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16-023

February 2022

NPDES General Permits

If your facility is discharging or is proposing to discharge into waters of the state, you are required to have a permit under the National Pollutant Discharge Elimination System (NPDES), per [Nebraska Title 119 – Rules and Regulations Pertaining to the Issuance of Permits under the National Pollutant Discharge Elimination System](#). Title 119 NPDES permits also pertain to significant industrial users discharging to a publicly owned treatment works. General NPDES permits for concentrated animal feeding operations are covered separately under [Nebraska Title 130 – Livestock Waste Control Regulations](#). The Department is responsible for developing and issuing NPDES permits and ensuring permitted facilities comply with permit requirements.

What is the benefit of a general permit versus a site-specific one?

Regulations require a site-specific NPDES permit application be submitted to NDEE at least 180 days prior to the date of first discharge. However, since NPDES general permits have already gone through the public review and comment process they can typically be authorized by the Department in 30 days or less.

Storm Water Permits during Construction

An NPDES Construction Storm Water General Permit – Notice of Intent (CSW-NOI) is needed if, during the construction of the project, over one acre of land is disturbed. Development of a Storm Water Pollution Prevention Plan (SWPPP) that addresses erosion and sediment control must occur and be in place prior to an application submittal. The Department must receive the Notice of Intent at least seven days in advance of starting land grading and clearing activities. The [NPDES Construction Storm Water permit application process](#) is now done online, with instructions on how to register for an account available on the Department's website. All pertinent application information is included in the online application process. Additional permit information can be obtained by calling (402)471-2186.

Storm Water Permits during Operation

This general permit, also known as the Industrial Storm Water General Permit, or ISW-GP, is an industrial storm water permit that authorizes discharges of storm water associated with industrial activities to waters of the state, municipal separate storm sewer or combined sewer systems. [Chapter 10](#) of *Title 119 – Rules and Regulations Pertaining to the Issuance of Permits under the National Pollutant Discharge Elimination System* outlines the 11 categories of industrial activity to which this permit is applicable. If seeking coverage under this permit, you must submit an [NPDES Industrial Storm Water Permit Notice of Intent \(ISW-NOI\)](#) to the Department at least thirty (30) days prior to starting up your operations/facility. Like the NPDES construction storm water permit, development of a SWPPP addressing storm water runoff and exterior housekeeping is required prior to permit application submittal. The NPDES Industrial Storm Water permit and associated forms are available on the NDEE website. This permit is good until March 31, 2027. Further industrial storm water permit information can be obtained by calling (402) 471-2186.

Hydrostatic Testing Permits

NPDES permits are required for the discharge of hydrostatic testing fluids, which often originate from the testing of new and existing tanks and pipelines for leakage. The primary pollutant from such tests is suspended solids. Those seeking coverage under this permit must submit a Hydrostatic Testing Notice of Intent (HST-NOI). This general was extended on December 31, 2021. Additional hydrostatic discharge information can be obtained by calling (402) 471-2186.

Dewatering Discharge Permits

The General NPDES Permit Authorizing Dewatering Discharges allows the discharge of water from construction excavation and dewatering wells into ground or surface waters of the state. Discharges of these types have a higher potential for containing suspended solids. Permit requirements include submission of a Discharge Watering Notice of Intent (DW-NOI). This general permit was extended on December 31, 2021. Additional dewatering discharge information can be obtained by calling (402) 471-2186.

Remediation Dewatering Discharge Permits

An NPDES permit is required for the discharge of treated groundwater from remediation facilities. This activity can be authorized under an NPDES General Permit authorizing treated groundwater remediation discharges.

All applicable application forms are attached to the permit document. Requirements include submission of a Notification of Intent and fuel contamination site/organic chemical contamination site monitoring requirements to ensure discharged water meets Nebraska's water quality standards.

Pesticide General Permit

The NPDES Pesticides General Permit expires on October 31, 2026.

This NPDES general permit is issued in compliance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. Secs. 1251 et. seq. as amended to date), the Nebraska Environmental Protection Act (Neb. Rev. Stat. Secs. 81-1501 et. seq. as amended to date), and the Rules and Regulations promulgated pursuant to these Acts. Application may be made under this general permit for authorization to discharge pesticides and their residuals to, over, or near, waters of the State of Nebraska. Owners, operators, and applicators issued a discharge authorization under this general permit are required to comply with the limits, requirements, prohibitions, and conditions set forth herein. Authorization under this general permit does not relieve applicators or permittees of other duties and responsibilities under the Nebraska Environmental Protection Act, as amended, or established by regulations promulgated pursuant thereto.

Concrete Grooving and Grinding

This permit authorizes the land application of concrete grooving and grinding slurry generated from any public agency owning a concrete transportation right-of-way.

General Permits	Regulation	Authorization Timeframe	Effective Dates
NPDES Construction Stormwater Permit	Title 119	7 Calendar Days	December 1, 2021 – November 30, 2026
NPDES Industrial Storm Water Permit	Title 119	30 Calendar Days	April 1, 2022 – March 31, 2027
NPDES Hydrostatic Permit	Title 119	10 Calendar Days	Extended on December 31, 2021
NPDES Dewatering Permit	Title 119	10 Calendar Days	Extended on December 31, 2021
NPDES Remediation Permit	Title 119	10 Calendar Days	October 1, 2018 – September 30, 2023
NPDES Pesticide Permit	Title 119	10 Calendar Days	November 1, 2021 – October 31, 2026
NPDES Grooving Grinding	Title 119	10 Calendar Days	Extended on September 30, 2021

RESOURCES:

Useful Websites:

- NDEE Home Page – <http://dee.ne.gov>

Contacts:

- NDEE Main Line (402) 471-2186
- NDEE Small Business and Public Assistance (402) 471-8697

Produced by: Nebraska Department of Environment and Energy, P.O. Box 98922, Lincoln, NE 68509- 8922; phone (402) 471-8697. To view this, and other information related to our agency, visit our web site at <http://dee.ne.gov/>. This material is intended for guidance purposes only. It is not meant to substitute for the regulations specified in the document, or any other applicable Nebraska environmental regulations.