

# **WI Pretreatment Update**

**August 12, 2014**

Pretreatment Overview;

WI Streamlining Summary & Rollout Overview;

Proposed EPA Electronic Reporting Rule;

Proposed EPA Dental Amalgam Rule;

UW Extension SHWEC; Challenges

By Robert Liska ([Robert.Liska@wi.gov](mailto:Robert.Liska@wi.gov); 608 267 7631)

# Pretreatment Program Overview

- 1600 POTWs with approved Pretreatment Programs in US (2010)
- 20,000 Significant Industrial Users (SIUs) discharge to those POTWs
- 2200 SIUs discharge to other POTWs (EPA or state)
- Wisconsin's Pretreatment Program approved Dec, 1980 (3<sup>rd</sup> in US)
- Wisconsin has 26 approved Pretreatment Programs
  - (soon to be 28)
- 530 SIUs discharge to those POTWs
- 140 SIUs discharge to other POTWs (DNR-regulated)

# WI Streamlining Overview

- DNR's version of the Streamlining rule (revised NR 211) became effective Feb. 1, 2014.
- Streamlining implementation instructions emailed to 26 POTW Programs on 5/20/14.
- Streamlining implementation instructions to 140 DNR-regulated industries will be emailed by 11/30/14.

# Summary of Streamlining Reductions

The Streamlining Rule provides some modest reductions in regulatory requirements for Wisconsin industrial users and municipal pretreatment programs and adds some minor requirements:

Regulatory Reductions/Increased flexibility for SIUs & POTWs:

- Sampling waiver for pollutants not present

- BMPs in place of numerical limits

- Non-Significant Categorical Industrial Users

- Middle Tier CIUs

- Mass to concentration limits or vice versa

- Alternative sampling arrangements

- Significant Non-compliance changes

- General permits

# Summary of Streamlining Requirements

## Added Requirements for IUs:

- Compliance with BMP requirements
- Report additional sample results
- Report changes in slug potential

## Added Requirements for POTWs:

- Repeat SIU sampling
- Include BMPs and slug plans in permits
- Evaluate SIUs for slug control plan
- New report signature requirements

Municipal programs will need to submit their modified ordinances and model permits to DNR for review and approval prior to implementing these non-substantial changes.

# WI Streamlining Rollout Overview

- Program submittals describing proposed incorporation of Streamlining provisions into Program ordinances and permits are due Jan. 31, 2015.
- Reasonable allowances will be made for late submittals.
- By 1/31/15 summarize: progress to date, remaining work & new submittal date

# WI Streamlining Rollout to POTWs

## REQUIRED NR 211 Changes (RevisedTable)

NR 211 Change number (from above) with short description	Associated EPA Model Sewer Use Ordinance (SUO) Line Number Reference (1 <sup>st</sup> Link)	Associated EPA Model Permit Section Reference (2 <sup>nd</sup> Link)	Program Document Change Required in SUO, SIU permits and/or Pret. Program Procedures	Enter Revised SUO section number for this change	Enter Revised SIU permit section number for this change	Enter Revised procedures section number for this change
1. Include slug control in permit	1224	Part 4; Part 5, Section 2	SUO & Permits			
2. Evaluate need for slug control plan			Procedures (though not if evaluations have been completed – see F.Sh.#2)			

# WI Streamlining Rollout to POTWs

## OPTIONAL NR 211 Changes (RevisedTable)

NR 211 Change number (from above) with short description	Associated EPA Model Sewer Use Ordinance (SUO) Line Number Reference (1 <sup>st</sup> Link)	Associated EPA Model Permit Section Reference (2 <sup>nd</sup> Link)	Program Document Change Required in SUO, SIU permits and/or Pret. Program Procedures	Enter Revised SUO section number for this change	Enter Revised SIU permit section number for this change	Enter Revised procedures section number for this change
12. Cat. pollutant sampling waiver	1211, 1227, 1621, 1625, 1922, 1988		SUO, Permits & Procedures			
13. Use BMPs to meet local limits	843		SUO & Permits			



# **NPDES Electronic Reporting Rule (40 CFR Part 127 - Proposed 30 July 2013)**



Meeting with MIT  
10 April 2014



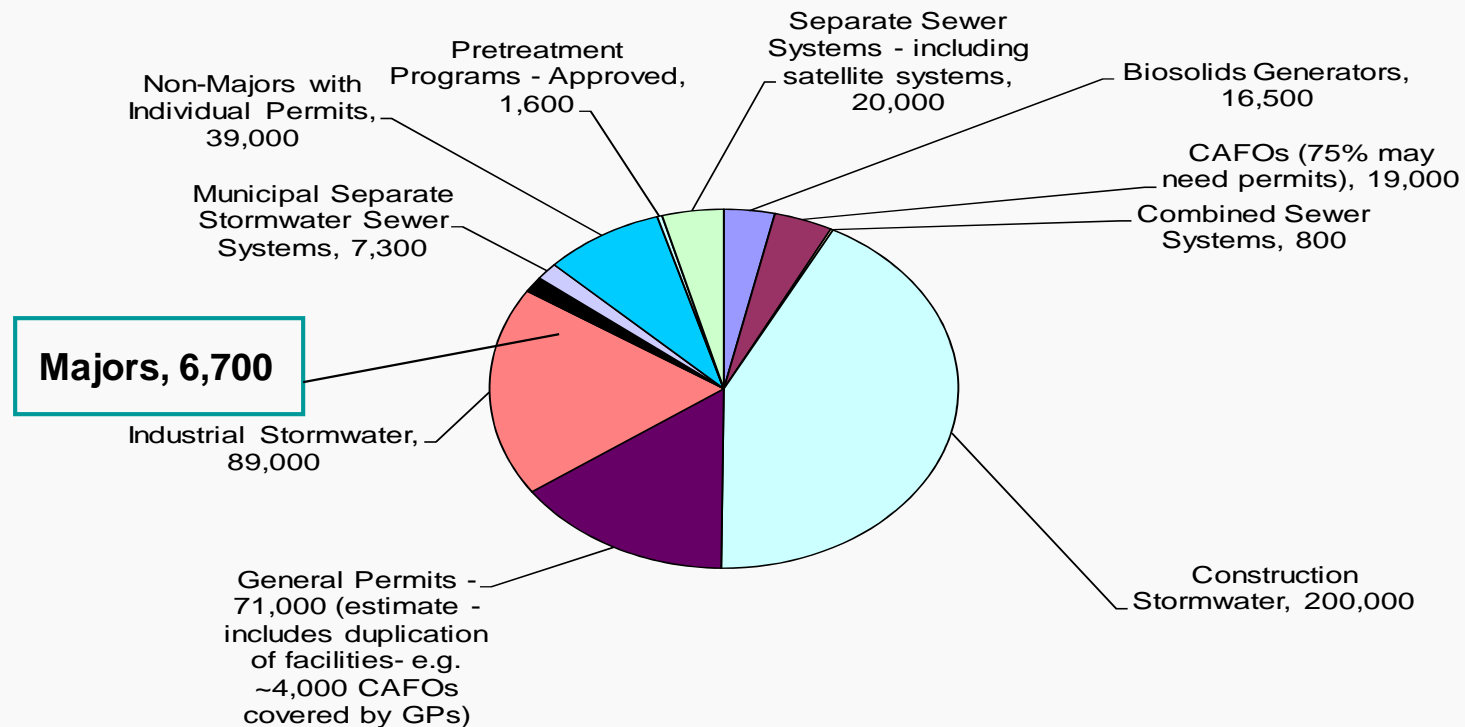
## Goals of the Proposed Rule

**This rule will help EPA and states clean up the nation's waters, by:**

- **Bringing the NPDES Program into the 21<sup>st</sup> Century by shifting from paper to electronic reporting. Proposed rule establishes no new reporting requirements**
- **Saving money and time for the regulated community and for states (reduce data entry time, improve accuracy)**
- **Improving transparency and freeing resources to focus on the most important problems**
- **Using technology to obtain more accurate, timely, and complete information about the NPDES program**



# NPDES-Regulated Facilities



Note: This graph covers all discharge sources except for significant industrial users not under an Approved Pretreatment Program and dischargers operating under general permits for discharges from vessels and discharges from pesticide applicators.



## What Does the Rule Do?

- Replaces much of the currently-required paper-based NPDES reporting with electronic reporting. Does not add additional reporting requirements on permittees.
- Obtains required information directly from the source where data is generated.
- Reduces burden of existing paper-based reporting from regulated facilities and reduces data entry errors by instead requiring electronic data submissions.
- Provides significant cost savings for states, primarily due to streamlining the processing of DMR data.
- Proposes to eliminate several existing state reporting requirements to EPA.



# Key Concepts

- **Proposed regulation will require that NPDES permittees electronically submit most of the required NPDES data (e.g., DMRs, NOIs, program reports) directly to states or EPA.**
  - This information will need to be submitted to EPA in a nationally-consistent manner (called “Appendix A”).
  - These data submissions would meet EPA’s current signatory and chain of custody requirements in Parts 3 (CROMERR) and 122 (NPDES Regs)
  - This would include registration, subscriber agreements, electronic signatures, associated training, etc.
- **Permittee electronic submissions will be supplemented by authorized state electronic submission:**
  - Basic facility and permit data; and
  - Data originating from the states (e.g., inspections, violation determinations, enforcement actions).



# More Efficient Existing Data Submissions

---




# Two-Phase Implementation Approach

- **Phase 1 Data (One Year After Final Rule - 2016):** EPA and states would electronically receive:
  - Basic facility and permit information as well as inspections, violation determinations, and enforcement actions data from states;
  - DMR information from facilities; and
  - Information from general permit covered facilities [e.g., notices of intent to discharge (NOIs), notices of termination (NOT), no exposure certifications (NECs), and low erosivity waivers (LEWs)] for Federally-issued general permits.
- **Phase 2 Data (Two Years After Final Rule - 2017):** In addition to Phase 1 data, EPA and states would receive:
  - Information from general permit covered facilities for other state-issued general permits (see above); and
  - Program reports from all facilities.

# Proposed Federal Dental Amalgam Rule

- A 2003 study funded by the American Dental Association (ADA) estimated that 50 percent of mercury entering POTWs was contributed by dental offices.
- EPA estimates there are approximately 160,000 dentists working in over 120,000 dental offices who use or remove amalgam in the United States – almost all of whom discharge their wastewater exclusively to POTWs.



## Proposed Federal Dental Amalgam Rule, Cont'd

- EPA submitted (5/29/14) draft proposed rule to the Office of Management and Budget for interagency review of pretreatment standards for existing and new dental practices that discharge dental amalgam to publicly owned treatment works (POTWs).
- EPA also proposes to amend parts of the General Pretreatment Regulations ([40 CFR Part 403](#)) to streamline oversight requirements for the dental sector.

# Proposed Federal Dental Amalgam Rule, Cont'd

- EPA will publish its proposed rule this Fall,
  - Allow 60 days for public comments,
  - Publish the Final Rule 12 – 18 months later
- Rule will likely rely on dental BMPs, like those of American Dental Association, to control mercury

# New Municipal Programs Being Developed

- Two more WI cities will be developing pretreatment programs:
  - Beaver Dam
  - Chippewa Falls
- Initial program submittals due summer and fall of 2015, respectively

# UW Extension Solid & Hazardous Waste Ed. Center

- Offers free Pollution Prevention technical assistance
- <http://www4.uwm.edu/shwec/programAreas/programInfo.cfm?programId=1>
- John Katers Title: Assistant Professor
- Address: UW-Green Bay
- 2420 Nicolet Drive, ES 317
- Green Bay, WI , 54311
- Phone: 920-465-2278
- Fax: 920-465-2376
- Email: [katersj@uwgb.edu](mailto:katersj@uwgb.edu)

# UW Extension Solid & Hazardous Waste Ed. Center

- Offers free Pollution Prevention technical assistance
- <http://www4.uwm.edu/shwec/programAreas/programInfo.cfm?programId=1>
- David S. Liebl Title: Waste Reduction and Management Specialist
- Address: 432 North Lake Street
- Room 311
- Madison, WI , 53706
- Phone: 608-265-2360
- Fax: 608-263-3160
- Email: [liebl@epd.engr.wisc.edu](mailto:liebl@epd.engr.wisc.edu)

# Dealing with Pretreatment Challenges

- Like anything else in life, dealing with Pretreatment issues presents challenges.
- Share them - with colleagues, with me!
- We're available year-round and have lots of experience!