

# Frequently-Asked Questions (November 6, 2003)

This November 6, 2003 Frequently-Asked Questions (FAQs) is an addendum to Chapter 10, Questions and Answers, of the Small Entity Compliance Guide (EPA 821-B-01-003, June 2001) for the Centralized Waste Treatment Effluent Limitations Guidelines and Pretreatment Standards (40 CFR 437).

## Applicability: Centralized Waste Treatment (CWT), 40 CFR 437

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- Q1. A facility receives waste from off-site and discharges the resulting wastewater to the local POTW. The discharge is subject to the solvent recycling exemption in the CWT regulations, therefore exempting the facility from the rule. The facility wants to start treating wastes not qualifying for a CWT exemption. The facility would utilize their existing treatment system and no modifications to the system would be required. Would this be considered a new source or an existing source?
- A1. Whether a change at a facility results in a source that is a new source in the situation above depends on whether 1) the source totally replaces the process or equipment that causes the discharge, or 2) the source's processes are substantially independent of an existing source. CWT facilities are engaged in waste treatment, using various types of wastewater treatment equipment. Therefore, the changes described at this facility would not result in a new source because the facility would continue to use its existing treatment technology. There is no total replacement of the process or equipment that causes the discharge. Moreover, there is no construction or replacement of process/treatment equipment or treatment processes that is substantially independent of the current wastewater treatment processes at the facility.
- Q2. A CWT facility receives waste from off-site for treatment or recovery of material but does not currently have a wastewater discharge. Following treatment, the facility transfers the resulting wastewater off-site to another facility for disposal. The CWT facility is planning to alter aspects of its treatment system so it may discharge its wastewater to the local POTW. Some modifications (such as changing or adding a treatment chemical or increasing a unit recycle rate) to its treatment system would be required to meet local discharge limits. Would this be considered a new source or an existing source?
- A2. The CWT would be an existing source. Although some construction may be necessary, the facility will not be substantially altering their existing processes or installing new equipment. Under the test described above, the facility is not a new source. First, the facility is altering, but not totally replacing, their treatment system. Second, it is not a new source because it is not installing new equipment or processes that are substantially independent of the current systems for processing or treating wastes. The facility's classification as an existing source may change, however, if more extensive changes are undertaken. For example, installation of new equipment to modify treatment may result in the source being a new source.

- Q3. A CWT facility has been transferring wastewater from the processing of used oil to another facility for treatment. The CWT facility would like to treat the wastewater they have been generating on-site for disposal to the local POTW. The only change necessary for the facility to do so is the construction of pretreatment units. Would this be considered a new source or an existing source?
- A3. The facility would be a new CWT source. The process employed at CWT facilities is “waste treatment.” In the situation above, new equipment for treatment will be installed to meet the pretreatment requirements for discharging to the local POTW.
- Q4. A facility receives waste from off-site for storage and transfer only. The facility is considering adding a small treatment process for certain types of wastes, which are not exempt from CWT guidelines. The treatment process would result in treated wastewater being discharged to the local POTW. Would this be a new source or an existing CWT source?
- A4. The facility is a new source subject to the CWT guidelines for the following reason. The facility will be installing equipment from which there will be a discharge of pollutants after EPA has promulgated applicable new source performance standards.
- Q5. An oil re-refiner hauls its wastewater off-site. The facility now wants to treat the wastes on-site and discharge the resulting wastewater to the local POTW. Would this be considered a new source or an existing CWT source?
- A5. The facility would be treating CWT wastewater for the first time. The source is constructing a treatment system at the site at which no other source is located. The facility would be a new source.
- Q6. An existing CWT facility handles metal and oily waste, with treatment appropriate for each. They now propose to handle organic waste as well. Would this be considered a new source or an existing CWT source?
- A6. If the facility adds treatment to treat the organic wastes, that portion of the treatment process would be substantially independent of other sources at the site, and the organic wastestream would be subject to new source guidelines.
- Q7. Following up from Q6., if the wastestreams are combined, should new source or existing source limits be applied? Should the most stringent limit be applied, or should new source be used exclusively?
- A7. Use the most stringent limit from each applicable subcategory for each pollutant.

- Q8. A facility produces no on-site wastewater, but accepts wastes from a single effluent guidelines category from off-site. What regulations apply?
- A8. The permit writer would apply CWT regulations to the off-site wastes. However, if the facility receives wastewater on a continuous basis from five or fewer generators with consistent profiles, the permit writer or control authority could set alternative limits. The alternative limits would be based on the limitations and standards applicable to the waste if the generator had discharged it on-site.
- Q9. A manufacturing facility produces wastewater on-site resulting from a single effluent guidelines category and accepts waste from the same category from off-site. What regulations apply?
- A9. If the manufacturing facility generates its own on-site wastewater and also treats off-site waste from the same effluent guidelines category in a combined treatment process, CWT regulations would not apply. Rather, the relevant existing source effluent limitations guidelines would apply. This also applies to the situation where a facility treats waste from off-site that is compatible with its current processes, and even where off-site waste does not fall under any effluent guidelines category.
- Q10. A manufacturing facility accepts waste from off-site that is from a different effluent guidelines category than the wastes generated onsite. What regulations apply?
- A10. For CWT-regulated facilities that accept wastes whose treatment is not compatible with on-site generated waste, the relevant effluent guidelines apply to the on-site waste and the relevant CWT subcategory guidelines apply to the off-site waste. Permit writers or control authorities may develop alternative limitations and standards in place of CWT limits or standards. This alternative scheme may be used when a facility receives wastewater flows on a continuous basis from five or fewer facilities and these flows have a relatively consistent pollutant profile. The alternative requires manufacturing facilities treating off-site waste to meet applicable categorical limits for the industries where the waste originated. For facilities that receive such wastes from more than five facilities, the CWT facility should be treated as a CWT treating waste from one subcategory with respect to the off-site wastewater. On-site generated wastewater remains subject to the relevant limitations and standards for that facility.
- Q11. If a CWT facility that discharges to a POTW starts treating a new wastestream subject to a different subpart of CFR Part 437, will they need to apply the limits immediately, or will they have until the Dec. 22, 2003 deadline?
- A11. A CWT facility that starts treating a new wastestream subject to a different subpart after January 22, 2001 must comply with CFR 437 immediately upon discharge to the POTW.

- Q12. What is the proper CWT subcategory for waste automotive ethylene glycol coolant?
- A12. Ethylene glycol coolant generally belongs in the organics subcategory. However, oil with residual ethylene glycol coolant should be regulated under the oils subcategory.
- Q13. A CWT facility that discharges to a POTW has one treatment system that mixes and treats waste from each subcategory (metals, oils, and organics) and wastewater from processing septic and restaurant grease trap wastes, with one sample point after that common treatment system. Would the facility be required to use the combined wastestream formula to arrive at alternative Subcategory D limits? What if the facility treated the wastestreams separately, but combined them before the monitoring point?
- A13. The combined wastestream formula does not substitute for the multiple wastestreams subcategory pretreatment standards (Subcategory D). In determining the applicable standards for non-CWT wastes, however, the combined wastestream formula would be used. Subcategory D limits would apply to the metals, oils and organics wastestreams that the facility treats.
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