



# **Water Permits 101: Understanding the Process**

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# Office Organizational Chart



## ENVIRONMENTAL SERVICES

WATER PERMITS

WASTE PERMITS

AIR PERMITS

PERMITS SUPPORT DIVISION

## ENVIRONMENTAL COMPLIANCE

SURVEILLANCE

ENFORCEMENT

EMERGENCY RESPONSE & RADIOLOGICAL SERVICES

## ENVIRONMENTAL ASSESSMENT

AIR QUALITY ASSESSMENT

WATER QUALITY ASSESSMENT

TECHNOLOGY

REMEDATION

LABORATORY SERVICES

UNDERGROUND STORAGE TANK

## MANAGEMENT & FINANCE

FINANCIAL SERVICES

INFORMATION SERVICES

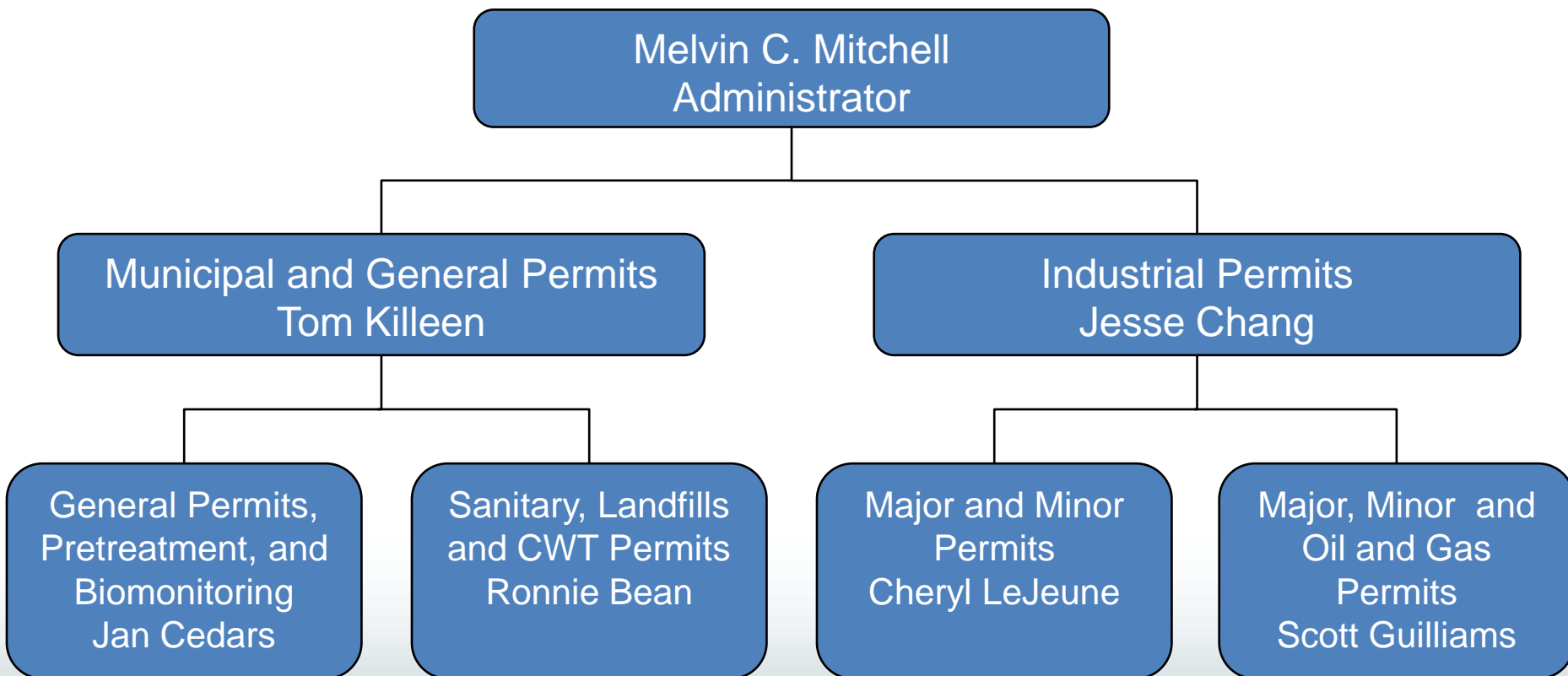
GENERAL SERVICES

HUMAN RESOURCES





# Water Permits Division





# Acronyms and Definitions

- BMP – Best Management Practices
- CWA – Clean Water Act
- CWIS – Cooling Water Intake Structure
- CWT – Centralized Waste Treater
- DMR – Discharge Monitoring Report
- DO – Dissolved Oxygen
- E & P Waste – Oil and Gas Exploration and Production Waste
- GPD – Gallons per day
- LA – Load Allocation
- LDHH – Louisiana Department of Health and Hospitals
- LPDES – Louisiana Pollutant Discharge Elimination System
- MOS – Margin of Safety
- MQL – Minimum Quantification Level
- NOI – Notice of Intent
- NPDES – National Pollutant Discharge Elimination System
- POTW – Publicly Owned Treatment Works
- SWP3 – Stormwater Pollution Prevention Plan
- TBELs – Technology Based Effluent Limitations
- TMDL – Total Maximum Daily Load
- TSS – Total Suspended Solids
- WET – Whole Effluent Toxicity
- WLA – Waste Load Allocation
- WQBELs – Water Quality Based Limitations



# Water Permits Role



- Issue water discharge permits
  - Shows all applicable limits and monitoring requirements
  - Basis for Surveillance Division's inspections
  - Basis for Enforcement Division's work





# Water Permits Role

- Provide technical guidance for permit applications
  - Industry
  - Community
- Involvement with the public and community on permitting activities
  - Public comments
  - Public hearings



# LPDES PERMITS PROGRAM



The state water discharge permit program is called the Louisiana Pollutant Discharge Elimination System (LPDES)

LA has authority to implement the Federal (EPA) water permit program called the National Pollutant Discharge Elimination System (NPDES)



# **National Pollutant Discharge Elimination System (NPDES)**



- Requirement of the Federal Clean Water Act
- Prior to 1996, in Louisiana, NPDES permits were issued by EPA.
- In 1996, permitting authority was transferred to LDEQ under the LPDES program.







# **Louisiana Pollutant Discharge Elimination System (LPDES)**

- **Prior to 1996, water discharge permittees were required to maintain two water discharge permits, from the state and federal government.**
- **With the transfer of permitting authority, permittees now only need one, all encompassing, permit.**





# WHO NEEDS A WATER DISCHARGE PERMIT?



# WHO NEEDS A WATER DISCHARGE PERMIT?



- Any one who discharges **pollutants** from a **point source** to **waters of the state**.
- Key definitions:
  - **Pollutants**
  - **Point Source**
  - **Waters of the State**
- Must have an effective water discharge permit at the time you start discharging
- 5 year permits



# WHO NEEDS A WATER DISCHARGE PERMIT?

## continued



- **Pollutants** – for the purposes of the Louisiana Pollutant Discharge Elimination System, as defined in the act, dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, except those regulated under the Atomic Energy Act of 1954, 42 U.S.C. 2011 et seq., as amended, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water. For the purposes of the Louisiana Pollutant Discharge Elimination System, as defined in the act, *pollutant* does not mean:
  - a. water, gas, waste, or other material that is injected into a well for disposal in accordance with a permit approved by the Department of Natural Resources or the Department of Environmental Quality; or
  - b. water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil and gas production and disposed of in a well, if the well used either to facilitate production or for disposal purposes is approved by authority of the state in which the well is located, and if the state determines that the injection or disposal will not result in the degradation of ground or surface water resources. LAC 33:IX.2313



# WHO NEEDS A WATER DISCHARGE PERMIT? continued



**Point Source** – any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. LAC 33:IX.2313...



# WHO NEEDS A WATER DISCHARGE PERMIT? continued



**Waters of the State** – for purposes of the Louisiana Pollutant Discharge Elimination System, all **surface waters** within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from 3 miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters that are subject to the ebb and flow of the tide, lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as *Waters of the United States* in 40 CFR 122.2, and tributaries of all such waters. *Waters of the State* does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq. LAC 33:IX.2313

**Surface waters** – all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems, and other surface waters, natural or artificial, public or private, within the state or under its jurisdiction that are not a part of a treatment system allowed by state law, regulation, or permit. LAC 33:IX.1105





# TYPES OF PERMITS





# TYPES OF PERMITS

## Individual Permits

- Majors
- Minors

## General Permits

- Storm water
- Non-storm water





# INDIVIDUAL PERMITS



- Majors - Characteristics

- Industrial – determined by point system
- Municipal – 1 million gallons/day or greater
- Permit Writer (PW) prepares fact sheet
- Preliminary Draft reviewed by EPA – 30 days
- Examples: refineries, power plants, chemical plants, sewage treatment plants in large cities
  - ExxonMobil
  - Entergy
  - Dow Chemical
  - City of Baton Rouge





# INDIVIDUAL PERMITS

- Minors - Characteristics

- Industrial – determined by point system
- Municipal < 1 million gallons/day
- PW prepares statement of basis
- Examples: equipment rental companies, oilfield service facilities, seafood processors, barge cleaning and repair facilities, landfills, sewage treatment plants in smaller cities



# INDIVIDUAL PERMITS



- PW prepares draft permit and statement of basis or fact sheet
- Public notice for each permit – 30 day comment period
  - A public hearing may be held depending on comments or requests received
- PW responds to comments and prepares final permit decision



# GENERAL PERMITS



- LDEQ issues 'Master' general permit and this 'Master' general permit is public noticed.
  - PW prepares draft permit and fact sheet
  - EPA has 90-day review period
  - 'Master' general permit is public noticed for 30 days
- Normally, a separate public notice is not required when facilities are authorized to discharge under a general permit.





# **GENERAL PERMITS**

**Storm Water**

**Non-Storm Water**



# GENERAL PERMITS



## Storm Water General Permits (4)

- Storm Water Associated with Industrial Activity (Multi-Sector General Permit)
- Construction 5 acres or greater
- Construction < 5 acres
- Municipal Separate Storm Sewers Systems (MS4)

Requires Storm Water Pollution Prevention Plan  
(SWP3)



# GENERAL PERMITS



## Non-Storm Water General Permits

- Cement, Concrete & Asphalt Facilities (LAG110000)
- Dewatering Petroleum Storage Tanks (LAG300000)
- Oil and Gas Exploration, Development and Production facilities in coastal waters (LAG330000)
- Potable Water Treatment Plants (LAG380000)
- Auto Dealerships, Paint and Body Shops, Repair Shops (LAG470000)
- Sand and Gravel Extraction (LAG 490000)
- Sanitary discharges less than 5000 GPD (LAG530000)
- Sanitary discharges less than 25,000 GPD (LAG540000)
- Sanitary discharges less than 50,000 GPD (LAG560000)
- Sanitary discharges less than 100,000 GPD (LAG570000)
- Hydrostatic Test Wastewater (LAG670000)
- Exterior Vehicle Washwater (LAG750000)
- Construction, Demolition Debris Landfills (LAG780000)
- Cleanup of Petroleum Underground Storage Tanks (LAG830000)
- Treated Ground Water Discharges (LAG940000)





# APPLICATION PROCESS







# The Application Process

If a complete application for renewal of an existing LPDES permit is submitted 180 days prior to the expiration date , the permit will be administratively continued. LAC 33:IX.2501.D

An extension may be request beyond the 180 days prior to the expiration date. However, the extension may not go beyond the expiration date of the permit.

If application is not received prior to the expiration date of the permit, the facility will be discharging without an effective permit and subject to enforcement action. **LAC 33:IX.2501.D**



# AUTHORIZATION PROCESS for COVERAGE UNDER A GENERAL PERMIT



- LDEQ public notices and issues 'Master' general permit
- Applicant submits Notice of Intent (NOI) – available electronically on LDEQ web page
- Authorization may be automatic or require specific authorization by LDEQ
  - If automatic, authorization is effective within 2 days of submittal of a **complete** NOI
  - Specific authorization normally takes 2-4 weeks after submittal of a **complete** NOI



# Public Notices



- During the public notice comment period, which lasts 30 days, the permittee and public are afforded the opportunity to comment on the draft permit.
- All LDEQ, Permits Division, Public Notices can be found on our public web site at: <http://www.deq.louisiana.gov>
- If there is significant public response to the draft permit action, a public hearing or public meeting may be held.



# 300-DAY RULE

## LAC 33:1.1505



- LDEQ must issue a final permit decision within 300 days of receipt of a complete application
  - 60 days for permits related to oil & gas wells and pipelines
- Applies to new facilities and major modification of existing permits
- Clock stops when LDEQ requests additional information and when facility makes substantial changes to the application
- 45 days may be added to respond to comments resulting from a public hearing



# FEES

## LAC 33:IX.1309



- Do not submit fee with application (for water but not all media)
- Annual Fee
  - Individual Permit - determined by rating system
    - Minimum (\$345)
    - Maximum (\$143,451)
    - Permit issuance fee – 20% of annual fee
  - General Permit – determined by type of general permit
    - Lowest (\$99)
    - Highest (\$2,640)





# WHAT'S INCLUDED IN A WATER PERMIT?



# INFORMATION ABOUT THE PERMIT



- Title page
- Limits page
  - Outfall description
  - Parameters
  - Discharge limits
  - Monitoring frequency
  - Monitoring location



# Title Page



PERMIT No.: LA0007650  
AT No.: 3227

## OFFICE OF ENVIRONMENTAL SERVICES Water Discharge Permit

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 *et seq.*), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 *et seq.*), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

Saint - Gobain Containers, Inc.  
Ruston Plant  
P.O. Box 4280  
Muncie, Indiana 47307 - 4200

Type Facility: glass container manufacturing facility

Location: 4281 Highway 563 in Simsboro  
Lincoln Parish

Receiving Waters: Outfall 101 discharges via an unrailed ditch to Mill Creek thence into Bayou D'Arbonne and Outfall 004 discharges via pipe to Mill Creek thence into Bayou D'Arbonne (Subsegment 080603). Outfall 003 discharges via pipe to Madden Creek thence into the Dugdemons River (Subsegment 081401)

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in facility specific requirements, other conditions, and standard conditions attached hereto.

This permit shall become effective on 01 July 2008

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

Issued on 5 June 2007

Cheryl Souster Nolan  
Assistant Secretary

CALL FOR REGULATIONS • 800-N-STOP-ENR407 • P.O. BOX 9431 • BATON ROUGE, LA 70809-0431 • (225) 219-1131





# Limits Page



Part 1

Page 4 of 5  
 Permit No. LA0069809  
 AI No. 19841

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 003, the discharge of treated sanitary wastewater.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	STORET Code	Discharge Limitations				Monitoring Requirements	
		Other Units				Measurement Frequency	Sample Type
		(lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)					
	Monthly Average	Weekly Average	Monthly Average	Weekly Average			
Flow-MGD	50050	---	Report	---	---	1/6 months	Estimate
BOD <sub>5</sub>	00110	---	---	---	45	1/6 months	Grab
TSS	00530	---	---	---	45	1/6 months	Grab
Fecal Coliform							
colanicu/100 ml>(*1)	74055	---	---	---	400	1/6 months	Grab
pH (Standard Units)	00400	---	---	6.0 (*2) (Min)	9.0 (*2) (Max)	1/6 months	Grab

There shall be no discharge of floating solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 003, at the point of discharge from the STP prior to combining with other waters.

### FOOTNOTE(S):

- (\*1) See paragraph V.
- (\*2) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.



# PERMIT INFO (cont'd)



- **Other conditions**
  - Reopener language
  - Permit does not convey any easement or right-of-way
  - Requirements to submit Discharge Monitoring Reports (DMRs)
  - Storm water pollution prevention requirements
  - Biomonitoring Requirements
  - Pretreatment Requirements
  - Best Management Practices (BMP)
  - Facility specific conditions



# PERMIT INFO (cont'd)



- **Standard conditions** – some basic regulatory requirements
  - Duty to re-apply – 180 days before expiration date (5 yr permit)
  - Inspections by LDEQ – right of entry
  - Enforcement – penalties
  - Monitoring procedures – must use approved analytical methods
  - Bypass and upset
  - Record keeping
  - Proper operation and maintenance
  - Reporting requirements
    - Changes
    - Non-compliance
    - Emergency situations
  - Signature requirements
  - Laboratory accreditation



# What are Effluent Limits?



- Numerical limits on discharges of pollutants
- Limits may be expressed as mass (lbs/day) or concentration (mg/L).
- Can limit specific pollutant (e.g. cyanide) or an indicator pollutant (e.g. Chemical Oxygen Demand)
- Also includes BMPs and SWP3



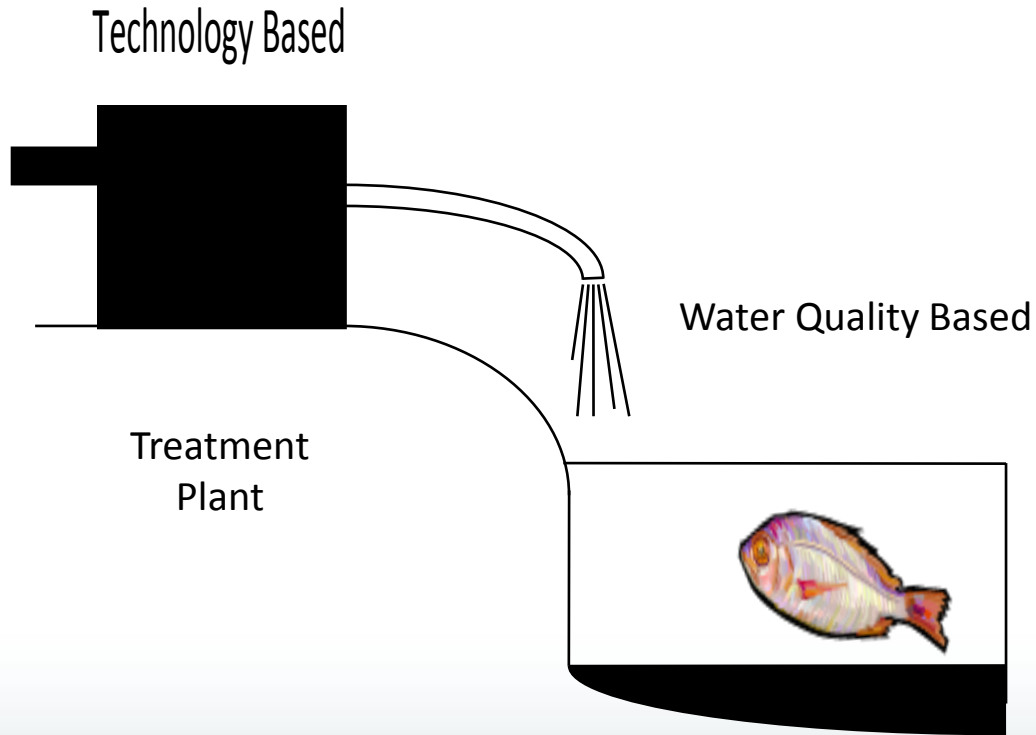


# Types of Effluent Limitations

- Two Types of Effluent Limitations
  - Technology-Based Effluent Limitations (TBELs);
  - Water Quality-Based Effluent Limitations (WQBELs);
- Both TBELs and WQBELs are calculated and the more stringent limit is placed in the permit



# Types of Effluent Limitations





# Regulatory Basis for TBELs

- LAC 33:IX.2707 requires that LPDES permits include effluent limits and standards promulgated under CWA Sections 301 (effluent limitations and standards) or 306 (new source performance standards, and 402(a)(1) (case-by-case basis) or a combination



# Municipal TBELs– Secondary Treatment Standards



- TBELs (mass limits) for POTW's are based on secondary treatment standards and design flow per LAC 33:IX.2709.B.1
- 85% removal efficiency for BOD<sub>5</sub> and TSS

Pollutant	30-Day Avg mg/L	7-Day Avg mg/L
BOD <sub>5</sub>	30	45
TSS	30	45



# Industrial TBELs -Effluent Guidelines



- Technology-based standards for specified industry categories
- Most are production based
  - mass/unit of product produced
  - For example: lbs/1000 lbs of product
- Some are flow-based
  - mass/unit volume
  - For example: mg/L



# TBELs - Best Professional Judgment



- In the absence of effluent guidelines, permit writers can establish TBELs using Best Professional Judgment on a case-by case basis



# Regulatory Basis for WQBELs



- CWA Section 303(b)(1)(c) and LPDES regulations at LAC 33:IX.2707.D require limits more stringent than TBEL when necessary to attain state water quality standards
- Designed to ensure that water quality standards are attained





# Water Quality Standards

- Standards are developed by states and approved by EPA
- Standards consist of
  - Designated Uses
  - Narrative and Numeric Criteria
  - Antidegradation policy





# Designated Uses

Each water body may have any of the following designated uses:

- Primary Contact Recreation
- Secondary Contact Recreation
- Fish and Wildlife Propagation
- Limited Aquatic Life and Wildlife Use
- Drinking Water Supply
- Oyster Propagation
- Agriculture
- Outstanding Natural Resource Waters





# Narrative and Numeric Criteria

- Narrative – “fishable, swimmable” or “no toxics in toxic amounts”
- Numeric Criteria - chemical specific concentration or whole effluent toxicity as toxic units
- Future criteria may include sediment, biological, or wildlife criteria





# Antidegradation Policy

- The antidegradation policy provides the statutory basis for the protection of state waters from activities that would cause degradation of the water quality and impairment of the designated uses.
- Limited degradation allowed if there are social and/ or economical justifications but not to the extent of violating the established water quality standards.



# Water Quality-based Effluent Limits (WQBELs)



- Calculation procedure considers the potential impact of discharges on the receiving water quality;
- If WQBEL is  $<$  TBEL, then WQBEL is used in the permit;
- Even in absence of TBELS, WQBELs are imposed if there is “reasonable potential” to exceed water quality standards





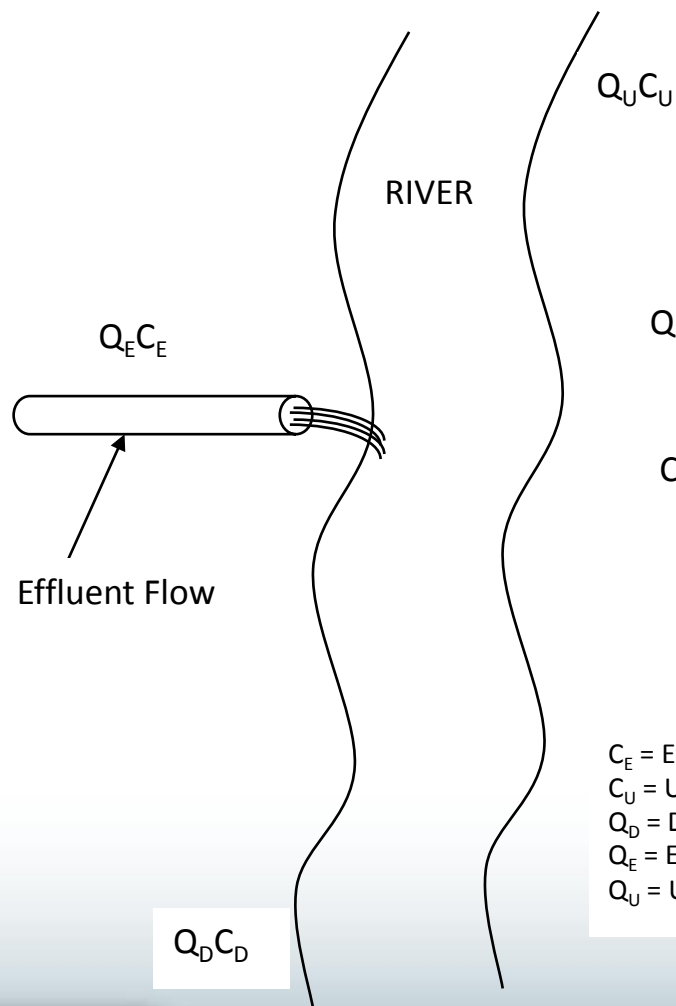


# Calculation of WQBELs

- May be calculated using simple, single discharge models (mass balance) or more complex water quality models that consider cumulative impacts of other discharges in the watershed (i.e. TMDL)
- WQBELs are fundamentally a mass balance solved for the end-of pipe concentration that will not cause an in-stream exceedance of water quality standards



# Mass Balance



$$Q_E C_E + Q_U C_U = Q_D C_D$$

$$C_E = \frac{Q_D C_D - Q_U C_U}{Q_E}$$

$C_D$  = Concentration Downstream  
(Criteria)

$C_E$  = Effluent Concentration

$C_U$  = Upstream Concentration

$Q_D$  = Downstream Flow

$Q_E$  = Effluent Flow

$Q_U$  = Upstream Flow

# Louisiana Implementation Policy



- Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards – April 16, 2008, Version 6
- Available on LDEQ website

[www.deq.louisiana.gov/permits/index.htm](http://www.deq.louisiana.gov/permits/index.htm)





# When is a WQBEL needed in the Permit?

- To determine if a proposed discharge might cause or contribute to violation of water quality standards, the permit writer conducts an evaluation of the “reasonable potential” of the discharge to exceed standards.
- If reasonable potential exists, a WQBEL is required in the permit.



# Reasonable Potential – TBEL Screening



- If TBELs exist for pollutant, then the limits are screened against the calculated WQBELs.
- If TBEL is greater than WQBEL, then placing the TBEL in the permit would present a reasonable potential for a violation and a WQBEL is required
- Reduced monitoring allowed if pollutant not present on-site





# Reasonable Potential – Effluent Screening

- In absence of TBELs, the upper range of effluent concentration is estimated statistically as the 95<sup>th</sup> percentile of a lognormally distributed data set
- If the effluent 95<sup>th</sup> percentile exceeds the calculated daily average WQBEL, the WQBEL is placed in the permit
- To determine 95<sup>th</sup> percentile
  - A single measurement or geometric mean is multiplied by 2.13 ( assumes log normal data, CV= 0.6); or
  - If the data set contains greater than 10 values, the 95<sup>th</sup> percentile value may be directly calculated from the data set



# Effluent Screening – MQL issues



- Analytical testing should achieve the required Minimum Analytical Quantification Level (MQL) (Appendix B of Implementation Policy)
- If nondetect is reported with detection limit greater than MQL, pollutant considered present at detection limit concentration.
- Some MQLs will be revised in the next few months.
- Single measurements or groups of measurements reported as less than the required minimum quantification limit (MQL) will be assigned a value of zero
- If data contains values above and below MQL, values below MQL will be assumed present at 50% of MQL





# BIOMONITORING

Laboratory experiments which measure the adverse effect (growth, reproduction, survival) effluent concentrations may have on standardized test organisms and to characterize & measure the aggregate **toxicity** of an effluent or ambient waters (e.g. “No Toxics in toxic amounts)

Who gets biomonitoring:

- ✓ All major facilities ( $\geq 1$  mgd)
- ✓ Significant minor facilities
- ✓ Any facility with reasonable potential to cause toxicity





# IMPAIRED WATER BODIES



- Water bodies not in compliance with water quality standards
- Related terms
  - Total Maximum Daily Load (TMDL)
  - 303(d) List – Section 303(d) of the Clean Water Act
- May result in more stringent discharge limitations – water quality based effluent limits (WQBEL)
- Dischargers to non-impaired water bodies receive the more stringent of technology based effluent limits (TBEL) or WQBEL



# Total Maximum Daily Loads



## Total Maximum Daily Load (TMDL)



Total amount of a pollutant that a water body can receive and still meet applicable water quality standards.

# TMDL ELEMENTS



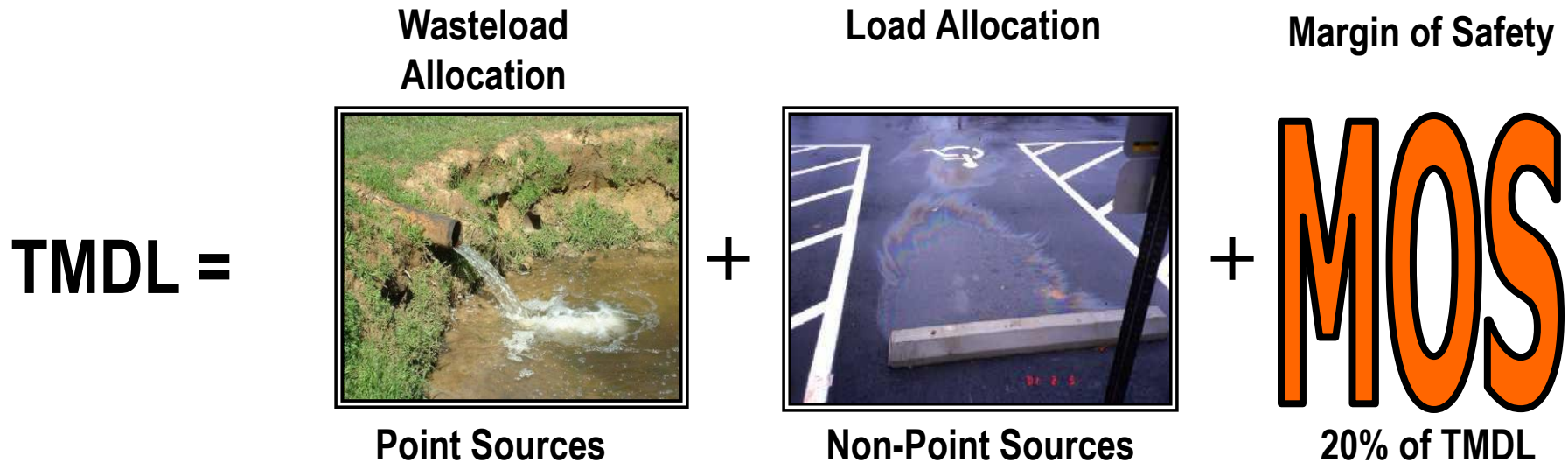
$$\text{TMDL} = \text{WLA} + \text{LA} + \text{MOS}$$

- Waste Load Allocation (**WLA**) – allocation for point sources
- Load Allocation (**LA**) – allocation for non-point sources and natural background
- Margin of Safety (**MOS**) – Reserved for errors in modeling and growth allowance

# Total Maximum Daily Load



What is a TMDL?



All TMDLs become part of the WQMP upon finalization.

# So how do you get the TMDL into the LPDES Permit?



BAYOU DES ALLEMANS WATERSHED TMDL  
FOR BIOCHEMICAL OXYGEN-DEMANDING SUBSTANCES

SUBSEGMENT 020301  
SURVEYED SEPTEMBER 9-13, 2002

REVISED TMDL REPORT

By:  
FTN Associates Ltd.

For:  
Engineering Group 2  
Environmental Technology Division  
Office of Environmental Assessment  
Louisiana Department of Environmental Quality

REVISED  
April 30, 2004



PERMIT NUMBER  
LA0008036  
A12922

OFFICE OF ENVIRONMENTAL SERVICES  
**Water Discharge Permit**

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

Cleco Power, LLC  
Rodemacher Power Station  
2030 Donahue Ferry Road  
Pineville, LA 70821

Type Facility: existing steam electric power generating facility  
Location: 275 Rodemacher Road in Lena, Rapides Parish  
Receiving Waters: a tributary to subsegment 100101 of the Red River Basin

Discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.

Permit becomes effective on \_\_\_\_\_

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

Issued on \_\_\_\_\_

Chuck Carr Brown, Ph.D.  
Assistant Secretary

GALVEZ BUILDING • 602 NORTH 1<sup>ST</sup> STREET • P.O. BOX 4313 • BATON ROUGE, LA 70821-4313 • PHONE (225) 219-5181





# First :

Need to know if a TMDL has been completed for the watershed in question.

## How do you find this out?

060801  
100204  
040203  
030901  
120301

- Find out into which subsegment the discharge will occur, this should be located in the fact sheet/statement of basis issued with the draft permit or in LAC 33:IX.1123.Table3.
- Afterwards, find which subsegment the discharge enters, visit the following websites and look up the subsegment number to determine if any final or draft TMDL's have been issued for the watershed:
  - <http://www.deq.louisiana.gov/portal/default.aspx?tabid=1563>
  - <http://www.epa.gov/earth1r6/6wq/npdes/tmdl/index.htm>



# Second :

Realize that there may be many TMDL's issued for one watershed



BOD5

Hg

NH3-N

P

- TMDL's are pollutant specific.
- Associated pollutants may be incorporated into the same TMDL Report (DO/Ammonia/ Nutrients, Various Metals, Toxic Substances)
- EPA uses watershed name and/or subsegment number to list TMDL's on their website.
- Be sure to notice the finalization date of the TMDL, generally not the date on the cover page of the document.



# LPDES Permitting in 303(d) Listed Water Bodies



Permit issuance prior to  
finalization of a TMDL



Permit issuance  
pursuant to a  
finalized TMDL



# Permit Issuance Prior to Finalized TMDL



- Determine and list all suspected pollutants causing exceedances of Water Quality Standards.
- Evaluate permit application, process operation, prior permits, effluent data, DMRs, etc..., to determine facility's potential to discharge suspected pollutant(s) at levels which may cause or contribute to a violation of Water Quality Standards.





# Facility has potential to discharge suspected pollutant(s)

Issue permit with WQBELs for end of pipe criteria or TBELs (whichever more stringent).

and

Place a reopener clause in permit to allow for finalized TMDL limitations.



# Federal TMDL Regulations



Clean Water Act Section 303(d)

EPA Implementing Regulations at 40 CFR Part 130.7

Upon final EPA approval TMDLs become part of the State Water Quality Management Plan (WQMP) where they are implemented into LPDES permits.





# New to Water Permits





# BIOMONITORING

- Sublethal affects and/or Reasonable Potential Determination may result in WET limits when permit is reissued
- See the ***Permitting Guidance Document for Implementation of Louisiana's Water Quality Standards; April 16, 2008, Version 6***
- Contact Jan Cedars (225) 219-3074



# WETLANDS ASSIMILATION



- LDEQ encouraging new projects
- Discharge of secondarily treated sanitary wastewater into a wetland for enhancement
- New definitions for wetlands in Water Quality Standards
- LDEQ has contract to do some preliminary assessment work for potential new projects
- Contact Todd Franklin (225) 219-3102



# REQUEST FOR PRELIMINARY DETERMINATION



- LDEQ developed a Request for Preliminary Determination form
- Problem
  - Construction general permit to develop the site
  - Later, application for the discharge from the facility being constructed
  - LPDES permits are required prior to discharge – not prior to construction
  - Owner/operator – operator obtains construction general permit coverage



# 316(b)



- 316(b) of the CWA says to **minimize adverse environmental impacts from Cooling Water Intake Structures (CWIS)**
- Phase I applies to new facilities withdrawing 2 million gallons/day with 25% being used for cooling
- Phase II (existing power plants) suspended except for 4731.B
- Phase III applies to existing manufacturing facilities and new oil & gas facilities previously exempt from Phase I







## 316(b) Phase II

- 4731.B says, “Existing facilities that are not subject to requirements under Subchapter A or B of this Chapter shall meet requirements under Section 316(b) of the CWA determined by the state administratively authority of a case-by-case, best professional judgment (BPJ) basis.”
- LDEQ and EPA have worked out language for Phase II power plants and is moving forward to issue permits for these existing power plants





# Centralize Waste Treatment (CWT) Facilities

- EPA says their effluent guidelines for CWTs allow these facilities to accept oil & gas exploration and production waste (E & P waste)
- LDEQ is considering regulations applicable to CWTs accepting E & P waste





# SEWAGE SLUDGE HAULERS/TRANSPORTORS REGISTRATION

- The transfer of the registration of the haulers/transporters of sewage sludge from LA Department of Health and Hospitals (LDHH) to LDEQ will be effective on July 1, 2009
- Contact Kilren Vidrine (225) 219-3002 [kilren.vidrine@la.gov](mailto:kilren.vidrine@la.gov)



# BIOSOLIDS/SEWAGE SLUDGE



- Regulations apply to:
  - Sewage sludge generated in the treatment of domestic sewage – does not include non-domestic sludge
  - Generators, treaters, land application, and disposal of sewage sludge
  - Includes sludge pumped from residential treatment systems and waste pumped from portable toilets
  - A permit is required
- Contact Kilren Vidrine (225) 219-3002 [kilren.vidrine@la.gov](mailto:kilren.vidrine@la.gov)



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- ▶ [Asbestos and Lead](#)
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[DEQ Annual Report](#)

#### » Man goes extra mile to make environmental difference in N.O.

One local organization that is making strides to reduce energy costs is Green Light New Orleans, a non-profit group operating in the Greater New Orleans area and expanding into the Lutchter and Gramercy areas. [Download Complete Article](#)

#### Latest News

##### DEQ lowers interest rate on Clean Water State Revolving Loan Fund

DEQ Communications - 1 day ago

The Louisiana Department of Environmental Quality is dropping the interest rate on the Louisiana Clean Water State Revolving Loan Fund from 2.95 percent to 0.95 percent. The department has \$130 million to loan out at this low interest rate.

 [For more information on the Clean Water State Revolving Loan fund](#)

##### Enviroschool January location changes

DEQ Communications - 7 days ago

Please note the changes in address for Lake Charles and Alexandria

##### Volunteers wanted for wetlands planting project at Woodlawn High

DEQ Communications - 11 days ago

A pollution prevention project at Woodlawn High School in Baton Rouge is in need of volunteers. The Louisiana Department of Environmental Quality and LSU are



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## DEQ Annual Report

- ▶ [Groundwater Construction Advisory Documents](#)
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asking that people interested in creating a wetland area at the high school be at the school between 1 p.m. and 5 p.m. this Sunday, January 18, and on following Saturdays and Sundays until completion.

### Guilty plea entered in illegal disposal case in Ventress

DEQ Communications - 12 days ago

A New Roads man pled guilty on January 14 to the illegal disposal of a hazardous substance in June of 2006. Victor Mougeot, 70, pled guilty to illegally burning a hazardous substance on a debris pile in an open pit at his former residence in Ventress.

### States, feds reach agreements with companies

DEQ Communications - 12 days ago

The Louisiana Department of Environmental Quality made two announcements today concerning settlements it has joined in with federal agencies.

### Community celebrates significant air quality achievement

DEQ Communications - 14 days ago

For the first time in Louisiana's history, the state meets all federal ozone standards for the original one-hour standard and the eight-hour ozone standard that is in effect until 2010. To mark this occasion, the Department of Environmental Quality and others responsible for achieving this milestone held a celebration today at the DEQ headquarters in Baton Rouge.

 [EPA letter concerning attainment for pollutant PM2.5](#)

### First Amended Declaration of Emergency and Administrative Order - signed January 8, 2009

DEQ Communications - 18 days ago

### Louisiana meets air quality standards for ozone

DEQ Communications - 21 days ago

Air Quality monitoring data shows that in 2008 Louisiana met federal ozone standards for both the original one-hour and the 1997 eight-hour standards. The Louisiana Department of Environmental Quality has validated its 2008 air quality

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DEQ Communications - 21 days ago

Air Quality monitoring data shows that in 2008 Louisiana met federal ozone standards for both the original one-hour and the 1997 eight-hour standards. The Louisiana Department of Environmental Quality has validated its 2008 air quality data, which shows all of Louisiana in compliance with both standards.

 [For more information on ambient air monitoring](#)






## **2nd Amended Declaration of Emergency and Administrative Order - Hurricane Gustav - signed January 5, 2009.**

DEQ Communications - 22 days ago

## **DEQ reassures public regarding air toxics**

DEQ Communications - 37 days ago

DEQ has advanced air toxics monitoring system that shows no air toxics hot spots in Louisiana.

-  [Photos of the Mobile Air Monitoring Lab](#)
-  [Annual decrease in air toxics in Louisiana](#)
-  [Air toxics tested that are monitored](#)
-  [History of the state's air toxics program](#)
-  [Examples of special air-monitoring projects](#)

[More News Releases...](#)

**Louisiana Department of Environmental Quality** 602 N. Fifth Street Baton Rouge, LA 70802 • Send e-mail to [webmasterdeq@la.gov](mailto:webmasterdeq@la.gov) or any member of our [WWW Task Force](#) with questions or comments [about this web site](#). • To contact us by phone or mail, see our [Office Address/Phone listing](#)



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## LPDES Permits Page

- Permits, Applications, NOI, and other information

**Path:** DIVISIONS » [Water Permits](#) » [LPDES Permits](#)





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## LPDES Permits



### LPDES Permits

#### Louisiana Pollutant Discharge Elimination System SURFACE WATER DISCHARGE PERMITS

Louisiana's Water Quality Regulations (LAC 33:Chapter IX) require permits for the discharge of pollutants from any point source into waters of the state of Louisiana. This surface water discharge permitting system is administered under the Louisiana Pollutant Discharge Elimination System (LPDES) program. LDEQ became a state delegated to administer the NPDES Program in August of 1996. (Official [LPDES Program Assumption Documents](#) are available on the EPA Region 6 website.)

The Water Permits Division, within the Office of Environmental Services, consists of two LPDES Water Permitting Sections: Industrial Water Permits and Municipal & General Water Permits. Permitting responsibilities are distributed between the two sections based on facility type.

#### LPDES PERMITTING INFO

- [How do I know if I need an LPDES Permit?](#)
- [Can I get a listing of LPDES permits issued by month?](#)
- [How much will my permit cost?](#)
- [LPDES Permitting FAQs](#)

**THE WATER PERMITS DIVISION eNEWSLETTER** See it [HERE!](#)

#### LPDES GENERAL PERMITS

The [LPDES General Permits](#) page contains copies of all general permits authorized under [LAC 33:IX.2515](#). General Permits are written to cover one or more categories or subcategories of discharges within a geographic area, which can range from a specific watershed to a broad area such as the entire state.

#### ENVIRONMENTAL SCIENTIST INTERNSHIP

The Water Permits Division has created an Environmental Scientist Internship program to allow graduate students the opportunity to develop an understanding of the LPDES water discharge permitting system while fostering a deeper understanding of state regulations. See the [BROCHURE](#) for more information.



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## LPDES Permits continued

### LPDES FORMS

- The [LPDES Permit Application Forms](#) page contains all LPDES permit applications, general permit notice's of intent along with the no exposure certification from LPDES stormwater permitting.
- [LPDES Permit Termination Forms](#) contains those forms to be utilized when an LPDES Permit is no longer necessary or required.
- **Request for Preliminary Determination** of LPDES Permit issuance, available in [WORD](#) or [ACROBAT](#).
- The [Municipal Water Pollution Prevention Form \(MWPP\)](#) is a yearly requirement for public entities operating a domestic wastewater treatment system. The MWPP provides an assessment of the operating conditions of the treatment system, and allows the governing body a yearly opportunity to review the status and needs of the treatment system.
- [Standard Conditions for all LPDES Permits \(Part III\)](#) authorized under [LAC 33:IX.2701](#) applies to all LPDES permits, individual and general.

### OTHER LPDES DOCUMENTS

- [2008 Endangered Species Listing - Fish and Wildlife Service MOU](#) establishes those sensitive areas, types of permits, pollutants of concern and listed species for which LDEQ provides the US Fish and Wildlife Service an opportunity to review LPDES permits.
- The Guidance Document for [Implementation of Louisiana's Water Quality Standards, Version 6](#) as part of the Louisiana Water Quality Management Plan establishes procedures to effectively implement Louisiana's water quality standards into LPDES surface water discharge permits.





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**LPDES Permits continued**

## LINKS

- [EPA Region 6 Website](#)
- [National Environmental Services Center](#) information for disaster preparedness, wastewater resources.
- [LDEQ's Ambient Water Quality Data Network](#)
- [LDEQ's TMDL Page](#)
- [EPA Region 6 TMDL Page](#)
- [LDEQ 305\(b\)/303\(d\) Reports](#)
- [Water Quality Educational Resources](#)
- [LDEQ Water Enforcement Section](#) - Includes Blank and Pre-filled DMR's
- [LDHH Office of Public Health - Center for Environmental Health](#)





# DEQ in 2009

## Speaker Contact Information

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- Yvonne Baker (225) 219-3073 [yvonne.baker@la.gov](mailto:yvonne.baker@la.gov)
- Bruce Fielding (225) 219-3006 [bruce.fielding@la.gov](mailto:bruce.fielding@la.gov)
- Todd Franklin (225) 219-3102 [jeremy.franklin@la.gov](mailto:jeremy.franklin@la.gov)



# **Municipal & General Water Permits Section Tom Killeen, Manager**



**General Permits, Pretreatment, &  
Biomonitoring**

**Jan Cedars (225) 219-3074 [jan.cedars@la.gov](mailto:jan.cedars@la.gov)**

- Master General Permits
- Storm Water General Permits
- Non-Storm Water General Permits
- Potable Water Treatment Plants
- Pretreatment
- Biomonitoring
- Municipal Separate Storm Sewer System Permits



# **Municipal & General Water Permits Section Tom Killeen, Manager**



## **Sanitary Permit, Landfills, Centralized Waste Treatment Facilities**

**Ronnie Bean (225) 219-3119 [ronnie.bean@la.gov](mailto:ronnie.bean@la.gov)**

- POTWs – Publicly Operated Treatment Works
- Private Sanitary Treatment Plants
- Landfills
- CWTs – Centralized Waste Treatment Facilities
- Commercial Metal Reclaimers





# Industrial Water Permits Section

## Jesse Chang, Manager

**Major Industrial Permits, Some Minor Industrial Permits, and  
Oil & Gas Permits**

**Scott Guilliams (225) 219-3072 [scott.guilliams@la.gov](mailto:scott.guilliams@la.gov)**

- Organic and Inorganic Chemicals
- Refineries
- Oil & Gas Exploration, Production and Development
- Paper Mills
- Shipbuilding and Repairs
- Mining Operations





# Industrial Water Permits Section

## Jesse Chang, Manager

### Minor Industrial Permits and Some Major Industrial Permits

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- Coke Calcining
- Food Processing and Preparation
- Bulk Material Blending and Packaging
- Bulk Storage Terminal/Warehouse
- Fabricated Metal Products
- Marine Cargo Handling/Stevedoring
- Oilfield Service Facilities
- Truck Terminal, Industrial Laundry, Grain Elevator, etc.





# DEQ in 2009

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