Regulatory Analysis Version, 9/4/2024

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 or by a permit issued pursuant to Section 404 of the CWA and certified pursuant to 567—subrule 61.2(6). ~~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 prohibitions in 40 CFR § 122.4 are adopted by reference. ~~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(3)~~**62.1(6)**~~ The following discharges are prohibited:

a. The discharge of wastewater into a ~~publicly owned treatment works~~POTW or a semipublic sewage disposal system (DS) in volumes or quantities in excess of those to which a significant industrial user is committed in either a~~the~~ treatment agreement described in 567—subrule 60.3(3)~~64.3(5)~~ or a local control mechanism (in the case of a POTW with an approved pretreatment program); and ~~approved by the department is prohibited.~~

b. Discharge of the pollutants listed in 40 CFR §403.5(b) to a POTW, a semipublic sewage DS, or a PSDS.

62.1(4)~~**62.1(7)**~~ Waste~~s~~ 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 is~~are~~ considered to be a waste that~~which~~ interferes with the operation or performance of a POTW~~publicly owned treatment works~~ or a semipublic sewage DS~~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]~~

Commented [1]: 62.1(1), "For purposes of this subrule..." - outdated; remove.

Commented [2]: New 62.1(2), prohibitions - Pursuant to 40 CFR § 123.25(e), states must have the legal authority to implement these prohibitions. Replace current prohibition text w/ CFR reference.

Commented [3]: Old 62.1(2), "The discharge of any radiological..." - Matches 40 CFR § 122.4(f); replaced w/ CFR reference.

Commented [4]: Old 62.1(3), "Any discharge which..." - Matches 40 CFR 122.4(e); replaced w/ CFR reference.

Commented [5]: Old 62.1(4), "Any discharge to which..." - Matches 40 CFR 122.4(c); replaced w/ CFR reference.

Commented [6]: Old 62.1(5), "Any discharge from..." - Matches 40 CFR 122.4(g); replaced w/ CFR reference.

Commented [7]: New 62.1(3), "The following discharges are prohibited" - Combining old 62.1(6) & old 62.1(8) into one subrule & referencing the CFR.

Commented [8]: "approved by the dept" - moved to beginning of subrule (new 62.1(3))

Commented [9]: New 62.1(3)"b", "Discharge of the..." - Moved from old 62.1(8). Replaces all of old 62.1(8).

Commented [10]: New 62.1(4), Waste in such volumes... - Existing text. 40 CFR 403.5(b)(4) & 403.5(a)(1). Was old 62.1(7).

Commented [11]: Old 62.1(8) - Moved to new 62.1(3)"b". Replaced all paragraphs w/ reference to 40 CFR 403.5(b).

Commented [12]: Old 62.1(8)"a", "Pollutants which..." - Matches 40 CFR 403.5(b)(1); replaced w/ reference in new 62.1(3)"b".

Commented [13]: Old 62.1(8)"b", "Solids or..." - Matches 40 CFR 403.5(b)(3); replaced w/ reference in new 62.1(3)"b".

Commented [14]: Old 62.1(8)"c", "Heat in..." - Matches 40 CFR 403.5(b)(5); replaced w/ reference in new 62.1(3)"b".

Commented [15]: Old 62.1(8)"d", "Petroleum oil..." - Matches 40 CFR 403.5(b)(6); replaced w/ reference in new 62.1(3)"b".

Commented [16]: Old 62.1(8)"e", "Pollutants which..." - Matches 403 CFR 403.5(b)(7); replaced w/ reference in new 62.1(3)"b".

Commented [17]: Old 62.1(8)"f", "Pollutants which..." - Matches 40 CFR 403.5(b)(2); replace w/ reference in new 62.1(3)"b".

~~**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—62.2~~62.3~~(455B) Secondary treatment information: effluent standards for POTWs~~publicly owned treatment works~~ and semipublic sewage DSs~~disposal systems~~.

62.2(1)~~62.3(1)~~ *General.* This subrule~~The following paragraphs~~ describes 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 CBODs ~~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(a)(4). All requirements for each pollutant measurement shall be achieved by POTWs~~publicly owned treatment works~~ and semipublic sewage DSs~~disposal systems~~ except as provided for in ~~subrules~~ 62.2~~3~~(2) and 62.2~~3~~(3). Effluent limitations on pollutants other than CBOD5~~carbonaceous biochemical oxygen demand (five day)~~, ~~suspended solids~~SS and pH may be imposed in an~~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, as noted in 40 CFR §133.102(a)(4).

~~(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 five~~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 five~~5~~-unit relationship if such information is available.

b. ~~Suspended solids~~ SS, as noted in 40 CFR §133.102(b).

~~(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~~:~~, as noted in 40 CFR §133.102(c).~~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.~~

62.2(2)~~62.3(2)~~ *Special considerations.*

a. Combined sewers and percent removal. 40 CFR §133.103(a) is adopted by reference.~~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 62.23(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~~

Commented [18]: Old 62.2, "Exemption of adoption of certain federal rules..." - From Iowa Code 17A.4, Procedure for adoption of rules. Correct citation is now 17A.4(3)(a), but the administrative rules review committee must now "find good cause", so this rule is no longer valid.

Commented [19]: New 62.2, Secondary treatment - Iowa Code 455B.173(2) & 40 CFR Part 133.

Commented [20]: "CBOD5" - Defined in Chpt 60; does not need to be spelled out here.

Commented [21]: "SS" - SS definition is from 40 CFR 133.101(l).

Commented [22]: "pH" - Defined in Chapter 60; does not need additional description here.

Commented [23]: New 62.3(1)"a", "CBOD5" - Matches 40 CFR 133.102(a)(4); replaced portion of text w/ CFR reference.

Commented [24]: Old 62.3(1)"a"(1) & (2) - Matches 40 CFR 133.102(a)(4); replaced w/ CFR reference in new 62.2(1)"a".

Commented [25]: New 62.2(1)"a", percent removal calculation text - Existing text; keep. Not in the CFR, but is necessary to describe % removal calculation.

Commented [26]: New 62.2(1)"b", "SS" - Matches 40 CFR § 133.102(b); replaced w/ CFR reference.

Commented [27]: New 62.3(1)"c", "pH" - Matches 40 CFR § 133.102(c); replaced w/ CFR reference.

Commented [28]: New 62.2(2)"a", "Combined sewers..." - Matches 40 CFR 133.103(a); replaced w/ CFR reference.

Commented [29]: "and percent removal requirements" - Added for clarity.

~~any attainable percentage removal level can be defined, and if so, what the level should be.~~

b. Industrial wastes and POTWs; standard secondary adjustment. 40 CFR §133.103(b) is adopted by reference.~~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 lagoons~~ponds~~. ~~Departmental s~~Secondary treatment standards for waste stabilization lagoons~~ponds~~ are the same as those found in ~~subrule~~ 62.2~~3~~(1) concerning secondary treatment with the exception of the SS standards~~, for suspended solids~~ which are as follows:

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

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

d. Less concentrated influent wastewater for separate sewers; lower percent removal or mass loading limit. 40 CFR §133.103(d) is adopted by reference~~The department may substitute either a lower percent removal requirement or a mass loading limit for the percent removal requirements in 62.23(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.

(1) The department may substitute either a lower percent removal requirement or a mass loading limit for the percent removal requirements in 62.2~~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. Subrule~~The requirements of~~ 62.2~~3~~(2)"d" ~~would~~ applies~~y~~ to facilities considered under this subrule. This subrule shall not be considered for facilities eligible for treatment equivalent to secondary treatment under 62.2~~3~~(3).

(2) Any applicant requesting a permit limit adjustment pursuant to this subrule must include as part of the request an analysis of the infiltration and inflow (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 department 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.

62.2(3)~~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.~~ 40 CFR §133.105 is adopted by reference. Treatment works shall be eligible ~~at any time~~ for consideration of effluent limitations described for treatment equivalent to secondary treatment in accordance with 40 CFR §133.101(g).~~If.~~ The pollutant measurement CBOD5 will be used in lieu of the pollutant measurement BOD5 as noted in 40 CFR §133.105(e).

Commented [30]: New 62.2(2)"b", "Industrial wastes" - Matches 40 CFR 133.103(b); replaced w/ CFR reference.

Commented [31]: "and POTWs; standard secondary adjustment" - Added for clarity.

Commented [32]: New 62.2(2)"c", Waste stabilization ponds - Existing text. Based on 40 CFR 133.103(c), but text doesn't match exactly & the values are not stated in the CFR.

Commented [33]: New 62.2(2)"d", "Less concentrated influent..." - Matches 40 CFR 133.103(d); replaced w/ CFR reference.

Commented [34]: "lower percent removal..." - Added for clarity.

Commented [35]: Old 62.2(3), "Treatment equiv. to secondary" - Matches 40 CFR 133.101(g) & 133.105. No Iowa facilities have limits based on this subrule; replace w/ CFR references.

Commented [36]: New 62.2(3), "The pollutant measurement CBOD5..." - Establishes that CBOD5 will be used in lieu of BOD5, which is current practice (see in old 62.3(3)"f") and is allowed in the CFR.

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—62.3~~62.4~~(455B) Federal ~~effluent and pretreatment~~ standards and effluent limitations.

62.3(1) *Federal effluent and pretreatment standards.* The following are adopted by reference: 40 CFR Part 125, Subparts H, I and J, and 40 CFR Parts 401 through 471.~~federal standards, 40 CFR, revised as of January 1, 2021, 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

Commented [37]: Old 62.2(3)"a", "The CBOD5 and SS effluent.." - from 40 CFR 133.101(g)(1). Replaced w/ CFR reference in new 62.2(3).

Commented [38]: Old 62.2(3)"b", "trickling filter..." - Matches 40 CFR 133.101(g)(2). Replaced CFR w/ CFR reference in new 62.2(3).

Commented [39]: Old 62.2(3)"c", "treatment works provide..." - Matches 40 CFR 133.101(g)(3). Replaced w/ CFR reference in new 62.2(3).

Commented [40]: Old 62.2(3)"d", "The facility..." - Obsolete; replace w/ reference to 40 CFR 133.101(g) & 133.105 in new 62.2(3).

Commented [41]: Old 62.2(3)"e", The treatment..." - Obsolete; replace w/ reference to 40 CFR 133.101(g) & 133.105 in new 62.2(3).

Commented [42]: Old 62.2(3)"f", "CBOD5 limitations" - Matches 40 CFR 133.105(e)(1). Replaced w/ CFR reference in new 62.2(3).

Commented [43]: Old 62.2(3)"g", SS limitations - Matches 40 CFR 133.105(b). Replaced w/ CFR citation in new 62.2(3).

Commented [44]: Old 62.2(3)"h", pH - Matches 40 CFR 133.105(c). Replaced w/ CFR reference in new 62.2(3).

Commented [45]: Old 62.2(3)"i", (1) & (2), "Permit adjustments" - Based on 40 CFR 133.105(f). Replaced w/ CFR reference in new 62.2(3).

Commented [46]: New 62.3(1), Federal effluent and pretreatment standards - old 62.4(1) to 62.4(71) are condensed into a short reference to 40 CFR Part 125 & Parts 401 - 471.

~~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)** *Dental office point source category.* The following is adopted by reference: 40 CFR Part 441.~~
~~**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; **ARC 6191C**, IAB 2/9/22, effective 3/16/22]~~

62.3(2) ~~**567—62.5(455B)**~~ *Federal toxic pollutant effluent standards.* **40 CFR Part 129** ~~The following~~ is

Commented [47]: "pollutant" - Correct terminology.

adopted by reference. ~~40 CFR Part 129.~~
~~[ARC 2482C, IAB 4/13/16, effective 5/18/16]~~

62.3(3) ~~**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~~ For discharges 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 62.3(1)~~4(1) and 62.4(3) to 62.4(71)~~.

~~*a.* There shall be established an~~ the department shall establish effluent limitations, pretreatment requirements, or both, that represent~~s~~ the best professional~~engineering~~ judgment ~~of the department of the degree of~~ for pollutant~~effluent~~ reduction, consistent with the CWA~~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]~~

62.3(4)~~**567—62.7(455B)**~~ *Effluent limitations less stringent than the effluent limitation guidelines.* 40 CFR Part 125 Subpart D is adopted by reference. ~~An effluent limitation less stringent than the effluent limitation guideline (adopted by reference in 567—62.3(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~~

Commented [48]: Old 62.6(1)"a", Average - Moved to definitions in new 60.2(1).

Commented [49]: Old 62.6(1)"b", Maximum - Struck. Chpt 60 now references 122.2 for the terms maximum daily discharge limitation and daily discharge.

Commented [50]: Old 62.6(1)"c", Best engineering judgment - No longer needed; not used in any of the chapters.

Commented [51]: Old 62.6(2), Time of compliance - Outdated. Technology-based BPJ limits must be met immediately because the CWA statutory deadline cannot be extended in a permit.

Commented [52]: Old 62.6(3), Effluent limitations - Subrule number and catchphrase are no longer needed, as this is now the only paragraph in this rule.

Commented [53]: Old 62.6(3), ...other than POTWs... - Redundant; the old 62.3 (new 62.2) is specifically for POTWs and semipublic systems.

Commented [54]: "professional" - Since permit writers aren't engineers, this should be "professional" for BPJ.

Commented [55]: Old 62.6(3)"b", "The following wastes..." - Prohibitions moved to new 62.1(3)"b" and new 62.1(4).

Commented [56]: Old 62.6(3)"b"(1), ".Wastes that create a fire..." - Prohibited in old 62.1(8)"a" (40 CFR 403.5(b)(1)); now cited in new 62.1(3)"b".

Commented [57]: Old 62.6(3)"b"(2), "Wastes at a flow rate..." - This is interference & pass through, which is already prohibited in old 62.1(7); is new 62.1(4).

Commented [58]: Old 62.6(4), "Pretreatment requirements..." - Redundant. Provides authority to establish pretreat requirements for incompatible wastes when there are no applicable federal standards. Already in old 62.8(3) (new 62.4(2)) and old 62.8(5) (new 62.4(3)).

Commented [59]: Old 62.6(4)"a" - "For sources that...". Requires DNR to adopt ELGs as pretreat standards if categorical standards haven't been promulgated. But, if categorical standards aren't promulgated for a certain source, the category doesn't apply. So, using ELGs as pretreat standards is more stringent than federal requirements.

Commented [60]: Old 62.6(4)"b", "For sources that..." - Redundant. Requires DNR to use BPJ to develop effluent limitations where there are no federal standards. But, is already in old 62.8(3) (new 62.4(2)) & old 62.8(5) (new 62.4(3)).

Commented [61]: New 62.3(4), Effluent limitations..." - Based on 40 CFR Part 125 Subpart D; replaced w/ CFR reference. Old 62.7.

~~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—62.4~~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.~~

62.4(1)~~62.8(2)~~ *Effluent limitations necessary to meet water quality standards (WQSs).* No effluent, alone or in combination with the effluent of other sources, shall cause a violation of any applicable ~~water quality standard~~WQS. 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 this chapter~~567—62.6(455B)~~ would cause a violation of WQSs~~water quality standards~~, the discharge will be required to meet the water quality-based effluent limits (WQBELs) necessary to achieve the applicable WQSs~~water quality standards~~ as established in 567—Chapter 61. ~~Any such WQBELs~~effluent limit shall be derived from a ~~the calculated~~ waste–load allocation (WLA) calculated for the discharge, as described in the Iowa Wasteload Allocation Procedure (WLAP) (Nov. 11, 2020)~~"Iowa Wasteload Allocation (WLA) Procedure," as revised on February 21, 2018~~, or a~~the~~ WLA~~waste load allocation~~ calculated for~~as required by~~ a TMDL~~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 "Iowa Wasteload Allocation (WLA) Procedure," as revised on February 21, 2018,~~ except that the daily sample maximum criteria for *E. coli* set forth in 567—Chapter 61 shall not be used as an end-of-pipe permit limitation.

62.4(2)~~62.8(3)~~ *Pretreatment requirements more stringent than categorical~~pretreatment~~ standards ~~or requirements~~.* The department or POTW~~the publicly owned treatment works~~ may impose pretreatment requirements more stringent than the applicable categorical~~pretreatment~~ standards in~~of~~ ~~567—~~62.3(1)~~4(455B)~~ when ~~or pretreatment requirements of 567—62.6(455B) if such~~ more stringent requirements are necessary to prevent violations of WQSs~~water quality standards~~, ~~interference, or~~ pass through, acute worker health or safety problems, or interference (including inhibiting or disrupting sludge use and disposal practices).

~~**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.~~

62.4(3)~~62.8(5)~~ *Effluent limitations for pollutants not covered by effluent or categorical ~~pretreatment~~ standards.* When a pollutant is~~An effluent limitation on a pollutant~~ not otherwise regulated under rules 567—62.2~~3~~(455B) through~~to~~ ~~567—~~62.3~~6~~(455B), ~~(e.g., polybrominated biphenyls, PBBs)~~ effluent limits or pretreatment requirements may be imposed on a case-by-case basis. ~~Such limitation shall be based on effect of the pollutant in water.~~

a. Effluent limits shall be based on the effect of the pollutant in water and the feasibility and reasonableness of treating the pollutant.

b. Pretreatment requirements shall be based on the effect of the pollutant in water, the effect on the receiving treatment works (including pass through, inhibition, worker safety, and sludge disposal), and the feasibility and reasonableness of treating the~~such~~ pollutant.

Commented [62]: Old 62.8(1), "Effluent limitations..." - Outdated; predates 455B.173(2)(b) regarding the promulgation of effluent standards.

Commented [63]: Rule citations - replaced w/ "this chapter" for brevity.

Commented [64]: "WLAP" - correcting WLAP citation & date.

Commented [65]: "The translation of waste load..." - Redundant.

Commented [66]: "categorical" - This is the correct terminology.

Commented [67]: "interference" - See new text at end of sentence.

Commented [68]: New 62.5(2), "acute worker health..." - Clarifies that these are situations where additional requirements may be necessary. Not new; 40 CFR 403.5(b) prohibits discharges that cause such problems; & definition of interference includes negative effects to sludge disposal.

Commented [69]: Old 62.8(4), "Effluent limits...in approved areawide..." - Obsolete; are no more 208(b) approved areawide waste treatment management plans.

Commented [70]: "categorical" - This is the correct terminology.

Commented [71]: "When a pollutant..." - rewording text for clarity.

Commented [72]: "e.g., polychlorinated..." - examples are not necessary.

Commented [73]: "Such limitation..." - replaced by new "a" below (new 62.4(3)"a").

Commented [74]: New 62.4(3)"a" and "b" - New text; existing requirements. Distinguishes between effluent limits (direct dischargers) & pretreat requirements (indirect dischargers). Specifies that requirements may be established to protect various aspects of a treatment works.

~~**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; **ARC 3583C**, IAB 1/17/18, effective 2/21/18]~~

~~**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—62.5~~10~~(455B) Effluent reuse.

62.5(1) *Manner of reuse.* Treated final effluent may be reused in a manner noted in this rule~~62.10(1)~~ or as specified in an~~the~~ NPDES permit.

62.5~~10~~(~~1~~2) *Reuse for golf course irrigation.* Treated final effluent may be reused for golf course irrigation if one of the conditions described in *"a"* and all of the conditions in *"b"* are met.

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

(1) A minimum total residual chlorine (TRC) 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 golf course 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~~ public 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.~~

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

These rules are intended to implement Iowa Code chapter 455B, division III, part 1.

~~[Filed 5/10/66; amended 11/8/71]~~
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~~[Filed without Notice 9/22/95—published 10/11/95, effective 11/15/95]~~
~~[Filed without Notice 9/20/96—published 10/9/96, effective 11/13/96]~~

Commented [75]: Old 62.9, Disposal of pollutants into wells - Outdated. The disposal of pollutants into wells is covered by the federal Underground Injection Control (UIC) law. The Iowa groundwater protection laws & the federal UIC law were effective in 1983. There is no Iowa or federal code supporting this provision. Also, a waiver is needed from this rule each time EPA permits a UIC well in Iowa.

Commented [76]: New 62.5(1) - New subrules added so that this rule can be expanded as needed.

Commented [77]: New 62.5(2), " Reuse for golf course irrigation" - Existing text. Based on old Policy/Procedure Statement (PIG) 5-b-08, which cited 455B.186 as its basis.

Commented [78]: "All of the four..." - Replaced by new "all of the conditions" text in new 62.5(2).

~~[Filed without Notice 9/19/97—published 10/8/97, effective 11/12/97]~~
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~~[Filed ARC 8214B (Notice ARC 7853B, IAB 6/17/09), IAB 10/7/09, effective 11/11/09]~~
~~[Filed ARC 2482C (Notice ARC 2353C, IAB 1/6/16), IAB 4/13/16, effective 5/18/16]~~
~~[Filed ARC 3583C (Notice ARC 3202C, IAB 7/19/17), IAB 1/17/18, effective 2/21/18]~~
~~[Filed ARC 6191C (Notice ARC 6041C, IAB 11/17/21), IAB 2/9/22, effective 3/16/22]~~