

Chapter	Section	Subsection	Sub2	Sub3	40 CFR	Neb. Rev. Stat.	Description	State-Federal Differences
1	001				122.1		Scope and purpose	Equivalent language/ program introduction
	002						Availability of information	Title 115 — Rules Of Practice And Procedure
		002.01				5584-712	Records availability	Title 115, Chapter 3
		002.02				5581-1527; 584-712.05	Confidentiality	Title 115, Chapter 4
	003						Adoption and incorporation by reference	
		003.01						
		003.02						
			003.02A		136		Test procedures	
			003.02B		122		NPDES program	
			003.02C		125		Criteria and standards for NPDES	§ 125.3 Technology-based treatment requirements in permits.
			003.02D		129		Toxic pollutants effluent standards	
			003.02E		133		Secondary treatment regulations	
			003.02F		503		Use or disposal of sewage sludge	
	004						Severability and financial assurance	
		004.01					Severability	
		004.02					Financial responsibility	
	005				122.2		Definitions	
	006				122.2		7-day average	
	007				122.2		30-day average	
	008				122.2		Adminstrator	
	009				122.23		Animal feeding operation	Title 130, Chapter 1, 002, State statute
	010				122.2		Applicable standards and limitations	
	011						Applicable water quality standards	Titles 117, 118
	012				122.25(b)(1)		Aquaculture project	
		012.01			122.25(b)(2)		Designated project area	
	013				122.24(b)		Aquatic animal production facility	
		013.01			Appendix C (a)(1)-(2)		Cold water fish species	40 CFR provides cold and warm water species examples
		013.02			Appendix C (b)(1)-(2)		Warm water fish species	
		013.03					Any other aquatic animal	
	014				122.2		Average monthly discharge limitation	
	015				122.2		Average weekly discharge limitation	
	016				122.2		Best management practices	
	017						Biological monitoring	
	018						Bio-solids	
	019						Blowdown	
	020						BOD	
	021				122.41(m)		Bypass	
	022						CBOD	
	023				122.2		Class I sludge management facility	
	024				122.26(b)(1)		Co-permittee	
	025						Combined Sewer System	
	026						Combined Sewer Overflow	
	027				122.23		Concentrated animal feeding operation	Title 130
	028						Construction permit	Title 123
	029				122.2		Continuous discharge	
	030						Controlled discharge	
	031						Council	
	032				122.2		CWA	
	033				122.2		CWA and regulations	
	034				122.2		Daily discharge	
	035						Department	
	036				122.2		Direct discharge	
	037				122.2		Director	
	038				122.2		Discharge	
	039				122.2		Discharge monitoring report	
	040				122.2		Discharge of a pollutant	
	041						Effluent	
	042				122.2		Effluent limitation	
	043				122.2		Effluent limitations guidelines	
	044				122.2		EPA	
	045						Existing source	
	046				122.2		Facility or activity	
	047						Facilities or equipment	
	048						Federal act	
	049						General permit	
	050						Hazardous substance	
	051				122.26(b)(2)		Illicit discharge	

052		122.26(b)(3)	Incorporated place	
053		122.2	Indirect discharger	
054			Industrial user	
055			Influent	
056			Interference	
	056.01		Interference	
	056.02		Interference	
057		122.2	Interstate agency	
058			Land application	
059		122.26(b)(4)	Large municipal separate storm sewer	§122.26 (b)(4) and (b)(7)
	059.01	122.26(b)(4)(i)	Population of 250K or more	
	059.02	122.26(b)(4)(iii)	Director determination	
		122.26(b)(4)(iii)(A)	Physical interconnections	
	059.02B	122.26(b)(4)(iii)(B)	location of discharges	
	059.02C	122.26(b)(4)(iii)(C)	quantity and nature of pollutants	
	059.02D	122.26(b)(4)(iii)(D)	receiving waters	
	059.02E	122.26(b)(4)(iii)(E)	other factors	
060		122.2	Major facility	
061		122.26(b)(5)	Major municipal separate storm sewer outfall	§122.26 (b)(4) and (b)(7)
062			Major Municipal Wastewater Treatment Facility	
063		122.2	Maximum daily discharge limitation	
064		122.26(b)(7)	Medium municipal separate storm sewer system	§122.26 (b)(4) and (b)(7)
	064.01	122.26(b)(7)(i)	Population of 100-250K	
	064.02	122.26(b)(7)(iii)	Director determination	
		122.26(b)(7)(iii)(A)	Physical interconnections	
	064.02B	122.26(b)(7)(iii)(B)	location of discharges	
	064.02C	122.26(b)(7)(iii)(C)	quantity and nature of pollutants	
	064.02D	122.26(b)(7)(iii)(D)	receiving waters	
	064.02F	122.26(b)(7)(iii)(E)	other factors	
	064.02F	122.26(b)(7)(iv)	Regional designation	
065			mg/l	
066			Minor facility	
067			Minor Municipal Wastewater Treatment Facility	
068		122.2	Municipality	
069		122.26(b)(18)-(19)	Municipal separate storm sewer system	§122.26 (b)(4) and (b)(7)
070		122.26(b)(8)	Municipal separate storm sewer	
	070.01	122.26(b)(8)(i)	Owned or operated by a State, etc.	
	070.02	122.26(b)(8)(ii)	Designed or used for collecting or conveying storm water	
	070.03	122.26(b)(8)(iii)	Which is not a combined sewer	
	070.04	122.26(b)(8)(iv)	not part of a Publicly Owned Treatment Works	
071		122.2	National Pollutant Discharge Elimination System	
072			National Pretreatment Standard	
073			New discharger	
074		122.2	New source	
075			Noncompliance report form	
076			Noncontact cooling water	
077			Nonpoint source	
078			NPDES permit	
079		122.2	Outfall	
080		122.26(b)(10)	Overburden	
081		122.2	Owner or operator	
082			Pass Through	
083			Passive Discharge	
084			Percent removal	
085		122.2	Person	
086		122.2	Point source	
087		122.2	Pollutant	
088			Pollution	
089		403.3(s)	Pretreatment	
090		403.3(t)	Pretreatment requirements	
091		122.2	Process wastewater	Includes animal feeding operation process discharge
092			Process wastewater pollutants	
093		403.3(a)	Publicly Owned Treatment Works	
094		403.3(r)	Publicly Owned Treatment Works (POTW) Treatment Plant	
095		122.2	Regional Administrator	
096			Restricted Public Access	
097		122.26(b)(11)	Runoff Coefficient	
098			Sanitary Sewer Overflow	

099		122.2	Schedule of compliance
100		122.2	Septage
101			Severe property damage
102		122.2	Sewage sludge
103			Significant Industrial User
	103.1		Significant Industrial User
	103.2		Significant Industrial User
	103.3		Significant Industrial User
104		122.26(b)(12)	Significant materials
105			Silvicultural point source
106			Site
107			Sludge-only facility
108		122.26(b)(16)-(17)	Small municipal separate storm sewer system
	108.1	122.26(b)(16)(i)	Owned or operated by the United states, State, city, etc.
	108.2	122.26(b)(16)(ii)	Not defined as "large" or "medium"
	108.3	122.26(b)(16)(iii)	systems similar to separate storm sewer systems
109			Source
110			Standard of performance
111			State Act
112		122.26(b)(13)	Storm water
113		122.26(b)(14)	Storm water discharge associated with industrial activity
	113.01	122.26(b)(14)(i)	facilities considered to be engaging in "industrial activity"
	113.02	122.26(b)(14)(ii)	facilities considered to be engaging in "industrial activity"
	113.03	122.26(b)(14)(iii)	facilities considered to be engaging in "industrial activity"
	113.04	122.26(b)(14)(iv)	facilities considered to be engaging in "industrial activity"
	113.05	122.26(b)(14)(v)	facilities considered to be engaging in "industrial activity"
	113.06	122.26(b)(14)(vi)	facilities considered to be engaging in "industrial activity"
	113.07	122.26(b)(14)(vii)	facilities considered to be engaging in "industrial activity"
	113.08	122.26(b)(14)(viii)	facilities considered to be engaging in "industrial activity"
	113.09	122.26(b)(14)(ix)	facilities considered to be engaging in "industrial activity"
	113.10	122.26(b)(14)(x)	facilities considered to be engaging in "industrial activity"
	113.11	122.26(b)(14)(xi)	facilities considered to be engaging in "industrial activity"
114		122.26(b)(15)	small construction activity
	114.01	122.26(b)(15)(i)	one acre and less than five acres
	114.02	122.26(b)(15)(i)	designated
	114.03	122.26(b)(15)(i)	includes
		114.03A	equal to or greater than one acre and less than five acres
		114.03B	optional evaluation and designation
		114.03C	Potential waiver
		114.03C1	rainfall Erosivity
		114.03C2	Total Maximum Daily Load
115			Total dissolved solids
116			Total Suspended Solids
117			Toxic pollutant
118			Treatment Works Treating Domestic Sewage
119		122.26(b)(20)	Uncontrolled sanitary landfill
120			Unrestricted Public Access
121			Upset
122			Waters of the state
123			Wetlands
124			Whole effluent toxicity

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2	001				123.25(a)	81-1506 (2) (a)	Permit requirement	122.1(a)(5)
	002						Requiring a permit to discharge:	
		002.01					Disposal of sewage sludge	
		002.02					Discharge into an approved aquaculture project	
		002.03					Discharges from aquatic animal production facilities	
		002.04					Discharges from silvicultural point sources	
		002.05					Discharges from federal facilities	
		002.06					Discharges of storm water:	
			002.06A				Associated with industrial activity	
			002.06B				large municipal separate storm sewer system	
			002.06C				medium municipal separate storm sewer system	
			002.06D				small municipal separate storm sewer system	
			002.06E				Director determines to contribute	
		002.07					concentrated animal feeding operation	
	003						industrial user discharging	
		003.01					Pollutants from non-domestic sources	
		003.02					Any new or existing source	

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	3	001			122.3		Exclusions	
		001.01			122.3(a)		sewage from vessels	
		001.02			122.3(a)		other discharges from vessels	
		001.03				57-905	oil and gas production	Oil and Gas Commission
		001.04			122.3(e)		agricultural and silvicultural	
		001.05			122.3(b)		dredged or fill material	
		001.06			122.3(c)		indirect dischargers	
		001.07			122.3(i)		Diversion, carriage, and exchange	
		001.08					household geothermal heat pumps	
		001.09					swimming pools	
		001.10			122.3(f)		Agricultural tile drain	
		001.11					water containing nutrients; fertilizer	
	002				122.4		Prohibitions	
		002.01			122.4(a)		do not provide for compliance	
		002.02			122.4(b)		401 certification not obtained	
		002.03			122.4(c)		Director objection	
		002.04			122.4(d)		requirements of affected States	
		002.05			122.4(e)		ACOE impairment	
		002.06			122.4(f)		high-level radioactive waste	
		002.07			122.4(g)		CWA 208(b)	
		002.08			122.4(i)		New discharge violating standards	
			002.08A		122.4(i)(1)		remaining allocations	
			002.08B		122.4(i)(2)		existing discharges; compliance	
		002.09					Exceeds POTW reserve capacity	
		002.10					Violates pretreatment regs.	
	003						Director denial for indirect discharge	

Chapter	Section	Subsection	Sub2	Sub3	40 CFR	Neb. Rev. Stat.	Description	State-Federal Differences
	4	001					New source application	
		002			122.29(b)(1)		New source applicability	
			002.01		122.29(b)(i)		constructed	
			002.02		122.29(b)(ii)		replaces	
			002.03		122.29(b)(iii)		substantially independent	
		003			122.29(b)(2)		New source vs. new discharger	
		004			122.29(b)(3)		New source vs. new construction	
		005			122.29(b)(4)		Construction of a new source	
			005.01		122.29(b)(4)(i)			
				005.01A	122.29(b)(4)(i)(A)		facility equipment placement, etc.	
				005.01B	122.29(b)(4)(i)(B)		site preparation work	
			005.02		122.29(b)(4)(ii)		binding contractual obligation	

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5	001				122.21(a)(1)		Duty to apply	
		001.01			122.21(a)(2)(iv)		Application form	
		001.02			122.21(a)(2)(ii)		Electronic form	
	002				122.21(a)(2)(c)		Time to apply	
		002.01			122.21(a)(2)(i)(A,B, E)		new discharge	Title 123 permit application
		002.02			122.21(a)(2)(i)(G)		Industrial SW application	
		002.03			122.21(a)(2)(c)		Construction SW application	
		002.04			122.21(a)(2)(iv)		TWTDS application	
	003				122.21(a)(2)(d)		Duty to reapply	
	004				122.21(b)		Who applies?	
	005				122.21(a)(2)(e)		Completeness	
	006				122.21(f)		Information requirements	

Chapter	Section	Subsecction	Sub2	Sub3	40 CFR	Neb. Rev. Stat.	Description	State-Federal Differences
	6 001				122.21(g)		Manufacturing, mining, sivilcultural app.	by reference
	002				122.21(h)		Manufacturing, mining, sivilcultural non process	by reference



Chapter	Section	Subsection	Sub2	Sub3	40 CFR	Neb. Rev. Stat.	Description	State-Federal Differences by reference
	7 001				122.21(J)			

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Chapter	Section	Subsecction	Sub2	Sub3	40 CFR	Neb. Rev. Stat.	Description	State-Federal Differences
	8 001				122.21(k)		Application; new sources and new discharges	by reference

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Chapter	Section	Subsection	Sub2	Sub3	40 CFR	Neb. Rev. Stat.	Description	State-Federal Differences
	9 001				122.21(m)		Variances; non POTW	by reference
	002				122.21(n)		Variances; POTW	by reference

Chapter	Section	Subsection	Sub2	Sub3	Sub4	40 CFR	Neb. Rev. Stat. §81-1505	Description Definitions	State-Federal Differences See Chapter 1
	10	001							Title 119 definition isn't as specific: "No person shall discharge storm water containing any pollutant" Also see 122.26(9)(i)(A)-(D)
		002				122.26(a)(1)(i-v)		SW Permit requirement	
						122.26(a)(1)(i-v)		SW discharge authorization	
			002.02A-C			122.26(a)(1)(v)(A)-(D)		Director MS4 determination	Title omits first paragraph of 122.26(a)(1)(v)
						122.26(a)(2)(i-ii)		Director SW exemption	Title paragraph combines i-ii, not as specific for exemptions
						122.26(a)(3)		Large and medium MS4 - permitting	
			002.04A-F	002.01C1-C3	002.04C(3)(a)-(c)	122.26(a)(3)(i)-(iii)(A)-(C)(3)]		Permit for discharges	
						122.26(a)(4)		ISW notification to MS4	
						122.26(a)(5)		Other MS4s	
			002.07A-C			122.26(a)(6)(i)-(iii)		Non-municipal storm sewer systems	
						122.26(a)(7)		Not applicable to CSOs	
						122.26(a)(8)		Funding eligibility	
			002.10A-E	002.10E1-4		122.32(a)-(e)		Small MS4 subject to storm water regulation	002.10 reduces the language in 112.32(a)
								Requirements for obtaining permit coverage; small MS4s	002.11 reduces the language in 112.33(a)-(b)
			002.11A-E	002.11B1-B3		122.33(b)(1)-(2)		general permit; NOI, Individual permit app.	002.11A omits 122.33(b)(2)(A)-(F); referenced to 002.12H
									002.12A uses the word 'possible' instead of 'practicable'. This section also describes what MEP is and combines 122.34(a)(1) into the paragraph. 122.34 (b) is reduced to one sentence. Guidance paragraphs from 122.34 are omitted.
			002.12A			122.34(a)		Permit requirements for regulated small MS4 permits	
			002.12A					storm water management program	
									This section of the title only describes public outreach as a minimum control measure (MCM); see 122.26(b) d. The Title does not define public involvement/participation as a MCM or comply with State and local public notice requirements as in 122.34(b)(2).
			002.12B			122.34(b)(1) and (2)		Minimum control measures/Public education and outreach	
			002.12C	002.12C1-5		122.34(b)(3)		Illicit discharge detection	
									The title does not include the requirements at 122.34(a)(4)(i)(C) and (E)
			002.12D	002.12D1-4		122.34(b)(4)(i)(A)-(F)		Construction site storm water runoff control	
			002.12E	002.12E1-3		122.34(b)(5)		Post-construction storm water management	
									The title does not include the provisions at 122.34(c)and (d)
			002.12F			122.34(b)(6)		pollution prevention and good housekeeping	
			002.12G			122.34(e)		qualifying programs requirements	
									This section of the title uses the acronym 'MS4' where 'sMS4' may be more accurate. 002.12H combines paragraphs 122.33(b)(1)(i)-(ii) and (2). The title omits 122.33(b)(2)(i)(D)-(F)
			002.12H	002.12H1-H3		122.33(b)(1)-(2)		sMS4's permit application; identify and submit	
									40 CFR states a menu must be available. The title provides the sMS4 does not need to meet measurable goals if the menu is not available (less restrictive?)
			002.12I			123.35(g)		sMS4 general permit; State must provide BMP menu	Similar in meaning, but not word for word.
			002.12J			122.34(C)		other applicable NPDES permit requirements	Similar in meaning, but not word for word.
			002.12K			122.34(d)		Evaluation and assessment requirements; sMS4	Similar in meaning, but not word for word.
				002.12K1		122.34(d)(2)		Recordkeeping	Omits what the permit must require.

			002.12K2	002.12K2(a)-(e)	122.34(d)(3)(i)-(v)	Reporting Implementation of the minimum control measures with other entities	Title omits the electronic reporting requirements. 002.12K2(a) adds 'an assessment of the best management practices and progress towards goals for each of the minimum control measures'. 002.12K2(d) states 'identified best mangement practices or measurable goals for any of the minmum control measures' instead of 'storm water management program'. 122.34(e) <i>qualifying local program</i> is not in section 002.12K
		002.12L-M	002.12L1-3		122.35(a)-(b)		
003	003.01	003.01A	003.01A1-5	003.01A5(a)-(f)	122.26(c)(1)(i)(A)-(E)(1-6)	Application requirements for ISW and sCSW	
			003.01A6		122.26(c)(1)(i)(F)	Specific application requirement exemption	003.01 A6 references to Ch. 10, 001.02 through 001.05, these sections don't exist in this Chapter. The title should be a reference to 122.21(g)(2), (g)(3), (g)(4), (g)(5), (g)(7)(iii), (g)(7)(iv), (g)(7)(v), and (g)(7)(viii).
			003.01A7		122.26(c)(1)(i)(G)	SW: new sources and new discharges	The title references 003.01E and F which don't exist in the Chapter and sections in Chapter 8 which is now adopted by reference. The title should reference 122.26(c)(1)(i)(E) and 122.21 (k)(3)(ii), (k)(3)(iii), and (k)(5) respectively.
	003.02	003.02A-F			122.26(c)(1)(ii)(A)-(F)	storm water discharge, industrial activity, clearing and grading	003.02 references construction activity < 5 ac. and Ch. 10 001.15; section doesn't exist. Should reference 122.26(b)(14)(x) and 122.26(b)(15). Exemption from Ch. 6 should be changed to 122.21(g). 003.03A and B are incomplete and should include references to 40 CFR 117.21 or 40 CFR 302.6 at anytime since November 16, 1987 and 40 CFR 110.6 at any time since November 16, 1987 respectively.
	003.03-05	003.03A-C			122.26(c)(1)(iii)-(v)	existing or new discharge; oil and gas, mining, other	
004	004.01-03				122.26(d)(1)(i)-(viii)	Application requirements for large and medium MS4s	004.03 is missing that last sentence of 122.26(d)(1)(viii)
005	005.01-04				122.26(e)(6)	Application deadlines	005 only includes 122.26(e)(6), 7(ii)-(iii) and 9(ii). The rest of 122.26(d)(1) is omitted. 005.03 provides for 'oil and gas sites'. This is not provided in 122.26(e).
006	006.01-05				122.26(f)(1)-(5)	Petitions	
007	007.01-04				122.26(g)(1)-(4)	Conditional exclusion for "no exposure"	007 does not include 122.26(g)(1)(iii), certification renewal and electronic reporting. 007.03A1 includes a desription of small construction activity; this could be reduced to reference.

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11	001				122.21(a)(2)(c)	§81-1505	Application	
	002				122.24(a)		Permit requirement	
	003	003.01-05			122.24(c)(1)(i)-(iv)		Case-by-case designation	
	004				122.24(c)(2)		Application shall not be required	
		004.01-03			122.25(a)-(b)		Aquaculture projects	004.01 omits 'and in accordance with 40 CFR part 125, subpart B'.

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12	001	001.01-02				§81-1505(8)		
	002	002.01-03						
	003	003.01-02						
	004	004.01-03						

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13	001					§81-1505	Requirements for AFOs	001 Refers to Title 130
	002	002.01	002.01A-B		122.22(a)(1)(i)-(ii)		signatory; corporation	
		002.02			122.22(a)(2)		partnership or sole proprietorship	
		002.03			122.22(a)(3)(i)-(ii)		municipality, State, Federal, or other public agency	
		002.04			NA		Limited liability company	Added to T119 in 2017
	003	003.01-03			122.22(b)(1)-(3)		Duly authorized representative	
	004				122.22(c)		Changes to authorization	
	005				122.22(d)		Certification	122.22(e) includes electronic reporting



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14	001	001.01	001.01A		122.41(a)(1)		Duty to comply	122.41(a)(2)and(3) Include enforcement and penalty information not in 001.01	
		001.02-08			122.41(b)-(h)		Duty to reapply-Duty to provide information		
		001.09	001.09A-D		122.41(i)(1)-(4)		Inspection and entry		
			001.10	001.10A-D	001.10C1-C6	122.41(j)(1)-(4)		Monitoring and records	122.41(j)(5) includes enforcement and penalty information not in 001.10
			001.11			122.41(k)		Signatory requirement	122.41(k)(2) includes enforcement and penalty information not in 001.11
			001.12			122.41(l)		Reporting requirements	122.41(1)(ii) includes 'nor to notification requirements under §122.42(a)(1)'
				001.12A	001.12A1-A3	122.41(l)(1)(i)-(iii)		Planned changes	
				001.12B		122.41(l)(2)		Anticipated noncompliance	Title omits: 'under the Clean Water Act. (See §122.61; in some cases, modification or revocation and reissuance is mandatory.)' 122.41(l)(4)(iii) includes electronic reporting requirements. 001.12D3 (process control samples) is not in 122.41(l)(4)
				001.12C		122.41(l)(3)		Transfers	
				001.12D	001.12D1-D4	122.41(l)(4)(i)-(iii)		Monitoring reports	
			001.12F			122.41(l)(5)		Compliance schedules	Title does not have a Sub2 001.12E; Jumps from D to F
			001.12G	001.12G1-G2	001.12G2(a)-(d)	122.41(l)(6)		Twenty-four hour reporting	
			001.12H					Other noncompliance	References 001.12F1; should reference 001.12G2
			001.12I					Other information	
	001.13	001.13A-B				Bypass	001.13A1(b) references 001.12F; should reference 001.12G		
	001.14	001.14A-B				Upset			
	002						Application of standards		
	003						Pollutants not identified and authorized		
	004						Control production and discharges		

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES	
15	001	01			122.42a	81-1504(1), (2), (4), (13); 81- 1505(5), (7), (11), (16) & (20)	certain manufacturing provide notice of toxic discharges		
		02			122.42b				POTWs provide adequate notice of new pollutants
			03		122.42c				Municipal separate storm sewer systems

we do not have the requirement that as of Dec 2020 all reports submitted in compliance with this section must be submitted electronically;  
also we do not have 122.42d (storm water discharges) and 122.42e (CAFOs)  
122.42e has the language on what needs to be in a nutrient management plan, including the process by which the NMP is changed and updated

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	<i>Neb. Rev. Stat.</i>	DESCRIPTION	STATE-FEDERAL DIFFERENCES
						81-1504(1), (2), (4), (11), (12), (15), (20), (25); 81- 1505(4), (11), (16) & (20)	explanation of purpose	
16	001						duration of permits	
	002				122.46		compliance schedule	
	003	01-04			122.47a		alternative compliance schedules	
	004	01-04			122.47b		prohibits compliance schedules in certain cases	Could not find a federal reference that matched; may be somewhat in conflict with 003.02
		05					recordkeeping & reporting	we do not have the language on electronic reporting
	005	01-03			122.48			

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
17	001				122.44a(1)	81-1504(1), (2), (4), (11), (12), (15), (20), (25); 81-1505(3), (4), (5), (6), (7), (11), (16) & (20)	technology based effluent limitations	we do not provide a protection period for new dischargers like EPA does
	002				122.44a(2)		monitoring waivers	We do not reference Subchapter N, but instead refer to any applicable effluent guideline
	003				122.44b(1)		other effluent limitations and standards	
	004				122.44b(2)		sewage sludge	EPA specifies Subtitle C of specific Acts, we are more generic with being included in a separate permit issued by the Dept
	005				122.44b(3)		cooling water	EPA's language include "in accordance with part 125 subparts I, J and N of this chapter"
	006				122.44c		reopener clause	
	007				122.44d		water quality standards and state requirements	Essentially verbatim with the exception of language that is not applicable to NE, such as EPA only language and oceans
	008				122.44e		technology based effluent limitations for toxic pollutants	
	009				122.44f		notification level	
	010				122.44g		24 hr reporting	
	011				122.44h		durations	we refer to Ch 16, EPA refers to 122.46
	012				122.44i		monitoring methods	we do not have language regarding sufficiently sensitive methods. Instead we say "according to the test procedure specified in the permit" for pollutants with no approved methods. We also do not have the requirement for all results to be electronically reported in compliance with 40 CFR part 3
	013				122.44j		Pretreatment program for POTWs	
	014				122.44k		BMPs	
	015				122.44l		reissued permits	
	016				122.44m		privately owned treatment works	
	017				122.44n		grants	
	018				122.44o		sewage sludge	
	019				122.44p		coast guard	
	020				122.44s		qualifying state, tribal or local programs	

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
18	001			122.45(f)		81-1504(1), (2), (4), (11); 81-1505 (20)	mass limitations	none

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	<i>Neb. Rev. Stat.</i>	DESCRIPTION	STATE-FEDERAL DIFFERENCES
19	001-002				124.45(g)	81-1504(1), (2), (4), (11); 81-1505 (20)	effluent limitations, net calculations	the federal language is much more prescriptive, however, substantively the NE rules appear to be consistent

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
20	001			125		81-1504(1), (2), (4), (11); 81-1505 (3), (11), (20)	IBR 125	
	002			125	Subpart A		establishes that 301(b) is the minimum level of control...	

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
						81-1504(1), (2), (4), (11), (12), (15), (20), (24); 81-1505(3), (4), (5), (7), (8), (11), (16) & (20)	General purpose statement and adopting 40 CFR 133 by reference	
21	001							
	002			133.102			secondary treatment	At 133.202(4)(b) the federal program has 55 levels not exceeding 30 mg/l (30day); 45 mg/l (7 day) and a 85% removal efficiency. This may be allowed through 133.105(d) or 133.103(c) We also do not have pH requirements outlined as specified in 133.102(4)(c)
	003	01-02		133.105			treatment equivalent to secondary treatment	while this is essentially the federal language, we have limited its applicability to trickling filters. The federal language does not appear to do that.
	003	04(there is no 03)		133.105(f)				
	004			133.103(a)			combined sewer removal requirements	
	005			133.103(b)			industrial waste special considerations	
	006			133.104			sampling and testing procedures	



CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
22	001				122.14(j) from 1984	81-1504(1), (2), (4), (12); 81-1505 (20)	loss of power	This is no longer in the CFR, but is instead indirectly handled through the prohibitions of bypass conditions under 122.41m

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
						81-1504(1), (2), (4), (11), (15), (20); 81- 1505(11); 84- 912.01-.02; 84- 913; 84-914; 84- 917	reference to T115 to say that unless more expressly provided under T115, follow T119	
23	001							
	002				124.6		T119 has only NPDES provision	124.6 refers to all federal permit programs
	003-004				124.7 & 124.8		Fact Sheet purpose and contents	federal language refers to all federal programs
	005				124.9		Administrative Record contents	EPA has additional requirements under 124.9b(6)
	006				124.10 -124.13		public notice provisions	federal language refers to all federal programs
	007				124.15		issuance & effective date	federal language refers to all federal programs
	008				124.17		response to comments	
	009				124.18		final decision administrative record	
	010				121.14 & 124.10c		affected states	Our language is simpler and more straightforward
	011				124.10c		send to US ACE	Our language is simpler and more straightforward
	012				124.10c		mail to other agencies upon request	Our language is simpler and more straightforward
	013				124.19		appeal permit decision	our language refers to statute, EPA's refers to the EAB
	014				124.19		contested case	

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
24	001				122.61a	81-1505(11)	Transfers by modification	
	002				122.61b		Automatic transfers	
	003				122.62		permits being modified, revoked....	
	004				ties back to 124		procedures for processing modifications	
	005				ties back to 124		procedures for processing modifications	
	006	01A-01C			122.62(a)(1)-(3)		Circumstances for modification	All the federal language except 122.62(a)(3)(C)(ii)
		01D			122.62(a)(4)		compliance schedules	
		01E			122.62(a)(6)		toxics	
		01F			122.62(a)(7)		reopener	
		01G			122.62(a)(8)		net limits	
		01H			122.62(a)(9)		pretreatment	
		01I			122.62(a)(10)		failure to notify	
		01J			122.62(a)(11)		nonlimited pollutants	
		01K			122.62(a)(12)		notification levels	
		01L			122.62(a)(13)		compliance schedules	
		01M			122.62(a)(14)		small MS4	
		01N			122.62(a)(15)		technical mistakes	
		01O			122.62(a)(16)		unable to meet effluent limitations	
		01P			122.62(a)(18)		land application plans	(17) is for NMPs for CAFOs, which is not in T119, but T130
	006	02			122.62(b)		Cause for modification or revocation and reissuance	
	007	01-07			122.63		Minor modifications of permits	does not include 162.63(h) which is changes to CAFO NMPs
	008						limitation on modifications	This language is very similar to what is in 006, but is more comprehensive. Recommend taking out the language in 006 as it pertains to limitations on modifications.
	009				122.64		Termination of permits	
	010				122.6		Continuation of expired permits	EPA = State; Regional Administrator = Director

<b>CHAPTER</b>	<b>SECTION</b>	<b>SUBSECTION</b>	<b>SUB-SUB</b>	<b>SUB3</b>	<b>40 CFR</b>	<b>Neb. Rev. Stat.</b>	<b>DESCRIPTION</b>	<b>STATE-FEDERAL DIFFERENCES</b>
25	001 - 002				122.28	81-1504(33); 81-1505(11)	General NPDES permit provisions	the CAFO requirements are not included in T119, they are in T130 We do not have the Offshore oil and gas facilities in T119, because that is not applicable to State programs

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
27	001				403.2	81-1504(1), (2), (4), (11), (15), (20), (24), (25); 81-1505(6), (11), (16) & (20)	Statement of purpose and objectives of the pretreatment program	none
	002	01			403.3c		Definitions	
	003	01			403.5a(1)		General prohibitions	no substantive
		02	A		403.5b(1)		Specific prohibitions which create a fire hazard	we refer to Title 128; fed language refers to 40 CFR 261.21
		02	B - H		403.5b(2)-(8)		Other specific prohibitions	none
		02	I		403.5a(2)		affirmative defenses	we are more broad; federal language is selective where affirmative defenses can apply and includes references to local limits
	004	01-05			403.6c & d		permit conditions	our language is simpler, cleaner and more direct than the federal language
		06			122.41(l)(6)		non compliance reporting	the language is largely similar
		07			122.41(l)(6)		non compliance reporting	the language is largely similar
		08			403.12p		substances that would otherwise be disposed of under Title128	EPA refers to 261
	005	01-04			403.15		net/gross calculation	
	006				403.6a		category determination request	ours is within 30 days, EPA's is within 60 days; we do not have the process language in our regulations that EPA does - I expect this is because it is inherent to our Administrative Procedures Act
	007	01-03			403.6b		compliance date	our language is simpler, but has the existing source compliance timeframe the same as EPA's (3 years); for new sources, our language says immediately, EPA's says the shortest feasible time not to exceed 90 days.
	008	01	A-J		403.12b		reporting requirements for POTWs and industrial users	our language is simpler and more direct than EPAs
	02			403.12b				
008	03			403.6a(2)(ii)		certification statement	our language is the same, but in the context of reports; EPA's is in the context of an application	
009						provision for POTW to develop local pretreatment program	has incorrect references to 403.08, 403.09 that do not exist appears to be a catch all, but has a potential to create conflict as outlined above	
010						IBR of 403 regulations		

CHAPTER	SECTION	SUBSECTION	SUB-SUB	SUB3	40 CFR	Neb. Rev. Stat.	DESCRIPTION	STATE-FEDERAL DIFFERENCES
						81-1504(4), (24); 1505(3)-(8), (11), (20)		
27	001				none		Statement of purpose	
	002				136		IBR - Guidelines Establishing Test Procedures for the Analysis of Pollutants	
	003				125		IBR - Subpart D pertaining to Criteria and Standards for Determining Fundamentally Different Factors	
	004				125		IBR - Subparts H & I pertaining to criteria for determining alternative effluent limitations and requirements applicable to cooling water intake structures	
	005				129		IBR - Toxic Pollutant Effluent Standards	
	006	01-03			401.17		pH effluent limitations under continuous monitoring (not IBR)	none
	007	01			467		IBR - Aluminum forming point source category	
		02			427		IBR - Asbestos Manufacturing Point Source Category	
		03			461		IBR - Battery Manufacturing Point Source Category	
		04			407		IBR - Canned and Preserved Fruits and Vegetables Processing Point Source Category	
		05			408		IBR - Canned and Preserved Seafood Processing Point Source Category	
		06			458		IBR - Carbon Black Manufacturing Point Source Category	
		07			411		IBR - Cement Manufacturing Point Source Category	
		08			437		IBR - Centralized Waste Treatment Point Source Category	
		09			434		IBR - Coal Mining Point Source Category	
		10			465		IBR - Coil Coating Point Source Category	
					451 as amended by Volume 69, no. 162 Federal Register pages 54927- 51930 (August 23,2004)			
		11			23,2004)		IBR - Concentrated Aquatic Animal Production Point Source Category	
		12			468		IBR - Copper Forming Point Source Category	
		13			405		IBR - Dairy Products Processing Point Source Category	
							IBR - Effluent Limitations Guidelines for Existing Sources and Standards of Performance and Pretreatment Standards for New Sources for the Paving and Roofing Materials (tars and asphalt) Point Source Category	
		14			443		IBR - Electrical and Electronic Components Point Source Category	
		15			469		IBR - Electroplating Point Source Category	
		16			413		IBR - Explosives Manufacturing Point Source Category	
		17			457		IBR - Ferroalloy Manufacturing Point Source Category	
		18			424		IBR - Fertilizer Manufacturing Point Source Category	
		19			418		IBR - General Pretreatment Regulations for Existing and New Sources of Pollution	
		20			403		IBR - Glass Manufacturing Point Source Category	
		21			426		IBR - Grain Mills Point Source Category	
		22			406		IBR - Gum and Wood Chemicals Manufacturing Point Source Category	
		23			454		IBR - Hospital Point Source Category	
		24			460		IBR - Ink Formulating Point Source Category	
		25			447		IBR - Inorganic Chemicals Manufacturing Point Source Category	
		26			415		IBR - Iron and Steel Manufacturing Point Source Category	
		27			420		IBR - Landfills Point Source Category	
		28			445		IBR - Leather Tanning and Finishing Point Source Category	
		29			425		IBR - Meat and Poultry Products Point Source Category	
		30			432		IBR - Metal Finishing Point Source Category	
		31			433		IBR - Metal Molding and Casting Point Source Category	
		32			464		IBR - Metal Products and Machinery Point Source Category	
		33			438		IBR - Mineral Mining and Processing Point Source Category	
		34			436		IBR - Nonferrous Metals Forming and Metal Powders Point Source Category	
		35			471			

36	421	IBR - Nonferrous Metals Manufacturing Point Source Category
37	435	IBR - Oil and Gas Extraction Point Source Category
38	440	IBR - Ore Mining and Dressing Point Source Category
39	414	IBR - Organic Chemicals Manufacturing Point Source Category
40	446	IBR - Paint Formulating Point Source Category
41	455	IBR - Pesticide Chemicals
42	419	IBR - Petroleum Refining Point Source Category
43	439	IBR - Pharmaceutical Manufacturing Point Source Category
44	422	IBR - Phosphate Manufacturing Point Source Category
45	459	IBR - Photographic Point Source Category
46	463	IBR - Plastics Molding and Forming Point Source Category
47	466	IBR - Porcelain Enameling Point Source Category
48	430	IBR - Pulp, Paper, and Paperboard Point Source Category
49	428	IBR - Rubber Manufacturing Point Source Category
50	417	IBR - Soap and Detergent Manufacturing Point Source Category
51	423	IBR - Steam Electric Power Generating Point Source Category
52	409	IBR - Sugar Processing Point Source Category
53	410	IBR - Textile Mills Point Source Category
54	429	IBR - Timber Products Processing Point Source Category
55	442	IBR - Transportation Equipment Cleaning Point Source Category
56	444	IBR - Waste Combustors Point Source Category

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<b>CHAPTER</b>	<b>SECTION</b>	<b>SUBSECTION</b>	<b>SUB-SUB</b>	<b>SUB3</b>	<b>40 CFR</b>	<b>Neb. Rev. Stat.</b>	<b>DESCRIPTION</b>	<b>STATE-FEDERAL DIFFERENCES</b>
28	001				none		Implements 81-1517 through 81-1520	
	002	01-03			none	81-1517-1520	Application request for affordability and sustainability evaluation	
	003	01-07			none	81-1517-1520	Application fee schedule	