



National Pretreatment Program

(40 CFR 403)



Pretreatment Streamlining Rule Fact Sheet 8.0: Slug Control Plans

Summary

The Pretreatment Streamlining Rule provides flexibility for publicly owned treatment works (POTWs) to determine how frequently to evaluate industrial users (IUs) for the need for slug control plans, on the basis of local conditions after the initial assessment has been made. The rule also clarifies that an actual slug control plan (e.g., the physical document itself) is not the POTW's only option for controlling facilities with a higher potential for Slug Discharges; instead, the POTW may choose to require that the significant industrial user (SIU) take specific, preventative actions instead of requiring the development of a slug control plan. Those preventative actions and any slug control plan development requirements must be included in the SIU's control mechanism.

What is a Slug Discharge?

A Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's ordinances, local limits or permit conditions. POTWs are required to ensure that IUs have policies and procedures in place to prevent or mitigate the effects of Slug Discharges.

What other measures can be considered as slug control plans?

EPA recognizes that a number of existing requirements under other statutes and regulations could serve as components of a plan to control Slug Discharges. For example, Spill Prevention, Control, and Countermeasures plans or existing Emergency and Hazardous Chemical Inventory reports may address some components of a slug control plan. Please note that a slug control plan is a specific type

of best management practice (BMP); more information on BMPs can be found in Fact Sheet 7.0: Best Management Practices (EPA-833-F-06-013).

What is the minimum frequency for POTWs to evaluate an SIU's need for a slug control plan?

EPA has removed the required minimum frequency (once every two years) for POTWs to conduct SIU evaluations for the need for slug control plans. However, the Streamlining Rule specifies that POTWs must evaluate, at least once, the SIU's need for a slug control plan or other action to control Slug Discharges. For IUs identified as significant prior to November 14, 2005, this evaluation must be conducted at least once by October 14, 2006; additional SIUs must be evaluated within one year of being identified as significant.

EPA expects POTWs to evaluate all of their SIUs at least once for the need for a slug control plan, conduct follow-up evaluations for facilities not required to develop a slug control plan or take other actions as necessary, and inspect each SIU annually to determine the adequacy of and compliance with existing procedures and control measures.

What factors should the POTW consider in determining how often to conduct evaluations at individual facilities concerning whether a slug control plan is needed?

Each POTW will need to determine the evaluation frequency appropriate for its program and for individual facilities. The POTW will need to consider whether changes have occurred that would necessitate a reevaluation of the need for slug control. EPA recommends that POTWs consult with the Agency's guidance document, Control of Slug Loadings to POTWs (1991) (<http://www.epa.gov/npdes/pubs/owm021.pdf>), which suggests different ways to prioritize industrial facilities according to Slug Discharge potential and strategies for assessing the adequacy of existing plans and programs. The guidance document highlights the following as the most significant factors to consider: (1) quantity and types of materials used or stored at an IU and their potential for causing violation of local limits or the general or specific prohibitions; (2) potential for such materials to enter the sewer system and cause damage (i.e., whether control measures are in place); and (3) adequacy of existing controls to prevent any potential slug loading.

What elements are required in a slug control plan?

The minimum elements required in a slug control plan are (1) a description of Discharge practices, (2) a description of all stored chemicals at the facility, (3) procedures for immediately notifying the POTW of the Slug Discharge and providing written follow-up notification, and (4) a variety of procedures (e.g., inspection and maintenance of chemical storage areas) for preventing adverse impacts from any accidental spills (40 CFR 403.8(f)(2)(vi)(A) to (D)).

Slug control requirements must be included in SIU control mechanisms, if applicable.

The final rule at 40 CFR 403.8(f)(1)(iii)(B)(6) requires that applicable slug control requirements be included in the SIU's control mechanism. The rule allows POTWs to incorporate specific, preventative actions into an SIU's control mechanism instead of requiring the development of a slug control plan.

IUs are required to notify the POTW immediately of any changes at its facility affecting the potential for a Slug Discharge.

The final rule at 40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) requires that IUs must notify the POTW immediately of changes that occur at the facility affecting the *potential* for a Slug Discharge, thereby allowing the POTW to reevaluate the need for a slug control plan or other actions to prevent such discharges.

POTWs must document that facilities have been evaluated for the need for a slug control plan.

The POTW must be able to demonstrate that each of its SIUs has been evaluated at least once. For Industrial Users identified as significant prior to November 14, 2005, this evaluation must have been conducted at least once by October 14, 2006; additional Significant Industrial Users must be evaluated within 1 year of being designated a Significant Industrial User. EPA suggests that, where a slug control plan or other action was not deemed necessary, the POTW develop a plan to re-evaluate the SIU as needed. The POTW may choose a specified frequency level to re-evaluate the SIU, or it may choose to re-evaluate the facility following a notification of changed Discharge pursuant to 40 CFR 403.12(j) or 40 CFR 403.8(f)(2)(vi).

What steps are required to implement this Streamlining provision?

Once the POTW has determined what program revisions are necessary to incorporate this provision of the Streamlining Rule, it will submit the modifications to the Approval Authority (either the state, if it has Pretreatment Program authority, or the EPA Regional Administrator) for approval. The program modifications must include a statement of basis for the changes, a description of the modifications, and other information the Approval Authority may request as appropriate. States and POTWs should make these changes as soon as possible, and EPA and state National Pollutant Discharge Elimination System (NPDES) permitting authorities should revise NPDES permits to incorporate adopted changes.