

CHAPTER 62
EFFLUENT AND PRETREATMENT STANDARDS:
OTHER EFFLUENT LIMITATIONS OR PROHIBITIONS

[Prior to 7/1/83, DEQ Ch 17]

[Prior to 12/3/86, Water, Air and Waste Management[900]]

567—62.1(455B) Prohibited discharges.

62.1(1) The discharge of any pollutant from a point source into a navigable water is prohibited unless authorized by an NPDES permit. For purposes of this subrule, an NPDES permit includes an NPDES permit issued by the administrator prior to approval of the Iowa NPDES program.

62.1(2) The discharge of any radiological, chemical or biological warfare agent or high-level radioactive waste into navigable waters is prohibited.

62.1(3) Any discharge which the secretary of the army acting through the chief of engineers finds would substantially impair anchorage and navigation is prohibited.

62.1(4) Any discharge to which the regional administrator has objected in writing pursuant to any right to object provided the administrator in Section 402(d) of the Act is prohibited.

62.1(5) Any discharge from a point source which is in conflict with a plan or amendment thereto approved pursuant to Section 208(b) of the Act is prohibited.

62.1(6) The discharge of wastewater into a publicly owned treatment works or a semipublic sewage disposal system in volumes or quantities in excess of those to which a significant industrial user is committed in the treatment agreement described in 567—subrule 64.3(5) or a local control mechanism in the case of a POTW with a pretreatment program approved by the department is prohibited.

62.1(7) Wastes in such volumes or quantities as to exceed the design capacity of the treatment works, cause interference or pass through, or reduce the effluent quality below that specified in the operation permit of the treatment works are considered to be a waste which interferes with the operation or performance of a publicly owned treatment works or a semipublic sewage disposal system and are prohibited.

62.1(8) Discharge of the following pollutants to a publicly owned treatment works, a semipublic sewage disposal system, or a private sewage disposal system is prohibited:

a. Pollutants which create a fire or explosion hazard including but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21;

b. Solid or viscous substances in amounts that will cause obstruction to the flow in the treatment works resulting in interference;

c. Heat in amounts which will inhibit biological activity in the treatment works resulting in interference but, in no case, heat in such quantities that the temperature of the waste stream at the treatment plant exceeds 40 degrees Celsius (104 degrees Fahrenheit) unless specifically approved by the department;

d. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

e. Pollutants which result in the presence of toxic gases, vapors, or fumes within the treatment works in a quantity that could cause acute worker health and safety problems; and

f. Pollutants which will cause corrosive structural damage to the treatment works but, in no case, discharges with a pH lower than 5.0 standard units, unless the treatment works is specifically designed to accommodate such discharges, or wastes which would intermittently change the pH of the raw waste entering the treatment plant by more than 0.5 standard pH units or which would cause the pH of the raw waste entering the treatment plant to be less than 6.0 or greater than 9.0 standard units.

[ARC 7625B, IAB 3/11/09, effective 4/15/09]

567—62.2(455B) Exemption of adoption of certain federal rules from public participation. Iowa Code section 17A.4(2) allows an agency to exempt a “very narrowly tailored category of rules” from the notice and public participation requirements of Iowa Code section 17A.4(1) if the agency for good cause finds that notice and public participation is “unnecessary.” The commission finds good cause

for exempting from the notice and public participation requirements of Iowa Code section 17A.4(1) the adoption by reference of the following federal standards and guidelines and amendments thereto: An effluent limitation guideline promulgated pursuant to Sections 301 and 304 of the Act; a standard of performance for a new source promulgated pursuant to Section 306 of the Act; a toxic effluent standard promulgated pursuant to Section 307(a) of the Act; a pretreatment standard for an existing source promulgated pursuant to Section 307(b) of the Act; a pretreatment standard for a new source promulgated pursuant to Section 307(c) of the Act; and information on the level of effluent quality attainable through the application of secondary treatment promulgated pursuant to Section 304(d) of the Act.

Public participation would be unnecessary since the commission must adopt effluent and pretreatment standards at least as stringent as the enumerated promulgated federal standards in order to have the department's NPDES program approved by the administrator (Section 402(c) of the Act), and yet must not adopt an effluent or pretreatment standard that is more stringent than the enumerated promulgated federal standards (Iowa Code section 455B.173(3)). Any such rule adopted by reference would be effective 35 days after filing, indexing, and publication in the Iowa Administrative Code.

567—62.3(455B) Secondary treatment information: effluent standards for publicly owned treatment works and semipublic sewage disposal systems.

62.3(1) General. The following paragraphs describe the minimum level of effluent quality attainable by secondary treatment in terms of the pollutant measurements carbonaceous biochemical oxygen demand (CBOD₅), the five-day measure of the pollutant parameter carbonaceous biochemical oxygen demand; suspended solids (SS), the pollutant parameter total suspended solids; and pH, the measure of the relative acidity or alkalinity. The pollutant measurement carbonaceous biochemical oxygen demand is used in lieu of the pollutant measurement five-day biochemical oxygen demand (BOD₅), as noted in 40 CFR 133.102. All requirements for each pollutant measurement shall be achieved by publicly owned treatment works and semipublic sewage disposal systems except as provided for in subrules 62.3(2) and 62.3(3).

Effluent limitations on pollutants other than carbonaceous biochemical oxygen demand (five day), suspended solids and pH may be imposed in the NPDES permit. Such limitations will reflect pretreatment requirements that may be imposed on users of the treatment works.

a. Carbonaceous biochemical oxygen demand (5 day) — CBOD₅.

(1) The 30-day average shall not exceed 25 mg/l.

(2) The 7-day average shall not exceed 40 mg/l.

(3) The 30-day average percent removal shall not be less than 85 percent, and the percent removal shall be calculated by adding 5 units to the effluent CBOD₅ monitoring data and comparing that value to the influent BOD₅ monitoring data. Site-specific information on the relationship between BOD₅ and CBOD₅ shall be used in lieu of the 5-unit relationship if such information is available.

b. Suspended solids — SS.

(1) The 30-day average shall not exceed 30 mg/l.

(2) The 7-day average shall not exceed 45 mg/l.

(3) The 30-day average percent removal shall not be less than 85 percent.

c. pH: The effluent values for pH shall be maintained within the limits of 6.0 to 9.0 unless the publicly owned treatment works demonstrates that:

(1) Inorganic chemicals are not added to the waste stream as part of the treatment process, and

(2) Contributions from industrial sources do not cause the pH of the effluent to be less than 6.0 or greater than 9.0.

62.3(2) Special considerations.

a. Combined sewers. Treatment works subject to this part may not be capable of meeting the percentage removal requirements established under 62.3(1)“a”(3) and 62.3(1)“b”(3), or 62.3(3)“f”(3) and 62.3(3)“g”(3) during wet weather where the treatment works receive flows from combined sewers (i.e., sewers which are designed to transport both storm water and sanitary sewage). For such treatment

works, the decision must be made on a case-by-case basis as to whether any attainable percentage removal level can be defined, and if so, what the level should be.

b. Industrial wastes. For certain industrial categories, the discharge of CBOD₅ and SS permitted (under Section 301(b)(1)(A)(i), 301(b)(2)(E) or 306 of the Act) may be less stringent than the values given in 62.3(1) “a”(1), 62.3(1) “b”(1), 62.3(3) “f”(1), and 62.3(3) “g”(1). In cases when wastes would be introduced from such an industrial category into a publicly owned treatment works, the values for CBOD₅ and SS in 62.3(1) “a”(1), 62.3(1) “b”(1), 62.3(3) “f”(1), and 62.3(3) “g”(1) may be adjusted upwards provided that:

(1) The permitted discharge of such pollutants, attributable to the industrial category, would not be greater than that which would be permitted (under Sections 301(b)(1)(A)(i), 301(b)(2)(E) or 306 of the Act) if such industrial category were to discharge directly into waters of the state, and

(2) The flow or loading of such pollutants introduced by the industrial category exceeds 10 percent of the design flow or loading of the publicly owned treatment works.

When such an adjustment is made, the values for CBOD₅ or SS in 62.3(1) “a”(2), 62.3(1) “b”(2), 62.3(3) “f”(2), and 62.3(3) “g”(2) should be adjusted proportionately.

c. Waste stabilization ponds. Departmental secondary treatment standards for waste stabilization ponds are the same as those found in subrule 62.3(1) concerning secondary treatment with the exception of the standards for suspended solids which are as follows:

(1) SS, the 30-day average shall not exceed 80 mg/l.

(2) SS, the 7-day average shall not exceed 120 mg/l.

d. Less concentrated influent wastewater for separate sewers. The department may substitute either a lower percent removal requirement or a mass loading limit for the percent removal requirements in 62.3(1) and 62.3(3) provided that the permittee demonstrates that:

(1) The treatment works is consistently meeting or will consistently meet, its permit effluent concentration limits but its percent removal requirements cannot be met due to less concentrated influent wastewater.

(2) To meet the percent removal requirements, the treatment works would have to achieve significantly more stringent limitations than would otherwise be required by the concentration-based standards, and

(3) The less concentrated influent wastewater is not the result of excessive infiltration/inflow (I/I). A system is considered to have nonexcessive I/I when an average wet weather influent flow (as defined in the department’s design standards 567—paragraph 64.2(9) “b,” Chapter 14.4.5.1.b) comprised of domestic wastewater plus infiltration plus inflow equals less than 275 gallons per day per capita.

e. Upgraded facilities designed to operate in a split flow mode. The department may substitute either a lower percent removal requirement or a mass loading limit for the percent removal requirements in 62.3(1) only (not 62.3(3)), provided that the treatment works is designed to split part of the primary treated wastewater flow around the secondary treatment unit(s). The design to accommodate split flow must be approved by the department and consistent with applicable design standards for wastewater treatment facilities. The requirements of 62.3(2) “d” would apply to facilities considered under this subrule. This subrule shall not be considered for facilities eligible for treatment equivalent to secondary treatment under 62.3(3).

Any applicant requesting a permit limit adjustment must include as part of the request an analysis of the I/I sources in the system and a plan for the elimination of all inflow sources such as roof drains, manholes and storm sewer interconnections. Infiltration sources that can be economically eliminated or minimized shall be corrected.

f. Dilution. Nothing in this subrule or any other rule of the department shall be construed to encourage dilution of sewage as a means of complying with secondary treatment effluent standards. Reasonable efforts to prevent and abate infiltration of groundwater into sewers, and prevention or removal of any significant source of inflow, are required of all persons responsible for facilities subject to these standards.

62.3(3) Treatment equivalent to secondary treatment. This subrule describes the minimum level of effluent quality attainable by facilities eligible for treatment equivalent to secondary treatment in terms

of the pollutant measurements CBOD₅, SS and pH. The pollutant measurement CBOD₅ is used in lieu of the pollutant measurement BOD₅ as noted in 40 CFR 133.105. Treatment works shall be eligible at any time for consideration of effluent limitations described for treatment equivalent to secondary treatment if:

a. The CBOD₅ and SS effluent concentrations consistently achievable through proper operation and maintenance of the treatment works exceed the minimum level of the effluent quality set forth in 62.3(1) “*a*” and 62.3(1) “*b*”; and

b. A trickling filter or waste stabilization pond is used as the principal process; and

c. The treatment works provide significant biological treatment of municipal wastewater; and

d. The facility was not constructed since January 1, 1972, in order to achieve design effluent limits set forth in 62.3(1) “*a*,” “*b*,” and “*c*” or predecessor rules on secondary treatment. An eligible trickling filter or waste stabilization pond may have undergone an upgrade to achieve the effluent requirements specified in this subrule. Nothing in this subrule shall be construed to allow a facility to circumvent the design standards of 567—Chapter 64 in the replacement or construction of the individual treatment units; and

e. The treatment works is one that does not receive organic or hydraulic loadings which prevent the facilities from consistently complying with 62.3(3) “*f*,” “*g*,” and “*h*.”

All requirements for the specified pollutant measurements in paragraphs “*f*,” “*g*,” and “*h*” following in this subrule shall be achieved except as provided for above in 62.3(2) or paragraph “*i*” of this subrule below.

f. CBOD₅ limitations:

(1) The 30-day average shall not exceed 40 mg/l.

(2) The 7-day average shall not exceed 60 mg/l.

(3) The 30-day average percent removal shall not be less than 65 percent, and the percent removal shall be calculated by adding 5 units to the effluent CBOD₅ monitoring data and comparing that value to the influent BOD₅ monitoring data. Site-specific information on the relationship between BOD₅ and CBOD₅ shall be used in lieu of the 5-unit relationship if such information is available.

g. SS limitations. Except where SS values have been adjusted in accordance with subrule 62.3(2), paragraph “*c*,” above:

(1) The 30-day average shall not exceed 45 mg/l.

(2) The 7-day average shall not exceed 65 mg/l.

(3) The 30-day average percent removal shall not be less than 65 percent.

h. pH. The requirements of above subrule 62.3(1), paragraph “*c*,” shall be met.

i. Permit adjustments. More stringent limitations are required if the 30-day average and 7-day average CBOD₅ and SS effluent values that could be achievable through proper operation and maintenance of the upgraded or existing treatment works, based on an analysis of the past performance of the treatment works, would enable the treatment works to achieve more stringent limitations. These more stringent limitations shall be maintained and not relaxed unless as specified in subrule 62.3(2) “*b*.”

Effluent concentrations consistently achievable through proper operation and maintenance are:

(1) The ninety-fifth percentile value of the 30-day average effluent quality achieved by the upgraded or existing treatment works in a period of at least two years, excluding values attributable to upsets, bypasses, operational errors, or other unusual conditions, and

(2) A 7-day average value equal to 1.5 times the value derived for the 30-day average above.

This subrule shall only be applied when the existing or upgraded facility has achieved its design organic loading as specified in the most recent construction permit or its accompanying documentation. The determination of the effluent concentration consistently achievable through proper operation and maintenance shall only be based on the effluent quality data following the period when the design organic loading has been achieved.

[ARC 7625B, IAB 3/11/09, effective 4/15/09]

567—62.4(455B) Federal effluent and pretreatment standards. The federal standards, 40 Code of Federal Regulations (CFR), revised as of January 1, 2015, are applicable to the following categories:

- 62.4(1)** *General provisions.* The following is adopted by reference: 40 CFR Part 401.
- 62.4(2)** *Cooling water intake structures.* The following is adopted by reference: 40 CFR Part 125, Subparts I and J.
- 62.4(3)** *General pretreatment regulations for existing and new sources of pollution.* The following is adopted by reference: 40 CFR Part 403.
- 62.4(4)** *Thermal discharges.* The following is adopted by reference: 40 CFR Part 125, Subpart H.
- 62.4(5)** *Dairy products processing point source category.* The following is adopted by reference: 40 CFR Part 405.
- 62.4(6)** *Grain mills point source category.* The following is adopted by reference: 40 CFR Part 406.
- 62.4(7)** *Canned and preserved fruits and vegetables processing point source category.* The following is adopted by reference: 40 CFR Part 407.
- 62.4(8)** *Canned and preserved seafood processing point source category.* The following is adopted by reference: 40 CFR Part 408.
- 62.4(9)** *Sugar processing point source category.* The following is adopted by reference: 40 CFR Part 409.
- 62.4(10)** *Textile mills point source category.* The following is adopted by reference: 40 CFR Part 410.
- 62.4(11)** *Cement manufacturing point source category.* The following is adopted by reference: 40 CFR Part 411.
- 62.4(12)** *Concentrated animal feeding operations (CAFO) point source category.* The following is adopted by reference: 40 CFR Part 412.
- 62.4(13)** *Electroplating point source category.* The following is adopted by reference: 40 CFR Part 413.
- 62.4(14)** *Organic chemicals, plastics and synthetic fibers point source category.* The following is adopted by reference: 40 CFR Part 414.
- 62.4(15)** *Inorganic chemicals manufacturing point source category.* The following is adopted by reference: 40 CFR Part 415.
- 62.4(16)** Reserved.
- 62.4(17)** *Soap and detergent manufacturing point source category.* The following is adopted by reference: 40 CFR Part 417.
- 62.4(18)** *Fertilizer manufacturing point source category.* The following is adopted by reference: 40 CFR Part 418.
- 62.4(19)** *Petroleum refining point source category.* The following is adopted by reference: 40 CFR Part 419.
- 62.4(20)** *Iron and steel manufacturing point source category.* The following is adopted by reference: 40 CFR Part 420.
- 62.4(21)** *Nonferrous metals manufacturing point source category.* The following is adopted by reference: 40 CFR Part 421.
- 62.4(22)** *Phosphate manufacturing point source category.* The following is adopted by reference: 40 CFR Part 422.
- 62.4(23)** *Steam electric power generating point source category.* The following is adopted by reference: 40 CFR Part 423.
- 62.4(24)** *Ferroalloy manufacturing point source category.* The following is adopted by reference: 40 CFR Part 424.
- 62.4(25)** *Leather tanning and finishing point source category.* The following is adopted by reference: 40 CFR Part 425.
- 62.4(26)** *Glass manufacturing point source category.* The following is adopted by reference: 40 CFR Part 426.
- 62.4(27)** *Asbestos manufacturing point source category.* The following is adopted by reference: 40 CFR Part 427.
- 62.4(28)** *Rubber manufacturing point source category.* The following is adopted by reference: 40 CFR Part 428.

62.4(29) *Timber products processing point source category.* The following is adopted by reference: 40 CFR Part 429.

62.4(30) *Pulp, paper and paperboard point source category.* The following is adopted by reference: 40 CFR Part 430.

62.4(31) *Builders paper and roofing felt segment of the builders paper and board mills point source category.* Reserved.

62.4(32) *Meat and poultry products point source category.* The following is adopted by reference: 40 CFR Part 432.

62.4(33) *Metal finishing point source category.* The following is adopted by reference: 40 CFR Part 433.

62.4(34) *Coal mining point source category.* The following is adopted by reference: 40 CFR Part 434.

62.4(35) *Oil and gas extraction point source category.* The following is adopted by reference: 40 CFR Part 435.

62.4(36) *Mineral mining and processing point source category.* The following is adopted by reference: 40 CFR Part 436.

62.4(37) *Centralized waste treatment point source category.* The following is adopted by reference: 40 CFR Part 437.

62.4(38) *Metal products and machinery point source category.* The following is adopted by reference: 40 CFR Part 438.

62.4(39) *Pharmaceutical manufacturing point source category.* The following is adopted by reference: 40 CFR Part 439.

62.4(40) *Ore mining and dressing point source category.* The following is adopted by reference: 40 CFR Part 440.

62.4(41) *Industrial laundries point source category.* Reserved.

62.4(42) *Transportation equipment cleaning point source category.* The following is adopted by reference: 40 CFR Part 442.

62.4(43) *Paving and roofing materials (tars and asphalt) point source category.* The following is adopted by reference: 40 CFR Part 443.

62.4(44) *Waste combustors point source category.* The following is adopted by reference: 40 CFR Part 444.

62.4(45) *Landfills point source category.* The following is adopted by reference: 40 CFR Part 445.

62.4(46) *Paint formulating point source category.* The following is adopted by reference: 40 CFR Part 446.

62.4(47) *Ink formulating point source category.* The following is adopted by reference: 40 CFR Part 447.

62.4(48) *Printing and publishing point source category.* Reserved.

62.4(49) *Airport de-icing point source category.* The following is adopted by reference: 40 CFR Part 449.

62.4(50) *Construction and development point source category.* The following is adopted by reference: 40 CFR Part 450.

62.4(51) *Concentrated aquatic animal production point source category.* The following is adopted by reference: 40 CFR Part 451.

62.4(52) *Concrete products point source category.* Reserved.

62.4(53) *Shore receptor and bulk terminals point source category.* Reserved.

62.4(54) *Gum and wood chemicals manufacturing point source category.* The following is adopted by reference: 40 CFR Part 454.

62.4(55) *Pesticide chemicals.* The following is adopted by reference: 40 CFR Part 455.

62.4(56) *Adhesives and sealants industry point source category.* Reserved.

62.4(57) *Explosives manufacturing point source category.* The following is adopted by reference: 40 CFR Part 457.

62.4(58) *Carbon black manufacturing point source category.* The following is adopted by reference: 40 CFR Part 458.

62.4(59) *Photographic point source category.* The following is adopted by reference: 40 CFR Part 459.

62.4(60) *Hospital point source category.* The following is adopted by reference: 40 CFR Part 460.

62.4(61) *Battery manufacturing point source category.* The following is adopted by reference: 40 CFR Part 461.

62.4(62) Reserved.

62.4(63) *Plastic molding and forming point source category.* The following is adopted by reference: 40 CFR Part 463.

62.4(64) *Metal molding and castings point source category.* The following is adopted by reference: 40 CFR Part 464.

62.4(65) *Coil coating point source category.* The following is adopted by reference: 40 CFR Part 465.

62.4(66) *Porcelain enameling point source category.* The following is adopted by reference: 40 CFR Part 466.

62.4(67) *Aluminum forming point source category.* The following is adopted by reference: 40 CFR Part 467.

62.4(68) *Copper forming point source category.* The following is adopted by reference: 40 CFR Part 468.

62.4(69) *Electrical and electronic components point source category.* The following is adopted by reference: 40 CFR Part 469.

62.4(70) Reserved.

62.4(71) *Nonferrous metals forming and metal powders point source category.* The following is adopted by reference: 40 CFR Part 471.

[ARC 2482C, IAB 4/13/16, effective 5/18/16]

567—62.5(455B) Federal toxic effluent standards. The following is adopted by reference: 40 CFR Part 129.

[ARC 2482C, IAB 4/13/16, effective 5/18/16]

567—62.6(455B) Effluent limitations and pretreatment requirements for sources for which there are no federal effluent or pretreatment standards.

62.6(1) Definitions. As used in this rule:

a. "Average" means the sum of the total daily discharges by weight, volume or concentration during the reporting period (as specified in the operation permit) divided by the total number of days during the reporting period when the facility was in operation. With respect to the monitoring requirements, the "daily average" discharge shall be determined by the summation of all the measured daily discharges by weight, volume or concentration divided by the number of days during the reporting period when the measurements were made.

b. "Maximum" means the total discharge by weight, volume or concentration which cannot be exceeded during a 24-hour period.

c. "Best engineering judgment" means a judgment that considers any or all of the following:

- (1) Known state-of-the-art (i.e., demonstrated treatment that is being done or can be done);
- (2) Published technical articles and research results;
- (3) Engineering reference books;
- (4) Consultation with acknowledged experts in the field;
- (5) Availability of equipment;
- (6) Known or suspected toxicity of the pollutants;
- (7) Safety, welfare and aesthetic effects on persons who may come in contact with the discharge;

and

- (8) Standards and rules of other regulatory agencies and states.

62.6(2) *Time of compliance.* Effluent limitations and pretreatment limitations established pursuant to this rule shall be achieved within a reasonable time after receipt of notice from the department of the applicability of these limitations.

62.6(3) *Effluent limitations.* This subrule establishes effluent limitations on the discharge of pollutants from sources other than publicly owned treatment works and semipublic sewage disposal systems that are not subject to the federal effluent standards adopted by reference in 62.4(1) and 62.4(3) to 62.4(71).

a. There shall be established an effluent limitation that represents the best engineering judgment of the department of the degree of effluent reduction consistent with the Act and Iowa Code chapter 455B.

b. The following wastes shall not be introduced into privately owned treatment works subject to this subrule:

(1) Wastes that create a fire or explosion hazard in the treatment works.

(2) Wastes at a flow rate or pollutant discharge rate, or both, which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency such that the effluent limitations in the permit of the treatment works are violated.

62.6(4) *Pretreatment requirements for incompatible wastes.* This subrule establishes pretreatment requirements for incompatible pollutants that apply to sources other than significant industrial users as defined in 567—60.2(455B), and to sources that are new or existing significant industrial users for which there is no federal pretreatment standard (i.e., sources which do not fall within a point source category or, if they do fall within a point source category, sources for which the administrator has not yet promulgated a pretreatment standard).

a. For sources that are within a point source category adopted by reference in 567—62.4(455B) for which there are promulgated effluent limitation guidelines, but no promulgated pretreatment standards, the pretreatment standard for incompatible pollutants shall be the promulgated effluent limitation guideline.

b. For sources that are not subject to paragraph “a,” the department shall establish an effluent limitation that represents the best professional judgment for effluent reduction that is consistent with the Act and Iowa Code chapter 455B.

[ARC 7625B, IAB 3/11/09, effective 4/15/09]

567—62.7(455B) Effluent limitations less stringent than the effluent limitation guidelines. An effluent limitation less stringent than the effluent limitation guideline (adopted by reference in 567—62.4(455B)) representing the degree of effluent reduction achievable by application of the best practicable control technology currently available may be allowed in an NPDES permit if the factors relating to the equipment or facilities involved, the process applied, or other such factors related to the discharger are fundamentally different from the factors considered by the administrator in the establishment of the guidelines. An individual discharger or other interested person may submit evidence concerning such factors to the director. On the basis of such evidence or other available information and in accordance with 40 CFR 125.31, the director will make a written finding that such factors are or are not fundamentally different from the facility compared to those specified in the development document. Any such less stringent effluent limitations must, as a condition precedent, be approved by the administrator.

[ARC 7625B, IAB 3/11/09, effective 4/15/09]

567—62.8(455B) Effluent limitations or pretreatment requirements more stringent than the effluent or pretreatment standards.

62.8(1) *Effluent limitations more stringent than the effluent limitation guidelines.* An effluent limitation more stringent than the effluent limitation guidelines representing the degree of effluent reduction achievable by application of the best practicable control technology currently available may be required in an NPDES permit if the factors relating to the equipment or facilities involved, the process applied, or other such factors related to the discharger are fundamentally different from the factors considered by the administrator in the establishment of the guidelines. An individual discharger or other interested person may submit evidence concerning such factors to the director. On the basis of

such evidence or other information available to the director, the director will make a written finding that such factors are or are not fundamentally different for the facility compared to those specified in the development document. Any such more stringent effluent limitation must, as a condition precedent, be approved by the administrator.

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 567—62.3(455B), 567—62.4(455B) or 567—62.5(455B) or effluent limitations in 567—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 November 11, 2009, 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 November 11, 2009, 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.

62.8(3) Pretreatment requirements more stringent than pretreatment standards or requirements. The department or the publicly owned treatment works may impose pretreatment requirements more stringent than the applicable pretreatment standard of 567—62.4(455B) or pretreatment requirements of 567—62.6(455B) if such more stringent requirements are necessary to prevent violations of water quality standards, interference, or pass through.

62.8(4) Effluent limitations or pretreatment requirements in approved areawide waste treatment management plans. Effluent limitations or pretreatment requirements more stringent than applicable effluent or pretreatment standards in 567—62.3(455B) to 567—62.5(455B) or effluent limitations or pretreatment requirements in 567—62.6(455B) may be imposed by the department if the more stringent effluent limitations or pretreatment requirements are required by an approved areawide waste treatment management (208(b)) plan.

62.8(5) Effluent limitations for pollutants not covered by effluent or pretreatment standards. An effluent limitation on a pollutant not otherwise regulated under 567—62.3(455B) to 567—62.6(455B) (e.g., polybrominated biphenyls, PBBs) may be imposed on a case-by-case basis. Such limitation shall be based on effect of the pollutant in water and the feasibility and reasonableness of treating such pollutant. [ARC 7625B, IAB 3/11/09, effective 4/15/09; ARC 8123B, IAB 9/9/09, effective 10/14/09; ARC 8214B, IAB 10/7/09, effective 11/11/09]

567—62.9(455B) Disposal of pollutants into wells. Commencing September 1, 1977, there shall be no disposal of a pollutant other than heat into wells within Iowa. Any disposal of heat shall be sufficiently controlled to protect the public health and welfare and to prevent pollution of ground and surface water resources. In reviewing any permits proposed to be issued for the disposal into wells, the director shall consider, among other things, any policies, technical information, or requirements specified by the administrator in regulations issued pursuant to the Act or in directives issued to EPA regional offices.

567—62.10(455B) Effluent reuse. Treated final effluent may be reused in a manner noted in 62.10(1) or as specified in the NPDES permit.

62.10(1) Reuse for golf course irrigation. Treated final effluent may be reused for golf course irrigation if the conditions described in “a” and “b” are met.

a. The treated final effluent must meet one of the following conditions:

(1) A minimum total residual chlorine level of 0.5 mg/l must be maintained at a minimum of 15 minutes contact time of chlorine to wastewater prior to the irrigation of the golf course with treatment plant effluent; or

(2) Disinfected effluent shall be held in a retention pond with a detention time of at least 20 days prior to reuse as irrigation on a golf course. For this purpose, effluent may be disinfected using any

common treatment technology, and either an existing pond or a pond constructed specifically for effluent retention may be used.

b. A golf course utilizing treated final effluent shall take all of the following actions:

- (1) Clearly state on all scorecards that treated final effluent is used for irrigation of the golf course and oral contact with golf balls and tees should be avoided;
 - (2) Post signs that warn against consumption of water at all water hazards;
 - (3) Color code, label, or tag all piping and sprinklers associated with the distribution or transmission of the treated final effluent to clearly warn against the consumptive use of the contents; and
 - (4) Restrict the access of the public to any area of the golf course where spraying is being conducted.
- All four of the above conditions must be met.

62.10(2) Reserved.

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