

CTDEP

Pretreatment Program Refinement

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Pretreatment Program Refinement

✓ Commissioner's Initiative :

- “Making Doing the Right Thing” the “Path of Least Resistance”
 - This initiative was created to respond to the Regulated Communities concerns with streamlining our programs.
 - It has challenged us to refine our programs
 - More Efficient
 - More User Friendly

- Key Activity for the BMMCA – Water Permitting & Enforcement:
 - Conduct System Analysis of the Pretreatment Program



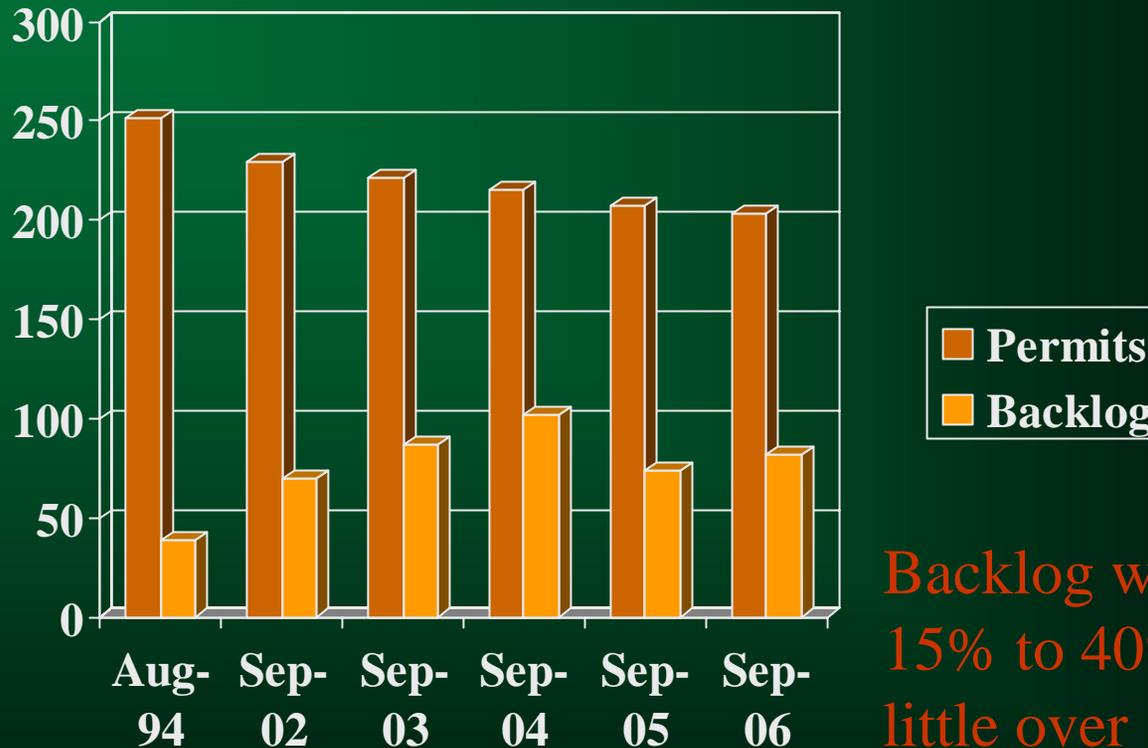
Background Information

- ✓ **Significant Industrial User (SIU):**
 - Discharger covered by a federal category (40CFR 405-471)... OR
 - Discharger w/ a reasonable potential to adversely impact receiving POTW

- ✓ **Permit Backlog :**
 - Number or Percentage of Expired Permits



Problem : Permit Backlog



Backlog went from 15% to 40%...in a little over 10 years

EPA Goal : Backlog < 10%



Permit Backlog

- ✔ Permit Backlog increases and decreases in cycles (DEP has been here before!)
- ✔ Historically... The Backlog has been reduced through “Pooling of DEP Resources”
- ✔ Today’s DEP...Not an Option!



Mission & Objective

- ✓ Mission : Refine the Pretreatment Program
 - More Efficient & More Consistent
- ✓ Objective : Conserve Resources
 - Primary Goal : Reduce Permit backlog to an acceptable level (<10%)
 - Secondary Goal : Allow staff to focus on more environmentally significant projects



Establishing Ideas & Developing Strategies

- ▼ Utilized Program Staff to Generate Ideas
 - Conducted One-on-One Interviews to stimulate thoughts on Refinement Opportunities
 - Developed Creative Ideas through a **ROUNDTABLE DISCUSSION**
 - (> 90% staff participation)
- ▼ Sorted through Ideas to uncover 3
“Strategies” worth further consideration



Three Strategies : Evaluated

- ✓ 1. Program Delegation to POTWs
 - Most other states in the country delegate their pretreatment programs to POTWs.
- ✓ 2. Application Refinement
 - Connecticut's application process is one of the most comprehensive in the country...
 - More than 90% of our SIUs have already been through the application process at least once!
- ✓ 3. GP Development for a Categorical Discharge
 - New federal regulation now allows the use of GPs for categorical discharges.



Strategy Evaluation

- ✔ Performed Regulatory Review –
 - Ensure Regulations Supported Proposed Strategy
- ✔ Researched other Pretreatment Programs throughout the country...
 - Benchmark our program against others
 - Identify opportunities to conserve resources
 - Investigate the pros & cons associated with delegation
- ✔ Projected DEP resource savings associated with implementing each Strategy
- ✔ Determined Viability of Rolling Out each Strategy



Pretreatment Program Delegation – Not a Viable Strategy

- ✓ Program Delegation : Not a Viable Strategy
- ✓ Delegation Approval Process is too detailed and complex to Conserve Significant Resources.
- ✓ Several years to approve delegation to one POTW.
 - It recently took EPA approximately 3 years to approve delegation for a POTW located in Lowell, MA
 - Most Significant Issue : Development of Local Limits



Pretreatment Program Delegation – Not a Viable Strategy

▼ DEP Evaluation Focused on MDC

– MDC : 32 SIUs

– Most others : < 5 SIUs

- MDC represented the highest potential to conserve DEP Resources

▼ MDC Evaluation: 8-10 yr Break-even

- Resources Utilized to Review/Approve Delegation
- Resources Utilized for Annual Oversight
- Resources Conserved by not permitting 32 SIUs



Pretreatment Program Delegation – Not a Viable Strategy

- ✓ Other Disadvantages ass'd w/ Delegation:
 - Delegation Process : Significant POTW Resources
 - POTW > \$400,000 to Develop Request
 - POTW > 1 year to Compile data & Submit Request
 - Likely create an Un-Even Playing Field among similar SIUs discharging within CT
 - Insufficient Technical Resources @ POTWs
 - Little or no experience with application review and permit issuance
 - Little or no experience inspecting & sampling SIUs
 - Minimal enforcement capabilities



Pretreatment Program Delegation

▼ Not Viable Strategy



Questions/Comments ???



Application Refinement – Viable Strategy

- ✓ Intent: To reduce Application Requirements for Re-issuance Facilities w/ Good Compliance Histories
 - Affect > 80% of SIUs in CT
 - Propose : No requirement to submit Treatment System Plans & Specifications for affected facilities
 - Review of Plans is Redundant : Systems previously approved.
 - Propose : Checklists instead of Spill Control and Operation & Maintenance Plans
 - Submittal of Plans is not necessary : Affected SIUs have already demonstrated an acceptable ability to meet limits and maintain adequate spill control histories.



Application Refinement - Implementation Steps

- ✓ Step 1: Perform additional regulatory review and potentially revise regulations:
 - Ensure state regulations are flexible enough to allow reduced application requirements for affected facilities
- ✓ Step 2: Work with stakeholders to ensure application refinement is user friendly and as complete as possible.
 - Seeking Seasoned Professionals for this step in the refinement process (contact information provided on closing slide for those interested).



Application Refinement – Implementation Steps

- ✔ Step 3: Complete Application Revisions and modify the instructions accordingly
- ✔ Step 4: Roll-out the new Application & Instruction Package to the Regulated Community



Ancillary Strategy – Refine Facility Modification Process

✓ Refine Review and Approval process for Facility & Treatment System Modifications

Section 22a-430-3(i) of the RCSA requires DEP approvals for all significant facility and treatment system modifications

- DEP Issues > 50 Approvals/year
- This review process is essential to Protecting the Waters of the State
- Maintained as “High Priority” to ensure business’s are able to remain competitive



Ancillary Strategy – Refine Facility Modification Process

- ✓ Problem : Quality of requests are inconsistent and many lack details necessary for complete review and timely approval
 - Leads to significant Back & Forth Communication(s) between DEP & Regulated Community
- ✓ Propose : A DEP Form & Guidance Manual
 - Identify applicable requirements to initiate and complete the review process
 - Increase quality of requests
 - To increase the timeliness of DEP Approvals



Ancillary Strategy - Refine Facility Modification Process

- ✔ Step 1: Work with Stakeholders to ensure the Approval Request Form is as user friendly and as complete as possible
 - DEP is working on this process right away and needs seasoned professionals to participate
- ✔ Step 2: Develop the Approval Request Form and Guidance Manual
- ✔ Step 3: Roll-out the Form and Guidance Manual to the Regulated Community



Application Refinement



▼ Viable Strategy

- Propose to Reduce Application Requirements for Affected Facilities
- To create a more efficient and consistent Technical Review Process
- Minimize DEP resources necessary to approve facility modifications
- Conserve considerable engineering resources needed to maintain the Pretreatment Program



General Permit for a Categorical Discharge – Viable Strategy

- ✓ Propose : To Develop a GP for the Metal Finishing Industry
 - 1/2 of all SIUs in CT are Metal Finishers
 - Target : Previously Permitted Facilities w/ Good Compliance Histories only
 - Affect approximately 75 SIUs



GP for Metal Finishers

- ✓ A GP represents a streamlined approach to permitting
 - Considerable resources can be saved by the facility applying for a permit
 - Considerable resources can be saved by the DEP in terms of the technical review and permit issuance processes
 - Individual Permit Applications : > 50 pages
 - Typical GP Registrations : < 10 pages



Metal Finishing General Permit - Implementation

- ✓ Step 1: Consult with EPA on the development of the GP
 - Very New Federal Regulation (2005) that allows a GP for categorical discharges
 - CT would be the first in the country to pursue a GP for the metal finishing industry
 - Intend to work closely with EPA from project initiation



Metal Finishing General Permit - Implementation

- ✓ Step 2: Work with Stakeholders to ensure GP is as complete and User Friendly as possible
 - Phase 1 : Draft general terms and conditions
 - Phase 2 : Roll-out draft terms and conditions to stakeholders, solicit feedback and develop DRAFT GP
 - Phase 3 : Reconvene w/ stakeholders to refine DRAFT GP and integrate relevant feedback into final draft



Metal Finishing GP - Implementation

- ✓ Step 3: Public Notice a Decision to Issue the Metal Finishing GP

- ✓ Step 4: Follow-through to Final Decision
 - GP Issuance



Metal Finishing GP

- ✓ Viable Strategy
- ✓ Conserve considerable engineering resources necessary to administer the Technical Review and Permit Issuance Process





Pretreatment Program Refinement

- ✔ When we roll out these strategies...
- ✔ Allow us to be more timely in meeting the regulated communities needs.
- ✔ Allow us to apply more resources toward Environmentally Significant Projects.



Closing :

Stakeholder Recruitment:

- Application Refinement Process (Near Future!)
- Facility & Treatment Modification Process (ASAP!)
- Metal Finishing General Permit (Near Future!)

Interested ??? : Contact Kevin Barrett @
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