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Interoffice Communication

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To FILE 28.03 JUN 25 1973
From Alan S. Goldfarb J. McCLESKEY
Date June 21, 1973
Subject INDUSTRY/GOVERNMENT TELECONFERENCE ON POLLUTION CONTROL
JUNE 14, 1973

The subject teleconference consisted of a panel discussion between industry representatives and U. S. Environmental Protection Agency representatives presented over closed circuit television during the morning. A list of panel participants is attached. During an afternoon session, the audience had the opportunity to ask questions of a panel of State and Federal Pollution Control Officials.

The following is a brief summary of the comments made at the conference.

Permits will be issued to all significant dischargers by the end of 1974. About 2700 major dischargers have been identified. Applicants for a permit are immune from prosecution under certain sections of the Act or the Refuse Act until December 31, 1974. It is not anticipated that all permit applications will be processed by that date. However, the EPA does not plan to issue violation notices to a company that does not have a permit by that date if the application is being held up by the EPA.

Although not specifically required, permits for major discharges will probably be subject to a public hearing. A company should be prepared to explain what they will do, how much it will cost and the effectiveness of what they will do in cleaning up the water.

It is expected that about half the States will be given permit issuing authority this year.

Permits will normally be issued within 30 days after a public hearing. However, if a permit is challenged, it might require several hearings and judicial proceedings before issuance.

Monitoring

Wastewater monitoring will be required. The degree of monitoring will depend on the type of industry and the type and quantity of the discharge.

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An EPA official has the authority to enter a plant premise or where records are kept. He can collect wastewater samples and inspect records. Each State with permit issuing authority is also required to have legal authority to monitor wastewater discharges, require record keeping, and inspect records.

The official must show proper credentials and can only inspect at reasonable times.

The EPA is preparing guidelines for sampling.

Confidential Information

The EPA will protect confidential information by keeping it under lock and key. If a citizen requests the information that is kept confidential, the EPA must notify the company and ask for detailed information on why it should be maintained as secret. The administrator must then rule on it. If the administrator rules that it is not a trade secret, the company has the right to go to court. The administrator must then rule on it. If the administrator rules that it is not a trade secret, the company has the right to go to court. The administrator must wait 30 days between his ruling and release of the information to allow the company time to seek court relief from the ruling.

Effluent Limitations

Best Practicable Control Technology is defined by the administrator of EPA as the current best practices for an industry. It is technology that is actually in use. Cost vs. effluent reduction benefits must be taken into account. The EPA will not require use of particular treatment processes, but will base effluent limitations on average results of best treatment processes currently in use. Stricter limitations may be placed on discharges into waters that will not meet water quality goals by application of Best Practicable Control Technology.

Effluent limitations will be expressed in pounds per unit of production or pounds per unit of raw material input. Concentration limits are not likely to be applied.

Discharges Into A Municipal Treatment System

Industrial users of municipal treatment plants must pay a percentage of the cost of operation, maintenance and replacement of the plant based on the percent of plant capacity used. The municipal plant must recover the federal share of investment in the plant from industrial users in proportion to the percent of the plants capacity that is used by the company. Cost recovery applies only to Federal grants made after March 1973. The industrial user only has to pay for the portion of time that he uses the plant. A long term contract is not required.

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Example:

Plant Capacity 10 M G D
Federal Grant \$15 MM
Cost Recovery Period 30 Years
Industrial Discharge 4 M G D
No. of years of industry use 6 Years
Annual payment by industry for capital cost recovery=

$$\frac{4}{10} \times 15 \times \frac{1}{30} = \$0.2 \text{ MM}$$

Total payment by industrial user over 6 years = \$1.2 MM

No interest is charged to the industrial user.

Cost recovery is not required for sanitary waste discharged by industrial user.

50% of capital cost recovery is returned to Federal Government.
50% is retained by municipality, but 80% of this must be used for the treatment plant.

Industrial user is required to pretreat wastewater so that it will not contain pollutants which would pass through the treatment plant untreated, or which would interfere with the treatment process. It will not be necessary to provide pretreatment down to levels of a normal municipal waste.

Pretreatment standards will apply to wastewater flows greater than 50,000 gpd or wastewater containing toxic substances.

Air Pollution Controls

Ambient Air Standards

Primary standards are designed to protect public health and have a statutory timetable to be achieved by 1975.

Secondary standards are designed to protect the public welfare and must be achieved within a reasonable time.

In areas where the ambient air standards are already met, source reduction of pollutant emissions is not required by the Federal government except for new sources. The EPA sets minimum performance standards for all new sources.

States are responsible for developing implementation plans subject to EPA evaluation for sufficiency. The EPA can promulgate supplementary parts of plans that are deficient. Thirty one state plans have been fully approved to date.

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The EPA is requiring States to submit plans for maintaining air quality standards beyond 1975, and controlling complex sources of pollution such as stadiums, and shopping centers.

The EPA has rescinded the secondary average SOx standard because of the finding that short term high levels are more harmful than long term low level concentrations. The short term standard may be changed from a 3 hour average to a one hour average.

The EPA is reclassifying 43 air quality regions with regard to NOx standards. These regions are no longer in violation of the NOx standard on the basis of corrected data. The EPA will be receptive to changes by the States in NOx control strategies but it is up to the states to make the changes.

The EPA has not seen any cases where the standards cannot be met by the statutory deadline.

Question and Answer Period

Only California has received approval to administer Federal wastewater discharge permit system.

Permits will not be required for discharges into a municipal system. However, pretreatment requirements are Federally enforceable.

EPA reconsidering the use of tall stacks as a means of controlling ground level concentration of pollutants. But States do not have to use this particular strategy.

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