

10 DECEMBER 2003



Civil Engineering

WATER QUALITY COMPLIANCE

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(Colonel Patrick Daly)

Supersedes AFI 32-7041, 13 May 1994

Pages: 26

Distribution: F

Air Force Instruction (AFI) 32-7041 implements Air Force Policy Directive (AFPD) 32-70, *Environmental Quality*. It provides details of the Air Force Water Quality Compliance Program. It applies to all permanent Air Force installations and facilities generating, collecting, treating, reusing, and disposing of domestic and industrial wastewater, storm water, non-point source runoff, biosolids, and water treatment residuals, including disposal by underground injection. It explains how to assess, attain, and sustain compliance with the Clean Water Act (CWA); other Federal, state and local environmental regulations, Final Governing Standards (FGS), or the Overseas Environmental Baseline Guidance Document (OEBGD), applicable international agreements, and related Department of Defense (DoD) and Air Force directives. For DoD components at installations outside the United States, its territories, and possessions, i.e. overseas, implement the applicable portions of this AFI in accordance with international agreements and the applicable FGS or Environmental Governing Standards or, in their absence, the OEBGD. Any paragraph identified with an asterisk (*) does not apply to overseas installations. See AFI 32-7006, *Environmental Program in Foreign Countries* for additional environmental guidance for overseas installations. Unless otherwise noted, the guidance and procedures outlined in this instruction apply to all Air Force installations within the United States, its territories, and in foreign countries. Additionally, this AFI applies to the Air Force Reserves, the Air National Guard, Government Owned-Contractor Operated facilities, and Direct Reporting Units (DRU) and Field Operating Agencies (FOA) not located on Air Force installations. All records created by this AFI will be maintained and disposed of in accordance with Air Force Manual (AFMAN) 37-139, *Records Disposition Schedule*. Send comments and suggested improvements on Air Force (AF) Form 847, **Recommendation for Change of Publication**, through channels, to Headquarters, United States Air Force, Deputy Chief of Staff for Installations and Logistics, Environmental Division (HQ USAF/ILEV), 1260 Air Force Pentagon, Washington, D.C. 20330-1260. Any organization may supplement this instruction. Major Commands (MAJCOM), FOA and DRU send one copy of each supplement to HQ USAF/ILEV; other commands send one copy of each supplement to the next higher headquarters. See **Attachment 1** for a glossary of references and supporting information.

SUMMARY OF REVISIONS

This document is substantially revised and must be completely reviewed.

This is the second publication of AFI 32-7041, revising the initial 1994 publication. This change provides further detail regarding responsibilities (paragraph 1.3.); reorganizes **Chapter 2** and provides updated information on existing paragraphs; adds responsibilities related to Air Force Owned and Operated Domestic Wastewater Systems (paragraph 2.4.), Cross-Connections and Illicit Discharges (paragraph 2.7.), Inflow/Infiltration (paragraph 2.8.), Industrial Wastewater (paragraph 2.9.), Watershed Management (paragraph 2.13.), and Biosolids and Industrial Sludge Disposal (paragraph 2.14.); provides current references to the automated civil engineering systems (paragraph 3.7. and 3.8.); adds references to **Attachment 1**; and adds a description of DoD Instruction (DoDI) 4715.5 (paragraph A2.5.).

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Chapter 1

HOW TO USE THIS INSTRUCTION

1.1. Background. The Air Force Water Quality Compliance Program identifies essential Air Force requirements, Air Force actions to attain and sustain compliance with the Clean Water Act (Title 33, United States Code (U.S.C.) sections 1251-1387) and all applicable Federal, state, and local water quality regulations, and the Final Governing Standard (FGS) or Overseas Environmental Baseline Guidance Document (OEBGD) where no FGS exists.

1.2. Concept. This instruction sets up a framework for all Commands to use in complying with water quality requirements and Air Force Policy Directive (AFPD) 32-70, *Environmental Quality*. All references to Commands in this Air Force Instruction (AFI) include the Air National Guard Readiness Center and other agencies that Headquarters, U.S. Air Force designates as "Major Command equivalent." Commands will provide administrative and technical support to assist installations in compliance with Air Force policies and regulatory requirements.

1.3. Responsibilities.

1.3.1. The Deputy Assistant Secretary of the Air Force for Environment, Safety and Occupational Health (SAF/IEE) promulgates and oversees policy for water quality compliance.

1.3.2. The Civil Engineer (HQ USAF/ILE) develops policy, allocates resources, and oversees execution of water quality compliance programs throughout the Air Force.

1.3.3. Air Force Center for Environmental Excellence (AFCEE), upon request, provides environmental technical support and guidance, contracting services, and training to address environmental compliance.

1.3.3.1. AFCEE Regional Environmental Offices, upon request, represent the Air Force to Federal, regional, state and local environmental regulators, facilitate application of consistent environmental standards across regions, advise and assist Commands and installations on regulatory issues, and monitor water quality initiatives in Environmental Protection Agency (EPA) regions and states.

1.3.4. Air Force Civil Engineering Support Agency (AFCESA) provides criteria, standards, guidance, and technical support for storm water and wastewater system planning, design, construction, operations, maintenance, and contract management services to the Air Staff, Commands, Direct Reporting Units (DRUs), and installations as requested.

1.3.5. Major Commands (MAJCOM) should provide additional policy and execution guidance supplemental to this AFI, and shall oversee implementation of water quality compliance programs at their installations.

1.3.6. The Air Force Legal Services Agency/Environmental Law and Litigation Division (AFLSA/JACE), including the Regional Environmental Counsels, provides legal guidance to Air Staff and Commands. Installation Judge Advocate (JA), in close coordination with Civil Engineer (CE), will lead the negotiation team efforts on compliance issues, such as enforcement actions (EA), Federal Facility Compliance Agreements (FFCA), Total Maximum Daily Loads (TMDL), and permit applications, with regulators. For overseas locations, follow the policy established in the Department of

Defense Instruction (DoDI) 4715.5, *Management of Environmental Compliance at Overseas Installations*, OEBGD, or FGS. Negotiations, which will result in formal settlement agreements, should only occur after consultation through your MAJCOM with the Department of Defense (DoD) Environmental Executive Agent (EEA).

1.3.7. The Air Force Surgeon General (AF/SG) sets policy, provides manpower resources, for Medical Services Environmental Programs and advocates for sampling, analysis, and monitoring requirements.

1.3.8. Air Force Institute for Operational Health (AFIOH) provides Environment, Safety, and Occupational Health (ESOH) risk analysis, health surveillance, environmental quality technical support, and contract management services to the Air Staff, Air Force Medical Support Agency (AFMSA), Field Operating Agency (FOA), DRU, Commands, and installations as requested.

1.3.9. The DoD EEA represents DoD (DoDI 4715.6, *Environmental Compliance*) for environmental matters in the countries they are designated as such. The EEA is responsible for determining applicability of new Host Nation (HN) laws, incorporating the new laws into the FGS, represent DoD to HN environmental regulators, establish consistent environmental standards for all DoD components within the particular HN, coordinate with other DoD EEAs to avoid setting a precedent within the theater, and provide guidance to installations and other DoD components operating within the HN on regulatory and new HN law issues.

1.3.10. Installation Commanders will:

1.3.10.1. Ensure that proper water quality management is emphasized to appropriate installation personnel.

1.3.10.2. Ensure that enforcement actions or notices of violations are promptly reported, tracked and managed as provided in AFI 32-7047, *Compliance Tracking and Reporting*.

1.3.10.3. Ensure that the installation water quality program is managed in accordance with all applicable Federal, state, and local requirements.

1.3.10.4. Establish a cross-functional Storm Water Pollution Prevention Program team.

1.3.11. Installation Civil Engineering Environmental Flight (CEV). Installation CEV has overall management responsibility of the installation's environmental program. CEV is the installation commander's organization for ensuring that the water quality management programs are in compliance with all applicable Federal, state, and local requirements. Note that some installations have an Environmental Management (EM) organization that performs and implements all the necessary functions as CEV. CEV will:

1.3.11.1. Act as the liaison office for water quality compliance issues with regulatory agencies.

1.3.11.2. Identify and request needed environmental sampling, analysis, and monitoring to support water quality compliance programs at its installation.

1.3.11.3. Develop and submit funding requests for water quality requirements, regardless of fund source.

1.3.11.4. Establish local procedures and provide technical expertise with regard to water quality management requirements.

1.3.11.5. Oversee proper programming and recordkeeping and reporting procedures.

- 1.3.11.6. Provide education and training, to include a shop level training program to meet CWA requirements, as needed.
- 1.3.11.7. Review all permits and permitting requirements to ensure that installations are currently in compliance.
- 1.3.11.8. Coordinate with Civil Engineering Flight (CEC) to ensure that the MAJCOM project manager or construction agent for Military Construction (MIL-CON) projects prepares and submits all necessary environmental permits including storm water construction permits using MIL-CON funds and pay related fees from the project funds.
- 1.3.12. Hazardous Material (HAZMAT) Emergency Planning and Response Teams. Ensure HAZMAT teams have adequate preparation and necessary resources for responding to emergency releases in accordance with AFI 10-2501, *Full Spectrum Threat Response (FSTR) Planning and Operations* (see Air Force Manual (AFMAN) 32-4013, *Hazardous Materials Emergency Planning and Response Guide* for additional guidance).
- 1.3.13. Installation Staff Judge Advocate (JA). Installation JA will:
- 1.3.13.1. Review for legal sufficiency the CWA compliance program including National Pollutant Discharge Elimination System Permits (NPDES) permits, the installation Spill Prevention, Control and Countermeasures (SPCC) and related documents pertaining to water quality management and funding.
 - 1.3.13.2. Provide legal advice on local water quality compliance issues in coordination with MAJCOM/JA.
 - 1.3.13.3. Assist in negotiating realistic interim discharge standards and an achievable schedule for short-term corrective measures and long-term compliance, in close coordination with CE.
 - 1.3.13.4. Review draft permits and provide comments prior to submission to regulatory agency.

Chapter 2

WASTEWATER AND STORM WATER COLLECTION, TREATMENT AND DISPOSAL COMPLIANCE

2.1. Water Quality Compliance Program. A water quality compliance program must be established at all Air Force installations to assess, attain, and sustain compliance with applicable Federal, state and local water quality regulations and permits. All references to NPDES permits in this AFI include wastewater permits issued by Federal, state and local regulatory agencies. For overseas installations, all references to “NPDES permits” refer to wastewater discharge permits issued by recognized HN local governments or authorities in accordance with standards set by the FGS, or if no FGS exists, the OEBGD. See [Attachment 2](#) for brief descriptions of the applicable Federal regulations.

2.2. NPDES Permits. For overseas installations, water quality-like permits may be found under the OEBGD (Chapter 4), FGS (Chapter 4), and/or HN operating permit.

2.2.1. Installations must comply with all NPDES permit requirements. Failure to comply may result in legal enforcement actions.*

2.2.2. Storm Water Discharges.

2.2.2.1. Industrial activities. Unless exempted, coverage under an NPDES permit is required for discharge of storm water associated with industrial activities into waters of the United States. Storm water discharges associated with industrial activities are listed in Title 40, Code of Federal Regulations (CFR), section 122.26(b)(14).*

2.2.2.1.1. For stateside locations, NPDES storm water discharge permittees must develop and implement a Storm Water Pollution Prevention Plan (SWPPP) within Federal and state regulatory time limits (40 CFR 122.26 and 123.25). For overseas locations, the FGS or OEBGD also require the development and implementation of a SWPPP. Develop and implement Best Management Practices (BMPs) to eliminate and reduce pollutants. Pursue non-structural BMPs before considering structural BMPs. Ensure BMPs are achievable and cost effective. The BMPs and other requirements written into the SWPPP are enforceable.

2.2.2.1.2. Each regulated installation shall establish a cross-functional Storm Water Pollution Prevention Program team to develop and implement storm water management programs that effectively reduce or prevent the discharge of pollutants into receiving waters and manage the installation’s Storm Water Pollution Prevention Program. The SWPPP team should include, at a minimum, CE, Bioenvironmental Engineering (BE), JA, and Public Affairs (PA). Based on installation-specific needs, additional organizations that have an impact on storm water should also be included in the SWPPP team.*

2.2.2.1.3. The SWPPP must identify potential sources of pollutants in runoff from industrial activities that could affect the quality of storm water that an installation discharges.

2.2.2.1.4. Permittees shall perform and document annual storm water site compliance evaluations.

2.2.2.2. Regulated Construction Activities. Construction activities disturbing one (1) or more acres in aggregate require a completed SWPPP and the timely submission of a Notice of Intent (NOI). The project manager should review the construction activities to determine whether

exemptions to submitting an NOI are available. Attention should be given to permitting authority-specific requirements such as: parties required to submit a NOI, signatory authority, keeping a copy of the plan on-site, and statutory waiting period after submission of the NOI before construction can begin. For overseas locations, coordinate with your construction agent to comply with any FGS requirements.

2.2.2.2.1. Upon final stabilization of construction site, permittee shall submit a Notice of Termination (NOT) to the permitting agency.*

2.2.2.3. Small Municipal Separate Storm Sewer Systems (MS4). Installations are automatically regulated as Small MS4s if they are located within an Urbanized Area (UA), designated by the Bureau of the Census. Installations should consult with JA to determine whether the installation is required to comply with MS4 requirements. Under some conditions, the regulatory agency may designate installations not located in a UA for MS4 permit coverage.*

2.2.2.3.1. Regulated small MS4s must submit an NOI and a 5-year storm water management plan (SWMP) to obtain coverage under a small MS4 NPDES storm water permit. The SWMPs must address minimum control measures, along with measurable goals, as stated in the current EPA Phase II Rule (64 *Federal Register* (FR) 68722, December 8, 1999) or applicable state or local MS4 permit requirements. The development, implementation and management of the SWMP are the responsibility of the Storm Water Pollution Prevention Team (See paragraph [2.2.2.1.2.](#)).

2.2.2.3.2. Regulated installations must submit an annual program status report to the appropriate regulatory agency, as stated in the current EPA Phase II Rule or applicable state or local MS4 permit requirements.

2.2.3. Wastewater Discharges.

2.2.3.1. Discharges from Federally Owned Treatment Works (FOTWs). Wastewater point source discharges into waters of the U.S. require NPDES permits. Permitted discharges must comply with wastewater permit conditions, including sampling, analysis, record keeping, and timely submission of Discharge Monitoring Reports (DMR) to the regulatory authority. Overseas wastewater treatment plants (WWTP) under U.S. control must follow local wastewater discharge permit requirements, if issued, or applicable FGS or OEBGD discharge standards.

2.2.3.2. Discharges to Publicly Owned Treatment Works (POTWs) and HN Treatment Facilities. Installations that discharge to permitted POTWs are considered as secondary dischargers and are regulated by the POTW authority. They must comply with applicable POTW regulations, permits, and contractual agreements. Overseas installations discharging to local or regional treatment plants must comply with applicable standards in the FGS or OEBGD.

2.2.3.3. Permits. When first applying for or renewing a permit, installations will review the draft permit requirements proposed by the regulatory agency to ensure they are reasonable and achievable. If conditions in a draft permit could be amended to better suit Air Force needs, or are unacceptable or unachievable, negotiate these issues in close coordination between installation JA and CE. Overseas locations coordinate with your MAJCOM for consultation with the DoD EEA.

2.2.3.4. Water Treatment Residuals Disposal. A NPDES permit must cover direct discharges from swimming pool filter backwash water and water treatment residuals, including sludge and process wastewater from drinking water treatment plants, into waters of the United States.*

2.2.4. Report water quality enforcement actions in accordance with AFI 32-7047. Resolve all NPDES or HN permit violations within the regulatory agency's time frame. Maintain records of written correspondence and oral communication with the regulators in accordance with AFI 32-7047. Develop a management action plan, coordinate it with the regulatory agency, and resolve outstanding deficiencies in a timely manner.

2.3. Federal Facility Compliance Agreements (FFCA).*

2.3.1. The installation JA will negotiate realistic interim discharge standards and an achievable schedule for short-term corrective measures and long-term compliance, in close coordination with CE.

2.3.2. An executed FFCA does not eliminate current noncompliance; it only temporarily allows discharges to exceed certain permit conditions.

2.3.3. Failure to comply with FFCAs may lead to additional enforcement actions.

2.4. Air Force Owned and Operated Domestic Wastewater Treatment Systems.

2.4.1. Plan, program, and execute routine operations and maintenance through the installations Sustainment, Repair and Modernization (SRM) program to prevent failure and noncompliance of wastewater systems.

2.4.2. Installations should develop pretreatment standards, if required, for wastewater discharges to satisfy pretreatment requirements. See 40 CFR 403 through 471.

2.4.3. Projects to upgrade, modify or replace wastewater systems must obtain applicable construction, wetlands, and NPDES permits. Required permits must be obtained from appropriate regulatory agencies prior to commencing construction and before starting plant operations.

2.4.3.1. Installations should consider performing an Operations, Maintenance, Training, and Assistance Program (OMTAP) engineering analysis before programming wastewater system upgrades. For further detail on the OMTAP, see AFCESA A-GRAM 0-25, *OMTAP Program for Drinking Water and Wastewater Treatment Plants*, October 2001.

2.4.3.2. Projects to upgrade, modify or replace wastewater plants must include on-the-job operator training and development of new or revised operations and maintenance manuals.

2.4.4. Wastewater treatment plant and collection system operators must be certified in accordance with state and local requirements (see AFI 32-1067, *Water Systems*). Overseas requirements are specified by applicable FGS or OEBGD requirements.

2.4.5. Connect to a regional wastewater treatment system if connection costs will not be more than 25 percent above the life-cycle cost of the alternatives.

2.5. Wastewater Lift Stations. Lift stations must continue to operate during power failures and have redundant pumps to provide adequate pumping capacity for handling the maximum wastewater flow when one pump is out of service.

2.5.1. Major lift stations require two independent power sources at each station such as standby or portable power generators. Provide standby power in accordance with Military Handbook (MIL-HDBK) 1005/16, *Wastewater Treatment System Design Augmenting Handbook*, 31 October

1997, which refers to U.S. Army Corps of Engineers, Engineering Instructions (EI) 11C201, *Wastewater Collection and Pumping*, 1 March 1997, Chapter 9-7, titled "Standby Power."

2.5.2. For lift stations located in low lying areas, or in areas remote from a treatment plant, provide standby power connection point capability to prevent flooding of lift station, overflows at sewer man-holes, backup of wastes into buildings, or any unauthorized discharges of untreated wastewater.

2.5.3. For lift stations located at or in conjunction with treatment facilities, such as those required for influent pumping, recycling or bypassing of flows, and pumping of effluent, provide standby power capability if the pumping is essential to critical treatment processes, plant flow control, or is necessary to maintain compliance with the discharge permit.

2.5.4. Lift stations must have audible and visual alarms at each pump station to alert maintenance staff of pump failures. Include equipment to transmit alarm signals to a central monitoring point, if possible. Install backup batteries or other emergency power sources to retain alarm data during power failures.

2.5.5. Repair or replace failed pumps expeditiously to maintain redundancy.

2.6. Prohibition of Bypasses. Federal and some FGS regulations prohibit piped connections, overflow devices and intentional bypasses that directly discharge untreated wastewater into waters of the United States or the host nation, except under limited circumstances (see 40 CFR 122.41(m)(4) and (m)(2)). Wastewater collection systems and pumping stations must not bypass nor allow overflow into storm sewers or surface water. Notify regulatory authorities of an overflow event within 24 hours of discovery or in accordance with local, state, or other reporting requirements (see AFI 10-2501). For overseas locations, comply with applicable FGS or OEBGD requirements.

2.6.1. Unpermitted combined sewer overflows are prohibited and shall be eliminated. Air Force installations must program to eliminate combined sewer systems.

2.7. Cross-Connections and Illicit Discharges. Discharges of non-storm waters into storm sewer systems are prohibited under the general storm water discharge permit, except under specific circumstances. Eliminate cross-connections between wastewater and storm sewer systems and illicit connections of floor drains and oil/water separators to the storm sewer system to prevent prohibited discharges.

2.8. Inflow/Infiltration. Minimize infiltration and inflow to wastewater collection systems.

2.9. Industrial Wastewater. Strictly control the discharge of industrial wastewater and other prohibited waste from entering into domestic wastewater or other non-industrial sewer systems and storm sewer systems. Minimize or eliminate industrial wastewater generation through implementation of BMPs and pollution prevention principles.

2.9.1. Unauthorized discharges of certain types of industrial wastewaters through drains to domestic wastewater collection systems are prohibited. For discharges to POTWs, contact the facility manager for clarification.

2.9.2. Flammable or explosive materials or wastes shall not be discharged into domestic wastewater collection systems.

2.9.3. Pretreat regulated industrial wastewater to acceptable levels before discharge to a domestic wastewater or other non-industrial sewer systems. Pretreat other industrial wastewater, such as toxic,

flammable, and corrosive wastes to remove these characteristics before discharge into a domestic wastewater system. See 40 CFR 403, *General Pretreatment Regulations for Existing and New Sources of Pollution*. For overseas installations, comply with applicable FGS or OEBGD requirements. Pretreat regulated industrial wastewater discharges to FOTWs or HN wastewater systems per applicable permit requirements.

2.9.4. Collect and manage industrial wastewater as a hazardous waste per AFI 32-7042, *Solid and Hazardous Waste Compliance*, if regulations prohibit discharging such wastewater into domestic wastewater or other non-industrial sewer systems and pretreatment is not practical.

2.10. Oil/Water Separators (OWS).

2.10.1. Do not install any new OWSs until all alternatives have been evaluated (see *Multiservice Oil/Water Separator Guidance Document*, SFIM-AEC-EQ-CR-200010).

2.10.2. Perform an OWS survey to locate all existing OWSs, evaluate their necessity, and identify opportunities to consolidate or eliminate OWSs. Implement pollution prevention principles and use BMPs to minimize the requirement for OWSs.

2.10.3. Eliminate unauthorized waste discharges. Plug floor drains, where feasible, to eliminate potential illicit discharge points. Do not intentionally discharge or dispose of fuel, oil, grease, oily waste, solvents, cleaning compounds, corrosion-control facility waste, or other contaminants into OWSs. An OWS shall not be used as a containment device.

2.10.4. New in-ground separators, including associated oil recovery tanks, must be installed over a double liner or have double walls and be equipped with a leak detection system. Separate oil recovery tanks may be regulated as underground storage tanks and must comply with applicable local, state, and federal underground storage tank regulations. Note also that some states regulate oil water separators.

2.10.5. Perform regular scheduled inspections and maintenance of all OWSs.

2.10.6. Obtain an appropriate NPDES or HN wastewater discharge permit if a non-storm water discharge from an OWS to a wastewater treatment plant is not possible.

2.11. Aircraft Maintenance. Many routine aircraft maintenance operations produce hazardous wastes classified as such under the Resource Conservation and Recovery Act (see AFI 32-7042, *Solid and Hazardous Waste Compliance*). For overseas installations, comply with FGS or OEBGD criteria for Solid Waste (Chapter 7) and Hazardous Waste (Chapter 6). Minimize the generation of hazardous wastes through pollution prevention techniques. Either:

2.11.1. Pretreat wastewater from these operations before discharging them to wastewater treatment plants according to Federal, state, and local pretreatment requirements (see paragraph 2.9.3.), or

2.11.2. Manage these substances as hazardous waste (see AFI 32-7042).

2.12. Spill Plans (see 40 CFR 112.3). Implement SPCC plan requirements including release reporting according to AFI 10-2501 and AFI 32-7080, *Pollution Prevention Programs*. Develop and implement Facility Response Plans (FRP), if required. Overseas installations, also comply with FGS or OEBGD criteria for overseas spill compliance (Chapter 18).

2.13. Watershed and Wetlands Management.*

2.13.1. Watershed Management. At least annually review the CWA Section 303(d) state listing to determine if the facility is discharging to impaired waterbodies (See Joint Services Watershed Assessment Protocol, Installation Assessment and Planning Guidance). If so:

2.13.1.1. Assess whether point and non-point source discharges are contributing to impairments in the waterbody and watershed.

2.13.1.2. Actively participate as a stakeholder in the state TMDL development process.

2.13.1.3. Develop a TMDL compliance program (See 40 CFR 130).

2.13.2. Wetlands Permits. Obtain a permit from the U.S. Army Corps of Engineers for discharging dredged or fill material in wetlands and other bodies of water. (CWA Section 404).

2.14. Biosolids and Industrial Sludge Disposal.

2.14.1. NPDES permitted FOTW must comply with 40 CFR 503, *EPA Standards for the Use or Disposal of Sewage Sludge*, including obtaining permits for land application, surface disposal, or incineration of sewage sludge. If cost effective, land application is the preferred disposal method.*

2.14.2. Title 40 CFR 503 does not apply to treated industrial wastewater sludge or sludge disposed in a municipal solid waste landfill if these sludges comply with 40 CFR 258, *EPA Criteria for Municipal Solid Waste Landfills*.*

2.14.3. For overseas locations, comply with the FGS or the OEBGD (Chapter 4).

2.15. Subsurface Disposal. Obtain permits or registrations under the Federal Underground Injection Control (UIC) program and applicable state programs for subsurface wastewater disposal (40 CFR 144). For overseas installations, comply with the FGS or the OEBGD (Chapter 4) requirements. Regulated disposal includes: injection wells, infiltration basins, and septic systems serving multiple housing units or large remote buildings.

2.15.1. Industrial wastewater shall not be discharged to septic systems.

2.15.2. When feasible or when required to comply with local ordinances, connect septic systems to POTWs or domestic wastewater systems.

2.15.3. Comply with state or local regulations regarding septic systems.

2.15.4. New EPA rule prohibits the construction of large capacity cesspools and motor vehicle waste disposal wells as of April 2000 (64 FR 68545, December 7, 1999). In addition, existing cesspools of the same types are required to be phased out by April 2005.

2.16. Wastewater and Storm Water Reuse.

2.16.1. Encourage wastewater treatment plant effluent and storm water reuse for aquifer recharge and irrigation. Such applications must comply with applicable Federal, state, or host nation (in accordance with the FGS or OEBGD) regulations.

2.17. Land Application of Reclaimed Water and Biosolids by Non-DoD Agencies. MAJCOMs should perform critical review and address potential compliance burden including future cleanup liabilities that may result from the application of treated wastewater effluent and biosolids.

Chapter 3

ASSESSING THE PROGRAM

3.1. General.

3.1.1. Assess the Water Quality Compliance Program status by reviewing NPDES and other permits, monitoring data, plans, and final water regulations including:

3.1.1.1. Discharge Monitoring Reports.

3.1.1.2. Federal, state, local and host nation (in accordance with the FGS or OEBGD) inspection reports and enforcement actions.

3.1.1.3. Internal and External Environmental Compliance Assessment and Management Program (ECAMP) reports.

3.1.1.4. Automated Civil Engineering System-Environmental Management (ACES-EM).

3.1.1.5. Plans (such as SPCC plans, FRP, SWMP and SWPPP).

3.1.1.6. Review and assess impact of proposed and final water regulations.

3.2. Permits.

3.2.1. Review all permits to ensure that installations currently comply with permit requirements.

3.2.2. Ensure:

3.2.2.1. MAJCOMs and installation JAs and Bioenvironmental Engineers review draft permits and provide comments prior to submission to regulatory agency.

3.2.2.2. Installations meet noncompliance reporting requirements.

3.2.2.3. Construction manager submits timely NOI or HN equivalent to be covered under storm water construction permit.

3.2.2.4. Construction manager submits NOT or HN equivalent upon final stabilization of construction site.

3.2.2.5. Environmental Flight/Environmental Management submit NPDES wastewater discharge permit renewal application by certified mail at least 180 days before permit expiration date.*

3.3. Data Quality. Review and ensure that the quality of data generated by monitoring activities meets regulatory requirements.

3.3.1. Ensure personnel:

3.3.1.1. Use laboratories certified by the appropriate regulatory agency.

3.3.1.2. Use EPA Approved analytical methods that the permit specifies.

3.3.1.3. Collect samples using approved procedures within specified holding times.

3.3.1.4. Maintain accurate records.

3.4. Discharge Monitoring Reports (DMR). Review DMRs monthly to ensure permit compliance, correct preparation and timely submittal of reports. For overseas installations, a monthly operations report should be reviewed by the MAJCOM.

3.4.1. Compare DMRs or operations reports with the criteria/standards specified in the discharge permit.

3.4.2. Explain causes and take corrective actions within 30 days for noncompliance with the permit standards.

3.4.3. DMRs must be signed by the responsible official defined in the NPDES permit or delegated individual.*

3.4.4. Submit DMRs to the permitting authority according to the schedule that the discharge permit specifies by registered mail or electronic mail, if acceptable, to guarantee a record of on-time arrival.*

3.5. Regulatory Agency Noncompliance Actions. Review management action plans to ensure that outstanding Open Enforcement Actions (OEA) are resolved within the required time frames. Review the response to regulatory agency inspection findings to ensure that timely corrective actions are taken.*

3.6. Environmental Compliance Assessment and Management Program (ECAMP). Use ECAMPs to assess compliance with water quality requirements according to AFI 32-7045, *Environmental Compliance Assessment and Management Program*.

3.7. Automated Civil Engineering System-Program Management (ACES-PM). Use ACES-PM to plan, program, and budget requirements for water quality compliance.

3.8. Automated Civil Engineering System-Environmental Management (ACES-EM). Use ACES-EM to accomplish an inventory of wastewater treatment facilities, permits, and regulatory requirements.

3.9. Plans. Ensure timely review and revision of all regulatory required plans including SPCC, FRP, SWPP plans.

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Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

Executive Order 12088, *Federal Compliance with Pollution Control Standards*

33 U.S.C. §§1251-1387, *Clean Water Act*

40 CFR 110, *Discharge of Oil*

40 CFR 112, *Oil Pollution Prevention*

40 CFR 116, *Designation of Hazardous Substances*

40 CFR 117, *Determination of Reportable Quantities for Hazardous Substances*

40 CFR 122, *EPA Administered Permit Programs: The National Pollutant Discharge Elimination System*

40 CFR 122.26(b)(14), *Storm water discharges*

40 CFR 122.41(m)(4) and (m)(2), *Conditions applicable to all permits*

40 CFR 123.25, *Requirements for Permitting*

40 CFR 130, *Water Quality Planning and Management*

40 CFR 131, *Water Quality Standards*

40 CFR 144, *Underground Injection Control Program*

40 CFR 230, *Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material*

40 CFR 258, *EPA Criteria for Municipal Solid Waste Landfills*

40 CFR 403 through 471, *Effluent Guidelines and Standards*

40 CFR 503, *EPA Standards for the Use or Disposal of Sewage Sludge*

64 FR 68545, December 7, 1999

64 FR 68722, December 8, 1999

DoDI 4715.5, *Management of Environmental Compliance at Overseas Installations*

DoDI 4715.6, *Environmental Compliance*

MIL-HDBK-1005/16, *Wastewater Treatment System Design Augmenting Handbook*, 31 October 1997

AFPD 32-70, *Environmental Quality*

AFI 10-2501, *Full Spectrum Threat Response (FSTR) Planning and Operations*

AFI 32-1067, *Water Systems*

AFI 32-7006, *Environmental Program in Foreign Countries*

AFI 32-7042, *Solid and Hazardous Waste Compliance*

AFI 32-7045, *Environmental Compliance Assessment and Management Program*

AFI 32-7047, *Compliance Tracking and Reporting*

AFI 32-7080, *Pollution Prevention Programs*

AFI 48-119, *Medical Service Environmental Quality Programs*

AFMAN 32-4013, *Hazardous Materials Emergency Planning and Response Guide*

AFMAN 37-139, *Records Disposition Schedule*

AFCESA A-GRAM 0-25, *OMTAP Program for Drinking Water and Wastewater Treatment Plants*, October 2001

Joint Services Watershed Assessment Protocol, Installation Assessment and Planning Guidance

U.S. Army Corps of Engineers, EI 11C201, *Wastewater Collection and Pumping*, 1 March 1997

Multiservice Oil/Water Separator Guidance Document, SFIM-AEC-EQ-CR-200010

Abbreviations and Acronyms

ACES-EM—Automated Civil Engineering System-Environmental Management

ACES-PM—Automated Civil Engineering System-Program Management

AFCEE—Air Force Center for Environmental Excellence

AFCESA—Air Force Civil Engineering Support Agency

AFI—Air Force Instruction

AFIOH—Air Force Institute for Operational Health

AFLSA/JACE—Air Force Legal Services Agency/Environmental Law and Litigation Division

AFMAN—Air Force Manual

AFMSA—Air Force Medical Support Agency

AFPD—Air Force Policy Directive

AF/SG—Air Force Surgeon General

BMP—Best Management Practice

BE—Bioenvironmental Engineering

CE—Civil Engineer

CEC—Civil Engineering Flight

CEV—Civil Environmental Flight

CFR—Code of Federal Regulations

CWA—Clean Water Act

DMR—Discharge Monitoring Report

DoD—Department of Defense

DoDI—Department of Defense Instruction

DRU—Direct Reporting Unit

EA—Enforcement Action

ECAMP—Environmental Compliance Assessment and Management Program

EEA—Environmental Executive Agent

EM—Environmental Management

EPA—U.S. Environmental Protection Agency

ESOH—Environment, Safety, and Occupational Health

FFCA—Federal Facility Compliance Agreement

FGS—Final Governing Standards

FOA—Field Operating Agency

FOTW—Federally-Owned Treatment Works

FR—Federal Register

FRP—Facility Response Plan

HAZMAT—Hazardous Material

HQ USAF/ILE—Headquarters, U.S. Air Force, The Civil Engineer

HQ USAF/ILEV—Headquarters, U.S. Air Force, Deputy Chief of Staff for Installations and Logistics, Environmental Division

HQ USAF/ILEVQ—Headquarters, U.S. Air Force, The Civil Engineer, Environmental Quality Branch

HN—Host Nation

JA—Judge Advocate

MAJCOM—Major Command

MILCON—Military Construction

MIL-HDBK—Military Handbook

MS4—Municipal Separate Storm Sewer System

NOI—Notice of Intent

NOT—Notice of Termination

NPDES—National Pollutant Discharge Elimination System

OEA—Open Enforcement Action

OEBGD—Overseas Environmental Baseline Guidance Document

OMTAP—Operations, Maintenance, Training, and Assistance Program

OWS—Oil Water Separator

PA—Public Affairs

POTW—Publicly-Owned Treatment Works

SAF/IEE—Deputy Assistant Secretary of the Air Force for Environment, Safety and Occupational

Health

SPCC—Spill Prevention, Control and Countermeasures

SRM—Sustainment, Repair and Modernization

SWMP—Storm Water Management Plan

SWPPP—Storm Water Pollution Prevention Plan

TMDL—Total Maximum Daily Load

UA—Urbanized Area

UIC—Underground Injection Control

U.S.C.—United States Code

WWTP—Wastewater Treatment Plant

Terms

Best Management Practices (BMP)—Measures or practices to eliminate or reduce pollutants entering surface water, air, land, or groundwater. A Best Management Practice can be a process, activity, or physical structure. Structural BMPs include infiltration devices, ponds, filters and constructed wetlands. Non-structural BMPs include low impact development practices and management measures such as maintenance practices, street sweeping, public education and outreach programs.

Biosolids—The byproduct of municipal wastewater treatment, also are known as sewage sludge.

Bypass—A pipe or structure that allows direct discharge of untreated or partially treated wastewater into waters of United States, including overflows of lift stations to nearby streams.

Categorical Effluent Limit—Effluent contaminant limit using technology-based discharge standards developed by the Environmental Protection Agency for categories of industries (40 CFR 403 through 471).

Categorical Waste—An Environmental Protection Agency waste category under 40 CFR 403 through 471.

Closed Enforcement Action—An open enforcement action for water quality compliance closes when: (1) the regulatory agency sends a letter confirming that the enforcement action was resolved, rescinded, or superseded; (2) the Regional Compliance Office determines that the regulators are not carrying out the open enforcement action; or (3) for overseas installations, when the Major Command determines the open enforcement action is closed.

Combined Wasteload Formula—A formula based on categorical discharge limits that sets discharge limits for categorical wastes mixed with other wastewater.

Combined Sewer—A wastewater collection system that collects storm water and wastewater.

Combined-Sewer Overflow—Direct discharge of untreated wastewater from a combined sewer.

Cross-Connection—Interconnecting separate wastewater collection systems, such as: (1) Industrial wastewater collection systems to domestic or storm sewers; (2) Storm water collection systems to domestic or industrial sewers; (3) Domestic wastewater collection systems to storm or industrial sewers; and (4) Unregulated non-storm water discharges.

Delegated State—A state with authority from the Environmental Protection Agency to administer the National Pollutant Discharge Elimination System program in that state.

Direct Discharge—A wastewater or storm water discharge to waters of United States, as opposed to a discharge to a publicly-owned treatment works or other permitted treatment system.

Discharge Limit—The maximum pollutant concentration that a discharge permit allows.

Discharge Monitoring Report—Form used for periodic self-reporting of wastewater quality data to a state regulatory agency or to the Environmental Protection Agency. Normally a requirement under a National Pollutant Discharge Elimination System discharge permit.

Discharge Permit—A permit that authorizes discharging wastewater or storm water to the waters of the United States, or host nation, or to a publicly-owned treatment works. There are two types of discharge permits, individual and general, and many permits include maximum contaminant levels allowed in the discharge.

DoD Managed Treatment Works—For overseas installation, wastewater treatment works that are operated by Department of Defense (DoD) personnel, may or may not be owned by DoD, and are regulated under the Final Governing Standards, the Overseas Environmental Baseline Guidance Document and/or Host Nation Discharge Permit.

Domestic Sewer—A conveyance system for domestic or pretreated industrial wastewater collection.

Domestic Wastewater—Wastewater that contains human wastes and wastewater from food preparation, laundry, bathing, and similar activities. Domestic wastewater typically includes wastewater from housing units and wastewater from commercial or industrial facilities that is similar to that from housing units. Domestic wastewater does not include industrial process wastewater.

Exfiltration—Flow out of a sewer to the subsurface due to sewer pipe leakage from breaks or joints.

Facility—All buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with, such person).

Facility Response Plan—A plan that establishes a facility's specific responses to an oil spill.

Federal Owned Treatment Works—Wastewater treatment works that are federally owned and regulated under the Federal Facility Compliance Act of 1992.

Impaired Water—A waterbody that is identified by the state as not attaining water quality standards after technology based discharge limits on point sources are implemented.

Industrial Sewer—A conveyance system for collecting industrial wastewater.

Industrial Sludge—Sludge from and wastewater treatment process or works that is not part of a domestic wastewater treatment system.

Industrial Wastewater—Wastewater from industrial activities such as electroplating, metal finishing, aircraft maintenance, corrosion control, vehicle maintenance, and other industrial processes at Air Force installations.

Infiltration—Groundwater that leaks into wastewater collection systems due to leakage through pipe breaks or joints.

Inflow—Storm water flow into wastewater collection systems.

Installation—A piece of real property owned or controlled by the military.

Interference—Disrupting a publicly-owned treatment works operation or treatment by discharging an incompatible pollutant or waste stream to the publicly owned treatment works.

Lift Station—A wastewater collection system that pumps wastewater from a gravity sewer to a sewer or treatment plant at a higher elevation.

Municipal Separate Storm Sewer—A conveyance or system of conveyances designed or used for collecting and conveying storm water (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), that is owned or operated by a state, city, town, borough, county, parish, district, association, or other public body.

National Pollutant Discharge Elimination System—The Environmental Protection Agency program under the Clean Water Act that regulates the discharge of pollutants from point sources into the waters of the United States and imposes effluent standards and enforces pretreatment requirements under Clean Water Act sections 307, 402, 318, and 405.

National Pollutant Discharge Elimination System State—See Delegated State.

Non-point Source—A pollutant source that does not meet the definition of "point source." Non-point source pollution generally results from land runoff, atmospheric deposition, drainage, or seepage.

Notice of Intent—An application to notify the permitting authority of a facility's intention to be covered by a general permit.

Notice of Termination—An application used to notify the permitting authority of a facility's termination of coverage under a general permit.

Open Enforcement Actions—Written notices indicating one or more violations of environmental regulations issued by a host nation, Federal, state, local, or other regulatory agency.

Operator—An owner or operator of any "facility or activity" subject to regulation under the NPDES program.

Outfall—A structure through which treated or untreated storm water or wastewater is discharged to the waters of the United States.

Pass-Through—A discharge of pollutants to a publicly-owned treatment works collection system which passes untreated through the publicly owned treatment works into United States waters.

Point Source—Any discernible confined and discrete conveyance from which pollutants are or may be discharged, excluding agricultural storm water discharges and return flows from irrigated agriculture. Point sources include:

Pipes	Ditches	Channels	Tunnels	Conduits
Wells	Discrete fissures	Containers		Rolling stock
Concentrated animal feeding operations				
Landfill leachate collection systems				
Vessel or other floating crafts				

Pretreatment—Treatment of industrial wastewater required under federal, state or publicly-owned treatment works (POTW) pretreatment regulations to meet contaminant concentration limits..

Pretreatment Permit—Authorization to discharge untreated or pretreated industrial wastewater to a publicly-owned treatment works. Permit prescribes maximum contaminant concentration limits in wastewater.

Publicly-Owned Treatment Works—A treatment plant belonging to a state, county, regional agency, or municipality that treats domestic wastewater or pretreated industrial wastewater.

Pump Station—See Lift Station.

Regulated Construction—Operations that result in the disturbance of greater than 1 acre of total land, including clearing, grading and excavation activities.

Sanitary Wastewater—See Domestic Wastewater.

Source—Any building, structure, facility, or installation from which there is or may be the discharge of pollutants.

Spill Prevention, Control, and Countermeasures Plan—A plan that establishes protective measures and procedures to prevent and contain any accidental release of oil and oily materials into the waters of the United States.

Stabilization of Site—Best management practices used to stabilize the soil, to reduce raindrop impact, to reduce the velocity of surface runoff, and to prevent erosion.

Storm Water Discharge Associated with Industrial Activity—Storm water that has contacted manufacturing operations, or stored raw materials or supplies at an industrial activity, as defined. The Environmental Protection Agency defines 11 categories of industrial activities, some of which may apply to Air Force installations, including: (1) Air and ground transportation facilities; (2) Steam electric power generating facilities; (3) Treatment works treating domestic sewage having a capacity over 1 MGPD; and (4) Construction sites.

Storm Water Management Plan—A plan that documents functions and management practices to be employed at a small municipal separate storm sewer system (MS4) to improve the quality of storm water runoff.

Storm Water Pollution Prevention Plan—A series of steps and activities to identify sources of storm water pollution at an industrial or construction site, including actions to be taken that will prevent or control storm water contamination.

Storm Water Pollution Prevention Team—A cross-functional committee established at an installation to develop, implement, and manage all storm water management programs that will be effective in preventing and reducing the discharge of pollutants into receiving waters and will ensure compliance with construction, industrial and small municipal separate storm sewer system (MS4) storm water permits.

Technology-Based Effluent Limit—A discharge standard based on an Environmental Protection Agency review of common treatment technologies for treating a type of wastewater. Technology-based effluent limits are the same for each type of wastewater, regardless of the location or quality of the receiving water.

Total Maximum Daily Load (TMDL)—The maximum allowable loading of a pollutant that a designated water body can assimilate and still meet numeric and narrative water quality standards. TMDLs were established by the Clean Water Act in 1972. Section 303(d) of the Water Quality Act of 1987 requires states to identify water bodies that do not meet federal water quality standards. Allocation

of named pollutants is on percentage basis.

Urbanized Area—The Bureau of the Census determination of a central place (or places) and the adjacent densely settled surrounding territory that together have a minimum residential population of 50,000 people and a minimum average density of 1,000 people per square mile.

Wastewater System—Related units or devices and associate conveyances or appurtenances necessary to manage the generation, collection, storage, transportation, distribution, treatment, pollution prevention activities, recycling, reclamation, and disposal of domestic wastewater, industrial wastewater or storm water runoff. The commonality of treatment characteristics and/or the commonality of classification of all wastewater systems are essential to good management and reporting requirements.

Watershed—A geographical area that drains to a specified point on a water course, usually a confluence of streams or rivers. Also known as drainage area, catchment, or river basin.

Waterbody—A geographically defined portion of navigable waters, waters of the contiguous zone, and ocean waters under the jurisdiction of the United States, including segments of rivers, streams, lakes, wetlands, coastal waters and ocean waters.

Water Quality-Based Effluent Limit—Discharge limit to ensure that discharging the pollutant will not exceed the water quality standard for that pollutant. Water Quality-Based Effluent Limits are site-specific and pollutant-specific. As opposed to technology-based limits, Water Quality-Based Effluent Limits may differ from those in other locations for the same type of wastewater.

Water Quality Criteria—Environmental Protection Agency criteria for maximum in-stream concentrations of specific pollutants.

Water Quality Standards—Maximum in-stream concentrations of specific pollutants adopted by each State based on Environmental Protection Agency's Water Quality Criteria.

Water Treatment Residuals—Solids (sludge) and waste process water such as sludge dewatering decant water generated at water treatment plants.

Waters of the United States—Generally, all surface water bodies of the United States, including all rivers, streams, lakes, wetlands, estuaries, and territorial seas. See Clean Water Act section 502(7) and 40 CFR 122.2.

Wetlands—Areas inundated by surface or groundwater that support plants and animals that need saturated or seasonally saturated soil to grow and reproduce. Wetlands include swamps, marshes, bogs, sloughs, mud flats, and natural ponds.

Attachment 2

WATER QUALITY COMPLIANCE REGULATIONS, EXECUTIVE ORDERS, AND DOD DIRECTIVES

A2.1. Clean Water Act. The Clean Water Act is the principal Federal legislation addressing water pollution. This paragraph describes the major components of the Clean Water Act. Pertinent Clean Water Act requirements include: (1) Section 301 of the Clean Water Act (33 United States Code (U.S.C.) 1311), which prohibits discharging pollutants into the waters of the United States; (2) The National Pollutant Discharge Elimination System, section 402 of the Clean Water Act (33 U.S.C. 1342) which requires permits to discharge point source wastewater and storm water; and (3) The Clean Water Act requirements for discharges into publicly owned treatment works, disposal of sewage sludge, construction in wetlands areas, and control of pollution from non-point sources.

A2.1.1. National Pollutant Discharge Elimination System (NPDES) Permit Program. National Pollutant Discharge Elimination System permitting controls point source discharges, including storm water (see 40 Code of Federal Regulations (CFR) 122).

A2.1.2. Oil Pollution Prevention. Section 311 of the Clean Water Act (33 U.S.C. 1321) establishes requirements for preventing discharge of oil and other hazardous substances and requires certain actions for spills. The regulations implementing these requirements are in 40 CFR 110, 112, 116, and 117. These regulations:

A2.1.2.1. Require the development of Spill Prevention Control and Countermeasure Plans.

A2.1.2.2. Establish actions required in the event of a spill.

A2.1.2.3. Designate hazardous substances.

A2.1.2.4. Specify reportable quantities.

A2.1.2.5. Provide reporting procedures

A2.1.3. Water Quality Standards. Clean Water Act, section 303, *Water Quality Standards and Implementation Plans* (33 U.S.C. 1313), requires the development of water quality standards to protect bodies of water. The regulations implementing these standards are contained in 40 CFR 130 and 131.

A2.1.4. Federal Facilities. Section 313 of the Clean Water Act, *Federal Facilities Pollution Control*, requires Federal facilities to comply with all Federal, state, interstate, and local water pollution requirements in the same manner as nongovernmental entities. The President may issue regulations exempting equipment or other property of the Armed Forces that is uniquely military in nature.

A2.1.5. Wetlands. Section 404 of the Clean Water Act, *Permits for Dredged or Fill Material* (issued by the U.S. Army Corps of Engineers), establishes permit requirements for discharging dredge or fill material in wetlands and other bodies of water. The regulations implementing these requirements are in 33 CFR 320 through 330 and 40 CFR Part 230.

A2.1.6. Pretreatment Standards. Some pollutant discharges interfere with the operation of Publicly Owned Treatment Works. Sections 307, 204, 208, 301, 304, and 309 of the Clean Water Act (33 U.S.C. 1317, 1284, 1288, 1311, 1314, 1318, and 1319) prohibit the discharge of some pollutants and requires the pretreatment of other pollutants along with increasing opportunities to recycle and

reclaim wastewater and sludge. The regulations implementing these standards are in 40 CFR 403, Pretreatment Standards.

A2.1.7. Categorical Effluent Limits. Section 306 of the Clean Water Act (33 U.S.C. 1316) National Standards of Performance, requires effluent standards for several categories of industries. The regulations implementing these standards are contained in 40 CFR 405 through 471. You can find parts corresponding to Air Force activities in:

A2.1.7.1. 40 CFR 413 for electroplating.

A2.1.7.2. 40 CFR 423 for steam electric power generating.

A2.1.7.3. 40 CFR 433 for metal finishing.

A2.1.7.4. 40 CFR 459 for photography.

A2.1.7.5. 40 CFR 460 for hospitals.

A2.1.7.6. Section 307 (33 U.S.C. 1317), *Toxic and Pretreatment Effluent Standards*, requires limits on toxic pollutants. See 40 CFR 129 for regulations that implement these limits.

A2.1.7.7. Section 304(l) (33 U.S.C. 1314(l)) requires identifying waters that do not meet quality standards for toxic pollutants.

A2.1.8. Sewage Sludge. Section 405 of the Clean Water Act (33 U.S.C. 1345), *Disposal of Sewage Sludge*, requires guidelines for sewage sludge. The regulations establishing the standards for the final use or disposal of domestic sewage sludge are in 40 CFR 503.

A2.1.9. Citizen Suits. Section 505 of the Clean Water Act (33 U.S.C. 1365), *Citizen Suits*, allows citizens to sue for violations of effluent standards or limits.

A2.1.10. Non-point Sources. Section 208 (33 U.S.C. 1288) and Section 304(l) (33 U.S.C. 1314(l)) deal with non-point sources.

A2.1.11. Monitoring and Reporting. Section 308 of the Clean Water Act (33 U.S.C. 1318) requires records and reports on point sources. The regulations implementing these standards are contained in 40 CFR 122 as part of the NPDES regulations.

A2.2. Other Federal Regulations. Although the Clean Water Act is the most significant legislation for the control of water quality, other legislation contains requirements for water quality compliance, including:

A2.2.1. Federal Facilities Compliance Act, Public Law 102-386, Statutes 1505.

A2.2.2. Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 et. seq.

A2.2.3. Safe Drinking Water Act.

A2.2.4. Part C of the Safe Drinking Water Act (42 U.S.C. 300f through 300j-11), which regulates underground injection. The regulations implementing the Safe Drinking Water Act are contained in 40 CFR parts 141 through 149.

A2.3. State and Local Regulations.

A2.3.1. State Permit Programs. Air Force installations must comply with all state permit programs.

A2.3.1.1. States may administer the NPDES permit program for wastewater discharges.

A2.3.1.2. The EPA and state often jointly issue NPDES permits to satisfy both federal Clean Water Act and state legislation.

A2.3.1.3. Some states do not administer the NPDES Program. Others may issue a separate state permit even though the EPA issued a NPDES permit.

A2.3.2. Local Limits. Air Force installations must comply with all local water quality requirements, including those of counties and cities relating to wastewater discharge limits to an off-base publicly owned treatment works.

A2.4. Executive Order 12088. Executive Order 12088, *Federal Compliance with Pollution Control Standards*, requires the Air Force to:

A2.4.1. Take all necessary actions to prevent, control, and abate environmental pollution at all Air Force installations.

A2.4.2. Comply with applicable Federal environmental regulations and correct noncompliance.

A2.4.3. Submit annual pollution control plans (the A-106 report) to the EPA and the Office of Management and Budget.

A2.4.4. Request sufficient funds for environmental compliance.

A2.5. Department of Defense Instruction (DoDI) 4715.5. DoDI 4715.5, *Management of Environmental Compliance at Overseas Installations*, establishes the framework for the overseas environmental “laws” that all permanent U.S. overseas installations must comply with. The OEBGD provides the minimum environmental compliance standards for DoD installations overseas where there are no published nation specific FGS. FGSs use the OEBGD as a baseline that is further modified by incorporation of more protective host nation standards as determined to be applicable and appropriate in accordance with international agreements (e.g., Status of Forces Agreement).