

Region VI Pretreatment  
Association Workshop

# Legal Authority

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July 25, 2023

# ***WOULD STIFLE A BUZZARD***



*“No one who has not investigated can imagine what a fearful condition the river is in. On the banks, in drifts and floating on the surface of the water, is filth from water closets from its normal state down. On floating logs, great wads of it greet the eye. Oh, I tell you it is simply awful, so awful indeed, that no human tongue could describe it.” – Mr. J. Pink Thomas; - October 3, 1891, Dallas Daily Times Herald, p. 7, col. 2.*

# Cuyahoga River Fire – November 3, 1952



# U.S. Pollution Control History

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- 1948 Federal Water Pollution Control Act
- 1970 National Environmental Policy Act
- 1972 Clean Water Act
- 1973 Indiana Steam Pollution Control Board
- 1974 Safe Drinking Water Act
- 1977 Clean Water Act Amendments
- 1987 Water Quality Act

[Milestones in EPA and Environmental History | US EPA](#)

# Clean Water Act

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- National Pollutant Discharge Elimination System Program
- Sewage Sludge Use and Disposal Program
- National and Local Pretreatment Standards
- Water Quality Management
- Dredge or Fill Discharge Permit Program

# Clean Water Act - Statutory Basis

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- Section 101 - Congressional declaration of Goals
- Section 212 - Definitions
- Section 301 – Effluent Limitations
- Section 307 – Toxic and Pretreatment Standards
- Section 308 – Records, reports, inspections
- Section 309 – Enforcement
- Section 402 – National Pollutant Discharge Elimination System
- Section 502 - Definitions

# National Pollutant Discharge Elimination System

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- 40 CFR Part 122
- NPDES applies to all “point sources discharging pollutants” into “waters of the United States”
- Point sources must obtain an NPDES permit from EPA or their authorized State
- NPDES permits require development of Pretreatment Program

# Standards for the Use or Disposal of Sewage Sludge

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- 40 CFR Part 503
- Purpose - This part establishes standards, which consist of general requirements, pollutant limits, management practices, and operational standards, for the final use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works.
- Applicability - This part applies to any person who prepares sewage sludge, applies sewage sludge to the land, or fires sewage sludge in a sewage sludge incinerator and to the owner/operator of a surface disposal site.



# Guidelines Establishing Test Procedures for the Analysis of Pollutants

- 40 CFR Part 136
- Testing and analytical procedures required for measuring pollutants
- Approved test methods – 40 CFR §136.3 Tables 1A- 1H
- Preservation, holding time, and bottle type – 40 CFR § 136.3 Table II

Table II - Required Containers, Preservation Techniques, and Holding Times

Parameter number/name	Container <sup>1</sup>	Preservation <sup>2,3</sup>	Maximum holding time <sup>4</sup>
<b>Table IA - Bacterial Tests</b>			
1-4. Coliform, total, fecal, and <i>E. coli</i>	PA, G	Cool, <10 °C, 0.008% Na <sub>2</sub> S <sub>2</sub> O <sub>3</sub> <sup>5</sup>	8 hours. <sup>22,23</sup>
5. Fecal streptococci	PA, G	Cool, <10 °C, 0.008% Na <sub>2</sub> S <sub>2</sub> O <sub>3</sub> <sup>5</sup>	8 hours. <sup>22</sup>
6. Enterococci	PA, G	Cool, <10 °C, 0.008% Na <sub>2</sub> S <sub>2</sub> O <sub>3</sub> <sup>5</sup>	8 hours. <sup>22</sup>

# General Pretreatment Regulations

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- 40 CFR Part 403
- Implements CWA
- Applicability
  - To pollutants from non-domestic sources covered by Pretreatment Standards which are indirectly discharged into or transported by truck or rail or otherwise introduced into POTWs
  - To POTWs which receive wastewater from sources subject to National Pretreatment Standards
  - To States which have or are applying for National Pollutant Discharge Elimination System (NPDES) programs
  - To any new or existing source subject to Pretreatment Standards

# Effluent Guidelines and Standards

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- 40 CFR Chapter 1, Subchapter N
- BPT, BCT, BAT, NSPS – Direct Dischargers
- PSES and PSNS – Indirect Dischargers
- 58 Industrial Categories – 35 Pretreatment Standards

# Direct vs. Indirect Discharge

## PRETREATMENT: Applies to Indirect Discharges

NPDES Permitting



EPA  
Watershed  
Academy

# History of Pretreatment Regulations

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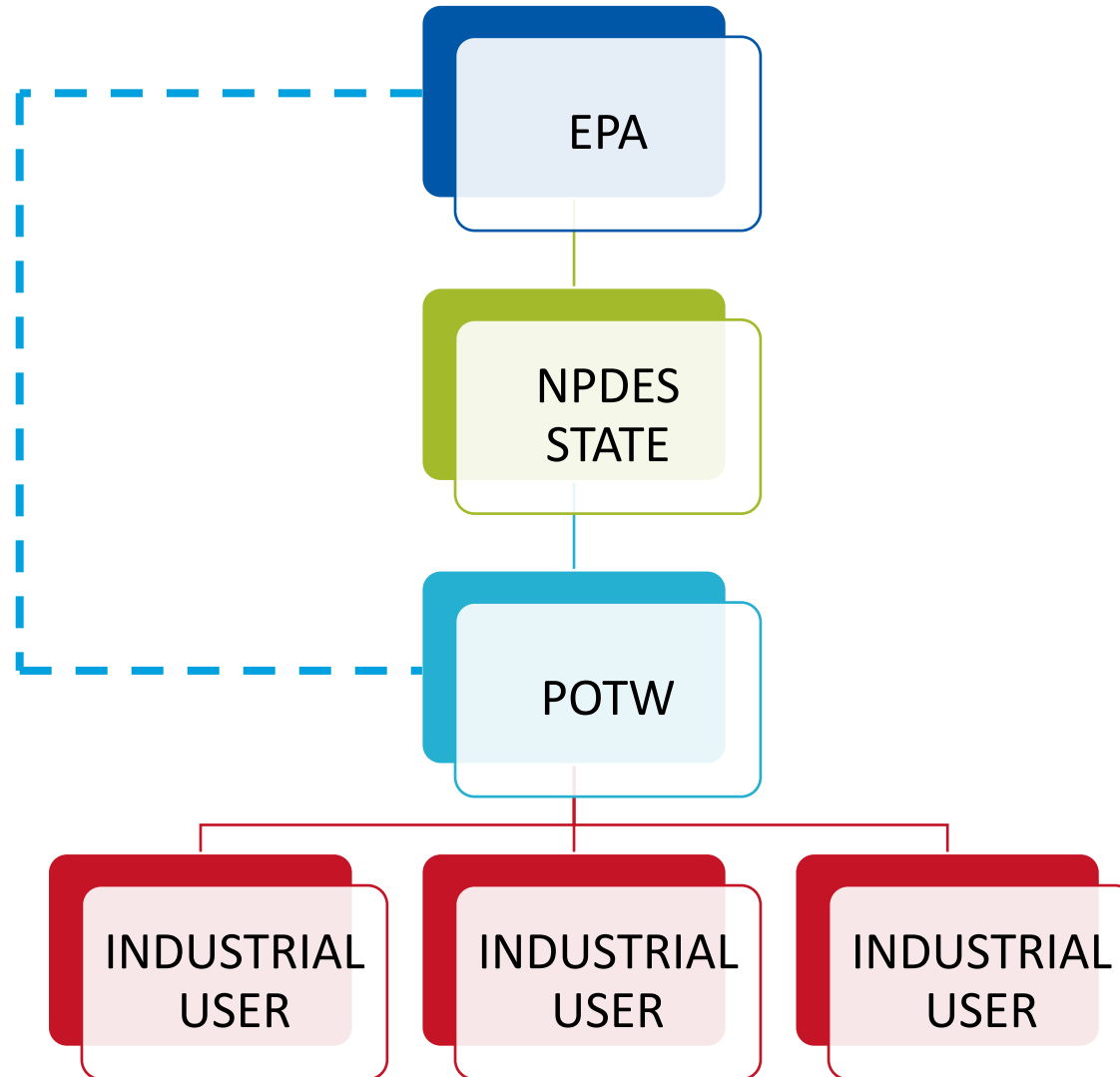
- 1973 - 40 CFR Part 128 promulgated
- 1978 - 40 CFR Part 403 promulgated
- 1983 - POTW program approval deadline
- 1985 - Pretreatment Implementation Review Task (PIRT) Force report
- 1986 - Domestic Sewage Study(DSS) Report to Congress
- 1988 - PIRT Rules promulgated
- 1990 - DSS regulations promulgated
- 1993 - Removal credit/pollutant eligibility revised
- 1997 - Program Modification Regulation Streamlined
- 2005 – Pretreatment Streamlining

# Roles and Responsibilities

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- Approval Authority - the Director in an NPDES State with an approved State pretreatment program and the appropriate Regional Administrator in a non-NPDES State or NPDES State without an approved State pretreatment program
- Control Authority
  - The POTW if the POTW's Pretreatment Program Submission has been approved in accordance with the requirements of [§ 403.11](#); or
  - The Approval Authority if the Submission has not been approved.

# The Connection: 40 CFR Part 122 to 40 CFR Part 403

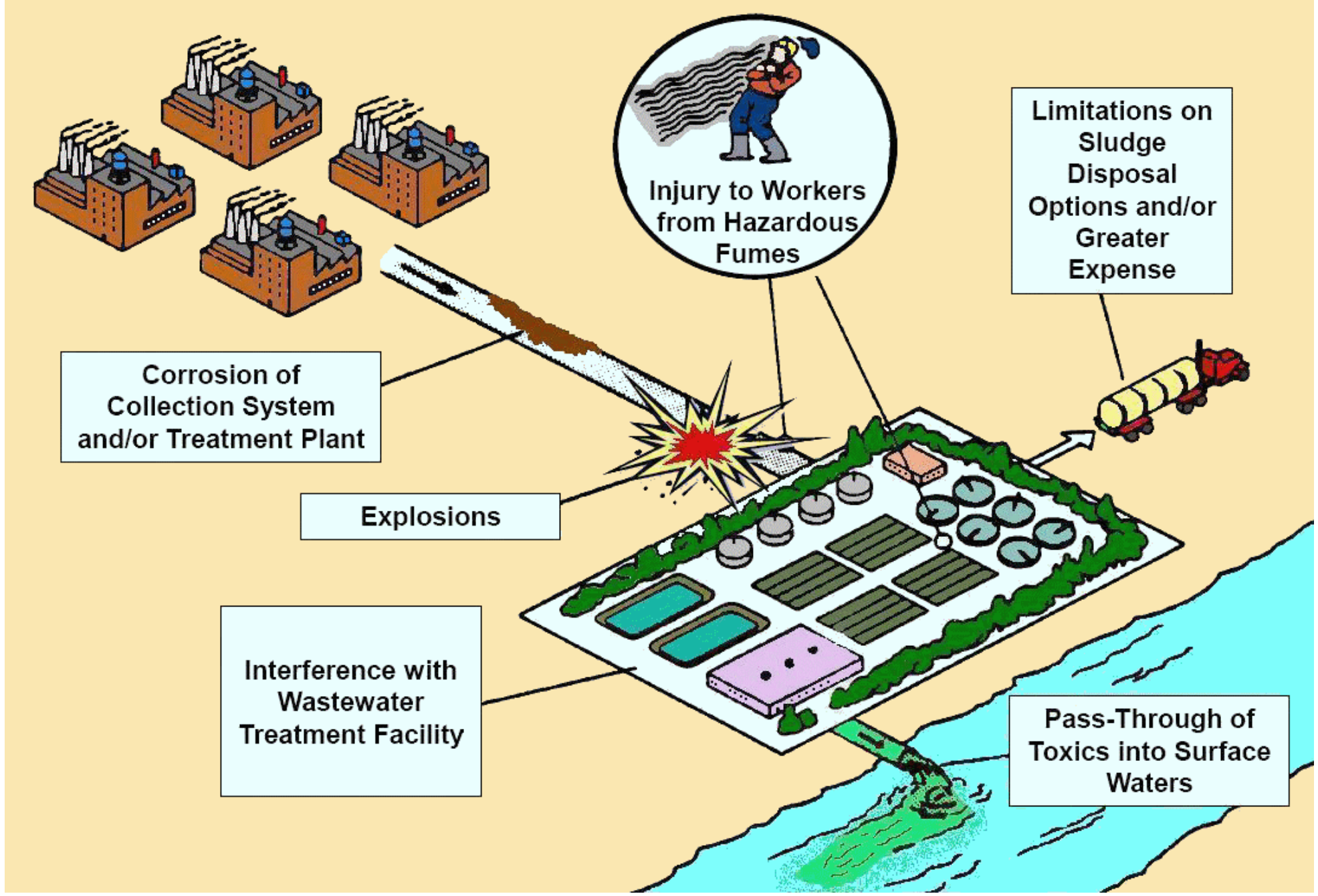


# POTWs Required to Develop a Pretreatment Program

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- 40 CFR § 403.8
  - POTWs that discharge >5 Million Gallons per Day
- and
- Receive pollutants from Industrial Users that may cause interference or pass through
- or
- Receive pollutants from Industrial Users that are subject to Pretreatment Standards (categorical IUs)
  - Approval Authority may require pretreatment program if deemed necessary regardless of POTW discharge volume





# Sewer Explosion Louisville, KY 1981



Hexane vapors from Ralston Purina soybean plant

# Interference



# Pass Through





**Thank you.**