

## NPDES Permits 101

### What is an NPDES permit?

In 1972, Congress enacted the National Pollutant Discharge Elimination System (NPDES) as part of the federal Clean Water Act. The NPDES program requires that all entities have an NPDES permit if they discharge pollution into Washington State waters. The permit describes:

- What the discharger must do to protect water quality.
- The types of monitoring and reporting the discharger must perform.
- Limits on how much pollution can be discharged to maintain water quality.

Originally, the NPDES program included only “individual” permits. An individual permit is written for a specific discharge at a specific location. An individual permit is highly tailored to regulate the pollutants in the discharge. This can be a very time-consuming process for both the permit holder and for the Department of Ecology (Ecology).

In 1979, the Environmental Protection Agency (EPA) created a class of permits called “general” permits. The EPA authorized Washington State to use the general permit approach in September 1989. In 1990, Congress amended the Clean Water Act to require permits for stormwater discharges, further expanding the universe of discharge requiring permits. EPA and the state viewed general permits as the only practical way to deal with the large number of facilities that would soon require a stormwater permit.

### Individual permits versus general permits

General permits provide efficient and effective permitting of wastewater discharges. Ecology’s ability to provide permit coverage to an expanding universe of dischargers depends on the success of the general permit program.

The general permit approach produces a permit for a group of similar dischargers at diverse locations. Once issued, many facilities can be covered under a single general permit quickly and efficiently. A general permit is appropriate when the characteristics of the discharge are similar and a standard set of permit requirements can effectively provide environmental protection. To develop a general permit, Ecology collects information about typical pollutants and discharge conditions from the targeted group and sets permit requirements to regulate this generalized set of pollutants and discharges. It will typically take about two years to write a general permit.

In 1990 Ecology administered about 1,000 individual permits. The overall backlog rate was approximately 55 percent. After Ecology issued its first general permit in 1990, the Fish Hatchery General Permit, the number of individual permits declined to around 800, but the number of dischargers under general permits has risen to approximately 5,559. This is an increase of about 556 percent. The overall backlog rate has dropped to less than 10 percent. During the same time, staff devoted to permitting activities has risen from around 80 to 120, or an increase of 150 percent. Today, approximately 30 staff administer general permits.

**Issues concerning general permits**

General permits are successful at bringing many dischargers into compliance. This success has not been without controversy. Some complain that general permits over-regulate permit holders because they include requirements that do not apply equally to all dischargers. Others complain that general permits under-regulate dischargers because they do not require enough controls to meet site-specific environmental issues. Ecology resolves the tension between these two concerns by increasing the application of site-specific permit considerations when feasible. However, this erodes the benefits of the general permit approach, including the timesaving that allows the efficient permitting of a large number of dischargers.

While general permits reduce the time it takes to issue permit coverage to a discharger, they do not reduce the time it takes Ecology staff to process reports, answer questions, conduct site inspections, provide technical assistance, or take enforcement actions.

Individual attention to a specific discharger is the same whether that discharger has an individual permit or coverage under a general permit. Even small commitments of time add up quickly. Ecology conducts inspections for most dischargers a little less than annually. Ecology places its priority on investigating complaints, and to sites where monitoring reports submitted to Ecology indicate there may be problems. Targeting the highest-risk sites provides a manageable approach to assuring environmental protection under general permits.

The Cost of Doing Business for 5,600 General Permit Holders	
A 10-minute task such as receiving <b>and</b> filing paperwork:	900 hours or about ½ full time staff
A two-hour task such as reviewing a report:	10,400 hours or about 5 full time staff
An eight-hour task such as a site inspection and follow-up report:	41,600 hours or about 20 full time staff

While general permits do not fit every discharger perfectly, collectively they provide broad environmental protection. They provide a practical approach to regulating a very large number of dischargers at a relatively reasonable cost.

**Contacts**

For more information about general permits, please contact Julie Robertson at [julie.robertson@ecy.wa.gov](mailto:julie.robertson@ecy.wa.gov) or at 360-407-6575.

For a listing of all of Ecology’s general permits, see [www.ecy.wa.gov/programs/wq/permits/genpermits.html](http://www.ecy.wa.gov/programs/wq/permits/genpermits.html)

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