



Industrial Pretreatment Program Frequently Asked Questions (FAQs)

1. Who determines what facility is permitted and what the permit responsibilities are?

The determination depends on whether the facility is engaged in an activity for which EPA has enacted federal regulations. If a facility is covered by one of these regulations, then they are a categorical facility and must be regulated as such, either by the Control Approval (Local) or the Approval Authority (State). All other facilities are determined to be permitted by the local Control Authority, which is responsible for the collection system to the local publicly owned treatment works (POTW) and typically operate one or more POTWs.

2. What is a Control Authority?

In Maryland, the POTW is the Control Authority if the POTW has an approved Pretreatment Program. The State is the Control Authority if the POTW does not have an approved Pretreatment Program. The Control Authority has the legal authority to enforce all governing regulations. The benefit at the local level is that they have a closer, site-specific understanding of what needs to be accomplished by pretreatment in order to properly run their POTWs. Where the local level is the Control Authority, the state (overseeing all pretreatment activities) is the Approval Authority.

3. How does a POTW or municipality obtain an approved pretreatment program?

The applicant must submit sufficient documentation that they have the financial ability to properly operate the program and have the legal ability to carry out all aspects of the national pretreatment program. This includes preparing an enforcement response plan (ERP), local limits, sewer use ordinance (SUO) and detailed documentation on how they will operate the overall pretreatment program.

4. What is an approved Pretreatment Program?

An approved Pretreatment Program is one that has met all the necessary requirements as well as all the responsibilities for enforcing and sampling to assure compliance with all pretreatment regulations. An approved Pretreatment Program also provides financial support for the personnel supporting the program and equipment to carry out the entire program. The approved Pretreatment Program must also have the ability to apply penalties and escalate enforcement actions against serious and/or repeat offenders.

5. What is an Industrial Pretreatment Permit?

An Industrial Pretreatment Permit is an official document invoking local, state and federal rules and regulations to a significant industrial user (SIU) or a categorical industrial user (CIU).

6. How do I know if I need Pretreatment Permit?

As a matter of doing business, it is your responsibility to investigate prior to starting or operating a business that you have all the necessary permits. Specific trade groups as well as local, state government, and federal governments may disseminate information pertaining to your type of planned operation activity.



7. Can I report pollution violations anonymously?

Yes and no. It is advised that you do not provide your name, but specify where there may be polluters. Regulators will take it from there. Of course, if you do not object to the possibility that someone may be aware of your report, we can call you back and provide a follow-up to our investigation.

8. What are categorical users?

Categorical users are those facilities which engage in an activity which have national numerical standards and reporting requirements.

9. What are significant users?

All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and any other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8 (f)(6)).

10. What is Pollution Prevention?

Pollution Prevention, also known as P2, consists of many opportunities to prevent pollution. These may include minimization, reduction, recycling, elimination and use of products which contribute lesser pollution in the facility's operation and clean-up.

11. What type of parameters are regulated and how are permit limitations derived?

The Control Authority must determine which parameters are to be regulated on a site-specific basis. Permit limits are based on categorical standards, local limits, and general and specific prohibitions. Categorical limitations are mandated by the national Pretreatment Program. Pollutants with categorical limitations have numerical values for the concentration or mass loading allowed to be discharged. Local limits are derived from each POTW's specific capability to treat or assimilate certain pollutants and may be more stringent than the federal regulations. General prohibitions do not allow a User to introduce into a POTW any pollutant(s) which cause Pass Through or Interference whereas specific prohibitions do not allow: pollutants which will create a fire or explosion hazard in the POTW; pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0; pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference with the POTW; heat in amounts which will inhibit biological activity in the POTW resulting in interference; petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through; pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems; and trucked or hauled pollutants, except at discharge points designated by the POTW.



12. What is an Enforcement Response Plan (ERP)?

An ERP is a standard operating procedure developed by the POTW that details the specific response to a variety of non-compliant situations as regulated under the industrial user's issued permit. It provides direction from the POTW on how violations are responded to and to what degree, along with potential penalties as well as possible permit changes. When approved as part of the POTW pretreatment program, the ERP is a legally binding and enforceable mechanism that defines how a POTW will take enforcement action against a non-compliant industrial user to bring the facility back into compliance with their permit and any other pretreatment requirements.
