



September 21, 2020

*State Pretreatment Program Update
Municipal Unit (New)*



Reorganization (Complete)

Complex NPDES Permitting Unit

PERCS Unit

Industrial NPDES Permitting Unit (New)
David Hill (Acting Supervisor)

Municipal NPDES Permitting Unit (New)
Michael Montebello, Supervisor



Municipal Unit Staffing

(formerly part of the Complex Permitting Unit & PERCS Unit)

Michael Montebello, Supervisor

Municipal Major NPDES Permitting
Pretreatment Program
Sewer system/Alternative sewer permitting
Special Projects/ SOC Assistance
Wastewater Plant Expansions/New

Christyn Fertenbaugh, P.E. Engineer

Sewer extension/Alternative sewer permitting
Fast track permitting program oversight
Delegated permitting program oversight
Variance, flow reductions

Staff Engineer (TBD)

Pretreatment program oversight
Pretreatment review & approval actions
Sewer extension permitting

Matthew Nevills, Part-time

Special Projects
Emerging Pollutants Tracking

Staff Engineer (TBD)

Pretreatment program oversight/compliance
Sewer system extension permitting
Training, Pretreatment Assistance

Kristin Litzenberger

Document Management
Pretreatment program review
Assist with collection system permitting
Assist with NPDES Permitting actions

Dana Folley, Part-time Engineer

Pretreatment program review
HWA Review

Diana Yitbarek, Engineer

NPDES Permitting (Municipal Majors)
Pretreatment program review
Sewer extension permitting

Nick Coco

NPDES Permitting (Municipal Majors)
ATC wastewater system permitting
Pretreatment Program assistance
NPDES Consistency Review (work in progress)

Gary Perlmutter

NPDES Permitting (Municipal Majors)
Special Projects
Pretreatment Program assistance

Cassidy Kurtz

NPDES Permitting (Municipal Majors)
Special Projects
NPDES Permit Tracking (work in progress)



Coordination Activities (Currently)

Municipal NPDES Permitting Unit (New)
Michael Montebello, Supervisor

Industrial NPDES Permitting Unit (New)
David Hill (Acting Supervisor)

Municipal Wastewater Plant Expansions & Upgrades
Wasteload Allocation Review & PER Review

ATC Projects (Municipal Wastewater Treatment Plants)



PT Programs and SIU's in 2020

- 114 Active PT programs
 - 80 Full
 - 34 Modified
- 628 Active SIUs including
 - 28% Metals (177)
 - 11% textile (70)
 - 11% food processors (67)
 - 4% pharmaceuticals (25)
 - 5% laundries (32)
 - 3% OCPSF (20)



Municipal Unit actions (formerly PERCS)

- October 2019 – September 2020 these are approximate numbers:
 - Assisted with 17 audits/PCIs
 - 165 IUP reviews
 - 95 Enforcement Response Plans
 - 16 HWAs
 - 23 Industrial Waste Survey reviews
 - 31 Monitoring Plans
 - 6 SUOs



Challenges in 2020-2021

- Staffing Turnover
 - Both Vivian Zhong and Monti Hassan
 - moved to different DEQ Units
 - New staff (Kristin Litzenberger & Diana Yitbarek) in-training
 - Staff hiring (two additional engineering positions in process)
- COVID-19 (Working from home with limited office time)
 - Face to face meetings via Teams
 - Some field inspections temporarily suspended
 - Regional offices ramping up actions
 - Central office staff have limited travel options



Challenges in 2020-2021



- Pretreatment Program Review Timeliness
 - Backlog of projects/requests
 - Next few months will be difficult due to staffing/training
 - Will triage various activities for specific needs
 - Timeliness is important, focus on SIU permits and HWA's
 - We may be asking for more information due to new initiatives (e.g. Emerging Pollutants)
- Anyone is free to contact Supervisor for additional assistance



Pretreatment & NPDES Programs

- Some longer-range goals would be to:
 - More Municipal staff cross trained in both NPDES and Pretreatment Program areas
 - More consistency in decisions between both Programs
 - PQL Issues
 - NPDES metals limits updates (dissolved metals)
 - Emerging Compounds (e.g. 1, 4 dioxane & PFAS/PFOA)
 - Transition to digital submissions & eventual reporting
 - Chemical Addendum to NPDES application
 - See <https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/npdes-wastewater/npdes-permitting-process>



Training- Regrouping to Digital

- Expect scheduling of classes/training beginning 2021
- Exact schedule pending staff training efforts and backlog reduction
 - Pretreatment Annual Report (PAR Workshop)
 - Headworks Analysis (HWA) Workshop
 - Permit Writing (IUP) Workshop
- Tentative schedule to be determined by EOY 2020.



Rules-Readopted

- 15A NCAC 02H .0900 Pretreatment
 - Link can be found on DEQ website for Pretreatment
- Other updates to note (effective November 1, 2019):
 - 15A NCAC 02B .0100: Procedures for Assignment of Water Quality Standards
 - 15A NCAC 02B .0200: Classifications and Water Quality Standards Applicable to Surface Waters and Wetlands
 - 15A NCAC 02B .0300: Assignment of Stream Classifications
 - https://files.nc.gov/ncdeq/documents/files/15A_NCAC_02B_.0100-.0300_0.pdf



Digital Break point



Department of Environmental Quality



Enforcement

- QNCR = Quarterly Noncompliance Report
- Level 1
 - Failure to take effective enforcement for pass through or interference
 - Failure to submit reports (over 30 days late)
 - Failure to meet compliance schedule milestone (over 90 days late)
- Level 2
 - Failure to issue IUPs for at least 90%
 - Failure to sample or inspect at least 80%
 - Failure to enforce standards or reporting requirements
 - Any other violation that State or EPA considers to be of substantial concern



Enforcement Issues (2019-2020)

- 3 Programs on QNCR (FY19-20)
 - Failure to submit required documents
 - Failure to implement STMPs and ERPs



Dental Amalgam (40 CFR 441)-Update

- Rule passed on June 14, 2017
- New sources – within 90 days of commencing discharge
- Existing sources – install by 7/14/2020; submit by 10/12/2020
- Updated ERP's were due in February 2020 to address Dental Amalgam.



Dental Amalgam-ERP Plans

- Enforcement Response Plan (this should be in place now)
 - Option 1 (3 Rs) add discretionary statement
 - One-Time Compliance Report (OTCR) Activities
 - Three Rs – receive, review and retain
 - Three Rs plus Escalated Oversight and Compliance Assistance
 - Option 2 (escalated oversight)
 - Add a new section for DDs
 - Stand alone ERP to address DDs
 - Apply current ERP to DDs
- Significant Non-Compliance
 - DDs are considered industrial users so (C), (D) and (H) of SNC definition applies



Dental Amalgam- What's Next

7. Chart: Responses Applicable to Dental Dischargers Subject to 40 CFR 441

Enforcement actions taken in response to the requirements of 40 CFR Part 441 not listed below will be taken/decided on a case-by-case basis.

Type of Violation	POTW Action	Timeframe	Responsible Official	Expected Action from User	Escalated Action if Needed
Failure to submit one-time compliance report	Reminder via phone, email or letter	Within 60 days of deadline (10/12/2020)	PT Coordinator	Submit report within 45 days	NOV; require report within 30 days
Continued failure to submit one-time compliance report	2 nd NOV with Notice of Intent (to issue penalty) (Recommend certified mail)	Within 30 days of most recent due date	PT Coordinator	Submit report within 10 days	Issue penalty up to an amount equal to the cost of installing an amalgam separator
Continued failure to submit report or pay penalty	Turn over to POTW attorney for collection				



E-Reporting (Phase II)

- Deadline for E reporting:
 - Current- month of December 2020
 - Likely to be postponed–December 2023
 - Recently issued NPDES Permits
 - If EPA extends date, new date applies
- Expect:
 - EPA answer before December deadline
 - Or additional guidance from Headquarters



Digital Break point



Department of Environmental Quality



Some Unresolved Issues (2020-2021)

- More consistency needed in PQL use between Pretreatment & NPDES
 - Expect current PQL's to be used in the future unless matrix interference issues
- Long-Term and Short-Term Monitoring Plans will be evaluated for necessary updates to reflect current conditions (e.g. PQL).
- HWA calculators between Pretreatment and NPDES will be reviewed to insure consistency and use of the most current standards and criteria
- General website updates to reflect reorg and any upcoming changes
- Targeting to address these items in EOY letter or early 2021.



New Initiatives (2020 and beyond)

- Conversion of Pretreatment data storage to CRM
 - What is CRM?
 - CRM stands for Customer Relationship Management
 - Integrated, data-driven software
 - Currently using Filemaker 14 Pro to manage Pretreatment Data
 - Past life cycle date
 - Not integrated with other systems
- Developing Pretreatment Program “Swim Charts”
 - Mapping process workflows
 - Project a “work in process” will take time to complete
 - Looking to address upcoming ICIS PT data needs in 2023
- Looking to a digital future



Assignments & Contact Info.

- Staff assignment pending
 - Chowan, Hiwassee, Little Tennessee, Neuse, Roanoke, Yadkin
- Staff assignment pending
 - Broad, Cape Fear, Catawba, French Broad, Lumber, New, Tar-Pam
- Kristin Litzenberger will typically be acknowledging receipt of email submissions
Contact is: kristin.litzenberger@ncdenr.gov



Contact Info-Submissions

- Pretreatment submissions can be directed to the Municipal Unit Supervisor until staffing assignments are finalized
- Michael Montebello, Supervisor, Municipal Permitting Unit
 - Michael.Montebello@ncdenr.gov
 - 919-707-3624 (office)
 - 803-791-9921 (cell)
- Please check with the appropriate staff before visiting our offices, as we may be able to handle your requests by phone or email. We can also provide "in person" discussions via Teams or WebEx.
- No address change other than if you previously included "PERCS", use "Municipal Unit-Pretreatment" for clarity
- Reminder that all emails are subject to NC Public Records Law and may be disclosed to third parties

