



Association of
Metropolitan
Sewerage Agencies

President
William B. Schatz
General Counsel
Northeast Ohio Regional
Sewer District
Cleveland, OH

January 14, 2005

Vice President
Donnie R. Wheeler
General Manager
Hampton Roads Sanitation
District
Virginia Beach, VA

Benjamin Grumbles
Assistant Administrator, Office of Water
U.S. Environmental Protection Agency
Ariel Rios Building (4101M)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Treasurer
Dick Champion, Jr.
Director
Water Pollution Control
Department
Independence, MO

RE: PRETREATMENT STREAMLINING RULE

Secretary
Christopher M. Westhoff
Assistant City Attorney
City of Los Angeles
Department of Public Works
Los Angeles, CA

Dear Assistant Administrator Grumbles:

I would like to start by thanking you and your staff for taking the time to meet with AMSA on December 20, 2004 to discuss several important issues. One of the issues discussed at this meeting was the pretreatment streamlining rule. Guy Aydlett, Director of Water Quality at the Hampton Roads Sanitation District, Virginia Beach, Va., and Chair of AMSA's Pretreatment & Hazardous Waste Committee, provided the Association's views on the Agency's proposed pretreatment streamlining rule.

Although not discussed in detail at our December meeting, AMSA's review of the recent EPA Office of the Inspector General (OIG) report entitled, *EPA Needs to Reinforce Its National Pretreatment Program*, found that it recommends on page 27 that EPA "set milestones for finalizing the streamlining rule [and] provide milestone dates to the OIG, and if the products are not completed within 90 days of report issuance, provide quarterly progress reports to the OIG until the products are finalized." Furthermore, on page 73929 of the Agency's Semiannual Regulatory Agenda, released December 13, 2004, EPA lists the date for final action on the streamlining rule to be February 2005. At the December meeting, AMSA was concerned to hear you say that "the rule is neither buried nor on the front burner," and would greatly appreciate clarification on the status of the streamlining rule. AMSA urges the Agency to provide a timeline for finalizing the pretreatment streamlining proposal.

As you will recall, we stressed the need for flexibility in converting traditional concentration-based limits to mass-based limits and for revised definitions of nonsignificant or *de minimis* categorical industrial users, among other key issues. The rule, in the form that AMSA supports, would have no negative impact on the environment and would save wastewater utilities hundreds of millions of dollars a year to be redirected to more value-added environmental work. As such, AMSA urges you to finalize this critical rule as soon as possible and respectfully requests

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further clarification on the timing and progress of the rule. We look forward to your reply and would welcome the opportunity to further discuss these issues with you.

Sincerely,

A handwritten signature in black ink, appearing to be the letter 'K' with a vertical stem and two diagonal strokes extending from the top right and bottom right.

Ken Kirk

Executive Director

CC:

Jessica L. Furey, Office of Policy, Economics, and Innovation, U.S. Environmental Protection Agency

Thomas Skinner, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency

Paul Noe, Office of Information and Regulatory Affairs, Office of Management and Budget

Thomas Sullivan, Office of Advocacy, Small Business Administration

Dan Engelberg, Office of Program Evaluation, Office of Inspector General, U.S. Environmental Protection Agency

James A. Hanlon, Office of Wastewater Management, Office of Water, U.S. Environmental Protection Agency

Linda Y. Boornazian, Office of Wastewater Management, Office of Water, U.S. Environmental Protection Agency