Hanover County
Department of Public Utilities

Industrial Pretreatment Program and Ordinance Update

Presented to the
Hanover County Board of Supervisors

May 8, 2013

Outline

- Industrial Pretreatment Defined
- History of the Pretreatment Program
- Major Elements of Hanover's Program
- Key Points

Industrial Pretreatment Program Basics

- *Pretreatment* refers to standards applied to wastewater prior to it being discharged into a sewer system
- Pretreatment Programs are **mandated** by the United States Environmental Protection Agency (USEPA) and require that wastewater treatment plant owners implement enforceable measures to protect their sewer system, wastewater plant(s), and receiving waters
- USEPA requires owners to manage and control wastewaters discharged into their sewer system via an approved "*Pretreatment Program*"
- In Virginia, the Virginia Department of Environmental Quality (VADEQ) approves pretreatment programs

History

- Until recently, wastewater from most categorical and major industrial dischargers in Hanover were treated at Henrico's WWTP and Hanover operated under Henrico's pretreatment program which was incorporated into Hanover's ordinances
- On April 5, 2010 new areas, including the Hanover Industrial Airpark, were diverted from the Henrico WWTP to the Totopotomoy WWTP
- Due to this change on July 8, 2011 Hanover was notified by the VADEQ to submit a draft of an updated industrial pretreatment program within one year
- A draft program was submitted on-time and was tentatively approved by the VADEQ on July 3, 2012
- Program/ordinance presented to the Community Development Committee December 3, 2012
- Met with two current permit holders to discuss changes and solicit feedback March 2013
  - Hanover Manufacturing and Virginia Box Company (VBC requested a permit as part of their corporate environmental stewardship program) currently hold permits

Major Elements

Ordinance
(Chapter 20 Article VI – Industrial and Strong Waste Discharges)

- Provides a structure for the administration of the program
- Identifies customer classes that are required to obtain and comply with a permit
  - Categorical Users
  - Other Industrial Users
- Establishes authority to define local limits that are protective of Hanover's and Henrico's wastewater treatment plants
- Identifies materials that are not allowed to be discharged to system
  - Examples – gasoline, kerosene, storm water, high or low pH etc.
- Delegates duties
- Provides statutory authority to enforce the program

Major Elements

- **Permit**
  - The permit is the primary control mechanism used to implement the program and protect the County's wastewater system
  - Permits are issued to USEPA "Categorical" industries and other major industrial dischargers that have the potential to impact the County's wastewater system
  - The permit sets conditions such as pollutant limits, sampling schedules, reporting requirements and other administrative elements required to protect the sewer system

Major Elements

- **Local Limits**
  - Limits are required by EPA for priority pollutants (e.g. heavy metals)
  - POTWs are required to develop local limits for their individual systems
  - We evaluated each of our plants to determine the amount of priority pollutants they could receive, while maintaining treatment and meeting the limits in their discharge permits using USEPA prescribed means and methods (Note: limits can change based on quantity)
  - To simplify Hanover's program, we selected the most protective limits calculated for any of our plants, which happened to be our existing limits which are controlled by the Henrico WWTP
  - Our existing/proposed local limits are not unusually restrictive
  - As currently drafted, the Director would have the authority to adjust local limits when appropriate to better accommodate a specific industrial user going to a specific plant, when required to protect the system, or when required by federal or state regulation (Note: VADEQ concurrence would be required)

Major Elements

- **Enforcement**
  - Permits and prohibitions are enforceable
  - The proposed ordinance prescribes penalties and the Enforcement Response Plan (ERP) outlines the actions Hanover is to take if violations occurs
    - Fines can be up to $32,500 per violation per day
    - It is a civil/criminal penalty
  - The ERP defines the severity of a violation and establishes a range or enforcement actions associated with a given violation so we have the flexibility to respond appropriately
  - The ERP provides ample opportunity for permit holders to come into compliance and provides for "due process"

Key Points

- An Industrial Pretreatment Program is a Federal and State mandated program
- Hanover currently has an Industrial Pretreatment Program which needs to be updated at this time to reflect newer regulations and our new operation scenario
  - The proposed changes will not increase the number of permitted customers unless an existing customer changes their operation (Note: One permit is currently pending, East Penn Manufacturing, permit is required under current and proposed program)
- The program is designed to protect the County's wastewater system, the public health, and receiving waters
- As designed, the proposed program gives Hanover latitude to work with industrial users to achieve compliance and minimize costs

Any questions prior to the Public Hearing?

Recommended Motion:

Ordinance 13-02

MOTION TO ADOPT AN ORDINANCE AMENDING CHAPTER 20 OF THE HANOVER COUNTY CODE TO IMPLEMENT A WASTEWATER PRETREATMENT PROGRAM PRUSUANT TO THE HANOVER'S VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT, VIRGINIA STATE WATER CONTROL LAW, THE CLEAN WATER ACT, AND ASSOCIATED REGULATIONS, AND TO ESTABLISH A PROCEDURE FOR ENFORCEMENT THROUGH CIVIL PENALTIES PUTSUANT TO VIRGINIA CODE SECTION 15.2-2122