

United States Environmental Protection Agency

Office of Wastewater Enforcement and Compliance

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PRETREATMENT BULLETIN

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WELCOME TO THE PRETREATMENT BULLETIN

The Pretreatment Bulletin is published by the U.S. Environmental Protection Agency's Office of Wastewater Enforcement and Compliance. It is primarily intended for the professionals who administer the National Pretreatment Program. Pretreatment refers to the alteration, reduction or elimination of pollutants prior to or in lieu of their being discharged to municipal wastewater treatment plants ("publicly owned treatment works" or "POTWs"). The National Pretreatment Program is a joint regulatory effort by EPA, States and municipalities to ensure that industrial and commercial discharges of pollutants to POTWs do not interfere with POTW operations, impair worker health and safety, pass through to receiving waters, or contaminate sewage sludge.

OFFICE OF WASTEWATER ENFORCEMENT AND COMPLIANCE HEADED BY MIKE COOK

U.S. EPA's Office of Water was reorganized earlier this year. The Office of Wastewater Enforcement and Compliance (OWEC) is now responsible for oversight of the National Pretreatment Program. OWEC is the result of the combination of two former offices: the Office of Water Enforcement and Permits (OWEP) and the Office of Municipal Pollution Control (OMPC). The reorganization brings together the two point source offices, which EPA hopes will result in better coordination of regulations, guidance and grants. OWEC is responsible for the implementation and enforcement of the NPDES permit and Pretreatment programs, storm water, sewage sludge, combined sewer overflows, construction grants and State Revolving Funds, and municipal assistance and outreach.

Michael Cook is the Director of OWEC. Before being selected to head the new office, Cook was most recently the Director of **the** Office of Drinking Water. Jim Elder, the head of OWEP for the last five years, is now Director of the newly created Office of Ground Water and Drinking Water.

PRETREATMENT AWARDS WINNERS

The winners of the 1991 National Pretreatment Program Excellence Awards were announced at the WPCF Annual Conference in Toronto, Canada, on October 7, 1991. These awards recognize POTWs with exemplary local pretreatment programs that reduce the risk of pass through of toxic pollutants and interference with the operations of treatment facilities that may be caused by toxic pollutants. Through their work With local industry, these POTWs also benefit from approved sludge quality and reduced risks to the health and safety of treatment

plant workers. Forty-one nominations were received from eight EPA regions in February. An awards review committee consisting of representatives from the Water Pollution Control Federation, State offices, and EPA Regional and Headquarters staff evaluated the applications. The **first** and second place winners in four size categories based upon millions of gallons per day (MGD) of flow were:

First Place	Second Place
0-2 MGD: Leitchfield Utilities, Leitchfield, KY	City of Havre de Grace, MD
2.01-5 MGD: City of Alpena, MI	City Utilities Commission, Corbin, KY
5.01-20 MGD: City of Sunnyvale, CA	City of Marion, OH
> 20 MGD: City of Harrisburg, PA	City of St. Petersburg, FL

All of the winners are to be congratulated for their outstanding pretreatment programs.

SECTION 519 PRETREATMENT REPORT DELIVERED TO CONGRESS

On July 10, 1991, EPA Administrator Reilly signed the Report to Congress on the National Pretreatment Program. The Report responds to Section 519 of the 1987 Water Quality Act, which required EPA to examine the program and recommend improvements to Congress.

The Report reaffirms the Federal, State, and local government partnership that is unique to the National Pretreatment Program. It finds that POTWs have made tremendous progress carrying out and enforcing national and local pretreatment standards. Many POTWs have achieved significant reductions in toxic pollutant loadings to their treatment plants, thereby lowering toxic pollutant levels in their effluents and sludges.

The Report finds, however, that additional work is necessary. Indirect measures of environmental impacts such as case studies, 304(l) data, and modeling exercises to predict exceedances of water quality criteria indicate that POTW discharges may have concentrations of toxic pollutants high enough to cause impacts on receiving streams and to warrant toxic pollutant limits in NPDES permits.

A key finding of the Report is that EPA, States, and municipalities lack comprehensive data on POTW effluent quality and impacts on receiving environments. Existing criteria and regulatory standards for surface water and sludge are still incomplete and are therefore an inadequate basis of comparison with effluent or sludge quality for purposes of evaluating environmental impacts and program effectiveness. One consequence of this problem is that, while up to 90% of pretreatment POTWs have adopted local limits for common toxic metal pollutants, less than one-third have based them on site-specific environmental criteria for surface water, sludge, POTW inhibition, or worker protection.

The Report also documents the variability of toxic pollutant removal rates both from POTW to POTW and within a POTW over time. This variability indicates a need to examine whether the removal credits and local limits provisions of the General Pretreatment Regulations should require the consideration of more site-specific data.

As required by Section 519, EPA examined alternative regulatory strategies for improving the program. The Report recommends the following improvements:

- Continue development of national technology-based discharge standards for industries and pollutants of concern, incorporating pollution prevention techniques where appropriate.
- Strengthen the controls used by individual POTWs over dischargers of toxic pollutants, particularly through development of technically-based local limits and increased attention to non-industrial discharges.
- Continue development of criteria and standards for receiving water and sludge, and limits in POTWs' NPDES permits to reflect such development, to help POTWs assess their effects on receiving environments and provide appropriate site-specific controls on their industrial dischargers.

Copies of the Report may be purchased for \$45.00 from the National Technical Information Service by calling (703) 487-4650 or (800) 336-4700 and asking for document PB91-228-726. A free 20-page information packet on the Report may be obtained from EPA by calling Felecia Curtis at (202) 260-9539, and more information on the Report may be obtained by calling Ross Brennan at (202) 260-6928.

PRETREATMENT ENFORCEMENT INITIATIVE

Under the Clean Water Act, certain publicly owned treatment works (POTWs) are required to develop and implement pretreatment programs to control the toxic, hazardous and concentrated conventional pollutants that are discharged by industries into public sewers. POTWs have the primary responsibility for implementing and enforcing pretreatment standards and requirements for their industrial users. While EPA can and does initiate enforcement actions directly against industrial users, the success of the National Pretreatment Program is dependent on POTWs doing their part by fully implementing and enforcing their pretreatment programs. EPA and States with approved pretreatment programs are responsible for assuring that POTWs fulfill this obligation.

Since 90% of the local pretreatment programs have been approved for at least four years, EPA believes it is reasonable to hold POTWs directly accountable for failing to enforce pretreatment standards against industrial users. In addition to enforcing directly against the POTW, action may also be pursued against one or more of the POTW's industrial users. Frequently, EPA exercises this option when an industrial user violation is severe or the industrial user has obtained a large economic benefit due to its noncompliance, and where the POTW's enforcement response has been ineffective.

In October of 1989, EPA announced a pretreatment enforcement initiative against POTWs failing to administer or enforce their approved local pretreatment programs. At that time, EPA and five States took action against 61 POTWs in 21 States. On May 1, 1991, EPA announced "Phase Two" of the initiative. This announcement: (1) updated the results from the first group of actions, (2) reported on actions taken since that time, and (3) announced several new (judicial) enforcement cases. The second announcement was broader than the first and included cases taken in 32 States. Moreover, unlike the first announcement, Phase Two included actions taken against industrial users (186) as well as POTWs (69). The actions in Phase Two bring the total number of pretreatment actions taken against POTWs to 130 (9% of approved local programs).

The POTWs in violation were identified through inspections and audits conducted on site at each POTW. The most common violation continues to be the failure of POTWs to undertake local enforcement. The purpose of this ongoing initiative is to demonstrate that EPA is serious about POTW obligations to enforce the pretreatment program requirements.

Penalties totaling over \$25,000,000 are being sought or have been obtained from POTWs and IUs in Phase Two of the Pretreatment Enforcement Initiative. Every case includes the payment of an administrative, judicial or criminal penalty. In some cases, the enforcement action seeks penalties for the POTW's NPDES violations as well. The largest penalty involving a POTW was a \$3 million judgment against the City of San Diego, CA (for both NPDES and Pretreatment violations). Some of the other POTWs identified in the announcement are Biddeford, NM; Woonsocket, RI; Bergen County, NJ; New York City, NY; Onondaga County, NY; Allentown, PA; Paducah, KY; Aiken County, SC; Evansville, IN; Las Cruces, NM; Muskogee, OK; Des Moines, IA; Burbank, CA; and the City of Los Angeles, CA.

One of the factors used in calculating an appropriate penalty is the principle that penalties should recapture all of the economic benefit or savings that accrued to a violator, including POTWs, as a result of its noncompliance. In addition to economic benefit, a civil penalty includes some assessment based upon the gravity of the violations. That is, the more severe the violation, the larger the "gravity assessment" will be. Finally, after totalling the dollar amounts yielded by calculating a violator's economic benefit and making a gravity assessment, EPA evaluates the violator and its particular situation to see whether any facts exist that justify a reduction (e.g., ability to pay) or a further increase (e.g., recalcitrance) in the penalty. Generally, EPA will not agree to a settlement which does not extract cash penalties in at least the amount of economic benefit that has accrued to the violator.

The largest industrial user penalty was a \$3.1 million civil settlement with Pfizer, Inc. Some of the other industrial users subjected to action

PHASE TWO OF THE PRETREATMENT ENFORCEMENT INITIATIVE RESULTS IN 255 ACTIONS AGAINST POTWs AND SIUs

(cont. from p.4) included Chevron, Continental Can Co., Teledyne Industries, Union Pacific Railroad, Land-O-Lakes, Rockwell International, Menominee Paper Co., G. Heileman Brewing Co., Cerro Copper, International Paper Co., Winn Dixie Stores, Columbo Yogurt Inc., Digital Equipment Corp., The Mennen Company, Cadillac Pet Foods, Ben and Jerry's, General Mills, Stanley Hardware, Chemtron and Borjohn Optical Technology.

EPA does not consider the size of a POTW or an industrial user when it determines an enforcement action is necessary. The nature of the violation and its effect on the environment are of more paramount concern. The Agency believes that the law should be observed by all dischargers regardless of location or size. Moreover, size alone can be a misleading indicator. For example, even a small POTW can have a drastic impact on water quality if it discharges into a small stream.

The May 1, 1991, announcement was reported by the Wall Street Journal, National Public Radio and various regional news services. While EPA anticipates that further pretreatment enforcement actions will be needed in the future, it acknowledges that the majority of POTWs are administering solid programs. Nevertheless, nearly 40% of all POTW programs still have at least one major program deficiency in need of correction.

Of the 255 actions, 110 were brought by 16 States. EPA wishes to recognize and commend these States' efforts to ensure the success of the pretreatment programs. The States are Alabama, California, Connecticut, Iowa, Kentucky, Maryland, Mississippi, Nebraska, New Jersey, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont and West Virginia.

SLUG CONTROL GUIDANCE AVAILABLE FROM EPA

The Report to Congress on the Discharge of Hazardous Wastes to Publicly Owned Treatment Works (known as the Domestic Sewage Study, or DSS) documented the widespread existence of slug loadings of toxic pollutants and hazardous constituents to POTWs from industrial users. Slug loadings (spills and batch discharges) present special challenges to POTWs, leading to problems such as worker illness, actual or threatened explosions, biological upset or inhibition, toxic fumes, corrosion, and contamination of sludge and receiving waters. The DSS recommended that EPA consider expanding pretreatment controls on these discharges. In September, 1988 EPA made a preliminary distribution of its Guidance Manual for Control of Slue Loadings to POTWs.

On July 24, 1990, the Agency promulgated amendments to the general pretreatment and NPDES regulations (55 FR 30082). One of these amendments, 40CFR403.8(f)(2)(v), provides that POTWs with approved pretreatment programs shall evaluate, at least once every two years, whether each significant industrial user needs a plan to control slug discharges. If a POTW decides that a slug control plan is needed, the plan must contain, at a minimum, the following elements:

- Description of discharge practices;
- Description of stored chemicals;
- Procedures for immediately notifying the POTW of slug discharges; and
- If necessary, procedures to prevent adverse impact from accidental spills (inspection, maintenance, worker training, building of containment structures or

equipment, emergency response, etc.).

Pursuant to the recent amendments, EPA is now making a wider distribution of the slug control guidance. The guidance provides detailed information on how to evaluate industrial users to determine whether they need slug control plans. The guidance will be mailed to POTWs with approved pretreatment programs this Fall. If you wish to make sure that you get a copy, please write to the U.S. EPA, Permits Division (EN-336), Slug Guidance, 401 M St., S.W., Washington, D.C. 20460.

REGULATORY UPDATE

PART 258 MUNICIPAL SOLID WASTE LANDFILL RULE FINAL SEWAGE SLUDGE USE AND DISPOSAL REGULATIONS AND REMOVAL CREDITS.

EPA has completed one of two rulemakings that will regulate the disposal of sewage sludge and affect the availability of removal credits. On October 9, 1991, EPA published the Solid Waste Disposal Facility Criteria final rule (56 FR 50977), which establishes siting, financial responsibility and other management practices for Municipal Solid Waste Landfills (MSWLFs). The regulation will be codified at 40 CFR Part 258. The rule allows publicly owned treatment works (POTWs) to dispose of their sludge in a MSWLF if the sludge is not a RCRA hazardous waste, is non-liquid and is disposed of in accordance with the landfill's permit. The preamble to the final rule clarifies that a POTW that sends all of its sewage sludge to a MSWLF in full compliance with the Part 258 requirements could apply for authority to grant removal credits (under 40 CFR 403.7).

On February 6, 1989, EPA proposed Standards for the Disposal of Sewage Sludge (54 FR 5746), which are expected to be finalized in January 1992. The regulations would be codified at 40 CFR Part 503. These standards would include numeric criteria and management practices for certain pollutants in sludge managed through land application, distribution and marketing, sludge-only landfills, surface disposal, and incineration. Under the proposed rule, POTWs would be able to apply for removal credits only if a Part 503 limit was developed for the pollutant for the use or disposal option used by the POTW, or if EPA had affirmatively determined that the pollutant did not need to be regulated for the use or disposal option. On November 9, 1990, EPA issued the National Sewage Sludge Survey Notice, which proposed alternative options for allowing removal credits for pollutants not addressed by the **first** round of Part 503 regulations.

The preamble to the proposed Part 503 rule stated that a POTW could seek removal credit authority for any pollutant that is present in its sludge in a concentration that is below the limit or the safe level established by the final Part 503 rule for the use or disposal practice employed by the POTW. POTWs should also be aware that local limits should be re-evaluated to determine whether changes are needed to assure compliance with the new sludge regulations.

In the meantime, the Sewage Sludge Interim Permitting Strategy (Sept. '89) is being implemented by placing permit conditions for sewage sludge in POTW NPDES permits as they are reissued. All POTW permits must require: (1) compliance with existing State and federal requirements and with the Part 503 standards, once promulgated, (2) reopener clauses for Part 503, and (3) notice of significant change in disposal practices. The strategy also recommends that all POTWs with pretreatment programs perform an annual priority pollutant scan of the sewage sludge and more frequent monitoring of pollutants proposed to

be regulated under Part 503. Permit writers should also be setting limits for individual pollutants on a case--by-case basis as necessary to protect public health and the environment.

NPDES FORM 2A FOR MUNICIPAL DISCHARGES.

EPA is working on revisions to the current municipal NPDES Permit Application. POTWs currently file for a permit using Standard Form A or Short Form A (or equivalent application form for approved States). These forms were developed in 1973 and, unlike the NPDES forms for other dischargers, have not yet been revised. The proposed consolidated new form will be known as "Form 2A." Form 2A will enable permit writers to obtain more pertinent information regarding expected discharges including the status of local limits, biomonitoring results, and chemical analysis of municipal wastewater effluent. The revised form is intended to simplify the application by consolidating informational requirements from existing regulations, including the pretreatment and sludge regulations. EPA hopes to publish a proposal in the Federal Register in January 1992.

§304(M) SCHEDULE FOR REVISING AND PROMULGATING CATEGORICAL PRETREATMENT STANDARDS

§304(m) of the Water Quality Act of 1987 required EPA to publish a biennial plan for promulgating national standards for direct and indirect dischargers. EPA's first plan, published on January 2, 1990, announced its intent to promulgate pretreatment standards for the pesticide chemicals manufacturing, pesticide chemicals-formulating/ packaging, waste treatment - phase I, and machinery manufacturing and rebuilding categories. EPA plans to revise the current pretreatment standards for organic chemicals, plastics and synthetic fibers, pharmaceutical manufacturing, and pulp, paper and paperboard. EPA intends to promulgate all of these rules by 1996.

On April 23, 1991, the U.S. District Court for the District of Columbia found EPA's schedule for promulgating pretreatment standards and effluent guidelines inadequate. The Court held that EPA has to promulgate standards for any industry whose discharge is not insubstantial. The Court will eventually impose a schedule for the development of categorical standards. The net effect will likely be that more facilities will be subject to national categorical standards sooner than EPA had initially planned. In the meantime, POTWs may wish to examine facilities in the above categories to determine whether they are significant industrial users and merit regulation is such.

EPA will issue its next plan in 1992. The plan will likely include a revised list of industries for which it will develop categorical standards. Anyone with information on the need to develop national pretreatment standards for an industry should submit them at that time.

CLEAN AIR ACT AMENDMENTS OF 1990.

The Clean Air Act amendments of 1990 require EPA to promulgate by November 1995 standards requiring the "maximum reduction achievable" of hazardous air pollutants from POTWs. The criteria for setting limits, which are in § 112(d) of the Clean Air Act, allow for consideration of cost and non-air quality environmental impacts. The requirement could lead to limits on the

emission of volatile organic compounds. The pretreatment program may be the vehicle for preventing their introduction to POTWs.

STORM WATER

The last issue of the **Pretreatment** Bulletin described EPA's November 16, 1990, final rule, which established the following deadlines for submitting applications for permits for storm water discharges:

1. Large municipal: Part I - **11/18/91**;
Part 2 - **11/16/92**
2. Medium municipal: Part 1 - **05/18/92**;
Part 2 - 05/17/93

On March 21, 1991, EPA issued a notice and **proposal** that changed the deadlines for storm water associated with industrial activity:

1. Individual: 11/18/91 (proposed change to 05/18/92)
2. Group: Part 1 :**09/30/91** (changed from 03/18/91)
Part 2 :**05/18/92** (just added as deadline)

Sewage treatment works that treat more than 1 MGD or which are required to have an approved pretreatment program are considered sources of storm water associated with industrial activity and must submit applications if they have any storm water discharges. As of October 15, 1991, EPA had not promulgated a final rule in response to its March proposal.

EPA ISSUES MWPP GUIDANCE

EPA and the States have embarked on a cooperative effort to promote State-based municipal water pollution prevention (MWPP) programs. The program focuses on maintaining compliance at POTWs and encourages measures such as toxicity reductions at the source, resource conservation to reduce water and energy use, appropriate pricing, BOD reductions, recycling, and beneficial uses of sludge. States will have the flexibility to determine whether and how to implement MWPP programs.

POTWs not only discharge wastewater, but may contribute to the release of various air emissions and solid waste streams as a result of their activities and the activities of their indirect dischargers. In the last 20 years over \$73 billion in federal, State, and local funds has been invested in the construction of municipal wastewater treatment facilities.

As the federal role in funding construction grants ends, prevention is seen as the best means of ensuring the continued viability of this investment and reducing the need for substantial new capital. Under current approaches, EPA estimates that another \$80 billion would be needed over the next 20 years to keep pace with population pressures.

EPA's March 1991 guidance document on MWPP programs encourages States to conduct regular assessments of the operations and physical capabilities of POTWs; monitor a series of early warning indicators which can identify emerging problems before they occur (e.g., effluent flow versus design flow); hold municipalities accountable for the implementation of necessary preventive measures; and design both technical assistance and enforcement mechanisms to help get preventive programs established.

The guidance document also discusses federal funding sources for State development of MWPP programs. In addition to existing grant programs, EPA's Office of Water and Office of Pollution Prevention awarded grants to selected States to provide funding for MWPP pilot programs and source reduction projects. To obtain a copy of the guidance call (202) 260-7256.

The preceding article was reprinted from EPA's "Pollution Prevention News". To receive copies of "Pollution Prevention News", please write U.S. EPA, 401 M Street, SW (PM-222B) Washington, D.C. 20460.

POLLUTION PREVENTION IN POTW_s GRANTS

Five States have been selected for "Pollution Prevention in POTW" grants for fiscal year '91 by EPA's Office of Pollution Prevention. The purpose of these grants is to demonstrate how a municipal POTW, through its pretreatment program and facilities operations, can promote source reduction activities among industrial and commercial dischargers. Activities to be funded under these grants will include such things as:

- conducting energy audits of specific POTWs,
- providing technical assistance to industry,
- establishing water conservation programs, and
- targeting of specific industries and pollutants for source reduction programs.

These demonstration projects will assist in the development of a national "Pollution Prevention in POTWs" program plan. For further information contact Deborah Hanlon or Lena Hann in EPA's Office of Pollution Prevention at (202) 260-2726.

POLLUTION PREVENTION TRAINING AND GUIDANCE

Over the past two years, EPA has made promotion of pollution prevention one of its top priorities. Pollution prevention is multimedia in scope and is designed to augment end-of-pipe controls for a single medium. On February 7, 1991, EPA's Administrator, William Reilly, announced the issuance of EPA's National Pollution Prevention Strategy. The Strategy provides guidance and direction for efforts to incorporate pollution prevention into EPA's existing regulatory and nonregulatory programs. The strategy emphasizes source reduction as the Agency's primary focus. Source reduction is defined as any practice that reduces the amount of any hazardous substance, pollutant or contaminant that enters any waste stream or is released into the environment; source reduction occurs prior to, and eliminates the need for, recycling, treatment or disposal.

In order to promote and institutionalize pollution prevention into the pretreatment program, the Office of Wastewater Enforcement and Compliance (OWEC) will be developing training and guidance for pretreatment coordinators and POTWs. OWEC has already developed training for NPDES permit writers. A two-hour pollution prevention training module, which was first presented at the NPDES Basic Permits Writers Course in December 1990, is now part of the regular curriculum. In June, a pilot 1-day workshop on pollution prevention for NPDES permit writers was held in Chicago. The goals of the workshop were to familiarize permit writers with pollution prevention opportunities; to show how their permit decisions can affect other media; and to provide guidance on how to communicate pollution prevention to industrial managers in a positive manner.

The guidance and training being developed for pretreatment coordinators and POTWs will build on what has been done in the NPDES training course. These include the following:

- A pollution prevention training module for inclusion in pretreatment workshops to explain what pollution prevention is and how it would work in the context of the pretreatment program.
- A one-day training session for POTWs to conduct pollution prevention audits and educate industrial users about pollution prevention opportunities.
- A short brochure on pollution prevention for industry, POTWs and the general public.

In order to stimulate technology transfer among the regulated community, and to encourage industrial users and POTWs to conduct additional pollution prevention activities, OWEC will research current pollution prevention technologies that reduce the concentration of pollutants in wastewater. The case studies developed will be used in the training sessions for NPDES Permit Writers, Pretreatment Coordinators and POTWs to provide examples of pollution prevention in action. These case studies will be added to the Pollution Prevention Information Clearinghouse (PPIC), a database that contains pollution prevention information relating to specific industrial types. Look in future editions of the Pretreatment Bulletin for information about training and pollution prevention technologies available through PPIC.

BULLETIN IDEAS

Are there articles you would like to see written or would like to contribute? Please contact Louis Eby at the address on page 1 or at (202) 260-6053.

EPA INITIATES NATIONAL ASSESSMENT OF OCPSF COMPLIANCE

The deadline for compliance with categorical standards for the Organic Chemicals, Plastics and Synthetic Fibers (OCPSF) industry was November 5, 1990. The deadline for 90-day final compliance reports was February 4, 1991. EPA and approved pretreatment States are in the process of examining POTW programs that regulate one or more OCPSF facilities to determine whether these facilities are in compliance and whether the POTW has implemented and enforced these requirements in a timely manner. Preliminary results of this assessment indicate that OCPSF noncompliance is greater than expected and that some POTWs have yet to incorporate the OCPSF discharge limits into industrial user control mechanisms or take enforcement to address noncompliance. POTWs and OCPSF facilities may be subject to enforcement action for failure to comply with these guidelines in a timely manner.

EPA EXPLAINS POLICY ON CALCULATING SIGNIFICANT NONCOMPLIANCE

On September 9, 1991, Mike Cook, Director of EPA's Office of Wastewater Enforcement and Compliance, issued a memorandum explaining the proper methodology for determining which industrial users meet the regulatory definition of significant noncompliance (SNC). The definition, which has existed as guidance since 1986, was promulgated as part of the July 24, 1990, amendments to the General Pretreatment Regulations (commonly referred to as the Domestic Sewage Study regulations) (55 REG 30082).

The memo clarifies that, like the SNC definition used in the NPDES program, incidents of pretreatment SNC involving discharge violations are to be calculated on the basis of "rolling quarters". SNC must be determined at the end of each quarter based upon data for the previous six months. Fixed quarters are to be established by each POTW to correspond to its reporting year (e.g., March 31, June 30, September 30, and December 31). The frequency of POTW reporting continues to be left to the discretion of the Approval Authority, as set out in POTW NPDES permits, but is to be in no case less than once per year.

The memo further clarifies that an IU continues to be in SNC even after it has been issued a compliance schedule through an enforceable order. The IU is in SNC for the term of the schedule (unless the facility returns to compliance) and must be published in the newspaper per 40 CFR 403.8(f)(2)(vii) for each year that it is in SNC.

EPA Headquarters is currently revising the Pretreatment Compliance Monitoring and Enforcement (PCME) software. The PCME software assists POTWs in tracking all compliance and enforcement activities related to the pretreatment program. A preliminary version of PCME 3.0 is expected to be available soon, and EPA is seeking users of PCME 2.05 to test the revised system and work with the developers to address problems which arise in testing the program. All interested users are encouraged to respond to this request; however, the ideal beta tester would have the following characteristics:

- regulates approximately 20 industrial users;
- implements an Enforcement Response Plan (ERP); and in the preceding 18 months, has pursued at least three different types of enforcement actions (e.g., NOV, AO, judicial action);
- is familiar with dBASE III or IV;
- works with a Local Area Network (LAN) (optional); and
- maintains a sense of humor.

Anyone who meets most of the above conditions and is able to commit some time during the coming months should contact Lee Okster at (202) 260-8329.

MISCELLANEOUS

1989 TOXIC RELEASE INVENTORY DATA ANNOUNCED

On May 16, 1991, EPA announced the results of the 1989 Toxics Release Inventory (TRI), which revealed that 22,650 industrial facilities released 5.7 billion pounds of toxic chemicals into the nation's environment. Under the Emergency Planning and Community Right-to-Know Act of 1986, certain industries that employ at least 10 workers and use or manufacture specified quantities of toxic chemicals per year are required to report any routine or accidental release of these chemicals to the Agency.

551 million pounds, or 9.65% of the 5.7 billion pounds released, were transferred to POTWs. This represents an 11% decrease from 1987 TRI data. Fifteen chemicals account for over 90% of the chemicals transferred. The top five chemicals transferred to POTWs were:

Ammonium Sulfate (201 million pounds)
Methanol (109 million pounds)
Sulfuric Acid (43 million pounds)
Ammonia (29 million pounds)
Hydrochloric Acid (28 million pounds)

The major industrial category contributing to releases to POTWs was the chemical industry which accounted for approximately 65% of the chemicals transferred. The paper industry accounted for the second largest percentage of releases (approximately 8%).

TRI data for 1989 are available to the public through the National Library of Medicine's TOXNET system at (301) 496-6531. States and EPA Regional offices should already have access to TRI data through EPA's TRIS system. EPA will release a national report summarizing and analyzing the 1989 TRI in the near future. If you need additional information on TRI, please call the Information Management Division in the Office of Toxic Substances at (202) 2603928 or the Emergency Planning and Community Right-to-Know hotline at 1-800-535-0202.

WATER POLLUTION CONTROL FEDERATION AD HOC SOURCE CONTROL COMMITTEE

WPCF has recently formed an Ad Hoc Source Control Committee which will be dealing with a variety of challenging source control and pretreatment issues concerning the regulation of small industrial and commercial facilities, reauthorization of the Clean Water Act and the development of industrial wastewater operator training and certification programs. The Committee is being drawn from large and small wastewater treatment agencies, regulators, environmental consultants and industrial/commercial representatives. The first meeting of the Committee was held on Monday, October 7, 1991, at the annual WPCF Conference in Toronto. Questions about the Committee or its activities should be directed to the Committee's Chair, Margie Nellor, County Sanitation District of Orange County, CA, at (714) 962-2411.

ADDRESS CHANGES

Any address changes or additions? In order to be on the mailing list you must be a POTW, State or EPA employee.

LOUIS EBY
U.S. EPA
Permits Division (EN-336)
401 M Street, S.W.
Washington, D.C. 20460

PRELIM 4.0 AND GUIDANCE MANUAL AVAILABLE TO ASSIST LOCAL LIMIT DEVELOPMENT

PRELIM 4.0

PRELIM 4.0 is finally here! For several years, one tool used in calculating local limits has

been the EPA program PRELIM. The long awaited upgrade to PRELIM has been completed and is now available. Over the past several months, many people have written or called to request a copy of PRELIM 4.0, and EPA has developed a mailing list of those persons. EPA has begun sending PRELIM 4.0 to the approximately 1,200 persons who had requested it. PRELIM 4.0 is still in an IBM format (sorry MAC users, but we couldn't do both formats). The program will come on two double-sided, double-density, floppy disks with a user's manual. Although it will run from a floppy drive, we recommend that, for ease and speed of operation, it be run from a hard drive. It requires a minimum of DOS 2.0 and 640k of RAM.

PRELIM 4.0 improves upon previous versions in numerous ways. It allows the input of information on an unlimited number of industrial users; it is more user friendly (it is menu driven) with a greater ability to edit files and copy facility profiles; and it is consistent with the Guidance Manual on the Development and Implementation of Local Discharge, Limitations Under the Pretreatment Program, December 1987.

Due to a substantial difference in program design however, data is not electronically transferable between PRELIM 4.0 and any previous versions of PRELIM.

Supplemental Manual on the Development
and Implementation of
Local Discharge Limitations Under the
Pretreatment Program

EPA has also finalized a document called the Supplemental Manual on the Development and Implementation of Local Discharge limitations, May 1991. This two-part manual provides information on commercial and domestic sources of toxic pollutants to POTWs as well as information on the calculation of the removal of toxic pollutants in POTWs. These are important considerations during local limits development. This manual is intended to supplement the Guidance Manual on the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program, December 1987. Distribution of the Supplemental Manual will occur with the release of PRELIM 4.0.

The first part of the Supplemental Manual provides information about pollutant levels that have been observed in commercial and domestic wastewaters. Sources presented are hospitals, automobile radiator shops, car washes, truck cleaners, dry cleaners, laundries, septage haulers, landfill leachate and domestic sources. The data presented are not intended to serve as a substitute for the collection of site-specific information. They are presented to show relative values of pollutant loadings, to use in making comparisons and to encourage the collection of site-specific data before developing local limits.

The second part of the Supplemental Manual expands upon the methodology in the 1987 Local Limits Guidance on the mean and decile approaches to calculating POTW removal of toxic pollutants. The mean approach is probably the most familiar calculation since it represents an

arithmetic average of daily removal values. The decile approach is a statistical method which allows a POTW to select removal efficiencies, within certain ranges of certainty. Each of these methods is defined and illustrated with examples. The Supplemental Manual includes a work sheet approach to calculating deciles to help simplify the process. It also discusses the difficulties that may be encountered when applying the calculations to analytical sampling data. The local limits computer program, PRELIM 4.0, includes the ability to calculate pollutant removal by a POTW using a decile method of analysis.

CONGRESS WORKING ON CLEAN WATER ACT

Senate Bill No. 1081, introduced on May 15, 1991, proposes the "Water Pollution Prevention and Control Act of 1991." The bill is almost 200 pages long and covers many issues. The House is in the process of drafting its own bill. Congress is a long way from preparing a final bill and the ultimate statute may look very different from the Senate's proposal. Major elements of the Senate Bill that pertain to the pretreatment program include:

- a. Categorical pretreatment standards: in addition to requiring national standards to be based on best available technology, the bill would mandate that EPA consider waste reduction and cross-media impacts when developing standards.
- b. Removal credits would be abolished.
- c. Control authorities would be required to set local limits for each IU not subject to a national guideline and to consider BAT and pollution prevention when setting local limits. EPA and States would be required to set local limits where they are the Control Authority. EPA would issue permits to IUs where EPA is the Control Authority.
- d. Monthly reporting for SIUs, and quarterly reporting for other IUs, would be required.
- e. The bill would prohibit the discharge of any hazardous pollutant by an IU unless the pollutant and the source are subject to a categorical pretreatment standard, on a 304(m) schedule for a standard, or subject, to a local limit that is at least as stringent as RCRA's technology-based limits.
- f. Toxic Reduction Action Plans: POTWs serving over 50,000 people would be required to identify problem pollutants from domestic and other unregulated sources and develop a plan to prevent their discharge (e.g., used oil and hazardous waste recycling programs). Plans would have to be approved by EPA.
- g. Combined Sewer Overflows: the bill would require submission of schedules for the elimination of CSOs and interim pretreatment measures to reduce toxic pollutants.

It cannot be overemphasized that these are just proposals and that it is quite possible that none of these provisions will ever be adopted. Anyone with ideas on the above or other ways to improve the Pretreatment program should contact their State or EPA Regional NPDES Director, and their representatives in Congress.

FACTS ABOUT PRETREATMENT

- There are 15,000 POTWs in the United States. These POTWs treat 34 billion gallons per day of domestic, commercial and industrial wastewater.
- 1,542 POTWs are required to develop and implement local pretreatment programs. 1,442 programs have been approved and implemented. These 1,442 programs cover 2,015 individual wastewater treatment plants (note that a pretreatment program may cover more than one plant.)
- The five so-called "403.10(e) States", where States rather than local POTWs implement pretreatment requirements, regulate discharges to an additional 314 POTWs. The five States are Alabama, Connecticut, Mississippi, Nebraska and Vermont.
- Those POTWS with approved pretreatment programs and those in 403. 10(e) States receive approximately 80% of the national wastewater flow to POTws.
- Although over 80% of POTWs have imposed local limits on their IUs, less than one-third have technically-based local limits (i.e., local limits specifically designed to prevent pass through and interference.)
- Of the several hundred thousand industrial users of POTWS, approximately 30,000 meet EPA's definition of "significant industrial user" (SIU), including 11,600 industrial users that are subject to categorical pretreatment standards.
- EPA's Permit Compliance System indicates that 84% of SIUs have been issued control mechanisms and 90% of SIUs have been inspected under local programs.
- Over one-half of the Pretreatment POTWs receive a flow of less than five million gallons per day.
- Under EPA's 304(1)program, 254 POTWs (171 pretreatment POTWs) are among the 686 facilities identified as contributing toxic pollutants to stream segments not attaining water quality standards.
- 48% of POTW sludge is beneficially used in land application or distribution and marketing.
- EPA Regions and States have performed more than 3,600 audits and inspections at 1,328 POTWs in the last five years.

Source: Report to Congress on the National Pretreatment Program, EPA (1991).

EPA REGIONAL PRETREATMENT PERSONNEL

The following is a list of EPA Regional Pretreatment Coordinators. POTWs or other interested parties should first contact their State pretreatment coordinators. If POTWs need further assistance with program development or implementation questions or problems, please contact the EPA regional office responsible for your State.

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