

United States Environmental Protection Agency Office of Water

Office of Water Enforcement and Permits
Washington, DC 20460
(EN-335)

PRETREATMENT BULLETIN

Date: July 1, 1988

No. 4

Pretreatment Bulletins, this being the fourth to date, are issued on an as-needed basis to transmit policy, guidance, regulatory changes and other specific information to all pretreatment POTWs to assist them in the development, implementation, and enforcement of local pretreatment programs.

REGULATORY UPDATE

SLUDGE REGULATIONS

The 1987 amendments to the Clean Water Act (CWA) require that permits issued to treatment works contain sludge standards. EPA expects to propose technical standards for pollutants of concern in sludge in the Fall of 1988, at 40 CFR Part 503.

On March 9, 1988, EPA proposed regulations for incorporating sludge standards into NPDES permits and for developing approvable State sludge permitting program (53 FR 7642). These regulations are scheduled to be promulgated in the Spring of 1989.

The 1987 CWA amendments also state that, prior to development of the Part 503 technical standards, the Administrator must put sludge conditions in permits issued to or take other appropriate action to protect public health and the environment. To implement this requirement, EPA has developed a "Strategy for Interim Implementation of Sludge Requirements in Permits Issued to POTWs". Notice of availability of this document for public was published in the Federal Register on May 31, 1988 (53 FR 19817). The comment period closes August 1, 1988.

In addition, EPA has prepared a second draft of guidance to permit writers on developing interim, "best professional judgment" permit conditions for sludge entitled "Guidance for Writing Case-by-Case Requirements for Municipal Sludge". Anyone interested in obtaining a copy should contact Tom Wall at (202) 475-9515.

FDF VARIANCES FOR INDIRECT DISCHARGERS

The fundamentally different factors (FDF) variance provides for relief from the application of a nationally-applicable categorical pretreatment standard as it applies to an existing industrial user if the facility is fundamentally different from what EPA considered in establishing the standard. FDF variances are available from pretreatment standards for existing sources (PSES) for conventional, nonconventional, and toxic pollutants. Alternative limitations are established to the

extent of the fundamental difference. EPA is aware of 53 FDF variance requests from indirect dischargers other than Organic Chemicals facilities; of these requests, there have been no approvals, 45 denials or withdrawals, and there are 8 pending requests.

The substantive and procedural criteria for evaluation of FDF variance requests from indirect dischargers are contained in section 301(n) of the Clean Water Act and, to the extent the regulations are not inconsistent with the statute, in 40 CFR §403.13. The Regional Administrator has been delegated the decision making authority in EPA for FDF variances, subject to the concurrence of the Director, Office of Water Enforcement and Permits for those requests determined to be nationally significant.

The effluent guidelines and categorical pretreatment standards for the organic chemicals, plastics and synthetic fibers (OCPSF) industrial category were issued on November 5, 1987. FDF variance requests for OCPSF facilities must have been submitted no later than May 3, 1988 (180 days from date of publication in the Federal Register) or within 30 days after issuance of a categorical determination (if that would result in a later deadline). EPA Regions should submit each OCPSF FDF variance request to the Permits Division at EPA Headquarters for a determination of national significance upon receipt of the request.

EPA is aware of 17 individual FDF variance requests from indirect dischargers covered by the OCPSF standards. EPA has also received two generic organic chemicals FDF variance requests submitted by POTWs which cover 33 industrial users, including six industrial users who also submitted individual requests. For further information on FDF variance requests, contact Gary Hudiburgh at (202) 475-9531.

CATEGORICAL STANDARDS UPDATE

PRE-1977 CATEGORICAL PRETREATMENT STANDARDS

During the National Pretreatment Coordinators Meeting in Philadelphia, PA in January 1988, concern was raised by a representative of one of the States in attendance regarding the status of pre-1977 pretreatment standards. These regulations (including Rubber Manufacturing, Asbestos, etc.) contain requirements that: (1) reference 40 CFR Part 403 and/or Part 128; (2) require zero discharge; (3) regulate conventional, nonconventional, and toxic pollutants, or (4) state "no limitation". EPA is assessing all of these categories and will be issuing a memorandum on which, if any, standards EPA intends to revoke or modify, and what action is needed to guide IUs to achieve compliance with these regulatory requirements. EPA intends to provide you with a detailed update on this activity by August 1988. For further information on pre-1977 categorical pretreatment standards, contact Lee Okster at (202) 475-9511.

LEATHER TANNING AND FINISHING

On March 21, 1988, EPA amended the Leather Tanning and Finishing categorical pretreatment standards (53 FR 9176). The amendments consisted of two changes to the pretreatment standards

for existing sources (PSES):

- 1) for Subpart C- Hair Save or Pulp, Non-Chrome Tan, Retan-Wet Finish Subcategory, the pH limit was changed from "7.0 to 10.0" to "Not less than 7.0".
- 2) the small tannery exemption for chromium in subparts:
 - A- Hair Pulp, Chrome Tan, Retan-Wet Finish
 - C- Hair Save or Pulp, Non-Chrome Tan, Retan-Wet Finish
 - I- Retan-Wet Finish- Splitspreviously referenced a specified number of hides/splits per day, a weight of hides/splits per year, as well as the number of working days per year underlying the specified hide and split exemption criteria. EPA has now deleted all reference to the annual weight basis and number of working days per year - the exemption is now strictly based on the number of hides/splits per day.

ORGANIC CHEMICALS, PLASTICS, AND SYNTHETIC FIBERS (OCPSF)

EPA has taken several steps to insure the implementation of the OCPSF categorical pretreatment standard. EPA Regions were provided with a listing of the 393 known OCPSF industrial users, the industrial users were provided with a copy of the regulations and a brief summary of their requirements under the General Pretreatment Regulations, and instructed to contact their Control Authority. Please use the document request sheet at the back of this bulletin if you need, but did not receive, a copy of the materials sent to the OCPSF industrial users. Of immediate importance for Control Authorities is insuring that Baseline Monitoring Reports for the OCPSF industry were submitted by June 20, 1988. In addition, if you are addressing a relatively new facility, you should be aware that an OCPSF industrial user is subject to Pretreatment Standards for New Sources if construction commenced after March 21, 1983. (Note, new sources must comply upon commencement of discharge.) As stated in the General Pretreatment Regulations, the new source definition is based on the proposal date of the categorical pretreatment standard. For further information on the above referenced materials, contact Karen Gray at (202) 382-4373.

CATEGORICAL REQUIREMENTS FOR ISOLATED WASTESTREAMS

Several categorical standards provide allowances for pollutants in isolated wastestreams:

<u>Categorical Standard</u>	<u>Pollutant(s)</u>
- Organic Chemicals, Plastics and Synthetic Fibers	- Cyanide and Metals (Lead and Zinc)
- Metal Finishing	- Cyanide (or Cyanide A)
- Pharmaceuticals Manufacturing	- Cyanide

For compliance monitoring, such wastestreams must be isolated and monitored separately. Alternatively, if they combine with other wastestream (prior to monitoring) these limits must be adjusted. For combined wastestreams, the categorical allowance is adjusted by multiplying the categorical limit times the category "isolated pollutant" bearing wastestream flow rate divided by the category flow rate. After this adjustment, the combined wastestream formula or flow weighted

average (as appropriate) can be used to address the category wastestream mixing with other regulated unregulated, and dilution wastestreams. Where mass per day allowances are desired, concentrations are multiplied by the appropriate flow rate.

PRETREATMENT FACILITY INSPECTION FIELD-STUDY TRAINING PROGRAM

Under a grant from EPA's Office of Water Enforcement and Permits, the California State University, Sacramento, School of Engineering, in cooperation with the Industrial and Hazardous Waste Committee of the California Water Pollution Control Association, has developed the Pretreatment Facility Inspection Field-Study Training Program. This self-study training course allows the individual to progress at his or her own pace and to study the material when and where they prefer. Computer answer sheets are sent to the University for grading and remarks. The training program may also be used in the classroom, and for in-house or on-the-job training. Nine Continuing Education Units and six University Semester Credits may be earned. The support staff at the University is available to answer any questions regarding this program. The course outline follows:

PRETREATMENT FACILITY INSPECTION

Course Outline

CHAPTER TOPIC

1 THE PRETREATMENT FACILITY INSPECTOR

Patrick S. Kwok, Department of Water
Pollution Control, City of San Jose

2 DEVELOPMENT AND APPLICATION OF REGULATIONS

Eddie Esfandi, Sanitation Districts of LA County

3 INSPECTION OF A TYPICAL INDUSTRY

Bill Garret, Sanitation Districts of LA County

4 SAFETY IN PRETREATMENT INSPECTION WORK

Herb Schott, Union Sanitary District
Fremont, California

5 SAMPLING PROCEDURES FOR WASTEWATER

Scott Austin, Sanitation Districts of LA County

6 WASTEWATER FLOW MONITORING

Paul Martyn, Lory E. Rising, and Robert M. Wienke
Industrial Waste Section
Sanitation Districts of LA County

7 INDUSTRIAL WASTEWATERS

Richard von Langen and Mahin Talebi
Industrial Waste Program

8 PRETREATMENT TECHNOLOGY (SOURCE CONTROL)

Douglas K. Garfield, Michael" C. Lee, and
Richard G. Wilson, Industrial Services Group,
Kennedy/Janks/Chilton, Inc.

9 INDUSTRIAL INSPECTION PROCEDURES

Bill Garret, Sanitation Districts of LA County

10 EMERGENCY RESPONSE

Bill Garret, Sanitation Districts of LA County

11 PRETREATMENT PROGRAM ADMINISTRATOR

Jay Kramer, Industrial Waste Section

Sanitation Districts of LA County

APPENDIX Final Examination

How to Solve Pretreatment Inspection Arithmetic Problems

The course will be available beginning July 1, 1988. Estimated cost for the manual is \$30, plus an additional \$30 to enroll in the self-study course. Information regarding enrollment, cost, etc. may be obtained by writing or phoning:

Dr. Kenneth Kerri
Office of Water Programs
California State University, Sacramento
6000 J Street
Sacramento, California 95819-2694
(916) 278-6142

PCME TRAINING MATERIALS AND WORKSHOPS

In January 1988, a copy of the Pretreatment Compliance Monitoring and Enforcement Training Course Instructor's Manual (PCME) was sent to each EPA Regional Office. The training course features four major topic areas or modules, each of which stands alone:

- Overview of Significant Concepts of the PCME
- Compliance Monitoring and Inspection Training
- Reporting Procedures
- Enforcement Strategies

A workshop covering all four modules can normally be conducted in one day. If all of the practical exercises accompanying the material are utilized, a day and one-half is required. POTWs are encouraged to contact their State or EPA Region if interested in PCME training

LOCAL LIMITS WORKSHOPS

In April 1988, EPA began sponsoring workshops on the development and implementation of local discharge limitations under the pretreatment program. The one day workshops address:

- collection of data for local limits development
- development of maximum allowable headworks loadings
- allocation of maximum allowable headworks loadings
- local limits development to address collection system concerns
- application of local limits

POTWs are encouraged to contact their State or EPA Region if interested in local limits development and implementation training.

GUIDANCE

GUIDANCE FOR DEVELOPING INDUSTRIAL USER PERMITS

In Pretreatment Bulletin No. 3 (November 6, 1987), EPA indicated the Guidance Manual for Developing Industrial User Permits was scheduled for publication in late 1987. This guidance manual is currently scheduled for publication in the Fall of 1988, and will be sent to all pretreatment POTWs and States directly when available. In addition, those individuals who requested copies of the guidance by returning the document request sheet in the back of Bulletin No. 3 will be sent their copy when available.

SUPERFUND WASTE AND

If you manage a POTW and you receive a request to accept waste from a Superfund site, how do you decide whether to accept the waste? What factors should you consider when you receive such a request? This article provides the POTW operator with some general principles to consider when deciding whether to accept Superfund waste.

Any waste received by the POTW must satisfy all Federal, State, and local pretreatment requirements. These pretreatment requirements apply to Superfund waste regardless of origin of the waste, regardless of the contents of the waste, and regardless of the method for receiving the waste. Therefore, a waste that is not treated as it passes through the POTW and causes a violation of the POTW's NPDES permit would violate the prohibition on pass through at 40 CFR 403.5. Similarly, waste that interferes with the treatment process at the POTW causing a violation of the POTW's NPDES permit would violate the prohibition on interference at 40 CFR 403.5.

To determine whether a Superfund waste could cause violations of your NPDES permit, you must know what pollutants are in the waste and the fate of the pollutants in the treatment process. A POTW should evaluate the potential effects of a Superfund waste on the quality of sludge generated at the POTW. The Superfund waste could foreclose a POTW's options for marketing or disposing of its sludge. Furthermore, the Superfund waste may cause the sludge to meet the definition of a hazardous waste under RCRA. If the sludge is hazardous, then the POTW would be required to find a qualified RCRA facility to treat, store, or dispose of the POTW's sludge. If the Superfund waste is also a hazardous waste, and is delivered to the POTW by truck, rail, or dedicated pipe, then the POTW must obtain a RCRA permit-by-rule. Waste from a Superfund site is not necessarily a hazardous waste. Only if the waste meets the definition of hazardous waste at 40 CFR 261.3 is the waste hazardous. (If the waste is received via the sewer system, then the domestic sewage exemption applies to the waste and the requirements of RCRA do not apply, but pretreatment requirements do apply to waste received via the sewer system.) A permit-by-rule is a streamlined RCRA permit. But includes corrective action, a potentially costly and time-consuming requirement.

The decision whether to accept waste from a Superfund site must be made on a case-by-case basis.

Only by knowing the contents of the waste and the requirements that apply to the waste, can a POTW make a technically sound and legally correct decision.

NEW NPDES FORM 2a

In the past, a POTW seeking an NPDES permit to discharge wastewater from their facility would complete a Standard Form A, a Short Form A, or the State equivalent of these forms. The Standard Form A and the Short Form A were originally designed in 1973. The Agency has now begun development of NPDES application requirements for POTWs and is revising the Standard and Short Forms A into a new Form 2a.

The revised application form will be used by all municipal dischargers. This form incorporates NPDES requirements proposed under the municipal sludge program at 40 CFR 122.21(c)(ii) and the proposed amendments to implement the recommendations under the Domestic Sewage Study at 40 CFR 122.21(i). No projected completion date has been defined for the application requirements or the form.

Major changes to the form include the addition of new sections on toxicity testing, and sludge management and composition. The pretreatment section has been expanded to include more information on industrial users and local limits program evaluations. To reduce the burden on the applicant, many questions from the old forms have been deleted. An effort is being made to eliminate duplication or reported and unnecessary data. An examination of Discharge Monitoring Reports, Annual Reports, and other record keeping requirements of POTWs was conducted to evaluate the usefulness of information contained in these reports to the permit writer.

The foremost Agency goal is to create application requirements and a revised form that can be easily understood and completed by the applicant while collecting sufficient information for the permit writer to issue a technically sound and enforceable permit. For more information, contact Al Collins at (202) 475-9517.

INFORMATION TRACKING SYSTEMS/SOFTWARE DEVELOPMENT

PERMITS AND ENFORCEMENT TRACKING SYSTEM

EPA Regions and States were required to begin entering pretreatment related data into the Pretreatment Permits and Enforcement Tracking System (PPETS) on January 4, 1988. This computerized data tracking system, developed as a subpart of the Permit Compliance System (PCS), was created for the use of States, EPA Regions, and EPA Headquarters as a tool to assist in the oversight of approved local pretreatment programs. Pretreatment compliance inspections, audits, and periodic (annual or more frequent) reports from control authorities (CA's) are the primary sources of the data in PPETS.

PPETS will enable EPA Regions and States to more easily: (1) track the progress over time of individual CA's in their efforts to implement approved pretreatment programs; (2) allow rison to related reportable noncompliance (MC) criteria for a CA's failure to implement its approved program; (3) identify prime CA candidates for enforcement action; (4) identify specific program

areas in which additional guidance or resources are needed; and (5) allow better oversight of CA's. In addition, PPETS will provide EPA Headquarters with summary statistics regarding pretreatment program implementation based on the most recent information available. EPA will inform you of these statistical summaries in the future.

PPETS consists of fifteen required data elements, plus another fifty optional data elements. The PPETS required data elements include counts of the numbers of significant industrial users (SIUs), categorical industrial users, SIUs in significant noncompliance (SNC), and various enforcement actions taken by CA's against SIUS. Most of the PPETS required data elements may be used as indicators which relate directly to the specific RNC criteria against which CA's are evaluated for failure to implement. For further information on PPETS, contact Andy Hudock at (202) 382-7745.

GENERAL INFORMATION

SUMMARY OF NATIONAL PRETREATMENT MEETING FOR APPROVAL AUTHORITIES

On January 24-26, 1988, EPA sponsored the 5th National Pretreatment Coordinators Meeting. Held this year in Philadelphia, PA, the conference was attended by 109 individuals representing all ten EPA Regions, EPA Headquarters, 17 (of 25) delegated pretreatment States, and 15 non-delegated States. The 32 States in attendance met separately for one-half day before the meeting began and presented their views to the conference as part of the opening session.

Four major themes developed during the conference:

- 1) the need for consistent program implementation from State to State, and Region to Region
- 2) Regions, States, and POTWs should be kept informed with regard to evolving issues, problems, and decisions
- 3) States need more guidance and training on the application of categorical pretreatment standards, industrial user inspections, local limits development and application, industrial user permitting and compliance monitoring and enforcement
- 4) POTWs are under increasing pressure to accept RCRA, CERCLA and underground storage tank wastes. Information and guidance regarding waste characteristics, liabilities, permitting strategies, applicability of local limits, etc., is needed to make decisions.

A number of potential mechanisms were discussed to address these areas, as well as a number of other issues raised at the conference, and EPA will assess these recommendations in the coming months. EPA is already involved in a number of activities that at least partially address participant concerns. First, in order to disseminate program information to all pretreatment POTWs, EPA has issued and distributed four bulletins. EPA Plans to continue, and hopefully increase, this effort. Second, in the Fall of this fiscal year, EPA will publish (guidance to assist POTWs in developing industrial user (IU) permits. This project has been delayed, but the guidance will be distributed to all pretreatment POTWs when available (see article on page 5 of this bulletin).

Third, beginning July 1988, the California State University, Sacramento, will be offering a field-study training program for POTW and Approval Authority personnel in conducting IU pretreatment facility inspections (see article on page 4 of this bulletin for further information). Fourth, in April of this year, EPA began sponsoring local limits development workshops in a number of states (see article on page 5 of this bulletin). EPA plans to conduct these workshops, which are based on the comprehensive technical guidance scheduled for general distribution later this year, throughout the remainder of 1988 and beyond. Fifth, EPA will continue to conduct Pretreatment Compliance Monitoring and Enforcement (PCME) workshops (see article on page 5 of this bulletin). These activities represent the major EPA efforts in the short term. The discussions held in Philadelphia will help direct future pretreatment program initiatives, which EPA will keep pretreatment personnel informed of through this bulletin and other mechanisms. Page 10 of this bulletin provides pretreatment personnel the opportunity for input regarding all aspects of the program.

EPA PRETREATMENT CONTACTS

The following is a list of EPA Regional pretreatment coordinators. If, after first contacting the appropriate State pretreatment office, POTWs need further assistance with program development or implementation questions or problem, please contact the EPA Regional office responsible for your State.

REGIONAL PRETREATMENT COORDINATORS

<u>Name</u>	<u>Region</u>	<u>Phone</u>
Jack Stoecker	I	(617) 565-3492
Ruth Adelman	II	(212) 264-2911
John Lovell	III	(215) 597-6279
Al Herndon	IV	(404) 347-3973
Dave Rankin	V	(312) 353-2105
Lee Bohm	VI	(214) 655-7175
Lee Duvall	VII	(913) 236-2817
Marshall Fischer	VIII	(303) 293-1592
Keith Silva	IX	(415) 974-8298
Bob Robichaud	X	(206) 442-1448

AVAILABLE DOCUMENTS

The documents listed on this request form are available on a limited basis from EPA. To obtain a copy of any of the following documents, please provide your name and address, check the requested document(s) and return the information to:

Chuck Prorok
U.S. Environmental Protection Agency
401 M 401 Street, SW (EN-336)
Washington, DC 20460

Name:

Address:

PRETREATMENT BULLETINS

- * Pretreatment Bulletin No. 1 (September 30, 1985)
- * Pretreatment Bulletin No. 2 (March 6, 1987)
- * Pretreatment Bulletin No. 3 (November 6, 1987)

CATEGORICAL STANDARDS

- Guidance Manual for Electroplating and Metal Finishing Pretreatment Standards
- Guidance Manual for Iron and Steel Manufacturing Pretreatment Standards
- Guidance Manual for Battery Manufacturing Pretreatment Standards
- Guidance Manual for for Pulp, Paper, and Paperboard and Builders' Paper and Board Mills Pretreatment Standards
- Guidance Manual for for Leather Tanning and Finishing Pretreatment Standards
- Memorandum: Implementation of the Organic Chemical Pretreatment Standards (December 30, 1987) and materials sent to OCPSF industrial Users

GENERAL INFORMATION

- * Guidance Manual for Implementing Total Toxic organic (TTO) Pretreatment Standards
- * Guidance Manual for the Use of Production-Based Pretreatment Standards and the Combined Wastestream Formula
- * Memorandum: Local Limits Requirements for POTW Pretreatment Programs (August 5, 1985)
- * Guidance Manual on the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program (general distribution for Fall 1988)
- The National Pretreatment Program (Environmental Regulations and Technology document EPA/625/10-86/005, July 1986)
- * Guidance Manual for Preventing Interference at POTWs

ENFORCEMENT

- Pretreatment Compliance Monitoring and Enforcement Guidance (PCME)
- * Guidance for Evaluating and Reporting POTW Noncompliance

RCRA

- * RCRA Information on Hazardous Wastes for POTWs
- * Guidance Manual for the Identification of Hazardous Wastes Delivered to Publicly Owned Treatment Works by Truck, Rail, or Dedicated Pipe

SOFTWARE

- PCME Software and User's manual
- PRELIM and User' Manual (EPA's computer model for calculating local limits)

*These documents have been, or shortly will be, mailed directly to all POTWs, State and EPA Regional pretreatment personnel. Due to the limited number available, please be sure you do not already have a copy before making a request.

PREATMENT FEEDBACK

This page has been provided for your input on the aspects of the Pretreatment Program that, in your view, are not working well, and those that are. We would appreciate hearing from you. The information you provide will be assessed by EPA for possible program modification and/or increased assistance for local program implementation.

General Description of Issue:

Example:

Recommendation:

(Extra sheets may be attached to identify multiple issues.)

Please send your comments to the address listed on the document request form on Page 9 of this bulletin.