

APPLICATION Q & A

1. Do I need a permit to discharge waste?

If the operation or discharges from your property or business affects California's surface, coastal, or groundwater, you may need to obtain a permit to discharge waste from the appropriate Regional Water Quality Control Board (Regional WQCB).

If you are discharging pollutants (or proposing to) into surface waters, you must file completed federal National Pollutant Discharge Elimination System (NPDES) permit application forms with the appropriate Regional Board. Form 200 is to accompany the federal forms.

For other types of discharges, such as those affecting groundwater or in a diffused manner (e.g., erosion from soil disturbance or waste discharges to land) you must file a Report of Waste Discharge with the appropriate Regional Board in order to obtain Waste Discharge Requirements (WDRs). Form 200 is the basic form to be used.

For specific situations, the Regional WQCB may waive the requirement to obtain a WDR for discharges to land or may determine that a proposed discharge can be permitted more effectively through enrollment in a general NPDES permit or general WDR.

Typical activities that affect water include, but are not limited to, the following:

- Discharge of process wastewater not discharging to a sewer (factories, cooling water, etc.)
- Confined Animal facilities (dairies, feedlots, etc.)
- Waste containments (landfills, waste ponds, etc.)
- Construction sites
- Boatyards and shipyards
- Discharges of pumped groundwater and cleanups (underground tank cleanups, dewatering, spills)
- Material handling areas draining to storm drains
- Sewage treatment facilities
- Filling of wetlands
- Dredging, filling, and disposal of dredge wastes
- Commercial activities not discharging to a sewer (e.g. factory waste water, storm drain)
- Waste discharges to land

If there is a discharge of stormwater from your facility, you should visit our Stormwater page to find out if you need a Stormwater Permit in addition to any other permit. {put link in here}

2. Who must apply?

The owner or operator (depending on who controls day-to-day operations) of the facility must sign and submit the form.

3. What forms do I need?

WDRs

For discharge of waste to land, use **FORM 200**

NPDES

For discharges to surface waters, you will need Form 200 and one or more of the following federal NPDES permit application forms:

- For General Information to be completed in conjunction with Forms 2B, 2C, 2D, 2E, 2F, Short Form A and Standard Form A, use **FORM 200**
- For Publicly-Owned Treatment Works serving 10,000 persons or less, use **SHORT FORM A**
- For Publicly-Owned Treatment Works serving over 10,000 persons or treating significant industrial waste, use **STANDARD FORM A**
- For Publicly-Owned Treatment Works, use **FORM 2A**

- For Concentrated animal feeding operations and aquatic animal production facilities. New applications or renewals, use **FORM 2B**
- For existing manufacturing, commercial, mining, and silvicultural operations (including federal facilities), use **FORM 2C**
- For New manufacturing, mining, commercial and silvicultural operations, use **FORM 2D**
- For New applications or renewals for nonmanufacturing facilities, trailer parks, service stations, laundromats, commercial facilities, etc., use **FORM 2E**
- For Stormwater discharges associated with industrial activity, use **FORM 2F**, or see our Stormwater Page {Put link in here}

These application forms may be obtained at a Regional Board office or can be ordered from the National Center for Environmental Publications and Information at (513) 891-6561. Or, you may download the forms by clicking on the links provided.

4. **What is the application fee?**

Except for dairies, there is no application fee. You will be required to submit a payment which will serve as your first annual fee to complete your application. Except for dairies, all permitted dischargers must pay our annual fee. You will be billed for your annual fee. Failure to pay your annual fee may subject you to civil penalties, including fines. The Regional WQCB will notify you of your annual fee.

6. **How do I get Started?**

The process begins when you request an application from the appropriate Regional WQCB, or download it from this site. You must then file an application with the Regional Board. You will be asked to describe the wastes involved, the setting for the discharge, and the method of treatment or containment.

Once the application is completed and filed, the Regional WQCB staff will draft a permit. Issuance of the permit is by Regional Board order after a public hearing.

7. **How do I get an NPDES permit or WDRs?**

NPDES

The steps to obtain an NPDES permit are as follows:

1. File Form 200 and the appropriate federal NPDES application forms with the Regional Board. Anyone proposing to discharge must file a complete application at least 180 days before beginning the activity.
2. Regional Board staff reviews the application for completeness and may request additional information
3. Once the application is determined to be complete, Regional Board staff forwards it to the US Environmental Protection Agency (USEPA) within 15 days. USEPA has 30 days to review the application for completeness and to request additional information from the discharger. After the request for additional information is met, USEPA has 30 days to forward comments to the Regional Board.
4. Regional Board staff determines if they should issue the NPDES permit or prohibit the discharge. If a permit should be issued, Regional Board staff prepares a proposed permit and forwards a copy to USEPA for review.
5. USEPA review the application and has 30 days to object or submit comments to the Regional Board. USEPA may request an additional 60 days to review the proposed permit.
6. Following USEPA's review, Regional Board staff prepares a "Notice of Public Hearing" and mails it to the discharger with instructions for circulation. Regional Board staff also mails the public notice and proposed permit to persons and public agencies with known interest in the project. Regional Board staff may modify the proposed permit prior to the public hearing based on comments received from the discharger and interested parties.
7. The discharger must publish the notice for one day and submit proof of having complied with the instructions to the Regional Board within 15 days after the posting or publication.
8. The Regional Board holds a public hearing with at least 30 day public notification. The Regional Board may adopt the proposed permit or modify it and adopt it at the public hearing by majority vote. USEPA has 10 days to object to the adopted permit, and the objection must be satisfied before the permit becomes effective.

The entire Regional Board review and permit issuance process takes approximately six months, but may take longer depending upon the nature of the discharge and public concerns.

WDRs

The steps to obtain Waste Discharge Requirements are as follows:

1. File the Report of Waste Discharge form (FORM 200) with the necessary supplemental information with the Regional Board at least 120 days before beginning to discharge waste.
2. Regional Board staff reviews the application for completeness and may request additional information.
3. Once the application is complete, Regional Board staff determines whether the Regional Board should adopt WDRs, prohibit the discharge, or waive the WDRs.
4. If WDRs should be issued, Regional Board staff prepares proposed WDRs, and distributes them to persons and public agencies with known interest in the project for a minimum of 30 day comment period. Regional Board staff may modify the proposed WDRs based upon comments received from the discharger and interested parties.
5. The Regional Board holds a public hearing with at least a 30 day public notification. The Regional Board may adopt the proposed WDRs or modify and adopt them at the public hearing by majority vote.

The entire process for developing and adopting the requirements normally takes about three months.

8. What is the annual fee?

See application fee.

9. How long is this permit in effect?

Waste Discharge Requirements (WDRs) are in effect until such time as you terminate your discharge, or until revoked by the Regional WQCB. NPDES permits expire after 5 years and must be reissued.

10. How can I avoid the most common mistakes made in applying for this permit?

It is highly recommended that you contact the appropriate RWQCB **BEFORE** you start to fill out the Form 200 (and any other accompanying forms). Discussion with RWQCB staff before hand can save you a lot of time and effort.

11. What are the regulations that apply to this permit? Where can I get copies?

Discharges in California are regulated under the California Water Code. Discharges to surface waters are regulated additionally under the Clean Water Act and 40 Code of Federal Regulations (CFR).

12. Questions? Call....

You should contact the appropriate RWQCB if you have any questions or concerns regarding the use of this Form. Please see the State map to determine the appropriate RWQCB you should contact. Telephone numbers for the RWQCBs are listed beside the map.