

New Minnesota Industrial Pretreatment Rules

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Categorical Discharges:

Categorical discharges are wastewater discharges from specific industrial sectors or process-types. These discharges are regulated under Federal wastewater discharge standards

Overview

Recently, the Minnesota Pollution Control Agency (MPCA) finalized new rules on the control of industrial wastewater discharges to Publicly Owned Treatment Works, or POTWs.

The revision of Minnesota Rules (Minnesota Rules 7049) was necessary to bring Minnesota into conformance with Federal requirements for industrial wastewater control.

Who Does This Affect?

The Industrial Pretreatment Rule applies to both POTWs and industrial wastewater dischargers that use a POTW.

These recent amendments to the previous Rules will have the most significant impacts on:

- Smaller POTWs that have not been delegated NPDES authority,
- Industries that have high wastewater flow, and
- Industries that make up a higher portion of flow or load to their POTW

These last two categories are regulated as “Significant Industrial Users”.

Who Are Significant Industrial Users?

Significant Industrial Users are defined as:

- (1) contributes a process wastewater containing **5% or more** of the flow or load of any pollutant of concern to the receiving POTW;
- (2) is **designated by MPCA or the POTW** as significant on the basis that it has reasonable potential to impact the receiving POTW plant, or violate required pretreatment standards; or
- (3) discharges **25,000 gallons per day** or more of process wastewater.

Any industrial user that is subject to national categorical pretreatment standards may also be considered a Significant Industrial User.



Requirements for Industrial Wastewater Dischargers

Industrial dischargers that are subject to Categorical Discharge Standards must obtain a pretreatment permit from either their POTW (if POTW has been delegated authority) or from MPCA.

Industrial dischargers that are determined to be Significant Industrial Users will need to have a “control mechanism” with their POTW. A control mechanism will be either a permit or agreement. This control mechanism must indicate discharge limits and/or best management practices that need to be implemented by the industrial discharger, and may include routine monitoring requirements.

All other dischargers will need to comply with the discharge limits and/or best management practices that are established by the POTW to prevent interferences and pass-through. All dischargers will also need to comply with Statewide prohibitions on certain types of discharges (e.g., corrosives, flammables, etc.)

Requirements for POTWs Receiving Industrial Discharge

All POTWs are required to control their industrial dischargers to avoid interferences and pass-through and to assure that they can meet their NPDES permit requirements. POTWs that have been delegated NPDES authority to issue industrial pretreatment permits have an approved pretreatment program. Delegation allows these POTWs to issue Federally-enforceable pretreatment permits for their categorical dischargers. POTWs with design flow greater than 5 MGD are required to have approved pretreatment programs.

Smaller POTWs that have not been delegated pretreatment authority still need to control industrial dischargers. They are required to establish local discharge limits and/or best management practices for all discharges to avoid interferences and pass-through.

In addition, POTWs need to control their Significant Industrial Users by:

- Identifying all Significant Industrial Users;
- Establishing local limits and or best management practices specific to individual Significant Industrial Dischargers;
- Establishing permits or agreements (“control mechanism”) with each Significant Industrial User which may include monitoring requirements.

Non-delegated POTWs are also required to report changes in the status of their Significant Industrial Users and pretreatment programs to MPCA, and to submit an annual report.

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