

NPDES Core Review Checklist

Base your checklist responses on a review of the permit and administrative record. This checklist is intended to be completed electronically. Please select an answer for each question from the drop-down list (shown as "choose an item") alongside each question. If you cannot clearly answer the question with "Yes" or "No," select "Uncertain." If you select "Uncertain," explain your reasoning in the comment field within the checklist section. If you anticipate that information missing during the desktop review will be available onsite during the state visit, place a checkmark in the column labeled "Follow Up" along the left-hand side of the checklist. Indications of "Uncertain" and "Follow Up" will signal the onsite reviewer to seek additional clarifying information from the permit record during the state visit.

1 - General Information	
1. Facility Name:	_____
2. NPDES permit number:	_____
3. Type of facility? (check one per row)	4. State contact/permit writer: _____
<input type="checkbox"/> New	<input type="checkbox"/> Existing
<input type="checkbox"/> Major*	<input type="checkbox"/> Non-major*
* indicate any concerns in the comment field regarding this designation.	
<input type="checkbox"/> POTW	<input type="checkbox"/> Non-POTW
5. Desktop permit reviewer: _____	Email: _____
Date reviewed: _____	Phone: _____
6. State visit reviewer: _____	Date reviewed: _____
Comments: (could include description of facility, design flow, industrial rating information, etc.) _____	
(Additional space on page 8)	

2 - Permit and Facility Information	
Follow Up	2.1 - Basic Permit Information
	1. Does the permit contain issuance, effective, and expiration dates and authorized signatures? Choose an item. a. What was the permit issuance/effective date? _____ b. Is the permit effective 5 years or less? Choose an item.
	2. Does the permit contain specific authorization-to-discharge information (from where, to where, by whom)? Choose an item.
	3. Note any other program areas applicable to the discharger (e.g., pretreatment, CAFO, 316): _____
	Comments: _____
	(Additional space on page 8)
	2.2 - Facility and Receiving Water Information
	1. Did the record or permit describe the physical location of the facility (e.g., address, lat/long)? Choose an item.
	2. Did the record include a description of the type of activities and wastewater treatment process at the facility? Choose an item.
	3. Were all outfalls that the record indicated were present at the facility identified and authorized in the permit (including stormwater and/or combined sewer overflow outfalls, if appropriate)? Choose an item. a. Did the permit identify the physical location of outfalls? Choose an item.
	4. Did the record clearly identify the name of the receiving water(s) (e.g. stream segment, location in receiving water)? Choose an item.
	Comments: _____

(Additional space on page 8)

3 - Permit Application

Follow Up	1. Was the most recent version of the appropriate application submitted?	Choose an item.
	2. Was the complete permit application submitted at least 180 days prior to permit expiration?	Choose an item.
	a. If no, is there proof that permission for a later date has been granted by the Director? (40 CFR 122.21(c) and 122.21(d)).	Choose an item.
	3. Was the permit application documented by the Permitting Authority as being complete (including all attachments, diagrams, signature, etc.)?	Choose an item.
	a. Was it signed by the appropriate official?	Choose an item.
	b. Did the permit application provide all required analytical data?	Choose an item.
	i. <u>New Dischargers: (Form 2A or 2D Requirements)</u>	Choose an item.
	ii. <u>Existing Dischargers:</u>	
	<u>POTW:</u> Have 3 pollutant scans been performed within the existing permit term?	Choose an item.
	Did the permit application provide the results of at least 4 quarterly WET tests or 4 years of annual data?	Choose an item.
<u>Non-POTW:</u> Based on the industrial category, have the correct Form 2C analytical requirements been met?	Choose an item.	
c. In general, did it appear that effluent data provided in the permit application were analyzed using 40 CFR Part 136 test methods that were sufficiently sensitive to assess the presence of pollutant parameters?	Choose an item.	
4. For facilities subject to CWA 316(b) requirements, were the application requirements at 40 CFR 122.21(r) submitted?	Choose an item.	
Comments:		
(Additional space on page 8)		

4 - Effluent Limitations

4.1 - General Elements

	1. Did the fact sheet describe the basis (technology or water quality) for each of the final effluent limits?	Choose an item.
	a. Did the record indicate that a comparison of technology- and water quality-based limits was performed, and the most stringent limit selected?	Choose an item.
	2. Were all limits at least as stringent as those in the previous permit?	Choose an item.
	a. If no, specify: _____	
	b. If no, did the record discuss whether "anti-backsliding" provisions were met?	Choose an item.
	Specify: _____	
	3. Did permit limits restrict pollutant loadings to levels at or below those in the previous permit?	Choose an item.
	a. If no, did the record indicate that "antidegradation" requirements were met in accordance with the state's approved antidegradation policy?	Choose an item.
	4. Did the permit require development and implementation of a best management practices (BMP) plan or site-specific BMPs?	Choose an item.

	a. If yes, did the permit adequately incorporate and require compliance with the BMPs? Specify: _____	Choose an item.
	Comments: _____	
	_____ <i>(Additional space on page 8)</i>	

4.2 - Technology-Based Effluent Limits

POTWs: (For non-POTWs, skip to question 7)

Follow Up	1. Did the permit contain numeric limits for ALL of the following: BOD ₅ (or an alternative; e.g., CBOD ₅ , COD, TOC), TSS, and pH?	Choose an item.
	2. Were technology-based permit limits expressed in appropriate units of measure (i.e., concentration, mass, SU)?	Choose an item.
	3. Were permit limits for BOD ₅ and TSS expressed in terms of both 30-day (monthly) average and 7-day (weekly) average limits?	Choose an item.
	4. Were concentration limitations in the permit at least as stringent as the secondary treatment requirements (30 mg/l BOD ₅ and TSS for a 30-day (monthly) average and 45 mg/l BOD ₅ and TSS for a 7-day (weekly) average)?	Choose an item.
	a. If no, did the record provide a detailed justification (e.g., waste stabilization pond, trickling filter, etc.) for the alternate limitations?	Choose an item.
	5. Were 85 percent removal requirements for BOD ₅ (or BOD ₅ alternative) and TSS included?	Choose an item.
	a. If no, did the record indicate the application of more stringent requirements than 85% removal (such as WQBELs or other requirements)? Or an alternative consistent with 40 CFR 133.103 (e.g. waste stabilization pond, trickling filter, etc.) had been approved?	Choose an item.
	6. Did the permit require influent monitoring for BOD ₅ (or alternative) and TSS? Specify: _____	Choose an item.
	Comments: _____	
	_____ <i>(Additional space on page 8)</i>	

Non-POTWs: (For POTWs, skip to Section 4.3)

	7. Is the facility subject to one or more technology-based effluent limitations guideline(s) (ELGs)?	Choose an item.
	a. If yes, what categories and subcategories were applied? _____	
	i. <input type="checkbox"/> New source <input type="checkbox"/> Existing source?	
	ii. Did the record explain how the categorization and performance levels (BPT, BCT, BAT, NSPS) were determined?	Choose an item.
	iii. Did the record adequately document the calculations used to develop ELG-based effluent limits?	Choose an item.
	iv. Were final limits as stringent as required by applicable effluent limitations guidelines? If no, list parameters: _____ Specify the basis in the record: _____	Choose an item.
	b. If the facility was not subject to an ELG (or if the facility included processes or waste streams that were not subject to ELG), did the permit include technology-based limitations based on best professional judgment (BPJ) for all conventional, nonconventional, and toxic pollutants in the discharge?	Choose an item.

If yes, specify which were based on BPJ: _____

- i. For limits developed based on BPJ, did the record indicate that the limits were developed considering all of the criteria established at 40 CFR 125.3(d)? Choose an item.
- ii. For limits developed based on BPJ, did the record adequately document the calculations used to develop BPJ technology-based effluent limits? Choose an item.

List limits that were not based on BPJ: _____

- 8. Were technology-based permit limits expressed in appropriate units of measure (i.e., concentration, mass, SU)? Choose an item.
- 9. Were all technology-based limits expressed in terms of both maximum daily and monthly average limits? Choose an item.
- 10. For all limits that were based on production, did the record indicate that the calculations were based on a "reasonable measure of actual production" for the facility (not design)? Choose an item.
- 11. If the permit contained "tiered" limits that reflected projected increases in production or flow, did the permit require the facility to notify the permitting authority when alternate levels of production or flow were attained? Choose an item.

Comments:

(Additional space on page 8)

4.3 - Water Quality-Based Effluent Limits

4.3.1 - Receiving Water Characterization

- Follow Up**
- 1. Is there an EPA-approved water quality standards variance applicable to this discharge? Choose an item.
 - 2. Did the record describe the designated uses of the receiving water(s) to which the facility discharges (e.g., contact recreation, aquatic life use)? Choose an item.
 - 3. Did the fact sheet contain a description of the 303(d) status of the receiving water(s)? Choose an item.
 - a. If yes, was the receiving water(s) impaired for any uses? Choose an item.
 - b. If yes, complete the following table (if additional entries are necessary, continue on a separate sheet):

<u>Impairing Pollutant</u>	<u>TMDL approved? (Y/N)</u>	<u>Facility Discharges Pollutant of Concern? (Y/N)</u>	<u>Fact Sheet address TMDL implementation? (Y/N)</u>	<u>Permit includes WQBELs consistent with TMDL? (Y/N)</u>
	Choose an item.	Choose an item.	Choose an item.	Choose an item.
	Choose an item.	Choose an item.	Choose an item.	Choose an item.
	Choose an item.	Choose an item.	Choose an item.	Choose an item.

Comments:

(Additional space on page 8)

4.3.2 - Reasonable Potential Analysis

- 4. Did the record indicate that the permit writer considered all available data and information in identifying "pollutants of concern" for the limit development process? Choose an item.
- 5. Had the state made a finding that the discharge will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable numeric or narrative water quality standard for each pollutant of concern at each outfall? Choose an item.

	<p>6. Did the record include reasonable potential analysis documentation (e.g., summary tables, spreadsheets)?</p> <p style="margin-left: 20px;">a. If no, list all parameters of concern for which RP was not identified in record.</p>	<p>Choose an item.</p>
4.3.3 - Effluent Limitations Development and Calculations		
Follow Up	<p>7. Did the record include limit development calculations for each pollutant limited in the permit?</p> <p style="margin-left: 20px;">a. If no, which pollutants did not have documentation of calculations?</p>	<p>Choose an item.</p>
	<p>8. Where dilution or a mixing zone was provided, did the record describe how the dilution allowance was determined?</p>	<p>Choose an item.</p>
	<p>9. Where dilution or a mixing zone was provided, did the record indicate that background data for the receiving water was used in reasonable potential or limit development calculations?</p> <p style="margin-left: 20px;">a. If yes, for which parameters? _____</p> <p style="margin-left: 20px;">b. If no, what was the default used in calculations? _____</p> <p style="margin-left: 40px;">i. Did the record explain the basis of the default value? _____</p>	<p>Choose an item.</p> <p>Choose an item.</p> <p>Choose an item.</p>
	<p>10. Based on analyses conducted, did the permit contain numeric water quality based effluent limits (WQBELs) or BMP WQBELs for all pollutants that will cause, have a reasonable potential to cause, or contribute to an excursion of applicable water quality standards?</p> <p style="margin-left: 20px;">a. If no, identify all pollutants for which there was reasonable potential but no final limit: _____</p> <p style="margin-left: 20px;">b. Was reasonable potential found for WET? _____</p> <p style="margin-left: 40px;">ii. If yes, where reasonable potential was determined, were WQBELs included in the permit? _____</p>	<p>Choose an item.</p> <p>Choose an item.</p> <p>Choose an item.</p>
	<p>11. Were all final WQBELs in the permit consistent with the justification and documentation provided in the record?</p>	<p>Choose an item.</p>
	<p>12. For all final WQBELs, did the permit contain both long-term (e.g., average monthly) and short-term (e.g., maximum daily, instantaneous) effluent limits?</p> <p style="margin-left: 20px;">a. If no, specify: _____</p>	<p>Choose an item.</p>
	<p>13. Are units of measure specified for all numeric WQBELs (i.e., concentration, mass, or SU)?</p>	<p>Choose an item.</p>
	<p>14. For pollutants for which the state WQS have narrative water quality criteria, did the record indicate the state considered its applicable narrative water quality criteria in developing water quality-based permit conditions?</p>	<p>Choose an item.</p>
	<p>15. Did the permit require a compliance schedule?</p> <p style="margin-left: 20px;">a. If yes, did the permit include the final compliance date?</p> <p style="margin-left: 20px;">b. If yes, was the schedule otherwise consistent with 40 CFR 122.47¹ (explanation of need for compliance schedule, interim milestones, compliance as soon as possible)?</p>	<p>Choose an item.</p> <p>Choose an item.</p>
	<p>Comments:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;"><i>(Additional space on page 8)</i></p>	

¹ For additional information, see the memorandum from Jim Hanlon, Director, Office of Wastewater Management to Alexis Strauss, Director, Water Division EPA Region IX regarding *Compliance Schedules for Water Quality-Based Effluent Limitations in NPDES Permits*. https://www3.epa.gov/npdes/pubs/memo_complianceschedules_may07.pdf

5 - Monitoring and Reporting Requirements

Follow Up	<p>1. Did the permit require at least annual reporting for all limited parameters? Choose an item.</p> <p>2. Were monitoring location(s) identified? Choose an item.</p> <p>3. Were monitoring frequency(s) identified? Choose an item.</p> <p>4. Were any monitoring requirements insufficient to assess compliance with an effluent limitation? Choose an item.</p> <p>5. Did the permit require testing for Whole Effluent Toxicity? Choose an item.</p> <p style="margin-left: 20px;">a. If yes, type of testing (check all that apply): <input type="checkbox"/> Acute <input type="checkbox"/> Chronic</p> <p style="margin-left: 20px;">b. If yes, did the permit include specific testing requirements? Choose an item.</p> <p>6. Did the permit require use of sufficiently sensitive 40 CFR Part 136 methods capable of quantifying pollutants at concentrations equal to or less than the limits? Choose an item.</p> <p>7. Did the permit specify the method, frequency and timing of submission of DMRs and other required reports to the permitting authority? Choose an item.</p> <p style="margin-left: 20px;">a. Did the permit require the permittee to submit DMRs electronically starting no later than December 21, 2016? Choose an item.</p> <p>8. POTWs:</p> <p style="margin-left: 20px;">a. Did the permit require monitoring for CSO, SSOs, or blending? Choose an item.</p> <p style="margin-left: 40px;">If yes, specify _____</p> <p>9. Non-POTWs: For monitoring of ELG-based limits, if the monitoring frequency was less frequent than annual, did the record indicate that the facility applied for and was granted a monitoring waiver? Choose an item.</p> <p style="margin-left: 20px;">a. If yes, did the permit specifically incorporate this waiver? Choose an item.</p>
	<p>Comments:</p> <hr/> <p style="text-align: center;"><i>(Additional space on page 8)</i></p>

6 - Standard Conditions

	<p>1. Did the permit contain all 40 CFR 122.41 standard conditions? Choose an item.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> (a) Duty to comply <input type="checkbox"/> (b) Duty to reapply <input type="checkbox"/> (c) Need to halt or reduce activity not a defense <input type="checkbox"/> (d) Duty to mitigate <input type="checkbox"/> (e) Proper operation & maintenance <input type="checkbox"/> (f) Permit actions <input type="checkbox"/> (g) Property rights <input type="checkbox"/> (h) Duty to provide information <input type="checkbox"/> (i) Inspections and entry <input type="checkbox"/> (j) Monitoring and records <input type="checkbox"/> (k) Signatory requirement </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> (l) Reporting requirements <input type="checkbox"/> (1) Planned change <input type="checkbox"/> (2) Anticipated noncompliance <input type="checkbox"/> (3) Transfers <input type="checkbox"/> (4) Monitoring reports <input type="checkbox"/> (5) Compliance schedules <input type="checkbox"/> (6) Twenty-four hour reporting <input type="checkbox"/> (7) Other non-compliance <input type="checkbox"/> (8) Other information <input type="checkbox"/> (m) Bypass <input type="checkbox"/> (n) Upset </td> </tr> </table> <p>2. Was the language of all 40 CFR 122.41 standard conditions at least as stringent as the federal regulations? <i>(*if a template of standard conditions is used, only review this question once.)</i> Choose an item.</p>	<input type="checkbox"/> (a) Duty to comply <input type="checkbox"/> (b) Duty to reapply <input type="checkbox"/> (c) Need to halt or reduce activity not a defense <input type="checkbox"/> (d) Duty to mitigate <input type="checkbox"/> (e) Proper operation & maintenance <input type="checkbox"/> (f) Permit actions <input type="checkbox"/> (g) Property rights <input type="checkbox"/> (h) Duty to provide information <input type="checkbox"/> (i) Inspections and entry <input type="checkbox"/> (j) Monitoring and records <input type="checkbox"/> (k) Signatory requirement	<input type="checkbox"/> (l) Reporting requirements <input type="checkbox"/> (1) Planned change <input type="checkbox"/> (2) Anticipated noncompliance <input type="checkbox"/> (3) Transfers <input type="checkbox"/> (4) Monitoring reports <input type="checkbox"/> (5) Compliance schedules <input type="checkbox"/> (6) Twenty-four hour reporting <input type="checkbox"/> (7) Other non-compliance <input type="checkbox"/> (8) Other information <input type="checkbox"/> (m) Bypass <input type="checkbox"/> (n) Upset
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	<p>a. If no, specify:</p>	
	<p>3. Did the permit or fact sheet indicate that certain bypasses would be “approved,” (i.e., no enforcement action will be taken when system-specific conditions [such as wet weather flows exceed specified levels] are met)?</p>	Choose an item.
	<p>a. If yes, did the record for the permit provide an adequate demonstration that there were “no feasible alternatives” to the bypass under the conditions when bypass is approved?</p>	Choose an item.
	<p>4. POTWs: Did the permit contain the additional standard condition at 40 CFR 122.42(b)(1)–(3) for POTWs regarding notification of new introduction of pollutants and new industrial users?</p>	Choose an item.
	<p>5. Non-POTWs: Did the permit contain the additional standard condition at 40 CFR 122.42(a)(1)–(2) for non-municipals regarding notification levels?</p>	Choose an item.
	<p>Comments:</p> <hr/> <p style="text-align: center;"><i>(Additional space on page 8)</i></p>	

7 - Administrative Record

7.1 - Technical Requirements

Follow Up	<p>1. Was the permit revised between the draft and final permits?</p> <p>a. If yes, was documentation of the changes and rationale included in the file?</p>	<p>Choose an item.</p> <p>Choose an item.</p>
	<p>2. Subsequent to issuance, had the permit been modified?</p> <p>a. If yes, was the modification processed in accordance with 40 CFR 122.62 & 122.63?</p>	<p>Choose an item.</p> <p>Choose an item.</p>
	<p>3. Note in comments whether the permit file was missing any supporting documentation used to develop permit conditions (list missing documents).</p>	
	<p>Comments:</p> <hr/> <p style="text-align: center;"><i>(Additional space on page 8)</i></p>	

7.2 - Public Notice

	<p>1. Did the record include documentation of public notice in accordance with 40 CFR 124.10?</p>	Choose an item.
	<p>2. Did the public notice include content requirements at 40 CFR 124.10(d)?</p> <p>a. If a 316(a) variance was requested, did the public notice include contents required at 40 CFR 124.57?</p>	<p>Choose an item.</p> <p>Choose an item.</p>
	<p>3. Did the record include all comments received, if any?</p>	Choose an item.
	<p>4. Did the record include a written response to all significant comments?</p>	Choose an item.
	<p>5. If a public hearing was requested, was one held?</p>	Choose an item.
	<p>6. If a public hearing was held, was the recording or transcript part of the administrative record?</p>	Choose an item.
	<p>Comments:</p> <hr/> <p style="text-align: center;"><i>(Additional space on page 8)</i></p>	

Additional comments:

Notes for onsite reviewer:

Issues identified: