

(Office of Water letterhead)

May 31, 1984

MEMORANDUM

SUBJECT: Status of Textile Mills Pretreatment Standards

FROM: Martha G. Prothro, Director
Permits Division (EN-336)

TO: Paul Traina, Director
Water Management Division, Region IV

Al Herndon, Region IV Pretreatment Coordinator, recently requested our response to questions regarding the requirements of the textile industry under the 40 CFR 403 General Pretreatment Regulations. Our responses are provided below.

Question 1

What are the current Federal requirements governing the textile mills that discharge to POTWs?

Answer:

The final rule for the PSES and PSNS for the textile industry was promulgated September 2, 1982 (47 FR 38810). This regulation supersedes all existing categorical regulations for the textile industry except the BPT standards promulgated July 5, 1974 (39 FR 24739). Although no categorical pretreatment standards were included in the September 2, 1982 rule, the textile industry must comply with the general and specific prohibitions of the 40 CFR 403 General Pretreatment Regulations (GPR), including any State or local limits designed to protect against pass through, interference, or sludge contamination. There are no further Federal pretreatment requirements on this industry. The Federal regulation does not require textile mills that are indirect dischargers to comply with the baseline monitoring report requirements or any of the other 40 CFR 403.12 reporting requirements.

Since the local limits requirements of the GPR are important for this industry, it should be noted that when EPA promulgated the September 2, 1982 rule, it recognized that there would probably be a need for more stringent regulation of certain individual textile plants. The preamble (47 FR 38815) states: "We expect that operators of POTWs will be able to control the discharge of specific pollutants, if required, on a case-by-case basis and could make use of the information contained in the development document that EPA

will publish. The Agency recognizes that the quantity of toxic pollutants discharged from individual mills may, in some cases, be higher than the industry average and may not be significant when viewed as a single point source discharge. Permit-issuing authorities may find it necessary to require representative of individual mills to provide information on toxic pollutant usage, to analyze for specific toxic pollutants, and/or to conduct bioassay testing prior to issuing an NPDES permit. The final rule clearly envisions that where necessary a local pretreatment program should establish local controls, including industrial user discharge limitations, for the textile industry. This is, of course, specifically required by the local limits requirements of 40 CFR 403.5(c) and (d).

Question 2

What are the State and local responsibilities and authorities governing the textile industry?

Answer:

Except for the local limits requirements of 40 CFR 403.5(c) and (d) (discussed above), this is basically a question of State or local law. We understand that you were particularly concerned about State and local authority to require reports like that described in 403.12(b) of the GPR. States and POTWs can require textile mills to submit reports like those described in 40 CFR 403.12(b) where the State or POTW deems it necessary and has the legal authority to do so. The State or POTW could specify the same or some other reporting deadlines as described in 403.12; for example, 180 days after promulgation of categorical standard.

I hope the above responses have answered your questions regarding the Federal regulation of the textile industry. If however, there should be any additional concerns, please contact me or David Lee at (202) 426-4793.

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