

Pawnee Nation Water Quality Certification

Request for Clean Water Act Section 401 Certification for the National Pollutant Discharge Elimination System General Permits require the following:

The Pawnee Nation conditionally certified the NPDES General Permits (Multi-Sector, Construction, Pesticides, Hydrostatic testing, etc) with the following conditions pursuant to Section 401(d) which are necessary to assure compliance with both applicable provisions of the U.S. Clean Water Act and Pawnee Nation Laws and Regulations.

The following conditions apply only to discharges occurring with-in Pawnee Indian Country:

- 1) Copies of the Notice of Intent (NOI) and Notice of Termination (NOT) must be provided to the Pawnee Nation at the same time it is submitted to the Environmental Protection Agency to the following address:
Pawnee Nation Department of Environmental Conservation and Safety
P.O. Box 470
Pawnee, OK 74058
Or email to dnrs@pawneenation.org

This condition is required to ensure the Pawnee Nation Department of Environmental Conservation and Safety (DECS) have the opportunity to inspect the activity prior to the initial operation for the purpose of determining whether the discharge from the certified project will violate the certification as authorized under 40 CFR 121.11(a) and Pawnee Nation Title XII (Natural Resource Protection Act), Chapter four (Water Resource Protection) Section 407 (Water Quality Certification), and Chapter Nine (Pollution Discharges) Section 905 (Discharge without Permit Unlawful).

- 2) An electronic copy of the Storm Water Pollution Prevention Plan (SWPPP) must be submitted to the Pawnee Nation Department of Environmental Conservation and Safety at the same time the NOI is submitted.

This condition is required to ensure the Pawnee Nation Department of Environmental Conservation and Safety (DECS) have the opportunity to inspect the activity prior to the initial operation for the purpose of determining whether the discharge from the certified project will violate the certification as authorized under 40 CFR 121.11(a) and Pawnee Nation Title XII (Natural Resource Protection Act), Chapter Four (Water Resource Protection) Section 407 (Water Quality Certification), Chapter Five (Water Quality Standards).

- 3) The operator must provide access to the site for inspections and for copies of inspection reports, copy of the corrective action log and modifications, made to the SWPPP because of inspection findings, upon request by the Pawnee Nation DECS.

This condition is required to ensure water quality is not degraded, and that the discharge from the proposed project complies with the criteria for the protection of surface water

resources as established by Pawnee Nation Title XII (Natural Resource Protection Act) Chapter Three (General Provisions) Section 306 (Inspections and Records), and Chapter Five (Water Quality Standards) Section Ten (Criteria for the Protection of Surface Water Resources).

- 4) The Pawnee Nation Department of Environmental Conservation and Safety must be notified at 918.762.3655 immediately upon discovery of any noncompliance with any provision of the permit conditions.

This condition is required to ensure water quality is not degraded, and that the discharge from the proposed project complies with the criteria for the protection of surface water resources as established by Pawnee Nation Title XII (Natural Resource Protection Act) Chapter Three (General Provisions) Section 307 (Pollution Unlawful) and Chapter Five (Water Quality Standards) Section Ten (Criteria for the Protection of Surface Water Resources).

- 5) The operators must assure compliance with all other applicable laws and regulations for accessing the Pawnee Nation including 13PNC7 (Pipeline Permit) for the purpose of performing pipeline services.

These conditions are authorized under Pawnee Nation Title XII (Natural Resource Protection Act), specifically Chapter Four (Water Resource Protection), Chapter Five (Water Quality Standards), and Chapter Nine (Pollution Discharges).

Addition information for CWA Section 401 Certification may be found at <https://www.epa.gov/cwa-401>

If you have any questions or wish to discuss these conditions or other Section 401 and/or program issues please contact Mr. Monty Matlock, Director, Pawnee Nation Division of Natural Resources and Safety at 918.762.3655 and/or email at mmatlock@pawneenation.org.