

22nd Annual EPA NERPCA New England Industrial Pretreatment Coordinator's Conference



Comments

- Use the Q&A for any questions and/or comments
- You will be in listen mode only
- 5 (FIVE) TCH's have been granted for this workshop by MA DEP
- You must register for BOTH days – Attendance will be monitored
- Please complete the post webinar survey. We strive for continuous improvement



Industrial Pretreatment Program Update

22nd Annual Pretreatment EPA New England Workshop - October 28, 2020

Justin Pimpare – EPA New England



Federal Pretreatment Issues and Updates -- Overview



- State Updates
- Annual Reports
- Inspections
- NPDES Permits (PFAS) & MA DEP/OTA Initiative
- Dental
- Audits
- Award

New Hampshire

- Env-Wq 305 Pretreatment and Env-Wq 306 Dental Amalgam Rules scheduled for revision and adoption in 2021.
- Closer coordination with Hazardous Waste Bureau to improve compliance of wastewater discharges from hazardous waste generators.
- Ongoing participation with NH state regulators, other state and federal agencies on the implications of the changing and new environmental concerns regarding PFAS in wastewater.

Maine

- Communities managed their programs very well despite the hardships and lack of access associated with Covid-19
- Closure of a tannery in Hartland and sale of its assets will likely end a long-standing industrial tradition in Maine
- Making good progress with 40 CFR Part 441 dental practice certification submittals, but much still to come

Rhode Island New Pretreatment Coordinator

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Connecticut Department of Energy and Environmental Protection (DEEP)

- issued its proposed Miscellaneous Industrial User General Permit this month and is on target to issue its proposed SIU GP shortly.
- On the inspections front, DEEP's pretreatment team is performing virtual desk audits in accordance with its draft (awaiting upper management approval) SOP in order to classify this work as compliance inspections.
- DEEP is also actively drafting its SOP for entering desk audit data into ICIS (for pretreatment, which will hopefully cross-over into the NPDES universe).

CT's Standard Operating Procedures (SOP) for Conducting Compliance Evaluations during the COVID-19 Pandemic

The inspection method for pretreatment program compliance evaluations will take one of the following forms:

- (1) **Hybrid on-site inspection:** Remote records review with DEEP sample collection and limited DEEP on-site visual observations;
- (2) **Hybrid remote inspection:** Remote records review with Permittee sample collection and staff sample retrieval;
- (3) **Full field inspection:** DEEP on-site records review, visual observations, and sample collection;
- (4) **Fully remote inspection:** Remote records review only.

NPDES Electronic Reporting Rule: 40 CFR 127

DMRs reporting began Dec. 21, 2016

Biosolids reporting began Feb. 19, 2017

Pretreatment Annual Reports proposed to begin reporting electronically Dec. 21, 2020

Extended Reporting to:
Dec 21, 2025



Pretreatment Program Annual Reports in one EPA Region (Region 9, 2009)

EPA Memorandum - March 26, 2020

COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program

Retroactive to March 13, 2020

Entities should make every effort to comply with their environmental compliance obligations.

If compliance is not reasonably practicable, facilities should:

- a. Act responsibly under the circumstances in order to minimize the effects and duration of any noncompliance caused by COVID-19;
- b. Identify the specific nature and dates of the noncompliance;
- c. Identify how COVID-19 was the cause of the noncompliance, and the decisions and actions taken in response, including best efforts to comply and steps taken to come into compliance at the earliest opportunity;
- d. Return to compliance as soon as possible; and
- e. Document the information, action, or condition specified in a. through d.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

March 26, 2020

MEMORANDUM

SUBJECT: COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program

FROM: Susan Parker Bodine *Susan Parker Bodine*

TO: All Governmental and Private Sector Partners

As all of us at the U.S. Environmental Protection Agency adjust to the evolving COVID-19 pandemic, we are first and foremost mindful of the health and safety of the public, as well as our staff, and those of Federal Agencies, State and Local Governments, Tribes, Regulated Entities, Contractors, and Non-governmental Organizations. The agency must take these important considerations into account as we all continue our work to protect human health and the environment. Accordingly, we are announcing the following temporary policy regarding EPA enforcement of environmental legal obligations during this time.

The EPA will exercise the enforcement discretion specified below for noncompliance covered by this temporary policy and resulting from the COVID-19 pandemic, if regulated entities take the steps applicable to their situations, as set forth in this policy. For noncompliance that occurs during the period of time that this temporary policy is in effect, and that results from the COVID-19 pandemic, this policy will apply to such noncompliance in lieu of an otherwise applicable EPA enforcement response policy.

Covid Implications on Inspections

- EPA March 26, 2020 Memorandum was TERMINATED ON August 31, 2020
 - No Data Indicator (NODI) Code Z, can not be applied to reported sampling or monitoring data after 12/31/2020.

PFAS - What are they and where are they found?

- Per- and Polyfluoroalkyl Substances (PFAS) are a group of synthetic chemicals that have been used for decades to manufacture household and commercial products that resist heat, oil, stains, grease, and water. PFAS have been used in many consumer products, including non-stick cookware, stain-resistant furniture and carpets, waterproof clothing, microwave popcorn bags, fast food wrappers, pizza boxes, shampoo and dental floss. They have also been used in certain firefighting foams and various industrial processes. Because of their widespread use, many PFAS, including perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), perfluorohexane sulfonic acid (PFHxS), and perfluorononanoic acid (PFNA), have been found in our environment.

PFAS DRAFT Language in ALL NPDES Permits (MA)

- 6 PFAS compounds to be monitored
 - Perfluorohexanesulfonic acid (PFHxS)
 - Perfluoroheptanoic acid (PFHpA)
 - Perfluorononanoic acid (PFNA)
 - Perfluorooctanesulfonic acid (PFOS)
 - Perfluorooctanoic acid (PFOA)
 - Perfluorodecanoic acid (PFDA)
- Influent, Effluent, and Sludge Monitoring (1/quarter)
 - This reporting requirement for the above listed PFAS parameters takes effect 6 months after EPA's multi-lab validated method for wastewater/biosolids is made available to the public on EPA's CWA methods program website
 - Composite samples and report only

Beginning 6 month's after an EPA approved method....

The Permittee shall commence annual sampling of the following types of industrial discharges into the POTW:

- Platers/Metal Finishers
- Paper and Packaging Manufacturers
- Tanneries and Leather/Fabric/Carpet Treaters
- Manufacturers of Parts with Polytetrafluoroethylene (PTFE) or teflon type coatings (i.e. bearings)
- Landfill Leachate
- Centralized Waste Treaters
- Contaminated Sites
- Fire Fighting Training Facilities
- Airports
- Any Other Known or Expected Sources of PFAS



MA OTA/DEP/EPA PFAS Initiative

- 3 POTWs discharging upstream of drinking water sources have been selected
 - Marlborough
 - Westborough
 - Lowell

Dental Pretreatment Standards – 40 CFR part 441

- Rule overview: Effective July 14, 2017 [New Source date]
 - Dental offices that place or remove amalgam must operate and maintain an amalgam separator (or equivalent device) and must not discharge scrap amalgam or use certain kinds of line cleaners
 - One-time compliance report and recordkeeping requirements
 - Existing source required compliance date: **October 12, 2020.**
- The rule is self-implementing and minimizes the administrative burden to federal, state, and local regulatory authorities responsible for oversight of the new requirements
- Requirements for new and existing sources are the same except for timing of compliance

13 EPA Audits Completed in FY 2020

Massachusetts

Brockton

Westborough

Gardner

Fitchburg

Springfield

Mansfield

Attleboro

Fall River

South Hadley

Ware

Easthampton

Northampton

New Hampshire

Dover

Projecting 15-20 EPA Audits to be completed in FY 2021 in Massachusetts and New Hampshire (Potential list)

Massachusetts

Plymouth	Lynn	Amesbury
Rockland	Newburyport	Erving
North Attleboro	Palmer	Haverhill
Webster	SESD	Great Barrington
Upper Blackstone	Montague	Millers Falls
New Bedford		

New Hampshire

Merrimack	Keene (Dec 1-2)	Franklin
Somersworth (NH DES State Lead Dec 10-11)		



AWARDS

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
EPA NEW ENGLAND**



2020

Industrial Pretreatment Program of the Year Award

City of Somersworth, New Hampshire

Dennis Deziel
Regional Administrator

October 28, 2020



Questions?

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