

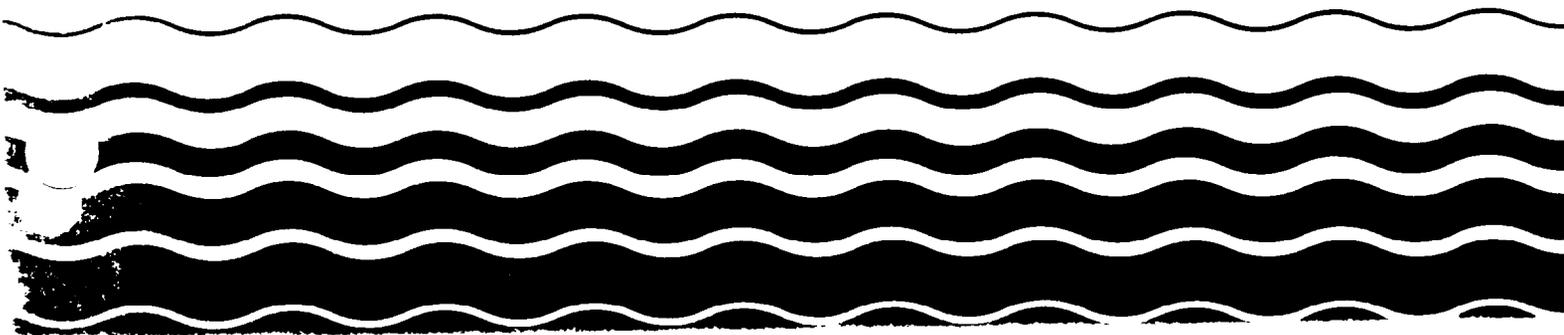
United States
Environmental Protection
Agency

Office of Water
Environmental Quality Systems
Washington, DC 20460

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EPA

Pretreatment Compliance Monitoring and Enforcement Guidance



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 25 1986

OFFICE OF
WATER

MEMORANDUM

SUBJECT: Pretreatment Compliance Monitoring and Enforcement
Guidance

FROM: James R. Elder, Director
Office of Water Enforcement and Permits (EN-335)

TO: Water Management Division Directors, Regions I-X
State Pretreatment Program Directors
Pretreatment Implementation Review Task Force

The Pretreatment Implementation Review Task Force (PIRT) in its Final Report to the Administrator recommended that the Agency develop an implementation guidance for Publicly-Owned Treatment Works (POTWs) with approved pretreatment programs. In response to that recommendation, the Office of Water Enforcement and Permits has developed the attached final, "Pretreatment Compliance Monitoring and Enforcement Guidance". Draft Guidance was distributed in January 1986 for review. This final guidance document responds to extensive comments received from EPA Regional Offices, States, several POTWs and PIRT.

POTWs must undertake a variety of new activities to successfully operate their approved pretreatment programs. This document is intended to be a comprehensive guide to pretreatment implementation, particularly on-going compliance monitoring and enforcement activities. This Guidance provides a detailed discussion of:

- 1) establishing monitoring requirements for industrial users,
- 2) sampling and inspecting industrial users,
- 3) reviewing industrial user reports,
- 4) determining industrial user compliance status,
- 5) setting priorities for enforcement actions, and
- 6) reporting progress to Approval Authorities.

It establishes a definition of Significant Industrial User (SIU) for use by Control Authorities in targeting primary implementation activities and recommends a definition of Significant Noncompliance (SNC) to be applied in evaluating industrial user performance in complying with effluent and reporting requirements as well as compliance schedules.

To evaluate and improve the effectiveness of the pretreatment program, reporting at all levels--industrial user, POTW and States-- will be an on-going and significant activity. These reports will be a necessary component towards determining national compliance with pretreatment standards. As indicated, the Guidance establishes common definitions which can be used as the basis for consistent reporting and provides a recommended format for collection of data from Control Authorities on at least an annual basis.

The reporting system and the definitions of significant noncompliance and significant industrial user are issued as guidance. However, Approval Authorities and Control Authorities should understand that it is the goal of the Office of Water Enforcement and Permits to establish a national reporting system based on the concepts in this document. A Pretreatment Enforcement Tracking System is now under development which will be based on the Pretreatment Performance Summary found in the Guidance. Approval Authorities should anticipate such requirements and strongly consider requiring Control Authorities to begin full implementation of this reporting system and associated definitions.

To assist Control Authorities in gaining proficiency with compliance monitoring and enforcement activities, the Regional Offices and delegated States are encouraged to conduct training workshops providing practical examples of these activities. The Office of Water Enforcement and Permits (OWEP) is prepared to jointly develop and conduct such workshops with Regional Offices.

After issuing this Guidance, OWEP plans to work with several Control Authorities (and their States and Regional Offices) to implement the concepts identified in the Guidance. We will carefully review the results of these efforts along with the experiences of other Control Authorities, States and Regions to determine whether future revisions and/or additions are needed in the Guidance.

This Guidance is intended to assist the Control Authority in translating regulatory requirements into a workable, effective pretreatment program. Control Authorities may be unable to implement all aspects of the Guidance initially, but may adopt the recommended approaches on a phased basis. EPA may periodically issue additional guidance which defines annual priorities for pretreatment implementation.

If you have questions about this Guidance, please call J. William Jordan, Director, Enforcement Division, at (202) 475-8304 or Anne Lassiter, Chief, Policy Development Branch, at (202) 475-8307.

Attachment

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Office of Management and Budget (7/86)