October 15, 2019

State Pretreatment Program Update
The Numbers

- 113 Active PT programs
  - 80 Full
  - 33 Modified

- 604 Active SIUs
  - 24% Metals
  - 12% textile
  - 11% food processors
  - 6% pharmaceuticals
  - 10% laundries
  - 3% OCPSF
PERCS Accomplishments

• Two - Pretreatment Annual Report (PAR Workshops)

• Two - Headworks Analysis (HWA) Workshops

• One - Permit Writing (IUP) Workshop

• Pretreatment 101 Workshop
PERCS Accomplishments

• 10/1/18 – 9/30/19
  • Assisted with 22 audits/PCIs
  • 263 IUP reviews
  • 5 ERPs
  • 28 HWAs
  • 35 IWSs
  • 43 Monitoring Plans
  • 3 SUOs
  • 21 NPDES request for PT information
Enforcement

• QNCR = Quarterly Noncompliance Report

• Level 1
  • Failure to take effective enforcement for pass through or interference
  • Failure to submit reports (over 30 days late)
  • Failure to meet compliance schedule milestone (over 90 days late)

• Level 2
  • Failure to issue IUPs for at least 90%
  • Failure to sample or inspect at least 80%
  • Failure to enforce standards or reporting requirements
  • Any other violation that State or EPA considers to be of substantial concern
Enforcement

• 3 Programs on QNCR (FY18-19)
  • Failure to submit required documents
  • Failure to enforce self-monitoring requirements
Rules

• Approved by EMC at the March 14, 2019 meeting
• 32 pages of technical review comments from RRC
• Approved by the RRC at the June 20, 2019 meeting
  • Effective July 1, 2019

• 15A NCAC 02H .0916 Pretreatment Permits
  • Retained waste reduction requirements
  • (c)(6) - Clarified Modification and Revocation of Permits

• 15A NCAC 02H .0917 Pretreatment Permit Submission and Review
  • (a) - Requires IUP be submitted 30 days in advance of the effective date
Dental Amalgam (40 CFR 441)

• Rule passed on June 14, 2017
  • Effective date July 14, 2017

• Dental offices that place or remove amalgam
  • Install ISO certified amalgam separator
  • Implement BMPs
    • No discharge of waste amalgam
    • No oxidizing cleaners
  • Operate and maintain separator and associated documentation
  • Submit one-time compliance report

• New sources – within 90 days of commencing discharge
• Existing sources – install by 7/14/2020; submit by 10/12/2020
• Implementation Options
  • Outreach
    • None – 40 CFR 441 is self-implementing
    • General – bill stuffer, website, new sources as they move in
    • Individual – use list to track and record receipt of OTCR, email, letters

• Industrial Waste Survey
  • Eliminate dental dischargers (DDs)
  • Develop list of DDs, but do not submit with IWS
  • Develop list of DDs and submit with IWS

• One-Time Compliance Report (OTCR) Activities
  • Three Rs – receive, review and retain
  • Three Rs plus Escalated Oversight and Compliance Assistance
• Enforcement Response Plan
  • Option 1 (3 Rs) add discretionary statement
  • Option 2 (escalated oversight)
    • Add a new section for DDs
    • Stand alone ERP to address DDs
    • Apply current ERP to DDs

• Significant Non-Compliance
  • DDs are considered industrial users so (C), (D) and (H) of SNC definition applies
### 7. Chart: Responses Applicable to Dental Dischargers Subject to 40 CFR 441

Enforcement actions taken in response to the requirements of 40 CFR Part 441 not listed below will be taken/decided on a case-by-case basis.

<table>
<thead>
<tr>
<th>Type of Violation</th>
<th>POTW Action</th>
<th>Timeframe</th>
<th>Responsible Official</th>
<th>Expected Action from User</th>
<th>Escalated Action if Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to submit one-time compliance report</td>
<td>Reminder via phone, email or letter</td>
<td>Within 60 days of deadline (10/12/2020)</td>
<td>PT Coordinator</td>
<td>Submit report within 45 days</td>
<td>NOV; require report within 30 days</td>
</tr>
<tr>
<td>Continued failure to submit one-time compliance report</td>
<td>2nd NOV with Notice of Intent (to issue penalty) (Recommend certified mail)</td>
<td>Within 30 days of most recent due date</td>
<td>PT Coordinator</td>
<td>Submit report within 10 days</td>
<td>Issue penalty up to an amount equal to the cost of installing an amalgam separator</td>
</tr>
<tr>
<td>Continued failure to submit report or pay penalty</td>
<td>Turn over to POTW attorney for collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Department of Environmental Quality
E-Reporting

• The deadline for E reporting was postponed to December 21, 2023.

• CRM database in development
Silver

- Implementing dissolved water quality standards
  - EPA does not accept action levels
  - Majority of states using the acute criteria (chronic = 0.06 ug/l; acute = 0.3 ug/l)
  - EPA never formally adopted the chronic criteria
  - Not backsliding because never implemented
  - Can’t measure – don’t know if it is achievable
  - Appears to be protective
  - Silver in limbo for now. As long as effluent is <1 ug/l the POTW is compliant.

- Detection Levels
  - Dirty samples
  - Different DLs can be used for different sample matrix

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Department of Environmental Quality
### PERCS Organization

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christyn Fertenbaugh</td>
<td>Engineer</td>
<td>Sewer extension permitting, Fast track permitting program oversight, Delegated permitting program oversight, Variance, flow reductions</td>
</tr>
<tr>
<td>Monti Hassan</td>
<td>Engineer</td>
<td>Pretreatment program oversight, Sewer extension permitting, Engineering certifications</td>
</tr>
<tr>
<td>Melissa Abbott</td>
<td>Environmental Specialist I</td>
<td>Document Management, Assist with collection system permitting, oversight, System-wide collection system permitting &amp; enforcement</td>
</tr>
<tr>
<td>Vivien Zhong</td>
<td>Engineer</td>
<td>Pretreatment program oversight</td>
</tr>
</tbody>
</table>
Re-Organization

- PERCS no more
  - NPDES Branch Chief
    - Compliance & Expedited Permitting
    - Industrial Permitting
    - Municipal Permitting
      - NPDES Municipal Permitting
      - Pretreatment
      - Collection Systems (WQCS and WQ permitting)

- Animal program moving to Water Quality Permitting Section

Department of Environmental Quality
Assignments & Contact Info.

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  • Chowan, Hiwassee, Little Tennessee, Neuse, Roanoke, Yadkin

• Vivien Zhong  919-707-3627
  • Broad, Cape Fear, Catawba, French Broad, Lumber, New, Tar-Pam

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