

**Iowa Department of Natural Resources  
Environmental Protection Commission**

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**ITEM**

**14**

**DECISION**

**TOPIC**

**Notice of Intended Action – Amendments to Wastewater Rules,  
including Chapters 62 and 63**

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The attached changes to Chapter 62 “Effluent and Pretreatment Standards: Other Effluent Limits or Prohibitions” and Chapter 63 “Monitoring, Analytical, and Reporting Requirements” are being presented to the Environmental Protection Commission for Notice of Intended Action. Chapters 62 and 63 were recently amended by the rulemaking designated ARC 7625B, approved by the Commission on February 17, 2009. On April 8, 2009 the Administrative Rules Review Committee unanimously placed a seventy-day delay on the effective date of portions of ARC 7625B. This rulemaking will address some of the issues that contributed to the seventy-day delay. Based upon public comment and internal review, the Department has determined that additional revisions are appropriate at this time.

The following is a summary of the proposed amendments to the rules:

**Chapter 62**

- Subrule 62.8(2) is being changed to indicate that the daily sample maximum criteria for E.coli shall not be used as an end-of-pipe permit limitation. The proposed amendment to subrule 62.8(2) is designed to address new technical data received by the Department from U.S. Environmental Protection Agency indicating that the methodology set forth in the Department’s “Supporting Document for Iowa Water Quality Management Plans”, Chapter IV, July 1976, as revised on June 16, 2004 for establishing E.coli effluent limits is not supported by the technical data upon which the methodology is intended to be based.

**Chapter 63**

- The monitoring table for continuously discharging WWTPs, including municipal and semi-public WWTPs, is being changed to remove Total Nitrogen, Total Phosphorous, and Total Kjeldahl Nitrogen monitoring for facilities with a Population Equivalent (PE) of 1,000 – 3,000. The proposed amendment to Table II of Chapter 63 is intended to reduce the burden on smaller communities in regard to nutrient monitoring requirements.

Chuck Corell, Chief  
Water Quality Bureau  
Environmental Services Division  
April 10, 2009

## ENVIRONMENTAL PROTECTION COMMISSION [567]

### Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455B.173 and 455B.197, the Environmental Protection Commission gives Notice of Intended Action to amend Chapter 62, “Effluent and Pretreatment Standards: Other Effluent Limits or Prohibitions,” and Chapter 63, “Monitoring Analytical and Reporting Requirements” Iowa Administrative Code. These chapters were recently amended by the rulemaking designated ARC 7625B, approved by the Commission on February 17, 2009. On April 8, 2009 the Administrative Rules Review Committee unanimously placed a seventy-day delay on the effective date of portions of ARC 7625B. This rulemaking will address some of the issues that contributed to the seventy-day delay. Based upon public comment and internal review, the Department has determined that additional revisions are appropriate at this time.

The proposed amendment to subrule 62.8(2) is designed to address new technical data received by the Department from the United States Environmental Protection Agency indicating that the methodology set forth in the Department’s “Supporting Document for Iowa Water Quality Management Plans”, Chapter IV, July 1976, as revised on June 16, 2004 for establishing E.coli effluent limits is not supported by the technical data upon which the methodology is intended to be based.

The proposed amendment to Table II of Chapter 63 is intended to reduce the burden on smaller communities in regard to nutrient monitoring requirements.

A public hearing will be held on June 11, 2009 at 2:00 p.m. in the Fifth Floor West Conference Room of the Wallace State Office Building, 502 E. 9<sup>th</sup> Street, Des

Moines, Iowa. Any interested person may make written suggestions or comments on the proposed amendments by submitting those comments on or before June 23, 2009. Such written material should be submitted to Courtney Cswercko, NPDES Section, Iowa Department of Natural Resources, 502 East 9th Street, Des Moines, Iowa 50319-0034, fax (515) 281-8895, or by email to [courtney.cswercko@dnr.iowa.gov](mailto:courtney.cswercko@dnr.iowa.gov).

These amendments are intended to implement Iowa Code sections 455B.173, 455B.197 and 455B.105(11).

The following amendments are proposed.

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**ITEM 1. Amend subrule 62.8(2) as follows:**

**62.8(2) Effluent limitations necessary to meet water quality standards.** No effluent, alone or in combination with the effluent of other sources, shall cause a violation of any applicable water quality standard. When it is found that a discharge that would comply with applicable effluent standards in 62.3(455B), 62.4(455B) or 62.5(455B) or effluent limitations in 62.6(455B) would cause a violation of water quality standards, the discharge will be required to meet the water quality-based effluent limits (WQBELs) necessary to achieve the applicable water quality standards as established in 567—Chapter 61. Any such effluent limit shall be derived from the calculated waste load allocation, as described in “Supporting Document for Iowa Water Quality Management Plans” Chapter IV, July 1976, as revised on June 16, 2004), or the waste load allocation as required by a total maximum daily load, whichever is more stringent. The translation of waste load allocations to WQBELs shall use Iowa permit derivation methods, as described in the “Supporting Document for Iowa Water Quality Management Plans,” Chapter IV, July 1976, as revised on June 16, 2004, except that the daily sample maximum criteria for E.coli set forth in Part E of the Supporting Document for Iowa Water Quality Management Plans shall not be used as an end-of-pipe permit limitation.

**ITEM 2. Amend Table II of Chapter 567—63 as follows:**

Table II Minimum Self-Monitoring in Permits for Organic Waste Dischargers  
Continuous Discharge Wastewater Treatment Plants

Wastewater Parameter	Sampling Location	Sample Type <sup>3,11</sup>	Frequency by P.E. <sup>1,6</sup>						
			≤ 100	101-500	501-1,000	1,001-3,000	3,001-15,000	15,001-105,000	> 105,000
Flow <sup>2</sup>	Raw or Final	24-Hr Total	1/week	Daily	Daily	Daily	Daily	Daily	Daily
BOD <sub>5</sub>	Raw	24-Hr Comp.	1/6 Months	1/3 Months	1/Week	1/Week	2/Week	2-5/Week <sup>5</sup>	Daily
CBOD <sub>5</sub>	Final	24-Hr Comp.	1/3 Months	1/Month	1/Week	1/Week	2/Week	2-5/Week <sup>5</sup>	Daily

Wastewater Parameter	Sampling Location	Sample Type <sup>1,11</sup>	Frequency by P.E. <sup>1,6</sup>						
			≤ 100	101-500	501-1,000	1,001-3,000	3,001-15,000	15,001-105,000	> 105,000
Total Suspended Solids (TSS)	Raw	24-Hr Comp.	1/6 Months	1/3 Months	1/Month	1/2 Weeks	1/Week	2-5/Week <sup>5</sup>	Daily
	Final	24-Hr Comp.	1/3 Months	1/3 Months	1/Month	1/2 Weeks	1/Week	2-5/Week <sup>5</sup>	Daily
Ammonia Nitrogen <sup>10</sup>	Final	24-Hr Comp.	1/Month	1/Month	1/Week	1/Week	2/Week	2-5/Week <sup>5</sup>	Daily
TKN <sup>8</sup>	Raw	24-Hr Comp.	—	—	—	1/2 Months	1/Month	1/Month	1/2 Weeks
Total Nitrogen <sup>9</sup>	Final	24-Hr Comp.	—	—	—	1/3 Months	1/3 Months	1/2 Months	1/2 Months
Total Phosphorus <sup>9</sup>	Final	24-Hr Comp.	—	—	—	1/3 Months	1/3 Months	1/2 Months	1/2 Months
pH	Raw	Grab	—	—	1/Week	1/Week	2/Week	2-5/Week <sup>5</sup>	Daily
	Final	Grab	1/3 Months	1/Month	1/Week	1/Week	2/Week	5/Week	Daily
<i>E. coli</i> <sup>7</sup>	Final	Grab	5 samples, 1/3 Months	5 samples, 1/3 Months	5 samples, 1/3 Months	5 samples, 1/3 Months	5 samples, 1/3 Months	5 samples, 1/3 Months	5 samples, 1/3 Months
Temperature	Raw	Grab	—	—	1/Week	1/Week	2/Week	2-5/Week <sup>5</sup>	Daily
	Final	Grab	1/3 Months	1/Month	1/Week	1/Week	2/Week	2-5/Week <sup>5</sup>	Daily

These amendments are intended to implement Iowa Code sections 455B.173, 455B.197 and 455B.105(11).

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Date

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Richard A. Leopold, Director