Pretreatment Streamlining Rule Summary

The pretreatment streamlining rules are in effect as of November 14, 2005 and many pretreatment programs want to know if Linko Software addresses the new regulations. The answer is YES. Linko's currently available software meets these new requirements.

Linko strives to provide the utmost in accurate and current Pretreatment and FOG software. To this end, when regulations change, we take action to ensure Linko Software meets the changing needs of our customers.

Exactly how does LinkoCTS™ Software meet the new regulations? Below are summaries of the major elements of the rule changes as described by the Environmental Protection Agency (EPA) followed by Linko's responses.

EPA Summary and Linko Response Table
Significant noncompliance criteria, Section 403.8(f)(2)(viii)
EPA States *"Clarifies the definition of significant noncompliance (SNC) as it applies to violations of instantaneous and narrative requirements, and late reports, and provides additional options for publishing lists of industrial facilities in SNC annually in the newspaper."* **Linko's Response -** Although there are several modifications to the previous SNC rules including Publication, Applicability and Daily Maximum or Average Limitations the quantifiable modification has to do with Late Reports SNC. The EPA is amending the Late Reports SNC rule so that reports submitted more than 45 days, instead of 30 days, after the due date constitutes Significant Noncompliance. This rule applies to such reports as: baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules. Linko's current version of LinkoCTS™ software addresses this change in requirement. Per each compliance event type, "days late" for Noncompliance and "days late" for SNC may be configured. For existing customers, changing the "days late" entry from 30 to 45 will account for the new rule. By adjusting the "Days Late" entry, LinkoCTS™ will review industrial user event compliance. Linko users instantly see events in noncompliance and SNC. If deemed appropriate by the control authority, violations, enforcements and follow up requirements can then be generated.
Equivalent concentration limits for flow-based standards, Section 403.6(c)(6) and Equivalent mass limits for concentration-based standards, Section 403.6(c)(5)
EPA States *"Provides the Control Authority with the discretion to authorize the use of*

EPA Summary and Linko Response Table

equivalent concentration limits in lieu of mass limits for certain industrial categories, and allows the conditional use of equivalent mass limits in lieu of concentration-based limits where appropriate to facilitate adoption of new, water-conserving technologies."

Linko's Response - Within the last 3 versions of LinkoCTS™, users have been able to set mass and or concentration limits. Utilizing a concentration value, concentration units, a flow value and flow units Linko Software calculates a mass result and compares it instantly to the existing mass limit set for the industry.

As with other exceedances, Linko Software will prompt user to generate violation, enforcement and follow up compliance requirements.

Non-Significant CIU, Section 403.3(v)(2), 403.8(f)(2)(v), (6), 403.12(e)(1), (g), (i), (q) and Middle Tier CIU Section 403.8(f)(2)(v)(C), 403.12(e)(3), (i)

EPA States *"Authorizes POTWs to establish alternative sampling, reporting, and inspection requirements for certain classes of categorical Industrial Users (CIUs)."*

Linko's Response - There are two significant adjustments made under this summary description; 1) establishment of a Non-Significant Categorical Industrial Users (NSCIU) category and 2) establishment of a "middle tier" category of CIUs that will be subject to less stringent monitoring, reporting and inspection requirements.

LinkoCTS™ supports this modification with user configured classifications and secondary classifications. This provides Linko customers with a means to adjust their classification structure to account for the additional categories. Additionally, control authorities can adjust monitoring, reporting and inspection requirements on a per industrial user level.

Sampling for pollutants not present, Section 403.8(f)(2)(v), 403.12(e)

EPA States *"Provides POTWs with the authority to grant monitoring waivers to industrial facilities where they document that pollutants are not present at the facility or anywhere in the waste stream. EPA notes that this authority is already available in the National Pollutant Discharge Elimination System (NPDES) regulations for point sources discharging directly to surface waters."*

Linko's Response - The inherent flexibility of Linko Software gives its users the ability to adjust their own sampling requirements and frequencies on a parameter level. Furthermore specific parameter limits may be retired and preserved if no longer needed.

This configurability provides the pretreatment coordinator with the capability to reduce sampling requirements on parameters meeting the "pollutants not present" requirements.

General control mechanisms, Section 403.8(f)(1)(iii)

EPA Summary and Linko Response Table

EPA States *"Authorizes POTWs to use general control mechanisms (e.g., permits) to regulate multiple industrial dischargers that share common characteristics."*

Linko's Response - Linko's Permit Writer™ already provides a multi-sectional, customizable template structure for Industrial Pretreatment permits. By making permits more general or universal, this rule will only make the template configuration process easier for Linko customers.

Best Management Practices, Section 403.5, 403.8(f), 403.12(b), (e), (h)

EPA States *"Clarifies that POTWs can use Best Management Practices (BMPs) as an alternative to numeric limits that are developed to protect the POTW, water quality, and sewage sludge."*

Linko's Response - Although Best Management Practices (BMPs) are not quantifiable through LinkoCTS™, the software does provide users with tools facilitate the distribution of BMPs and electronically attach specific BMP documents to industrial users. Putting BMP documents at the fingertips of control authorities saves time and reduces confusion.

Slug control plans, Section 403.8(f)(1)(iii)(B)(6), 403.8(f)(2)(vi))

EPA States *"Clarifies certain requirements regarding the frequency of on-site industrial facility inspections to evaluate the adequacy of controls for "Slug Discharges"."*

Linko's Response - This rule addresses the requirement that POTWs evaluate the need for a slug control plan for SIUs every two years thereby giving POTWs the flexibility to determine their own evaluation frequency. The inherent flexibility of Linko Software gives its users the ability to adjust their own slug control plan requirements and frequencies.

By modifying the slug control plan event frequencies, users can accurately adjust the rate at which they will be notified to evaluate their slug control plans.

Use of grab and composite samples, Section 403.12(b), (d), (e), (g), (h)

EPA States *"Provides greater flexibility in the use of certain sampling techniques, and establishes greater consistency with the sampling protocols in other parts of EPAs regulations."*

Linko's Response - Linko customers have always had the capabilities to track their sampling techniques and requirements accurately through the Linko software. Existing customers will simply adjust their sampling requirements as they are implemented.

Obviously there is much more to the changes in regulation than what is identified on this document. However, after review Linko believes these are the changes which will most effect our customers and specifically how our customers utilize Linko's pretreatment management system.