

APPENDIX: MERCURY REDUCTION PLANS

Sections

1. Mercury Reduction Plan may be required
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1. MERCURY REDUCTION PLAN MAY BE REQUIRED.

(A) To ensure that the maximum allowable mercury loading to the POTW is not exceeded, the Control Authority may require any nondomestic user with a reasonable potential to discharge mercury to develop, submit for approval and implement a Mercury Reduction Plan (MRP). The MRP may be required by permit if the nondomestic user has not violated the local limit for mercury, but the Control Authority has determined that a reasonable potential for such a violation may exist. MRP's may be required in notices of violations, orders or other enforcement actions when the nondomestic user has violated the mercury local limit. At a minimum, an approvable MRP shall contain the following:

(1) A written commitment by the nondomestic user to reduce all nondomestic discharges of mercury to levels below the LOD within three years of the MRP's original approval date;

(2) Within 60 days of notification by the Control Authority that a MRP is required, the nondomestic user shall supply an initial identification of all potential sources of mercury which could be discharged to the sanitary sewer system;

(3) Specific strategies for mercury reduction with reasonable time frames for implementation, capable of ensuring that mercury discharges will be below the specified LOD within three years;

(4) A program for quarterly sampling and analysis of the nondomestic discharge for mercury in accordance with the 245.1 methods;

(5) A demonstration of specific, measurable and/or otherwise quantifiable mercury reductions consistent with the goal of reducing mercury discharges below the specified LOD. Where such reductions can not be demonstrated through normal effluent monitoring (e.g., mercury discharges are near LOD), the demonstration should incorporate the following:

(a) Internal process monitoring, documenting the results of mercury reduction

strategies at sampling locations within the facility (e.g., a program of regular monitoring of sink traps where mercury containing reagents had previously been disposed, but have since been substituted by non-mercury containing compounds);

(b) Internal and/or effluent sampling utilizing clean and/or ultra-clean sampling and analytical methods as referenced by USEPA Federal Register. Note that the results of such monitoring will not be used for compliance purposes unless performed in accordance with EPA Method 245.1 and collected at the appropriate compliance measurement location.

(c) Loading calculations wherein the nondomestic user calculates the total mass of mercury reduced from the sanitary sewer discharge through reagent substitutions, changes in disposal practices and/or other approved MRP strategies implemented.

(6) A semiannual report on the status of the mercury reduction efforts. At a minimum, these reports shall:

(a) identify compliance or noncompliance with specific reduction commitments in the MRP;

(b) summarize the analytical, mass-based or other quantifiable demonstrations of mercury reductions performed to date;

(c) provide all applicable analytical data;

(d) provide an evaluation of the effectiveness of actions taken to date;

(e) provide updates to the initial list of mercury containing compounds discharged to the sanitary sewer; and

(f) propose for approval new strategies and/or modifications to the current MRP to continue and improve mercury reduction efforts.

(7) Any other conditions that the Control Authority deems necessary to ensure that mercury reduction efforts are effective in achieving the goals of this section.

(B) Failure to submit an approvable MRP within 30 days of the required due date shall constitute significant noncompliance in accordance with this section, and will result in publication as a significant violator.

(C) A MRP may be evaluated for adequacy at any time by the Control Authority. If such an evaluation determines that the Mercury Reduction Plan is inadequate, or the nondomestic user has not complied with its approved MRP, the nondomestic user will be notified. Failure to comply with the MRP requirement constitutes noncompliance. The Control Authority will follow its Enforcement Response Plan (ERP) to ensure that corrective actions are taken.

2. RELEASE FROM REQUIREMENT.

(A) A nondomestic user may request a release from MRP requirements if:

(1) all samples of the discharge for a period of one year are less than the specified LOD;

(2) the nondomestic user has complied with the minimum monitoring frequency of quarterly sampling events; and

(3) the Control Authority deems that MRP commitments have been fulfilled sufficiently to ensure continued compliance with the mercury limitation.

(B) The Control Authority shall notify the nondomestic user of any release from MRP requirements in writing.

(C) If the MRP requirement is waived by the Control Authority, the nondomestic user remains subject to the local limitations for mercury in accordance with the requirements of this section.

(D) Re-discovery of mercury in the nondomestic user discharge subjects said user to the submission of a new MRP, or escalation of enforcement in accordance with the ERP.
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