

## **40 Code of Federal Regulations (CFR) Part 403 General Pretreatment Regulations for Existing and New Sources of Pollution**

### **Does this Rule Apply to My Facility?**

- Does your facility introduce water into a Publicly Owned Treatment Works (POTW)?
- Is your facility a POTW which receives wastewater from a facility subject to the National Pretreatment Standards?
- Does your facility fall into one of the categories regulated by the Pretreatment Standards (listed in 40 CFR Part 405 through Part 471)?

**If you answered yes to any of the questions above, then read on.....this rule applies to your facility. This PROV**ision outlines the applicability and federal and Texas requirements related to pretreatment regulations.

### **What is the Rule?**

The general pretreatment regulations were promulgated on January, 28, 1981. The general pretreatment regulations may be found in 40 CFR Part 403, while the regulations for the specific 'point source categories' may be found in 40 CFR Part 405 through Part 471. The objectives of the general pretreatment regulations are as follows:

- 1) To prevent the introduction of pollutants into POTWs which will interfere with the operation of a POTW, including the disposal of municipal sludge.
- 2) To prevent the introduction of pollutants into POTWs which will pass through the treatment works.
- 3) To improve opportunities to recycle and reclaim municipal and industrial wastewaters and sludges.

Categorical Industrial Users (CIUs) are facilities which introduce water into POTWs. A CIU is either regulated by the local POTW that owns the sewer system or the applicable state regulatory agency. For Texas, the Texas Commission on Environmental Quality (TCEQ) regulates the CIUs not regulated by the local POTW. If the POTW has an approved pretreatment program, the POTW is responsible for regulating the CIUs which discharge to their system. A list of approved TPDES Pretreatment Programs can be found at <http://www.tceq.state.tx.us/assets/public/permitting/waterquality/attachments/pretreatment/PrePOTWs.pdf>. If the POTW does not have an approved pretreatment program, the CIUs are regulated by the TCEQ. For Texas regulations, refer to Title 30, Part 1, Chapter 315 of the Texas Administrative Code and the TCEQ's website ([http://www.tceq.state.tx.us/permitting/water\\_quality/wastewater/pretreatment/index.html](http://www.tceq.state.tx.us/permitting/water_quality/wastewater/pretreatment/index.html)).

## **What are the Pretreatment Regulations?**

The pretreatment regulations are effluent limitations that the discharge from the facility must meet prior to mixing with other sources. These limits are industry-specific, and depending on the industry, there may be multiple sets of limits. For example, the 'Aluminum Forming Point Source Category' [40 CFR 467] must meet different limits for each type of process water (i.e. Core, Extrusion Press Leakage, Direct Chill Casting Contact Cooling Water, Press Heat Treatment Contact Cooling Water, Solution Heat Treatment Contact Cooling Water, Cleaning or Etching Bath, Cleaning or Etching Rinse, or Degassing Scrubber Liquor). Depending on the source of the facility's discharge, one or more limits may apply to the discharge.

The limits also depend on whether the facility is a 'new' or 'existing' source. Each of the point source categories has designated a date to separate new and existing sources. If the operations that create the discharge existed prior to the date, the facility is an existing source, but if the operations commenced after the designated date, the facility is a new source. New source standards are generally more stringent due to the fact that newer technology has allowed treatment methods to become more advanced and to treat to lower standards.

## **What are the Requirements?**

***Facilities which introduce water into a POTW and are covered by one of the 'point source categories' must:***

- Complete a Baseline Monitoring Report to verify that the system will meet the limits set forth by the 'point source category'
- Complete a 90-Day Compliance Report demonstrating that 90 days after the Baseline Monitoring Report, the discharge continues to meet the limits
- Submit Semi-Annual Self-Monitoring Reports twice per year (June and December) to demonstrate continued compliance with the limits.
- Other reports may include:
  - Compliance Schedules and Reports
  - Notification of Potential Problems
  - Notification of Process or Pretreatment Changes
  - Notification of Hazardous Waste Discharges
  - Pollutant Management Plans
  - Certifications
  - Toxic Organic Management Plans

## **Conclusion**

CIUs must adhere to the pretreatment regulations regardless of whether the program is enforced by the local POTW or by the local state regulatory authority. Reports must be submitted to demonstrate compliance with applicable standards.

For additional information, please contact Lisa Swanson at (972) 550-9326. For federal rules on pretreatment, refer to 40 CFR Part 403. Each state may have its own specific pretreatment requirements that exceed the federal regulations.

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