on the site is not yet known, or is likely to change in an unforeseeable manner during the life of the permit, you may so indicate instead of providing the type of crop or other vegetation.

b. Provide the nitrogen requirement for the crop or other vegetation listed in C.5.a. Information on the nitrogen content of vegetation grown on the site may be obtained from local agricultural extension services, a local Farm Advisor's Office, or published sources.

C.6. Vector Attraction Reduction. Identify any vector attraction reduction requirements that are met at the land application site.

a. Specifically, indicate whether vector attraction reduction option 9 (injection below soil surface) or option 10 (incorporation into soil within 6 hours) is met.

Bulk sewage sludge that is applied to the land may meet any of vector attraction reduction options 1–10, as identified in § 503.33(b) (1)–(10), respectively. Options 1–8 were covered in Section B.3, which requests

information on sewage sludge treatment at the facility generating the sewage sludge. If you met any of options 1–8 (e.g., processes to reduce volatile solids, reduce specific oxygen uptake rate, raise pH, raise percent solids), you should have identified that option in Question B.3.c and described how the option is met in Question B.3.d.

By contrast, vector attraction reduction options 9 and 10 are typically met at the land application site. Options 9 and 10 are not available for sewage sludge applied to a lawn or home garden.

b. Provide a written description of how the vector attraction reduction is met.

C.7. Ground-Water Monitoring. If any ground-water monitoring data are available for this land application site, submit the following with the application:

- Available ground-water monitoring data; and
- A written description of the well locations, approximate depth to ground water, and the ground-water monitoring procedures used to obtain these data (you may attach existing documentation to fulfill this requirement).

For purposes of this form, ground-water monitoring means the installation and periodic sampling and analysis of small-diameter wells screened in the aquifer below the base of the deepest active sewage sludge unit.

C.8. Cumulative Loadings and Remaining Allotments.

Complete Section C.8. *only* for sewage sludge that is applied to the site subject to cumulative pollutant loading rates (CPLRs). Sewage sludge applied to the site on or before July 20, 1993, is not subject to this section.

a. Indicate whether you have contacted the permitting authority in the State where the bulk sewage sludge will be applied to ascertain whether bulk sewage sludge subject to CPLRs has been applied to the site since July 20, 1993.

If applicable, provide the name of the permitting authority and the name and phone number of the contact person at the permitting authority.

You may *not* apply bulk sewage sludge subject to CPLRs to the site until you have contacted the permitting authority in that State.

The *permitting authority* is either:

- The State, in cases where the State has an EPA-approved sewage sludge management program; or
- The EPA Region, in cases where a State sewage sludge management program has not yet been approved.

If you answered yes to C.8.a, continue on to C.8.b. If you answered no, skip the rest of Section C.8.

b. Indicate whether, based on your investigation in Section C.8.a or other information, sewage sludge subject to CPLRs has been applied to the site since July 20, 1993.

If you answered yes to C.8.b, continue on to C.8.c. If you answered no, skip the rest of Section C.8.

c. Provide the following information for every other facility that sends (or has sent since July 20, 1993) bulk sewage sludge subject to CPLRs to this site:

- The official or legal name of the facility. Do not use a colloquial name.
- If available, the name, title, and work telephone number of a person who is thoroughly familiar with the facility, and who can be contacted by the permitting authority if necessary.
- The complete mailing address at the facility where correspondence should be sent.

#### Section D: Surface Disposal

Complete this section if you own or operate a surface disposal site and are required to submit a full permit application (i.e., Part 2 of Form 2S) at this time.

A sewage sludge surface disposal site is, by definition, a treatment works treating domestic sewage, and the owner/operator of the site is required to apply for a permit. You are required to submit Part 2 of this form (including Section D) if:

- The surface disposal site is already covered by an NPDES permit (e.g., a POTW's NPDES permit);
- You are requesting site-specific pollutant limits for an active sewage sludge unit at the surface disposal site; or
- You have been required by the permitting authority to submit a full permit application at this time.

If none of these criteria apply, you should submit Part 1 instead of Part 2 (and may therefore skip Section D). Part 1 requests a limited amount of information from so-called "sludge-only" facilities (facilities without a currently-effective NPDES permit) that are not requesting site-specific permit limits and are not otherwise required to submit a full permit application at this time. Part 1 is intended to allow the permitting authority to identify these facilities, track sewage sludge use and disposal, and establish priorities for permitting.

D.1. Information on Active Sewage Sludge Units. Complete Sections D1. through D5 for *each active sewage sludge unit* you own or operate. If you own or operate more than one active

sewage sludge unit, attach additional pages as necessary.

An *active sewage sludge unit* is an area of land on which only sewage sludge is placed for final disposal. Sewage sludge units include, but are not limited to, natural topographical depressions, man-made excavations, or diked areas designed to dispose of (not treat) sewage sludge. Sewage sludge units do not include areas where sewage sludge is generated as a result of ongoing treatment (e.g., polishing ponds) or land on which sewage sludge is placed for either treatment or storage. Sewage sludge may be stored on an area of land for a period equal to or less than two years. If sewage sludge remains on an area of land for greater than two years, the person who prepares the sewage sludge must develop a rationale for why the land should not be considered an active sewage sludge unit.

Most requirements for surface disposal of sewage sludge under Part 503 pertain to individual active sewage sludge units at a surface disposal site. Permit conditions for your facility may be developed on a unit-by-unit basis, or may be developed for the entire surface disposal site if all units are sufficiently similar.

a. Provide the name or number of the active sewage sludge unit. The name or number is any designation commonly used to refer to the unit. If the active sewage sludge unit has been previously designated in another permit, use that designation.

b. Provide the physical location (street address) of the active sewage sludge unit. If the active sewage sludge unit lacks a street address or route number, provide the most accurate alternative geographic information (e.g., township and range, section or quarter section number, nearby highway intersection).

c. Provide the total dry metric tons per 365-day period placed on the active sewage sludge unit. The amount of sewage sludge placed on an active sewage sludge unit determines the frequency of monitoring for sewage sludge placed on the active sewage sludge unit.

d. Provide the total number of dry metric tons of sewage sludge placed on the active sewage sludge unit over the life of the unit to date.

e. Indicate whether the active sewage sludge unit has a liner. A *liner* is defined as soil or synthetic material with a maximum hydraulic conductivity (permeability) of  $1 \times 10^{-7}$  cm/sec.

If the active sewage sludge unit has a liner, describe the material from which the liner is constructed and specify the

design hydraulic conductivity of that material.

f. Indicate whether the active sewage sludge unit has a leachate collection system. A *leachate collection system* is a system or device installed immediately above a liner that is designed, constructed, maintained, and operated to collect and remove leachate from a sewage sludge unit.

If the active sewage sludge unit has a leachate collection system, describe how the system is designed and operated. Also describe the method used for leachate disposal, such as discharge to surface water (provide all applicable permit numbers) or disposal at a hazardous waste treatment, storage, or disposal facility (provide Federal, State, and local permit numbers for this facility).

g. If you answered yes to both D.1.e and D.1.f, pollutant limits do not apply to the active sewage sludge unit.

If the boundary of the active sewage sludge unit without a liner and leachate collection system is less than 150 meters from the property line of the surface disposal site, provide the actual distance in meters.

When the boundary of an active sewage sludge unit without a liner and leachate collection system is less than 150 meters from the property line of the surface disposal site, the pollutant limits for the unit are determined according to the actual distance, as indicated in Table 2 of § 503.23.

h. Provide the remaining capacity of the active sewage sludge unit, in dry metric tons, and the anticipated closure date of the active sewage sludge unit, if known. Attach to the application a copy of any closure plan that has been developed for the active sewage sludge unit.

D.2. Sewage Sludge from Other Facilities. If sewage sludge is sent to this active sewage sludge unit by any facilities other than your facility, complete this section for each such facility. If sewage sludge from more than one facility other than your facility is placed on this active sewage sludge unit, attach additional pages as necessary.

a. Provide the official or legal name of the facility providing the sewage sludge. Do not use a colloquial name.

b. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the facility that is providing the sewage sludge, and who can be contacted by the permitting authority if necessary.

c. Provide the complete mailing address of the facility providing the sewage sludge.

d. Indicate the class of pathogen reduction that is achieved before sewage sludge leaves the facility that generates the sewage sludge.

Options for meeting Class A pathogen reduction are listed at § 503.32(a). Options for meeting Class B pathogen reduction are listed at § 503.32(b).

e. Provide a written description of any treatment processes used at the facility providing the sewage sludge to reduce pathogens in the sewage sludge, including, where applicable, how the treatment fulfills one of the options for meeting Class A or Class B pathogen reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

f. Indicate whether any of the vector attraction reduction options 1–8, (at § 503.33(b) (1)–(8), respectively) are met at the facility providing the sewage sludge. Options 1–8 are typically met at the point of sewage sludge generation. Additional options are available, but these are typically met at the point of disposal.

You may select “none or unknown” only if option 9 (injection below land surface), option 10 (incorporation into soil within six hours), or option 11 (daily cover) is met at the point of disposal at this active sewage sludge unit (see Section D.3.a).

g. Provide a written description of any treatment processes used at the facility providing the sewage sludge to reduce vector attraction reduction characteristics of sewage sludge, including an indication of how the treatment fulfills one of options 1–8 for vector attraction reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

h. Provide a written description of any other treatment processes at the facility providing the sewage sludge that are not described in D.2.d–D.2.g. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

D.3. Vector Attraction Reduction. Complete this section for each active sewage sludge unit.

a. Indicate whether any of vector attraction reduction options 9–11 (at § 503.33(b) (9)–(11), respectively) are met when the sewage sludge is placed on this active sewage sludge unit.

Sewage sludge placed on an active sewage sludge unit must meet one of vector attraction reduction options defined at § 503.33(b) (1)–(11). Options 1–8 are typically met at the point of sewage sludge generation (see Question D.2.f). Options 9–11 are typically met at the point of disposal.

b. Provide a written description of any treatment processes used at the active sewage sludge unit to reduce vector attraction reduction characteristics of sewage sludge, including an indication of how the treatment fulfills one of options 9–11 for vector attraction reduction. You may attach existing documentation (e.g., technical or process specifications) to meet this requirement.

#### D.4. Ground-Water Monitoring.

Placement of sewage sludge on an active sewage sludge unit must not contaminate an aquifer. Compliance must be demonstrated through either: (1) the results of a ground-water monitoring program developed by a qualified ground-water scientist, or (2) certification by a qualified ground-water scientist that contamination has not occurred.

*Contaminate an aquifer* means to introduce a substance that causes the maximum contaminant level (MCL) for nitrate in 40 CFR 141.11 to be exceeded in ground water, or that causes the existing concentration of nitrate in ground water to increase when the existing concentration of nitrate in the ground water exceeds the MCL for nitrate in 40 CFR 141.11.

The MCL for nitrate is 10 milligrams/liter.

This section solicits existing ground-water monitoring data and other documentation to indicate the potential for contamination of an aquifer at the active sewage sludge unit, and the capability of the owner/operator of the surface disposal site to demonstrate that contamination has not occurred.

a. If ground-water monitoring is conducted for this active sewage sludge unit, provide the following:

- Available ground-water monitoring data; and
- A written description of the well locations, approximate depth to ground water, and the ground-water monitoring procedures used to obtain these data (you may attach existing documentation to fulfill this requirement).

For purposes of this application, *ground-water monitoring* means the installation and periodic sampling and analysis of small-diameter wells in the aquifer below the base of the deepest active sewage sludge unit.

b. If a ground-water monitoring program has been prepared for this active sewage sludge unit (regardless of whether ground-water monitoring is currently conducted), submit a copy of the program with this permit application. The program should include the number, depth, and location of all wells; the frequency and method

of sampling; and the parameters for which the ground water is tested.

c. If you have obtained a certification from a qualified ground-water scientist that contamination of the aquifer below the active sewage sludge unit has not occurred, submit a copy of the certification with this permit application.

A *qualified ground-water scientist* is an individual with a baccalaureate or post-graduate degree in the natural sciences or engineering who has sufficient training and experience in ground-water hydrology and related fields, as may be demonstrated by State registration, professional certification, or completion of accredited university programs, to make sound professional judgments regarding ground-water monitoring, pollutant fate and transport, and corrective action.

D.5. Site-Specific Limits. Indicate whether you are seeking site-specific pollutant limits in your permit for the sewage sludge placed on this active sewage sludge unit.

After August 18, 1993, you are allowed to seek site-specific pollutant limits only for good cause, and must do so within 180 days of becoming aware that good cause exists. If you request site-specific pollutant limits with this permit application, you are required to submit information supporting the request, including a demonstration that existing values for site parameters specified by the permitting authority differ from the values for those parameters used to develop the pollutant limits in Table 1 of § 503.23. You must also submit follow-up information at the request of the permitting authority.

If the permitting authority determines that site-specific pollutant limits are appropriate, the permitting authority may specify site-specific limits in the permit as long as the existing concentrations of the pollutants in the sewage sludge are not exceeded.

#### Section E: Incineration

Complete this section if you own or operate a sewage sludge incinerator. If you own or operate more than one sewage sludge incinerator, complete this section for each incinerator unit. Attach additional pages as necessary.

A sewage sludge incinerator is, by definition, a treatment works treating domestic sewage, and the owner/operator of a sewage sludge incinerator is required to submit a full permit application (i.e., Part 2 of Form 2S).

##### E.1. Incinerator Identification.

a. Provide the name or number of the sewage sludge incinerator unit. The name or number is any designation

commonly used to refer to the unit. If the unit has been previously designated in another permit, use that designation.

b. Provide the physical location (street address) of the sewage sludge incinerator. If the incinerator lacks a street address or route number, provide the most accurate alternative geographic information (e.g., township and range, section or quarter section number, nearby highway intersection).

E.2. Amount Fired. Provide the total dry metric tons of sewage sludge (dry weight basis) fired in the sewage sludge incinerator unit per 365-day period.

##### E.3. Beryllium NESHAP.

The firing of sewage sludge in a sewage sludge incinerator must not violate the National Emission Standard (NESHAP) for beryllium as established in Subpart C of 40 CFR Part 61. The beryllium NESHAP only applies, however, to sewage sludge incinerators firing "beryllium-containing waste." The beryllium NESHAP is 10 grams of beryllium in the exit gas over a 24-hour period, unless the incinerator owner/operator has been approved to meet a 30-day average ambient concentration limit on beryllium in the vicinity of the sewage sludge incinerator of 0.01 µg/m<sup>3</sup>. Complete this section to demonstrate compliance with the beryllium NESHAP.

a. Indicate whether sewage sludge fired in this sewage sludge incinerator is beryllium-containing waste. Beryllium-containing waste is material contaminated with beryllium or beryllium compounds used or generated during any process or operation performed by one of several sources.

Submit information, test data, and a description of measures taken that demonstrate whether the sewage sludge fired in this sewage sludge incinerator is beryllium-containing waste, and will continue to remain as such.

b. If the sewage sludge fired in this sewage sludge incinerator is beryllium-containing waste, submit a complete report of the latest beryllium emission rate testing, as well as documentation of ongoing incinerator operating parameters indicating that the NESHAP emission rate limit for beryllium has been and will continue to be met.

##### E.4. Mercury NESHAP.

The firing of sewage sludge in a sewage sludge incinerator must not violate the NESHAP for mercury as established in Subpart E of 40 CFR Part 61. Complete this section to demonstrate compliance with the mercury NESHAP.

a. Indicate whether stack testing or sewage sludge sampling is being used to demonstrate compliance with the mercury NESHAP. If stack testing is

used, complete E.4.b. below. If sewage sludge sampling is used, complete E.4.c. below.

b. *Stack testing option.* Stack testing must be conducted using Method 101A in 40 CFR Part 61, Appendix B ("Determination of Particulate and Gaseous Mercury Emissions from Sewage Sludge Incinerators"). The total quantity of mercury emitted into the atmosphere from all incinerators at a site must not exceed 3200 grams over a 24-hour period.

If stack testing is used, submit the following with this application:

- A complete report of stack testing and documentation of ongoing incinerator operating parameters indicating that the incinerator has and will continue to meet the mercury NESHAP emission rate limit.
- Copies of mercury emission rate tests for the two most recent years in which testing was conducted.

c. *Sampling option.* Sewage sludge must be sampled and analyzed using Method 105 in 40 CFR Part 61 Appendix B ("Determination of Mercury in Wastewater Treatment Plant Sewage Sludge"), and the mercury emissions calculated using the following equation must not exceed 3200 grams over a 24-hour period:

$$E_{\text{Hg}} = \frac{(M) \times (Q) \times (F_{\text{sm}(\text{avg})})}{1000}$$

where:

$E_{\text{Hg}}$  = mercury emissions, g/day

M = mercury concentration in sewage sludge on a dry solids basis, in micrograms/gram

Q = sludge charging rate, in kg/day

$F_{\text{sm}}$  = weight fraction of solids in the collected sewage sludge after mixing.

If sewage sludge sampling is used, submit a complete report of sewage sludge sampling and documentation of ongoing incinerator operating parameters indicating that the incinerator has and will continue to meet the mercury NESHAP emission rate limit.

E.5. Dispersion Factor.

a. Provide the dispersion factor, in micrograms/cubic meter/gram/second, for the sewage sludge incinerator.

The *dispersion factor* is the ratio of the increase in the ground-level ambient air concentration for a pollutant at or beyond the property line of the site where the sewage sludge incinerator is located to the mass emission rate for the pollutant from the incinerator stack. The dispersion factor is calculated individually by each applicant based on the results of an air dispersion model specified by the permitting authority.

b. Provide the name and type of the air dispersion model used to obtain the dispersion factor.

Approved air dispersion models are listed in EPA's *Guideline on Air Quality Models* and EPA's Support Center for Regulatory Air Models (SCRAM) bulletin board. Unless a pre-existing modeling effort has been used to calculate dispersion factor (and the results have been approved by EPA), you should work closely with the permitting authority to prepare a modeling protocol.

c. Submit a copy of the modeling results and supporting documentation with this application.

E.6. Control Efficiency.

a. Provide the control efficiency, in hundredths, for arsenic, cadmium, chromium, lead, and nickel at this sewage sludge incinerator.

*Control efficiency* is the mass of a pollutant in the sewage sludge fed to an incinerator minus the mass of that pollutant in the exit gas from the incinerator stack, divided by the mass of the pollutant in the sewage sludge fed to the incinerator.

b. Submit a copy of the results of performance testing and supporting documentation, including testing dates.

Control efficiency must be determined by a performance test, the protocol for which must be approved by EPA.

E.7. Risk Specific Concentration for Chromium. The risk specific concentration (RSC) for arsenic, cadmium, chromium, and nickel is used to calculate pollutant limits for these metals in the permit. With the exception of chromium, the RSC for these metals is provided in Table 1 of § 503.43. The RSC for chromium, however, may be determined in two ways: (1) it may be located in Table 2 of § 503.43 according to the type of incinerator; or (2) it may be calculated based on the ratio of hexavalent chromium to total chromium in the exhaust stack gas.

a. Provide the RSC to be used in establishing a permit limit for chromium, in micrograms per cubic meter.

b. Specify whether the RSC was:

- Provided in Table 2 of § 503.43; or
- Calculated, using Equation 6 in 40 CFR 503.43, based on the ratio of hexavalent chromium to total chromium in the exhaust stack gas.

c. If the RSC was looked up in Table 2 of § 503.43, identify which category of incinerator type you used to obtain the RSC.

d. If you calculated the RSC using Equation 6 in 40 CFR 503.43, provide the decimal fraction of hexavalent chromium concentration to total chromium concentration in the stack

exit gas. Also submit the results of incinerator stack tests for hexavalent and total chromium concentrations, including date(s) of test.

E.8. Operational Standard for Total Hydrocarbons (THC) or Carbon Monoxide (CO).

*Total hydrocarbons* (THC) means the organic compounds in the exit gas from a sewage sludge incinerator stack, as measured using a flame ionization detection instrument referenced to propane. Carbon monoxide (CO) can be monitored instead of THC. The operational standard for THC or CO requires that the THC or CO concentration in the exit gas be corrected for zero percent moisture and to seven percent oxygen.

a. Provide the raw value for the THC or CO concentration in stack emissions, in parts per million (ppm). The *raw value* is the concentration measured directly by the flame ionization detection instrument.

b. Provide the percent of moisture content in stack gas. This is used to correct the raw THC or CO concentration value for zero percent moisture.

c. Provide percent oxygen concentration in stack gas (in dry volume/dry volume). This is used, after correction of the THC or CO concentration for zero percent moisture, to correct the THC or CO concentration to seven percent oxygen.

d. Provide the corrected value for the THC or CO concentration in stack emissions, in ppm. The *corrected value* is the raw concentration, corrected for zero percent moisture and to seven percent oxygen.

The raw THC or CO value is first corrected for zero percent moisture by multiplying by the following correction factor (from 40 CFR 503.44):

$$\text{Correction factor (dimensionless)} = \frac{1}{(0\% \text{ moisture}) (1-X)}$$

where X is the decimal fraction of the percent moisture in the sewage sludge incinerator exit gas in hundredths.

The dry value is then corrected to seven percent oxygen using the correction factor determined according to the following equation:

$$\text{Correction factor (dimensionless)} = \frac{14}{(7\% \text{ moisture}) (21-Y)}$$

where Y = percent oxygen concentration in the sewage sludge incinerator stack exit gas (dry volume/dry volume).

e. Submit documentation used to derive the raw THC or CO

concentration, moisture content, oxygen concentration, and corrected THC or CO concentration.

E.9. Operating Parameters.

a. Provide the type of sewage sludge incinerator—i.e., whether the incinerator is multiple hearth, fluidized bed, flash drying, electric furnace, or other.

b. Provide with the application the following data on combustion temperature: temperature data (including testing date(s)), a description of temperature measurement and data recording and handling systems, and a description of how such combustion temperature data have been averaged.

The permitting authority will use performance test data to specify the maximum combustion temperature in the permit as a "never to exceed" value. Regulated facilities must also install, calibrate, operate, and maintain an instrument that measures and records combustion temperatures continuously.

c. Provide the sewage sludge feed rate in dry metric tons per day, and indicate whether the *average daily amount* or the *maximum design capacity* feed rate was used. Submit supporting documentation

describing how the feed rate was calculated.

The *average daily amount* feed rate is the average daily amount of sewage sludge fired in all sewage sludge incinerators within the property line of the site where the sewage sludge incinerators are located for the number of days in a 365-day period that each sewage sludge incinerator operates.

The *maximum design capacity* feed rate is the average daily design capacity for all sewage sludge incinerators within the property line of the site where the sewage sludge incinerators are located.

The permitting authority will use the feed rate you report as the basis for calculating pollutant limits and will include it as an enforceable condition in the permit.

d. Provide the incinerator stack height (in meters) for each stack, and indicate whether actual or creditable stack height was used.

The *actual stack height* is the difference between the elevation at the top of the stack and the elevation of the ground at the base of the stack, when the difference is equal to or less than 65 meters.

The *creditable stack height* is used if the difference is greater than 65 meters. This is determined in accordance with 40 CFR 51.100(ii).

e. Submit information documenting the operating parameters for the air pollution control device(s) used for this sewage sludge incinerator.

E.10. Monitoring Equipment. Provide a detailed list of the equipment in place to monitor total hydrocarbons or carbon monoxide, percent oxygen, moisture content, and combustion temperature. Monitoring equipment includes, but is not limited to, thermocouples, oxygen continuous emissions monitors, furnace temperature gauges, sewage sludge and auxiliary fuel feed rate monitors, differential pressure detectors, liquid or gas flow detectors, and air pollution control devices.

E.11. Air Pollution Control Equipment. Provide a list of the equipment in place to control emissions from the sewage sludge incinerator stack. Indicate the type and capacity for each piece of equipment listed.

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