

9431.1989(02)

WASTEWATER TREATMENT UNIT EXEMPTION

SEP 26 1989

Mr. Jeffrey J. Wells
Regulatory Consultant
HazMat Environmental Group Inc.
P.O. Box 676
Buffalo, NY 14217

Dear Mr. Wells:

Thank you for your letter of July 24, 1989, requesting verification of your interpretation regarding the wastewater treatment unit exemption. Specifically, you are seeking confirmation that a facility, which operates a wastewater treatment unit that discharges to a POTW as defined in section 260.10, may also receive and treat wastewater from any off-site source and not affect the exemption under which the unit operates.

As you pointed out in your letter, in the September 2, 1988 Federal Register notice (53 FR 34079), EPA stated that the applicability of the exemption does not depend on whether the on-site wastewater treatment facility also treats wastewater generated off-site. As long as the facility accepting and treating the wastewater from an off-site source does not violate the conditions of its NPDES permit or pretreatment agreement, it is the Agency's intent to allow a facility to operate with this exemption. Of course, as also discussed in the same notice, any storage or treatment tank system used to manage the wastewater at the generator's facility, prior to shipment to the off-site exempted wastewater treatment unit, is not eligible for the wastewater treatment unit exemption.

Please accept my apology for the delay in responding to your letter. If you should have any further questions regarding this issue, please call me at (202) 475-9614.

Sincerely,

William J. Kline

RO 13318

Environmental Scientist

cc: Chester Oszman, PSPD
Kirsten Engel, OGC
Randy Hill, OGC