

Peak Excess Flow Treatment Facilities for Sanitary Sewer Collection Systems

The intent of this approach is to encourage municipal facilities to maintain and update their collection, treatment and disposal infrastructure in a manner that prevents and eliminates sewer overflows, meets all applicable regulatory requirements, and protects the beneficial uses in the waters to which they discharge. This approach essentially relies on a basic enforcement approach to deal with peak excess flow treatment facilities (PEFTFs) but also uses a self-audit/disclosure process and a phasing provision for currently permitted PEFTFs.

This approach builds on the draft NPDES standard permit conditions outlined in the previous papers distributed to the SSO FAC. These provisions will greatly improve the existing standard permit condition for adequate operation and maintenance found in NPDES permits for publicly owned treatment works (POTWs), by establishing NPDES permit requirements to develop and implement CMOM programs.

To address the universe of SSO problems, EPA and the States would target municipal facilities where sewage overflows are causing problems (or have the potential to result in problems, e.g. due to poor O&M practices). EPA or the States would invite the targeted facilities to conduct a self-audit/disclosure of their entire sewer system and treatment facilities. The facilities would conduct a thorough self-assessment and develop a plan to correct problems over a reasonable time period. Facilities may also choose to conduct self-audit/disclosure on other Clean Water Act requirements, including storm water, biosolids, pretreatment, etc. An EPA (or delegated State/Tribe) enforcement order would provide a formal commitment and schedule to carry out the plan to correct problems, and provide a mechanism for waiving penalties, as appropriate.

Facilities wanting, or needing, PEFTFs can be handled in the following way:

- ! Facilities with SSO problems can be prioritized in a targeting approach and offered coverage under a self-audit/disclosure process. Any facility proposing a PEFTF would be automatically targeted.
- ! The selected facility would do a system assessment, and develop and implement a CMOM program, including specific plans to fix causes of SSOs. The CMOM must determine, with public participation, that no timely feasible alternatives to the PEFTF exist for managing SSOs. The approach may take into account watershed considerations as discussed elsewhere.
- ! An administrative order (AO), or consent decree (CD) if longer than three years is needed, would be issued to the facility to ensure plans are implemented. Either the AO or CD will

