

Ohio EPA Policy	National Pollutant Discharge Elimination System: Tiered Permits	
DSW-0100.016 Removed	Statutory references: Rule references:	Ohio EPA, Division of Surface Water Revision 0, August 1, 1988 Revision 1, September 30, 1999 Removed, December 21, 2006
THIS POLICY DOES NOT HAVE THE FORCE OF LAW Pursuant to Section 3745.30 of the Revised Code, this policy was reviewed and removed.		

This policy has been replaced by language adopted in rule 3745-2-05 of the Ohio Administrative Code.

For more information contact:

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Ohio EPA Policy	National Pollutant Discharge Elimination System: Tiered Permits	
DSW-0100.016	Statutory reference: ORC 6111.03 Rule references: OAC 3745-2 OAC 3745-33-07	Ohio EPA, Division of Surface Water Revision 0, August 1, 1988 Revision 1, September 30, 1999
Final		
THIS POLICY DOES NOT HAVE THE FORCE OF LAW Pursuant to Section 3745.30 of the Revised Code, this policy was reviewed on the last revision date.		

Purpose

To set guidelines for the implementation of the tiered NPDES permit concept.

Background

In recent years, the costs of all forms of energy have increased considerably. These increases in the cost of energy are fueling the ever increasing inflation rate. Consequently, a reduction in the use of energy will assist in the fight against inflation and preserve our already scarce resources. In a move toward achieving this objective, an innovative permit procedure, namely the Tiered NPDES Permit, has been developed.

At many locations in Ohio, NPDES permits are written to protect water quality in the receiving stream during the critical low flow periods which requires a high degree of treatment at all times. This level of treatment is excessive and unnecessary during higher flow periods. The receiving stream must be protected to meet use designations at all times, but the degree of treatment may vary to a base line "secondary treatment" level for higher stream flows.

Effluent limitations set by federal laws and regulations (e.g., BPT, BCT, BAT, Secondary Treatment) cannot be exceeded. Tiered permits are only appropriate for discharge to "water quality limited segments" where minimum federally required effluent limits are not adequate to protect water quality at all times.

In a tiered NPDES permit, effluent limitation tables allow varying loads and/or concentrations of specific parameters based on stream assimilative capacity.

Estimates of assimilative capacity can be based on seasonal anticipated conditions or on actual measurements of stream flow and quality.

Many NPDES permits are presently written with seasonal limits for ammonia, since ammonia is less toxic in winter due to lower pH and temperature and higher stream flows. This allows more cost effective design of treatment facilities by allowing single stage nitrification processes which have adequate effectiveness during warm weather.

Permits for controlled discharge lagoons (stabilization ponds) have been written to allow discharge of secondary quality effluent only at such times as stream assimilative capacity is available. A zero discharge limitation is imposed at all other times. Discharge is permitted whenever upstream flow exceeds a predetermined value and can be proportioned to upstream flow.

Procedure

To encourage conservation of energy and to accommodate technical and economic considerations, while at the same time providing adequate protection to public health and the environment, the following policies are in effect:

1. The effluent load at critical flow (e.g., seven day/ten year low flow) will be determined by Ohio EPA and the maximum load at higher flow cannot exceed that allowed by federal effluent guidelines.
2. For complex situations, the adoption of tiered limits will be based on evaluation of performance and operational capability by the entity and observations of actual impact on the receiving stream.
3. Tiered effluent limitations tables will be allowed in direct discharge permits where it can be shown that substantial energy savings will result, taking into account legal, technological, and economic considerations and where acceptable methods for monitoring and enforcing such varying limitations can be provided.
4. Seasonal tiered permits will be written by Ohio EPA based on winter and summer model runs as published in completed water quality management plans.
5. A request for a tiered permit based on stream flow and assimilative capacity will be allowed providing the entity develops a management capability, a control capability, and a reporting system satisfactory to Ohio EPA.
6. The tiered NPDES permit program will provide flexibility in dealing with effluent dilution problems.

Related Policy or guidance

None

For more information contact:

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