

From: [Joe Magdol](#)
To: [Creighton, James](#)
Cc: [Hudak, Kim](#); [Inglese, Oswald](#)
Subject: Public Comment - Proposed IU and SIU General Permits
Date: Thursday, February 07, 2019 3:39:17 PM

Jim,

I have two clients who are not metal finishers. One's process discharges is covered by the MISC GP, and the other's by a SPDES, which has a renewal application pending at DEEP. Both conduct acid cleaning that uses a process solution with a pH of ~1.0 s.u. I have demonstrated to DEEP's satisfaction through previous communications, that neither of my clients' acid cleaning processes comes under the federal definition of metal finishing.

Both new proposed permits include the same definition of "Tumbling or cleaning of parts wastewater" that includes the language, "...where no acid solutions with a pH less than 4.5 standard units or cyanides are used or present in the process." My understanding is that the pH 4.5 criterion was incorporated into the original Tumbling or Cleaning GP in the 1990s because the Department understood, or was arbitrarily estimating that a pH<4.5 was intrinsically equivalent to a metal finishing process. I don't believe there is any regulatory (i.e. federal) or technical justification for this equivalency or this restriction.

In the *Guidance Manual for Electroplating and Metal Finishing Pretreatment Standards*, EPA-440/1-84/091g, February 1984, forty-six (46) Electroplating Category 'Unit Operations' are defined. The guidance states that any facility that employs one or more of the first six (6) operations must come into compliance with Metal Finishing Pretreatment Standards. 'Acid Cleaning' is the seventh (7th) unit operation defined and its definition is in terms of function with no reference to pH. Also, note that 'Barrel Finishing (or) Tumbling' is the eleventh (11th) operation and its definition does not include any references to pH. These federal definitions and the guidance in general are the basis of my suggested language revision to the DEEP definition of 'Tumbling or Cleaning' in the General Permits and are the basis for my opinion that my clients are not subject to categorical metal finishing regulations.

I suggest that the DEEP definition cited above be revised such that facilities that are not metal finishers and that conduct acid cleaning be permitted to discharge rinse waters with a pH of 5-12 s.u. from such cleaning to a POTW under the newly proposed MISC (Significant Users) GP. And, for consistency's sake, I suggest that the same revised definition be included in the newly proposed SIU GP. I suggest that the definition retain the cyanide restriction but contain no pH restriction. Finally, if for some reason my suggested revision is not acceptable, I have also previously asked if rinsewater with a pH of 5-12 that is generated by acid cleaning that uses a solution with a pH of <4.5, be treated/discharged under the MISC General Permit as a "minor variance".

Thanks for your attention to this.

Best regards,

Joe

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