

Wisconsin
Department of Natural Resources
Pretreatment Update
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Topic Overview

- Regulatory Changes
 - PFAS
 - Meat Rule
- Procedural Changes
 - SWAMP to ICIS data transmittal
 - Changes to Pretreatment Reporting



PFAS

- PFOS, PFOA added to CERCLA, effective July 8, 2024
 - Requires immediate reporting to the National Release Center, release of a pound or more within 24 hours
 - Requires notification of new owners if site is contaminated
 - Puts PFOS, PFOA on the HazMat list
 - Allows the use of Superfund for cleanup
 - Requires manufacturers to notify when starting or changing production



PFAS

- **In January 2024, the EPA released three methods to better measure PFAS in the environment:**
 - Final EPA Method 1633, a method to test for 40 PFAS in wastewater, surface water, groundwater, soil, biosolids, sediment, landfill leachate, and fish tissue.
 - Final EPA Method 1621, which can broadly screen for the presence of chemical substances that contain carbon-fluorine bonds, including PFAS, in wastewater.
 - Other Test Method (OTM)-50, which measures 30 volatile fluorinated compounds in air.



PFAS

- In January 2024, the EPA finalized a rule that prevents companies from starting or resuming the manufacture or processing of 329 PFAS that have not been made or used for many years without a complete EPA review and risk determination. Without this rule, companies could have resumed uses of these PFAS absent notification to and review by the EPA.



Meat Rule Revision

- US EPA lost an environmental group lawsuit in September 2024
- The stipulation by the lawsuit was that Meat and Poultry production is a significant source of pollutant loading in the US, and current regs did not address this issue
- EPA was required to move forward with rulemaking revisions to 40 CFR 432
- They were given until December 2023 to draft a preliminary proposal and seek public input



Streamlined rulemaking

- Public comment period opened in January 2024, 2 public hearings held in January
- Public comment period is now closed, no word from EPA yet.
- Rule making must be complete by the end of 2025.



Definitions

- First Processor-
 - Slaughterhouse, initial processing.
Produces dressed meat carcasses in whole or part
- Further Processor-
 - Takes whole carcass or cut-up products and produces final products



40 CFR 432 and NR 258

- ELGs currently cover
 - First Processors
 - Further Processors generating >6000 lbs/day finished product
 - Renderers > 10 M lbs/yr raw material
 - Poultry first processor > 100 M lbs/yr
 - Poultry processors > 7 M lbs/yr
- No coverage for indirect dischargers in either regulation



Current limits

- Current ELGs include BOD, TSS and FOG for Direct Dischargers
- No current ELGs for indirect dischargers
 - Regulations defaults to 40 CFR 403 and NR 211
 - Gross solids and interference/passthrough



Proposed changes, Direct dischargers

- Add nutrient ELG, specifically N and P to all direct dischargers

ELGs will be based on BPT/BAT limits for biological treatment

- N to full denitrification
- P bio treatment followed by chemical precipitation with filtration



Proposed changes, Indirect dischargers

- Implement ELGs for BOD, TSS, FOG for indirect dischargers
 - All removal ELGs based on screening and DAF



EPA is proposing 3 options

- Option 1
 - Add N and P to direct dischargers, implement BOD, TSS, FOG for large indirect
- Option 2
 - All of above and add nutrient limits to indirect dischargers with certain operations above a set value
- Option 3
 - All of the above, but lower the production thresholds for indirect dischargers to require coverage under the rule



Where we are now

- States and industrial groups awaiting a decision on further steps from US EPA
- The US EPA prefers option 1
- WI has joined CA and other states in support of option 3



What are we doing in WI?

- We are assessing the potential impact by gathering information about the number and size of operations here in the state
- Solicited US EPA for a list of facilities
- Need input from POTW staff
 - How many in each of your areas?
 - What size roughly do they fall under?



SWAMP To ICIS

- US EPA utilizes ICIS database to collect, store, and analyze data submitted under its control authority.
- WI DNR uses SWAMP for the same purpose
- SWAMP uploads collected data to ICIS
- The department and US EPA have been working to more closely match data between the two databases



Pretreatment Data to US EPA

- WI implemented eDMRs as part of paperwork reduction requirements
 - Currently reported via Switchboard or XML upload by WPDES permit holders
 - Pretreatment program data also collected from categorical indirect dischargers regulated by the department
 - Program data for approved PT programs not collected via SWAMP



SWAMP Upgrades

- The department is currently working on “making the holes” for the data
- Once holes are there, electronic reporting will be required
- “eDMR like” forms will be developed and tested



PT program requirements

- US EPA is not requiring some of the data collected by the department
 - ICIS does not have the “holes” for the data
 - There currently aren’t plans to add them
- Data still needs to be reported to WI DNR
 - PT programs will be filing “hybrid” reports



Electronic Reports

- What won't be included
 - SIU monitoring data
 - Enforcement documents
 - Communications with SIUs/DNR/EPA
- What will be included
 - Program metrics
 - # SIUs, # SNCs, budget, # of enforcement actions, etc.
- I can send a more detailed list of required fields upon request



Questions/Discussion