

# Missouri's Regulation for Categorical Industries within Non-Program POTWs

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*Association of Clean Water Administrators*  
2021 National Pretreatment Virtual Co-  
regulator Meeting



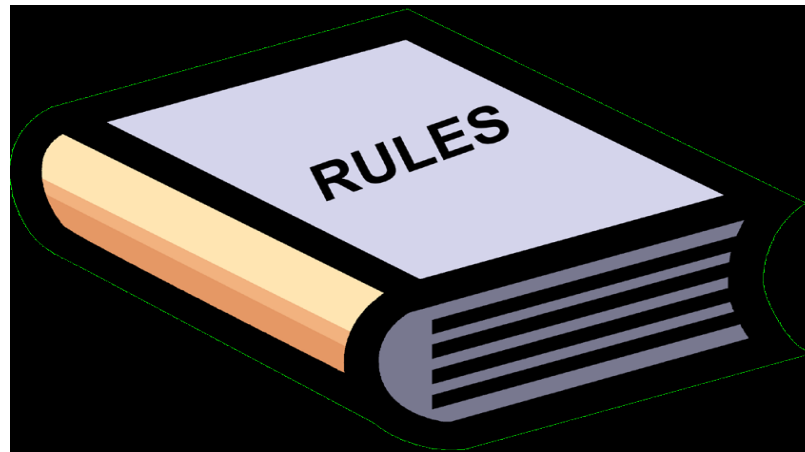
May 20, 2021

# Discussion Objectives

- 1- Overview of regulation process for these CIUs
- 2- Why is this process necessary?
- 3- How Missouri communicates requirements to industry
- 4- Challenged Process?
- 5- How compliance actions differs from issuing permits



# Regulation Process of Industries within Non-Program POTWs



# Missouri Pretreatment Rule

The *Missouri Clean Water Commission* adopted the new General Pretreatment Regulation October 30, 2012 at **10 CSR 20-6.100**

Adopts the federal pretreatment regulations with modifications, substitutions and additions that authorize the state to implement the rule.

- Includes a list of rules for categorical industries with pretreatment standards or limits

# Overview of Regulation Process

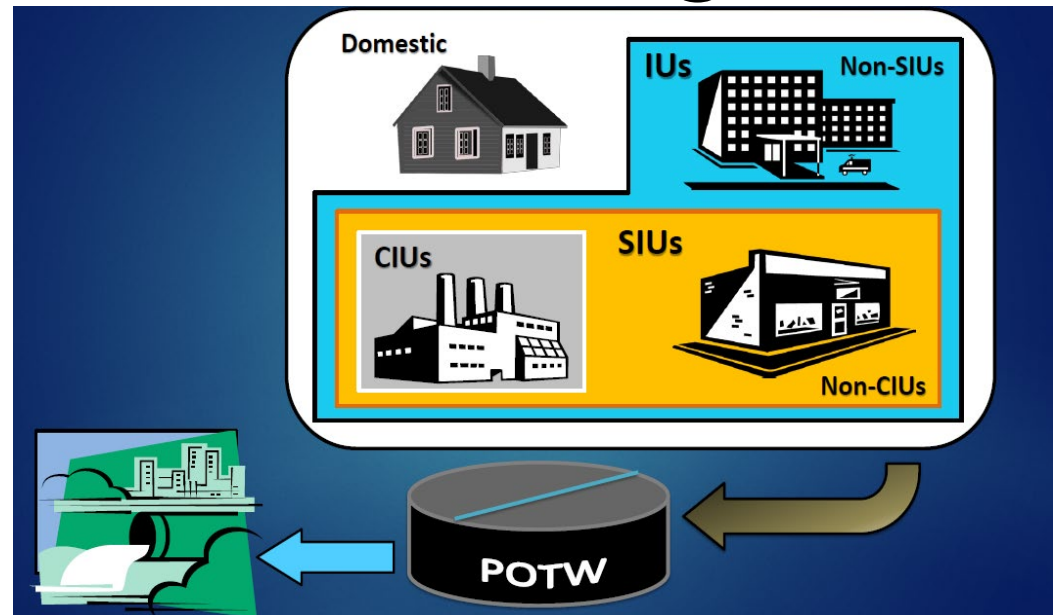
- Identify, characterize, make categorical determinations on process discharge to POTW
- Letter requesting baseline monitoring report per 40 CFR 403.12(b)
- Approve baseline monitoring report and pretreatment authorization (**no permit**) to discharge through state regulation in 10 CSR **20-6.100(12)**
  - Sets for conditions governing discharge

**Why does Missouri use this  
regulation process for  
industries within non-program  
POTWs?**

# Missouri's "Double Permitting" Law

## Clean Water Law

RSMo. 644.026 (13)



Says.....no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works;

# How Missouri communicates requirements to industry as *control authority*





# Conditioning Discharge Authorization

## Authorization Letter and Information Packet

- Categorical Pretreatment Standard from 405-471 provide self-implementing effluent limitations, BMPs & other requirements established in rule.
- Request 90-Compliance Report per 403.12(d)
- Minimum sampling and reporting requirements from 40 CFR 403.12(e)- *Semi-annual Periodic Reports on Continued Compliance*

# Conditioning Discharge - Continued

## Authorization Letter and Information Packet

- Annual inspection and compliance monitoring
- Notification Requirements: 1-Potential problems, including slug loadings, 2-changed discharge, 3-considered hazardous waste, 4-“upset” (40 CFR 403.16), 5-anticipated and unanticipated bypasses
- Slug Control Plan?

# Challenges as *control authority* *and compliance actions that differ* *from permits*



# Challenges and Differences

- Information Packets – no pretreatment requirements beyond categorical guideline – appear voluntary.
  - Local limits or other requirements cannot be imposed
  - Forces state to require pretreatment program to small POTWs with few IUs
  - Forces state to require local limits to POTWs under 40 CFR 403.5(c)(2)
- Enforcement activities differ slightly - must adhere to categorical guidelines and requirements.

# Questions??

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