

July 18, 2016

Allen Gilliam,
Pretreatment Coordinator
Arkansas Department of Environmental Quality
Water Division
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

Re: AR0021750 City of Fort Smith Pretreatment Program Updates

Dear Mr. Gilliam:

Please find attached the revisions to the City of Fort Smith Pretreatment Program. This document includes all the discussed changes including the new ordinance, attorney's letter, technically based local limit study, revised enforcement response plan, and templates.

Upon approval of the revised program, the City will implement the new program including issuing new permits and related fact sheets.

We again thank you for your suggestions, guidance, and patience during the process, and we look forward to our continued partnership in preserving and conserving the environment.

If you need any additional information or have any additional suggestions or comments, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hancock".

John Hancock,
Environmental Monitoring Supervisor

A handwritten signature in black ink, appearing to read "Don Clover".

Don Clover,
Environmental Quality Program Manager

A handwritten signature in black ink, appearing to read "Lance A. McAvoy".

Lance A. McAvoy,
Deputy Director of Operations

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Revised July 15, 2016

**Industrial
Pretreatment
Program
Fort Smith, Arkansas**

Table of Contents

Introduction - Pretreatment Program Overview	3
Section 1: Program Legal Authority	5
A. Program Legal Authority	5
B. Deny or Condition discharges to the POTW	5
C. Require Compliance with Pretreatment Standards and Requirements	6
D. Industrial User Permitting	6
E. Industrial User Compliance Schedules	7
F. Inspection and Monitoring	7
G. Remedies for Industrial User Noncompliance	8
H. Comply with Confidentiality Requirements	9
Section 2: Procedures	10
A. Industrial User Survey Procedures (Identify and Locate Industrial Users)	10
1. Establish a Checklist.....	11
2. Establish a Database.....	12
3. Determine IU Survey Sources.....	12
4. Develop a Screening Form.....	12
5. Gather and Verify Information.....	13
6. Conduct Screening Process.....	13
7. Follow-Up Procedures.....	13
8. Summary Information.....	13
9. Permitting.....	14
10. Continuous Industrial Wastewater Survey Procedures.....	14
B. Identifying the Character and Volume of Pollutant Contributed	14
C. Notification of Applicable Pretreatment Standards and Requirements	14
D. Industrial User Reporting Requirements	15
E. Sampling and Analyzing Industrial User Discharges	17
F. Evaluating the Need for IU Slug Control Plans	19
G. Best Management Practices (BMPs)	19
H. Investigating Instances of Noncompliance	20
I. Complying with Public Participation Requirements	20
Section 3: Organization, Staffing and Funding	21
A. Organization	21
B. Staffing	22

C. Funding	26
Section 4: Local Limits	27
A. Local Limitations	27
B. Technically Based Local Limits Process	27
C. Current Local Limits	28
D. Evaluation Process	30
Section 5: Enforcement Response Plan	31
Appendix A: Statement from City Attorney	32
Appendix B: Pretreatment Ordinance Checklist	33
Appendix C: Ordinance 27-16	34
Appendix D: Ordinance 61-11	35
Appendix E: Ordinance 23-15	36
Appendix F: Technically Based Local Limit (TBLL) Study	37
Attachment G: Enforcement Response Plan	38
Attachment H: Templates	39

Introduction - Pretreatment Program Overview

The Federal Water Pollution Control Act of 1972 completely revamped the United States' water pollution control effort. In addition to establishing a massive funding program for the construction of municipal treatment facilities necessary to meet the stringent requirements of the law, and requiring all dischargers to meet specific permit effluent limits, the Act was also designed to control municipal and industrial discharges of toxic pollutants into the waterways. Section 307 of the Act required the U.S. EPA to develop pretreatment standards designed to prevent the discharge of pollutants from Industrial Users to Publicly Owned Treatment Works (POTWs) "which interfere with, pass through, or are otherwise incompatible with such works."

These toxic controls, however, proved difficult to implement and it was not until 1977, after legal complications were resolved and the Act was amended, that the United States' federally mandated industrial wastewater control program began to take shape.

To implement the legislative mandate, the U.S. EPA promulgated general pretreatment regulations on June 26, 1978. The regulations establish a framework for the application and enforcement of technology-based pretreatment standards for industrial wastes discharged into municipal systems.

The objectives of the National Pretreatment Program are stated in 40 CFR 403.2, as follows:

1. Prevent the introduction of pollutants into a POTW that will interfere with the operation of the POTW, including interference with its use or disposal of municipal sludge
2. Prevent the introduction of pollutants into a POTW that will pass through the treatment works or otherwise be incompatible with such works; and
3. Improve opportunities to recycle and reclaim municipal and industrial wastewaters and sludges.

Pretreatment Program Regulations (40 CFR, Part 403) require any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 million gallons per day (mgd) and receiving from Industrial Users pollutants which Pass Through or Interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards to establish a POTW Pretreatment Program. The Regional Administrator or Director may require that a POTW with a design flow of 5 mgd or less develop a POTW Pretreatment Program if he or she finds that the nature or volume of the industrial influent causes treatment process upsets, violations of POTW effluent limitations, contamination of municipal sludge, or other circumstances warrant in order to prevent Interference with the POTW or Pass Through.

The regulations envision two types of national pretreatment standards, general prohibitions and categorical standards, to achieve these objectives.

- (1) General prohibitions apply to all non-domestic users of municipal treatment works, regardless of whether they are subject to other standards. These standards control the discharge of materials that may create a fire or explosion hazard; corrosive material,

including a no-discharge standard for pollutants with a pH of less than five; solid or viscous pollutants in amounts that would obstruct the flow of or interfere with plant operations; any pollutant, including BOD and TSS, in volume or strength as to cause unit process upsets; and heat in amounts which will inhibit biological activity in the municipal facility.

- (2) Categorical standards complement the general prohibitions and specify quantities or concentrations on pollutants that existing or new Industrial Users in specific industrial subcategories may discharge or introduce to municipal facilities. When promulgated, these standards will deal only with toxic incompatible pollutants which are of great environmental concern because they occur in effluents, aquatic environments, and drinking water supplies lead to immediate or long-term human health hazards under certain circumstances; or have toxic effects, at high concentration, in human or aquatic organisms. Municipal authorities are authorized to request modification of the specified limits to account for removals achieved by the treatment works and industry can achieve a similar modification if it can show that its processes are fundamentally different from those that the U.S. EPA used in initially promulgating the numeric limits.

To develop an approvable program pursuant to the regulatory requirements, these municipalities were required by 1983 to establish a publicly owned treatment works control agency within their municipal political structure; establish legal authority binding upon Industrial Users of the publicly owned treatment works control agency; develop procedures and authority to require industrial monitoring and reporting and to enter industrial grounds for the purpose of verifying compliance; establish a resource program to provide sufficient funding and personnel to implement the program; and establish procedures for public notification and participation in the locally-developed industrial wastewater control program.

The City of Fort Smith as a POTW was subject to this regulation. The State of Arkansas is a delegated state; therefore, these programs are implemented through the Arkansas Department of Environmental Quality (ADEQ) and its National Pollutant Discharge Elimination System (NPDES) program. Pursuant to these regulations, the City of Fort Smith developed a Pretreatment Program. The program was initially approved in 1982, and modified again in 1991 and 1997. The last major modification was developed and approved in 2012.

The purpose of this document outlines various Pretreatment Program requirements and serves to develop, implement and carry on an Industrial Pretreatment Program for the City of Fort Smith.

Section 1: Program Legal Authority

A. Program Legal Authority

The authority for implementing a pretreatment program regulating industrial discharges is mandated by rules adopted on Federal, State, and local levels including:

- (1) The Code of Federal Regulations, 40 CFR, Part 403 which outlines national pretreatment regulations. The responsibility to implement National Pretreatment Standards is established in the Federal Water Pollution Control Act, and amended in 1977 by the Clean Water Act. These standards were developed to control pollutants that pass through, or interfere with, treatment processes at Publicly Owned Treatment Works (POTW), or which could contaminate sewage sludge.
- (2) The National Pollution Discharge Elimination Systems (NPDES) permit issued to POTWs in Arkansas by the Arkansas Department of Environmental Quality (ADEQ) requires the development and implementation of industrial pretreatment programs to safeguard POTWs from any interferences or pass through of pollutants.
- (3) Ordinance 27-16, establishes local pretreatment standards and limits based on Federal and State requirements.

Implementation of the Pretreatment Program is handled through the Utility Department's Environmental Quality Program. The Environmental Quality Program Manager, Environmental Monitoring Supervisor, Environmental Coordinator and the Environmental Technicians are the individuals who maintain the program.

B. Deny or Condition discharges to the POTW

If any waters or wastes are discharged or are proposed to be discharged into the public sewers, which may contain the substances or possess the characteristics enumerated in the preceding subsections and which, in the judgment of the Control Authority may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Control Authority may (a) reject the wastes, (b) require pretreatment to an acceptable condition for discharge into the public sewers, and/or (c) require control over the quantities and rates of discharge.

If the Control Authority requires pretreatment or equalization of waste flows into the public sewer, the design and installation of the plants and equipment shall be subject to the review and approval of the Control Authority and subject to the requirements of all applicable codes, ordinances and laws.

The City shall have the authority, after notice to the discharger, to immediately and effectively halt or prevent any discharge of pollutants to the sanitary sewer system which reasonably appears to present an imminent danger to the health or welfare of persons or the environment, or which threatens to interfere with the operation of the City's treatment facilities.

No user shall increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the City or State.

C. Require Compliance with Pretreatment Standards and Requirements

All users are required to comply with discharge conditions set forth in Ordinance 27-16. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.

Any person found in violation of any of the provisions of the Ordinance shall be served by the Control Authority with written notice stating the nature of the violation, describing the penalty applicable to the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, cease all violations. The user may deliver to the Control Authority, within five (5) days of receipt of such notice, a written request for a Review Meeting with the Control Authority at which meeting the user shall be given an opportunity to show cause why the notice should be rescinded or modified.

Any notice issued pursuant to this sub-section may provide one or more of the following penalties:

- (1) An administrative penalty of not more than \$1,000.00 for each violation of the Ordinance, and each day of a continuing violation may be deemed a separate violation; and,
- (2) A compliance directive with time schedule mandating procedures which would bring the user into compliance with the Ordinance within the designated time schedule (compliance schedule), which compliance directive with schedule shall be expressly stated to be subject to enforcement by withdrawal of the user's discharge permit or termination of POTW service upon non-compliance with the compliance directive with schedule; and,
- (3) A withdrawal of the user's discharge permit and termination of POTW service to the user.

D. Industrial User Permitting

Significant Industrial Users will be issued Wastewater Discharge Permits (Permit) as established in the Pretreatment Ordinance. The purpose of the Permit is to protect the operation of the POTW, to prevent inadequately treated pollutants from passing through the POTW and to insure the City's compliance with all aspects of its NPDES permits, including those aspects dealing with operations to recycle, reclaim or dispose of sludge generated at the City's POTW.

This procedure will allow the City to maintain up-dated files for all significant industrial contributors. Changes in industry ownership, product line, or pollutant discharge shall require permit modifications of reissuance. New industries will be discovered through a periodic review

of Water Department account records, building permits, water and sewer tap records, local telephone directory and yellow pages, the internet, Chamber of Commerce rosters, and the Polk City Directory. New industries shall be required to submit data concerning the character and volume of wastewater proposed to be discharged to the sanitary sewer system.

Wastewater Discharge Permits shall be issued for a specific period of time, not to exceed five (5) years.

The user shall apply for permit reissuance a minimum of ninety (90) days prior to the expiration of the existing permit. The terms and conditions of the Permit may be subject to modification by the City during the term of the Permit as limits or requirements in Section 6 are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of the change. Any changes or new conditions in the Permit shall include a reasonable time schedule for compliance.

Wastewater Contribution Permits are issued to a specific operation and therefore are not to be transferred or reassigned or sold to a new owner, new user, different premises or new or changed operation without approval of the Control Authority.

E. Industrial User Compliance Schedules

When a User has violated or continues to violate any provision of the City's Pretreatment Program (by violating either the ordinance or the Permit) the Control Authority may issue a compliance schedule to the user which may provide one or more of the following penalties including but not limited to:

- (1) A compliance directive with time schedule mandating procedures which would bring the user into compliance with the Ordinance within the designated time schedule (compliance schedule).
- (2) A compliance directive with a schedule expressly stated to be subject to enforcement by withdrawal of the user's discharge permit or termination of POTW service upon non-compliance with the compliance directive with schedule.
- (3) Any SIU subject to a compliance schedule shall submit compliance reports at the dates and at the times required by the Control Authority. Compliance reporting shall detail all progress made towards compliance with the schedule as accepted by the Control Authority.

F. Inspection and Monitoring

The Control Authority, Inspector and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of the Ordinance. The Control Authority or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries

beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Authorized personnel shall have authority to inspect and copy records pertaining to the discharge of wastewater to the collection system. All SIU's shall be inspected at least annually.

When required by the Control Authority, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary matters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes.

Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Control Authority. The manhole shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times.

All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in the Ordinance shall be determined in accordance with the latest Federal Standard which is currently 40 CFR Part 136 or equivalent methods approved by the EPA and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been provided, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the POTW and to determine the existence on hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Typically, but not always, BOD, COD, and TSS analyses are obtained from twenty-four (24) hour composites of all outfalls, whereas pH and Oil & Grease test results are determined from grab samples taken periodically).

G. Remedies for Industrial User Noncompliance

The Control Authority shall be guided by the City of Fort Smith Pretreatment Program Enforcement Management Plan, which was adopted by the Control Authority on the effective date of the Ordinance, and confirmed in (1) the initial issuance of penalties set forth in notices issued pursuant to this sub-section and (2) in the administrative adjustment or amendment to any such penalty as a result of a Review Meeting requested by the user pursuant to the provisions of this subsection. No action to withdraw a user's permit shall be final until the Control Authority has given notice of and conducted the Show Cause Hearing provided for in the Enforcement Management Plan.

Any person violating the provisions of the Ordinance shall become liable to the City for any expense, loss, or damage incurred the City by reason of such violation.

In enforcement of the penalty of withdrawing a user's discharge permit or terminating POTW service to a user, the Control Authority may discontinue water and sewer service to the user.

The listing of penalties in the Ordinance shall not preclude other appropriate judicial remedies available with reference to any violation of this Ordinance. In particular, the Control Authority may petition any Court of pertinent jurisdiction to grant injunctive or other legal or equitable relief by reason of a violation. No judicial action against an industrial user to collect a civil or criminal penalty for violation of pretreatment standards or requirements shall be commenced without a majority vote of the Board of Directors.

H. Comply with Confidentiality Requirements

A user may request that specific information which must be submitted to the City be kept confidential. A statement shall be included notifying the user that the information submitted with each Wastewater Discharge Permit Application and Industrial Waste Survey shall be available to the public without restriction. The statement also notifies the User that the City will follow the requirements of 40 CFR Part 2 in its evaluation and approval, or denial of each users request for confidentiality. Generally, to be considered as confidential, information would have to meet one or more of the following criteria:

- (1) It would have to divulge substances, devices, or processes that are patented or for which patents are being sought. This pertains to manufacturing processes, product development, and waste treatment.
- (2) It would have to divulge financial data.
- (3) The user would have to employ processes or produce substances that the nature of which is "Classified" (i.e. for military, Federal intelligence, nuclear Power, and some space exploration industries).

Where confidentiality is granted, confidential material shall be removed from the files available for public inspection and kept under control of the Control Authority.

Section 2: Procedures

A. Industrial User Survey Procedures (Identify and Locate Industrial Users)

An initial Industrial Waste Survey was conducted by Garver and Garver Associates in 1978. The survey was first performed on various businesses and industries located in the "P" Street Sewage Treatment Plant drainage basin and then later expanded to encompass the Massard Sewage Treatment Plant drainage basin. Questionnaires were sent out to over 200 businesses and industries inquiring as to the nature of each business's operation and discharge of wastewater to the sanitary sewer system. The response from business and industry was excellent and after careful examination of the responses, follow-up letters and phone conversations with various industries were initiated to clarify some of their responses. Upon completion of these follow-ups, water consumption information was gathered from City records on all industries and businesses that responded positively to the question concerning the discharge of wastewater other than normal domestic sewage. Also, any available wastewater sample information on the businesses and industries was gathered from all sources having such information.

Meetings with both City and ADPCE officials were held to determine what additional information needed to be gathered and what industries or businesses, not previously sampled, needed to have a sample analysis performed on their wastewater discharge or what businesses or industries needed an updated analysis performed on their wastewater due to a change in their operation and/or effluent quality.

In June of 1980, the City completed another industrial waste survey. Based upon the information supplied by the Garver and Garver survey of 1978 and meeting with many of the affected industries during 1978, the City surveyed approximately fifty (50) industries. The nature of each industry's operation and wastewater discharge was surveyed.

The City conducted a third industrial waste survey in August of 1982. All major industries (both conventional and Categorical) were surveyed. The survey included a request for information on any Priority Pollutants that were known to be or suspected to be in the industry's wastewater discharge to the sanitary sewer system. In 1991, the City had forty (40) permitted industries. With the extensive database currently on hand, a re-evaluation of the data may reduce the number of permitted industries. This re-evaluation will be accomplished during permit renewals.

New industries will be discovered through a periodic review of Water Department account records, building permits, and water and sewer tap records. New industries shall be required to submit data concerning the character and volume of wastewater proposed to be discharged to the sanitary sewer system.

The following steps describe how additional or new Industrial Users will be identified through the survey process.

1. Establish a Checklist

Pretreatment Program staff should develop a checklist to guide them through the process of conducting an industrial user survey to assure that all survey methodology is followed. In general, a checklist should include the following elements.

- (1) Were the sources used sufficient to assure that all major Industrial Users are identified and located?
- (2) Was the criteria used to eliminate industries from the inventory appropriate?
- (3) Survey Questionnaire: Did the POTW obtain the following information (either through the survey or other means): Name, Address, SIC/NAICS codes or expected classification, Wastewater flow rate or water consumption rate, Loads and/or concentrations of pollutants in discharge, Major products manufactured or services supplied, Residuals generated by IU's disposal methods and locations of discharge points (recommended), Description of existing pretreatment facilities and practices.
- (4) Is the information current within the last 3 years?
- (5) Does the questionnaire require the signature of an authorized company representative?
- (6) Follow-Up Procedures: Did the POTW follow up the questionnaire (with additional written requests, telephone calls or site visits) to obtain a complete and accurate response?
- (7) Summary Information:
 - a) Were the users classified by industrial category, SIC Code, or NAICS Code?
 - b) Has the POTW correctly characterized the waste discharged from each industrial user or industrial type?
 - c) Does the information obtained demonstrate sufficient characterization of the IU's waste discharges to the POTW?
- (8) Continuous Industrial Wastewater Survey Procedures
 - a) Does the submittal include procedures for continually updating its industrial waste information?
 - b) Does the submittal include procedures for maintaining a list of IUs meeting the criteria listed at 40 CFR 403.3(v)(1)?
 - c) Does the submittal include procedures for maintaining a list of IUs that are considered non-significant, as defined at 40 CFR 403.3(v)(2)?
- (9) Are procedures identified for updating (periodically) the waste survey information for existing users?
- (10) Do procedures require new industries to supply discharge information or other-wise ensure that it will be collected?

2. Establish a Database

This step in the Industrial User Survey is critical, for it requires pretreatment personnel to develop a basic understanding of how the information will be organized and utilized. Typically, pretreatment personnel depend upon some form of pretreatment information management system. This can be in the form of commercially available systems (such as Lucity™, Linko CTS™, or Hansen™), or custom written relational database program (MS Access), word processing or spreadsheet program, pencil and paper, or any combination thereof.

3. Determine IU Survey Sources

Multiple sources are referenced in an effort to discover all potential Industrial Users. Some of these sources are as follows:

- (1) Telephone Directory.
- (2) Arkansas Directory of Manufacturers (Central Arkansas Library).
- (3) Little Rock Chamber of Commerce Manufacturers Directory.
- (4) ADEQ Hazardous Waste Generators database.
- (5) Local Water Utility for users who purchased more than 20,000 gpd during the previous year.
- (6) Construction Plans for new and revised development from industrial customers to the utility.
- (7) Annual printout of Business Licenses for the previous year from the city's collector's office.
- (8) Drive-by, call-ins, fill-ins, anonymous reports and industry contacts.
- (9) Master mailing list.
- (10) Polk City Directory.

4. Develop a Screening Form

The Industrial User Survey was developed and approved by the pretreatment staff using existing examples from other pretreatment programs and a general knowledge of pretreatment standards. The Industrial User Survey is broken up into two phases. The first phase is a general short form waste survey that contains general information including contact names and addresses, business activities, and employee information. This phase will help identify potential businesses for a second sector based waste survey. The second phase is broken into three (3) sector based waste surveys. The first of these sector based waste surveys is meant for potential industrial users and contains information of industrial activities, waste discharge, wastewater pretreatment, categorical determination, and chemical information. The second of these sector based waste surveys is for potential dental/medical specific businesses. The third sector based waste survey addresses possible FOG generator sector specific businesses. The certification statement and signature section is included on each survey. The survey along with a cover letter and instructions were sent out to each business to be mailed or faxed back completed to the pretreatment staff. The cover letter also indicated that additional copies of the survey can be downloaded from the pretreatment link at the website www.fortsmithwater.org.

Comprehensive Industrial User Surveys were sent to eight hundred and sixty- one (861) businesses in 2003, six hundred and ten (610) businesses in 2008, two (2) businesses in 2009, one (1) business in 2011, thirty (30) businesses in 2014, and twenty-two (22) business in 2015. The Industrial User Survey is designed to identify potential new Industrial Users as well as changes to existing Industrial Users.

5. Gather and Verify Information

The received data is entered into the database and reports are generated. The information in the reports is verified by reviewing the database, reviewing old inspection records, internet research, site inspections, and by contacting the user.

6. Conduct Screening Process

As the surveys are received, pretreatment personnel review them and each business is assigned to a general category. Upon completion of the review and categorization, information for each business is entered into a relational database. The database was designed by the pretreatment staff to assist with result examination. If a survey is returned because of a wrong address, the environmental technicians will deliver it by hand. When delivering by hand, the environmental technician will be able to determine if the business is still in operation. If a survey is received with incomplete or contradicting information listed, a follow-up letter and/or phone conversation will be initiated to clarify the responses.

7. Follow-Up Procedures

If more attention is warranted or if the industry needs to be investigated further, an on-site inspection will be conducted.

Did the POTW follow up the questionnaire (with additional written requests, telephone calls or site visits) to obtain a complete and accurate response?

- (1) Was a site inspection conducted to verify accuracy of information?
- (2) Did the SIC code accurately define the IU?
- (3) Were there pollutants of concern?
- (4) Did the process meet the description?
- (5) Is sampling needed?
- (6) Was the volume and characteristic of the flow evaluated?
- (7) Were there spill and sludge control requirements?

8. Summary Information

The information is then summarized to answer the following questions:

- (1) Were the users classified by industrial category, SIC code, or NACIS Code?

- (2) Has the POTW correctly characterized the waste discharged from each industrial user or industrial type?
- (3) Does the information obtained demonstrate sufficient characterization of the IU's waste discharges to the POTW?

9. Permitting

Once the data is summarized, the decision on whether or not the user is required to have a Permit is determined by answering the following questions:

- (1) Is the user a Significant Industrial User?
- (2) Does the user have a Categorical sub-process as defined in 40 CFR Part 403 through 471?
- (3) Is the user an industry of concern to the POTW?

10. Continuous Industrial Wastewater Survey Procedures

This survey provides valuable information and insight to the makeup of industrial processes within the City of Fort Smith. The results of the survey indicate that the City of Fort Smith is currently monitoring all significant Industrial Users. In 2015, the City was monitoring twenty-seven (27) industries. Out of the twenty-seven (27) industries, fifteen (15) are permitted as a SIU. As part of the maintenance of the pretreatment monitoring program, the City routinely re-evaluates data from existed industries and continues to search for new potential industrial contributors.

B. Identifying the Character and Volume of Pollutant Contributed

During the assessment of an industrial user, several key elements also pertain to the issuance of a Wastewater Contribution Permit. Some of which are the identification of pollutants in its wastestream, setting permit limits for said pollutants, and determining sampling and reporting frequencies. Various methods have been employed to determine this information. Historical data (if the permittee is an already established business) from previous sampling events, the use of historical data from other businesses with similar products and production rates, and from EPA guidance for instances where the business is a categorical industry. During the course of compliance sampling, other pollutants may be identified which would then be incorporated into the appropriate sections of the permittee's wastewater permit.

C. Notification of Applicable Pretreatment Standards and Requirements

Upon identification of an industrial user that warrants permitting, the permittee is notified through its Wastewater Discharge Permit of the standards and requirements that are applicable for that user.

In general, the Wastewater Discharge Permit contains the following key elements:

- (1) General discharge prohibitions.
- (2) Limits on maximum and average wastewater characteristics based on applicable general pretreatment standards in 40 CFR Part 403, categorical pretreatment standards, local limits and State and local law; or
- (3) Limits on average and maximum rate and time of discharge, or requirements for flow regulation and equalization, requirements for installation and maintenance on inspection and sampling facilities; or
- (4) Specifications for monitoring programs which will include sampling locations, frequency of sampling, number, types and parameters for tests and reporting/ compliance schedules; or
- (5) Self-monitoring, sampling reporting, notification, and record keeping requirements, including an identification of the pollutants to be monitored; or
- (6) Statements of applicable civil and criminal penalties for violation of pretreatment standards and requirements and, where required, any applicable compliance schedules; or
- (7) Other conditions as deemed necessary by the Control Authority to insure compliance with the Sewer Use Ordinance. All costs of sampling and testing for the monitoring program are to be borne by the user. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of the permit.

Additionally, an industrial user shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other), and if the industrial user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW. The notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place within one hundred eighty (180) days of the effective date established by 40 CFR 403.12 (p).

The storage of any material in areas served by public sewers or in areas draining into the City sewer which, because of discharge or leakage from such storage, may create an explosion hazard in sewage works or in any other way have a deleterious effect upon these works or treatment processes, or constitute a hazard to human beings or animals or the receiving stream shall be subject to review by the Control Authority, who at their discretion may require reasonable safeguards to prevent discharge or leakage of such materials into the sewers.

D. Industrial User Reporting Requirements

As per 40 CFR 403.12(b), “Reporting requirements for Industrial Users upon effective date of categorical pretreatment standard - baseline report”: “Within one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or one hundred eighty (180) days after the final administrative decision made upon a category determination submission under 403.6(a)(4), whichever is later, existing Industrial Users subject to such categorical Pretreatment Standards and currently discharging to or scheduled to discharge to a POTW shall be required to submit to the Control Authority a report which contains the information listed in paragraphs (b)(1)-(7) of this section. Where reports containing this information already have been submitted to the Director or Regional Administrator in compliance with the requirement of 40 CFR 128.140(b)(1977), the Industrial User will not be required to submit this information again. At least ninety (90) days prior to commencement of discharge, New Sources, and sources that become Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall be required to submit to the Control Authority a report which contains the information listed in paragraphs (b)(1)-(7) of this section. New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New Sources shall give estimates of the information requested in paragraphs (b)(4) and (5) of this section.”

Within one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, the Wastewater Discharge Permit of users subject to that standard shall be revised to require compliance with such standard within the time frame prescribed by the Standard. Any user with an existing Wastewater Discharge Permit shall submit to the Control Authority, within one hundred eighty (180) days after the promulgation of the applicable National Categorical Pretreatment standard, the following information:

- (1) The nature and concentration of any pollutants in the discharge which are limited by such Standard;
- (2) A statement regarding whether such standard is being met on a consistent basis and, if not, whether additional operations and maintenance and/or additional pretreatment is required to meet such Standard;
- (3) If additional pretreatment and/or operation and maintenance will be required to meet such standard, the shortest possible schedule by which the user will provide such additional pretreatment and/or operation and maintenance and the completion date shall be no later than the compliance date established for such Standard.

The user shall submit this information in a format as directed by the Control Authority and shall meet all requirements set forth in 40 CFR 403.12(b). Any user, who is subject to a National Categorical Pretreatment Standard and who has not previously submitted an application for a Wastewater Contribution Permit, shall submit said application within one hundred eighty (180) days after the promulgation of the applicable pretreatment standard.

Within ninety (90) days following the date for final compliance with any National Categorical Pretreatment Standard (NCPS), or in the case of a new source, following commencement of the introduction of wastewater in the POTW, any SIU subject to the NCPS, whether they are initially

constructing a pretreatment facility or adding to an existing facility, shall submit to the City a report indicating the nature and concentration of all pollutants in the discharge from the regulated process and the average and maximum daily flows, by month, for those process units which are limited by the NCPS. The report shall state whether the applicable Pretreatment Standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the SIU into compliance with the applicable Pretreatment Standards or requirements. These reports must also contain a certification statement as outlined in 40 CFR 403.6(a)(2)(ii).

Any SIU subject to a compliance schedule shall submit compliance reports at the dates and at the times required by the Control Authority. Compliance reporting shall detail all progress made towards compliance with the schedule as accepted by the Control Authority.

All SIUs (categorical and non-categorical) must submit to the Control Authority at least once every six months (or dates established by the Control Authority) a description of the nature, concentration, and flow of the pollutants required to be reported by the Control Authority. The reports shall be based on sampling and analysis performed in the period covered by the report and, where possible, performed in accordance with the techniques described in 40 CFR part 136.

E. Sampling and Analyzing Industrial User Discharges

The City of Fort Smith Pretreatment Program is required by 40 CFR 403.8(f)(1)(v) of the Pretreatment Regulations to inspect and sample Industrial Users (IUs). Control Authority representatives of the POTW have the legal authority to enter any premises of any Industrial User in which a discharge source or treatment system is located or in which records are required to be kept under the conditions of the user's permit to assure compliance with Pretreatment Standards.

The Control Authority representative carries out these requirements and conducts facility inspections, surveillance, records examination and copying, and monitoring of industrial wastewater sources discharging to the City's wastewater collection system and treatment plants. The Control Authority representative performs monitoring and inspections in order to independently verify compliance with all applicable pretreatment standards. All Significant Industrial User (SIUs), both Categorical and Non-Categorical, shall be inspected at least once per year. Additional inspections; scheduled, unscheduled, or on-demand; may be conducted during the year if the IU has major process changes or modifications to their pretreatment systems, significant noncompliance or multiple permit violations, illegal discharge, or due to a complaint.

Sampling or monitoring of wastewater discharge from SIUs shall be conducted at least annually and performed according to 40 CFR Part 136. In addition, the SIU must also conduct self-monitoring at least semiannually. All sampling and analyses conducted for self-monitoring shall be performed by a certified, independent laboratory acceptable to the Control Authority and in accordance with guidelines established in 40 CFR Part 136 and 40 CFR 403.12 of the General Pretreatment Regulations. Non-Significant Industrial Users may be inspected and monitored annually. If sampling conducted by the SIU indicates a violation, the SIU must repeat the sampling and submit analytical results within thirty (30) days after becoming aware of the violation. The

SIU must also notify the Control Authority within twenty-four (24) hours of becoming aware of the violation in addition to performing the follow-up sampling and analysis.

Industrial Users (IUs) shall provide and operate at its own expense, in accordance with plans approved by the Control Authority or the City, a monitoring facility to allow inspection, sampling and flow measurement of each sewer discharge to the POTW. The monitoring facility shall be situated on the user's premises, except, where such a location would be impractical or cause undue hardship on the user, the City of Fort Smith may concur with the facility being constructed in the public street or other area, providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There shall be sufficient room in or near such sampling facility or location to allow accurate sampling and preparation of samples for analysis. The facility, sampling point and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the IU.

All IUs shall have an approved monitoring point. The IU is responsible for all maintenance on the approved monitoring point. The approved monitoring point shall be large enough or provide space nearby for monitoring equipment. Wastewater flow at the monitoring point should convey all of the IU's industrial waste, be visible and accessible for inspection and monitoring, have no bypass capabilities, and allow for unrestricted access at all times.

All IUs shall install and maintain a flow measurement (wastewater flow meter) device for instantaneous rate and/or cumulative flow volume determinations. A water meter may be used in lieu of a flow measurement device if it can be documented that the water usage and waste discharge are the same, or where a measureable adjustment to the metered supply can be made to determine the waste water volume. The Control Authority may require the user to install monitoring equipment as necessary. All monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications. All devices used to measure wastewater flow shall be calibrated to ensure their accuracy. The measurement devices shall be maintained at the IU's expense to remain in good operating condition at all times. The IU shall notify the Control Authority in the event the IU becomes aware that the flow measurement device has failed to accurately register the flow.

All samples shall be preserved, contained and held in accordance with 40 CFR Part 136. Grab samples can be taken manually or automatically and are required when analyzing wastewater for pH, cyanide, oil and grease, total phenols, sulfide, and volatile organic compounds, unless otherwise approved by the Control Authority. Composite samples are formed by combining discrete samples over a twenty-four (24) hour period through flow-proportional composite sampling techniques, unless the Control Authority authorized time-proportional composite sampling or grab sampling. The Control Authority may authorize, as appropriate, composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies. Appropriate containers shall be used when collected samples.

All SIUs (categorical and non-categorical) shall complete and submit an accurate routine self-monitoring report to the Control Authority in a form approved by the Control Authority at least once every six months or dates established by the Control Authority. The report shall contain a

description of the nature, concentration, and flow of the pollutants required to be reported by the Control Authority.

The Control Authority may modify the sampling requirements, parameters sampled and/or analyzed, and frequency of sampling to ensure compliance with federal, state, and local permit requirements. This may include additional sampling requirements other than what is stated in the Industrial Users Permit. The Control Authority representative bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, or conducting a survey or investigation related to noncompliance and enforcement, and testing in accordance with this ordinance.

F. Evaluating the Need for IU Slug Control Plans

The Control Authority shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control slug discharges. The Control Authority may require any user to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges.

Each user shall provide protection from accidental discharge or “slug load” of prohibited materials or other substances regulated by the Ordinance. For these purposes, “Slug” shall mean any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Division 2 of Article VI of Ordinance #27-16 or any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW’s regulations, Local Limits or Permit conditions. Upon request by the Control Authority, a detailed plan showing facilities and operating procedures to provide this protection shall be submitted to the Control Authority for review and approval. In the case of any accidental discharge or slug, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include the cause of the discharge, the location of the discharge, type of waste, concentration and volume and corrective actions taken. The user shall submit to the Control Authority within five (5) days following the accidental discharge (or slug) a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liabilities which may be imposed pursuant to the Ordinance.

G. Best Management Practices (BMPs)

The term *Best Management Practices* or *BMPs* means “schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b).” BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

The Control Authority may develop Best Management Practices (BMPs) to implement 40 CFR 403.5(c)(1) and (c)(2). Such BMPs shall be considered local limits and Pretreatment Standards for the purposes of this part and section 307(d) of the Act.

When BMPs are developed by the Control Authority and approved by ADEQ, the BMPs are enforceable by Federal, State and local law. A Significant Industrial User (or any Industrial User) is in significant noncompliance if the Control Authority determines that its violation, which may include a violation of Best Management Practices, has adversely affected the operation or implementation of the local Pretreatment program.

In cases where the standard requires compliance with a Best Management Practice or pollution prevention alternative, the user shall submit documentation as required by the Control Authority or the applicable standards to determine compliance with the standard.

The Industrial User shall retain documentation associated with BMPs for a minimum of three (3) years and shall make such records available for inspection and copying by the Control Authority. The Control Authority may extend this period of retention during the course of any unresolved litigation regarding the Industrial User.

H. Investigating Instances of Noncompliance

The Control Authority shall be guided by the City of Fort Smith Pretreatment Program Enforcement Management Plan.

The Control Authority representative, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, or conducting a survey or investigation related to noncompliance and enforcement, and testing in accordance with the Ordinance.

Any person violating the provisions of the Ordinance shall become liable to the City for any expense, loss or damage incurred by the City by reason of such violation.

I. Complying with Public Participation Requirements

All records maintained by pretreatment staff regarding the Pretreatment Program are available for public review. Those wishing the information need only contact the pretreatment office and make a request. The only exception to this is information kept in a confidential file not available for public view due to the proprietary nature of the information. These confidential files are allowed in 40 CFR 403.14. If this information is requested, it is handled in accordance with 40 CFR Part 2 (Public Information).

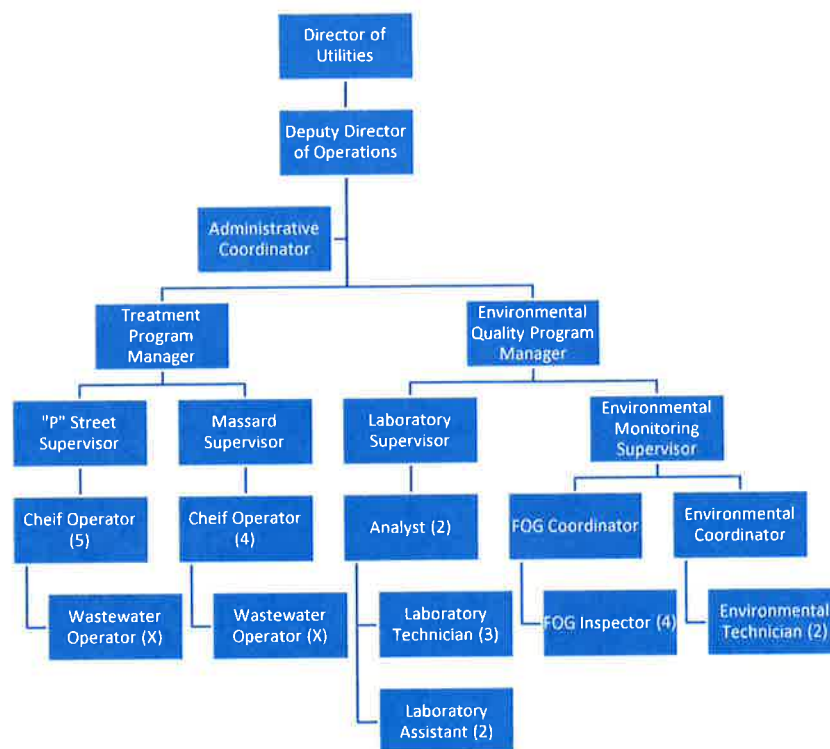
The public is notified at least once annually of Industrial Users found to be in significant noncompliance with applicable pretreatment requirements by publishing the name of the offending industry in the largest local newspaper, as per (40 CFR 403.8). The nature of the violation(s), as well as correction(s) made, are stated.

Section 3: Organization, Staffing and Funding

A. Organization

The responsibility for the administration of the Pretreatment Program lies within the Wastewater Treatment Program and Environmental Quality Program of the Utilities Department. All activities of these Programs are under the supervision of the Deputy Director of Operations. The Environmental Quality Program Manager has direct authority to conduct the day-to-day operations of the Environmental Quality Program. The Environmental Monitoring Supervisor enforces the Sewer Use Ordinance as well as the pretreatment activities of the Environmental Coordinator, FOG Coordinator, FOG Inspectors and Environmental Technicians. The City Attorney is responsible for legal assistance and many enforcement activities. The City Attorney coordinates enforcement activities with the Director of Utilities.

The Operations Division is composed of four (4) subdivisions including the Pretreatment Program. These four subdivisions are described below. Included are the titles of positions in each subdivision and the number of employees involved in each position.



PLANT OPERATIONS

Treatment Program Manager	1
Treatment Plant Supervisor	2
Massard WWTP	
Chief Operator	2
Operators	10
"P" Street WWTP	
Chief Operator	3
Operators	12

ENVIRONMENTAL QUALITY

Environmental Quality Program Manager	1
---------------------------------------	---

LABORATORY

Laboratory Supervisor	1
Analyst	2
Lab Technicians	3
Lab Assistants (Part Time)	2

ENVIRONMENTAL MONITORING

Environmental Monitoring Supervisor	1
FOG Coordinator	1
FOG Inspector	4
Environmental Coordinator (Pretreatment)	1
Environmental Technicians (Pretreatment)	2

B. Staffing

The following is a list of staff positions in the Wastewater Operations and Environmental Quality Department. General duties of each position are described below.

Director of Utilities

The Director of Utilities has full charge, supervision and management, and control of all utility functions including water and waste treatment, sewer construction and repair, and water storage and distribution. The Director of Utilities has direct authority and control over the budgetary and financial matters of the Division. The Director of Utilities should have a B.S. Degree in Engineering, Environmental Science, Physical Science, or Business Administration.

Deputy Director of Operations

The Deputy Director of Utilities has full charge, supervision and management, and control of all Utility Department Operations functions including Water and Wastewater Treatment, Environmental Quality, and Fleet, Building, and Station Maintenance Programs. The Deputy Director of Utilities has authority and control over the budgetary and financial matters of the Operation Programs. The Deputy Director of Utilities should have a B.S. Degree in Chemistry, Biology, Engineering, Environmental Science, Physical Science, or Business Administration and ten (10) years management experience and the ability to obtain a Class IV Operators License.

Treatment Program Manager

The Treatment Program Manager plans and directs all activities concerning the operation of both the "P" Street and the Massard Wastewater Treatment Plants. The Treatment Program Manager is also responsible for all expenditures within the Treatment Program. The Treatment Program Manager should have a B.S. Degree in Engineering, Biology, Chemistry or ten (10) years management experience and the ability to obtain a Class IV Operators License.

Environmental Quality Program Manager

The Environmental Quality Program Manager plans and directs all activities concerning the operation of the Pretreatment Program, FOG Program, Environmental Quality Analytical Laboratory (EQAL), and the Watershed Management Programs. Pretreatment activities include providing technical review and assessment of monitoring reports and corresponding with industries in all matters pertaining to the pretreatment program. Laboratory activities include managing the lab and overseeing the industrial monitoring and water and wastewater testing done by the laboratory staff. The Environmental Manager should have as a minimum a B.S. Degree in Chemistry, Biology, Environmental Science or Engineering, at least ten (10) years experience in the environmental field, and the ability to obtain a Class IV Operators License.

Treatment Plant Supervisor

The Treatment Plant Supervisor is a technical and supervisory position involving operation and maintenance of the two treatment plants. The supervisor plans, assigns, schedules and supervises employees in the operation and maintenance of sewage treatment plants. The Supervisor should have a High School Diploma, at least five (5) years experience in the operation and maintenance of sewage treatment plants, and the ability to obtain a Class IV Operators License.

Laboratory Supervisor

The Laboratory Supervisor is a technical position and supervisory position involving chemical, biological, and bacteriological examinations of wastewater. The Laboratory Supervisor plans, assigns, schedules and supervises employees at the laboratory facility and oversees all analyses and reports, the quality control program. The Laboratory Supervisor should have a B.S. Degree

in Chemistry, five (5) years experience in the operation and maintenance of an environmental laboratory, and the ability to obtain a Class IV Operators License.

Analyst/Laboratory Technician/Assistant

The Analyst/Laboratory Technician/Assistant is responsible for performing a variety of laboratory procedures involving chemical and bacteriological analyses. Tests are performed according to well defined standardized procedures, but require the accurate and skilled application of laboratory techniques. The Laboratory Analyst should have a B.S. Degree in Chemistry plus one (1) year of experience in an environmental laboratory, and the ability to obtain a Class IV Operators License. The Laboratory Technician should have an Associate's degree in Chemistry, Biology, or Environmental Science and the ability to obtain a Class II Operators License. The Laboratory Assistant should be working on a science degree at a university or college.

Environmental Monitoring Supervisor

The Environmental Monitoring Supervisor is a technical and supervisory position involving operation and maintenance of the Pretreatment and FOG programs. The supervisor plans, assigns, schedules and supervises employees in the operation and maintenance of Pretreatment and FOG programs. Pretreatment activities include planning sampling and monitoring schedules, providing technical review and assessment of monitoring reports, performing annual inspection of Industrial Users and corresponding with industries in all matters pertaining to the pretreatment program. The Environmental Monitoring Supervisor should have as a minimum a B.S. Degree in Chemistry, Biology, Environmental Science or Engineering, five (5) years of experience in the wastewater and pretreatment field, and the and the ability to obtain a Class IV Operators License and Advance Industrial Treatment License.

Additionally, the Environmental Monitoring Supervisor will stay current on pertinent environmental regulations using all available resources in order to be able to notify Industrial Users of any applicable requirements. Such resources include local, state, and federal training seminars; subscription to trade/specialty magazines and information services; updated copies of the Federal Register; and use of internet resources; etc.

FOG Coordinator

The position of FOG Coordinator is responsible for assisting the Environmental Monitoring Supervisor in all activities concerning the FOG Program. FOG activities include planning sampling and monitoring schedules, providing technical review and assessment of monitoring reports, performing annual inspection of FOG Generators and corresponding with FOG Generators in all matters pertaining to the FOG Program. The FOG Coordinator should have as a minimum a B.S. Degree in Chemistry, Biology, Environmental Science or Engineering, one (1) year of related experience in the construction, maintenance and repair of residential and commercial plumbing, including one (1) year in the operation and maintenance of FOG devices, and the ability to obtain a Class II Operators License and Basic Industrial Treatment License.

FOG Inspector

The FOG Inspector is responsible for performing site inspections and monitoring FOG Generator facilities. The FOG Inspector should have an Associate's degree in Chemistry, Biology, or Environmental Science and the ability to obtain a Class II Operators License and Basic Industrial Treatment License.

Environmental Coordinator

The position of Environmental Coordinator is responsible for assisting the Environmental Monitoring Supervisor in all activities concerning the Pretreatment Program. Pretreatment activities include planning sampling and monitoring schedules, providing technical review and assessment of monitoring reports, performing annual inspection of Industrial Users and corresponding with industries in all matters pertaining to the pretreatment program. The Environmental Coordinator should have as a minimum a B.S. Degree in Chemistry, Biology, Environmental Science or Engineering, three (3) years of experience in pretreatment field, and the ability to obtain a Class IV Operators License and Advance Industrial Treatment License.

Environmental Technician

The Environmental Technician is responsible for environmental and industrial sampling. Inspection and monitoring is also a requirement of this position. The Environmental Technician should have an Associate's degree in Chemistry, Biology, or Environmental Science plus one (1) year of experience in the wastewater field, and the ability to obtain a Class III Operators License and Advance Industrial Treatment License.

Operator

This is a position in the operation and maintenance of a water or sewage treatment plant. Duties include responsibility for pumps, control panels, feeders, filters, valves, and other water pollution control equipment. Operators are required to collect samples, perform tests, record operations data, and perform any related work as required. The Operator should have a High School Diploma and the ability to obtain a Wastewater Operator's License within one year.

City Attorney

The City Attorney is responsible for legal assistance and enforcement activities pertaining to the Pretreatment Program.

Staffing Levels

The following personnel will be directly involved in the Pretreatment Program. An estimate of the level-of-effort anticipated for each position, expressed as percent involvement, is included.

Position	Percent Involvement	Man-hours
Environmental Quality Program Manager	33%	695
Environmental Monitoring Supervisor	50 %	1040
Environmental Coordinator	100%	2080
Environmental Technician	100%	2080
Laboratory Supervisor	33%	695
Analyst	50%	1040
Laboratory Technician/Assistant	50%	1040

C. Funding

Revenue for the program is obtained through a fee for the permit and monitoring sample fees as per those established in Ordinance 61-11 as well as the operation and maintenance budget for the Utility Department derived from wastewater fees. These charges are to provide adequate funding for general operations and maintenance, capital expenditures and personnel costs and should be adjusted as needed to insure an adequate level of funding.

Section 4: Local Limits

A. Local Limitations

A component of the National Pollutant Discharge Elimination System (NPDES) Program, the National Pretreatment Program was developed by EPA to control the discharge of pollutants from POTWs. The statutory authority for the National Pretreatment Program lies in the Federal Water Pollution Control Act of 1972, which was amended by Congress in 1977 and renamed the Clean Water Act (CWA). Under Section 307(b), EPA must develop Pretreatment Standards that prevent the discharge of pollutants that pass through, interfere with, or are otherwise incompatible with POTWs. The 1977 amendments to the CWA required POTWs to ensure compliance with the pretreatment standards by each significant local source introducing pollutants subject to pretreatment standards into a POTW. To meet the requirements of the 1977 amendments, EPA developed the General Pretreatment Regulations for Existing and New Sources of Pollution [40 Code of Federal Regulations (CFR) Part 403]. The Control Authority is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).

B. Technically Based Local Limits Process

To protect its operations and to ensure that its discharges comply with State and Federal requirements, a POTW will design Technically Based Local Limits (TBLLs) based on site-specific conditions. Among the factors a POTW should consider in developing TBLLs are the following: the POTW's efficiency in treating wastes; its history of compliance with its NPDES permit limits; the condition of the water body that receives its treated effluent; any water quality standards that are applicable to the water body receiving its effluent; the POTW's retention, use, and disposal of sewage sludge; and worker health and safety concerns. The General Pretreatment Regulations require the following:

- a) POTWs that are developing pretreatment programs must develop and enforce specific limits on prohibited discharges, or demonstrate that the limits are not necessary [40 CFR 403.8(f)(4)].
- b) POTWs that have approved pretreatment programs must continue to develop and revise local limits as necessary [40 CFR 403.5(c)(1)].
- c) POTWs that do not have approved pretreatment programs must develop specific local limits if pollutants from non-domestic sources result in interference or pass through and such occurrence is likely to recur [40 CFR 403.5(c)(2)].
- d) POTWs may develop Best Management Practices (BMPs) to implement paragraphs b) and c) of this section. Such BMPs shall be considered local limits and Pretreatment Standards for the purposes of this part and section 307(d) of the Act [40 CFR 403.5(c)(4)].

TBLLs are developed by POTWs to enforce the specific and general prohibitions, as well as any State and local regulations. The prohibitions and categorical standards are designed to provide a minimum acceptable level of control over IU discharges.

No person shall discharge or cause to be discharged into the City sewer system any wastewater containing substances with levels measured at any time in excess of the limits established by the User's Wastewater Discharge Permit or in excess of the further provisions of this section. Each User's permit may establish specific pollutant limitations based upon the Maximum Allowable Headworks Loadings (MAHL) in pounds per day (PPD) at the POTW treatment plants.

All Significant Industrial Users (SIU) must, at a minimum, sample for all parameters required in their discharge permit at the indicated frequency. Additionally, the SIU shall report the results of all analyses by the 15th day of the following month.

Upon identification of a violation, all SIUs shall immediately report any non-compliance to the Control Authority and shall resample for those parameters found to be in violation as required by 40 CFR 403.12 (g). The results of any such repeat analyses must also be immediately reported to the Control Authority.

C. Current Local Limits

In September 2015, Fort Smith submitted the TBLL study outlining the Maximum Allowable Industrial Loading (MAIL) in PPD for both the “P” Street and Massard Wastewater Treatment Plants to ADEQ for its approval. The subsequent approval of the TBLL MAIL study was granted in September 2015. These studies may be found in Appendix F. The MAILs used to determine the need for MAILs was the lowest MAIL value for each parameter regardless of the plant.

Parameter	Massard Plant MAIL (PPD)	“P” Street Plant MAIL (PPD)	TBLL MAIL (PPD)
Cadmium	5.578	6.492	5.578
Copper	56.106	59.859	56.106
Lead	56.876	60.629	56.876
Mercury	0.186	0.169	0.169
Nickel	56.735	44.637	44.637
Selenium	5.306	5.513	5.306
Silver	14.208	15.146	14.208
Zinc	11.383	12.509	11.383
Chromium	56.554	60.307	56.554
Cyanide	5.326	5.701	5.326
Arsenic	5.649	6.024	5.649
Molybdenum	11.091	11.842	11.091
Beryllium	5.674	6.049	5.674
BOD	9117	11883	9117
TSS	9492	13412	9492

In Chart 5-1 the worst case scenario is shown based on the highest non-conventional pollutant loading from Industrial Users for the last two (2) compliance years. The Industrial Users’ loadings were added and this sum was compared to the MAIL for each non-conventional parameter.

Chart 5-1: Comparison of Worst Case Loading and Current MAIL

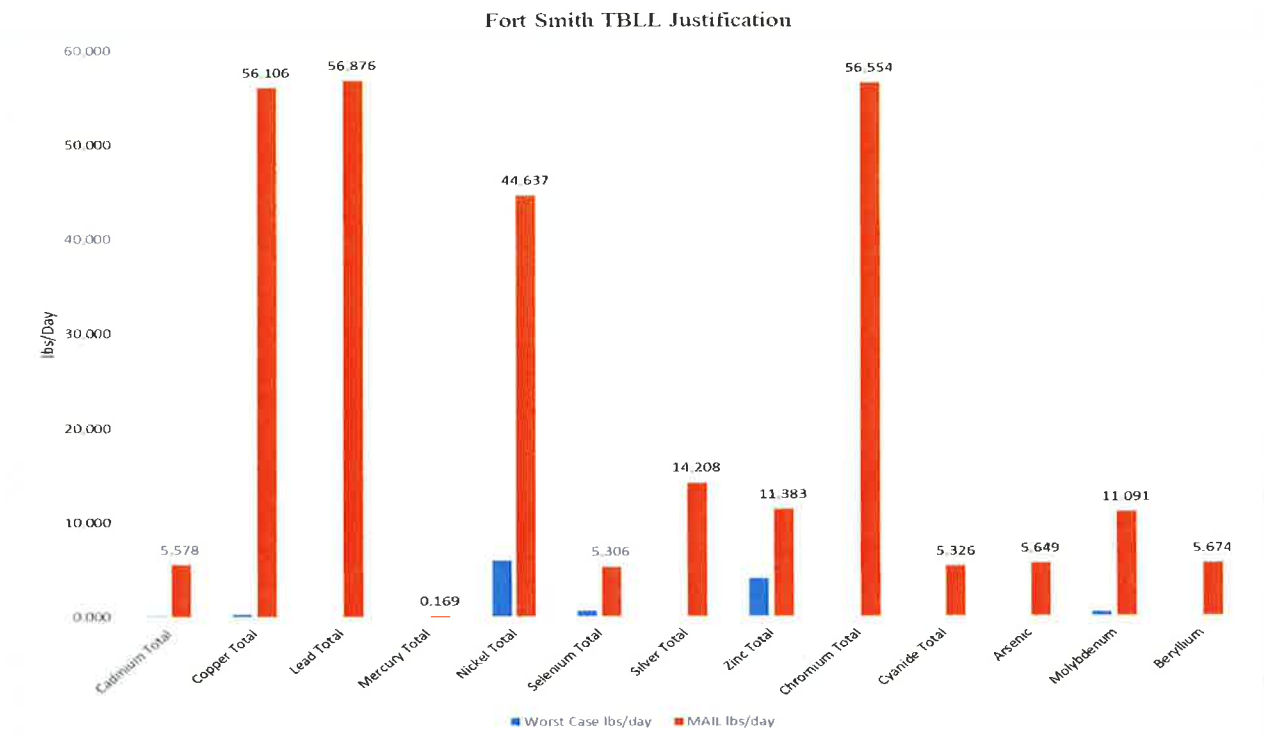
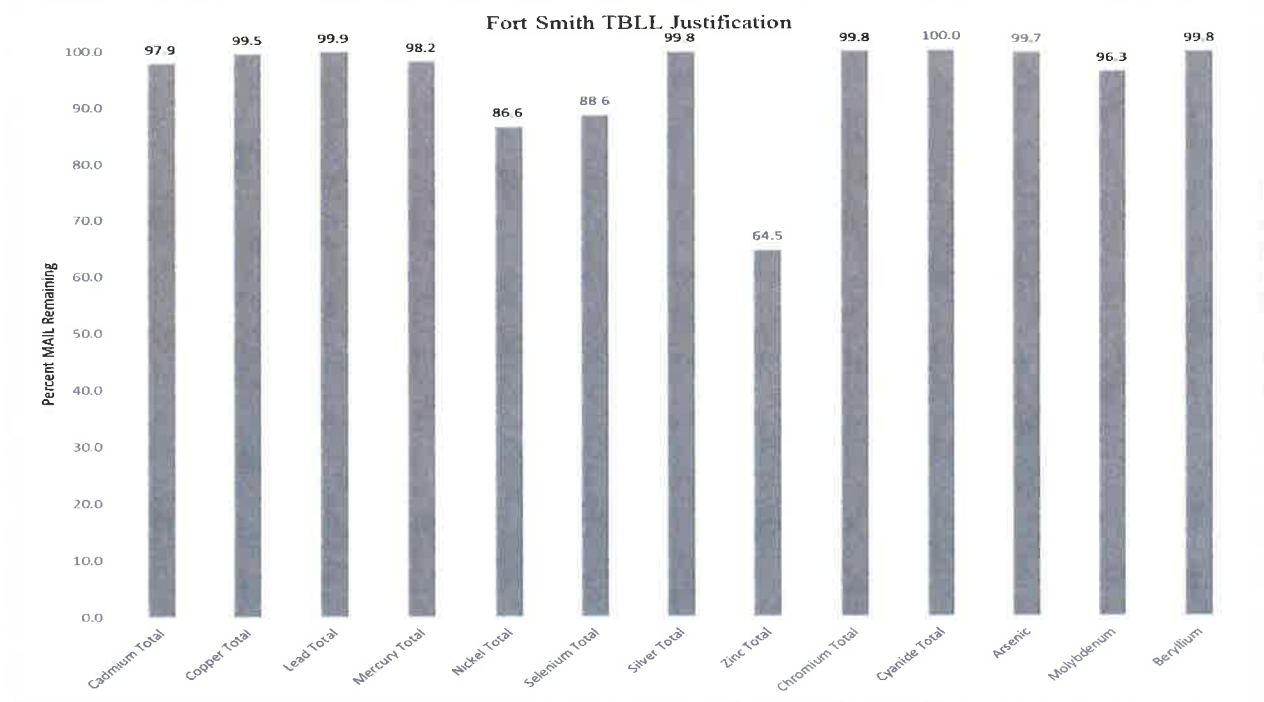


Chart 5-2 shows the remaining percent of the MAIL if this scenario were to occur. With every parameter, over fifty percent of the MAIL remains. Based on this, the City does not see the need for TBLLs for metals or cyanide.

Chart 5-2: Percent MAIL Remaining



For conventional pollutants the limit was determined to be 450 lbs/day (PPD) for both BOD and TSS. This was done by dividing the available MAIL by twenty (the number of permitted industries rounded up to the nearest ten). This will allow for growth and still provide an adequate safety factor to ensure Fort Smith meets its permit limits.

D. Evaluation Process

The City will review its TBL study periodically. This review may be based on NPDES permit requirements, significant changes in plant operations, or as a result of changes in influent flow rates. TBLs will also be evaluated if a permit issue occurs.

Section 5: Enforcement Response Plan

The purpose of the City of Fort Smith Enforcement Response Plan (ERP) is to provide guidance for City staff in all phases of enforcement related to the City's Pretreatment Program. Ordinance 27-16 provides general guidance. The ERP is subject to the provisions of Ordinance 27-16.

The ERP was developed to provide a uniform application of enforcement responses based on the nature and severity of a violation. The ERP is meant to allow a range of responses to a violation within the requirements of the Federal Clean Water Act, Ordinance 27-16, and Wastewater Discharge Permit conditions. The ERP is not intended to provide a specific response to every violation that could be encountered. Legal authority for a pretreatment program is mandated by (40 CFR 403.8).

The full text of this ERP can be found in Appendix G to this document and should be referenced for greater detail.

Appendix A: Statement from City Attorney

DAILY & WOODS

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ATTORNEYS AT LAW

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June 27, 2016

Mr. Lance McAvoy
City of Fort Smith
3900 Kelley Hwy
Fort Smith, AR 72904

Re: Pretreatment Program for the City of Fort Smith Sanitary Sewer System

Dear Mr. McAvoy:

We have reviewed the Checklist – Pretreatment Program Legal Authority Review which identifies Fort Smith Ordinance 27-16 and administrative provisions which provide controls and authorizations required by Section 403.8 of Volume 40 of the Code of Federal Regulations. After review, it is our opinion that the identified sections of the Ordinance 27-16 and other listed authorities adequately provide for controls described adjacent to the individually listed sections.

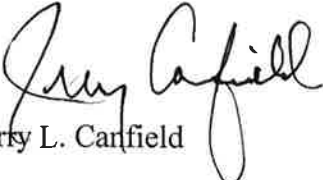
Additionally, it is our opinion that the City of Fort Smith has the authority to operate a sanitary sewer system outside the corporate limits of the City within ten miles of the corporate limits. Ark. Code Ann. § 14-235-203(b) (Repl. 1998).

It is our opinion that a significant industrial user (SIU) located outside the City which requests the ability to discharge into the City's sanitary sewer system pursuant to an SIU permit of the form currently being used agrees by acceptance of the permit and by making the discharge to be subject to the City's ordinance and a variety of enforcement procedures. In summary, it is our opinion the City obtains enforcement control over a SIU user located outside the City limits pursuant to the agreements accepted by the user at the time the user accepts the City's permit to discharge into the City's system.

Further, it is our opinion that the City has a full range of and ample authority to enforce the regulations applicable to its sewer facilities as to each and all SIU permittees.

Please advise if additional information is required.

Very truly yours,


Jerry L. Canfield

Appendix B: Pretreatment Ordinance Checklist

CHECKLIST – PRETREATMENT PROGRAM LEGAL AUTHORITY REVIEWS

NAME OF POTW: City of Fort Smith
 DATE OF REVIEW: 01/25/2016

Note: Several changes to the National Pretreatment Regulations made as a result of the Streamlining Rule are more stringent than the previous Federal requirements and therefore are considered required modifications for the POTW. Therefore, to the extent that existing POTW legal authorities are inconsistent with these required changes, they must be revised. Where local authorities are already consistent with these required provisions, further changes are not necessary.

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			REQ	NONE	REC		
NONE = No revision necessary REQ = Require Revision REC = Recommend Revision							
A. Definitions [403.3 & 403.8(f)(2)]							
1. Act, Clean Water Act	403.3(b)	§ 1.4 A		X		25-206 (d) (1)	
2. Authorized or Duly Authorized Representative of the User	403.12(l)	§ 1.4 C		X		25-206 (d) (3)	
3. Best Management Practices or BMPs	403.3(e)	§ 1.4 E		X		25-206 (d) (5)	
4. Categorical Pretreatment Standard or Categorical Standard		§ 1.4 F		X		25-206 (d) (6)	
5. Indirect Discharge or Discharge	403.3(i)	§ 1.4 M		X		25-206 (d) (21)	
6. Industrial User (or equivalent)	403.3(j)	§ 1.4 LL		X		25-206 (d) (22)	
7. Interference	403.3(k)	§ 1.4 O		X		25-206 (d) (26)	
8. National Pretreatment Standard, Pretreatment Standard or Standard	403.3(l)	§ 1.4 BB		X		25-206 (d) (44)	
9. New Source	403.3(m)	§ 1.4 T		X		25-206 (d) (33)	
10. Pass Through	403.3(p)	§ 1.4 V		X		25-206 (d) (36)	
11. Pretreatment Requirement	403.3(t)	§ 1.4 AA		X		25-206 (d) (43)	
12. Publicly Owned Treatment Works or POTW	403.3(q)	§ 1.4 DD		X		25-206 (d) (47)	
13. Significant Industrial User <i>[NOTE: §1.4 GG(3) is an optional streamlining provision for Non-Significant Categorical Industrial User classification.]</i>	403.3(v)	§ 1.4 GG		X		25-206 (d) (52)	
14. Significant Noncompliance	403.8(f)(2)(vii)	§ 9 (A-H)		X		25-215 (a-h)	

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
15. Slug Load or Slug Discharge	403.8(f)(2)(vi)	§ 1.4 HH	X			25-206 (d) (53)	
16. Other definitions based on terms used in the POTW Ordinance			X			25-206 (d)	
The POTW shall develop and implement procedures to identify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program, the character and volume of pollutants contributed to the POTW by the Industrial Users, and notify the Industrial Users identified of applicable Pretreatment Standards and/or applicable requirements.	403.8 (f)(2)(i-iii)	§ 4.1	X			25-210 (a)	
B. National Pretreatment Standards -- Prohibited Discharges							
1. General Prohibitions							
a. Interference	403.5(a)	§ 2.1A	X			25-207 (a) (1)	
b. Pass Through	403.5(a)	§ 2.1A	X			25-207 (a) (1)	
2. Specific Prohibitions [403.5(b)]							
a. Fire/Explosion Hazard (60° C or 140° F flashpoint)	403.5(b)(1)	§ 2.1B(1)	X			25-207 (a) (2) (a)	
b. pH/Corrosion	403.5(b)(2)	§ 2.1B(2)	X			25-207 (a) (2) (b)	
c. Solid or Viscous/Obstruction	403.5(b)(3)	§ 2.1B(3)	X			25-207 (a) (2) (c)	
d. Flow Rate/Concentration (BOD, etc.)	403.5(b)(4)	§ 2.1B(4)	X			25-207 (a) (2) (d)	
e. Heat; exceeds 40° C (104°F)	403.5(b)(5)	§ 2.1B(5)	X			25-207 (a) (2) (e)	
f. Petroleum/Nonbiodegradable Cutting/Mineral Oils	403.5(b)(6)	§ 2.1B(6)	X			25-207 (a) (2) (f)	
g. Toxic Gases/Vapor/Fumes	403.5(b)(7)	§ 2.1B(7)	X			25-207 (a) (2) (g)	
h. Trucked/Hauled Waste	403.5(b)(8)	§ 2.1B(8)	X			25-207 (a) (2) (h)	

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
3. National Categorical Standards	403.8(f)(1)(ii)	§ 2.2	X			25-207 (b)	
4. Local Limits Development <i>[NOTE: POTW's may develop Best Management Practices (BMPs) to implement the prohibitions listed in 40 CFR 403.5(a)(1). Such BMPs shall be considered local limits and Pretreatment Standards.]</i>	403.5(c) & (d)	§ 2.4	X			25-207 (c)	
5. Prohibition Against Dilution as Treatment	403.6(d)	§ 2.6	X			25-207 (e)	
6. Best Management Practices Development <i>[NOTE: Optional streamlining provision.]</i>	403.5(c)(4)	§ 2.4C				N/A	Optional
C. Control Discharges to POTW System							
1. Deny/Condition New or Increased Contributions	403.8(f)(1)(i)	§§ 4.8 & 5.2	X			25-210 (c) & (d) & (h)	
2. Individual Control Mechanism (e.g., permit) to ensure compliance - <i>Permit Content</i>	403.8(f)(1)(iii)	§ 4.2	X			25-210 (e)	
a. Statement of Duration	403.8(f)(1)(B)(1)	§§ 5.1 & 5.2A(1)	X			25-211 (a)	
b. Statement of Nontransferability	403.8(f)(1)(B)(2)	§5.2A(2)	X			25-211 (b)(1) (b)	
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			25-211 (b)(1) (c)	

NONE = No revision necessary

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REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
d. Best Management Practices <i>[Note: This is a required streamlining provision for CIUs with BMP requirements as part of its Categorical Standards. But if BMPs are being applied to other CIUs or noncategorical SIUs without categorical BMP requirements, then this provision would be optional and is only required if the POTW has incorporated the use of BMPs (§ 2.4 C).]</i>	403.8(f)(1)(B) (3)	§ 5.2A(3)	X			25-211 (b) (1) (c)	
e. Self-Monitoring Requirements	403.8(f)(1)(B) (4)	§ 5.2A(4)	X			25-211 (b) (1) (d)	
f. Reporting & Notification Requirements	403.8(f)(1)(B) (4)	§ 5.2A(4)	X			25-211 (b) (1) (d)	
g. Recordkeeping Requirements	403.8(f)(1)(B) (4)	§ 5.2A(4)	X			25-211 (b) (1) (d)	
h. Process for Seeking a Waiver for Pollutants Not Present or Expected to be Present <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B of the Model SUO.]</i>	403.8(f)(1)(B) (4) & 403.12(e) (2)	§ 5.2A(5)				N/A	Optional
i. Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B) (5)	§ 5.2A(7)	X			25-211 (b) (1) (e)	
j. Slug Discharge Requirements (if necessary) <i>[NOTE: Required streamlining change. Where the POTW has determined that slug controls are necessary, the ordinance must provide authority for the POTW to include such requirements in IU permits.]</i>	403.8(f)(1)(B) (6)	§ 5.2A(8)	X			25-211 (b) (1) (f)	

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REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
k. Specific waived pollutant <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B of the Model SUO.]</i>	403.8(f)(1)(B)(4)	§ 5.2A(9)				N/A	Optional
1. Permit Application/Reapplication Requirements <i>[Note: Optional permit provision]</i>		§§ 5.3 & 5.7	X			25-211 (g)	
m. Permit Modification <i>[Note: Optional permit provision]</i>		§ 5.4	X			25-211 (d)	
n. Permit Revocation/Termination <i>[Note: Optional permit provision]</i>		§§ 5.6 & 10.8	X			25-211 (f)	
o. Proper Operation and Maintenance <i>[Note: Optional permit provision]</i>		§ 3.1	X			25-208 (a)	
p. Duty of Halt/Reduce <i>[Note: Optional permit provision]</i>		§ 10.7	X			25-216 (g)	
q. Requirement to submit Chain-of-Custody forms with monitoring data <i>[Note: Optional permit provision]</i>			X			25-212 (m)	
3. General Control Mechanism to ensure compliance <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated the use of General Permits (§ 4.6 of the Model SUO).]</i> - Permit Content	403.8(f)(1)(iii)(A)	§ 4.2 & 4.6	X			25-210 (f) 25-211 (b)	
a. Statement of Duration	403.8(f)(1)(B)(1)	§§ 5.1 & 5.2A(1)	X			25-211 (a)	
b. Statement of Nontransferability	403.8(f)(1)(B)(2)	§ 5.2A(2)	X			25-211 (b) (1) (b)	

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2.A(3)	X			25-211 (b) (1) (c)	
d. Best Management Practices <i>[Note: This is a required streamlining provision for CIUs with BMP requirements as part of its Categorical Standards. But if BMPs are being applied to other CIUs or noncategorical SIUs without categorical BMP requirements, then this provision would be optional and is only required if the POTW has incorporated the use of BMPs (§ 2.4C).]</i>	403.8(f)(1)(B)(3)	§ 5.2.A(3)	X			25-211 (b) (1) (c)	
e. Self-Monitoring Requirements	403.8(f)(1)(B)(4)	§ 5.2.A(4)	X			25-211 (b) (1) (d)	
f. Reporting & Notification Requirements	403.8(f)(1)(B)(4)	§ 5.2.A(4)	X			25-211 (b) (1) (d)	
g. Recordkeeping Requirements	403.8(f)(1)(B)(4)	§ 5.2.A(4)	X			25-211 (b) (1) (d)	
h. Process for Seeking a Waiver for Pollutants Not Present or Expected to be Present <i>[Note: Required only if POTW has incorporated the use of Pollutants Not Present and § 6.4 of the Model SUO.]</i>	403.8(f)(1)(B)(4) & 403.12(e)(2)	§ 5.2.A(5)				N/A	None
i. Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B)(5)	§ 5.2.A(7)	X			25-211 (b) (1) (e)	

NONE = No revision necessary

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
j. Slug Discharge Requirements (if necessary) <i>[NOTE: Required streamlining change. The ordinance should indicate that a user is required to develop a slug discharge control plan if determined by the POTW to be necessary.]</i>	403.8(f)(1)(B)(6)	§ 5.2A(8)	X			25-211 (b) (1) (f)	
k. Permit Application/Reapplication Requirements <i>[Note: Optional permit provision]</i>		§§ 5.3 & 5.7	X			25-211 (g)	
l. Permit Modification <i>[Note: Optional permit provision]</i>		§ 5.4	X			25-211 (d)	
m. Permit Revocation/Termination <i>[Note: Optional permit provision]</i>		§§ 5.6 & 10.8	X			25-211 (f)	
n. Proper Operation and Maintenance <i>[Note: Optional permit provision]</i>		§ 3.1	X			25-208 (a)	
o. Duty of Halt/Reduce <i>[Note: Optional permit provision]</i>		§ 10.7	X			25-216 (g)	
p. Requirement to submit Chain-of-Custody forms with monitoring data <i>[Note: Optional permit provision]</i>			X			25-212 (m)	
D. Required Reports							
1. Develop compliance schedule for installation of technology	403.8(f)(1)(iv)	§§ 5.2b(2) & 10.4	X			25-211 (b) (2) (b)	

NONE = No revision necessary	REQ = Require Revision		REC = Recommend Revision			Comments / Notes
	Part 403 Citation	Model SUO Section	NONE	REQ	REC	
2. Reporting Requirements [403.12]						
<i>Types of Reports</i>						
a. Baseline monitoring report	403.12(b)	§ 6.1	X			25-212 (a) (1)
(i) Identifying Information	403.12(b)(1)	§ 6.1B(1) & § 4.5A(1)a	X			25-212 (a) (2) (b) (1) 25-210 (e) (1) (a)
(ii) Other Environmental Permits Held	403.12(b)(2)	§§ 6.1B(1) & 4.5A(2)	X			25-210 (e) (1) (b)
(iii) Description of operations	403.12(b)(3)	§§ 6.1B(1) & 4.5A(3)a	X			25-210 (e) (1) (c)
(iv) Flow measurements	403.12(b)(4)	§§ 6.1(b)(2) & 4.5A(6)	X			25-210 (e) (1) (f)
(v) Measurement of pollutants	403.12(b)(5)	§ 6.1B(2)	X			25-212 (a) (2) (b)
(vi) Certification	403.12(b)(6)	§ 6.1B(3)	X			25-212 (a) (2) (c)
(vii) Compliance schedule	403.12(b)(7)	§ 6.1B(4)	X			25-212 (a) (2) (d)
b. Compliance schedule progress report	403.12(c)	§ 6.2	X			25-212 (b)
c. Report on compliance with categorical Pretreatment Standard deadline	403.12(d)	§ 6.3	X			25-212 (c)
d. Periodic reports on continued compliance						
- From categorical users	403.12(e)	§ 6.4A	X			25-212 (d) (1)
- From significant non-categorical users	403.12(h)	§ 6.4A	X			25-212 (d) (1)
e. Notice of potential problems to be reported immediately (including slug loads)	403.12(f)	§ 6.6	X			25-212 (f)

NONE = No revision necessary	REQ = Require Revision	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
				NONE	REQ	REC		
	f. Notification of changes affecting potential for a slug discharge <i>[NOTE: Required streamlining revision]</i>	403.8(f)(2)(vi)	§ § 6.5 & 6.6	X			25-212 (e) 25-212 (f)	
	g. Notice of violation/sampling requirement <i>[NOTE: Required streamlining revision.]</i>	403.12(g)(2)	§ 6.8	X			25-212 (h)	
	h. Requirement to conduct representative sampling	403.12(g)(3)	§ 6.4E	X			25-212 (d) (3)	
	i. Notification of changed discharge	403.12(j)	§ 6.5	X			25-212 (e)	
	j. Notification of discharge of hazardous waste	403.12(p)	§ 6.9	X			25-212 (i)	
	Other Reporting Requirements							
	k. Data accuracy certification & authorized signatory	403.6(a)(2)(ii) & 403.12(l)	§ § 6.4D & 6.14	X			25-210 (g) 25-212 (n)	
	l. Recordkeeping Requirement (3 years or longer)	403.12(o)	§ 6.13	X			25-212 (m)	
	- Including documentation associated with Best Management Practices <i>[NOTE: Required streamlining provision.]</i>	403.12(o)	§ 6.13	X			25-212 (m)	
	m. Submission of all monitoring data <i>[NOTE: Required streamlining revision]</i>	403.12(g)(6)	§ 6.4F	X			25-212 (d) (4)	
	n. Annual certification by Non-significant categorical Industrial Users <i>[Note: Optional provision, required only if the POTW has incorporated §1.4GG(3) of the Model SUO.]</i>	403.3(v)(2)	§ § 4.7C & 6.14B				N/A	Optional provision

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	Part 403 Citation	Model SUO Section	REVISIONS		POTW Ordinance Section	Comments / Notes
			NONE	REQ		
o. Certification of pollutant not present <i>[NOTE: Optional provision, required only if the POTW has incorporated § 6.4 B of the Model SUO]</i>	403.12(e)(2)(v)	§ 6.14C			N/A	Optional provision
E. Test Procedures [40 CFR Part 136 & 403.12(g)]						
1. Analytical procedures (40 CFR Part 136) <i>[NOTE: Required streamlining provisions]</i>	403.12(g)	§ 6.10	X		25-212 (j)	
2. Sample collection procedures <i>[NOTE: Required streamlining provisions]</i>	403.12(g)(3) & (4)	§ 6.11	X		25-212 (k)	
F. Inspection and Monitoring Procedures [403.8(f)]						
1. Right to enter all parts of the facility at reasonable times	403.8(f)(1)(v)	§ 7.1	X		25-213 (a)	
2. Right to inspect generally for compliance	403.8(f)(1)(v)	§ 7.1	X		25-213 (a)	
3. Right to take independent samples	403.8(f)(1)(v), 403.8(f)(2)(v) & 403.8(f)(2)(vii)	§ 7.1	X		25-213 (a)	
4. Right to require installation of monitoring Equipment	403.8(f)(1)(iv)	§ 7.1	X		25-213 (a)	
5. Right to inspect and copy records	403.12(o)(2)	§ 7.1	X		25-213 (a)	
G. Remedies for Non-compliance (Enforcement) [403.8(f)(1)(vi)]						
1. Non-emergency response						
a. Injunctive relief	403.8(f)(1)(vi)	§ 11.1	X		25-216 (a)	
b. Civil/Criminal penalties	403.8(f)(1)(vi)	§§ 11.2 & 11.3	X		25-217 (b) 25-217 (c)	

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	Part 403 Citation	Model SUO Section	REVISIONS		POTW Ordinance Section	Comments / Notes
			NONE	REQ		
2. Emergency response						
a. Immediately halt actual/threatened discharged	403.8(f)(1)(vi)(B)	§ 10.7	X		25-216 (g)	
3. Legal authority to enforce Enforcement Response Plan	403.8(f)(1)(vi)	§ 11.4	X		25-217 (e)	
H. Public Participation						
1. Publish list of Industrial Users in Significant Noncompliance [NOTE: Required streamlining revision]	403.8(f)(2)(viii)	§ 9	X		25-215	
2. Access to data [403.8(f)(1)(vii) & 403.14]						
a. Government	403.14(a) & (c)	§ 8	X		25-214	
b. Public	403.14(b)	§ 8	X		25-214	
I. Optional Provisions						
1. Net/Gross adjustments [streamlining provision]	403.15	§ 2.2 D			N/A	Optional
2. Equivalent mass limits for concentration Limits [streamlining provision]	403.6(c)	§ 2.2 E			N/A	Optional
3. Equivalent concentration limits for mass limits [streamlining provision]	403.6(c)	§ 2.2 F			N/A	Optional
4. Upset Notification	403.16	§ 13.1	X		25-218 (1)	
5. Waive monitoring for pollutant not present or expected to the present [streamlining provision]	403.12(e)(2)	§ 6.4B			N/A	Optional
6. Reduce periodic compliance reporting [streamlining provision]	403.12(e)(3)	§ 6.4C			N/A	Optional
7. Other special agreement or waivers (excluding waiver of National Categorical Pretreatment Standards and Requirements)					N/A	Optional

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
8. Hauled Waste Reporting/Requirements		§ 3.4	X			25-208 (d)	
9. Grease Interceptor Reporting/Requirements		§ 3.2 C	X			25-208 (b) (4)	
10. Authority to issue Notice of Violations (NOVs)		§ 10.1	X			25-216 (a)	
11. Authority to issue Administrative Orders (AOs)			X			25-216	
12. Authority to issue Administrative Penalties		§ 10.6	X			25-216 (f)	
13. Authority to enforce again falsification or tempering			X			25-217 (c) (3)	
14. Any other supplemental enforcement actions as noted in the POTW's enforcement response plan			X			25-216	Optional
15. Permit Appeals Procedures							
16. Penalty or Enforcement Appeals Procedures			X			25-211 (c)	
17. Bypass Notification	403.17	§ 13.3	X			25-216 (c)	
						25-218 (3) (3)	

Document(s) submitted for review:

Name of Reviewers

Appendix C: Ordinance 27-16

**AN ORDINANCE ADOPTING THE 2016 AMENDMENTS TO THE
SANITARY SEWERY SYSTEM PRETREATMENT REGULATIONS
AND PERMITS ORDINANCE CODIFIED IN DIVISION 2 OF ARTICLE
VI OF CHAPTER 25 OF THE FORT SMITH CODE OF ORDINANCES**

WHEREAS, it is necessary to amend sections of the Sanitary Sewer System Pretreatment Regulations and Permits Ordinance to provide clarity, to comply with Federal and State requirements and to remove conflicts with other provisions of the Municipal Code; and,

WHEREAS, three (3) copies of 2016 Amendments to the Sanitary Sewer System Pretreatment Regulations and Permits Ordinance have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH THAT:

SECTION 1: The 2016 Amendments to the Sanitary Sewer System Pretreatment Regulations and Permits Ordinance are hereby adopted.

SECTION 2: The codifier of the Municipal Code shall codify the 2016 Amendments by substituting the 2016 Amendments for the existing sections of Division 2 of Article VI of Chapter 25 of the Fort Smith Municipal Code.

SECTION 3: It is hereby found and determined that the adoption of the 2016 Amendments to the Sanitary Sewer System Pretreatment Regulations and Permits Ordinance is necessary to alleviate an emergency created by incomplete regulations which could adversely

affect the City's protection of the health, safety and welfare of the inhabitants of the City. Therefore, it is determined that the 2016 Amendments should be, and are, hereby adopted effective as of the date of approval of this Ordinance.


PASSED AND APPROVED THIS 19th DAY OF April, 2016.

APPROVED:



Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

**2016 Amendments to the Sanitary Sewer System
Pretreatment Regulation and Permits Ordinance
Codified in Division 2, Article VI of Chapter 25 of the
Fort Smith Municipal Code**

DIVISION 2. - PRETREATMENT REGULATIONS AND PERMITS

Sec. 25-206. - General Provisions.

- (a) This division sets forth uniform standards and requirements for users of the Publicly Owned Treatment Works (POTW) for the City of Fort Smith, Arkansas, and enables the City to comply with all applicable federal and state laws, including Clean Water Act (33 United States Code (U.S.C.) §1251 et seq.) and the General Pretreatment Regulations (40 CFR 403). The objectives of this ordinance are:
- (1) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
 - (2) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
 - (3) To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
 - (4) To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
 - (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
 - (6) To enable the City to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This ordinance shall apply to all Users of the Publicly Owned Treatment Works. The ordinance authorizes the issuance of individual wastewater discharge permits or general permit; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(b) Administration

Except as otherwise provided herein, City Administrator shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon City Administrator may be delegated by City Administrator to a duly authorized City employee.

(c) Abbreviations

The following abbreviations, when used in this ordinance, shall have the designated meanings:

BOD	Biochemical Oxygen Demand
BMP	Best Management Practice
BMR	Baseline Monitoring Report

CFR	Code of Federal Regulations
CIU	Categorical Industrial User
COD	Chemical Oxygen Demand
EPA	U.S. Environmental Protection Agency
gpd	gallons per day
IU	Industrial User
mg/L	milligrams per liter
NAICS	North American Industry Classification System
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
RCRA	Resource Conservation and Recovery Act
SIU	Significant Industrial User
SIC	Standard Industrial Classification
SNC	Significant Noncompliance
TSS	Total Suspended Solids
U.S.C.	United States Code

(d) Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated.

(1) *Act or "the Act."* The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

(2) *Approval Authority.* Refers to the Director of Arkansas Department of Environmental Quality (ADEQ) or a delegated representative.

(3) *Authorized or Duly Authorized Representative of the User.*

a. If the User is a corporation:

i. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

ii. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit or general permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- b. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 - c. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 - d. The individuals described in paragraphs a. through c., above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Control Authority.
- (4) *Biochemical Oxygen Demand or BOD*. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at twenty (20) degrees centigrade, usually expressed as a concentration (e.g., mg/L).
 - (5) *Best Management Practices or BMPs* means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 25-207 (a) and (b). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMPs may also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.
 - (6) *Categorical Pretreatment Standard or Categorical Standard*. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. § 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
 - (7) *Categorical Industrial User*. An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.
 - (8) *City*. The City of Fort Smith, Arkansas.
 - (9) *City Administrator*. The person designated by the City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this division. The term includes a Duly Authorized Representative of the City Administrator.
 - (10) *Chemical Oxygen Demand or COD*. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.
 - (11) *Composite sample*. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time, as specified by the Control Authority.
 - (12) *Control Authority*. The City Administrator for Fort Smith, Arkansas, or his or her designated agent.
 - (13) *Daily Maximum*. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

- (14) *Daily Maximum Limit*. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- (15) *Domestic waste*. Liquid and water-carried waste generated by a typical household or waste comprised of waste equivalent to that generated by a typical household. This does not include waste from commercial or industrial processes whether generated at a household or other premises.
- (16) *Fats, Oils, and Greases or FOG*. Any fats, oil and grease, whether petroleum-based, mineral-oil-based, animal-based or vegetable-based.
- (17) *Environmental Protection Agency or EPA*. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
- (18) *Existing Source*. Any source of discharge that is not a "New Source."
- (19) *Garbage*. Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- (20) *Grab Sample*. A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
- (21) *Indirect Discharge or Discharge*. The introduction of pollutants into the POTW from any nondomestic source regulated under section 307(b)(c) or (d) of the Act.
- (22) *Industrial user*. A source of indirect discharge.
- (23) *Industrial wastes*. The liquid wastes from industrial manufacturing processes, trade or business, as distinct from sanitary sewage.
- (24) *Inspector*. The person or persons duly authorized by the Control Authority to inspect and approve the installation of the building sewers and their connections to the public sewer system.
- (25) *Instantaneous Limit*. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- (26) *Interference*. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the City's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D

of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

(27)*Local Limit*. Specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

(28)*May*. Discretionary or permissive.

(29)*Medical Waste*. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

(30)*Monthly Average*. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

(31)*Monthly Average Limit*. The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

(32)*National Pollutant Discharge Elimination System (NPDES) permit*. A permit issued to a POTW or other discharger pursuant to §402 of the Act.

(33)*New Source*.

- a. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
 - i. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - ii. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
 - iii. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
- b. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of paragraph a. ii., or a. iii. above but otherwise alters, replaces, or adds to existing process or production equipment.

- c. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
 - i. Begun, or caused to begin, as part of a continuous onsite construction program:
 - 1. any placement, assembly, or installation of facilities or equipment; or
 - 2. significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - ii. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

(34)*Noncontact Cooling Water.* Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

(35)*North American Industry Classification System (NAICS).* The standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. NAICS was developed under the auspices of the Office of Management and Budget (OMB) and adopted in 1997 to replace the Standard Industrial Classification (SIC) system.

(36)*Pass Through.* A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.

(37)*Person.* Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

(38)*pH.* A measure of the acidity or alkalinity of a solution, expressed in standard units.

(39)*Pharmaceutical drug, also referred to as medicine, medication or medicament.* Any chemical substance intended for use in the medical diagnosis, cure, treatment, or prevention of disease.

(40)*Pollutant.* Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

(41)*Pollution Prevention (P2).* Waste reduction prior to recycling, treatment, or disposal. Pollution prevention means "source reduction," as defined under the Pollution Prevention Act, and other practices that reduce or eliminate the creation of pollutants through: Increased

efficiency in the use of raw materials, energy, water, or other resources, or protection of natural resources by conservation

- (42)*Pretreatment*. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.
- (43)*Pretreatment Requirements*. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.
- (44)*Pretreatment Standards or Standards*. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, narrative BMPs and Local Limits.
- (45)*Prohibited Discharge Standards or Prohibited Discharges*. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 25-207(a) of this ordinance.
- (46)*Properly shredded garbage*. The wastes from the preparation, cooking, dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch in dimension.
- (47)*Publicly Owned Treatment Works or POTW*. A treatment works, as defined by section 212 of the Act (33 U.S.C. § 1292), which is owned by the City. This definition includes any devices or systems used in the storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.
- (48)*Sanitary sewer*. A sewer in which sewage is carried, and to which storm, surface and groundwaters are not intentionally admitted.
- (49)*Septic Tank Waste*. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- (50)*Sewage*. Human excrement and gray water (household showers, dishwashing operations, etc.).
- (51)*Shall*. Mandatory.
- (52)*Significant Industrial User (SIU)*. Except as provided in paragraph c. of this definition, a Significant Industrial User is:
- a. An Industrial User subject to categorical Pretreatment Standards; or
 - b. An Industrial User that:

- i. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - ii. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - iii. Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
- c. Upon a finding that a User meeting the criteria in paragraph b. of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the City may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

(53)*Slug Load or Slug Discharge.* Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 25-207(a) of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

(54)*Standard Industrial Classification (SIC) Code.* A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

(55)*Storm drain (sometimes termed "storm sewer").* A sewer, which carries storm and surface water and drainage, but excludes sewage and untreated industrial wastes, other than noncontact cooling water.

(56)*Storm Water.* Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

(57)*Surcharge.* A service charge in addition to the normal monthly rate which shall be assessed to the industrial users who discharge into the city system wastewater having a BOD concentration in excess of 250 milligrams per liter or a TSS concentration in excess of 250 milligrams per liter.

(58)*Total Suspended Solids or Suspended Solids.* The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

(59)*Toxic pollutant.* Any pollutant or combination of pollutants listed as toxic in regulations promulgated by EPA under §307 (33 U.S.C. §1317) of the Act.

(60)*User or Industrial User.* Any person or entity, who contributes, causes or permits the contribution of wastewater into the city's POTWs.

(61) *Wastewater*. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

(62) *Wastewater Treatment Plant or Treatment Plant*. That portion of the POTW which is designed to provide treatment of municipal sewage and compatible industrial waste.

Sec. 25-207. - General sewer use requirements.

(a) Prohibited discharge standards.

(1) *General prohibitions*. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or requirements.

(2) *Specific prohibitions*. No user shall introduce or cause to be introduced, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW, or will have an adverse effect on the receiving stream, or will violate any of the provisions of this article. These general provisions apply to all users of the city's POTWs whether or not the user is subject to National Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or requirements. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- a. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than one hundred forty (140) degrees F (sixty (60) degrees C) using the test methods specified in 40 CFR 261.21;
- b. Wastewater having a pH less than six (6.0) or more than eleven (11.0), or otherwise causing corrosive structural damage to the POTW or equipment;
- c. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference [but in no case solids greater than one-half inch (1/2") in any dimension];
- d. Pollutants, including chlorine and oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
- e. Wastewater having a temperature greater than one hundred fifty (150) degrees F (sixty-five (65) degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed one hundred four (104) degrees F (forty (40) degrees C);
- f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;

- g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- h. Trucked or hauled pollutants, except at discharge points designated by the Control Authority in accordance with Section 25-208(d) of this ordinance;
- i. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- j. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating [the City's] NPDES permit;
- k. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- l. Storm Water, surface water, ground water, roof runoff, subsurface drainage, non-contact cooling water, swimming pool filter backwash, swimming pool water, condensate, deionized water, or unpolluted industrial process waters into any sanitary sewer but such waters shall be discharged into such sewers as are specifically designated as storm sewer or into a natural outlet. The discharge into any storm sewer or into natural outlet of any waters, which may have a deleterious effect upon the receiving stream, is prohibited.
- m. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- n. Medical Wastes or pharmaceutical drugs (also referred to as medicine or medication), except as specifically authorized by Control Authority in an individual wastewater discharge permit;
- o. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
- p. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
- q. Fats, oils, or greases of animal or vegetable origin in concentrations greater than one hundred (100) mg/L;
- r. Any substance that may cause the POTW's effluent, or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the ACT, any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or Arkansas State criteria applicable to the sludge management method being used;
- s. In no case shall a slug load have a flow rate or concentration or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times

the average twenty-four (24) hour concentration, quantities, or flow during normal operation;

- t. Non-flushable wipes, non-dispersible wipes, and non-biodegradable wipes including, but not limited to, baby wipes, paper towels, dusting wipes, cleaning wipes, and disposable mop heads.

(3) *Rejection or control of waste discharge.* If any waters or wastes are discharged or are proposed to be discharged into the public sewers, which waters contain the substances or possess the characteristics enumerated in the preceding subsections and which, in the judgment of the Control Authority may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Control Authority may (1) reject the wastes, (2) require pretreatment to an acceptable condition for discharge in the public sewers, and/or (3) require control over the quantities and rates of discharge.

(4) Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

(b) *National Categorical Pretreatment Standards.* The Federal Categorical Pretreatment Standards set forth in 40 CFR Chapter 1, Subchapter N, Parts 405 through 471 are hereby incorporated. In cases where this division imposes more stringent requirements, or where no EPA guidelines exist, the provisions of this section shall apply.

Upon promulgation of the Federal Categorical Pretreatment Standards for a particular subcategory of user, the federal standard, if more stringent than limitations imposed under this division for sources in that subcategory, shall immediately supersede the specific limitations imposed under this division.

(1) Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Control Authority may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

(2) When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Control Authority shall impose an alternate limit using the combined wastestream formula in accordance with 40 CFR 403.6(e).

(c) *Local limits.* To protect against pass through and interference, no Industrial User may discharge or cause to be discharged into the POTW any wastewater pollutant concentration exceeding the Technically Based Local Limits (TBLLs) developed from time to time by the City as required by City of Fort Smith's tracking NPDES permit No. AR0021750, 40 CFR 403.5 (c) and approved by the Approval Authority. TBLLs based on calculated Maximum Allowable Industrial Loadings are located in the City's Pretreatment Program, Section 4. At the discretion of the Control Authority, TBLLs may be imposed and shall apply at the "monitoring point" described in the individual industrial wastewater discharge permits. All concentration limits for metals shall be in terms of "total" metals unless otherwise indicated. At the discretion of the Control Authority, mass limitations may be imposed in addition to or in place of concentration based TBLLs. The Control Authority may also develop BMPs in individual wastewater discharge permits, to implement specific pollutant limitations. Such BMPs shall be considered Local Limits and Pretreatment

Standards. When new Local Limits are implemented or revised, the Control Authority will provide individual notice to parties who have requested such notice and an opportunity to respond, as set forth by 40 CFR 403.5 (c)(3).

- (d) *City's Right of Revision.* The City reserves the right to establish, by ordinance or in individual wastewater discharge permits or in general permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this ordinance.
- (e) *Dilution.* No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the city or state. The Control Authority may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

Sec. 25-208. - Pretreatment of Wastewater.

- (a) *Pretreatment Facilities.* Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 25-207(a) of this ordinance within the time limitations specified by EPA, the State, or the Control Authority, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Control Authority for review, and shall be acceptable to the Control Authority before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Control Authority under the provisions of this ordinance.
- (b) *Additional Pretreatment Measures*
 - (1) Whenever deemed necessary, the Control Authority may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this ordinance.
 - (2) The Control Authority may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit or a general permit may be issued solely for flow equalization.
 - (3) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Control Authority, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Control Authority, shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired by the User at their expense.

- (4) FOG Control Devices. Facilities generating fats, oils, or greases as a result of food manufacturing, processing, preparation, or food service are not subject to the pretreatment requirements of this division; however such facilities shall comply with all applicable requirements for FOG Control Devices.
 - (5) Sampling and measurement manhole. When required by the Control Authority, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Control Authority. The manhole shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times.
 - (6) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
 - (7) Upon a finding by the Control Authority of the necessity for proper operation of the wastewater facility of an IU the IU shall have a licensed wastewater treatment operator on duty at all times when treating and discharging regulated wastewater to the POTW. Said operator shall meet the license or level of operator qualifications deemed necessary for proper treatment per Arkansas Pollution Control and Ecology Commission's Regulation #3.
- (c) *Accidental Discharge/Slug Discharge Control Plans.* The Control Authority shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Control Authority may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the Control Authority may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:
- (1) Description of discharge practices, including nonroutine batch discharges;
 - (2) Description of stored chemicals;
 - (3) Procedures for immediately notifying the Control Authority of any accidental or Slug Discharge, as required by Section 25-212(f) of this ordinance; and
 - (4) Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.
- (d) *Hauled Wastewater.* Hazardous waste will not be accepted by truck or liquid waste hauler at the POTW.
- (1) Septic tank waste may be introduced into the POTW only at locations designated by the Control Authority, and at such times as are established by the Control Authority. Such waste shall not violate Section 25-207 of this division or any other requirements established by the

Control Authority. The Control Authority shall require septic tank waste haulers to obtain individual septic tank truck discharge permits.

- (2) The Control Authority may require haulers of industrial waste to obtain individual wastewater discharge permits. The Control Authority may require generators of hauled industrial waste to obtain individual wastewater discharge permits. The Control Authority also may prohibit the disposal of hauled industrial waste which are known or reasonably suspected to contain pollutants which could result in pass through or interference. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.

If the industrial waste is from a categorical user, the hauled wastewater must include analytical reports proving it meets the required limitations of its respective category.

- (3) Domestic waste haulers and industrial waste haulers may discharge loads only at locations designated by the Control Authority. No load may be discharged without prior consent of the Control Authority. The Control Authority may collect samples of each hauled load to ensure compliance with applicable Standards. The Control Authority may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- (4) Domestic waste haulers and industrial waste haulers must provide a to the Control Authority waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.
- (5) Any waste not deemed domestic by the City will be handled on a case by case basis at the discretion of the Control Authority.

Sec. 25-209. - Septic Tank Truck Discharge Permit

- (a) All persons owning vacuum or "septic tank" pump trucks, or other liquid transport trucks, who wish to discharge septic tank, portable toilet, seepage pit, interceptor or cesspool contents, industrial liquid waste or other liquid wastes to the POTW shall first have a valid Septic Tank Truck Discharge Permit. All applicants for the Septic Tank Truck Discharge Permit shall complete the application form, pay the appropriate permit fee, receive a copy of this division governing discharge of wastes to sewer and shall agree, in writing, to abide by this division and all other applicable environmental regulations.
- (b) Trucks hauling industrial waste shall discharge only after reporting the source and composition of the waste to the POTW at the authorized discharge site. The Control Authority may deny discharge rights in the event the waste is in violation of the provisions of this division. Trucks hauling only septic tank, portable toilet, seepage pit, interceptor or cesspool contents are exempted from the above reporting requirement. However, discharge of these wastes is also restricted to a site(s) authorized by the Control Authority.
- (c) Additionally, the septic tank truck hauler must maintain a daily log of operations, which shall include the date and time of the pumping event, name of business or individual requesting service, exact physical address, estimated or measured volume, type of waste discharged, and discharge ticket number. The approximate volume of each load is to be logged at the time of

service in this log. At the end of each quarter, (March, June, September and December) copies of such log are to be forwarded to the Control Authority by the 15th day of the following month (April, July, October and January).

Sec. 25-210. - Individual Wastewater Discharge Permit and General Permit Application

(a) *Wastewater Analysis.* When requested by the Control Authority, a User must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The Control Authority is authorized to prepare a form for this purpose and may periodically require Users to update this information.

(b) Individual Wastewater Discharge Permit and General Permit Requirement

(1) No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit or a general permit from the Control Authority, except that a Significant Industrial User that has filed a timely application pursuant to Section 25-210 (c) of this division may continue to discharge for the time period specified therein.

(2) The Control Authority may require other Users to obtain individual wastewater discharge permits or general permits as necessary to carry out the purposes of this ordinance.

(3) Any violation of the terms and conditions of an individual wastewater discharge permit or a general permit shall be deemed a violation of this division and subjects the wastewater discharge permittee to the sanctions set out in Sections 25-216 through 25-217 of this division. Obtaining an individual wastewater discharge permit or a general permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

(c) *Individual Wastewater Discharge and General Permitting: Existing Connections.* Any User required to obtain an individual wastewater discharge permit or a general permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall, within ninety (90) days after said date, apply to the Control Authority for an individual wastewater discharge permit or a general permit in accordance with Section 25-210 (e) of this ordinance, and shall not cause or allow discharges to the POTW to continue after one hundred eighty (180) days of the effective date of this ordinance except in accordance with an individual wastewater discharge permit or a general permit issued by the Control Authority.

(d) *Individual Wastewater Discharge and General Permitting: New Connections.* Any User required to obtain an individual wastewater discharge permit or a general permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit or general permit, in accordance with Section 25-210 (e), must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

(e) Individual Wastewater Discharge and General Permit Application Contents

(1) All Users required to obtain an individual wastewater discharge permit or a general permit must submit a permit application. Users that are eligible may request a general permit under

Section 25-210 (f). The Control Authority may require Users to submit all or some of the following information as part of a permit application:

- a. Identifying Information.
 - i. The name and address of the facility, including the name of the operator and owner.
 - ii. Contact information, description of activities, facilities, and plant production processes on the premises;
- b. Environmental Permits. A list of any environmental control permits held by or for the facility.
- c. Description of Operations.
 - i. A comprehensive description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and the SIC code(s) of the operation(s) carried out by such User. The process description shall include the facility's treatment processes. A qualified professional must certify to the accuracy of this process narrative.
 - ii. A comprehensive schematic process diagram, which indicates points of discharge to the POTW from the regulated processes through treatment to an identified discharge/sampling point. A qualified professional must certify to the accuracy of this schematic.
 - iii. NAICS codes of all manufacturing processes being conducted at the facility
 - iv. Types of wastes generated, and a list of all raw materials and chemicals (not trade names) used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - v. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - vi. Each product produced by type, amount, process or processes, and rate of production.
 - vii. Type and amount of raw materials processed (average and maximum per day).
 - viii. Comprehensive site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, chemical storage areas, and appurtenances by size, location, and elevation, and all points of discharge.
- d. Time and duration of discharges;
- e. The location for monitoring all wastes covered by the permit;
- f. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 25-208(b)(2) (40 CFR 403.6(e)).

g. Measurement of Pollutants.

- i. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
- ii. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Control Authority, of regulated pollutants in the discharge from each regulated process.
- iii. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
- iv. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 25-212(j) of this ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Control Authority or the applicable Standards to determine compliance with the Standard.
- v. Sampling must be performed in accordance with procedures set out in Section 25-212(k) of this division.

h. Pollution Prevention (P2) activities such as source reduction, waste minimization, environmental management systems, water and energy conservation.

i. Any request to be covered by a general permit based on Section 25-210(f).

j. Any other information as may be deemed necessary by the Control Authority to evaluate the permit application.

(2) Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

(f) Wastewater Discharge Permitting: General Permits

(1) At the discretion of the Control Authority, the Control Authority may use general permits to control SIU discharges to the POTW if the following conditions are met. All facilities to be covered by a general permit must:

- a. Involve the same or substantially similar types of operations;
- b. Discharge the same types of wastes;
- c. Require the same effluent limitations;
- d. Require the same or similar monitoring; and
- e. In the opinion of the Control Authority, are more appropriately controlled under a general permit than under individual wastewater discharge permits.

(2) To be covered by the general permit, the SIU must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the

location for monitoring all wastes covered by the general permit, and any other information the POTW deems appropriate.

- (3) The Control Authority will retain a copy of the general permit, documentation to support the POTW's determination that a specific SIU meets the criteria in Section 25-210(f)(1)(a.) to (e.) and applicable State regulations, and a copy of the User's written request for coverage for three (3) years after the expiration of the general permit.
- (4) The Control Authority may not control an SIU through a general permit where the facility is subject to production-based categorical Pretreatment Standards or categorical Pretreatment Standards expressed as mass of pollutant discharged per day or for IUs whose limits are based on the Combined Wastestream Formula (Section 25-208(b)(2)).

(g) Application Signatories and Certifications

- (1) All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitted false information, including the possibility of fine and imprisonment for knowing violations."

- (2) If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Control Authority prior to or together with any reports to be signed by an Authorized Representative.

- (h) *Individual Wastewater Discharge and General Permit Decisions.* The Control Authority will evaluate the data furnished by the User and may require additional information. Within ninety (90) days of receipt of a complete permit application, the Control Authority will determine whether to issue an individual wastewater discharge permit or a general permit. The Control Authority may deny any application for an individual wastewater discharge permit or a general permit.

Sec. 25-211. - Individual Wastewater Discharge Permit and General Permit Issuance Process

- (a) *Individual Wastewater Discharge and General Permit Duration.* An individual wastewater discharge permit or a general permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit or a general permit may be issued for a period less than five (5) years, at the discretion of the Control Authority. Each individual wastewater discharge permit or a general permit will indicate a specific date upon which it will expire.

(b) Individual Wastewater Discharge Permit and General Permit Contents. An individual wastewater discharge permit or a general permit shall include such conditions as are deemed reasonably necessary by the Control Authority to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, protect the public, facilitate sludge management and disposal, and protect against damage to the POTW.

(1) Individual wastewater discharge permits and general permits must contain:

- a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
- b. A statement that the wastewater discharge permit is nontransferable without prior notification to the Control Authority in accordance with Section 25-211(e) of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- d. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law;
- e. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law;
- f. Requirements to control Slug Discharge, if determined by the Control Authority to be necessary.

(2) Individual wastewater discharge permits or general permits may contain, but need not be limited to, the following conditions:

- a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- b. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- c. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
- d. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

- e. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
 - f. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
 - g. A statement that compliance with the individual wastewater discharge permit or the general permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit or the general permit;
 - h. Other conditions as deemed appropriate by the Control Authority to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations; and
 - i. A licensed wastewater operator as deemed necessary on duty at all times of treatment and discharge of regulated wastewater discharge to the City's collection system (per Section 25-208(b)(7)).
- (c) *Permit Appeal Process:* A permittee may petition the Control Authority to reconsider the terms of a wastewater discharge permit or a general permit within thirty (30) days of notice of issuance of the discharge permit.
- (1) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
 - (2) In its petition, the appealing party must indicate the individual wastewater discharge permit or a general permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the individual wastewater discharge permit or a general permit.
 - (3) The effectiveness of the individual wastewater discharge permit or a general permit shall not be stayed pending the appeal.
 - (4) If the Control Authority fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider an individual wastewater discharge permit or a general permit, not to issue an individual wastewater discharge permit or a general permit, or not to modify an individual wastewater discharge permit or a general permit shall be considered final administrative actions for purposes of judicial review.
- (d) *Permit Modification*
- (1) The Control Authority may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
 - a. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
 - b. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;

- c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - d. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, the receiving waters or to the POTW's beneficial use of biosolids;
 - e. Violation of any terms or conditions of the individual wastewater discharge permit;
 - f. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 - g. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
 - h. To correct typographical or other errors in the individual wastewater discharge permit; or
 - i. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 25-211(e).
- (2) The Control Authority may modify a general permit for good cause, including, but not limited to, the following reasons:
- a. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
 - b. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - c. To correct typographical or other errors in the individual wastewater discharge permit; or
 - d. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 25-211(e).
- (e) *Individual Wastewater Discharge Permit and General Permit Transfer.* Individual wastewater discharge permits or coverage under general permits may be transferred to a new owner or operator only if the permittee gives at least thirty (30) days advance notice to the Control Authority and the Control Authority approves the individual wastewater discharge permit or the general permit coverage transfer. The notice to the Control Authority must include a written certification by the new owner or operator which:
- (1) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
 - (2) Identifies the specific date on which the transfer is to occur; and
 - (3) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit or general permit.

Failure to provide advance notice of a transfer renders the individual wastewater discharge permit or coverage under the general permit void as of the date of facility transfer.

(f) *Individual Wastewater Discharge Permit and General Permit Revocation.* The Control Authority may revoke an individual wastewater discharge permit or coverage under a general permit for good cause, including, but not limited to, the following reasons:

- (1) Failure to notify the Control Authority of significant changes to the wastewater prior to the changed discharge;
- (2) Failure to provide prior notification to the Control Authority of changed conditions pursuant to Section 25-212(e) of this ordinance;
- (3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (4) Falsifying self-monitoring reports and certification statements;
- (5) Tampering with monitoring equipment;
- (6) Refusing to allow the Control Authority timely access to the facility premises and records;
- (7) Failure to meet effluent limitations;
- (8) Failure to pay fines;
- (9) Failure to pay sewer charges;
- (10) Failure to meet compliance schedules;
- (11) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (12) Failure to provide advance notice of the transfer of business ownership of a permitted facility;
or
- (13) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or the general permit or this ordinance.

Individual wastewater discharge permits or coverage under general permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits or general permits issued to a User are void upon the issuance of a new individual wastewater discharge permit or a general permit to that User.

(g) *Individual Wastewater Discharge Permit and General Permit Reissuance.* A User with an expiring individual wastewater discharge permit or general permit shall apply for individual wastewater discharge permit or general permit reissuance by submitting a complete permit application, in accordance with Section 25-210(e) of this ordinance, a minimum of ninety (90) days prior to the expiration of the User's existing individual wastewater discharge permit or general permit.

(h) *Regulation of Waste Received from Other Jurisdictions*

- (1) If another municipality, or User located within another municipality, contributes wastewater to the POTW, the Control Authority shall enter into an intermunicipal agreement with the contributing municipality.

- (2) Prior to entering into an agreement required by paragraph (1), above, the Control Authority shall request the following information from the contributing municipality:
 - a. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - b. An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
 - c. Such other information as the Control Authority may deem necessary.
- (3) An intermunicipal agreement, as required by paragraph (1), above, shall contain the following conditions:
 - a. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in Section 25-207(c) of this ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City's ordinance or Local Limits;
 - b. A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis;
 - c. A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit or general permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Control Authority; and which of these activities will be conducted jointly by the contributing municipality and the Control Authority;
 - d. A requirement for the contributing municipality to provide the Control Authority with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 - e. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
 - f. Requirements for monitoring the contributing municipality's discharge;
 - g. A provision ensuring the Control Authority access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Control Authority; and
 - h. A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

Sec. 25-212. - Reporting Requirements

(a) Baseline Monitoring Reports

- (1) Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination

under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Control Authority a report which contains the information listed in paragraph (2), below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Control Authority a report which contains the information listed in paragraph (2), below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(2) Users described above shall submit the information set forth below.

a. All information required in Section 25-210(e)(1)(a.), Section 25-210(e)(2), Section 25-210(e)(3)(a.), and Section 25-210(e)(1)(f.).

b. Measurement of pollutants.

i. The User shall provide the information required in Section 25-210(e)(1)(g.)(i.) through Section 25-210(e)(1)(g.)(iv.).

ii. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

iii. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards.

Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

iv. Sampling and analysis shall be performed in accordance with Section 25-212(j);

v. The Control Authority may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

vi. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

c. *Compliance Certification.* A statement, reviewed by the User's Authorized Representative as defined in Section 25-206(d)(3) and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

- d. *Compliance Schedule.* If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided.

The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 25-212(b) of this ordinance.

- e. *Signature and Report Certification.* All baseline monitoring reports must be certified in accordance with Section 25-212(n)(1) of this ordinance and signed by an Authorized Representative as defined in Section 25-206(d)(3).

- (b) *Compliance Schedule Progress Reports.* The following conditions shall apply to the compliance schedule required by Section 25-212(a)(2)(d.) of this ordinance:

- (1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (2) No increment referred to above shall exceed nine (9) months;
- (3) The User shall submit a progress report to the Control Authority no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- (4) In no event shall more than nine (9) months elapse between such progress reports to the Control Authority.

- (c) *Reports on Compliance with Categorical Pretreatment Standard Deadline.* Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Control Authority a report containing the information described in Section 25-210(e)(1)(a.-g.) and 25-212(a)(2)(b.) of this ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 25-207(b)(1), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 25-212(n) of this ordinance. All sampling will be done in conformance with Section 25-212(k).

- (d) *Periodic Compliance Reports*

- (1) All Significant Industrial Users must, at a frequency determined by the Control Authority submit no less than twice per year (January thru June (report due in July) and July thru December (report due in January)) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Control Authority or the Pretreatment Standard necessary to determine the compliance status of the User.
 - (2) All periodic compliance reports must be signed and certified in accordance with Section 25-212(n) of this ordinance.
 - (3) All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
 - (4) If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Control Authority, using the procedures prescribed in Section 25-212(k) of this ordinance, the results of this monitoring shall be included in the report.
- (e) *Reports of Changed Conditions.* Each User must notify the Control Authority of any significant planned changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least ninety (90) days before the change.
- (1) The Control Authority may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 25-210(e) of this ordinance.
 - (2) The Control Authority may issue an individual wastewater discharge permit or a general permit under Section 25-211(g) of this ordinance or modify an existing wastewater discharge permit or a general permit under Section 25-211(d) of this ordinance in response to changed conditions or anticipated changed conditions.
 - (3) For purposes of this requirement, significant changes include, but are not limited to, flow or production changes of +/- 20% and the discharge of any previously unreported pollutants.
- (f) *Reports of Potential Problems*
- (1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Control Authority of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

- (2) Within five (5) days following such discharge, the User shall, unless waived by the Control Authority, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.
 - (3) Significant Industrial Users are required to notify the Control Authority immediately of any changes at its facility affecting the potential for a Slug Discharge.
- (g) *Reports from Unpermitted Users.* All Users not required to obtain an individual wastewater discharge permit or general permit shall provide appropriate reports to the Control Authority as the Control Authority may require.
- (h) *Notice of Violation/Repeat Sampling and Reporting.* If sampling performed by a User indicates a violation, the User must notify the Control Authority within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Control Authority within thirty (30) days after becoming aware of the violation.
- (i) *Notification of the Discharge of Hazardous Waste*
- (1) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 25-212(e) of this ordinance. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 25-212(a), (c), and (d) of this ordinance.
 - (2) Dischargers are exempt from the requirements of paragraph (1), above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification.

Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

- (3) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Control Authority, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
 - (4) In the case of any notification made under this Section, the User shall certify that it has a program in place (BMP) to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
 - (5) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.
- (j) *Analytical Requirements.* All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Control Authority or other parties approved by EPA. All sample collection and analysis reports are required to include a complete chain of custody for the sample.

All independent laboratories performing analyses for Users, including, but not limited to, self-monitoring, periodic reports on continuing compliance, baseline monitoring reports and/or split sample verification, shall be certified by the ADEQ Laboratory Certification Program for the specific analysis being performed. The Control Authority reserves the right to reject any analysis performed by an independent laboratory that is not duly certified for a particular analysis.

- (k) *Sample Collection.* Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- (1) Except as indicated in paragraph (2) and (3) below, the User must collect wastewater samples using twenty-four (24) hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Control Authority. Where time-proportional composite sampling or grab sampling is authorized by [the City], the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a twenty-four (24) hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by Control Authority, as appropriate. In addition, grab samples may be required to show

compliance with Instantaneous Limits. All sample collection and analysis reports are required to include a complete chain of custody for the sample.

- (2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques. All sample collection and analysis reports are required to include a complete chain of custody for the sample.
 - (3) For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 25-212(a) and 25-212(c), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Control Authority may authorize a lower minimum. For the reports required by paragraphs Section 25-212(d) (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements. All sample collection and analysis reports are required to include a complete chain of custody for the sample.
- (l) *Date of Receipt of Reports.* Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.
- (m) *Recordkeeping.* Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 25-207(c). Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; a complete chain of custody for the sample; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or [the City], or where the User has been specifically notified of a longer retention period by the Control Authority.
- (n) **Certification Statements**
- (1) Certification of Permit Applications, User Reports and Initial Monitoring Waiver—The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 25-210(g); Users submitting baseline monitoring reports under Section 25-212(a)(2)(e.); Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 25-212(c); and Users submitting periodic compliance reports required by Section 25-212(d)(1). The following certification statement must be signed by an Authorized Representative as defined in Section 25-206(d)(3):

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for

gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Sec. 25-213. - Compliance Monitoring

- (a) **Right of Entry: Inspection and Sampling.** The Control Authority shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this ordinance and any individual wastewater discharge permit or general permit optional or order issued hereunder. Users shall allow the Control Authority ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.
- (1) Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Control Authority shall be permitted to enter without delay for the purposes of performing specific responsibilities.
 - (2) The Control Authority shall have the right to set up on the User’s property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User’s operations.
 - (3) The Control Authority may require the User to install monitoring equipment necessary to determine compliance with the provisions of this ordinance. The facility’s sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually by a certified technician to ensure their accuracy. Calibration records shall be made available to the Control Authority upon request.
 - (4) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Control Authority and shall not be replaced. The costs of clearing such access shall be borne by the User.
 - (5) Unreasonable delays in allowing Control Authority access to the User’s premises shall be a violation of this ordinance.
- (b) **Search Warrants.** If the Control Authority has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Control Authority may seek issuance of a search warrant from the District Court of Sebastian County, Arkansas, Fort Smith Division.

Sec. 25-214. - Confidential Information

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, general permits, optional and monitoring programs, and from the Control Authority's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate under the provisions of the Arkansas Freedom of Information Act, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

Sec. 25-215. - Publication of Users in Significant Noncompliance

The Control Authority shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users or any other Industrial User that violates paragraphs (c), (d) or (h) of this Section and shall mean:

- (a) Chronic violations of wastewater discharge limits, defined here as those in which sixty six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 25-206(d)(25);
- (b) Technical Review Criteria (TRC) violations, defined here as those in which thirty three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 25-206(d)(25) multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (c) Any other violation of a Pretreatment Standard or Requirement as defined by Section 25-207 (Daily Maximum, long term average, Instantaneous Limit, or narrative standard) that the Control Authority determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- (d) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Control Authority's exercise of its emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance;

- (f) Failure to provide within forty five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (g) Failure to accurately report noncompliance; or
- (h) Any other violation(s), which may include a violation of Best Management Practices, which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program.

Sec. 25-216. - Administrative Enforcement Remedies

- (a) *Notification of Violation.* When the Control Authority finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the Control Authority may serve upon that User a written Notice of Violation. Within five (5) business days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Control Authority. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Control Authority to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.
- (b) *Consent Orders.* The Control Authority may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 25-216(d) and 25-216(e) of this ordinance and shall be judicially enforceable.
- (c) *Show Cause Hearing.* The Control Authority may order a User which has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Control Authority and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) business days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Section 25-205(d)(3) and required by Section 25-210(g). A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.
- (d) *Compliance Orders.* When the Control Authority finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the Control Authority may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders

also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

(e) *Cease and Desist Orders.* When the Control Authority finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Control Authority may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- (1) Immediately comply with all requirements; and
- (2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
- (3) Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

(f) *Administrative Penalties*

(1) When the Control Authority finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the Control Authority may issue administrative penalties to such User in an amount not to exceed one thousand dollars (\$ 1,000.00). Such administrative penalties shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

(2) Users desiring to dispute such penalties must file a written request with the Control Authority to reconsider the fine within ten (10) working days of being notified of the penalty. The Control Authority shall convene a hearing on the request. The hearing may be continued from session to session. The Control Authority shall issue a determination on the request within ten (10) working days after the completion of the hearing.

(3) Issuance of an administrative penalties order shall not be a bar against, or a prerequisite for, taking any other action against the User.

(g) *Emergency Suspensions.* The Control Authority may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The Control Authority may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- (1) Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Control Authority may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Control Authority may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Control Authority that the period of endangerment has passed, unless the termination proceedings in Section 25-216(h) of this ordinance are initiated against the User.
- (2) A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Control Authority prior to the date of any show cause or termination hearing under Sections 25-216(c) or 25-216(h) of this ordinance.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

- (h) *Termination of Discharge.* In addition to the provisions in Section 25-211(f) of this ordinance, any User who violates the following conditions is subject to discharge termination:
- (1) Violation of individual wastewater discharge permit or general permit conditions;
 - (2) Failure to accurately report the wastewater constituents and characteristics of its discharge;
 - (3) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
 - (4) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
 - (5) Violation of the Pretreatment Standards in Section 25-207 of this ordinance.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 25-216(c) of this ordinance why the proposed action should not be taken. Exercise of this option by the Control Authority shall not be a bar to, or a prerequisite for, taking any other action against the User.

Sec. 25-217. - Judicial Enforcement Remedies

- (a) *Injunctive Relief.* When the Control Authority finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the Control Authority may petition the Circuit Court of Sebastian County, Arkansas, Fort Smith Division through the City's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, the general permit, order, or other requirement imposed by this ordinance on activities of the User. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

(b) Civil Penalties.

- (1) A User who has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a maximum civil penalty of one thousand dollars (\$1,000) per violation, per day. In the case of a monthly or other long term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (2) Any action to collect an assessed civil penalty may be initiated in a court of competent jurisdiction only after a majority vote of the Board of Directors to pursue such action.
- (3) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- (4) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

(c) Criminal Prosecution.

- (1) A User who willfully or negligently violates any provision of this ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, and shall be subject to a fine of at least one thousand dollars (\$1,000) per violation, per day.
- (2) A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a fine of at least one thousand dollars (\$1,000) per violation, per day.
- (3) A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, individual wastewater discharge permit, or general permit or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be punished by a fine at least one thousand dollars (\$1,000) per violation, per day.
- (4) Such action may be initiated in a court of competent jurisdiction only after a majority vote of the Board of Directors to pursue such action.

(d) *Remedies Nonexclusive.* The remedies provided for in this ordinance are not exclusive. The Control Authority may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with Control Authority's Enforcement Response Plan. However, the Control Authority may take other action against any User when the circumstances warrant. Further, the Control Authority is empowered to take more than one enforcement action against any noncompliant User.

(e) *Water Supply Severance.* Whenever a User has violated or continues to violate any provision of this ordinance, an individual wastewater discharge permit, a general permit, or order issued

hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed following notice and a hearing as provided in section 25-216(c).

Sec. 25-218. - Affirmative Defenses to Discharge Violations

(a) Upset

- (1) For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- (2) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (3), below, are met.
- (3) A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and the User can identify the cause(s) of the upset;
 - b. The facility was at the time being operated in a prudent and workman like manner and in compliance with applicable operation and maintenance procedures; and
 - c. The User has submitted the following information to the Control Authority within twenty-four (24) hours of becoming aware of the upset if this information is provided orally, a written submission must be provided within five (5) days:
 - i. A description of the indirect discharge and cause of noncompliance;
 - ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;
 - iii. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance; and
 - iv. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- (4) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

- (b) *Prohibited Discharge Standards.* A User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 25-207(a)(1) of this ordinance or the specific prohibitions in Sections 25-207(a)(2)(c.) through 25-207(a)(2)(t.) of this ordinance if it can prove that it did not know, or have reason to know, that its discharge,

alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:

- (1) A Local Limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or
- (2) No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the City was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements.

(c) Bypass

(1) For the purposes of this Section,

- a. "Bypass" means the intentional diversion of wastestreams from any portion of a User's treatment facility.
- b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(2) A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (3) and (4) of this Section.

(3) Bypass Notifications

- a. If a User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, at least ten (10) business days before the date of the bypass, if possible.
- b. A User shall submit oral notice to the Control Authority of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case by case basis if the oral report has been received within twenty-four (24) hours.

(4) Bypass Prohibited; Exceptions

- a. Bypass is prohibited, and the Control Authority may take an enforcement action against a User for a bypass, unless:
 - i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

- ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - iii. The User submitted notices as required under paragraph (C) of this section.
- b. The Control Authority may approve an anticipated bypass, after considering its adverse effects, if the Control Authority determines that it will meet the three conditions listed in paragraph (4)(a.) of this Section.

Sec. 25-219. - Miscellaneous Provisions

- (a) Pretreatment Charges and Fees. The Control Authority may adopt fees for reimbursement of costs of setting up and operating the city's pretreatment program which may include:

- (1) Fees for wastewater discharge permit application including the cost of processing such applications;
- (2) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users.

In the event that the Control Authority determines that an outside laboratory should be utilized for the analysis of any parameter, the actual cost of analysis by the outside laboratory shall be borne by the industrial user.

- (3) Fees for reviewing and responding to accidental discharge procedures and construction;
- (4) Fees for filing appeals;
- (5) Fees to recover administrative and legal costs (not included in Section 25-219(a)) associated with the enforcement activity taken by the Control Authority to address IU noncompliance; and
- (6) Other fees as the Control Authority may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this division and are separate from all other fees, fines, and penalties chargeable by the Control Authority.

(b) Surcharge

- (1) Any significant industrial user generating discharge which exhibits none of the characteristics of wastes prohibited in Section 25-207 but which has an average concentration of total suspended solids (TSS) or biochemical oxygen demand (BOD) surcharge parameters in excess of 250 mg/L the allowed strengths during a twenty-four (24) hour period, may be required to obtain a discharge permit. Such discharge may, however, be accepted by the POTW for treatment in accordance with High Strength Surcharge requirements and costs as defined in the City's current rate ordinance(s).

- (2) The Control Authority reserves the right to review and approve any waters or industrial waste entering the city's sewer system or proposed to be discharged into the system having an average daily flow greater than ten percent (10%) of the design flow capacity of the plant which will treat the waste. In the event the city's measurement discloses such flow in excess of such capacity, the city shall be under no obligation to receive such flow in excess of ten percent (10%) of designed capacity and the city's published rate shall not apply to such excess. An owner affected hereby shall be promptly notified of such determination by the Control Authority. A special contract, at the city's option, may be made with the user to accommodate such excess flow.
- (c) *Severability.* If any provision of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.
- (d) *Conflicts.* All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this article, are hereby repealed to the extent of the inconsistency or conflict.

Appendix D: Ordinance 61-11

ORDINANCE NO. 61-11

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 25 OF THE FORT SMITH MUNICIPAL CODE, ESTABLISHING CHARGES FOR WATER AND SANITARY SEWER CONNECTIONS; ESTABLISHING FEES FOR INDUSTRIAL USER PERMITS AND VACUUM TRUCK DISCHARGE PERMITS TO THE UTILITY SYSTEMS OF THE CITY OF FORT SMITH; ESTABLISHING A PERMIT PROCEDURE FOR CERTAIN CONNECTIONS TO THE UTILITY SYSTEMS OF THE CITY; PROHIBITING UNAUTHORIZED USE OF UTILITY EASEMENTS AND RIGHTS-OF-WAY; REPEALING ORDINANCES IN CONFLICT HEREWITH; AND, FOR OTHER PURPOSES

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: Chapter 25, Article III, Section 25-67 of the Fort Smith Municipal Code is hereby amended to read as follows:

The City Administrator, or his authorized representative, shall have the sole authority to determine the adequacy of existing water system mains and sanitary sewer collection lines for the purpose of making additional service connections thereto. Likewise, the City Administrator, or his authorized representative, shall have the sole authority to determine whether it would be economically feasible for the city itself to extend and/or replace water or sewer lines into additional and/or existing service areas. The City Administrator, or his authorized representative, shall have the authority to issue written permits authorizing the designated permittee to have access to the city's easements and rights-of-way for the installation of water service lines and sanitary sewer service lines, and for extensions to the water and sewer utility systems of the city in circumstances where, pursuant to Resolution R-188-84, the City Administrator, or his authorized representative, has determined that it would not be economically feasible for the city itself to extend or replace water or sewer lines into additional and/or existing service areas or has determined that existing water or sewer lines are not adequate for additional connections.

SECTION 2: Chapter 25, Article III, Section 25-68, subsections (a), (b), (c) and (d) of the Fort Smith Municipal Code are hereby repealed as stated and replaced with the following language:

(a) One-Inch and Two-Inch Metered Water Service Installation

(1) All connections of water service lines, up to and including connections two-inches

(2") in diameter, to the public water lines of the city shall be accomplished by city personnel or by a contractor retained by the city. The city shall provide all equipment and labor and all materials to accomplish the connection from the water main to the property or private easement line of the customer being served. The city shall, in its sole discretion, determine the appropriate route for the connection.

- (2) The base charge for installation of a water service connection to a water main that is on the same side of any street, alley, or easement to the water main and that does not require the crossing or cutting of any pavement, sidewalk or other type of improved hard surface shall be as follows:

1-inch

Effective October 1, 2011	\$ 423.00
Effective July 1, 2012	\$ 547.00
Effective January 1, 2013	\$ 670.00

2-inch

Effective October 1, 2011	\$1,120.00
Effective July 1, 2012	\$1,280.00
Effective January 1, 2013	\$1,440.00

- (3) Any installation of a water service connection to a water main that may be installed utilizing a conduit or encasement passing under and across the full width of a paved street, alley or easement shall result in an additional amount being added to the base charge established in paragraph (2) above which additional amount shall be as follows:

Materials and excavation

Effective October 1, 2011	\$ 17.00
Effective July 1, 2012	\$ 34.00
Effective January 1, 2013	\$ 50.00

- (4) Any installation of a water service connection that requires the open excavation of the partial width of any paved street, alley, easement, or that requires the replacement of any other type of improved hard surface within a public right-of-

way or easement, shall result in an additional amount being added to the base charge established in paragraph (2) above in order to compensate for the replacement of the pavement or surface improvement. The additional charge shall be as follows:

16 square feet or less

Effective October 1, 2011	\$ 32.00
Effective July 1, 2012	\$ 64.00
Effective January 1, 2013	\$ 95.00

Above 16 square feet for each square foot

Effective October 1, 2011	\$ 2.00
Effective July 1, 2012	\$ 4.00
Effective January 1, 2013	\$ 6.00

- (5) The base charge for installation of a water service connection to a water main that requires the crossing by open excavation of the full width of pavement of any paved street, alley, not-to-exceed 27-feet of paved width, shall be as follows:

1-inch

Effective October 1, 2011	\$1,018.00
Effective July 1, 2012	\$1,167.00
Effective January 1, 2013	\$1,315.00

2-inch

Effective October 1, 2011	\$1,807.00
Effective July 1, 2012	\$1,963.00
Effective January 1, 2013	\$2,120.00

- (6) Any installation of a water service connection that requires the crossing by open excavation of any paved street, alley or easement exceeding 27-feet of paved width, or requires replacement of any other type of improved hard surface, shall result in an additional amount being added to the charge established in paragraph (5) above as follows:

16 square feet or less

Effective October 1, 2011	\$ 32.00
Effective July 1, 2012	\$ 64.00
Effective January 1, 2013	\$ 95.00

Above 16 square feet for each square foot

Effective October 1, 2011	\$ 2.00
Effective July 1, 2012	\$ 4.00
Effective January 1, 2013	\$ 6.00

- (7) The charge for any installation of a water service accomplished by the city utilizing the services of a contractor to bore under any street, alley or easement shall include the actual cost of said contract services plus the base charge established in paragraph (2) above, as well as any additional amounts required as established in paragraphs (3) and (4) above.
- (8) All charges shall be included as part of the initial water billing(s) and shall be paid by the customer and shall be subject to late charges or termination of service if payment becomes delinquent.

(b) Greater than Two-Inch Metered Water Service Installation

- (1) All connections of water service lines to the city's public water lines, which connections are greater than two-inches (2") in diameter, shall be accomplished by city personnel or by a contractor retained by the city, for the purpose of attaching the tapping sleeve and valve to the water main and for performing water main tapping services. The city shall provide, at the customer's expense, the tapping sleeve and valve and water meter for these connections. All other materials and labor used in the construction of a service line and meter vault shall be in accordance with plans and specifications of the city and shall be the financial responsibility of the customer.
- (2) Any installation of a metered water service line that is greater than two-inches (2") shall include the following charges:

Meter and strainer	actual cost
Tapping sleeve and valve - materials	actual cost

Tapping sleeve and valve attachment
and tapping service - labor \$ 160.00

(c) Temporary Water Service

- (1) All connections for temporary water service from a fire hydrant or other supply point on the city's public water lines or from an unmetered private water line shall be metered by the city and the installation of said meters shall be accomplished by city personnel. The city shall provide all equipment and labor and all materials, including the water meter, to accomplish the temporary connection from the water main. The city, in its sole discretion, shall determine the appropriate location for the temporary water service connection.
- (2) The base charge for installation of a temporary water service connection shall be \$60.00.
- (3) The charge for relocation of any temporary water service connection to a subsequent supply point shall be \$30.00.
- (4) The responsibility for protection from damage or theft shall be the responsibility of the customer.
- (5) All installation, relocation and damage repair charges shall be included as part of the water billing(s) and shall be paid by the customer and shall be subject to late charges or termination of service if payment becomes delinquent. Payment of all charges shall be required before the release of any security deposit is made.

SECTION 3: Chapter 25, Article III, Section 25-69, subsections (a), (b), (c) and (d) of the Fort Smith Municipal Code are hereby repealed as stated and replaced with the following language:

(a) Sanitary Sewer Service Installation

- (1) All connections of sanitary sewer service lines to the city's public sanitary sewer lines, including connections up to and including those four-inches (4") in diameter, shall be accomplished by city personnel or a contractor retained by the city. The city shall provide all equipment, labor and all materials, including a "clean-out" to be placed at the approximate location of the property or private easement line where the customer's private sanitary sewer service line is to connect to the city's installation. The city, in its sole discretion, shall determine the appropriate route for the connection.

- (2) The base charge for installation of a sewer service connection to a sewer main that does not require the crossing or cutting of any pavement, sidewalk or other type of improved hard surface shall be:

Effective October 1, 2011	\$ 780.00
Effective July 1, 2012	\$ 945.00
Effective January 1, 2013	\$1,110.00

- (3) The base charge for installation of a sewer service connection to a sewer main that requires the open excavation of any paved street, alley, or easement, not-to-exceed 27-feet of paved width, shall be:

Effective October 1, 2011	\$1,467.00
Effective July 1, 2012	\$1,633.00
Effective January 1, 2013	\$1,800.00

- (4) Any installation of a sewer service connection that requires open excavation of any paved street, alley or easement exceeding 27-feet of paved width, or requires replacement of other type of improved hard surface, shall result in an additional amount being added to the charges established in paragraphs (2) or (3) above as follows:

16 square feet or less

Effective October 1, 2011	\$ 32.00
Effective July 1, 2012	\$ 64.00
Effective January 1, 2013	\$ 95.00

Above 16 square feet for square foot

Effective October 1, 2011	\$ 2.00
Effective July 1, 2012	\$ 4.00
Effective January 1, 2013	\$ 6.00

- (5) Any installation of a sewer service accomplished by the city utilizing the services of a contractor to bore under any street, alley or easement shall result in the actual cost of said contract services being added to the base charges established by paragraph (2) or (3) above, as well as any additional amounts required as established in paragraph (4) above.

- (6) Any installation of a sewer service accomplished by the city utilizing the services of a contractor for an aerial pipeline crossing that incorporates support piers or self-supporting pipe shall result in the actual cost of said contract services being added to the base charges established in paragraph (2) or (3) as well as any additional amounts required as established in paragraph (4) above.
- (7) If the property for which a sewer service connection is being requested is determined to have been assessed previously and has paid the appropriate sewer tie-on connection fee required for each service connection requested, then an amount of \$350.00 shall be deducted from the base charges set by paragraph (2) or (3) above for said connection.
- (8) For any connection to the sanitary sewer lines of any sewer improvement district, the charges established by this section shall be in addition to any tie-on fee charged by the district.
- (9) All charges shall be included as part of the initial water billing(s), or included as part of the next water billing(s) if a current water customer, and shall be paid by the customer and shall be subject to late charges or termination of service if payment becomes delinquent.

SECTION 4: The last paragraph, consisting of one sentence, of Chapter 25, Article VI, Section 25-187 of the Fort Smith Municipal Code is hereby amended to read as follows:

The septic tank discharge permit fee shall be \$2,000.00 per year from date of issuance.

SECTION 5: The last sentence of Chapter 25, Article VI, subsection (c) of Section 25-188 of the Fort Smith Municipal Code is hereby amended to read as follows:

- (a) The fee for the permit shall be \$82.00 per month and sampling and analysis fees per monitoring sample for each Industrial User as follows:

Sampling and analysis fees

metals digestion	\$ 10.00 each sample
metals analysis	\$ 20.00 each analyte
BOD ₅	\$ 30.00 each sample
COD	\$ 20.00 each sample
TSS	\$ 15.00 each sample
oil & grease	\$ 35.00

total cyanide	\$ 40.00
flash point	\$ 40.00
pH	\$ 9.00
grab collection	\$ 10.00
composite collection	\$ 100.00
resampling required by violation	as identified above

(b) In the event that the city determines that an outside laboratory should be utilized for the analysis of any parameter identified in paragraph (a) above, the actual cost of analysis by the outside laboratory shall be borne by the Industrial User.

SECTION 6: Repealing Clause. All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7: This Ordinance shall become effective on the 1st day of September, 2011.

PASSED AND APPROVED this 2nd day of August, 2011.

APPROVED:




Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



Publish One Time

Appendix E: Ordinance 23-15

ORDINANCE NO. 23-15 ¹
as amended

AN ORDINANCE TO PROVIDE FOR RATES FOR SERVICES
OF THE SANITARY SEWER SYSTEM AND SUPERSEDING
ORDINANCES IN CONFLICT HEREWITH

BE IT ORDAINED AND ENACTED by the Board of Directors of the City of Fort Smith,
Arkansas that:

SECTION 1: Ordinance No. 73-10 and prior sanitary sewer system rate ordinances are hereby repealed on the effective date of the rates established by this ordinance and replaced with the following:

Users of the sanitary sewer system shall be and are hereby required to pay monthly sewer user charges in accordance with the schedule set forth below. The user charge accrual shall commence on the date the customer makes the service connection or on the date the City's facilities are ready for use, whichever is later. If a customer receives water solely for irrigation purposes through a totally separate meter and system, or, if a customer receives water through a totally separate meter and system for other verifiable purpose and the water is not discharged into the sewer system, such water shall not be subject to charges under this ordinance.

Rate Schedule
Effective May 1, 2015

<u>User Class</u>	<u>Unit</u>	<u>Dollars</u>
Billing Charge	Per Account	\$2.50
Volume Charge		
Residential	ccf	\$5.30
Commercial	ccf	\$5.30
Industrial	ccf	\$5.30
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	\$0.2786

TSS Monitoring	lb. Actual Cost	\$0.2124 Actual Cost
Contract/Wholesale Users High-Strength Charge (for strengths above 250 mg/l)	ccf	\$1.68
BOD	lb.	\$0.2786
TSS Monitoring	lb. Actual Cost	\$0.2124 Actual Cost

Effective January 1, 2016

<u>User Class</u>	<u>Unit</u>	<u>Dollars</u>
Billing Charge	Per Account	\$3.50
Volume Charge		
Residential	ccf	\$7.10
Commercial	ccf	\$7.10
Industrial	ccf	\$7.10
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	\$0.3762
TSS Monitoring	lb. Actual Cost	\$0.2867 Actual Cost
Contract/Wholesale Users High-Strength Charge (for strengths above 250 mg/l)	ccf	\$2.26
BOD	lb.	\$0.3762
TSS Monitoring	lb. Actual Cost	\$0.2867 Actual Cost

Effective January 1, 2017

<u>User Class</u>	<u>Unit</u>	<u>Dollars</u>
Billing Charge	Per Account	\$4.50
Volume Charge		
Residential	ccf	\$8.45
Commercial	ccf	\$8.45
Industrial	ccf	\$8.45
High-Strength Charge (for strengths above 250 mg/l)		
BOD	lb.	\$0.4476

TSS Monitoring	lb. Actual Cost	\$0.3412 Actual Cost
Contract/Wholesale Users High-Strength Charge (for strengths above 250 mg/l)	ccf	\$2.69
BOD	lb.	\$0.4476
TSS Monitoring	lb. Actual Cost	\$0.3412 Actual Cost

SECTION 2: For residential users only, a winter month's average will be used to calculate the metered water usage so that for the months of April through October a residential customer's sewer bill will be based upon the average monthly water usage during the previous five (5) months, i.e., November through March.

SECTION 3: Emergency Clause. It is hereby determined that the adoption and collection of the monthly sewer user charges set forth herein is essential to the proper operation and maintenance of the City's sanitary sewer system. Therefore, an emergency is declared so that the provisions of this Ordinance shall be in full force and effect as of passage and the user charges shall be effective as of the dates set forth herein.

PASSED AND APPROVED this 7th day of April 2015.


APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:

 publish once

Appendix F: Technically Based Local Limit (TBLL) Study

WQ Limits for the Fort Smith Ma

Aquatic Life
AML, ug/l

Cadmium Total	80.39
Chromium (hex)	116.43
Copper Total	464.38
Lead Total	304.83
Mercury Total	0.204
Nickel Total	7817.94
Selenium Total	84.86
Silver Total	121.12
Zinc Total	3723.81
Chromium (Tri)	18127.59
Cyanide Total	88.25
Beryllium Total	89.95
Arsenic	5172.59

For Smith Messer Maximum Allowable Headworks Loading

Pollutant	% Rem***	Water Quality mg/l	Water Quality lbs/day	Water Quality* mg/kg	Sludge lbs/day	Inhibition** mg/l	Inhibition** lbs/day	MAHL lbs/day	MAHC mg/l	Domestic Allocation for %SF lbs/day	Allocation for %SF lbs/day^	MAIL lbs/day	Max Inf Exceedec MAHC	Max Effluent vs WQS(mg/l)
Cadmium Total	90	0.0804	61.0099	85	7.461	1.00	75.89	7.4611	0.09831	0.02	5.60	5.578	No	No
Copper Total	85	0.4644	234.9577	4300	399.647	1.00	75.89	75.8940	1.00000	0.81	56.92	56.106	No	No
Lead Total	87	0.3048	177.9576	840	76.276	1.00	75.89	75.8940	1.00000	0.04	56.92	56.876	No	No
Mercury Total	94	0.00020	0.2576	57	4.790	0.10	7.59	0.2576	0.00339	0.0073	0.1932	0.186	No	No
Nickel Total	39	7.8179	972.6794	420	85.077	1.00	75.89	75.8940	1.00000	0.19	56.92	56.735	No	No
Selenium Total	12	0.0849	7.3182	100	65.833	0.20	15.18	7.318	0.09643	0.18	5.49	5.306	No	No
Silver Total	82	0.1211	51.0702	0	0.000	0.25	18.974	18.9735	0.25000	0.02	14.23	14.208	No	No
Zinc Total	89	3.7238	2569.2251	7500	665.730	0.300	22.77	22.7682	0.30000	5.69	17.08	11.383	1.3590	No
Chromium Total	81	18.1276	7240.9247	3000	292.593	1.00	75.89	75.8940	1.00000	0.37	56.92	56.554	No	No
Cyanide Total	69	0.0882	21.6053	0	0.000	0.10	7.589	7.5894	0.10000	0.37	5.69	5.326	No	No
Arsenic	24	5.1726	516.5373	75	24.688	0.10	7.59	7.5894	0.10000	0.04	5.69	5.649	No	No
Molybdenum	16	0.0000	0.0000	75	37.031	0.20	15.18	15.1788	0.20000	0.29	11.38	11.091	No	0.0131
Beryllium	50	0.089947	13.6529	0	0.000	0.10	7.5894	7.5894	0.10000	0.02	5.69	5.674	No	No

Dry tons/day of sludge**** **39.50** Safety Factor **0.25**

* lbs/day = mg/l * 8.34 * average flow / (1-%Rem)
 ** Page 3-44 of EPA 833B87202 Be est @ 0.10 mg/l and Appendix G of EPA 833R04002B
 + lbs/day = (dry tons/day * 0.002 * critria(mg/kg)) / % Rem
 ++ lbs/day = mg/l * Flow * 8.34
 ^ lbs/day = (1 - SF) * MAHL
 MAIL = Maximum allowable industrial loading = Allocation for % SF - Domestic
 *** EPA Default Removal Eff from Page 3-56 EPA 833B87202; except Be & Mo est @ 50
 ****Dry tons/day of sludge for 2014

Fort Smith Mass: REMOVAL EFFICIENCIES

Influent

Date	Cadmium	Copper	Lead	Mercury	Nickel	Selenium	Silver	Zinc	Chromium	Cyanide	Arsenic	Molydenur	Beryllium
	ug/L												
1/1/2013	0.3190	22.5300	2.6450		4.6710	2.3600	0.5760	309.1000	2.7030		1.1190	4.0320	0.0350
1/8/2013	0.4860	27.7100	2.6420		6.5490	2.6070	1.2330	248.1000	11.2400		1.3280	11.0200	0.0150
1/16/2013	0.3330	13.9800	2.0030	0.1700	4.1650	7.0990	2.3810	369.6000	1.3490	5.0000	2.8870	7.7120	0.0150
1/23/2013	0.3030	14.3400	1.7110		4.5450	7.4320	0.9970	172.7000	1.2770		0.8350	6.8660	0.0310
1/29/2013	0.5610	22.0800	4.0770		5.9080	5.3570	1.3980	238.9000	3.3690		1.5530	8.8130	0.0650
2/6/2013	0.2970	13.0200	1.3890		4.3120	4.9140	1.1410	177.2000	1.1710		1.9100	8.7050	0.0150
2/12/2013	0.2430	7.8290	1.2130		3.0640	3.0330	0.7920	131.8000	0.9860		0.7920	2.0560	0.0300
2/19/2013	0.4460	16.2100	2.0300		4.4210	4.9500	1.0210	172.1000	1.3190		0.7810	4.6870	0.0340
2/26/2013	0.3840	9.1590	2.3090		5.1000	2.4470	0.2760	137.8000	1.3390		2.5860	2.2920	0.0560
3/5/2013	0.6210	12.9100	1.6380		4.2680	4.7140	1.0790	148.4000	0.9220		0.5930	6.5520	0.0150
3/13/2013	0.2410	10.8400	0.9170		3.0220	2.2410	0.5980	163.3000	0.8100		0.5280	3.6210	0.0150
3/19/2013	0.3590	19.0900	1.5450	0.0860	4.5560	4.3020	0.8050	291.6000	2.1950	5.0000	1.1970	4.8410	0.0150
3/26/2013	0.2520	12.3100	1.2560		5.4700	4.2880	1.4650	191.4000	1.1240		1.7990	9.3180	0.0150
4/2/2013	0.2890	14.8100	1.5250		5.5440	2.5130	0.5960	121.7000	1.6380		0.9350	4.3890	0.0150
4/9/2013	0.4190	13.5000	1.3960		4.3820	2.3230	1.6850	172.9000	1.0220		0.6860	10.5300	0.0600
4/16/2013	0.4450	23.2300	3.3350		6.0340	4.4310	1.4530	542.4000	2.3620		1.7450	9.5070	0.0340
4/23/2013	0.3810	21.1800	1.8120		5.3500	2.2470	1.3860	196.9000	1.6410		2.1120	7.8550	0.0150
4/30/2013	0.2980	14.5200	1.3840		5.7660	4.1430	1.3220	267.2000	1.2520		1.0950	9.7330	0.0150
5/7/2013	0.6620	19.4500	54.4500		5.9230	3.9950	2.3680	228.9000	1.5940		1.0670	10.8100	0.0150
5/14/2013	0.2720	17.3000	1.4830		4.5360	7.6940	1.2360	205.8000	1.0720		0.6770	10.7200	0.0150
5/21/2013	0.3900	22.3300	4.8310		5.0360	5.7820	0.9550	228.5000	2.7670		3.1080	7.0020	0.0900
5/28/2013	0.2850	14.4800	1.4710		3.5270	7.6660	0.8440	208.7000	1.0040		0.7090	8.8400	0.0150
6/4/2013	0.4840	19.4800	3.8170		4.4920	2.4060	0.8460	327.0000	1.5780		0.9890	4.1990	0.0500
6/11/2013	0.2600	18.3800	1.8080		4.4390	6.6530	0.6060	545.0000	1.8060		1.0290	3.4790	0.0150
6/18/2013	0.3340	16.2100	1.6250		15.8300	4.2580	0.5600	181.8000	26.3500		1.3710	7.7000	0.0330
6/25/2013	0.3800	20.6000	2.0480		6.6030	2.8790	1.4960	918.0000	1.3460		1.5410	8.4740	0.0150
7/5/2013	0.2840	25.5600	2.7770		5.7800	4.7720	1.1000	405.7000	1.8670		1.7070	14.8500	0.0150
7/9/2013	0.6040	32.0300	3.7820		8.9300	4.1260	3.9530	313.9000	2.4930		1.7160	10.6500	0.0350
7/17/2013	0.9070	29.6500	2.5490		8.6830	5.9480	0.7150	316.1000	2.0170		2.3570	12.8700	0.0150
7/23/2013	0.3350	19.8900	2.2160	0.0960	5.0310	5.2070	0.8700	161.9000	1.0870	5.0000	1.1780	15.1700	0.0150
7/30/2013	0.4140	21.5800	2.7020		5.3990	7.1820	0.5900	300.7000	1.8890		2.3180	6.4990	0.0280
8/6/2013	0.4910	60.8900	5.7130		7.0530	8.5570	1.4010	278.6000	3.1120		1.5760	17.7100	0.0150

8/13/2013	0.3550	22.0600	3.2720		4.9900	4.9710	0.4310	196.7000	1.5850		1.5080	6.4400	0.0420
8/20/2013	0.4060	33.8300	1.4610		5.1110	3.4800	1.1150	475.1000	1.5760		1.9250	9.1800	0.0150
8/27/2013	1.4630	226.5000	8.5790		17.2300	5.1060	2.3020	#####	16.3800		2.9610	7.6880	0.0920
9/4/2013	0.5570	37.3800	2.6220		6.1120	3.2220	2.0200	362.4000	1.9660		1.8540	10.1700	0.0150
9/10/2013	2.3450	115.0000	8.4100		12.4100	4.0240	4.5640	770.7000	8.2280		2.0570	10.7900	0.1210
9/17/2013	0.3620	22.9200	2.1190		5.0490	4.9360	2.7030	295.7000	1.2420		0.7490	8.8230	0.0150
9/24/2013	0.4880	44.9400	3.2000		6.7180	4.1730	2.3180	745.9000	2.6690		1.0470	9.8320	0.0320
10/2/2013	1.1590	73.8000	5.2400		9.4520	4.6790	4.7880	952.1000	4.3670		1.4680	9.3650	0.0560
10/8/2013	0.2820	25.0500	2.0760		4.6360	3.9080	2.0170	582.1000	2.1420		1.2650	7.9230	0.0150
10/15/2013	0.7450	25.9200	4.4420		6.2870	2.7760	1.0650	367.8000	3.3170		1.4370	9.9510	0.0350
10/22/2013	0.3310	16.3100	3.3830	0.0130	5.4350	4.5450	1.2810	280.6000	1.7780	5.0000	1.7330	8.5250	0.0150
10/29/2013	0.5100	12.1300	5.3230		4.3660	0.5160	2.1820	491.6000	1.4080		0.7350	12.4700	0.0150
11/5/2013	0.3000	28.9400	4.3430		5.2940	0.5100	1.7820	753.1000	2.7870		0.8860	12.9900	0.0150
11/13/2013	0.6000	17.3400	2.6470		3.6260	3.3150	1.3930	509.7000	1.5390		0.8580	10.0800	0.0150
11/19/2013	0.5700	13.1500	2.2300		3.8690	13.9500	1.2810	245.4000	2.6080		0.5100	13.1300	0.0150
11/26/2013	0.2380	15.0100	1.6840		3.0300	2.6540	1.3020	281.0000	0.9310		0.7190	6.7320	0.0150
12/2/2013	0.3300	21.5600	1.7650		4.4920	6.6690	3.0150	304.1000	2.2030		1.0020	9.3340	0.0150
12/10/2013	0.4550	8.3940	0.9980		3.5040	4.4820	0.9260	136.2000	0.9410		1.7080	5.6720	0.0150
12/17/2013	0.5480	33.2400	2.9460		5.6320	6.7960	1.9540	328.7000	4.2970		1.4720	5.6340	0.0540
12/25/2013	0.4530	19.0300	3.2490		4.0570	4.1270	0.5870	178.1000	2.0980		1.0610	1.9970	0.0350
1/2/2014	0.3840	17.0900	1.5310		3.4010	4.5670	0.7910	174.7000	1.3010		1.3450	6.1270	0.0330
1/8/2014	0.2780	14.0300	1.7240		3.5190	3.4430	1.3370	293.6000	0.9090		0.5890	4.6680	0.0150
1/14/2014	0.3810	13.4500	1.8270	0.0120	3.6830	6.7460	0.8260	184.7000	0.9940	5.0000	0.6730	5.5850	0.0300
1/21/2014	0.5580	25.2500	2.2830		5.5350	11.0800	1.6190	234.1000	1.3810		0.7610	14.1900	0.0150
1/28/2014	0.4460	16.3400	1.1780		6.5730	9.9100	1.3240	176.2000	1.0340		0.8220	16.1600	0.0150
2/4/2014	0.4850	20.2200	3.8410		5.0360	5.3730	2.5440	264.9000	2.2480		1.1300	6.6020	0.0380
2/12/2014	0.4060	16.6000	2.3130		3.5710	7.7160	1.2520	132.9000	0.8270		1.9700	9.1290	0.0370
2/18/2014	0.4010	21.5800	2.4050		5.5500	8.1170	1.1440	168.5000	1.8370		1.1260	11.4600	0.0150
2/25/2014	0.5570	29.6100	2.2960		5.2520	5.6420	1.1090	176.0000	1.5410		0.8890	9.3070	0.0150
3/3/2014	0.2790	10.6000	1.3010		4.3050	8.2350	0.3670	841.5000	1.2450		1.6840	6.5720	0.0150
3/11/2014	0.3730	20.1900	2.0400		4.8770	7.7530	1.8910	199.0000	1.6430		1.0480	8.0300	0.0150
3/18/2014	0.3530	7.4710	1.0810		3.6360	5.2920	0.3550	109.0000	0.9770		0.7650	4.6260	0.0400
3/25/2014	0.3900	11.0600	1.2710		3.1660	8.8100	0.4870	134.4000	0.8930		0.9320	5.0170	0.0150
4/1/2014	0.4980	20.6700	1.7740		4.0200	4.8590	2.8410	203.3000	1.2890		0.4180	6.1450	0.0150

4/8/2014	0.2590	9.8590	1.6560	0.2300	3.3750	2.3420	0.6790	232.8000	1.2200	5.0000	1.0450	1.2840	0.0560
4/15/2014	0.3160	10.2300	1.1450		2.9300	7.2520	0.9200	141.7000	0.7830		0.6870	6.7540	0.0150
4/22/2014	0.3000	14.9000	1.8680		3.5050	13.8700	1.4690	445.3000	0.9820		0.6820	8.1890	0.0150
4/29/2014	0.3720	19.8000	1.7350		3.9180	30.5600	2.3350	894.9000	1.6820		0.6600	10.6000	0.0150
5/6/2014	0.1940	23.5400	1.8510		2.8970	17.1300	0.5350	105.2000	0.9020		0.5840	2.5810	0.0150
5/13/2014	0.3470	11.7800	4.3050		4.0070	4.1730	0.3970	98.7800	2.0390		1.9500	0.9170	0.0830
5/21/2014	0.8100	19.7400	2.0550		4.4170	6.0780	1.3170	257.7000	1.8520		0.8210	4.7190	0.0150
5/28/2014	0.7890	16.1600	2.6170		4.2330	4.8210	5.9650	207.5000	1.3120		0.9010	6.7770	0.0520
6/3/2014	0.5820	19.8100	2.2230		4.9630	5.4660	1.7460	233.3000	1.2190		1.0190	14.1500	0.0150
6/10/2014	0.5540	17.2400	2.4880		5.2880	13.1700	0.7390	314.9000	2.3420		1.3480	6.3110	0.0450
6/17/2014	0.3660	18.4800	2.0450		29.7800	13.6600	1.8550	268.8000	1.3050		0.9750	8.9040	0.0150
6/24/2014	0.3020	20.3100	1.8570		4.1970	10.1700	1.7220	154.4000	0.8630		0.6830	13.7800	0.0150
7/1/2014	0.7240	18.6700	2.7340		5.3850	9.7040	0.9900	212.2000	1.6260		1.8550	10.3400	0.0150
7/9/2014	0.4710	22.8000	2.0890		4.9050	11.7800	1.8610	207.7000	1.6250		0.9760	12.6900	0.0150
7/16/2014	0.5500	19.5900	2.5230		5.1950	6.8600	1.8020	224.7000	1.3170		1.2510	12.5800	0.0150
7/22/2014	0.3820	27.0200	2.4510	0.0050	5.6430	13.5100	2.2590	189.6000	2.2190	5.0000	0.9600	16.2400	0.0150
7/29/2014	0.3170	20.8000	1.7560		3.8610	12.9500	1.8370	197.4000	0.8630		0.7740	11.6100	0.0150
8/7/2014	1.3440	56.1700	6.6310		8.0100	8.8930	4.3270	422.9000	4.5040		2.6090	8.7870	0.1150
8/12/2014	1.4330	70.4800	5.5810		9.9460	4.8830	5.5730	536.0000	4.2030		3.2190	12.8000	0.0660
8/19/2014	0.3040	37.6600	2.4870		7.1440	6.4350	2.0080	288.9000	2.7230		1.4220	10.5700	0.0150
8/26/2014	0.3690	25.6300	2.0890		5.8170	9.3870	3.0350	251.7000	1.9530		2.4130	20.8300	0.0300
9/2/2014	0.7850	55.4300	10.4300		10.2200	6.7000	2.2180	347.8000	6.8580		2.3810	7.8530	0.1080
9/9/2014	0.3690	34.8200	4.8650		7.3120	7.2110	1.6810	267.2000	3.7360		2.8360	8.8490	0.0310
9/16/2014	0.2120	12.0900	3.6370		4.0400	7.0370	2.1050	142.3000	1.2240		0.9350	10.1500	0.0150
9/23/2014	0.4200	23.2800	2.0540		5.7430	7.0670	1.4400	181.8000	2.2120		2.3130	9.9740	0.0150
9/30/2014	0.2050	16.7200	1.4540		3.7600	11.3400	0.9630	107.0000	1.0110		2.0720	8.7590	0.0150
10/7/2014	0.4230	20.4100	3.1630		5.2260	12.4600	2.6390	173.3000	2.7830		1.0400	11.3200	0.0800
10/14/2014	0.2390	5.0670	1.4280		3.3300	5.9850	0.4650	91.1900	0.8750		1.0540	3.5490	0.0450
10/20/2014	0.2460	9.8750	1.7670	0.6000	3.7450	7.4560	0.8050	115.9000	1.4810	5.0000	0.9770	4.6080	0.0150
10/28/2014	0.5660	18.7500	2.4060		8.9540	9.4450	2.0370	168.6000	1.5480		1.0410	9.8330	0.0610
11/4/2014	0.3170	13.6200	2.4350		4.0450	3.9010	1.1480	138.7000	1.0510		0.8380	4.5020	0.0150
11/11/2014	0.3980	33.1800	2.3890		7.3980	4.5110	1.1540	224.7000	2.4430		0.7020	5.1280	0.0150
11/18/2014	0.4600	18.7300	2.7360		6.0120	6.3310	1.2470	189.1000	2.1450		0.9020	7.7470	0.0150
11/25/2014	0.2650	19.8000	1.8680		4.2240	6.0520	0.8750	180.3000	2.6650		1.5200	9.3390	0.0600

12/2/2014	0.3910	42.4900	0.3090	5.7590	5.0560	1.5530	315.0000	2.5740	1.6000	2.1200	0.0320
12/9/2014	0.3940	17.4500	2.2860	4.0000	5.9960	1.2120	443.2000	1.5970	0.7200	11.1100	0.0150
12/17/2014	0.2110	10.5400	1.0740	3.1920	12.1200	0.3700	975.0000	0.7880	0.7420	7.0940	0.0150
12/21/2014	0.2420	9.8040	1.0230	4.8700	6.0960	0.2340	147.8000	0.9370	0.6190	7.2390	0.0360
12/29/2014	0.6410	26.7600	3.6920	4.6620	3.5810	1.5580	#####	2.3920	1.8310	7.5580	0.0490

Detection Level (DL) 0.0300 0.0200 0.0005 0.0050 0.0005 0.0050 0.0005 0.0200 0.0100 10.0000 0.0005 0.0100 0.0300
Average (mg/L) 0.00047 0.02451 0.00311 0.00015 0.00560 0.00644 0.00154 0.31337 0.00234 0.00500 0.00131 0.00848 0.00003
Maximum (mg/L) 0.0023 0.2265 0.0545 0.0006 0.0298 0.0306 0.0060 1.3590 0.0264 0.0050 0.0032 0.0208 0.0001
All Concs > DL (Yes/No) Yes Yes Yes Yes Yes Yes Yes Yes Yes No No Yes Yes No

Effluent

Date	ug/L												
	Cadmium	Copper	Lead	Mercury	Nickel	Selenium	Silver	Zinc	Chromium	Cyanide	Arsenic	Molydenur	Beryllium
1/1/2013	0.0150	1.5380	0.5370		2.6650	0.3990	0.0500	34.0300	0.4720		0.8130	1.0710	0.0150
1/8/2013	0.0150	4.0910	0.4520		3.6820	5.3300	0.2740	44.1800	1.0380		1.3870	7.7470	0.0150
1/16/2013	0.0600	3.7490	0.4890	0.0150	2.9150	4.6910	0.6580	36.6600	0.4470	5.0000	0.5770	5.7510	0.0150
1/23/2013	0.0150	4.1420	0.4830		3.3220	5.4190	0.4030	29.5100	0.2940		0.6010	6.5600	0.0150
1/29/2013	0.0810	5.5950	0.7880		3.4960	5.3150	0.9220	41.8800	0.5310		0.9730	8.0990	0.0150
2/6/2013	0.0340	1.9880	0.2960		3.2120	4.7640	0.2850	33.8100	0.4100		1.1430	7.3440	0.0150
2/12/2013	0.1040	3.5400	0.5830		2.3960	2.6790	0.3700	36.6900	0.5350		0.6080	1.7950	0.0150
2/19/2013	0.0870	3.8700	0.4720		2.5560	3.6510	0.2660	35.5800	0.4790		0.7050	3.0290	0.0150
2/26/2013	0.2380	4.9530	0.8710		2.9320	1.8220	0.2360	49.4900	0.6860		1.0290	2.0650	0.0150
3/5/2013	0.0890	5.2150	0.5510		3.3880	4.0840	0.3540	43.6500	0.4370		0.6710	6.3050	0.0150
3/13/2013	0.1070	3.4690	0.4560		2.5960	3.1630	0.3520	39.5400	0.5580		0.5890	3.0820	0.0150
3/19/2013	0.0790	4.6440	0.3820		2.9570	3.7450	0.2560	33.3600	0.4710		1.0760	4.1800	0.0150
3/26/2013	0.0810	4.8410	0.4890		3.6950	3.2460	0.5820	44.4500	0.5790		0.7390	7.8790	0.0150
4/2/2013	0.1170	5.2330	0.5380		2.9400	3.3430	0.4780	44.6800	0.5960		0.6820	5.1010	0.0150
4/9/2013	0.0520	3.9480	0.3360		3.5530	2.5220	0.4760	32.8700	0.4420		1.3760	5.2680	0.0150
4/16/2013	0.0150	3.9280	0.3780	0.0240	4.0200	2.8240	0.3230	35.3900	0.4340	5.0000	1.1250	8.2500	0.0150
4/23/2013	0.0150	3.2030	0.2890		3.3380	2.2050	0.3760	27.3600	0.4040		1.0820	7.2250	0.0150
4/30/2013	0.0150	2.8700	0.2380		3.6900	4.7100	0.1910	31.0600	0.3350		0.7890	7.7000	0.0150
5/7/2013	0.0150	2.5990	0.4220		4.2030	3.2670	0.2190	27.5500	0.4460		0.8960	9.1450	0.0150
5/14/2013	0.0150	2.7370	0.2100		3.8240	6.7720	0.2890	27.1200	0.4780		0.9740	9.1560	0.0150
5/21/2013	0.0760	4.4630	0.4830		3.3400	6.0500	0.4320	27.1700	0.6380		1.4860	7.4770	0.0150
5/28/2013	0.0150	1.3920	0.1530		3.6810	8.9080	0.0540	14.5300	0.3220		0.9700	8.2700	0.0150
6/4/2013	0.0150	2.1130	0.3160		2.0710	3.7120	0.0950	20.2900	0.3800		0.6370	3.0890	0.0150
6/11/2013	0.0150	1.8070	0.4040		3.4140	3.3720	0.0880	29.7700	0.5090		0.9060	3.7560	0.0150
6/18/2013	0.0150	2.2870	0.3880		2.2370	2.4290	0.1140	17.7400	0.3370		0.8360	5.1530	0.0150
6/25/2013	0.0150	1.6770	0.2400		5.0450	3.3650	0.1000	29.9800	0.2290		1.4300	9.2850	0.0150
7/5/2013	0.0150	3.4190	0.3340		4.6400	4.0270	0.1970	38.4900	0.3720		1.3530	9.6340	0.0150
7/9/2013	0.0150	2.7090	0.3110		5.4770	5.0530	0.2000	39.4600	0.3570		1.2400	11.0400	0.0150
7/17/2013	0.0150	2.9470	0.4000		4.1180	2.5460	0.1360	27.9100	0.3690		1.0300	8.7450	0.0150
7/23/2013	0.0150	2.9470	0.3030	0.0025	4.8170	4.6350	0.1430	28.8300	0.2940	5.0000	1.3720	11.3400	0.0150
7/30/2013	0.0150	2.3890	0.3750		3.7180	7.7360	0.1500	27.3600	0.1790		1.3330	6.3370	0.0150
8/6/2013	0.0150	3.8410	0.4780		4.3620	5.6530	0.0940	37.0900	0.1400		1.0770	13.0900	0.0150
8/13/2013	0.0590	3.3260	0.2660		3.4250	5.3980	0.1560	28.8800	0.4360		0.9760	7.7410	0.0150

8/20/2013	0.0150	2.3140	0.2060		4.0100	2.9770	0.0810	41.9400	0.3510		1.5870	6.9370	0.0150
8/27/2013	0.0150	3.9240	0.2730		4.2690	3.5190	0.1960	42.4300	0.4530		1.0450	7.1630	0.0150
9/4/2013	0.1390	7.7450	0.7550		4.2400	4.4620	0.2920	56.6100	0.7340		1.7550	6.4030	0.0150
9/10/2013	0.0670	3.1690	0.4030		3.3300	4.9960	0.1490	39.6300	0.3910		0.7890	6.2710	0.0150
9/17/2013	0.0150	4.6450	0.4170		4.5230	3.9630	0.2700	38.2700	0.4170		0.9230	8.0220	0.0150
9/24/2013	0.0150	2.4250	0.2700		3.7290	5.3780	0.1420	29.0700	0.3450		0.7820	7.7120	0.0150
10/2/2013	0.0150	3.8450	0.3080		3.4290	2.3720	0.2750	34.9200	0.4220		0.9640	6.6030	0.0150
10/8/2013	0.0150	2.9040	0.3150		3.6600	4.6220	0.2460	32.7200	0.2370		0.9370	8.1380	0.0150
10/15/2013	0.1150	9.2380	0.9020		2.9000	2.9130	0.7330	44.7100	0.5910		1.0380	7.8450	0.0150
10/22/2013	0.0150	2.4500	0.2340	0.0025	3.5100	5.0760	0.2540	28.8900	0.3970	5.0000	2.9470	8.5970	0.0150
10/29/2013	0.0150	5.3000	0.8050		2.8390	0.5420	0.4800	22.4800	0.3800		0.5670	8.9160	0.0150
11/5/2013	0.0150	3.4200	1.0510		2.4860	0.3700	0.1900	12.3800	0.3990		0.9990	12.0300	0.0150
11/13/2013	0.0150	4.4200	0.9300		2.4450	4.4660	0.3100	7.7620	0.4160		0.5270	10.3500	0.0150
11/19/2013	0.0150	4.9600	0.8340		2.9160	10.2600	0.4600	5.7690	0.3340		0.4390	10.1700	0.0150
11/26/2013	0.0150	2.0740	0.2650		3.0500	5.0850	0.4050	24.1900	0.3690		1.0290	6.4070	0.0150
12/2/2013	0.0150	4.1280	0.3720		3.1020	6.3030	0.2770	23.2400	0.4670		1.1730	6.3810	0.0150
12/10/2013	0.0570	1.7020	0.2520		2.1230	3.3360	0.2190	26.6100	0.3990		1.1890	5.9950	0.0150
12/17/2013	0.0150	3.0820	0.3510		2.8560	5.8060	0.2620	30.2800	0.4490		1.8560	5.1350	0.0150
12/25/2013	0.0680	2.2990	0.4250		2.3490	1.7710	0.1050	33.7600	0.4170		0.5900	1.1140	0.0150
1/2/2014	0.0530	4.3240	0.3770		2.7270	2.6250	0.1570	31.8000	0.4400		0.7290	7.9170	0.0150
1/8/2014	0.0810	4.5450	0.4680		2.4530	3.5140	0.6340	38.7400	0.4310		1.5530	4.7890	0.0150
1/14/2014	0.0630	2.9690	0.3300	0.0025	2.4330	4.9760	0.5280	30.1600	0.3290	5.0000	0.5600	4.6250	0.0150
1/21/2014	0.0520	5.3100	0.5310		3.6550	5.7890	0.4890	35.5800	0.4190		0.5480	10.4600	0.0150
1/28/2014	0.0670	5.6000	0.5600		4.4800	8.9890	0.5080	32.9900	0.5150		0.8390	12.2500	0.0150
2/4/2014	0.0950	5.1530	0.7040		3.2740	4.0910	0.8460	43.4800	0.4500		1.2850	5.9140	0.0150
2/12/2014	0.0700	4.1540	0.4990		2.7790	8.2640	0.4040	44.3800	0.1600		0.8910	7.7020	0.0150
2/18/2014	0.0780	6.2020	0.6320		3.4200	8.4860	0.6060	46.0900	0.1760		1.4160	9.7300	0.0150
2/25/2014	0.0970	7.7630	0.5870		3.1980	4.6870	0.6320	42.9900	0.5040		0.7550	7.1170	0.0150
3/3/2014	0.0860	5.7910	0.5120		3.0460	6.4990	0.2750	38.8600	0.5170		0.8430	5.3760	0.0150
3/11/2014	0.1130	6.3150	0.5490		3.3660	6.8470	0.4830	42.9200	0.5460		0.7520	7.0540	0.0150
3/18/2014	0.1040	3.5750	0.5820		2.9100	6.0330	0.1800	37.6200	0.5360		0.8490	3.8020	0.0150
3/25/2014	0.0650	4.1670	0.3900		2.5730	8.3540	0.3520	36.7400	0.3780		1.0500	5.7350	0.0150
4/1/2014	0.0770	4.4550	0.3490		2.6750	6.9530	0.4650	35.7900	0.5680		1.0580	8.6140	0.0150
4/8/2014	0.1160	4.1580	0.5310	0.0130	2.1810	2.5090	0.3200	30.4200	0.4240	5.0000	0.6780	2.2680	0.0150

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2/18/2014
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4/15/2014	0.0620	3.0930	0.3530		2.5960	8.5170	0.2830	30.5600	0.3780		0.5660	5.4490	0.0150
4/22/2014	0.0150	3.3770	0.3290		2.6200	14.6900	0.3080	29.3500	0.4170		0.6210	8.0390	0.0150
4/29/2014	0.0150	2.7300	0.2750		2.3050	18.4600	0.2470	23.7000	0.3700		0.5290	7.1920	0.0150
5/6/2014	0.0350	3.6960	0.4100		2.5800	12.6300	0.2950	29.6500	0.3400		0.5910	2.6050	0.0150
5/13/2014	0.0610	1.8950	0.3760		2.5270	6.3970	0.3080	25.1600	0.4510		1.4140	0.9690	0.0150
5/21/2014	0.0150	3.8670	0.2560		2.8100	4.4230	0.1370	24.5500	0.2140		1.2720	4.3700	0.0150
5/28/2014	0.0500	3.2580	0.3470		3.0220	5.9230	0.2050	27.4800	0.3700		0.7840	7.1990	0.0150
6/3/2014	0.0150	3.3250	0.3650		4.1580	10.1000	0.2030	33.6300	0.4620		0.9450	11.1200	0.0150
6/10/2014	0.0150	2.6720	0.3480		2.4950	8.2240	0.1210	16.0300	0.3260		0.6880	5.4650	0.0150
6/17/2014	0.0380	2.6600	0.2160		4.3650	12.2900	0.1380	38.7500	0.3800		0.7780	10.8800	0.0150
6/24/2014	0.0420	3.8170	0.2390		3.9980	4.9030	0.2200	42.8600	0.4550		0.8080	11.2400	0.0150
7/1/2014	0.0610	3.7350	0.2110		4.1970	5.6040	0.1930	41.5600	0.3610		1.5600	12.0000	0.0150
7/9/2014	0.0490	3.6410	0.2460		3.8470	10.4500	0.1710	46.4400	0.4370		1.1350	10.6200	0.0150
7/16/2014	0.0560	3.8310	0.2500		5.2690	8.8500	0.2240	46.8700	0.4630		1.4780	9.7410	0.0150
7/22/2014	0.0890	4.9040	0.2740	0.0050	4.0710	8.7180	0.2270	49.7200	0.5210	5.0000	0.7280	9.7480	0.0150
7/29/2014	0.0860	6.7170	0.2930		3.5190	12.2300	0.3030	53.8500	0.5180		1.0600	10.8700	0.0150
8/7/2014	0.1350	6.7540	0.4480		3.7890	11.3700	0.4470	61.3800	0.5410		0.9800	8.3030	0.0150
8/12/2014	0.0610	4.6300	0.2880		4.6490	5.2820	0.2170	46.3700	0.5800		0.7660	7.5400	0.0150
8/19/2014	0.0700	3.9050	0.2870		4.4650	6.9610	0.2350	43.7200	0.5130		0.9540	7.8950	0.0150
8/26/2014	0.0580	5.6990	0.2630		5.4390	8.3320	0.2980	51.8300	0.9340		1.9620	10.8600	0.0150
9/2/2014	0.1100	7.5460	0.7930		3.4830	6.3180	0.4160	55.2800	0.5190		1.4570	6.4310	0.0150
9/9/2014	0.0600	3.8460	0.2330		3.9130	7.8250	0.1870	36.2600	0.3940		2.2990	7.4030	0.0150
9/16/2014	0.0150	2.8180	0.2400		3.3760	5.9510	0.1120	29.6000	0.4450		1.4410	8.3210	0.0150
9/23/2014	0.0150	3.1360	0.1860		2.9710	4.9450	0.0970	33.7000	0.3950		1.1340	4.1870	0.0150
9/30/2014	0.0150	4.0950	0.1890		3.0080	4.5700	0.1760	38.0500	0.4230		1.6380	8.7500	0.0150
10/7/2014	0.0150	1.3770	0.2460		2.4750	9.1380	0.1320	23.9100	0.4080		0.8480	7.1240	0.0150
10/14/2014	0.0480	1.8210	0.4660		4.8810	4.4840	0.1590	20.9500	0.5020		0.9310	3.2280	0.0150
10/20/2014	0.0150	1.4290	0.2390	0.0050	2.8230	6.8820	0.1100	22.5200	0.3410	5.0000	0.7880	3.7070	0.0150
10/28/2014	0.0340	2.5940	0.2260		6.3590	8.8900	0.1120	34.0700	0.4200		1.0290	8.1060	0.0150
11/4/2014	0.0350	3.1390	0.2970		3.7110	7.2580	0.2570	33.0300	0.4330		0.7940	5.5690	0.0150
11/11/2014	0.0150	2.1700	0.2610		3.9670	3.9710	0.2430	40.0100	0.5000		0.6430	6.3740	0.0150
11/18/2014	0.0370	3.8910	0.3500		3.5970	3.8560	0.2830	36.7300	0.5150		0.5420	8.5970	0.0150
11/25/2014	0.0280	3.1030	0.3280		3.4020	3.8310	0.2370	36.8400	0.5350		1.0150	5.6390	0.0150
12/2/2014	0.0290	3.3690	0.3060		3.1640	3.3940	0.3300	32.8000	0.5130		0.9850	4.2280	0.0150

12/9/2014	0.0150	2.2810	0.3010	0.1810	4.7220	2.8980	0.0005	0.0050	0.0005	0.0200	0.1600	10.0000	0.0005	0.0100	0.0300
12/17/2014	0.0380	1.9120	0.2470	0.1280	9.5920	2.3030	0.0001	0.00567	0.00028	0.03431	0.00044	0.00500	0.00100	0.00708	0.00002
12/21/2014	0.0410	1.6920	0.2930	0.1050	7.3100	3.3430	0.0000	0.0185	0.0009	0.0614	0.0010	0.0050	0.0029	0.0131	0.00002
12/29/2014	0.0150	2.0120	0.2680	0.1190	4.2180	2.8440	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No
Detection Level	0.0300	0.0005	0.0005	0.0050	0.0005	0.0005	0.005000	0.0005	0.0005	0.0200	0.1600	10.0000	0.0005	0.0100	0.0300
Average (mg/L)	0.0005	0.00372	0.00040	0.00001	0.00341	0.00341	0.00001	0.00567	0.00028	0.03431	0.00044	0.00500	0.00100	0.00708	0.00002
Maximum (mg/L)	0.0002	0.0092	0.0011	0.0000	0.0064	0.0064	0.0000	0.0185	0.0009	0.0614	0.0010	0.0050	0.0029	0.0131	0.00002
All Concs > DL (Yes/No)	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No
% Rem															
Average	Cadmium	Copper	Lead	Mercury	Nickel	Selenium	Silver	Zinc	Chromium	Cyanide	Arsenic	Molydenur	Beryllium		
EPA % REM	90	85	87	94	39	12	82	89	81	0	24	16	50		
	67	86	61	60	42	50	75	79	82	69	45	50	50		

Note 1: For all metals reported as less than, used 1/2 the reported limit

Fort Smith Massard

Maximum Allowable Headworks Loading

Pollutant	% Rem	Plant Design lbs/day	Plant Design-%Rem lbs/day	MAHL lbs/day	Current Load lbs/day	Domestic lbs/day	Allocation for %SF lbs/day^	MAIL lbs/day
BOD	97	20850	20207	20207	15257	6038	15155	9117
TSS	97	21017	20369	20369	21597	5785	15277	9492

Safety Factor **0.25**

	Avg Influent BOD, mg/L	Avg Influent TSS, mg/L	Avg BOD Removal, %	Avg TSS Removal, %
13-Jan	201.4	219.5	96	95
13-Feb	136.7	209.4	92	93
13-Mar	160.7	234.5	93	94
13-Apr	134.4	255	94	97
13-May	147.3	239.4	98	97
13-Jun	181.5	234	98	97
13-Jul	313	1358.9	99	99
13-Aug	256.3	349.6	99	98
13-Sep	266.4	310.9	99	98
13-Oct	228.8	262.3	98	98
13-Nov	285.3	333.2	97	98
13-Dec	206.9	232.5	96	96
14-Jan	244.9	306.4	97	98
14-Feb	210.6	202.9	96	96
14-Mar	187.4	219.9	96	96
14-Apr	159.9	195.2	97	97
14-May	136.3	167.9	97	97
14-Jun	155.6	173	98	97
14-Jul	200.2	196.7	98	97
14-Aug	248.5	261.4	99	98
14-Sep	159.8	219.7	98	98
14-Oct	148.4	160.5	98	96
14-Nov	242.3	240	96	98
14-Dec	212.1	246.9	97	98
Max	313	1358.9	99	99
Min	134.4	160.5	92	93
Avg	201.0	284.6	96.9	96.9

	Domestic BOD, mg/L	Domestic TSS, mg/L	Domestic BOD, PPD	Domestic TSS, PPD	Flow, GPD
13-Jan	203	111	41	22	24,000
13-Feb	208	5	67	2	38,400
13-Mar	220	65	48	14	26,400
13-Apr	101	69	43	30	51,600
13-May	92	62	19	13	25,200
13-Jun	212	142	62	41	34,800
13-Jul	211	73	36	12	20,400
13-Aug	117	100	22	19	22,800
13-Sep	157	87	42	23	32,234
13-Oct	118	79	22	15	22,800
13-Nov	301	335	75	84	29,920
13-Dec	196	90	70	32	42,658
14-Jan	194	64	54	18	33,600
14-Feb	171	77	41	18	28,800
14-Mar	213	132	64	40	39,600
14-Apr	163	82	49	25	36,000
14-May	226	155	59	40	31,200
14-Jun	280	410	67	98	28,800
14-Jul	735	1123	154	236	25,200
14-Aug	330	480	63	91	22,800
14-Sep	78	64	12	10	19,200
14-Oct	1172	2225	188	356	19,200
14-Nov	678	800	115	136	20,400
14-Dec	162	70	41	18	30,000
Max	1172	2225	188	356	51,600
Min	78	5	12	2	19,200
Avg	272.4	287.5	60.6	58.0	29,417
%Flow	99.7				
Load, PPD			6038	5785	

WQ Limits for the Fort Smith "P"

Aquatic Life
AML, ug/l

Cadmium Total	71.57
Chromium (hex)	61.21
Copper Total	244.14
Lead Total	304.83
Mercury Total	0.204
Nickel Total	7817.94
Selenium Total	77.92
Silver Total	63.68
Zinc Total	1957.74
Chromium (Tri)	12828.58
Cyanide Total	87.11
Beryllium Total	89.95
Arsenic	2719.41

Fort Smith ^{pp} Site Maximum Allowable Headworks Loading

Pollutant	% Rem***	Water Quality mg/l	Water Quality lbs/day	Water Quality* lbs/day	Sludge mg/kg	Sludge+ lbs/day	Inhibition** mg/l	Inhibition** lbs/day	MAHL lbs/day	MAHC mg/l	Domestic Allocation for %SF lbs/day	MAIL lbs/day	Max Inf Exceedec MAHC	Max Effluent vs WQS(mg/l)
Cadmium Total	85	0.0716	38.5966	85	8.680	1.00	80.90	8.6800	0.10730	0.02	6.51	6.492	No	No
Copper Total	85	0.2441	131.6700	430	439.106	1.00	80.90	80.8980	1.00000	0.81	60.67	59.859	No	No
Lead Total	84	0.3048	154.1240	840	86.800	1.00	80.90	80.8980	1.00000	0.04	60.67	60.629	No	No
Mercury Total	93	0.00020	0.2354	57	5.320	0.10	8.09	0.2354	0.00291	0.0073	0.1765	0.169	No	No
Nickel Total	61	7.8179	1621.6804	420	59.764	1.00	80.90	59.7639	0.73876	0.19	44.82	44.637	0.8500	No
Selenium Total	17	0.0779	7.5946	100	51.059	0.20	16.18	7.595	0.09388	0.18	5.70	5.513	No	No
Silver Total	96	0.0637	128.7885	0	0.000	0.25	20.225	20.2245	0.25000	0.02	15.17	15.146	No	No
Zinc Total	67	1.9577	479.9303	7500	971.642	0.300	24.27	24.2694	0.30000	5.69	18.20	12.509	1.2930	No
Chromium Total	82	12.8286	5765.5901	3000	317.561	1.00	80.90	80.8980	1.00000	0.37	60.67	60.307	No	No
Cyanide Total	69	0.0871	22.7334	0	0.000	0.10	8.090	8.0898	0.10000	0.37	6.07	5.701	No	No
Arsenic	22	2.7194	282.0447	75	29.591	0.10	8.09	8.0898	0.10000	0.04	6.07	6.024	No	No
Molybdenum	10	0.0000	0.0000	75	65.100	0.20	16.18	16.1796	0.20000	0.29	12.13	11.842	No	0.0288
Beryllium	37	0.089947	11.5501	0	0.000	0.10	8.0898	8.0898	0.10000	0.02	6.07	6.049	No	No

Dry tons/day of sludge**** 43.40 Safety Factor 0.25

* lbs/day = mg/l * 8.34 * average flow / (1-%Rem)
 ** Page 3-44 of EPA 833B87202 Be est @ 0.10 mg/l and Appendix G of EPA 833R04002B
 + lbs/day = (dry tons/day * 0.002 * critria(mg/kg)) / % Rem
 ++ lbs/day = mg/l * Flow * 8.34
 ^ lbs/day = (1 - SF) * MAHL
 MAIL = Maximum allowable industrial loading = Allocation for % SF - Domestic
 *** EPA Default Removal Eff from Page 3-56 EPA 833B87202; except Be & Mo est @ 50
 ****Dry tons/day of sludge from ????

Fort Smith "P" SIREMOVAL EFFICIENCIES

Influent

Date	Cadmium	Copper	Lead	Mercury	Nickel	Selenium	Silver	Zinc	Chromium	Cyanide	Arsenic	Molydenur	Beryllium
	ug/L												
1/1/2013	0.0960	11.0700	2.0660		2.7150	3.2590	0.0980	113.4000	1.1400		1.2540	1.4270	0.0150
1/8/2013	0.2450	36.8500	3.7440		4.1930	0.5500	2.4200	220.0000	6.9560		1.0760	3.5940	0.0150
1/16/2013	0.2110	13.6100	2.7510		11.7600	1.5300	0.5880	221.0000	9.5410		0.7920	2.4400	0.0150
1/23/2013	0.1420	14.3100	2.7600		4.2130	0.1740	0.5410	123.7000	7.3240		0.6080	1.3270	0.0150
1/29/2013	0.2590	18.1100	6.3730		5.1950	1.6950	0.3390	190.1000	13.9900		1.0710	2.3950	0.0470
2/6/2013	0.1650	10.7200	2.3750	0.0480	13.1100	2.5650	0.2470	240.2000	12.5000	5.0000	0.7190	1.8480	0.0150
2/12/2013	0.1770	7.8700	1.6910		5.3190	3.2620	0.1890	136.7000	6.8180		0.7610	2.3950	0.0150
2/19/2013	0.2070	13.3600	3.2280		3.0470	2.0810	1.0690	165.3000	2.9740		0.7700	1.0910	0.0150
2/26/2013	0.2480	12.3800	2.3510		3.6590	1.3980	0.0780	143.1000	4.1050		0.9430	0.7750	0.0310
3/5/2013	0.2430	13.2100	2.4490		5.7130	1.3630	0.1890	160.6000	6.1040		0.6250	1.9410	0.0150
3/13/2013	0.2770	7.7410	1.9830		12.7600	1.9740	0.2550	163.3000	13.0800		0.6630	1.5650	0.0150
3/19/2013	0.1870	13.2900	12.4800		3.8830	3.9190	0.2710	154.9000	4.5220		0.6510	14.3000	0.0150
3/26/2013	0.1750	14.8200	5.2510		5.2860	3.1140	0.4270	144.4000	3.9600		0.5860	1.1670	0.0150
4/2/2013	0.2000	10.6600	3.3510		4.2780	2.2530	0.2210	236.0000	3.1730		0.8210	0.9750	0.0150
4/9/2013	0.3850	25.4300	2.9530		4.5720	1.2020	0.4250	235.3000	2.7260		0.9190	1.6490	0.0530
4/16/2013	0.2130	19.2000	2.5820		28.1500	3.4390	0.9910	256.8000	8.8250		0.6940	1.8500	0.0150
4/23/2013	0.1940	20.0600	3.0860		6.8420	1.5660	0.8750	142.1000	7.3730		0.7450	1.6640	0.0150
4/30/2013	0.1620	11.1400	1.9690		4.7440	2.9440	0.2630	201.8000	3.9350		0.7130	1.7940	0.0150
5/7/2013	0.1970	16.2400	2.4600		3.4870	2.2000	0.3970	182.7000	3.8820		0.6550	1.1920	0.0150
5/14/2013	0.2670	24.1800	3.4530	0.0720	4.8930	0.5080	1.0780	162.8000	5.3640	5.0000	0.7130	1.4930	0.0150
5/21/2013	0.3380	16.3300	7.0290		9.8620	2.4090	0.2780	229.5000	4.8740		2.2940	1.7080	0.0600
5/28/2013	0.1870	19.1200	6.4680		4.6940	2.9340	0.2910	127.3000	2.9480		0.9520	1.2130	0.0150
6/4/2013	0.1900	12.6200	1.5880		3.6790	1.9270	0.2080	110.9000	2.3410		0.8270	1.0200	0.0310
6/11/2013	0.1950	18.4900	3.9990		4.7280	5.5270	0.5780	152.8000	4.0000		0.8770	1.5890	0.0150
6/18/2013	0.2410	10.8600	2.2080		3.4760	2.7700	0.3830	109.2000	2.9910		1.1840	1.8320	0.0150
6/25/2013	0.2640	67.5800	42.3300		138.7000	2.6880	0.3590	185.9000	2.8280		1.4130	3.8580	0.0150
7/5/2013	0.1630	12.7900	2.6360		3.9620	1.8780	0.2090	166.6000	0.8300		0.8050	1.9350	0.0150
7/9/2013	0.1720	26.3700	6.5590		9.6150	0.6860	0.4570	196.8000	9.6090		1.3220	3.7830	0.0370
7/17/2013	0.1600	15.1600	3.2670		8.6630	1.0750	0.5440	144.0000	4.5250		0.9200	1.7790	0.0150
7/23/2013	0.2340	24.3200	9.2940		6.3610	2.3630	3.1870	213.2000	9.8600		0.8470	2.0150	0.0150
7/30/2013	0.1350	12.9700	2.4580		4.5600	2.7160	0.6660	136.3000	5.8730		1.1020	1.4930	0.0150
8/6/2013	0.1120	13.2800	2.7390		4.1950	2.5630	0.2690	163.1000	5.7150		0.8940	2.1580	0.0150
8/13/2013	0.2120	15.9200	6.1660		5.4470	1.5630	0.2630	145.4000	3.1700		1.8670	1.9940	0.0150
8/20/2013	0.1500	19.4300	2.5000	0.0390	3.3760	3.0020	0.2980	125.0000	1.8430	5.0000	0.9080	1.4970	0.0150
8/27/2013	0.1210	16.8600	2.4440		5.2830	2.0800	0.3290	131.2000	1.3310		0.8580	1.8000	0.0150
9/4/2013	0.1490	21.7700	3.4100		5.3910	2.5350	0.2440	157.2000	3.5350		0.9510	2.1690	0.0150
9/10/2013	0.1570	49.5700	4.0990		19.1700	2.5240	0.3460	186.5000	18.9400		1.7080	9.1810	0.0150

9/17/2013	0.1190	20.8500	3.6180		4.3940	2.7410	0.5020	144.7000	5.3020		0.8650	2.2960	0.0150
9/24/2013	0.1800	20.6700	3.7540		19.3300	1.5700	0.9510	240.6000	9.1450		1.1490	1.4160	0.0430
10/2/2013	0.2190	32.1600	3.7110		4.3500	1.8050	0.4280	197.8000	5.2340		1.0340	4.5890	0.0150
10/8/2013	0.1440	15.0200	2.7260		9.2480	2.0030	0.8770	121.9000	3.6650		1.0040	1.4590	0.0150
10/15/2013	0.6580	20.0600	5.5130		22.3000	1.7370	0.6350	185.3000	8.5910		1.7660	2.8590	0.0570
10/22/2013	0.2470	11.5600	2.4180		3.5460	2.6400	0.9510	93.1700	2.3810		1.0830	1.8120	0.0150
10/29/2013	0.1610	14.1900	2.9130		3.9810	2.4360	1.0630	124.6000	5.0660		0.7780	1.9130	0.0150
11/5/2013	0.5300	16.7800	3.8930	0.0620	6.3610	1.4400	0.2500	189.5000	7.2610	5.0000	0.8760	2.1610	0.0150
11/13/2013	0.7100	12.0700	4.5930		12.8900	0.7700	0.2100	296.9000	40.5900		0.4920	2.5300	0.0150
11/19/2013	0.6800	13.1500	5.5940		850.0000	0.6100	0.3400	789.3000	4.7880		0.5160	3.4420	0.0150
11/26/2013	0.1670	17.6200	2.8670		17.5400	3.5340	0.5590	154.8000	9.6320		0.8100	2.4380	0.0150
12/2/2013	0.2090	23.4000	2.5090		4.6270	3.3580	0.4660	199.7000	2.5030		0.7850	1.4270	0.0150
12/10/2013	0.2260	7.6710	1.3910		3.7070	1.7970	0.3210	131.5000	1.9670		0.7280	0.9600	0.0150
12/17/2013	0.2160	10.8600	1.9850		3.1690	1.1390	0.6560	111.2000	2.6310		0.7100	2.3330	0.0150
12/25/2013	0.1630	6.5850	1.2610		2.0660	1.4580	0.0720	75.2900	0.6840		0.5590	0.1390	0.0150
1/2/2014	0.2550	17.4200	2.3050		2.9030	2.0100	0.6410	123.1000	2.8060		0.6590	1.6240	0.0150
1/8/2014	0.2420	14.8300	2.5020		4.5300	3.7170	0.6150	134.3000	2.0310		0.7180	1.7550	0.0150
1/14/2014	0.1660	12.1900	1.9880		6.4120	2.6760	0.3030	98.6100	3.3530		0.8080	1.7350	0.0340
1/21/2014	0.2030	12.8600	2.3530		5.9200	1.3770	0.5530	103.9000	2.8720		0.5890	1.8370	0.0370
1/28/2014	0.1740	16.1000	2.6350		4.8410	2.4770	0.6460	111.3000	3.7930		0.5420	0.9720	0.0150
2/4/2014	0.2980	27.8000	5.1220		7.1090	1.9040	0.3960	215.6000	6.8940		0.7250	1.8420	0.0460
2/12/2014	0.2290	16.2300	2.4500	0.0280	4.2340	2.8240	0.1620	111.0000	2.6880	5.0000	0.6750	1.1780	0.0150
2/18/2014	0.2680	23.5400	2.4500		5.7000	2.3540	0.6460	178.3000	2.5930		0.8980	1.7550	0.0300
2/25/2014	0.3070	18.1500	3.2880		7.8510	2.2090	0.4090	149.3000	6.7300		0.7020	1.2670	0.0150
3/3/2014	0.1460	13.5800	4.3470		3.1260	2.3990	0.2020	65.8300	1.4860		0.7690	1.2900	0.0150
3/11/2014	0.2170	17.1300	1.9330		6.1990	2.7220	2.5580	96.4600	5.3510		0.5630	1.3120	0.0150
3/18/2014	0.2410	9.4280	1.7450		28.0900	3.2470	0.2180	155.9000	3.1300		0.9180	1.4860	0.0150
3/25/2014	0.2040	15.9100	2.1670		3.7280	3.0450	0.2640	94.6300	2.8010		0.6340	1.2330	0.0150
4/1/2014	0.4960	33.4400	1.9470		5.3750	2.9280	0.3160	169.1000	4.8700		0.9990	3.8210	0.0450
4/8/2014	0.2140	12.7300	2.5680		4.6090	1.3950	0.1170	78.8900	3.5020		1.0020	3.6020	0.0370
4/15/2014	0.1950	8.3130	1.6680		3.4970	3.3350	0.1350	67.3300	3.5140		0.6280	0.5910	0.0450
4/22/2014	0.2150	36.2500	5.5830		5.2030	3.6970	0.2010	#####	4.4550		0.7900	1.1200	0.0430
4/29/2014	0.1740	15.3800	3.3400		3.0940	2.8440	0.1970	82.3000	3.5070		0.8970	1.3640	0.0350
5/6/2014	0.6030	49.6100	7.8770		6.7680	2.0060	0.6790	240.2000	6.0340		1.2590	2.3240	0.0860
5/13/2014	0.2060	8.5260	3.8420	0.1100	5.0660	1.9030	0.2800	96.9000	2.1230	5.0000	1.5740	1.1010	0.0760
5/21/2014	0.1950	19.4700	2.6610		7.9300	1.5870	0.1630	170.0000	5.7450		0.8720	2.9880	0.0400
5/28/2014	0.1710	12.0100	2.2480		3.8310	2.8960	0.1390	103.6000	3.3000		1.0400	1.2160	0.0310
6/3/2014	0.3350	26.9500	5.7820		5.3760	3.1410	0.4740	139.4000	3.5230		0.9260	1.8700	0.0390
6/10/2014	0.2400	9.8520	2.3970		4.5500	2.4840	0.2090	67.9200	2.4260		1.1830	1.1200	0.0150
6/17/2014	0.3170	33.8300	8.5450		4.6810	2.2540	0.3010	155.3000	4.8060		0.9790	1.8630	0.0150

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6/24/2014	0.2730	131.1000	5.4420		7.8450	1.9560	1.5620	399.4000	9.6370		1.4640	2.3520	0.0360
7/1/2014	0.1840	19.4400	2.9000		4.4370	2.1030	0.3590	149.2000	4.0380		0.9310	1.3060	0.0150
7/9/2014	0.3610	24.6700	5.0770		5.0100	2.5420	0.6650	175.9000	17.3800		1.2880	1.8420	0.0520
7/16/2014	0.1390	18.8100	3.1280		3.5560	2.7250	0.4230	110.5000	4.8450		0.8290	1.2190	0.0150
7/22/2014	0.1470	16.6000	2.7760		2.8050	2.0760	0.6440	125.6000	3.3870		0.7680	1.1060	0.0150
7/29/2014	0.1570	18.0000	2.6180		11.5500	1.8300	0.3460	205.6000	2.9720		0.8290	1.3830	0.0150
8/7/2014	0.3080	31.7400	5.4710		10.4300	1.6860	0.8070	275.2000	15.3200		1.2100	2.6040	0.0360
8/12/2014	0.1840	22.0800	9.5180		3.4480	1.6400	0.2280	162.4000	2.9590		1.0720	1.5100	0.0150
8/19/2014	0.2500	17.5800	3.7980	0.0230	7.3330	3.7150	0.3180	279.0000	10.9600	5.0000	1.4990	5.4490	0.0150
8/26/2014	0.4730	39.7000	5.8330		4.3300	2.7210	0.3720	234.7000	4.6940		1.0800	3.2890	0.0310
9/2/2014	0.2950	28.2300	8.0110		6.4620	0.1040	0.5290	200.8000	4.7250		1.5910	1.6740	0.0460
9/9/2014	0.2470	21.0500	4.0540		4.7770	2.0350	1.0810	238.5000	5.0910		0.8970	1.2240	0.0150
9/16/2014	0.2570	35.3100	2.5020		9.1830	2.3610	0.7900	225.6000	2.2280		1.4620	1.3820	0.0150
9/23/2014	0.2120	11.4500	1.7580		4.2590	3.3960	0.2880	166.5000	2.6210		0.8740	0.7570	0.0150
9/30/2014	0.3620	19.4200	3.0350		4.3240	1.9840	0.3240	205.6000	6.1120		1.0000	0.9780	0.0150
10/7/2014	0.2090	13.4800	2.1100		3.9070	0.9580	0.2980	165.4000	3.5100		0.8660	0.8680	0.0150
10/14/2014	0.1750	4.5660	1.7670		3.2500	1.9560	0.0540	113.3000	1.1450		1.2460	0.5070	0.0350
10/20/2014	0.1500	12.4500	2.5260		4.2000	1.6380	0.1640	153.5000	3.9490		0.8040	0.6570	0.0360
10/28/2014	0.1560	18.2700	3.4170		4.0960	3.0970	0.1950	141.9000	3.8500		0.7790	0.9630	0.0840
11/4/2014	0.2380	21.8900	3.7980		4.1590	2.1150	0.3290	219.1000	6.4710		1.0860	1.4780	0.0400
11/11/2014	0.1270	14.6000	2.0250	0.0056	4.1240	2.4920	0.7810	168.0000	2.9340	5.0000	0.7720	0.9750	0.0150
11/18/2014	0.1560	17.4400	3.0000		7.7400	2.5870	0.2740	164.3000	4.9860		0.7450	0.9780	0.0150
11/25/2014	0.1790	13.7400	1.7930		5.8420	1.6260	0.2250	138.9000	2.1440		0.7770	1.8990	0.0150
12/2/2014	0.2490	16.4900	2.3190		5.3490	3.1300	0.2850	369.1000	2.3930		0.7600	0.9250	0.0150
12/9/2014	0.2030	16.2700	2.6580		156.9000	2.8630	0.2480	216.1000	11.6700		0.8800	0.7140	0.0350
12/17/2014	0.1380	10.6600	1.8360		17.4700	3.7860	0.3820	228.2000	13.6300		0.7730	0.6440	0.0150
12/21/2014	0.1430	8.1450	1.0540		2.6150	2.0530	0.0530	94.4400	0.7750		0.7180	0.6630	0.0300
12/29/2014	0.1200	13.0700	1.5650		2.9740	3.3910	0.1550	124.9000	2.2810		0.6240	0.6200	0.0360

Detection Level (DL)

Average (mg/L)

Maximum (mg/L)

All Concs > DL (Yes/No)

0.0300	0.1500	0.0300	0.005000	0.0500	0.1200	0.0100	0.3300	0.1600	10.0000	0.0300	0.0600	0.0300
0.00023	0.01951	0.00387	0.00005	0.01723	0.00228	0.00049	0.18176	0.00547	0.00500	0.00093	0.00192	0.00002
0.0007	0.1311	0.0423	0.0001	0.8500	0.0055	0.0032	1.2930	0.0406	0.0050	0.0023	0.0143	0.0001
Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	No

Effluent

Date	ug/L												
	Cadmium	Copper	Lead	Mercury	Nickel	Selenium	Silver	Zinc	Chromium	Cyanide	Arsenic	Molydenur	Beryllium
1/1/2013	0.0730	3.3090	0.3700		2.1590	3.1630	0.1670	28.3700	0.4980		0.7920	2.7700	0.0150
1/8/2013	0.0150	2.2920	0.7560		3.6660	0.8390	0.0760	51.1300	1.2980		0.6750	1.7350	0.0150
1/16/2013	0.0150	1.1210	0.7160		7.7140	3.4420	0.0050	53.1200	1.0920		0.6670	28.8400	0.0150
1/23/2013	0.0150	1.4940	0.7850		5.1080	2.9520	0.0050	56.2300	1.0540		0.5270	1.4640	0.0150
1/29/2013	0.0150	2.3980	0.9420		4.4160	4.4090	0.0050	48.2900	1.4920		0.5290	4.3750	0.0150
2/6/2013	0.0150	0.6500	0.5220	0.0025	3.4990	4.1660	0.0050	49.0000	0.8290	5.0000	0.7220	1.6700	0.0150
2/12/2013	0.0150	5.8530	0.5590		4.1700	4.3220	0.0050	62.1000	1.3090		0.6850	0.9800	0.0150
2/19/2013	0.0150	1.7150	0.4780		3.4870	1.6970	0.0050	54.1200	0.9180		0.6110	0.9850	0.0150
2/26/2013	0.0150	4.9380	0.4740		2.2340	1.1830	0.0050	37.3500	0.9050		0.6770	0.6870	0.0150
3/5/2013	1.6490	2.0880	0.6220		5.6720	1.7410	0.0050	68.2200	1.4230		0.5360	0.8390	0.0150
3/13/2013	0.0150	1.4780	0.4990		3.5700	2.9270	0.0050	44.7800	0.7270		0.7250	0.8600	0.0150
3/19/2013	0.0150	1.1570	0.5300		6.3650	2.8950	0.0250	40.7700	0.8380		0.5440	0.9840	0.0150
3/26/2013	0.0750	1.8280	0.5220		4.5530	2.8610	0.0230	52.3100	0.9470		0.5380	1.1430	0.0150
4/2/2013	0.0150	1.8490	0.6310		6.9530	1.7260	0.0570	42.2600	0.7590		0.5160	1.1210	0.0150
4/9/2013	0.0150	1.6340	0.4840		4.9840	1.0820	0.0500	51.8500	0.5270		0.5720	3.0150	0.0300
4/16/2013	0.0150	1.6680	0.4900		17.1900	1.5530	0.0140	44.6100	0.8220		0.4870	0.8890	0.0150
4/23/2013	0.0150	1.9020	0.4530		14.5900	0.8710	0.0180	58.7800	1.0030		0.5680	1.4350	0.0150
4/30/2013	0.0150	1.6510	0.4730		4.6400	1.6300	0.0190	47.0000	0.7810		0.6250	1.6190	0.0150
5/7/2013	0.0150	1.8840	0.5720		4.7130	0.7300	0.0050	57.5600	0.9480		0.5990	0.9370	0.0150
5/14/2013	0.0150	3.5000	0.6020	0.0025	5.1120	0.9290	0.0050	59.8000	1.0300	5.0000	0.5580	1.5350	0.0150
5/21/2013	0.0540	4.3800	1.2960		9.5340	1.8580	0.0980	50.4300	1.3250		1.2270	1.5080	0.0150
5/28/2013	0.0150	1.6010	0.3220		6.2010	1.1220	0.0110	39.9100	0.6210		1.0600	0.9500	0.0150
6/4/2013	0.0150	1.3760	0.3080		2.9880	0.4050	0.0050	32.2800	0.6950		0.8550	0.7710	0.0150
6/11/2013	0.0150	1.6610	0.4590		3.2860	2.4590	0.0050	39.9000	0.4830		0.7590	1.0060	0.0150
6/18/2013	0.0150	1.5470	0.5650		9.0000	1.3300	0.0050	24.8600	0.7290		0.9610	1.4240	0.0150
6/25/2013	0.0150	2.4560	0.9770		28.0300	1.6580	0.0050	69.0300	0.7070		1.2170	3.6280	0.0150
7/5/2013	0.0150	3.0360	0.5990		35.1400	0.0950	0.0050	78.1000	0.8220		0.7190	3.0210	0.0150
7/9/2013	0.0150	3.7030	0.9130		16.9100	1.5100	0.0050	68.3800	0.4360		0.8200	3.3170	0.0150
7/17/2013	0.0150	4.7290	1.0250		14.3200	0.1590	0.0050	86.2300	1.3320		0.8290	2.1440	0.0150
7/23/2013	0.0150	2.5850	0.6140		8.5490	1.8710	0.0110	66.2700	0.5740		0.7220	1.8000	0.0150
7/30/2013	0.0150	2.0420	0.6200		16.8800	1.6550	0.0200	68.9200	0.6180		1.2670	1.5510	0.0150
8/6/2013	0.0150	2.0890	0.4330		8.9130	1.6000	0.0050	171.9000	0.7810		0.8530	1.7070	0.0150
8/13/2013	0.0150	1.9410	0.4860		4.6620	2.5670	0.0050	71.8900	0.5440		0.8420	1.5650	0.0150
8/20/2013	0.0150	2.5930	0.5030	0.0025	4.6640	1.7490	0.0050	89.0300	0.4260	5.0000	1.0100	1.9220	0.0150
8/27/2013	0.0150	2.2900	0.3830		5.2340	1.0090	0.0050	93.2800	0.3950		0.7010	1.8380	0.0150
9/4/2013	0.0150	3.5680	0.4080		8.4750	1.6110	0.0050	83.5100	0.5120		1.0320	1.7270	0.0150
9/10/2013	0.0150	2.5440	0.4720		18.8000	1.4960	0.0050	88.8900	14.1000		0.7920	1.8450	0.0150
9/17/2013	0.0150	2.7360	0.4550		6.9880	1.2240	0.0050	81.8600	0.8430		0.6450	1.9990	0.0150

9/24/2013	0.0150	3.2610	0.5090		4.7680	1.0440	0.0050	78.6800	0.7150		0.7230	1.2040	0.0150
10/2/2013	0.0150	2.0530	0.5560		6.2190	0.9710	0.0050	84.8900	0.5510		0.6720	4.2500	0.0150
10/8/2013	0.0150	10.0300	3.0360		8.3600	1.3870	0.0050	92.8700	0.8180		0.6500	1.3630	0.0150
10/15/2013	0.0150	4.2610	0.9730		9.4560	1.4110	0.0050	59.5000	0.6040		0.7880	2.1200	0.0150
10/22/2013	0.0150	1.7370	0.5850		5.4350	1.4130	0.0050	59.4200	0.7250		0.7240	1.8770	0.0150
10/29/2013	0.0150	2.5170	0.5340		5.1170	2.2480	0.0050	77.7500	0.8460		0.7210	1.7170	0.0150
11/5/2013	0.0150	2.4300	1.1330	0.0087	3.5170	3.0400	0.0050	47.0100	0.7920	5.0000	0.4560	2.6510	0.0150
11/13/2013	0.0150	2.5900	1.5730		4.6430	3.0500	0.0050	62.0800	1.6900		0.6160	2.2190	0.0150
11/19/2013	0.0150	4.3500	1.4550		4.2630	2.5300	0.0050	48.6800	0.9810		0.3030	1.9680	0.0150
11/26/2013	0.0380	3.4960	0.7980		11.8400	1.8030	0.0600	77.0600	1.0020		0.8470	4.2410	0.0150
12/2/2013	0.0390	4.4070	1.0630		8.2630	2.2220	0.1280	66.0000	1.0030		0.5240	0.9380	0.0150
12/10/2013	0.0690	3.0990	0.7290		4.2490	0.3380	0.0490	50.6300	0.7820		0.6850	0.9760	0.0150
12/17/2013	0.0150	2.2130	0.5820		3.1290	1.1700	0.0620	55.9200	0.5020		0.6620	1.3130	0.0150
12/25/2013	0.0150	1.9310	0.4810		3.0500	2.9390	0.0050	44.8100	0.5760		0.5720	0.1010	0.0150
1/2/2014	0.0150	2.4870	0.4360		2.5980	2.6740	0.0200	59.2200	0.4540		0.5050	2.1900	0.0150
1/8/2014	0.0150	2.3430	0.6160		2.9160	2.8920	0.0550	63.0500	0.5460		0.5890	1.1790	0.0150
1/14/2014	0.0390	2.1700	0.5140		2.7620	1.9680	0.0390	53.4600	0.5510		0.5970	1.1780	0.0150
1/21/2014	0.0150	2.2220	0.5720		4.0200	2.4590	0.0400	57.8500	0.6820		0.5190	1.2400	0.0150
1/28/2014	0.0150	5.4870	0.5190		18.6800	1.6800	0.0370	60.0600	0.7800		0.4710	1.0820	0.0150
2/4/2014	0.0150	3.1070	0.8130		7.5050	2.1810	0.0510	66.6700	1.4760		0.5200	1.1280	0.0150
2/12/2014	0.0330	3.2260	0.6470	0.0025	5.0470	2.2130	0.0430	59.7500	0.8210	5.0000	0.4700	0.9160	0.0150
2/18/2014	0.0390	2.9990	0.7290		14.6400	1.1050	0.0550	71.2900	0.4600		0.4620	1.0480	0.0150
2/25/2014	0.0410	3.6890	0.8220		12.7600	1.8150	0.0680	89.3500	1.7050		0.6010	0.9520	0.0150
3/3/2014	0.0150	3.1020	0.6460		4.6330	2.1680	0.0360	55.1100	0.9030		0.4640	1.6820	0.0150
3/11/2014	0.0150	6.7010	0.4710		7.9100	1.6340	0.0580	54.7200	1.1010		0.4200	1.1140	0.0150
3/18/2014	0.0150	2.1730	0.4840		11.6000	2.8010	0.0300	46.1300	0.7670		0.5780	0.7940	0.0150
3/25/2014	0.0150	2.1490	0.4780		4.2490	3.5080	0.0340	52.5200	0.6840		0.5150	0.8240	0.0150
4/1/2014	0.0320	7.2190	0.6470		3.8450	1.4250	0.0280	51.4700	0.9860		0.5210	1.3750	0.0150
4/8/2014	0.0150	2.1680	0.4910		2.7580	1.1910	0.0160	23.4700	0.8310		0.6540	0.9750	0.0150
4/15/2014	0.0150	1.3150	0.3570		2.7330	1.7700	0.0050	42.8200	0.8590		0.6790	0.8120	0.0150
4/22/2014	0.0150	4.2230	0.4740		2.6710	1.3780	0.0050	32.8000	0.6990		0.5320	0.7170	0.0150
4/29/2014	0.0150	1.6330	0.4810		1.9210	0.6360	0.0050	47.3600	0.6620		0.5750	0.8380	0.0150
5/6/2014	0.0150	1.1920	0.5260		1.9430	1.1180	0.0050	62.7300	0.3670		0.4330	1.3060	0.0150
5/13/2014	0.0150	1.1700	0.4870	0.0025	1.9100	1.1770	0.0220	19.4100	0.5850	5.0000	0.9850	0.9110	0.0150
5/21/2014	0.0150	0.7370	0.4240		14.1000	1.3580	0.0050	104.2000	0.6640		0.7460	2.7790	0.0150
5/28/2014	0.0150	3.0050	0.4790		2.8850	1.8330	0.0170	56.9600	1.0440		0.9050	1.0250	0.0150
6/3/2014	0.0150	3.0850	0.6900		2.7900	2.1230	0.0050	65.2500	0.7380		0.7670	1.1820	0.0150
6/10/2014	0.0150	2.8360	0.5470		5.0970	1.7280	0.0050	37.9800	0.5510		1.2100	0.9580	0.0150
6/17/2014	0.0150	3.7480	0.4640		7.6490	2.5450	0.0050	88.7900	0.6810		0.7770	1.1730	0.0150
6/24/2014	0.0550	4.1880	0.8780		6.5240	2.8770	0.0240	100.9000	1.9950		1.0150	1.9000	0.0150

9/24/2013
10/2/2013
10/8/2013
10/15/2013
10/22/2013
10/29/2013
11/5/2013
11/13/2013
11/19/2013
11/26/2013
12/2/2013
12/10/2013
12/17/2013
12/25/2013
1/2/2014
1/8/2014
1/14/2014
1/21/2014
1/28/2014
2/4/2014
2/12/2014
2/18/2014
2/25/2014
3/3/2014
3/11/2014
3/18/2014
3/25/2014
4/1/2014
4/8/2014
4/15/2014
4/22/2014
4/29/2014
5/6/2014
5/13/2014
5/21/2014
5/28/2014
6/3/2014
6/10/2014
6/17/2014
6/24/2014

7/1/2014	0.0150	3.3200	0.6100		5.8550	1.8200	0.0280	72.8000	1.1750		0.8840	1.0380	0.0150
7/9/2014	0.0150	4.5810	0.7890		3.8230	1.9700	0.0160	56.8200	1.1040		0.9230	1.2330	0.0150
7/16/2014	0.0150	5.2590	0.6840		3.2710	1.7620	0.0220	55.5100	2.4430		0.6630	0.5130	0.0150
7/22/2014	0.0150	2.0820	0.5730		3.0530	1.6390	0.0050	71.6200	1.4980		0.8500	0.8790	0.0150
7/29/2014	0.0380	2.4150	0.6930		4.7900	1.5930	0.0050	62.9400	1.1460		0.6710	1.1530	0.0150
8/7/2014	0.0150	1.7180	0.6680		4.8230	1.8740	0.0120	61.5000	1.1250		0.8360	1.2020	0.0150
8/12/2014	0.0150	2.0850	0.5650		3.6470	1.5910	0.0100	58.8300	0.6590		0.9730	4.1920	0.0150
8/19/2014	0.0150	2.0380	0.5660	0.0025	3.7180	3.2200	0.0160	54.7500	0.6610	5.0000	1.0260	4.1570	0.0150
8/26/2014	0.0150	5.2810	0.5240		3.2550	1.9210	0.0050	67.6900	0.5240		0.7310	1.5750	0.0150
9/2/2014	0.0150	7.0990	1.2820		4.3660	1.9900	0.0400	71.7100	0.8300		0.9360	1.3440	0.0150
9/9/2014	0.0150	2.4750	0.5200		4.6200	0.9020	0.0050	57.0100	0.8440		0.8660	1.0730	0.0150
9/16/2014	0.0150	4.3150	0.4510		5.3190	0.6750	0.0260	47.3200	0.5960		1.2720	1.4280	0.0150
9/23/2014	0.0150	2.1920	0.4680		4.8880	2.1060	0.0050	50.4100	0.6610		0.9670	0.6790	0.0150
9/30/2014	0.0150	2.0790	0.4530		8.5490	2.2250	0.0050	66.5200	0.9150		0.9340	0.5020	0.0150
10/7/2014	0.0150	2.2210	0.5330		3.1390	0.0600	0.0050	48.7500	0.7040		0.7010	0.5750	0.0150
10/14/2014	0.0150	1.2700	0.5500		2.4000	1.7510	0.0050	22.4200	0.4810		0.7900	0.5340	0.0150
10/20/2014	0.0150	1.1180	0.3760		2.8400	3.1180	0.0050	34.1800	0.4140		0.9020	0.3500	0.0150
10/28/2014	0.0150	4.7560	0.6900		3.3470	2.0660	0.0160	38.6900	0.7610		0.9060	1.0210	0.0320
11/4/2014	0.0150	3.0420	0.6150		3.8610	3.0490	0.0260	60.6100	1.1480		0.9320	1.7140	0.0150
11/11/2014	0.0150	2.4400	0.4560	0.0025	10.9700	2.2180	0.0290	64.7100	0.8670	5.0000	0.7760	0.9380	0.0150
11/18/2014	0.0150	4.7230	0.6400		4.5680	2.0450	0.0180	62.4800	0.5730		0.6120	0.9630	0.0150
11/25/2014	0.0150	2.8050	0.5680		4.2410	2.1050	0.0210	58.3700	0.7060		0.8140	0.8060	0.0150
12/2/2014	0.0150	3.0570	0.6310		4.7410	2.6170	0.0310	59.3900	0.6790		0.7020	0.8760	0.0150
12/9/2014	0.0150	2.4010	0.5980		13.3300	3.5250	0.0050	59.3600	2.1950		0.6200	0.5080	0.0150
12/17/2014	0.0150	2.0180	0.5670		8.1830	2.4840	0.0100	47.9700	1.6800		0.6400	1.2300	0.0150
12/21/2014	0.0150	2.1500	0.4700		6.4280	1.8840	0.0050	50.2100	0.5850		0.6630	0.2970	0.0150
12/29/2014	0.0150	6.3120	0.4110		3.2710	0.8150	0.0050	41.2400	0.3850		0.4550	0.3230	0.0150
Detection Level	0.0300	0.1500	0.0300	0.005000	0.0500	0.1200	0.0100	0.3300	0.1600	10.0000	0.0300	0.0600	0.0300
Average (mg/L)	0.0003	0.00289	0.00064	0.00000	0.00664	0.00190	0.00002	0.05947	0.00099	0.00500	0.00072	0.00172	0.00002
Maximum (mg/L)	0.0016	0.0100	0.0030	0.0000	0.0351	0.0044	0.0002	0.1719	0.0141	0.0050	0.0013	0.0288	0.0000
All Concs > DL (Yes/No)	No	Yes	Yes	No	Yes	No	No	Yes	Yes	No	Yes	Yes	No
% Rem													
Cadmium	85	85	84	93	61	17	96	67	82	0	22	10	37
Copper	67	86	61	60	42	50	75	79	82	69	45	50	50
Lead													
Nickel													
Selenium													
Silver													
Zinc													
Chromium													
Cyanide													
Arsenic													
Molybdenum													
Beryllium													

Note 1: For all metals reported as less than, used 1/2 the reported limit

Fort Smith "P" Street

Maximum Allowable Headworks Loading

Pollutant	% Rem	Plant Design lbs/day	Plant Design-%Rem lbs/day	MAHL lbs/day	Current Load lbs/day	Domestic lbs/day	Allocation for %SF lbs/day [^]	MAIL lbs/day
BOD	96	25020	23894	23894	10166	6038	17921	11883
TSS	93	27522	25595	25595	7564	5785	19197	13412

Safety Factor **0.25**

	Avg Influent BOD, mg/L	Avg Influent TSS, mg/L	Avg BOD Removal, %	Avg TSS Removal, %
13-Jan	158	109.8	96	94
13-Feb	85.7	68.5	95	92
13-Mar	100.6	76.8	95	93
13-Apr	88.2	70	94	92
13-May	110.3	90.3	94	92
13-Jun	109.5	83.2	96	93
13-Jul	140.1	99.2	95	92
13-Aug	119.1	84.1	95	93
13-Sep	159	105.7	96	94
13-Oct	137.2	93.3	95	94
13-Nov	139.8	98.9	90	84
13-Dec	102.2	83.3	93	91
14-Jan	135.7	100.6	96	94
14-Feb	148.9	124.2	96	94
14-Mar	112.6	86.4	95	92
14-Apr	107	87.6	94	94
14-May	111.6	101	97	95
14-Jun	127.8	109.4	97	95
14-Jul	156.9	116.3	98	96
14-Aug	153.1	106.8	98	95
14-Sep	118.5	89.7	97	94
14-Oct	104	72.9	98	93
14-Nov	172	94.8	96	93
14-Dec	118.1	91.2	95	94
Max	172	124.2	98	96
Min	85.7	68.5	90	84
Avg	125.7	93.5	95.5	93.0

	Domestic BOD, mg/L	Domestic TSS, mg/L	Domestic BOD, PPD	Domestic TSS, PPD	Flow, GPD
13-Jan	203	111	41	22	24,000
13-Feb	208	5	67	2	38,400
13-Mar	220	65	48	14	26,400
13-Apr	101	69	43	30	51,600
13-May	92	62	19	13	25,200
13-Jun	212	142	62	41	34,800
13-Jul	211	73	36	12	20,400
13-Aug	117	100	22	19	22,800
13-Sep	157	87	42	23	32,234
13-Oct	118	79	22	15	22,800
13-Nov	301	335	75	84	29,920
13-Dec	196	90	70	32	42,658
14-Jan	194	64	54	18	33,600
14-Feb	171	77	41	18	28,800
14-Mar	213	132	64	40	39,600
14-Apr	163	82	49	25	36,000
14-May	226	155	59	40	31,200
14-Jun	280	410	67	98	28,800
14-Jul	735	1123	154	236	25,200
14-Aug	330	480	63	91	22,800
14-Sep	78	64	12	10	19,200
14-Oct	1172	2225	188	356	19,200
14-Nov	678	800	115	136	20,400
14-Dec	162	70	41	18	30,000
Max	1172	2225	188	356	51,600
Min	78	5	12	2	19,200
Avg	272.4	287.5	60.6	58.0	29,417
%Flow	99.7				
Load, PPD			6038	5785	

Enforcement Response Plan Guide

PART III: Non-compliance Detected Through Inspection/Field Investigation (FLOW CHART #III-3)

	Circumstances	Response	Personnel	Time Frame of Response	Compliance Status
Refuse access to City Personnel	Refusal of access to City personnel for the purpose of inspection, sampling, or monitoring	Obtain search warrant, SCH called, TPS.	DU, DDO, EQPM, EMS, LS	ASAP	SNC

PART III: Non-compliance Detected Through Inspection/Field Investigation (FLOW CHART #III-4)

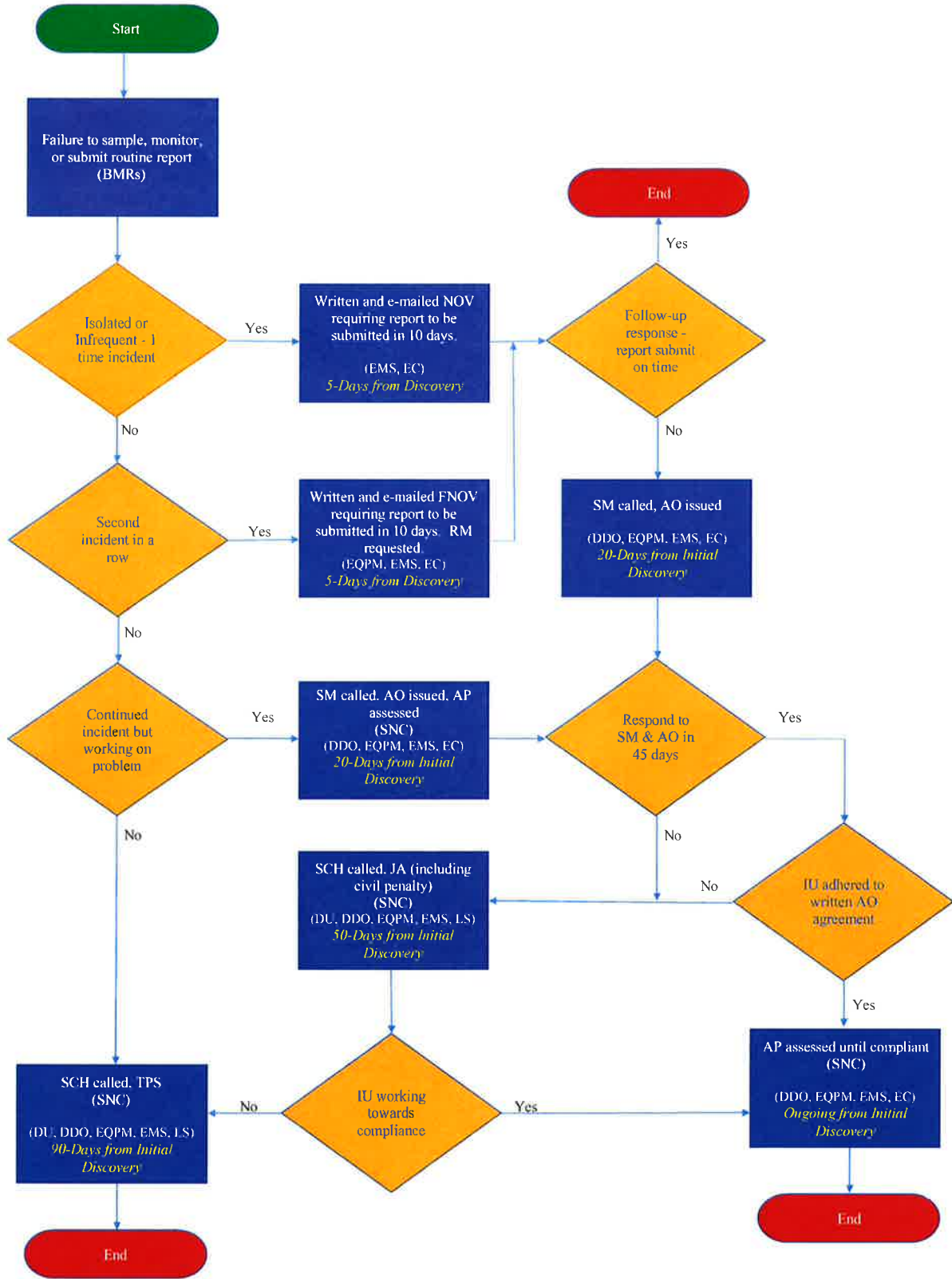
	Circumstances	Response	Personnel	Time Frame of Response	Compliance Status
Failure to comply with repeated requests	Failure to comply with repeated request	SCH called, TPS.	DU, DDO, EQPM, EMS, LS	ASAP	SNC

DU	= Director of Utilities	NOD	= Notice of Deficiency	AP	= Administrative Penalties
DDO	= Deputy Director of Operations	NOV	= Notice of Violation	SCH	= Show Cause Hearing
EQPM	= Environmental Qual. Program Manager	FNOV	= Final Notice of Violation	JA	= Judicial Action
EMS	= Environmental Monitoring Supervisor	RM	= Review Meeting	TPS	= Terminate Permit & Service
EC	= Environmental Coordinator	SM	= Standards Meeting	NC	= Noncompliant
LS	= Legal Staff	AO	= Administrative Order	SNC	= Significant Noncompliance

Enforcement Response Plan Guide

PART I: Sampling, Monitoring, and Reporting:

FLOW CHART #I-1

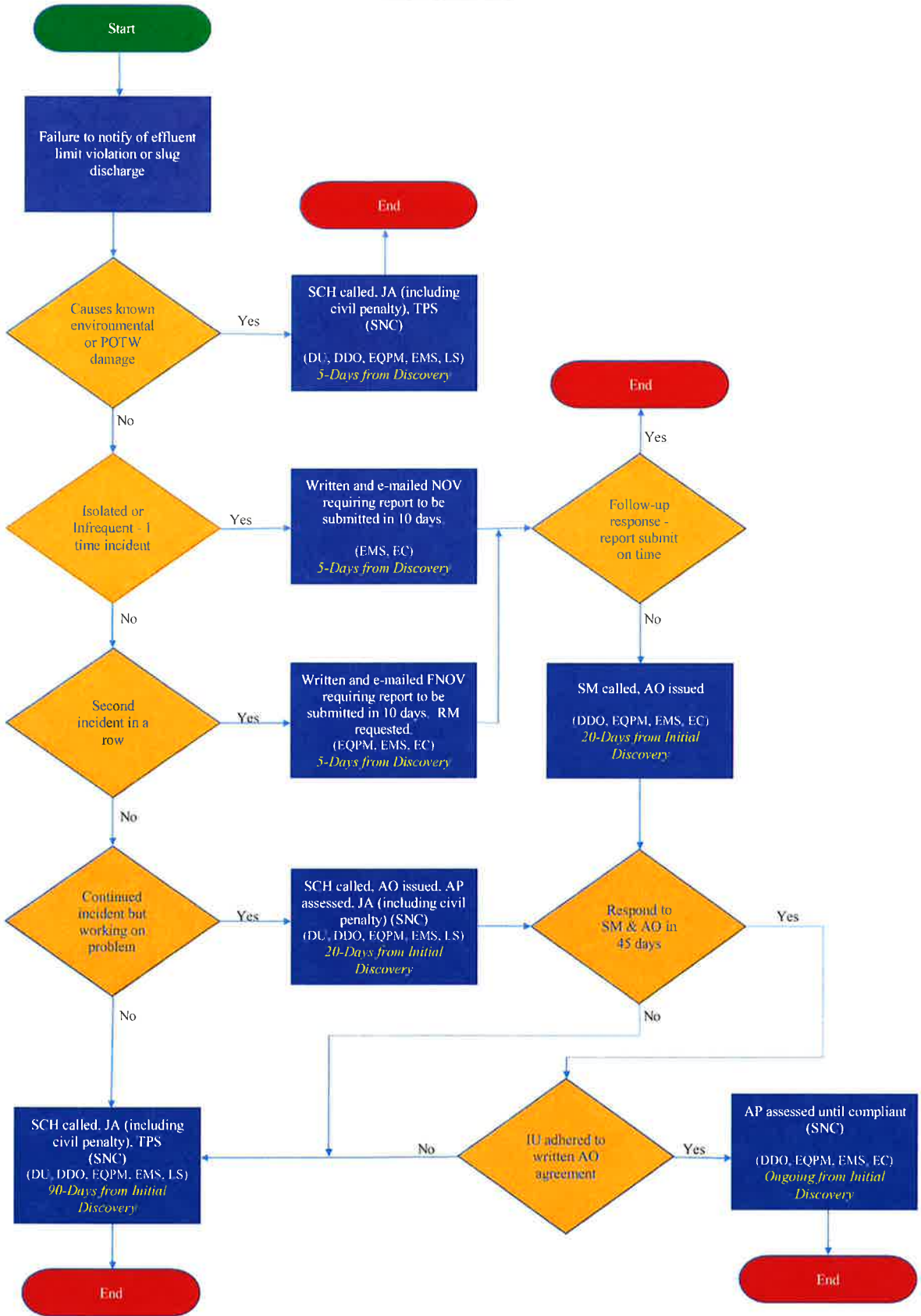


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Enforcement Response Plan Guide

PART I: Sampling, Monitoring, and Reporting

FLOW CHART #I-2

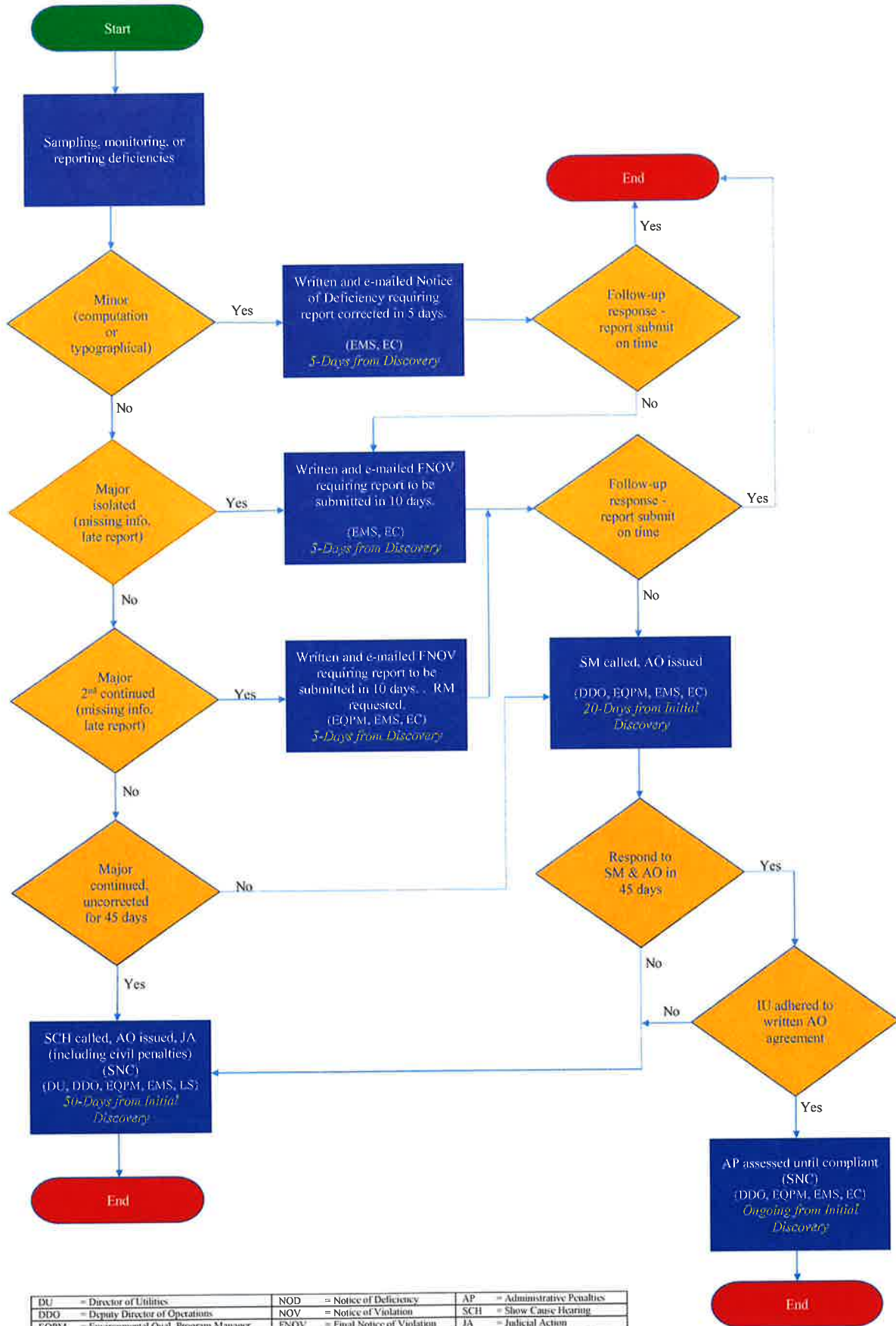


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Enforcement Response Plan Guide

PART I: Sampling, Monitoring, and Reporting

FLOW CHART #I-3

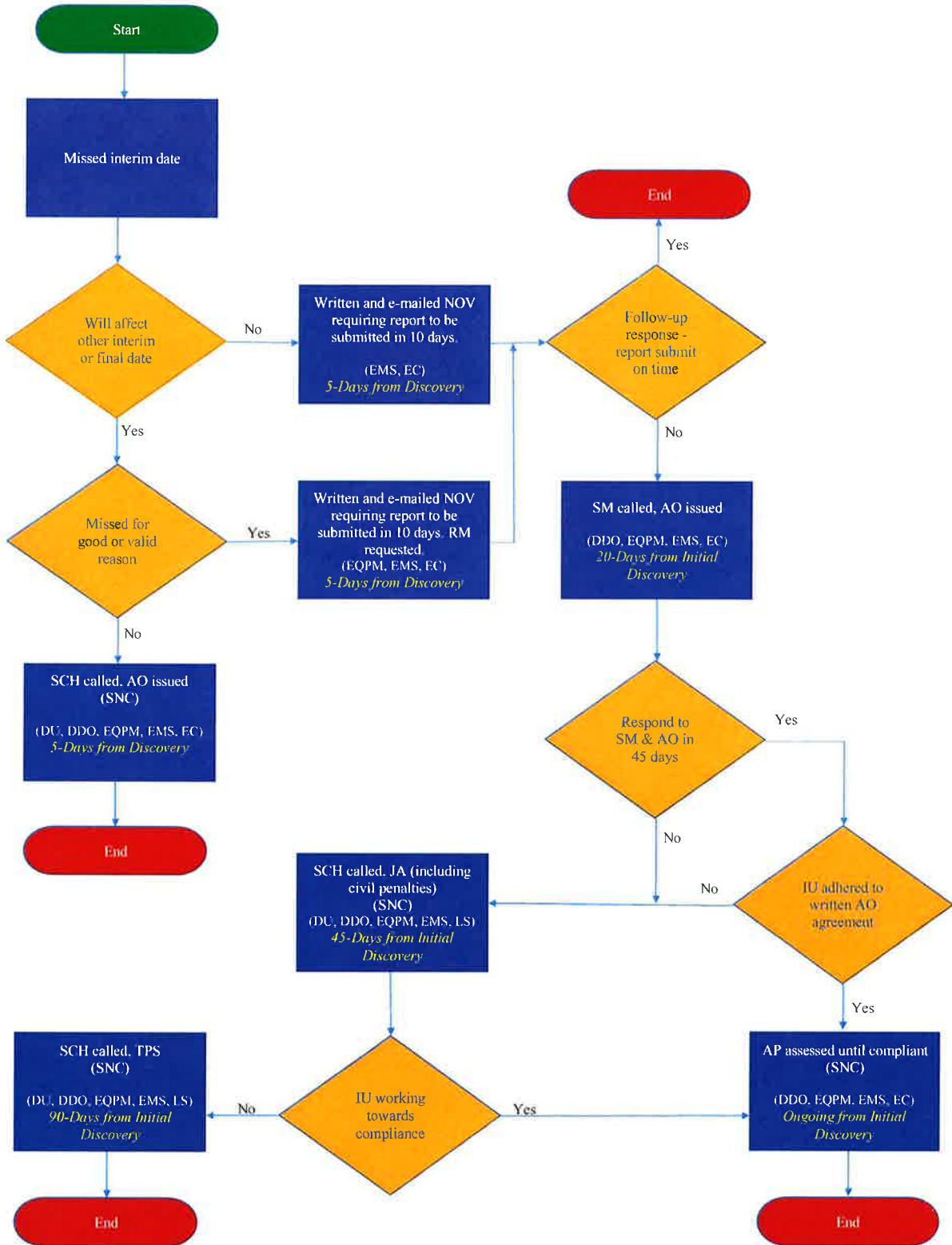


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Enforcement Response Plan Guide

PART I: Sampling, Monitoring, and Reporting:

FLOW CHART #I-4

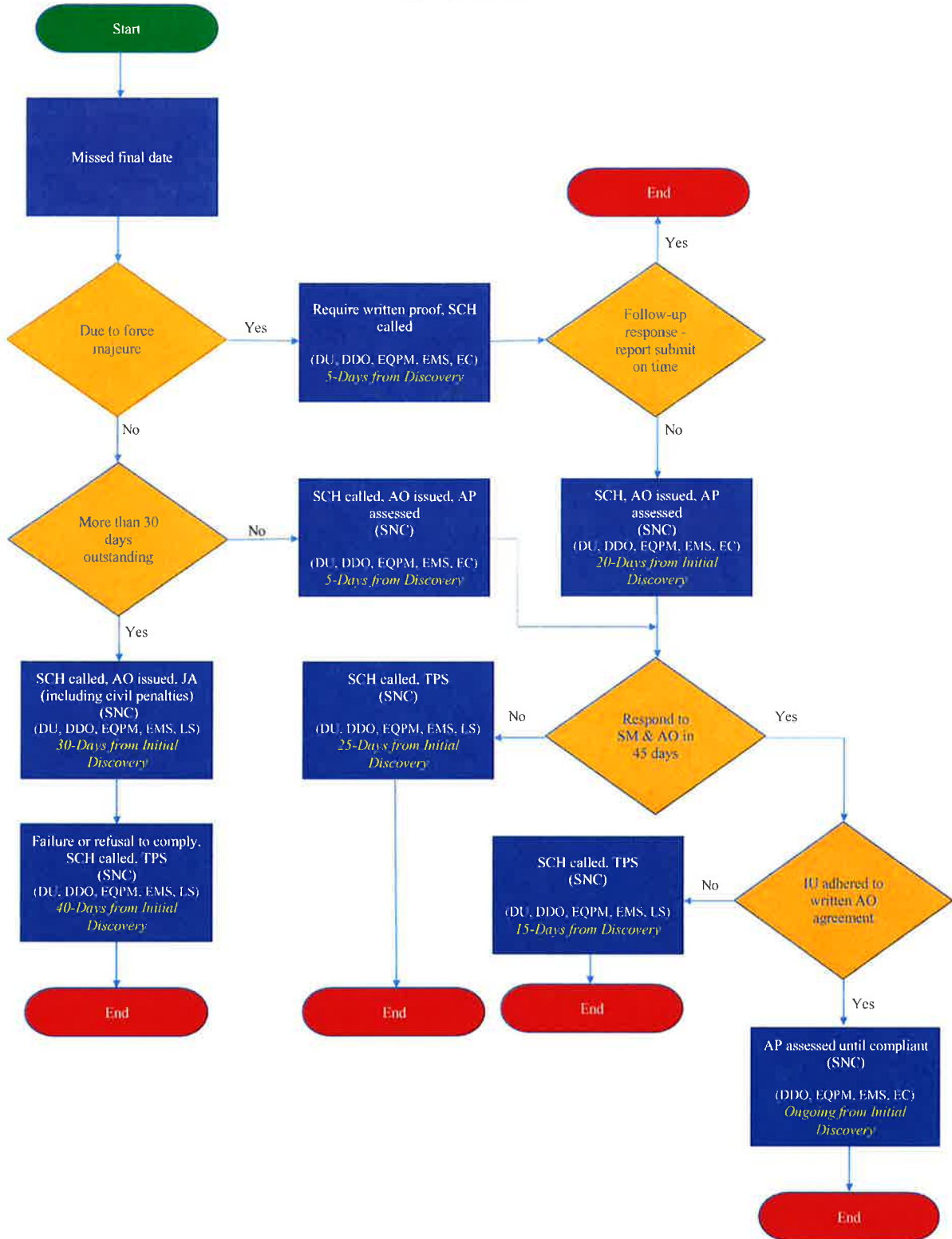


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Enforcement Response Plan Guide

PART I: Sampling, Monitoring, and Reporting:

FLOW CHART #I-5



DU = Director of Utilities	NGD = Notice of Deficiency	AP = Administrative Penalties
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EQPM = Environmental Qual. Program Manager	FNQV = Final Notice of Violation	JA = Judicial Action
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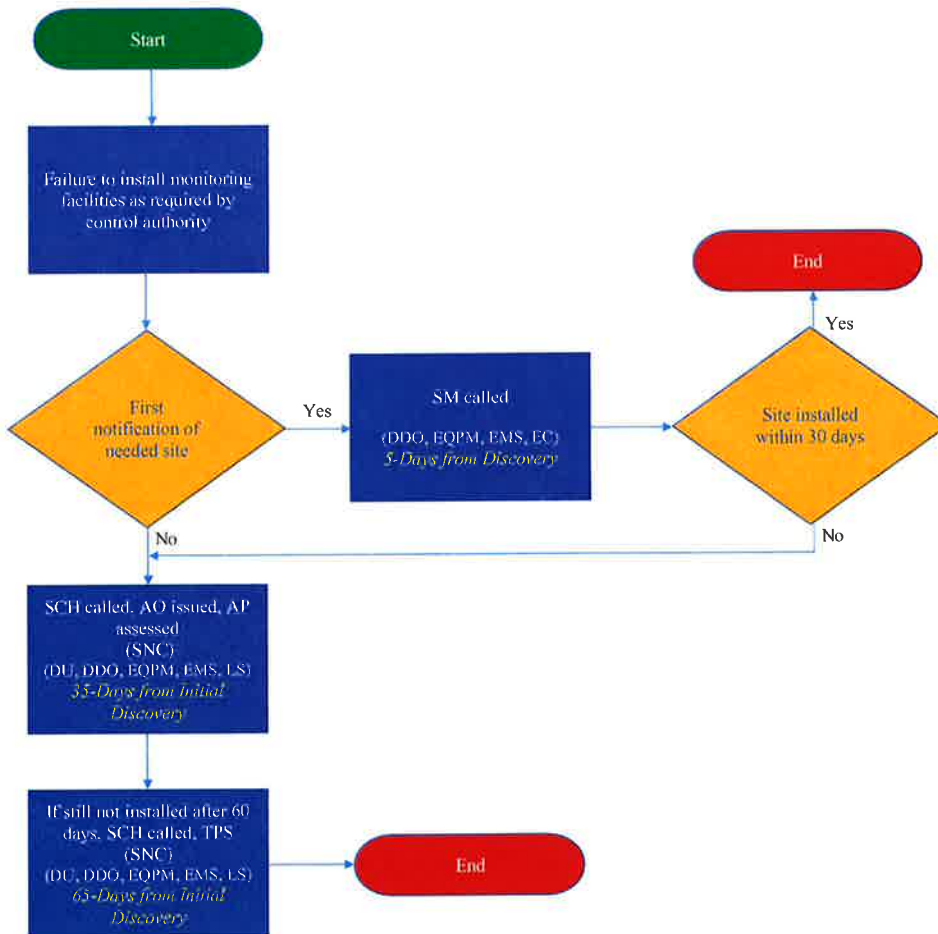
Enforcement Response Plan Guide

PART I: Sampling, Monitoring, and Reporting:

FLOW CHART #I-6



FLOW CHART #I-7

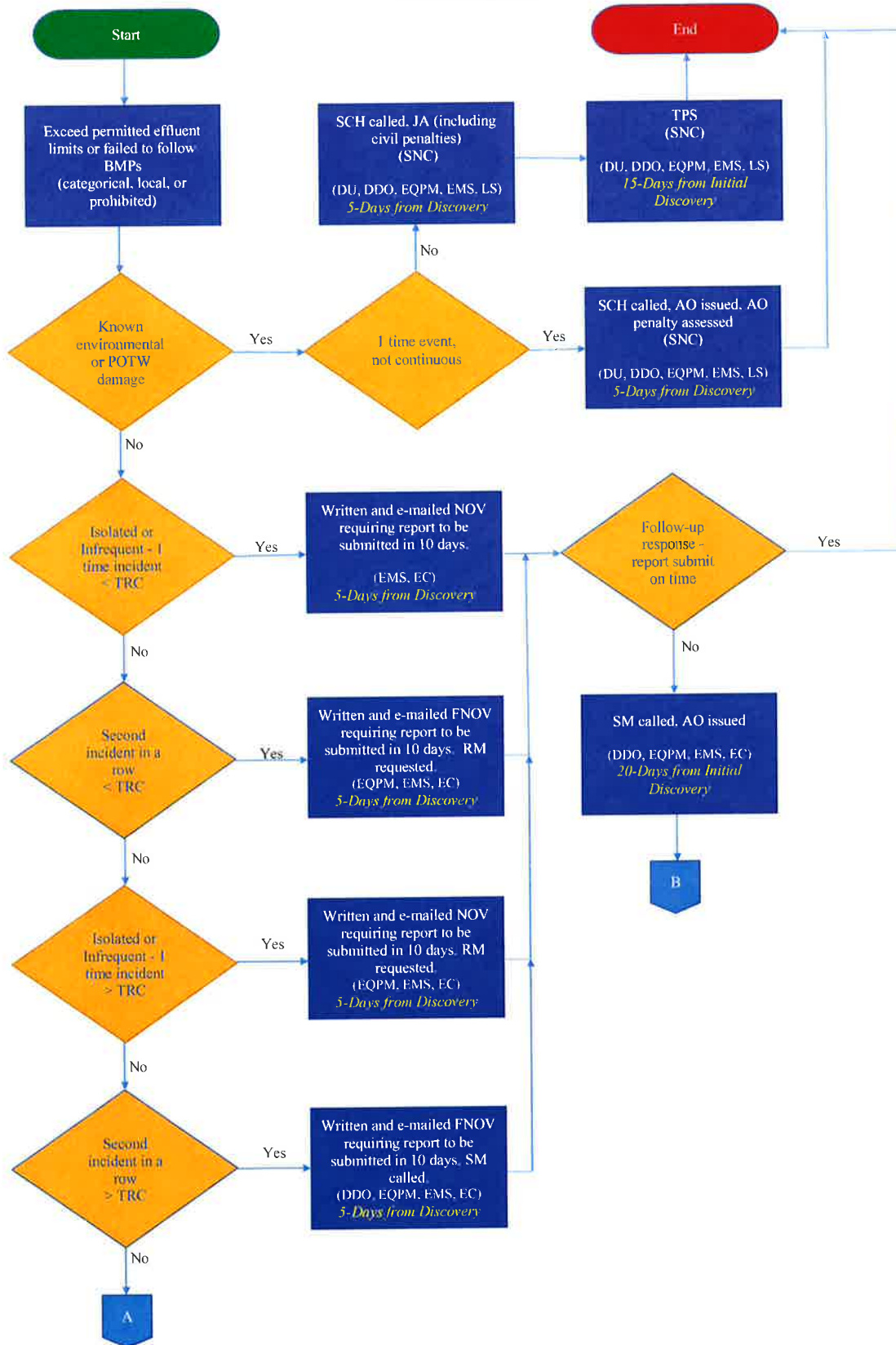


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Enforcement Response Plan Guide

PART II: Effluent Limits:

FLOW CHART #II-1

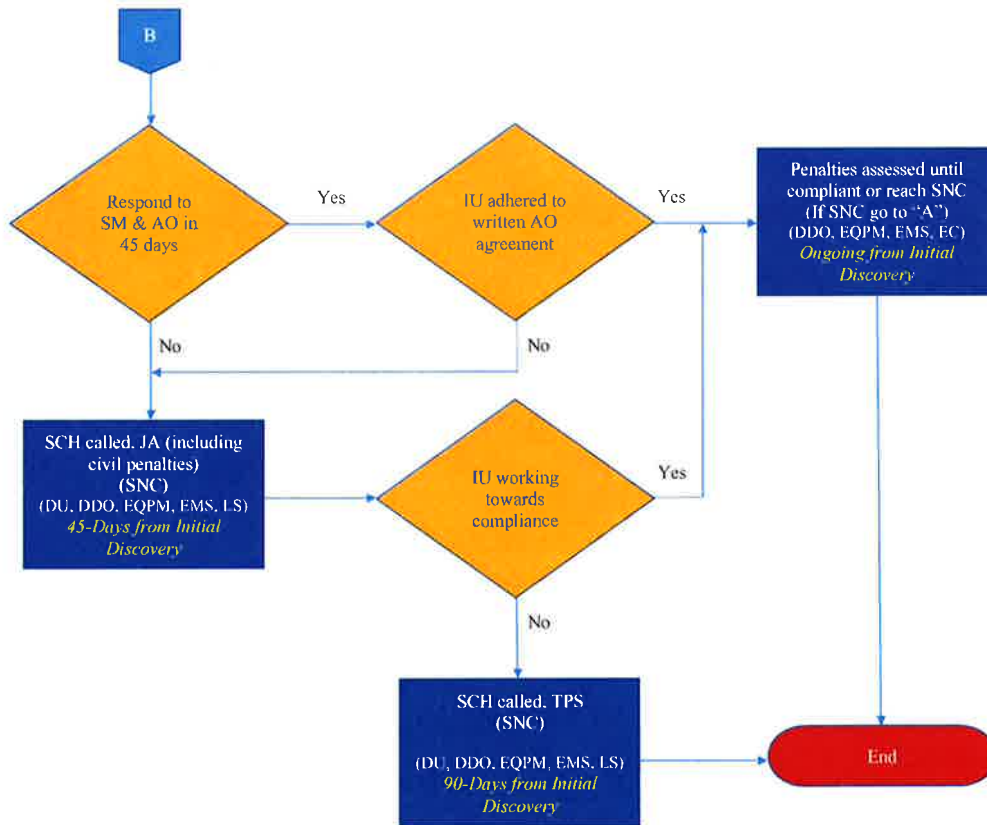
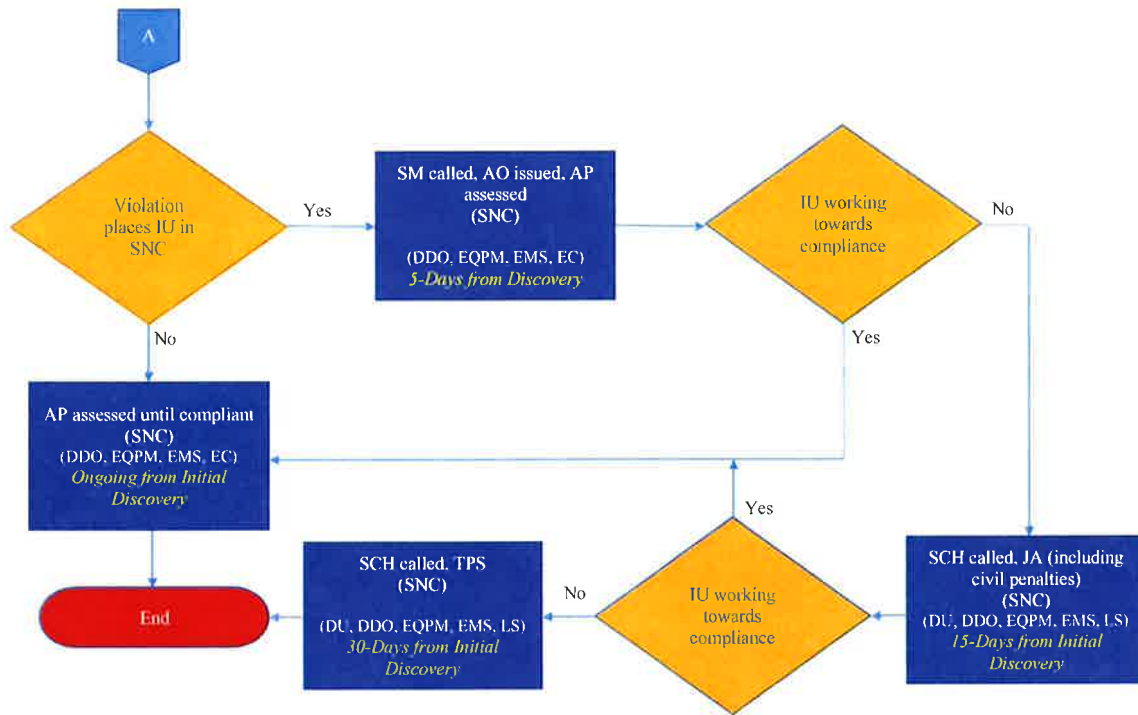


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Enforcement Response Plan Guide

PART II: Effluent Limits:

FLOW CHART #II-1 (Continued)

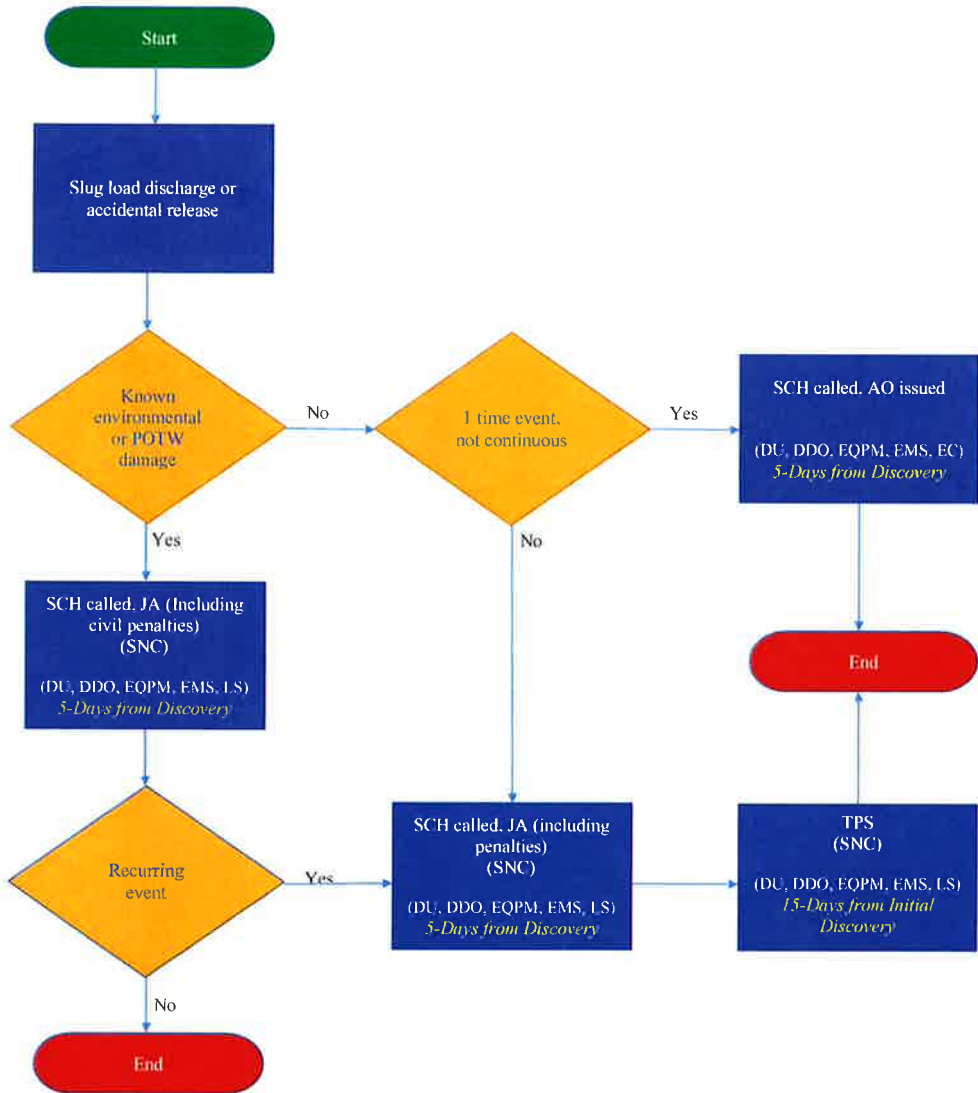


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Enforcement Response Plan Guide

PART II: Effluent Limits:

FLOW CHART #II-2

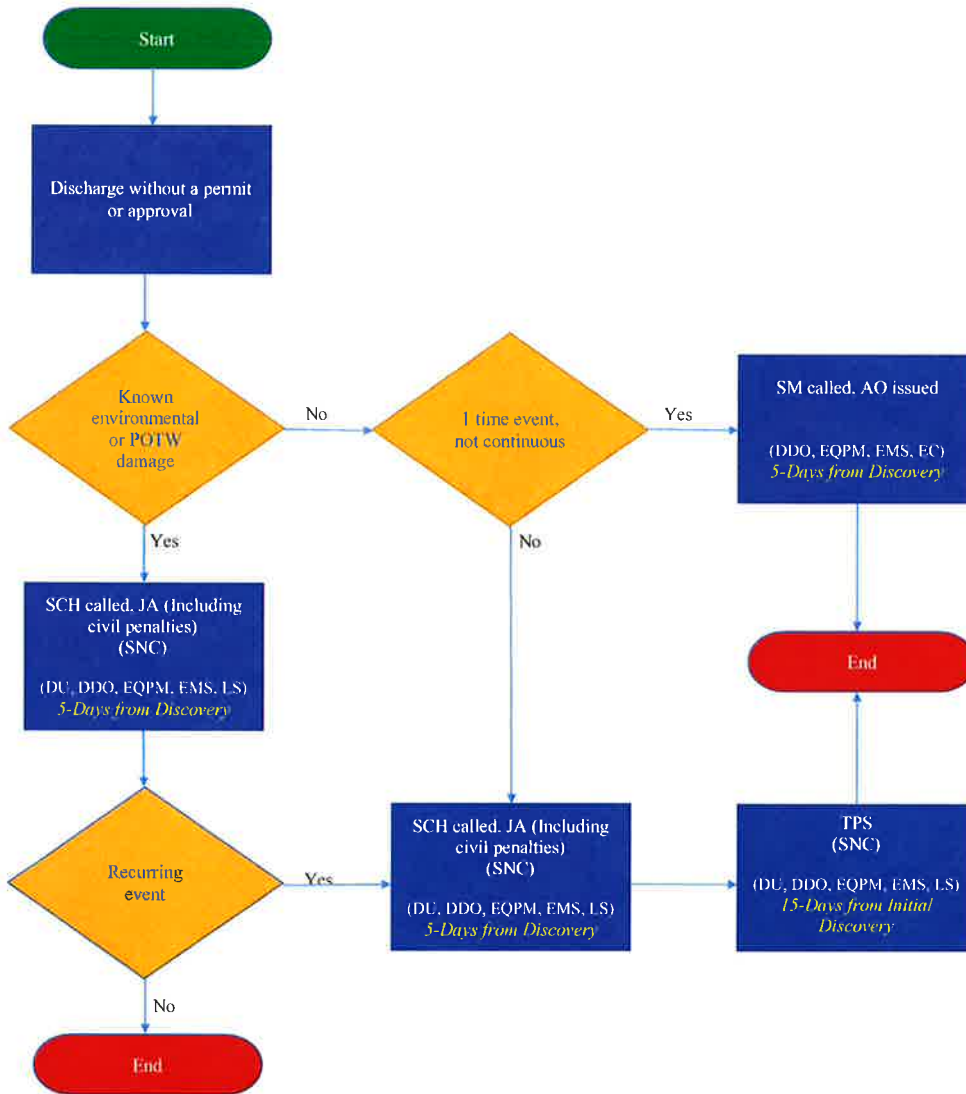


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Enforcement Response Plan Guide

PART II: Effluent Limits:

FLOW CHART #II-3

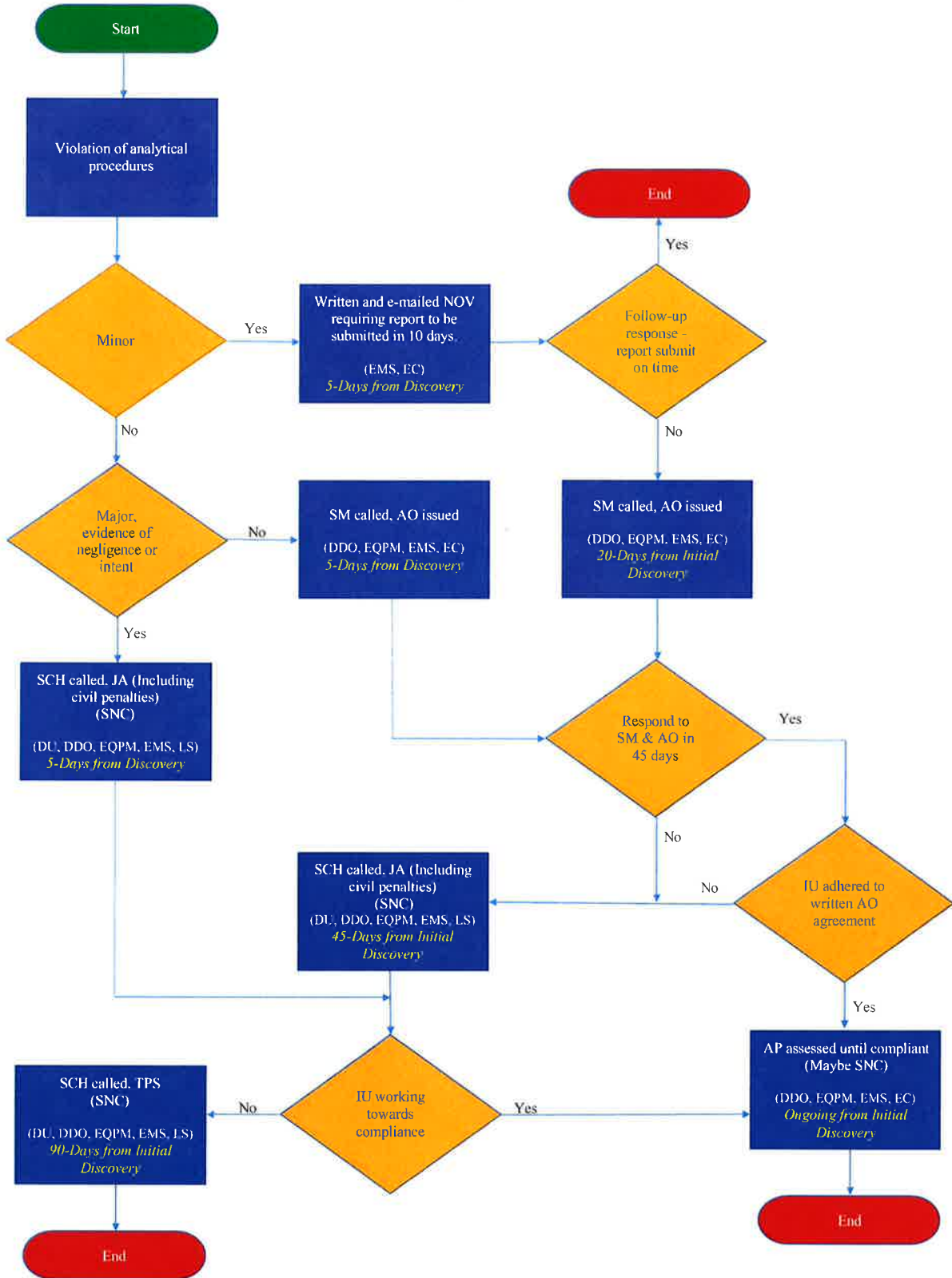


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Rev 10/2015

Enforcement Response Plan Guide

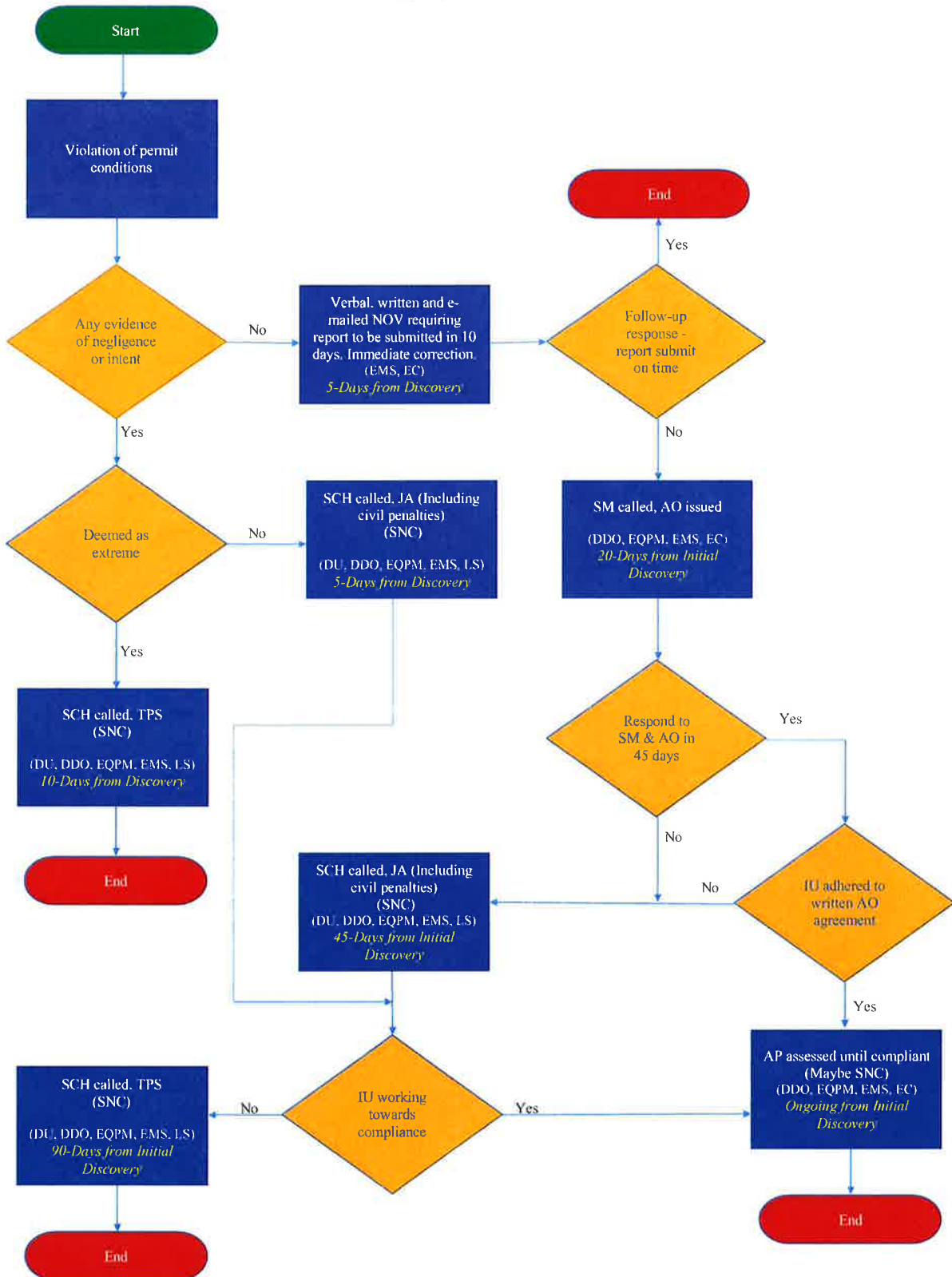
PART III: Non-compliance Detected Through Inspections/Field Investigations:
FLOW CHART #III-1



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Enforcement Response Plan Guide

PART III: Non-compliance Detected Through Inspections/Field Investigations:
FLOW CHART #III-2

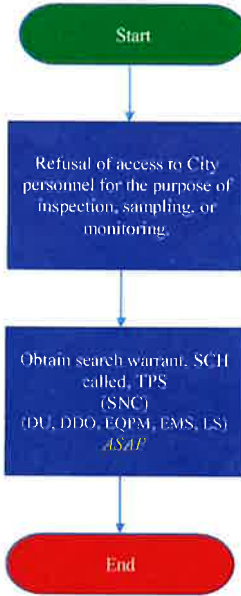


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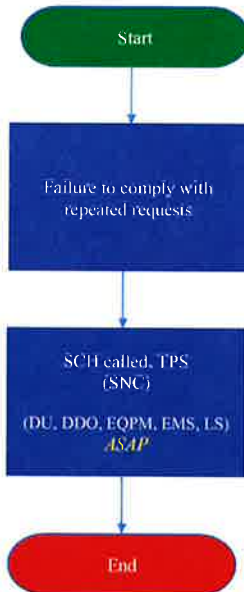
Enforcement Response Plan Guide

PART III: Non-compliance Detected Through Inspections/Field Investigations:

FLOW CHART #III-3



FLOW CHART #III-4



DU	= Director of Utilities	NOI	= Notice of Deficiency	AP	= Administrative Penalties
DDO	= Deputy Director of Operations	NOV	= Notice of Violation	SCH	= Show Cause Hearing
EQPM	= Environmental Qual. Program Manager	FNOV	= Final Notice of Violation	JA	= Judicial Action
EMS	= Environmental Monitoring Supervisor	RM	= Review Meeting	TPS	= Terminate Permit & Service
EC	= Environmental Coordinator	SM	= Standards Meeting	NC	= Noncompliant
LS	= Legal Staff	AO	= Administrative Order	SNC	= Significant Noncompliance

Attachment H: Templates

Industrial User Permit

PERMIT NO: SIUM0000109

SIGNIFICANT INDUSTRIAL USER PERMIT

In accordance with the provisions of Section 6. Ordinance 80-11

Food Products USA, Inc.
1,000 Chicken Parts Way
Fort Smith, AR 72901

is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfall(s) identified herein into the Control Authority's sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the Control Authority's sewer use ordinance.

This permit shall become effective on November 1, 2009 and shall expire at midnight on October 31, 2014.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Section 6. Ordinance 80-11, a minimum of 90 days prior to the expiration date.

By: _____
Director of Utilities

PART 1 - EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. During the period of November 1, 2009 to October 31, 2014 the permittee is authorized to discharge process wastewater to the Control Authority sewer system from the outfall(s) listed below.

Description of outfall(s):

Outfall #: Description:

001 The parshall flume inside the gravity flow metering box located on the southeast side of permittee’s pretreatment facility, at 1,000 Chicken Parts Way just prior to discharge to the city’s sanitary sewer system.

B. During the period of November 1, 2009 to October 31, 2014 the discharge from outfall #001 shall not exceed the following effluent limitations.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Parameter	Discharge Limits			Monitoring Requirements	
	Mass (lbs/day)	Concentration (mg/L, unless otherwise specified)		Frequency	Sample Type
		Daily Max	Monthly Average		
Flow	N/A	Report, MGD	Report, MGD	Once/Day	Totalizing Meter
Biochemical Oxygen Demand (BOD5)	180	450	N/A	Once/Month	Composite
Total Suspended Solids (TSS)	180	430	N/A	Once/Month	Composite
Ammonia Nitrogen (NH3-N)	N/A	Monitor & Report	Monitor & Report	Once/Month	Composite
Fats, Oil, & Grease (FOG)	N/A	150	N/A	Once/Month	Grab
pH	N/A	<u>Minimum</u> 6.0 s.u.	<u>Maximum</u> 11.0 s.u.	Once/Month	Grab

1. The designated sampling point for all parameters shall be the parshall flume inside the gravity flow metering box located on the southeast side of permittee's pretreatment facility, at 1000 Chicken Parts Way just prior to discharge to the city's sanitary sewer system.

2. Daily flows are to be recorded from the permittees flow meter.

3. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit. Also, all sampling and analyses conducted for self-monitoring shall be performed by a certified, independent laboratory acceptable to the Control Authority.

C. The permittee shall not discharge wastewater containing any of the following substances from any of the outfall(s):

1. Fats, wax, grease, or oils of petroleum origin, whether emulsified or not, in excess of one hundred and fifty (150) mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees F (0 degrees C) and 140 degrees F (60 degrees C);

2. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases;

3. Any effluent having a temperature higher than 104 degrees F (40 degrees C);

4. Any ashes, hair, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solid or viscous substances capable of causing obstructions or other interference's with proper operation of the sewer system;

5. Any pollutant, including oxygen demanding pollutants (BOD etc.) at flow rate and/or concentration which will cause the pollutant to pass through to the receiving waters or interfere with the City of Fort Smith's wastewater treatment facility. For the purpose of this section, the terms "pass through" and "interference" have the same definitions as appear in the City Ordinance 80-11.

D. All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in Ordinance 80-11 and any applicable State and Federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

PART 2 - REPORTING REQUIREMENTS

A. Monitoring Reports

Monitoring results obtained shall be summarized and reported on an Industrial User Monitoring Report once per month. The reports shall be submitted after the 1st day of the following month and are due no later than the 15th day of the following month. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the calendar month preceding the submission of each report including measured maximum and average daily flows. Copies of all analytical reports used for compliance demonstration, from internal as well as contract laboratories, shall be included with all pertinent reports.

Additionally, in June and December of each year a periodic compliance report must be submitted to the Control Authority. These "Bi-Annual" reports must summarize: the precise nature and concentration of the pertinent regulated parameters in the users discharge to the POTW; the average and maximum daily flow rates of the facility; the methods used by the discharger to sample and analyze the data; and a certification that these methods conform to the methods outlined in 40 CFR Part 136.

B. Additional Monitoring

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in the monthly report submitted to the Control Authority. Such increased monitoring frequency shall also be indicated in the monthly report.

C. Automatic Resampling

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must:

1. Inform the Control Authority of the violation within 24 hours; and
2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation.

D. Accidental Discharge Report

1. The permittee shall notify the Control Authority immediately upon the occurrence of an accidental discharge of substances prohibited by Ordinance 80-11 or any slug loads or spills that may enter the public sewer. The Control Authority should be notified by fax at 784-2404. The notification shall include location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken. The permittee's notification of

accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State, or Federal laws.

Within seven days following an accidental discharge, the permittee shall submit to the Control Authority a detailed written report containing the following:

- a. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include the location of discharge, type, concentration and volume of waste.
- b. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
- c. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

E. All reports required by this permit shall be submitted to the Control Authority at the following address:

John Hancock
Environmental Monitoring Supervisor
City of Fort Smith
3900 Kelley Hwy.
Fort Smith, AR 72904

PART 3 - SPECIAL CONDITIONS

Section 1 – Additional/Special Monitoring/Reporting Requirements

A. Industrial User Requirements.

In June and December of each year a periodic compliance report must be submitted to the office of the Environmental Manager indicating the precise nature and concentration of the pertinent regulated parameters in the users discharge to the POTW, the average and maximum daily flow rates of the facility, the methods used by the discharger to sample and analyze the data, and a certification that these methods conform to the methods outlined in 40 CFR Part 136. If the user is under a compliance schedule with the City, quarterly reports must be submitted to this office for the purpose of evaluating compliance status.

Section 2 - Reopener Clause

Describe any causes for modifying the permit arising out of facts that are not common to all industrial users which will or are likely to occur during its effective period.

(Not Currently Applicable To This Industrial User)

Section 3 - Compliance Schedule

A baseline monitoring report must be submitted to the Control Authority within 45 days of the effective date of the permit. Once received, the Control Authority will issue a letter stating that the compliance schedule has been met. The baseline monitoring report will be kept on file for the duration of the permit.

SECTION A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatement.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements
- b. Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit
- c. A change in any condition in either the industrial user or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge
- d. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, POTW personnel or the receiving waters
- e. Violation of any terms or conditions of this permit
- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting
- g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13; or
- h. To correct typographical or other errors in the permit
- i. To reflect transfer of the facility ownership and/or operation to a new owner/operator
- j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

The filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

5. Permit Termination

This permit may be terminated for the following reasons: (But not limited to)

- a. Falsifying self-monitoring reports
- b. Tampering with monitoring equipment
- c. Refusing to allow timely access to the facility premises and records
- d. Failure to meet effluent limitations
- e. Failure to pay fines
- f. Failure to pay sewer charges
- g. Failure to meet compliance schedules.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30) days of the receipt of this permit.

This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The effectiveness of this permit shall not be stayed pending a reconsideration by the Control Authority. If, after considering the petition and any arguments put forth by the Pretreatment Program Supervisor, the Control Authority determines that reconsideration is proper, the Control Authority shall remand the permit back to the Pretreatment Program Supervisor for re-issuance. Those permit provisions being reconsidered by the Pretreatment Program Supervisor shall be stayed pending re-issuance.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

8. Limitation on Permit Transfer

Permits may be assigned or transferred to a new owner and/or operator with prior approval of the Pretreatment Program Supervisor:

- a. The permittee must give at least thirty (30) days advance notice to the Pretreatment Program Supervisor
- b. The notice must include a written certification by the new owner which:
 - (i) States that the new owner has no immediate intent to change the facility's operations and processes,
 - (ii) Identifies the specific date on which the transfer is to occur,
 - (iii) Acknowledges full responsibility for complying with the existing permit.

9. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must submit an application for a new permit at least ninety (90) days before the expiration date of this permit.

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the users existing permit.
- b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.

11. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute of adequate treatment to achieve compliance with the limitations contained in this permit.

12. Definitions

- a. **Daily Maximum** - The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharge over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- b. **Composite Sample** - A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.
- c. **Grab Sample** - An individual sample collected in less than fifteen (15) minutes, without regard for flow or time.
- d. **Instantaneous Maximum Concentration** - The maximum concentration allowed in any single grab sample.
- e. **Cooling Water** -
 - (1) **Uncontaminated**: Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water.
 - (2) **Contaminated**: Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.

f. Monthly Average - The arithmetic mean of the values for effluent samples collected during a calendar month or specified thirty (30) day period (as opposed to a rolling 30 day window).

g. Weekly Average - The arithmetic mean of the values for effluent samples collected over a period of seven consecutive days.

h. Bi-Weekly - Once every other week.

i. Bi-Monthly - Once every other month.

j. Upset - Means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.

k. Bypass - Means the intentional diversion of wastes from any portion of a treatment facility.

13. General Prohibitive Standards

The permittee shall comply with all the general prohibitive discharge standards in city Ordinance 80-11. Namely, the industrial user shall not discharge wastewater to the sewer system:

a. Having a temperature higher than 104 degrees F (40 degrees C);

b. Containing more than 150 ppm by weight of fats, oils, and grease;

c. Containing any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases; and in no case pollutants with a closed cup flash-point of less than one hundred forty (140) degrees Fahrenheit (60) degrees C), or pollutants which cause an exceedance of 10 percent of the Lower Explosive Limit (LEL) at any point within the POTW.

d. Containing any garbage that has not been ground by house hold type or other suitable garbage grinders;

e. Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solid or viscous substances capable of causing obstructions or other interference's with proper operation of the sewer system;

f. Having a pH lower than 6.0 or higher than 11.0, or having any other corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewer system;

g. Containing toxic or poisonous substances in sufficient quantity to injure or interfere with any wastewater treatment process, or which would constitute hazards to humans or animals, or to create any hazard in waters which receive treated effluent from the sewer system treatment plant(s). Toxic wastes shall include, but are not limited to wastes containing cyanide, chromium, cadmium, mercury, copper, and nickel ions;

h. Containing noxious or malodorous gases or substances capable of creating a public nuisance; including pollutants which result in the presence of toxic gases, vapors, or fumes;

- i. Containing solids of such character and quantity that special and unusual attention are required for their handling;
- j. Containing any substance which may affect the treatment plant's effluent and cause violation of NPDES permit requirements;
- k. Containing any substance which would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under section 405 of the Federal Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act or other regulations or criteria for sludge management and disposal as required by the State;
- l. Containing color which is not removed in the treatment process;
- m. Containing any medical or infectious wastes;
- n. Containing any radioactive wastes or isotopes; or
- o. Containing any pollutant, including BOD pollutants, released at a flow rate and/or concentration which would cause interference with the treatment plant(s).

14. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, State and Federal pretreatment standards and requirements including any such standards or requirements that may become effective during the term of this permit.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes, but is not limited to: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance and procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this permit.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the

primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist.

b. The permittee may allow bypass to occur which does not cause effluent limitations to be exceeded, but only if it is also for essential maintenance to assure efficient operation.

c. Notification of bypass:

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the City of Fort Smith.

(2) Unanticipated bypass. The permittee shall immediately notify the Control Authority and submit a written notice to the POTW within five (5) days. This report shall specify:

- (i) A description of the bypass, and its cause, including its duration;
- (ii) Whether the bypass has been corrected; and
- (iii) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

4. Removed substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act. The permittee must also comply with any additional local and State standards including such standards or requirements that may become effective during the term of this permit.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to and the approval of the Control Authority.

2. Flow Measurements

Flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

4. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified in Section C. 3, the results of this monitoring shall be included in the permittee's self-monitoring reports.

5. Inspection and Entry

The permittee shall allow the Control Authority, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
- d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- e. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under this permit, could originate, be stored, or be discharged to the sewer system.

6. Retention of Records

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application.

This period may be extended by request of the Control Authority at any time.

b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Control Authority shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents

Records of sampling and analyses shall include:

- a. The date, exact place, time, and methods of sampling or measurement, and sample preservation techniques or procedures;
- b. Who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. Who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

8. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

SECTION D. ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give notice to the Control Authority ninety (90) days prior to any facility expansion, production increase, or process modifications which results in new or substantially increase discharges or a change in the nature of the discharge.

2. Anticipated Noncompliance

The permittee shall give advance notice to the Control Authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Automatic Re-sampling

If the results of the permittee's wastewater analysis indicates a violation has occurred, the permittee must notify the Control Authority within 24 hours of becoming aware of the violation and repeat the sampling and pollutant analysis and submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the violation.

4. Duty to Provide Information

The permittee shall furnish to the Control Authority within 14 days any information which the Control Authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also, upon request, furnish to the Control Authority within 14 days, copies of any records required to be kept by this permit.

5. Signatory Requirements

All applications, reports, or information submitted to the Control Authority must contain the following certification statement and be signed as required in Sections (a), (b), (c), or (d) below:

"I certify under penalty of law that this document and all attachments were prepared under by direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- a. By a responsible corporate officer, if the Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
 - (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or:
 - (ii) the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.
- c. The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a Federal, State, or local governmental entity, or their agents.
- d. By a duly authorized representative of the individual designated in paragraph (a), (b), or (c) of this section if:
 - (i) the authorization is made in writing by the individual described in paragraph (a), (b), or (c);
 - (ii) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or a well field superintendent, or a position

of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

(iii) the written authorization is submitted to the Control Authority.

e. If an authorization under paragraph (d) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph (d) of this section must be submitted to the Control Authority prior to or together with any reports to be signed by the newly authorized representative.

6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with Ordinance 80-11 shall inform the Control Authority within 24 hours of becoming aware of the upset at 784-2335, or by fax at 784-2404.

A written follow-up report of the upset shall be filed by the permittee with the Control Authority within five (5) days. The report shall specify:

- a. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b. Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

7. Annual Publication

A list of all industrial users which were subject to enforcement proceedings during the twelve (12) previous months shall be annually published by the Control Authority in the largest daily newspaper within its service area. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

8. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under Ordinance 80-11 or other local, State or Federal laws or regulations.

9. Penalties for Violations of Permit Conditions

Ordinance 80-11 provides that any person who violates a permit condition is subject to a civil penalty of at least \$1,000.00 dollars per day of such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties or a fine of up to \$1,000.00 dollars per day of violation, or by imprisonment, or both. The permittee may also be subject to sanctions under State and/or Federal law.

10. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or Ordinance 80-11 or causing damage to or otherwise inhibiting the Control Authority's wastewater disposal system shall be liable to the Control Authority for any expense, loss, or damage caused by such violation or discharge. The Control Authority shall bill the permittee for the costs incurred for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Ordinance 80-11.

Septic Hauler Permit

PERMIT NO: SEP000

SEPTIC TANK DISCHARGE PERMIT

In accordance with the provisions of Section 25-209. Ordinance 27-16

A Septic Hauler
12345 Any Road
Nowhere, AR 99999

is hereby authorized to discharge domestic septage through the outfall identified herein into the Control Authority's sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the Control Authority's sewer use ordinance.

This permit became effective on July 1, 2016 and shall expire at midnight on June 30, 2019.

This permit cannot be transferred, reassigned or sold to a new owner, new user, different premises or new or changed operation without the consent of the Control Authority.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Section 25-209 Ordinance 27-16, a minimum of 90 days prior to the expiration date.

By:

John Hancock,
Environmental Monitoring Supervisor

PART 1 - DISCHARGE LIMITATIONS

A. During the period of July 1, 2016 to June 30, 2019 the permittee is authorized to discharge domestic septage into the Control Authority sewer system from the outfall(s) listed below.

Description of outfall(s):

Outfall: Description:

001 Dump site/wash rack inside the fence at the southeast corner of the "P" Street Treatment Plant.

PART 2 - REPORTING REQUIREMENTS

Once per quarter, the permittee is to file with the Control Authority a report summarizing the permittee's septage hauling for the preceding quarter. This report shall include date and time of pumping event, name of business or individual, exact physical address, estimated or measured volume, type of waste discharged, discharge ticket number.

The schedule for submittal of this report shall be as follows:

Reporting Period:	Report Due Date:
1 st Quarter (January through March)	April 15 th
2 nd Quarter (April through June)	July 15 th
3 rd Quarter (July through September)	October 15 th
4 th Quarter (October through December)	January 15 th

PART 3 - SPECIAL CONDITIONS

- A. Only liquid waste from septic tanks, portable chemical toilets, and interceptor or cesspool contents can be discharged into the City's wastewater treatment system. **NOTE:** Waste from grease traps or pits, sand pits, industrial liquid wastes from industrial holding or settling tanks or industrial process lines is **strictly prohibited**.
- B. Waste discharge shall not harm or interfere with treatment plant operations in any way or cause unnecessary work for City employees.
- C. The discharge site is to be kept clean and in good order. Please report any problems to the "P" Street Supervisor.
- D. The discharge site will be open from 7:00 a.m. until 5:00 p.m. daily.
- E. It will be necessary for each driver to stop at the "P" Street Plant Office to complete a Waste Discharge Ticket **PRIOR** to actual discharge of the waste from the truck. This form will allow the driver to keep one copy for his records and place the original into a box for the City's records.

- F. At the City's discretion, monitoring the waste discharged may occur by sampling on a random basis to determine the nature of the waste that is discharged. If the wastes are found to contain unpermitted wastes, or levels above those as prescribed by this document you will be notified of the violation in accordance with Ordinance 27-16. This violation may result in either fines or the City may require you to have random samples tested by an independent laboratory to assure compliance with Ordinance 27-16. The testing program location, frequency and duration shall be directed by the City and all expenses incurred shall be borne by the permittee.
- G. The permittee shall not discharge wastewater containing any of the following substances from any of the outfalls:
1. Fats, wax, grease, or oils of petroleum origin, whether emulsified or not, in excess of one hundred and fifty (150) mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees F (0 degrees C) and 140 degrees F (60 degrees C);
 2. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases;
 3. Any effluent having a temperature higher than 104 degrees F (40 degrees C);
 4. Any ashes, hair, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solid or viscous substances capable of causing obstructions or other interference's with proper operation of the sewer system;
 5. Any pollutant, including oxygen demanding pollutants (BOD etc.) at flow rate and/or concentration which will cause the pollutant to pass through to the receiving waters or interfere with the City of Fort Smith's wastewater treatment facility. For the purpose of this section, the terms "pass through" and "interference" have the same definitions as appear in the City Ordinance 27-16.
- H. All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in Ordinance 27-16 and any applicable State and Federal laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

Section A. General Conditions and Definitions

1. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements
- b. Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit
- c. A change in any condition in either the permittee or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge
- d. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, POTW personnel or the receiving waters
- e. Violation of any terms or conditions of this permit
- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting
- g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13; or
- h. To correct typographical or other errors in the permit
- i. To reflect transfer of the facility ownership and/or operation to a new owner/operator
- j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

5. Permit Termination

This permit may be terminated for the following reasons:
(But not limited to)

- a. Falsifying reports
- b. Tampering with monitoring equipment
- c. Refusing to allow timely access to the facility premises and records
- d. Failure to meet effluent limitations
- e. Failure to pay fines
- f. Failure to pay sewer charges
- g. Failure to meet compliance schedules.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30) days of the receipt of this permit.

This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The effectiveness of this permit shall not be stayed pending a reconsideration by the Control Authority. If, after considering the petition and any arguments put forth by the Pretreatment Program Supervisor, the Control Authority determines that reconsideration is proper, the Control Authority shall remand the permit back to the Pretreatment Program Supervisor for reissuance. Those permit provisions being reconsidered by the Pretreatment Program Supervisor shall be stayed pending reissuance.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

8. Limitation on Permit Transfer

Permits may be assigned or transferred to a new owner and/or operator with prior approval of the Environmental Monitoring Supervisor:

- a. The permittee must give at least thirty (30) days advance notice to the Environmental Monitoring Supervisor
- b. The notice must include a written certification by the new owner which:
 - (i) States that the new owner has no immediate intent to change the facility's operations and processes
 - (ii) Identifies the specific date on which the transfer is to occur
 - (iii) Acknowledges full responsibility for complying with the existing permit.

9. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must submit an application for a new permit at least ninety (90) days before the expiration date of this permit.

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the user's existing permit.
- b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.

11. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute of adequate treatment to achieve compliance with the limitations contained in this permit.

12. Definitions

- a. **Daily Maximum** - The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharge over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- b. **Composite Sample** - A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.
- c. **Grab Sample** - An individual sample collected in less than fifteen (15) minutes, without regard for flow or time.
- d. **Instantaneous Maximum Concentration** - The maximum concentration allowed in any single grab sample.
- e. **Cooling Water** -
 - (1) **Uncontaminated**: Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water.
 - (2) **Contaminated**: Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.
- f. **Monthly Average** - The arithmetic mean of the values for effluent samples collected during a calendar month or specified thirty (30) day period (as opposed to a rolling 30 day window).
- g. **Weekly Average** - The arithmetic mean of the values for effluent samples collected over a period of seven consecutive days.
- h. **Bi-Weekly** - Once every other week.
- i. **Bi-Monthly** - Once every other month.
- j. **Upset** - Means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.

k. Bypass - Means the intentional diversion of wastes from any portion of a treatment facility.

13. General Prohibitive Standards

The permittee shall comply with all the general prohibitive discharge standards in city Ordinance 27-16. Namely, the industrial user shall not discharge wastewater to the sewer system:

- a. Having a temperature higher than 104 degrees F (40 degrees C);
- b. Containing more than 150 ppm by weight of fats, oils, and grease;
- c. Containing any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases; and in no case pollutants with a closed cup flashpoint of less than one hundred forty (140) degrees Fahrenheit (60) degrees C), or pollutants which cause an exceedance of 10 percent of the Lower Explosive Limit (LEL) at any point within the POTW.
- d. Containing any garbage that has not been ground by household type or other suitable garbage grinders;
- e. Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solids or viscous substances capable of causing obstructions or other interferences with proper operation of the sewer system;
- f. Having a pH lower than 6.0 or higher than 11.0, or having any other corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewer system;
- g. Containing toxic or poisonous substances in sufficient quantity to injure or interfere with any wastewater treatment process, to constitute hazards to humans or animals, or to create any hazard in waters, which receive, treated effluent from the sewer system treatment plant. Toxic wastes shall include, but are not limited to wastes containing cyanide, chromium, cadmium, mercury, copper, and nickel ions;
- h. Containing noxious or malodorous gases or substances capable of creating a public nuisance; including pollutants which result in the presence of toxic gases, vapors, or fumes;
- i. Containing solids of such character and quantity that special and unusual attention are required for their handling;
- j. Containing any substance, which may affect the treatment plant's effluent and cause violation of the NPDES permit requirements;
- k. Containing any substance which would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under section 405 of the Federal Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act or other regulations or criteria for sludge management and disposal as required by the State;
- l. Containing color, which is not removed in the treatment process;
- m. Containing any medical or infectious wastes;
- n. Containing any radioactive wastes or isotopes; or
- o. Containing any pollutant, including BOD pollutants, released at a flow rate and/or concentration, which would cause interference with the treatment plant.

14. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, State and Federal pretreatment standards and requirements including any such standards or requirements that may become effective during the term of this permit.

Section B. Operation and Maintenance of Pollution Controls

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes but is not limited to: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance and procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this permit.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

It shall be unlawful for the permittee to allow any bypass of the Control Authority's treatment facilities. It shall also be unlawful to discharge any tanked septage at locations other than those described in this permit.

4. Removed substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act. The permittee must also comply with any additional local and State standards including such standards or requirements that may become effective during the term of this permit.

Section C. Monitoring and Records

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to and the approval of the Control Authority.

2. Flow Measurements

If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

4. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified in Section C. 3, the results of this monitoring shall be included in any self-monitoring reports.

5. Inspection and Entry

The permittee shall allow the Control Authority, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
- d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- e. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under this permit, could originate, be stored, or be discharged to the sewer system.

6. Retention of Records

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recording for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application.

This period may be extended by request of the Control Authority at any time.

- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Control Authority shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents

Records of sampling and analyses shall include:

- a. The date, exact place, time, and methods of sampling or measurement, and sample preservation techniques or procedures;
- b. Who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. Who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

8. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

Section D. Additional Reporting Requirements

1. Planned Changes

The permittee shall give notice to the Control Authority ninety (90) days prior to any facility expansion, production increase, or process modifications which results in new or substantially increase discharges or a change in the nature of the discharge.

2. Anticipated Noncompliance

The permittee shall give advance notice to the Control Authority of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.

3. Automatic Resampling

If the results of the permittee's wastewater analysis indicates a violation has occurred, the permittee must notify the Control Authority within 24 hours of becoming aware of the violation and repeat the sampling and pollutant analysis and submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the violation.

4. Duty to Provide Information

The permittee shall furnish to the Control Authority within 14 days any information which the Control Authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also, upon request, furnish to the Control Authority within 14 days, copies of any records required to be kept by this permit.

5. Signatory Requirements

All applications, reports, or information submitted to the Control Authority must contain the following certification statement and be signed as required in Sections (a), (b), (c), or (d) below:

"I certify under penalty of law that this document and all attachments were prepared under by direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- a. By a responsible corporate officer, if the permittee submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
 - (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or;
 - (ii) the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. By a general partner or proprietor if the permittee submitting the reports is a partnership or sole proprietorship respectively.
- c. The principal executive officer or director having responsibility for the overall operation of the discharging facility if the permittee submitting the reports is a Federal, State, or local governmental entity, or their agents.
- d. By a duly authorized representative of the individual designated in paragraph (a), (b), or (c) of this section if:
 - (i) the authorization is make in writing by the individual described in paragraph (a), (b), or (c);
 - (ii) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Discharge originates, such as the position of plant manager, operator of a well, or a well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - (iii) the written authorization is submitted to the Control Authority.
- e. If an authorization under paragraph (d) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph (d) of this section must be submitted to the Control Authority prior to or together with any reports to be signed by the authorized representative.

6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with Ordinance 27-16 shall inform the Control Authority within 24 hours of becoming aware of the upset at 784-2330, or by fax at 784-2404.

A written follow-up report of the upset shall be filed by the permittee with the Control Authority within five (5) days. The report shall specify:

- a. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b. Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

7. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under Ordinance 27-16 or State or Federal laws or regulations.

8. Penalties for Violations of Permit Conditions

Ordinance 27-16 provides that any person who violates a permit condition is subject to a civil penalty of at least \$1,000.00 dollars per day of such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of up to \$1,000.00 dollars per day of violation, or by imprisonment, or both. The permittee may also be subject to sanctions under State and/or Federal law.

9. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or Ordinance 27-16 or causing damage to or otherwise inhibiting the Control Authority wastewater disposal system shall be liable to the Control Authority for any expense, loss, or damage caused by such violation or discharge. The Control Authority shall bill the permittee for the costs incurred for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Ordinance 27-16.

Permit Applications

OFFICIAL USE ONLY: TO BE COMPLETED BY CITY	
DATE APPLICATION RECEIVED	
DATE PERMIT ISSUED	
DATE PERMIT EXPIRES	
PERMIT NUMBER	

**CITY OF FORT SMITH UTILITY
WASTEWATER CONTRIBUTION
PERMIT APPLICATION FORM**

Note: Please read all attached instructions prior to completing this application.

SECTION A - GENERAL INFORMATION

1. Facility Name: _____
 - a. Operator Name: _____
 - b. Is the operator identified in 1.a., the owner of the facility?
 Yes No
 If no, provide the name and address of the operator and submit a copy of the contract and/or other documents indicating the operator's scope of responsibility for the facility.

2. Facility Address:
 Street: _____
 City: _____ State: _____ Zip: _____

3. Business Mailing Address:
 Street or P.O. Box: _____
 City: _____ State: _____ Zip: _____

4. Designated signatory authority of the facility:
 [Attach similar information for each authorized representative]
 Name: _____
 Title: _____
 Street: _____
 City: _____ State: _____ Zip: _____
 Phone#: _____ Email: _____

5. Designated facility contact:
 Name: _____
 Title: _____
 Phone#: _____ Email: _____

SECTION B - BUSINESS ACTIVITY

1. If your facility employs or will be employing processes in any of the industrial categories or business activities listed below (regardless of whether they generate wastewater, waste sludge, or hazardous wastes), place a check beside the category of business activity (check all that apply).

Industrial Categories*

- Aluminum Forming
- Asbestos Manufacturing
- Battery Manufacturing
- Can Making
- Canned and Preserved Fruit & Vegetable Processing
- Canned and Preserved Seafood
- Carbon Black Manufacturing
- Cement Manufacturing
- Coal Mining
- Coil Coating
- Concentrated Animal Feeding Operation and Feedlots
- Concentrated Aquatic Animal Production
- Copper Forming
- Dairy Product Processing or Manufacturing
- Electric and Electronic Components Manufacturing
- Electroplating
- Explosives Manufacturing
- Fertilizer Manufacturing
- Ferroalloy Manufacturing
- Foundries (Metal Molding and Casting)
- Glass Manufacturing
- Grain Mills
- Gum and Wood Chemical Manufacturing
- Hospital
- Ink Formulation
- Inorganic Chemicals
- Iron and Steel
- Leather Tanning and Finishing
- Meat and Poultry Products
- Metal Finishing
- Metal Products and Machinery
- Mineral Mining and Processing
- Nonferrous Metals Forming
- Nonferrous Metals Manufacturing
- Oil & Gas Extraction
- Ore Mining
- Organic Chemicals Manufacturing
- Paint and Ink Formulating
- Paving and Roofing Manufacturing
- Pesticides Chemical Manufacturing, Formulation, and/or Packaging
- Petroleum Refining
- Pharmaceutical Manufacturing
- Phosphate Manufacturing
- Photographic Processing

- Plastic and Synthetic Materials Manufacturing
- Plastics Processing Manufacturing
- Porcelain Enamel
- Printed Circuit Board Manufacturing
- Pulp, Paper, and Fiberboard Manufacturing
- Rubber Manufacturing
- Soap and Detergent Manufacturing
- Steam Electric Power Generation
- Sugar Processing
- Textile Mills
- Timber Products
- Transportation Equipment Cleaning
- Waste Combustors
- Other (Describe): _____

A facility with processes inclusive in these business areas may be covered by the Environmental Protection Agency's (EPA) categorical pretreatment standards. These facilities are termed "categorical users".

2. Give a brief description of all operations at this facility including primary products or services (attach additional sheets if necessary):

3. Indicate applicable North American Industry Classification System (NAICS) Code for all processes (If more than one applies, list in descending order of importance.):

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

4. PRODUCT RATE:

PRODUCT	PAST CALENDAR YEAR Amounts Per Day (Daily Units)		ESTIMATE THIS CALENDAR YEAR Amounts Per Day (Daily Units)	
	Average	Maximum	Average	Maximum

5. For production-based categorical IUs only:

What is the facility's long-term average categorical production rate for the past 5 years?

Categorical Process	5 Year Average	Units
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION C - WATER SUPPLY

1. Water Sources: (Check as many as are applicable)

- Private Well
- Surface Water
- Rain Water
- Municipal Water Utility (Specify City): _____
- Other (specify): _____

2. Name on the water bill: _____

Name: _____

Street: _____

City: _____ State: _____ Zip: _____

3. Water service account number(s): _____

4. List average water usage on premises:

[New facilities may estimate]

TYPE	AVERAGE WATER USAGE (GPD)	INDICATE ESTIMATED (E) OR MEASURED (M)
a. Contact cooling water		
b. Non-contact cooling water		
c. Boiler feed		
d. Process		
e. Sanitary		
f. Air pollution control		
g. Contained in product		
h. Plant & equipment washdown		
i. Irrigation & lawn watering		
j. Other		
k. Total of A-J		

SECTION D - SEWER INFORMATION

1. a. For an existing business:

Is the building presently connected to the public sanitary sewer system?

Yes: Sanitary sewer account number(s): _____

No: Have you applied for a sanitary sewer hookup?

Yes No

b. For a new business:

I. Will you be occupying an existing vacant building (such as in an industrial park)?

Yes No

II. Have you applied for a building permit if a new facility will be constructed?

Yes No

III. Will you be connected to the public sanitary sewer system?

Yes No

2. List size, descriptive location, and flow of each facility sewer which connects to the City's sewer system. (If more than four, attach additional information on another sheet.)

SEWER SIZE	DESCRIPTIVE LOCATION OF SEWER CONNECTION OR DISCHARGE POINT	AVERAGE FLOW (GPD)

SECTION E - WASTEWATER DISCHARGE INFORMATION

1. Does (or will) this facility discharge any wastewater other than from restrooms to the City's sewer?

- Yes If the answer to this question is "yes", complete the remainder of this application.
- No If the answer to this question is "no", skip to section I.

2. Provide the following information on wastewater flow rate. [New facilities may estimate]

a. Hours/Day Discharged (e.g. 8 hours/day) :

M _____ T _____ W _____ T _____ F _____ Sat _____ Sun _____

b. Hours of Discharge (e.g. 9 a.m. to 5 p.m.) :

M _____ T _____ W _____ T _____ F _____ Sat _____ Sun _____

c. Peak hourly flow rate (GPD): _____

d. Maximum daily flow rate (GPD): _____

e. Annual daily average (GPD): _____

3. If batch discharge occurs or will occur, indicate: [New facilities may estimate]

a. Number of batch discharges _____ (per day)

b. Average discharge per batch _____ (GPD)

c. Time of batch discharges _____ at _____
(days of week) (hours of day)

d. Flow rate _____ gallons/minute

e. Percent of total discharge _____

4. Schematic Flow Diagram - For each major activity in which wastewater is or will be generated, draw a diagram of the flow of materials, products, water, and wastewater from the start of the activity to its completion, showing all unit processes. Indicate which processes use water and which generate wastestreams. Include the average daily volume and maximum daily volume of each wastestream [new facilities may estimate]. If estimates are used for flow data, this must be indicated. Number each unit process having wastewater discharges to the community sewer. Use these numbers when showing this unit process in the building layout in Section H. This drawing must be certified by a State Registered Professional Engineer.

5. List average wastewater discharge, maximum discharge, and type of discharge (batch, continuous, or both), for each plant process. Include the reference number from the process schematic that corresponds to each process. [New facilities should provide estimates for each discharge].

No.	Process Description	Average Flow (GPD)	Maximum Flow (GPD)	Type of Discharge (batch, cont., none)

6. List average wastewater discharge, maximum discharge, and type of discharge (batch, continuous, or both), for each of nonprocess flows (i.e. cooling tower blowdown, boiler blowdown, etc). [New facilities should provide estimates for each discharge].

No.	Regulated Process	Average Flow (GPD)	Maximum Flow (GPD)	Type of Discharge (batch, cont., none)

7. For Categorical Users Subject to Total Toxic Organic (TTO) Requirements:

Provide the following (TTO) information.

- a. Does (or will) this facility use any of the toxic organics that are listed under the TTO standard of the applicable categorical pretreatment standards published by EPA?
 Yes No
- b. Has a baseline monitoring report (BMR) been submitted which contains TTO information?
 Yes No
- c. Has a toxic organics management plan (TOMP) been developed?
 Yes (please attach a copy) No

8. Do you have, or plan to have, automatic sampling equipment or continuous wastewater metering equipment at this facility?

- | | | | | |
|----------|--------------------|------------------------------|-----------------------------|------------------------------|
| Current: | Flow Metering | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| | Sampling Equipment | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Planned: | Flow Metering | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| | Sampling Equipment | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |

If so, please indicate the present or future location of this equipment on the sewer schematic and describe the equipment below:

9. Are any process changes or expansions planned during the next three years that could alter wastewater volumes or characteristics? Consider production processes as well as air or water pollution treatment processes that may affect the discharge.

- Yes No (If no, skip question 10)

10. Briefly describe these changes and their effects on the wastewater volume and characteristics: (Attach additional sheets if needed.)

11. Are any materials recycling or water reclamation systems in use or planned?

- Yes No (If no, skip question 12)

12. Briefly describe recovery process, substance recovered, percent recovered, and the concentration in the spent solution. Submit a flow diagram for each process: (Attach additional sheets if needed).

SECTION F - CHARACTERISTICS OF DISCHARGE

All current industrial users are required to submit monitoring data on all pollutants that are regulated specific to each process. Use the tables provided in this section to report the analytical results. **DO NOT LEAVE BLANKS.** For all other (nonregulated) pollutants, indicate whether the pollutant is known to be present (P), suspected to be present (S), or known not to be present (O), by placing the appropriate letter in the column for average reported values. Indicate on either the top of each table, or on a separate sheet, if necessary the sample location and type of analysis used. Be sure methods conform to 40 CFR Part 136; if they do not, indicate what method was used.

New dischargers should use the table to indicate what pollutants will be present or are suspected to be present in proposed wastestreams by placing a P (expected to be present), S (may be present), or O (will not be present) under the average reported values.

Pollutant	Detection Level Used		Maximum Daily Value		Average Analysis		Units		Number of Analyses
	Conc.	Mass	Conc.	Mass	Conc.	Mass	Conc.	Mass	
Acenaphthene									
Acrolein									
Acrylonitrile									
Benzene									
Carbon Tetrachloride									
Chlorobenzene									
1,2,4- Trichloroethane									
Hexachlorobenzene									
1,2-Dichloroethane									
1,1,1-Trichloroethane									
Hexachloroethane									
1,1-Dichloroethane									
1,1,2-Trichloroethane									
1,1,2,2-Tetrachloroethane									
Chloroethane									
Bis(2-chloroethyl) ether									
1,7 bis (chloro methyl) ether									
2-Chloroethyl vinyl ether									
2-Chloronaphthalene									
2,4,6-Trichlorophenol									
Parachlororometa cresol									
Chloroform									
2-Chlorophenol									
1,2-Dichlorobenzene									
1,3-Dichlorobenzene									
1,4-Dichlorobenzene									
3,3-Dichlorobenzene									
1,1-Dichloroethylene									
1,2-Trans-dichloroethylene									
2,4-Dichlorophenol									
1,2-Dichloropropane									
1,2-Dichloropropylene									
1,3-Dichloropropylene									

Pollutant	Detection Level Used		Maximum Daily Value		Average Analysis		Units		Number of Analyses
	Conc.	Mass	Conc.	Mass	Conc.	Mass	Conc.	Mass	
2,4-Dimethylphenol									
2,4-Dinitrotoluene									
2,6-Dinitrotoluene									
1,2-Diphenylhydrazine									
Ethylbenzene									
Fluoranthene									
4 - Chlorophenyl phenyl ether									
4 - Bromophenyl phenyl ether									
Bis (2-chloroisopropyl) ether									
Bis (2-chloroethoxy) methane									
Methylene Chloride									
Methyl Chloride									
Methyl Bromide									
Bromoform									
Dichlorobromomethane									
Chlorodibromomethane									
Hexachlorobutadiene									
Hexachlorocyclopentadiene									
Isophorone									
Naphthalene									
Nitrobenzene									
Nitrophenol									
2- Nitrophenol									
4-Nitrophenol									
2,4-Dinitrophenol									
4,6-Dini-o-cresol									
N-nitrosodimethylamine									
N-nitrosodiphenylamine									
N-Nitrosodi-n-propylamine									
Pentachlorophenol									
Phenol									
Bis (2-ethyl hexyl) phthalate									
Butyl Benzyl phthalate									

Pollutant	Detection Level Used		Maximum Daily Value		Average Analysis		Units		Number of Analyses
	Conc.	Mass	Conc.	Mass	Conc.	Mass	Conc.	Mass	
Di-n-butyl phthalate									
Di-n-octyl phthalate									
Diethyl phthalate									
Dimethyl phthalate									
Benzo (a) anthracene									
Benzo(a) pyrene									
3,4-Benzofluoranthene									
Chrysene									
Acenaphthylene									
Anthracene									
Benzo (ghi) perylene									
Fluorene									
Phenanthrene									
Dibenzo (a,h) anthracene									
Indeno (1,2,3-cd) pyrene									
Pyrene									
Tetrachloroethylene									
Toluene									
Trichloroethylene									
Vinyl chloride									
Aldrin									
Dieldrin									
Chlordane									
4,4' - DDT									
4,4' - DDE									
4,4' - DDD									
Alpha-Endosulfan									
Beta-Endosulfan									
Endosulfan sulfate									
Endrin									
Endrin Aldehyde									
Heptachlor									
Heptachlor Epoxide									

Pollutant	Detection Level Used	Maximum Daily Value		Average Analysis		Units		Number of Analyses
		Conc.	Mass	Conc.	Mass	Conc.	Mass	
Alpha-BHC								
Beta-BHC								
Gamma-BHC								
Delta-BHC								
PCB-1242								
PCB-1254								
PCB-1221								
PCB-1232								
PCB-1248								
PCB-1260								
PCB-1260								
Toxaphene (TCDD)								
Asbestos								
Acidity								
Alkalinity								
Bacteria								
BOD (5)								
COD								
Chloride								
Chlorine								
Fluoride								
Hardness								
Magnesium								
NH(3)-N								
Oil & Grease								
TSS								
TOC								
Kjeldahl N								
Nitrate N								
Nitrite N								
Organic N								
Orthophosphate P								

SECTION G - TREATMENT

1. Is any form of wastewater treatment (see list below) practiced at this facility?

Yes

No

2. Is any form of wastewater treatment (or changes to an existing wastewater treatment) planned for this facility within the next three years?

Yes: Describe: _____

No

3. Treatment devices or processes used or proposed for treating wastewater or sludge.
(Check all that apply)

Air flotation

Centrifuge

Chemical Precipitation

Chlorination

Cyclone

Filtration

Flow equalization

Grease or oil separation, type: _____

Grease Trap

Grinding Filter

Grit removal

Ion Exchange

Neutralization, pH correction

Ozonation

Reverse osmosis

Screen

Sedimentation

Septic Tank

Solvent separation

Spill protection

Sump

Rainwater diversion or storage

Biological treatment, type: _____

Other chemical treatment, type: _____

Other physical treatment, type: _____

Other, type: _____

4. Is process wastewater mixed with nonprocess wastewater prior to the sampling point?

Yes: Describe: _____

No

5. Description: Describe the pollutant loadings, flow rates, design capacity, physical size, and operating procedures of each treatment facility checked above.

6. Attach a process flow diagram for each existing treatment system. Include process equipment, by-products, by-product disposal method, waste and by-product volumes, and design and operating conditions.

7. Describe any changes in treatment or disposal methods planned or under construction for the wastewater discharge to the sanitary sewer. Please include estimated completion date(s).

8. Do you have a treatment operator? Yes No

(if yes,)

Name: _____

Title: _____

Phone: _____

Full Time: _____ (specify hours)

Part Time: _____ (specify hours)

9. Do you have a manual on the correct operation of your treatment equipment?

Yes

No

10. Do you have a written maintenance schedule for your maintenance equipment?

Yes

No

SECTION H - FACILITY OPERATIONAL CHARACTERISTICS

1. Shift information

Work Days	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shift per Work Day	_____	_____	_____	_____	_____	_____	_____
Empls per Shift	1 st	_____	_____	_____	_____	_____	_____
	2 nd	_____	_____	_____	_____	_____	_____
	3 rd	_____	_____	_____	_____	_____	_____
Shift Start and End Times	1 st	_____	_____	_____	_____	_____	_____
	2 nd	_____	_____	_____	_____	_____	_____
	3 rd	_____	_____	_____	_____	_____	_____

2. Indicate whether the business activity is:

- Continuous through the year, or
- Seasonal - Check the months of the year during which the business activity occurs:

J F M A M J J A S O N D

COMMENTS: _____

3. Indicate whether the facility discharge is:

- Continuous through the year, or
- Seasonal - Check the months of the year during which the business activity occurs:

J F M A M J J A S O N D

COMMENTS: _____

7. Building Layout - Draw to scale the location of each building on the premises. Show map orientation and location of all water meters, storm drains, numbered unit processes (from schematic flow diagram), public sewers, and each facility sewer line connected to the public sewers. Number each sewer and show existing and proposed sampling locations. This drawing must be certified by a State Registered Professional Engineer.

A blueprint or drawing of the facilities showing the above items may be attached in lieu of submitting a drawing on this sheet.

SECTION I - SPILL PREVENTION

1. Do you have chemical storage containers, bins, or ponds at your facility?

- Yes No

If yes, (on another sheet), please give a description of their location, contents, size, and frequency and method of cleaning. Also indicate in a diagram or comment on the proximity of these containers to sewer or storm drains. Indicate if buried metal containers have cathodic protection.

2. Do you have floor drains in your manufacturing or chemical storage area(s)?

- Yes No

If yes, where do they discharge to? _____

3. If you have chemical storage containers, bins, or ponds in manufacturing area, could an accidental spill lead to a discharge to: (check all that apply).

- an onsite disposal system
- public sanitary sewer system (e.g. through a floor drain)
- storm drain
- to ground
- other, specify: _____
- not applicable, no possible discharge to any of the above routes

4. Do you have an accidental spill prevention plan (ASPP) to prevent spills of chemicals or slug discharges from entering the Approving Authority's collection system?

- Yes - **(Please enclose a copy with the application)**
- No
- N/A, Not applicable since there are no floor drains and/or the facility discharge(s) only domestic wastes.

5. Please describe below any previous spill events and remedial measures taken to prevent their reoccurrence.

SECTION J - BEST MANAGEMENT PRACTICES

1. Describe the types of best management practices (BMPs) you employ to prevent pollutants from entering a facility's wastestream or from reaching a discharge point. BMPs are management and operational procedures such as schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the general and specific prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

2. Do you have the potential for a slug discharge to the sewer system? A slug discharge is any discharge of a non-routine episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits, or permit conditions [40 CFR 403.8(f)(2)(v)].

Yes

No

- I. If any of your wastes are sent to an off-site centralized waste treatment facility, identify the waste and facility.

- II. Please describe current mechanisms for prevention of slug discharges.

- III. Please describe where and how raw materials are stored.

SECTION K - NON-DISCHARGED WASTES

1. Are any waste liquids or sludges generated and not disposed of in the sanitary sewer system?
 Yes, please describe below
 No, skip the remainder of Section K.

<u>Waste Generated</u>	<u>Quantity (per year)</u>	<u>Disposal Method</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Indicate which wastes identified above are disposed of at an off-site treatment facility and which are disposed of on-site.
3. If any of your wastes are sent to an off-site centralized waste treatment facility, identify the waste and facility.
4. If an outside firm removes any of the above checked wastes, state the name(s) and address(es) of all waste haulers:

a. _____ _____ _____	b. _____ _____ _____
Permit No. (if appl.): _____	Permit No. (if appl.): _____

5. Have you been issued any Federal, State, or local environmental permits?
 Yes
 No
 If yes, please list the permit(s):

6. Describe where and how waste liquids and sludges are stored.

Authorized Representative Statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name(s)

Title

Signature

Date

Phone

OFFICIAL USE ONLY: TO BE COMPLETED BY CITY	
DATE APPLICATION RECEIVED	
DATE PERMIT ISSUED	
DATE PERMIT EXPIRES	
PERMIT NUMBER	

**CITY OF FORT SMITH UTILITY
SEPTIC WASTE HAULER DISPOSAL PERMIT APPLICATION**

SECTION A – COMPANY INFORMATION

1. Facility/Company Name: _____

2. Facility/Company Address:

Street: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Fax Number: _____

E-mail: _____

3. Business Mailing Address:

Street: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Fax Number: _____

E-mail: _____

4. Designated signatory authority of the facility/company: (Note: If more than one authorized representative, please provide similar information for each.)

Name: _____

Title: _____

Street: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Fax Number: _____

E-mail: _____

5. Designated Contact Person:

Name: _____

Title: _____

Street: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Fax Number: _____

E-mail: _____

6. Operator's Name: _____

6a. Is the operator of the septic hauler truck listed in either item 4 or 5? Yes No

(If "No", provide the name, address phone number and e-mail of the operator and submit a copy of the contract and/or other documents indicating the operator's scope of responsibility for the facility.)

SECTION B - BUSINESS ACTIVITY

1. Give a brief description of all operations at this facility including primary products or services (attach additional sheets if necessary).

2. Indicate applicable North American Industry Classification System (NAICS) Code for all processes collected/hailed (If more than one applies, list in descending order of importance.):

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

3. Septage Volume Hauled to Fort Smith Waste Treatment Plant:

Past Calendar Year:

Gallons Per Month:	Average:	Maximum:	Minimum:

Projected Calendar Year:

Gallons Per Month:	Average:	Maximum:	Minimum:

4. For each truck operated list the following information:

Vehicle	Make	Model	Tank Vol. (Gallons)	Vehicle License		ADH Permit #
				License No.	State	
1						
2						
3						
4						

5. Provide a color photograph of each truck clearly showing Company Name and Truck Capacity.

SECTION C - SEWER INFORMATION

1. For an existing business:

Does the company have a current permit? Yes No

If "Yes": Permit number(s): _____ Expiration Date: _____

If "No": Have you reapplied for a permit before the permit expired? Yes No

2. For a new business:

a. Will you be occupying an existing vacant building? Yes No

b. Have you applied for a building permit if a new facility will be constructed? Yes No

c. Will you be connected to the public sanitary sewer system? Yes No

SECTION D - FACILITY OPERATIONAL CHARACTERISTICS

1. Shift Information

Work Days	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Shifts per work day							
Employee's per shift							
Shift start and end times							

2. Indicate whether the business activity is:

Continuous through the year, or

Seasonal - Check the months of the year during which the business activity occurs:

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

3. Does operation shut down for vacation, maintenance, or other reasons? Yes No

If "Yes", indicate reasons and period when shutdown occurs:

4. List types and quantity of chemicals used or planned for use (attach list if needed). Include copies of Manufacturer's Material Safety Data sheets (MSDS) for all chemicals identified:

SECTION E - NON-DISCHARGED WASTES

1. Are any wastes, liquids or sludges collected and hauled not disposed of at the City's Waste Treatment Plant?

Yes, please describe below No

Waste Collected/Hauled	Quantity Per Year	Disposal Method

2. Indicate which wastes identified above are disposed of at an off-site treatment facility and which are disposed of on-site. (Use separate sheet if necessary)

3. If any of your wastes are sent to an off-site centralized waste treatment facility, identify the waste and facility. (Use separate sheet if necessary)

4. If an outside firm removes any of the above checked wastes, state the name(s) and address(es) of all waste haulers and include appropriate permit numbers. (Use separate sheet if necessary)

5. Have you been issued any other Federal, State, or local environmental permits?

Yes, please list below No

Permit Type	Permit Number

Section F - Authorized Signatures

Compliance certification:

1. Are all applicable Federal, State, or local pretreatment standards and requirements being met on a consistent basis?

Yes

No

Not yet discharging

2. If No:

- a. List what additional operations and maintenance procedures are being considered to bring the facility into compliance. (Use separate sheet if necessary)

- b. Provide a schedule for bringing the facility into compliance. Specify major events planned along with reasonable completion dates. Note that if the Approving Authority issues a permit to the applicant, it may establish a schedule for compliance different from the one submitted by the facility. (Use separate sheet if necessary)

Authorized Representative Statement:

"I certify under penalty of law that this document and all attachments were prepared under by direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name: _____

Title: _____

Phone Number: _____

Fax Number: _____

Email: _____

Signature: _____

Date: _____

Inspection Forms

Significant Industrial User Inspection

Facility Inspected: _____

Date of Inspection: _____

Inspector(s): _____

Industrial User Contacts: _____

Time of Arrival: _____

Time Inspection Completed: _____

Facility Name: _____

Inspection Date: _____

Fact Sheet	
Permitted Outfall(s)	
<i>Attach a copy of the pertinent page from the current Industrial User's permit listing and describing the permitted outfall(s) to the City's sewer system.</i>	
Effluent Limitations	
<i>Attach a copy of the pertinent page of the current Industrial User's permit listing the effluent limitations for the permitted outfall(s) to the City's sewer system.</i>	
Self Monitoring Requirements	
<i>Attach a copy of the pertinent page from the current Industrial User's permit listing the self monitoring requirements for the permitted outfall(s) to the City's sewer system.</i>	
General Conditions	
1. Has the Industrial User's permit been terminated? <i>If yes, list date and reason.</i>	<input type="checkbox"/> Yes, <input type="checkbox"/> No
2. Has the Permittee submitted an application for a new permit at least 90 (ninety) days before the expiration date of the current permit? <i>Applicable only if nearing expiration date of current permit. If yes, list date received and any comments.</i>	<input type="checkbox"/> Yes, <input type="checkbox"/> No, <input type="checkbox"/> Not Applicable
Information Requirements	
1. Has the Permittee furnished to the Control Authority within 10 workdays any information which the Control Authority has requested to determine whether cause exists for modifying, revoking and reissuing, or terminating the Industrial User's permit, or to determine compliance with the Industrial User's permit?	<input type="checkbox"/> Yes, <input type="checkbox"/> No, <input type="checkbox"/> N/A
2. Has the Permittee furnished to the Control Authority within 10 workdays any requested copies of any records required to be kept by the Industrial User's permit?	<input type="checkbox"/> Yes, <input type="checkbox"/> No, <input type="checkbox"/> N/A
Annual Publication	
1. Was the Permittee included on the list of all industrial users that were subject to enforcement action during the (12) previous months in the most recent annual newspaper publication by the Control Authority? <i>If yes, list date and publication(s) or other media.</i>	<input type="checkbox"/> Yes, <input type="checkbox"/> No

**The City of Fort Smith
Significant Industrial User Inspection Report**

Facility Name: _____

Inspection Date: _____

Violation Penalties

1. Has the Permittee been subject to any civil penalties for violating any permit condition? Yes, No
If yes, list.

1. Has the Permittee been subject to any criminal penalties for willfully or negligently violating permit conditions? Yes, No
If yes, list

Facility Inspection

General Information

Arrival Time:

Inspector(s):

Permit Number:

Site Address:

Mailing Address:

Primary Contact:

Title:

Telephone:

Fax:

Additional Contact:

Title:

Telephone:

Additional Contact:

Title:

Telephone:

Email:

**The City of Fort Smith
Significant Industrial User Inspection Report**

Facility Name: _____

Inspection Date: _____

Process Information					
SIC Code(s):					
NAICS Code(s):					
Raw Materials:					
Process Description:					
Products:					

Facility Name: _____

Inspection Date: _____

Operations Information

	1st Shift	2nd Shift	3rd Shift
Number Of Employees: (Avg.)			
Working Hours:			
Hours/Day:			
Days/Week:			

Water Source & Usage

Source:	Volume (GPD):	Usage:	Volume (GPD):
City:		Process:	
Landlord:		Sanitary:	
Other:		Consumed in Product:	
Other:		Evaporation:	
Other:		Other:	
Total:		Total:	
List all water account number(s):			
List wastewater account number(s): If applicable.			

Permit Compliance Appendix

Industrial User Permit

1. Does the facility have a copy of its current Industrial User permit on file and available for inspection? Yes, No

Comments:

General Conditions

1. Is the Permittee in compliance with all conditions of its' permit?

Yes, No

If no, list any administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, or summary abatement resulting from noncompliance with the Industrial User's permit.

If yes, skip next question.

2. If the Permittee is in noncompliance of its' permit, is the Permittee taking all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance including accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge?

Yes, No

If yes, detail the steps taken or if no, explain inaction.

1. Has the Industrial User's permit been modified for good causes since the permit was granted?

Yes, No

If yes, list causes and modifications.

2. Has the Industrial User's permit been assigned or transferred to a new owner and/or operator since the permit was issued?

Yes, No

If yes, list new owner and/or operator and give date assigned or transferred.

3. Has the Permittee increased or decreased the use of potable or process water?

Yes, No,

Not Applicable

If yes, explain.

Increased water use.

Decreased water use.

General Permit Standards

1. Is the Industrial User discharging wastewater to the sewer system;
- a) Having a temperature higher than 104 degrees F (40 degrees C), Yes, No
 - b) Containing more than 150 PPM by weight of fats, oils, and grease, Yes, No
 - c) Containing any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases; or pollutants with a closed cup flash-point of less than one hundred forty (140) degrees Fahrenheit (60 degrees C), or pollutants which cause an exceedance of 10 percent of the Lower Explosive Limit (LEL) at any point within the POTW, Yes, No
 - d) Containing any garbage that has not been ground by house hold type or other suitable garbage grinders, Yes, No
 - e) Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or other solids or viscous substances capable of causing obstructions or other interference's with proper operation of the sewer system, Yes, No
 - f) Having a pH lower than 6.0 or higher than 11.0, or having any other corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewer system, Yes, No
 - g) Containing toxic or poisonous substances, such as wastes containing cyanide, chromium, cadmium, mercury, copper, and nickel ions, in sufficient quantity to injure or interfere with any wastewater treatment process, to constitute hazards to human or animals, or to create any hazard in waters which receive treated effluent from the sewer system treatment plant, Yes, No
 - h) Containing noxious or malodorous gases or substances capable of creating a public nuisance; including pollutants which may result in the presence of toxic gases, vapors, or fumes; Yes, No
 - i) Containing solids of such character and quantity that special and unusual attention is required for their handling, Yes, No
 - j) Containing any substance which may affect the treatment plant's effluent and cause violation of the NPDES permit requirements, Yes, No
 - k) Containing any substances which would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines of regulations developed under section 405 of the Federal Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or other regulations or criteria for sludge management and disposal as required by the State, Yes, No
 - l) Containing color which is not removed in the treatment process, Yes, No
 - m) Containing any medical or infectious wastes, Yes, No
 - n) Containing any radioactive wastes or isotopes, or Yes, No
 - o) Containing any pollutant, including BOD pollutants, released at a flow rate and/or concentration, which would cause interference with the treatment plant? Yes, No

Pollution Controls

1. Does the Industrial User operate a pretreatment plant, equipment, or otherwise pre-treat its' wastewater prior to discharge to the City's sewer system? Yes, No
If yes, list equipment utilized and/or describe treatment process. Attach copies of any available system drawings or schematics. If no, skip section.

1. Number of pretreatment operators on staff:

2. Do operators hold State of Arkansas Waste Water Treatment Operator Licenses? Yes, No

3. If so, list number of employees having each classification of license:

Basic Industrial: Advanced Industrial: Class I: Class II:
 Class III: Class IV:

Comments:

Name: License #: Date Issued: Expires:

4. If the facility's pretreatment plant has been evaluated and rated by the State, list the plant's classification (Class I, Class II, Class III, etc.):

Bypass Of Treatment Facilities

1. Has the Permittee bypassed treatment facilities? Yes, No
If yes, detail below. N/A
If no, or not applicable, skip section.

2. Is bypass unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist? Yes, No

3. Is bypass for essential maintenance to assure efficient operation, which does not cause effluent limitations to be exceeded? Yes, No

4. Did the Permittee notify the City of Fort Smith of any anticipated bypass by written notice, at least ten days before the date of the bypass? Yes, No

5. Did the Permittee immediately notify the Control Authority of any unanticipated bypass and submit a written notice to the POTW within 5 (five) days? Yes, No

6. Did written notice of an unanticipated bypass specify;
- a) A description of the bypass, and its cause, including its duration, Yes, No
 - b) Whether the bypass has been corrected, Yes, No
 - c) The steps being taken or to be taken to reduce, eliminate, and prevent a reoccurrence of the bypass? Yes, No

Comments:

Facility Activity Reduction Requirements

1. Is the Permittee's treatment facility experiencing any reduction of efficiency of operation, or loss or failure of all or part of the treatment facility? Yes, No, N/A
If yes, detail below. If no, or not applicable, skip section.
2. Is the Permittee attempting to control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided? Yes, No

Removed Substances

1. Is the Permittee disposing of solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act? Yes, No, N/A
If yes, list wastes, disposal methods, contractor, etc.
If no, explain.
2. Is the Permittee complying with any additional local and State standards including such standards or requirements that may be come effective during the term of this permit? Yes, No, N/A
If yes, list additional standards. If no, explain.

Process Control Laboratory

1. Does the Permittee operate its' own laboratory for pretreatment process controls? Yes, No

If yes, list parameters analyzed and any additional comments. If no, skip section.

2. Is the process control laboratory certified by the State of Arkansas? Yes, No

3. Number of pretreatment system laboratory technicians on staff:

4. Are laboratory technician(s) certified in wastewater analysis? Yes, No

Representative Sampling

1. Is all equipment used for sampling and analysis routinely calibrated, inspected and maintained to ensure their accuracy and verified by records of maintenance or calibration? Yes, No, N/A

If yes, list equipment used by the Permittee for sampling and/or analysis and any additional comments.

If no, detail deficiencies.

Not applicable, if no Industrial User sampling and analysis equipment is used.

2. Has Control Authority been notified and has Control Authority approved the changing of any sampling points? Yes, No, N/A

Flow Measurement

1. Does the Permittee utilize a wastewater flow meter(s) or water meter(s) for flow determination? Wastewater Flow Meter(s)

If wastewater meter, list type(s) used and complete section.

If water meter used, skip section.

Water Meter(s)

2. Are appropriate flow measurement devices installed, calibrated and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of the type of device being used, including records of verification of maintenance and calibration? Yes, No

3. Has the Permittee submitted a written certification of the flow measurement device(s) calibration by an independent source qualified to install and/or calibrate flow measurement equipment and has been granted permission by the Control Authority to use device(s)? Yes, No

4. Are devices selected capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes? Yes, No

Self Monitoring Procedures

Not applicable if no discharge and self monitoring requirements suspended; skip section.

N/A

1. Is the Permittee monitoring outfall(s) for the required parameters? Yes, No

2. Are all parameters being sampled at the designated sampling point(s)? Yes, No

3. Are any pollutants monitored more frequently than required by the Industrial User's permit? Yes, No

4. If any pollutants were monitored more frequently than required, were test procedures prescribed in 40 CFR Part 136 and amendments thereto, or as otherwise approved by the EPA or as specified in the Industrial User's permit, used? Yes, No, N/A

5. Is all sampling conducted for the purposes of self monitoring being performed by a certified independent laboratory acceptable to the Control Authority, or has a permit variance been granted to the Industrial User to perform its' own sampling? Yes, No

Sampling performed by: Outside Laboratory Industrial User

If independent laboratory or laboratories used, list name(s):

6. Are all laboratory analyses conducted for the purposes of self monitoring being performed by a certified independent laboratory or laboratories acceptable to the Control Authority? Yes, No

Name of independent laboratory or laboratories used:

Review laboratory analysis reports, monthly self monitoring reports, and any chain of custody records or sampling event records.

1. Do records of sampling and analyses include;

a) The date, exact place, time, and methods of sampling or measurement, and preservation techniques or procedures, Yes, No

b) Who performed the sampling or measurements Yes, No

c) The date(s) analyses were performed, Yes, No

d) Who performed the analyses, Yes, No

e) The analytical techniques or methods used, Yes, No

f) The results of such analyses? Yes, No

Correct sample types or methods.

Correct handling and preservation techniques. *

Correct sample frequency.

Correct laboratory analysis methods. *

* In accordance with 40 CFR Part 136 and amendments thereto.

Automatic Re-sampling

1. Did the results of the Permittee's self monitoring wastewater analysis indicate a violation of the Industrial User's permit had occurred? Yes, No

If yes, list each violation separately. If no or not applicable, skip section. N/A

(Not applicable if no discharge and self monitoring requirements suspended.)

Date of violation:	Notified the City within 24 hours?	Repeated pollutant sampling and analysis?	Submitted re-sample results?	Results submitted within 30 days?
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No
	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No

Accidental Discharge Report

1. Did the Permittee have any occurrence of an accidental discharge of substances prohibited by Ordinance 80-11 or any slug loads or spills that may enter the public sewer? Yes, No

If yes, detail below. If no, skip section.

2. Did the Permittee immediately notify the Control Authority upon the occurrence? Yes, No

3. Did the Permittee's notification include location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken? Yes, No

4. Did the Permittee submit to the Control Authority a detailed written report within seven days following the accidental discharge? Yes, No

5. Did the report contain a description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the Permittee's compliance status, including the location of the discharge, type, concentration and volume of the waste? Yes, No

6. Did the report contain the duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur? Yes, No

7. Did the report contain all steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance? Yes, No

Operating Upset Report

1. Did the Permittee experience any upset in operations that placed the Permittee in a temporary state of noncompliance with the provisions of either the user's permit or with Ordinance 80-11? Yes, No

If yes, detail below. If no, skip section.

2. Did the Permittee inform the Control Authority within 24 hours of becoming aware of the upset? Yes, No

3. Did the Permittee file a written follow-up report of the upset to the Control Authority within 5 (five) days? Yes, No

4. Did the report contain a description of the upset, the cause(s) thereof, and the upset's impact on the Permittee's compliance status? Yes, No

5. Did the report contain the duration of noncompliance, including exact dates and times of noncompliance and, if not corrected, the anticipated time the noncompliance is expected to continue? Yes, No

6. Did the report contain all steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset? Yes, No

7. Did the report also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner? Yes, No

Special Monitoring And Reporting Requirements

1. Does the Permittee have any additional or special monitoring requirements particular to this Industrial User? Yes, No

If yes, attach copy of pertinent page of the industrial user's permit. If no, skip section.

Compliance Schedule Requirements

1. Was the Industrial User under a compliance schedule with the City? Yes, No

If yes, attach copy of the Industrial User's compliance schedule. If no, skip section.

2. Did the Permittee submit quarterly compliance reports the Pretreatment Office?

1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No	<input type="checkbox"/> Yes, <input type="checkbox"/> No

Records Retention

1. Is the Permittee retaining records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by user's permit, and records of all data used to complete the application for permit, for a period of at least three years from the date of the sample, measurement, report or application? Yes, No

2. Are all records that pertain to matters that are the subject of special orders or any other enforcement action or litigation activities brought by the Control Authority being retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired? Yes, No
 N/A

Planned Facility Changes

1. Has the Permittee had any facility expansion, production increase, or process modifications, which results in new or substantially increased discharges or a change in the nature of the discharge? Yes, No
 N/A

If not applicable, skip next question.

2. Did the Permittee give notice to the Control Authority 90 days prior to the above planned changes? Yes, No
 N/A

3. Has the Permittee given advance notice to the Control Authority of any planned changes in the permitted facility or activity, which may result in noncompliance with the Industrial User's permit requirements? Yes, No
 N/A

Signatory Requirements

1. Do all applications, reports, or information submitted to the Control Authority contain the certification statement from Section D, Article 5 of industrial user's permit and are signed as required in paragraphs (a), (b), (c) or (d)? Yes, No
2. Has the Permittee submitted a request to the Control Authority for permission to change its' authorized representative, if authorization is under paragraph (d)? Yes, No

Cost Recoveries And Penalties

1. Has the Permittee been liable and billed for costs incurred for any cleaning, repair, or replacement work caused by any violation or discharge that caused any expense, loss, or damage to or otherwise inhibited the Control Authority wastewater disposal system? Yes, No, N/A

Facility Site Inspection

Spill Prevention

1. Does the facility have a spill prevention plan? Yes, No
If no, skip next question.

2. Is a copy of the spill prevention plan on file with the Control Authority? Yes, No

Slug Control

1. Were the Industrial User's slug control and prevention measures evaluated? Yes, No
2. Are adequate precautions being taken and proper procedures followed to prevent accidental spills and slug loads? Yes, No

Facility Name: _____

Inspection Date: _____

Pollution Controls

1. Is the Permittee at all times properly operating and maintaining all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with it's permit? Yes, No, N/A

Not applicable if no pretreatment equipment, skip section.

2. Does the Permittee's proper operation and maintenance include;
- a) Effective performance; Yes, No
 - b) Adequate funding; Yes, No
 - c) Adequate operator staffing and training; Yes, No
 - d) Adequate laboratory and process controls? Yes, No

3. Does the Permittee have proper records of operation and maintenance of pretreatment equipment? Yes, No, N/A

Manufacturing Facilities

1. Were manufacturing or production facilities inspected? Yes, No, N/A
- Not applicable if no manufacturing or production facilities.*

Pretreatment Facilities

1. Were pretreatment facilities inspected? Yes, No, N/A
- Not applicable if no pretreatment equipment.*

Self Monitoring Procedures

1. List any comments regarding observation of the Industrial User's self monitoring procedures:

Entry And Inspection

1. Has the Permittee allowed the Control Authority or an authorized representative upon the presentation of credentials and other documents as may be required by law to;
- a) Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of user's permit, Yes, No
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of user's permit, Yes, No
 - c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under user's permit, Yes, No
 - d) Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and Yes, No
 - e) Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under user's permit, could originate, be stored, or be discharged to the sewer system? Yes, No

If answered no to any question, detail all instances of noncompliance.

Facility Name: _____

Inspection Date: _____

Slug Control Plan

1. Is the Industrial User currently required to have a plan to control slug discharges? Yes, No

Slug Control Plan Evaluation

1. Has the Permittee had any accidental discharges (slug loads or spills) that have entered the sewer system during the previous compliance year? Yes, No

If yes, list date, duration of discharge describe the accidental discharge, the cause(s) thereof, and the impact on the Permittee's compliance status, including the location of discharge, type, concentration and volume of waste. List all steps taken to reduce, eliminate, and/or prevent recurrence of such an accidental discharge.

2. Does the IU maintain a spill prevention plan or have other written procedures for control or prevention of accidental discharges (slug loads or spills) to the City's sewer system? Yes, No

If yes, provide a brief description of any plan(s) or procedures.

3. Is the IU a batch discharger? Yes, No

If yes, provide a brief description of discharge practices, including non-routine batch discharges.

Slug Control Plan Evaluation Appendix

4. Does the IU utilize secondary containment for chemical and/or hazardous waste storage? Yes, No

If yes, provide a brief description of type(s) of secondary containment used including number of containment unit(s) and area(s) of use.

5. Does the industrial user operate a pretreatment plant, equipment, or otherwise pre-treat its' wastewater prior to discharge to the City's sewer system? Yes, No

If yes, list equipment utilized and/or describe treatment process.

6. Should the IU be required to develop a slug control plan? Yes, No

If yes, list reason(s) for decision and any other comment(s). Notify IU of requirement and minimum requirements necessary for approval of the plan by the Control Authority

If no, list reason(s) for decision or any other comment(s).

Legal Authority & Minimum Slug Control Plan Elements

The Control Authority must in accordance with 40 CFR Part 403.8:

“Evaluate, at least once every two years, whether each such Significant Industrial User needs a plan to control slug discharges. For purposes of this subsection, a slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge. The results of such activities shall be available to the Approval Authority upon request. If the POTW decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

(A) Description of discharge practices, including non-routine batch discharges;

(B) Description of stored chemicals;

(C) Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up written notification within five days;

(D) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response;”

Categorical Requirements

- | | |
|---|---|
| 1. Is the Permittee subject to regulation by categorical standards? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| Category: | |
| 2. Did the Permittee submit to the Control Authority a report on compliance to the pretreatment standards of the user's federal category, stating whether or not applicable pretreatment standards are being met on a consistent basis? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 3. Was the report submitted within 90 days after the compliance date, or in the case of a New Source following commencement of the introduction of wastewater into the POTW? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 4. Did the report indicate the nature and concentration of all regulated pollutants in the facility's regulated streams and a statement of whether compliance is consistently being achieved, and if not, what additional operation, maintenance and/or pretreatment is necessary to achieve compliance? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 5. Did the Permittee submit Bi-Annual Compliance Reports to the office of the Pretreatment Program Supervisor during the months of June and December of the previous year? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 6. Did the reports indicate the precise nature and concentration of the pertinent regulated parameters in the user's discharge to the POTW, the average and the maximum daily flow rates of the facility, the methods used by the discharger to sample and analyze the data, and a certification that these methods conform to the methods outlined in 40 CFR Part 136? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |

Additional Categorical Requirements

- | | |
|--|---|
| 1. Does the Permittee have additional categorical pretreatment standards particular to the industrial user? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| <i>If no, skip section.</i>
Additional Category: | |
| 2. Did the Permittee submit to the Control Authority a report on compliance to the pretreatment standards of the user's federal category, stating whether or not applicable pretreatment standards are being met on a consistent basis? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 3. Was the report submitted within 90 days after the compliance date, or in the case of a New Source following commencement of the introduction of wastewater into the POTW? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 4. Did the report indicate the nature and concentration of all regulated pollutants in the facility's regulated streams and a statement of whether compliance is consistently being achieved, and if not, what additional operation, maintenance and/or pretreatment is necessary to achieve compliance? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |

City of Fort Smith
Significant Industrial User Inspection Report

Facility Name:
Inspection Date:

5. Did the Permittee submit Bi-Annual Compliance Reports to the office of the Pretreatment Program Supervisor during the months of June and December of the previous year? Yes, No

6. Did the reports indicate the precise nature and concentration of the pertinent regulated parameters in the user's discharge to the POTW, the average and the maximum daily flow rates of the facility, the methods used by the discharger to sample and analyze the data, and a certification that these methods conform to the methods outlined in 40 CFR Part 136? Yes, No

Production Based Limits

1. Does the categorical industry have production based limits?
If no, skip section Yes, No

2. Did the Permittee submit to the Control Authority the previous 6 (six) months production based limits data in its' Bi-Annual Compliance reports submitted during the months of June and December of the previous year? Yes, No

TTO's (Total Toxic Organics)

1. Are TTO's (Total Toxic Organics) known to be on the premises? Yes, No

2. Were TTO's tested twice per year or a previously submitted Toxic Organic Management Plan (TOMP) certification stating the plan is being carried out accompany each Bi-Annual report? Yes, No

TOMP

1. Has the Permittee submitted a Toxic Organic Management Plan (TOMP), in lieu of testing, and has the Control Authority accepted the plan? Yes, No

If no, skip section.

If yes, a detailed review of the TOMP, including inspection to verify that the plan, must be performed.

Annual TOMP Review and Inspection

1. Is the inventory of the facility's process TTO compounds current, including the corresponding vendor or supplier Material Safety Data Sheets (MSDS)? Yes, No

2. Has the Categorical Industrial User (CIU) changed or added process chemicals that contain TTO compounds? Yes, No
 Not Applicable

**City of Fort Smith
Significant Industrial User Inspection Report**

**Facility Name:
Inspection Date:**

- | | |
|--|--|
| 3. If the CIU has changed or added process chemicals that contain TTO compounds, has the Control Authority been notified and has the TOMP been updated to reflect these changes? | <input type="checkbox"/> Yes, <input type="checkbox"/> No
<input type="checkbox"/> Not Applicable |
| 4. Is the management plan for approved alternate disposal methods for the originally identified TTO compounds being followed? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 5. Are procedures for assuring that TTO compounds located on site do not routinely spill or leak into the waste-stream being adhered to? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 6. Is the TOMP current and are adequate management practices being followed? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |
| 7. Is the TOMP being properly implemented? | <input type="checkbox"/> Yes, <input type="checkbox"/> No |

Special Notice: Upon completion of the TOMP review and inspection, evaluate findings and take any appropriate action, as required.

1. If the CIU has changed process chemicals and has failed to notify the Control Authority, but continues to adhere to the intent and procedural aspects of the TOMP, the TTO certification corresponding to the that six month period will be allowed. The CIU has 90 days to update the TOMP. Notify CIU of requirement.
2. If through the inspection the Control Authority finds the TOMP is not being implemented, the Control Authority must disallow the TTO certification statement for that reporting period. Additionally, the CIU must submit TTO analyses for that six-month period. The Control Authority must issue a Notice of Violation and perform TTO compliance monitoring (in accordance with 403.8 (f)(2)(v)) within 5 (five) days of the inspection.

CERTIFIED MAIL

July 18, 2016

«CONTACT_»
«INDUSTRY_»
«ADDRESS»
«CITY_STATE»

RE: FOLLOW-UP INSPECTION REPORT
Permit No.: «PERMIT_NO»

Dear «SALUTATION»:

On "Enter audit date", representative(s) of the Control Authority conducted an on site inspection of «INDUSTRY_». The follow-up inspection report to the audit is composed of this letter and the attached inspection report transcript.

The primary purpose of the inspection is to determine the Permittee's compliance with its' Industrial User Permit and/or Ordinance 80-11. In addition, the review gives both parties a chance to explore better methods of ensuring compliance, and serves to further the development of a good working relationship.

The Control Authority shall address facility inspection findings or conclusions by either requirement(s) and/or recommendation(s) for Industrial User action.

Requirements are mandatory and shall be implemented. During the next annual inspection, careful attention will be given to areas where specific requirements were cited. Compliance to these previous audit requirements will be determined and appropriate action taken for noncompliance.

Recommendation(s) are not mandatory and are only suggestions for improved compliance procedures. Recommendations are issued to address areas of concern that do not currently affect or directly affect compliance to pretreatment standards.

Findings:

Considering the above "Findings", the following Requirements are given.

Requirements:

Considering the above "Findings", the following Recommendations are given.

Recommendations:

«INDUSTRY_» has **30** days from the date of this letter to respond in writing to the above requirement(s) and/or recommendation(s).

If you have any questions, please call.

Sincerely,

«SALUTATION»
July 18, 2016
Page 2

Jay Lor
Environmental Coordinator

PC: Lance McAvoy
Environmental Manager

Bi-Annual Compliance Report

BI-ANNUAL COMPLIANCE REPORT

Facility Name:	Date:
----------------	-------

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personal properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature:	Date:
------------	-------

Title:

Violation Notification Templates

Certified Mail

Date:

RE: NOTIFICATION OF VIOLATION

Permit Number:

Dear

On the date(s) listed below, the following parameters were found to be in violation.

Date	Sampled By	Parameter	Reported Value	Limit

You have _____ workdays from the date of this letter in which to correct the violation(s) stated above and to notify the Control Authority of what efforts were made to correct the violation(s). If the user is in disagreement with the violation(s) above or with the time period that such violations must cease, he has the opportunity to request in writing within five (5) workdays of receipt of this notice a hearing at which time he will be given an opportunity to show cause why this notice should be rescinded or modified.

Sincerely,

John Hancock
 Environmental Monitoring Supervisor
 PC: Director of Utilities

Certified Mail

Date:

RE: FINAL NOTIFICATION
OF VIOLATION

Permit Number:

Dear

On the date(s) listed below, the following parameters were found to be in violation.

Date	Sampled By	Parameter	Reported Value	Limit

You have _____ workdays from the date of this letter in which to correct the violation(s) stated above and to notify the Control Authority of what efforts were made to correct the violation(s). Continued violation(s) will result in further administrative and/or judicial actions as outlined by the City's "Enforcement Response Plan" including, but not limited to, penalties of up to \$1,000.00 per day per violation.

Sincerely,

John Hancock
Environmental Monitoring Supervisor
PC: Director of Utilities

VIOLATION MEMORANDUM

Date:

To: John Hancock, Environmental Monitoring Supervisor

From: Chris Cooper, Environmental Coordinator

Subject: Parameter Violation(s):

Permit Number:

On the date(s) listed below, the following parameters were found to be in violation.

Date	Sampled By	Parameter	Reported Value	Limit

Final Notification of Violation for this parameter was issued on:

Fact Sheet Template

SAMPLE PERMIT FACT SHEET

PERMIT FACT SHEET

[Enter Issuance Date, Renewal Date, or Amendment Date of permit]: [Today's Date]

[Note: The permit writer must modify the permit fact sheet to each specific industrial user to best suit its needs.]

A. INDUSTRIAL USER INFORMATION

[Name of Facility]
 [Facility Location Address]
 [City, Zip Code]

[Contact Person Name], [Title]
 [Telephone Number]

[Permit Number]

B. DESCRIPTION OF FACILITY OPERATIONS

[Name of Facility] is primarily engaged in the manufacturing of [Products] [SIC Code and/or NAICS Code].

[Describe the process unit operations conducted at the facility]

[Name of Facility] began operations at the facility in [Date]. [Name of Facility] employs [Number of employee] personnel and operates [Number of days] per week.

C. SAMPLE POINT DESCRIPTION/FACILITY FLOW INFORMATION

INDUSTRIAL WASTEWATER PERMIT	SAMPLE POINT	FLOW PER OPERATIONAL DAY (GPD)		DESCRIPTION
		TOTAL	PROCESS	
[Number]	[Number]	[Flow]	[Flow]	[Describe sample point location along with expected pollutants discharged]
TOTAL		[Total flow]	[Total flow]	----

D. PROCESS UNIT OPERATION/FLOW INFORMATION

Process wastewater is generated from **[describe the process unit operations that generate industrial wastewater]**.

The total amount of process wastewater generated from the above operations is **[Number of gallons]** gallons per day, based on **[Number of operational days]** operational days per week.

PERMIT NUMBER	SAMPLE POINT	PROCESS UNIT OPERATION CODE	PROCESS DESCRIPTION
[Number]	[Number]	[Code]	[Process description with a list of expected pollutants discharged]

E. DILUTION/AUXILIARY OPERATION/FLOW INFORMATION

[Note: The permit writer should select one of the following applicable conditions]:

[For IUs without dilution wastestreams]

There are no dilution wastestreams that combine with process wastewater.

[For IUs with dilution wastestreams]

The dilution wastestreams are generated from **[Sources of dilution]**. The dilution wastestreams combine with the wastewater at Sample Point **[Sample point number]** prior to discharging to the City sewer. The total dilution flow is **[Total dilution flow in gallons]** gallons per day.

[Note to permit writer: If there are dilution wastestreams combined with categorical wastewater prior to the sampling point, the combined wastestream formula must be used to calculate alternative categorical limits. Include sample calculations in Section O of the permit fact sheet.]

F. FLOW MEASURING DEVICE

[Note: Flow measuring devices are required in certain circumstances. Please refer to the *Industrial User Permitting Guidance Manual* for more information. The permit writer should select one of the following applicable conditions]:

[For IUs that do not have and are not required to install an effluent flow meter]

[Name of Facility] does not have an effluent flow meter and is not required to install or maintain an effluent flow meter.

[For IUs that do not have but are required to install an effluent flow meter]

[Name of Facility] is required to install or maintain an effluent flow meter.

[For IUs with effluent flow meter]

[Name of Facility] has installed a **[type and make of flow meter]** flow meter to monitor the wastewater flow discharge to the sewer system.

G. PRETREATMENT UNIT OPERATIONS

[Describe the pretreatment system operations conducted at the facility]

H. POLLUTION PREVENTION / BEST MANAGEMENT PRACTICES

[Name of Facility] has implemented the following pollution prevention practice(s) and/or best management practice(s).

[Insert a description of all pollution prevention practices and /or best management practices]

I. RATIONALE FOR MONITORING LOCATIONS / SAMPLING POINTS

[Note: The permit writer should document its rationale for monitoring locations and sampling points. The documentation should include information regarding applicability for an end of process monitoring, end of pipe monitoring locations, or both (i.e., end of process for determining categorical Pretreatment Standard compliance and end of pipe for determining local Pretreatment Standard compliance).]

[Documentation of rationale for monitoring locations / sampling points]

J. RATIONALE FOR MONITORING FREQUENCY REQUIREMENTS

[Note: The permit writer should adequately document the rationale used for establishing the permittee’s monitoring requirements. In addition, the permit writer should review both the minimum federal monitoring frequency and the minimum monitoring frequency established by its approved program before establishing monitoring frequency requirements.

Prior to implementing alternative monitoring frequency options less stringent than the federal requirement, the permit writer must ensure that the Control Authority has established the legal authority within its approved program to implement these options. Alternative monitoring frequency options include, but are not limited to:

- Reduced monitoring (40 CFR 403.12(e)(3))
- Monitoring waivers (40 CFR 403.12(e)(2))
- Classification of NSCIU (40 CFR 403.3(v)(2))
- Monitoring waivers in on the basis of specific categorical Standards]

[Documentation of rationale for monitoring frequency requirements]

K. RATIONALE FOR REPORTING REQUIREMENTS

[Note: The permit writer should adequately document the rationale used for establishing the permittee’s reporting requirements. In addition, the permit writer should review both the minimum federal and the minimum reporting frequencies and requirements established by its approved program before establishing reporting frequencies and requirements.

Prior to implementing alternative reporting options less stringent than the federal requirement, the permit writer must ensure that the Control Authority has established the legal authority within its approved program to implement these options. Alternative monitoring frequency options include, but are not limited to:

- TTO certification
- Reduced monitoring reporting (40 CFR 403.12(e)(3))
- Monitoring waiver reporting (40 CFR 403.12(e)(2))
- NSCIU reporting (40 CFR 403.3(v)(2) & 40 CFR 403.12(q))
- Specific reporting requirements as listed in specific categorical Standards]

[Document monitoring reporting requirements]

Signatory Requirements

According to 40 CFR 403.12(l), periodic compliance reports must be signed by an authorized facility representative. [Name of Facility] has designated the following individuals as authorized facility representative(s).

Name	Title
[Name]	[Title]

L. RATIONALE FOR SPECIAL CONDITIONS

[Note: The permit writer should describe any special conditions imposed in the permit. Special conditions can include, but is not limited to special definitions, compliance schedules, equivalent mass limit requirements, equivalent concentration limit requirements, one time monitoring requirements, biomonitoring or other toxicity requirements, sludge disposal plans, or additional monitoring of pollutant that are limited in the permit in response to noncompliance.]

[Documentation of rationale for any special permit conditions.]

M. RATIONALE FOR EFFLUENT LIMITATIONS

[Note: Permit writer should discuss the basis for classifying the IU. Important information should include: 1) starting date of operation; 2) process operations; 3) process modification (if any); and 4) process wastewater flow rates. The documentation of the rationale for effluent limits should also include, but not limited to:

- The classification of existing versus new source, or the possibility that a CIU is subject to both existing and new source requirements (for CIUS)**
- Cyanide effluent limits (whether compliance with either cyanide (Total) or cyanide (amenable) is more appropriate)**
- Combined wastestream formula**
- Production-based limits**
- Total toxic organic monitoring or toxic organic management plan requirements**
- Calculation of equivalent limits**
- Site specific local limits**
- Special local limit considerations**

If alternative limits are established, the permit writer should include any applicable calculations in Section O of the permit fact sheet.]

[Include the list of the actual effluent limitations included in the permit and Document the rationale for those effluent limitations.]

N. RATIONALE FOR SAMPLE TYPE

[The permit writer should document its rationale for requiring composite sampling, grab sampling, or both. If composite sampling is required, the rationale should include whether flow proportional or time proportional composite sampling is more appropriate. In addition, the permit writer should include documentation of whether continuous monitoring is required.]

[Documentation of rationale for sample type.]

O. EXAMPLE CALCULATIONS

[Note: The permit writer should include the following if the CWF applies due to dilution and/or if an integrated facility]

The federal categorical pretreatment standards for **[Name of Facility]** were adjusted using the combined wastestream formula (CWF). The steps used to compute the alternative daily maximum and monthly average limits are as follows:

Step 1: Reference the combined wastestream formula from 40 CFR 403.6 (e):

$$C_T = \frac{\left[\sum_{i=1}^N C_i * F_i \right] \left[\frac{F_T + F_D}{F_T} \right]}{\left[\sum_{i=1}^N F_i \right] \left[\frac{F_T + F_D}{F_T} \right]}$$

Where:

C_T = Alternative concentration limit for the pollutant;

C_i = Categorical pretreatment standard concentration limit for the pollutant in regulated stream i ;

F_i = Average (at least 30 day average) daily flow of regulated stream i ;

F_D = Average daily flow (at least 30-day average) of dilute wastestream(s);

F_T = Average daily flow (at least 30-day average) through the combined treatment facility, including regulated, unregulated, and dilute wastestreams;

N = Total number of regulated streams.

Step 2: Calculation of the Alternative Daily Maximum and Monthly Average Limits:

[Include a sample calculation of an alternative daily maximum and monthly average limit using appropriate variable values. The permit writer should include a list of all variable used.]

O. EXAMPLE CALCULATIONS (Continued)

[For calculation equivalent mass limits for concentration limits]

Step 1: Calculate the equivalent mass limit for the daily maximum concentration Standard:

$$M_{DEQ} = 8.34 * Q_{AVG} * C_D$$

M_{DEQ}	=	Equivalent daily mass limits, lbs/day
8.34	=	Conversion factor
Q_{AVG}	=	Actual Average Daily Flow, million gallons per day [Note to permit writer: The period of when the flow rate value was determined should be documented]
C_D	=	Daily maximum categorical Pretreatment Standard, milligrams per liter

Step 2: Calculation the equivalent mass limit for the monthly average concentration Standard:

$$M_{MEQ} = 8.34 * Q_{AVG} * C_M$$

M_{MEQ}	=	Equivalent monthly mass limits, lbs/day
8.34	=	Conversion factor
Q_{AVG}	=	Actual Average Daily Flow, million gallons per day
C_M	=	Monthly average categorical Pretreatment Standard, milligrams per liter

[Include sample calculations of production-based limits, including applicable production values and flow rates.]

P. SLUG DISCHARGE EVALUATION

The **[Name of POTW]** conducted a slug discharge evaluation of **[Name of Facility]** on **[Date]**.

[Note: The permit writer should select one of the following applicable conditions:]

[For IUs required to develop and implement a slug discharge control plan]

The **[Name of POTW]** has determined that **[Name of Facility]** is required to develop and implement a slug discharge control plan.

[For IUs that have develop and implement a slug discharge control plan]

The **[Name of POTW]** has determined that **[Name of Facility]** is required to develop and implement a slug discharge control plan. The plan was submitted to the **[Name of POTW]** on **[Date]**. The plan was reviewed on **[Date]** to ensure it contained all of the minimum federal requirements as listed 40 CFR 403.8(f)(2)(vi).

[For IUs not required to develop or implement a slug discharge control plan]

The **[Name of POTW]** has determined that **[Name of Facility]** is not required to develop and implement a slug discharge control plan

Prepared By: _____ Date: _____

Reviewed By: _____ Date: _____

Industrial & Sector Specific Waste Survey Forms



**CITY OF FORT SMITH
UTILITY DEPARTMENT
ENVIRONMENTAL QUALITY DEPARTMENT
WASTE SURVEY – SHORT FORM**

This survey is intended to obtain information needed by the City of Fort Smith to comply with state and federal Pretreatment requirements. Failure to submit a complete and accurate survey may result in penalties including the termination of service. The City may verify the data submitted through phone calls, site inspection, and sample analysis. Answer each question accurately to reflect existing conditions and conditions proposed to occur within 3 to 5 years. Attach additional sheets as necessary.

DIRECTIONS FOR COMPLETING THIS INDUSTRIAL WASTE SURVEY FORM

1. Fill out Waste Survey form completely. Answer all questions. If you do not know the answer to a question, write "Unknown" in the box. If an answer is not applicable to your facility, write "N/A".
2. Sign the Waste Survey form (see back page). Must be signed by an Authorized Representative of the User.
3. Failure to submit a complete Waste Survey form or to submit the form *within ten (10) business days* is a violation of the City's Ordinance 27-16.
4. Fill out using ink. Do not use a pencil. Write clearly.
5. If you have any questions, please contact the City at: 479-784-2335 or 479-784-2337

GENERAL INFORMATION

Company Name and d.b.a, Business Name, if different	
Name of responsible person at the facility authorized to represent the company in official dealings with the City of Fort Smith.	
Title:	Phone:
Non business hours contact:	Phone:
Email Address (if available):	Physical Street Address of Facility:
Website (if available):	Official Mailing Address if Different:

List all Standard Industrial Classification (SIC) codes or North American Industrial Classification System (NAICS) for your facility. These may be found on Federal tax forms or accounting records.

TYPE OF BUSINESS (CHECK ALL THAT APPLY)

<input type="checkbox"/> Manufacturing/Production	<input type="checkbox"/> Distribution/Warehouse	<input type="checkbox"/> Retail Sales – Non-Food
<input type="checkbox"/> Service	<input type="checkbox"/> Office Only	<input type="checkbox"/> Retail Sales – Food
<input type="checkbox"/> Medical/Dental/Veterinarian	<input type="checkbox"/> Other ^(Please Explain) :	

BUSINESS ACTIVITIES

Date Business began at this site:			
Construction date(s) for building(s) at site:			
Normal operating schedule days of week:	<input type="checkbox"/> Mon	<input type="checkbox"/> Tue	<input type="checkbox"/> Wed
	<input type="checkbox"/> Thur	<input type="checkbox"/> Fri	<input type="checkbox"/> Sat
	<input type="checkbox"/> Sun		
Normal operating schedule hours per day:	1st Shift	2nd Shift	3rd Shift
Number of employees per shift:	1st Shift	2nd Shift	3rd Shift
Water Consumption (Gallons/Month):	Estimate <input type="checkbox"/>	Actual <input type="checkbox"/>	
Wastewater Volume Generated (Gallons/Month):	Estimate <input type="checkbox"/>	Actual <input type="checkbox"/>	

BUSINESS ACTIVITIES (CONTINUED)

Describe in detail the type of business activity conducted at this site. Please include primary products or services (attach additional sheets as necessary):

Is the facility a non-manufacturing, non-production retail facility or business office that does not perform any medical or dental services?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the facility/business a food service establishment, prepares food for sale or consumption, or generates FOG (fats,oils,&grease)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the facility perform or provide any medical services?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the facility perform or provide any dental services?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does this pharmacy/facility perform custom compounding of pharmaceutical drugs?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the business a manufacturing, production, or processing facility?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the facility perform metal finishing, metal plating, metal manufacturing, or any other known categorical process?	<input type="checkbox"/> Yes <input type="checkbox"/> No

SIGNATURE SECTION

The Authorized Representative for the Business shall sign this survey and return it within ten(10) days to:

Environmental Program Manager
City of Fort Smith
3900 Kelley Hwy.
Fort Smith, AR 72904

“I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment for knowing violations.”

Printed Name of Authorized Representative from Page 1

Title

Signature of Authorized Representative from Page 1

Date

The signing official must have authorization to provide such information on behalf of the company, corporation or partnership. In accordance with Arkansas law, information and data provided in the questionnaire may be available for public review under the Freedom of Information Act. Requests for confidential treatment of the information will be governed by procedures specified by the City’s Pretreatment Program and the Freedom of Information Act.



**CITY OF FORT SMITH
UTILITY DEPARTMENT
INDUSTRIAL PRETREATMENT PROGRAM
INDUSTRIAL WASTE SURVEY – SECTOR SPECIFIC FORM**

This survey is intended to obtain information needed by the City of Fort Smith to comply with state and federal Pretreatment requirements. Failure to submit a complete and accurate survey may result in penalties including the termination of service. The City may verify the data submitted through phone calls, site inspection, and sample analysis. Answer each question accurately to reflect existing conditions and conditions proposed to occur within 3 to 5 years. Attach additional sheets as necessary.

DIRECTIONS FOR COMPLETING THIS INDUSTRIAL WASTE SURVEY FORM

1. Fill out industrial waste survey form completely. Answer all questions. If you do not know the answer to a question, write "Unknown" in the box. If an answer is not applicable to your facility, write "N/A".
2. Sign the industrial waste survey form (see last page). Must be signed by an Authorized Representative of the Industrial User.
3. Failure to submit a complete Industrial Waste Survey form or to submit the form *within ten (10) business days* is a violation of the City's Ordinance 27-16.
4. Fill out using ink. Do not use a pencil. Write clearly.
5. If you have any questions, please contact the City at: 479-784-2335 or 479-784-2337

GENERAL INFORMATION

Company Name and d, b, a, Business Name, if different	
Name of responsible person at the facility authorized to represent the company in official dealings with the City of Fort Smith,	
Title:	Phone:
Non business hours contact:	Phone:
Email Address (if available):	Physical Street Address of Facility:
Website (if available):	Official Mailing Address if Different:

CHECK ANY AND ALL ACTIVITIES OCCURRING AT YOUR LOCATION

<input type="checkbox"/> Aircraft Repair/Maintenance	<input type="checkbox"/> Brewery
<input type="checkbox"/> Treating Waste from Other Businesses	<input type="checkbox"/> Industrial Laundry (other than neighborhood laundry)
<input type="checkbox"/> Copper or Aluminum Forming	<input type="checkbox"/> Dairy Products Manufacturing
<input type="checkbox"/> Dental Services	<input type="checkbox"/> Fertilizer Manufacturing
<input type="checkbox"/> Electrical Component Manufacturing	<input type="checkbox"/> Firearms - Bluing
<input type="checkbox"/> Grocery –Retail With Deli	<input type="checkbox"/> Grocery – Retail Without Deli
<input type="checkbox"/> Hospital	<input type="checkbox"/> Medical (other than hospital)
<input type="checkbox"/> Leather Tanning	<input type="checkbox"/> Meat, Vegetable or Food Processing (factory level, not restaurants)
<input type="checkbox"/> Trucked & Hauled Waste (including domestic septic tanks, sand traps, commercial or industrial waste)	<input type="checkbox"/> Metal Finishing (including electroplating, electroless plating, anodizing, coloring, coating, acid rinse or acid cleaning prior to painting, chemical etching, etc.)
<input type="checkbox"/> Non Ferrous Metals Forming	<input type="checkbox"/> Metal Molding and Casting
<input type="checkbox"/> Oil & Grease Refining/Extraction	<input type="checkbox"/> Paint/Ink Manufacturing
<input type="checkbox"/> Painting of Metal	<input type="checkbox"/> Photographic/X-Ray Developing
<input type="checkbox"/> Plastics Manufacturing	<input type="checkbox"/> Porcelain Enameling
<input type="checkbox"/> Printing/Publishing	<input type="checkbox"/> Restaurant
<input type="checkbox"/> Retail Sales Only	<input type="checkbox"/> Smelting/Metal Refining
<input type="checkbox"/> Soap or Detergent Manufacture	<input type="checkbox"/> Steam Power Generation
<input type="checkbox"/> Wood Preservation	<input type="checkbox"/> Transportation Equipment Cleaning
<input type="checkbox"/> Vehicle Repair Shop/Garage	<input type="checkbox"/> Warehouse
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:

SECTION 1

WASTE DISCHARGE

Check all types of operations and wastewater generated at this site:

<input type="checkbox"/> Air Pollution Equipment	<input type="checkbox"/> Medical/Dental Services
<input type="checkbox"/> Anodizing	<input type="checkbox"/> Metal Coating (chromating, phosphating, coloring)
<input type="checkbox"/> Beverage Bottling	<input type="checkbox"/> Pesticide Application Service
<input type="checkbox"/> Boiler/Cooling Blowdown	<input type="checkbox"/> Photographic/Film/X-ray Processing
<input type="checkbox"/> Chemical Etching or Milling	<input type="checkbox"/> Plastics Processing
<input type="checkbox"/> Cooling Water, Contact	<input type="checkbox"/> Powder Coating
<input type="checkbox"/> Cooling Water, Non-contact	<input type="checkbox"/> Printed Circuit Board Manufacturing
<input type="checkbox"/> Domestic Waste	<input type="checkbox"/> Printing & Publishing
<input type="checkbox"/> Electroless Plating	<input type="checkbox"/> Process Water
<input type="checkbox"/> Electroplating	<input type="checkbox"/> Slaughter/Meat Packing/Rendering
<input type="checkbox"/> Equipment Manufacturing	<input type="checkbox"/> Vehicle or Equipment Maintenance/Repair
<input type="checkbox"/> Fertilizer Application Service	<input type="checkbox"/> Vehicle or Equipment Washdown
<input type="checkbox"/> Food Processing	<input type="checkbox"/> Waste Recycling
<input type="checkbox"/> Food Service Establishment	<input type="checkbox"/> Water Treatment
<input type="checkbox"/> Groundwater Treatment	<input type="checkbox"/> Wood Preserving
<input type="checkbox"/> Laundry	<input type="checkbox"/> Other:

Will you use fats, oil, grease (cooking or petroleum), or dairy products in your business?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Will liquid, gaseous, or sludge waste be generated but not discharged to the sanitary sewer?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If "Yes", please provide your company practices:	Onsite Storage <input type="checkbox"/>	Onsite Disposal <input type="checkbox"/>
	Offsite Storage <input type="checkbox"/>	Offsite Disposal <input type="checkbox"/>

Describe the method of storage/disposal of these wastes, including names of all waste haulers used.

WASTEWATER PRETREATMENT

Is your wastewater treated prior to discharge to the sanitary sewer? (If so, mark all that apply.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> pH Adjustment	<input type="checkbox"/> Filtering	<input type="checkbox"/> Metals Treatment
<input type="checkbox"/> Sand/Sedimentation Tank	<input type="checkbox"/> Food Grinder/Garbage Disposal	<input type="checkbox"/> Biological Treatment
<input type="checkbox"/> Flow Equalization	<input type="checkbox"/> Other (Please Explain):	

WASTE DISCHARGE (CONTINUED)

Will there be a garbage disposal unit (food grinder) at your business?	Yes <input type="checkbox"/>	Qty:	No <input type="checkbox"/>
Are there any floor drains in areas other than restrooms?	Yes <input type="checkbox"/>	Qty:	No <input type="checkbox"/>
Will you generate hazardous waste as defined by ADEQ and federal regulations (RCRA)?	Yes <input type="checkbox"/>	Generator Status:	No <input type="checkbox"/>
Will you discharge any RCRA listed or characteristic hazardous wastes to the sanitary sewer?	Yes <input type="checkbox"/>	Waste Description:	No <input type="checkbox"/>

Will there be an interceptor, separator, or other device installed to pretreat your wastewater prior to discharge? (If so, check all that apply below.):	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Amalgam Separator: <input type="checkbox"/> wet ring <input type="checkbox"/> dry vacuum pump system	<input type="checkbox"/> Hair Trap	<input type="checkbox"/> Other (List):
<input type="checkbox"/> Amalgam Chairside Trap	<input type="checkbox"/> Lint Trap	<input type="checkbox"/> Other (List):
<input type="checkbox"/> Grease Interceptor, Inside	<input type="checkbox"/> Oil/Water Separator	<input type="checkbox"/> Other (List):
<input type="checkbox"/> Grease Interceptor, Outside	<input type="checkbox"/> Sand Interceptor	<input type="checkbox"/> Other (List):
Does a waste hauler pick-up any chemicals or liquid wastes from your facility?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If yes, please list what is picked up and by whom:

SECTION 2

CATEGORICAL INDUSTRY

Is this facility a categorical industry as defined by 40 CFR 403 through 40 CFR 471? (If "Yes" check the appropriate category below)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unknown <input type="checkbox"/>
<input type="checkbox"/> Aluminum Forming	<input type="checkbox"/> Metal Finishing		
<input type="checkbox"/> Battery Manufacturing	<input type="checkbox"/> Metal Molding or Casting		
<input type="checkbox"/> Builders' Paper and Board Mills	<input type="checkbox"/> Nonferrous Metals Forming or Metal Powders		
<input type="checkbox"/> Carbon Black Manufacturing	<input type="checkbox"/> Nonferrous Metals Manufacturing		
<input type="checkbox"/> Coil Coating	<input type="checkbox"/> Organic Chemicals, Plastics & Synthetic Fibers Man.		
<input type="checkbox"/> Copper Forming	<input type="checkbox"/> Paint Formulating		
<input type="checkbox"/> Electrical or Electronic Component	<input type="checkbox"/> Paving or Roofing Materials (Tar & Asphalt)		
<input type="checkbox"/> Electroplating	<input type="checkbox"/> Pesticide Chemicals		
<input type="checkbox"/> Feedlot	<input type="checkbox"/> Petroleum Refining		
<input type="checkbox"/> Fertilizer Manufacturing	<input type="checkbox"/> Pharmaceutical Manufacturing		
<input type="checkbox"/> Glass Manufacturing	<input type="checkbox"/> Porcelain Enameling		
<input type="checkbox"/> Grain Mill	<input type="checkbox"/> Pulp, Paper, or Fiberboard Manufacturing		
<input type="checkbox"/> Ink Formation	<input type="checkbox"/> Rubber Manufacturing		
<input type="checkbox"/> Inorganic Chemicals Manufacturing	<input type="checkbox"/> Soaps or Detergent Manufacturing		
<input type="checkbox"/> Iron & Steel Manufacturing	<input type="checkbox"/> Steam Electric Power Generating		
<input type="checkbox"/> Leather Tanning & Finishing	<input type="checkbox"/> Timber Products Processing		

CHEMICAL INFORMATION

Will/Do you use EPA Toxics Release Inventory (TRI) chemicals in reportable quantities?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Will you store chemicals at your facility in a volume greater than 5 gallons each? <small>(If yes, attach a description of the chemical, container size and type, storage location, frequency and method of container cleaning/disposal.)</small>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has your company ever been issued a local, state, or federal environmental permit? (i.e. Air, Water, HazWaste, etc.) <small>If "Yes" list the permit(s) type and Permit(s) number:</small>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Does your business activities use, generate, or dispose of any of the following chemicals?	Yes	No	Discharged/Disposed of to Sanitary Sewer?		Where disposed of if not to Sanitary Sewer?
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Antifreeze/Glycol Compounds	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Petroleum Grease/Oils	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Vegetable Grease/Oils	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Acids/Corrosives	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Food Wastes	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Solvents (incl. cleaning solvents)	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Flammables/Explosives	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Pesticides/Herbicides	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Phenols	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Cyanides	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Metals/Metal Solutions	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Nitrogen Containing Compounds	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Organic Chemicals	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Hazardous Waste	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Radioactive Isotopes	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Trucked or Hauled Waste	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
High Temperature Waste	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Sulfide/Hydrogen Sulfide Generating Waste	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
High Total Dissolved Solids (TDS)	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

SIGNATURE SECTION ON BACK PAGE

SECTION 3

SIGNATURE SECTION

The Authorized Representative for the Business shall sign this survey and return it within ten(10) days to:

Environmental Manager
City of Fort Smith
3900 Kelley Hwy.
Fort Smith, AR 72904

"I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment for knowing violations."

Printed Name of Authorized Representative from Page 1

Title

Signature of Authorized Representative from Page 1

Date

The signing official must have authorization to provide such information on behalf of the company, corporation or partnership. In accordance with Arkansas law, information and data provided in the questionnaire may be available for public review under the Freedom of Information Act. Requests for confidential treatment of the information will be governed by procedures specified by the City's Pretreatment Program and the Freedom of Information Act.



**CITY OF FORT SMITH
UTILITY DEPARTMENT**

INDUSTRIAL PRETREATMENT PROGRAM

DENTAL/MEDICAL WASTE SURVEY – SECTOR SPECIFIC FORM

This survey is intended to obtain information needed by the City of Fort Smith to comply with state and federal Pretreatment requirements. Failure to submit a complete and accurate survey may result in penalties including the termination of service. The City may verify the data submitted through phone calls, site inspection, and sample analysis. Answer each question accurately to reflect existing conditions and conditions proposed to occur within 3 to 5 years. Attach additional sheets as necessary.

DIRECTIONS FOR COMPLETING THIS INDUSTRIAL WASTE SURVEY FORM	
1.	Fill out industrial waste survey form completely. Answer all questions. If you do not know the answer to a question, write "Unknown" in the box. If an answer is not applicable to your facility, write "N/A".
2.	Sign the industrial waste survey form (see last page). Must be signed by an Authorized Representative of the Industrial User.
3.	Failure to submit a complete Industrial Waste Survey form or to submit the form <i>within ten (10) business days</i> is a violation of the City's Ordinance 27-16.
4.	Fill out using ink. Do not use a pencil. Write clearly.
5.	If you have any questions, please contact the City at: 479-784-2335 or 479-784-2337

GENERAL INFORMATION	
Company Name and d.b.a. Business Name, if different	
Name of responsible person at the facility authorized to represent the company in official dealings with the City of Fort Smith.	
Title:	Phone:
Non business hours contact:	Phone:
Email Address (if available):	Physical Street Address of Facility:
Website (if available):	Official Mailing Address if Different:

SECTION 1

DENTAL SECTOR SPECIFIC QUESTIONS			
Are old amalgams removed at your facility?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	How many a week:
Are new amalgams installed at your facility?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	How many a week:
Does your facility use a chairside amalgam trap?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	What type:
Does your facility use an amalgam separator? (i.e. Near Vacuum System)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	What type:
What does your facility do with waste amalgams?			
Does your facility have X-Ray unit(s) that produce photographic or X-Ray fixer waste? (Do not include digital X-Ray units.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	How many:
Does your facility have a silver recovery unit installed to treat photographic or X-Ray fixer waste? (If digital, mark NA)	Yes <input type="checkbox"/>	No <input type="checkbox"/> NA <input type="checkbox"/>	Method of disposal:
Does your facility generate medical waste (red or yellow bag)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Method of disposal:

SECTION 2

MEDICAL/VETERINARY SECTOR SPECIFIC QUESTIONS			
Does your facility have X-Ray unit(s) that produce photographic or X-Ray fixer waste? (Do not include digital X-Ray units.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	How many:
Does your facility have a silver recovery unit installed to treat photographic or X-Ray fixer waste? (If digital, mark NA)	Yes <input type="checkbox"/>	No <input type="checkbox"/> NA <input type="checkbox"/>	Method of disposal:
Please indicate the approximate number per week your office handles:	X-Rays Processed ^{Nondigital} :		Surgeries/Procedures:
Does your facility generate medical waste (red or yellow bag)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Method of disposal:
Does your facility compound pharmaceuticals?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Pharmaceuticals Compounded:

SECTION 3

SIGNATURE SECTION	
<p>The Authorized Representative for the Business shall sign this survey and return it within ten(10) days to:</p> <p style="text-align: center; margin-left: 100px;"> Environmental Manager City of Fort Smith 3900 Kelley Hwy. Fort Smith, AR 72904 </p>	
<p>“I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment for knowing violations.”</p>	
_____ Printed Name of Authorized Representative from Page 1	_____ Title
_____ Signature of Authorized Representative from Page 1	_____ Date
<p>The signing official must have authorization to provide such information on behalf of the company, corporation or partnership. In accordance with Arkansas law, information and data provided in the questionnaire may be available for public review under the Freedom of Information Act. Requests for confidential treatment of the information will be governed by procedures specified by the City’s Pretreatment Program and the Freedom of Information Act.</p>	



**CITY OF FORT SMITH
UTILITY DEPARTMENT**

INDUSTRIAL PRETREATMENT PROGRAM

FATS, OILS, & GREASE WASTE SURVEY – SECTOR SPECIFIC FORM

This survey is intended to obtain information needed by the City of Fort Smith to comply with state and federal Pretreatment requirements. Failure to submit a complete and accurate survey may result in penalties including the termination of service. The City may verify the data submitted through phone calls, site inspection, and sample analysis. Answer each question accurately to reflect existing conditions and conditions proposed to occur within 3 to 5 years. Attach additional sheets as necessary.

DIRECTIONS FOR COMPLETING THIS INDUSTRIAL WASTE SURVEY FORM	
1. Fill out industrial waste survey form completely. Answer all questions. If you do not know the answer to a question, write "Unknown" in the box. If an answer is not applicable to your facility, write "N/A".	
2. Sign the industrial waste survey form (see last page). Must be signed by an Authorized Representative of the Industrial User.	
3. Failure to submit a complete Industrial Waste Survey form or to submit the form <i>within ten (10) business days</i> is a violation of the City's Ordinance 27-16.	
4. Fill out using ink. Do not use a pencil. Write clearly.	
5. If you have any questions, please contact the City at: 479-784-2335 or 479-784-2337	

GENERAL INFORMATION	
Company Name and d.b.a. Business Name, if different	
Name of responsible person at the facility authorized to represent the company in official dealings with the City of Fort Smith.	
Title:	Phone:
Non business hours contact:	Phone:
Email Address (if available):	Physical Street Address of Facility:
Website (if available):	Official Mailing Address if Different:

SECTION 1

FOOD ESTABLISHMENT/PROCESSING/RESTAURANT SECTOR SPECIFIC QUESTIONS				
Type of Cuisine:				
Available Seating:		Approximate # of meals served/prepared per day:		
Methods of Cooking/Heating/Frying:				
Grease Handling and Disposal				
Garbage Dumpster: <input type="checkbox"/> Yes <input type="checkbox"/> No		Maintenance/Cleaning Schedule:		
Grease Control Devices: <input type="checkbox"/> Yes <input type="checkbox"/> No		Grease Interceptor <input type="checkbox"/> Grease Trap <input type="checkbox"/> Other <input type="checkbox"/> Specify:		
Waste Oil Recycling Containers: <input type="checkbox"/> Yes <input type="checkbox"/> No		Schedule/Frequency of Disposal:		
For each grease trap/interceptor at your facility, complete the chart. If more than 3 are present, attach the additional information on another sheet. Provide a drawing for each under sink and in-ground grease trap/interceptor. The drawing must indicate dimensions in feet.				
Location at Facility	Source of Wastewater ¹	Capacity (lbs or Gal)	Pounds of Grease Removed per Year	Maintenance Service Frequency ²
¹ Source of Wastewater: In the space provided in the chart, fill in the letter corresponding to the applicable source.				
A. Food Processing		D. Rinses Containing Spent/Discarded Food Product		G. Laboratory Operations
B. Equipment/Vessel Wash Down		E. Spent Cleaning/Sanitizing Solutions		H. Dishwasher
C. Floor Wash Down		F. Fruits/Vegetable Grindings		I. Other

² Maintenance Service Frequency: In the space provided in the chart, fill in the number corresponding to the applicable maintenance for each trap/interceptor.			
1. Daily	3. Every Month	5. Every Six Months (Semi-Annually)	7. ^{Other}
2. Weekly	4. Every Three Months (Quarterly)	6. Every Twelve Months (Annually)	
Waste Hauler Used? : <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list the following			
Waste Hauler Company:			
Mailing Address:		Phone #:	
Check below each type of waste that is hauled from your facility.			
Waste Type	Estimated Gallons/Pounds Per Year	Hauler Utilized	
<input type="checkbox"/> Spent Grease Wastes from Grease Trap/Interceptor (Brown Grease)			
<input type="checkbox"/> Spent Cooking Grease from Deep Frying Equipment (Yellow Grease)			
<input type="checkbox"/> Other:			
Kitchen/Prep Area Fixtures (How many of each are present?)			
3 compartment sink :	Floor sink :	Wok :	
2 compartment sink :	Floor drains :	Fryer(s) :	
Hand sink :	Mop sink :	Range :	
Dishwasher :	Disposal :	Grill :	
Pre-wash sink :	Stove/Oven :	Other (specify)_____ :	
Additional Information			
Property Owner:		Phone #:	
Mailing Address:		Email:	
ATTACH A COPY OF THE MENU OR A LIST OF THE ITEMS PREPARED/SERVED AT THE FACILITY			

SECTION 2

SIGNATURE SECTION

The Authorized Representative for the Business shall sign this survey and return it within ten(10) days to:

Environmental Manager
City of Fort Smith
3900 Kelley Hwy.
Fort Smith, AR 72904

“I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment for knowing violations.”

Printed Name of Authorized Representative from Page 1

Title

Signature of Authorized Representative from Page 1

Date

The signing official must have authorization to provide such information on behalf of the company, corporation or partnership. In accordance with Arkansas law, information and data provided in the questionnaire may be available for public review under the Freedom of Information Act. Requests for confidential treatment of the information will be governed by procedures specified by the City’s Pretreatment Program and the Freedom of Information Act.

1. Industrial Monitoring Field Sheet
2. Chain of Custody Form
3. Discharge Monitoring Report Template
4. Septic Hauler Discharge Ticket Form

**CITY OF FORT SMITH • ENVIRONMENTAL QUALITY
INDUSTRIAL MONITORING FIELD REPORT**

Sample Location and/or Industrial User:

Sample Event No.:

I. SAMPLER AND SAMPLE SET UP INFORMATION

Date:	Time:	Sample I.D. No.:
Composite Sample Pacing: <input type="checkbox"/> Flow <input type="checkbox"/> Time	Sample Interval:	<input type="checkbox"/> Minutes <input type="checkbox"/> Pulses
Vol. Selected (mls):	Sample Type: <input type="checkbox"/> Composite <input type="checkbox"/> Discrete	Sampler Installation: <input type="checkbox"/> Manhole <input type="checkbox"/> Above Ground
Sample Preservation: <input type="checkbox"/> Ice Packs <input type="checkbox"/> Refrigeration <input type="checkbox"/> N/A (Ambient Temp. Below 39° F) <input type="checkbox"/> Other (List):		
Security Measures (Sampler Locked): <input type="checkbox"/> Yes <input type="checkbox"/> No		Technician(s) Initials:

II. SAMPLER AND SAMPLE TAKE OFF INFORMATION

Date:	Time:	No. of Samples Collected:	Technician(s) Initials:
Composite Sample Description:			
BOD/COD: <input type="checkbox"/> TSS: <input type="checkbox"/> NH3-N: <input type="checkbox"/> Metals: <input type="checkbox"/> Full Metals (Ag, Ni, Cd, Cr, Zn, Cu, Pb, As, Se, Mo) <input type="checkbox"/> Other (List):			
Bi-Annual Additions: Phos: <input type="checkbox"/> <input type="checkbox"/> PP Scan (Sb, Be, Tl, Hg)			
<input type="checkbox"/> Check if Composite was Split with Industrial User			

III. FLOW CALCULATION INFORMATION

Measurement Device Type: <input type="checkbox"/> Water meter(s) <input type="checkbox"/> Wastewater Flow Meter(s)				
Meter Readings				
Stop				
Start				Multiplication Factor:
Difference				Flow In Gallons:

IV. GRAB SAMPLE INFORMATION

Sample I.D. No.:	Technician(s) Initials:					
Grab Sample Description:						
Sample Type	Date	Time Collected	Time Analyzed	Analyst	Temp. °C	pH (Grab)
Grab						

pH - EPA Method 150.1 Temp. - EPA Method 170.1

Sample Collected	Date & Time Collected	Preservative Used
<input type="checkbox"/> Oil & Grease		<input type="checkbox"/> HCl to < 2 pH
<input type="checkbox"/> Cyanide (Total)		<input type="checkbox"/> NaOH to > 12 pH & Ascorbic Acid
<input type="checkbox"/> Flash Point		N/A

V. COMMENTS

DISCHARGE MONITORING REPORT

Facility Name & Address

Permit Number

Monitoring Period				
Year	Mo.	Day	To	Year
Mo.	Day	Mo.	Day	

Flow (Gallons Per Day)	
Minimum	
Average	
Maximum	

Parameter	Quantity or Loading			Quality or Concentration			Number Exceed	Freq. of Analysis	Sample Type
	Minimum	Average	Maximum	Units	Minimum	Average			
Sample Measure									
Permit Require									
Sample Measure									
Permit Require									
Sample Measure									
Permit Require									
Sample Measure									
Permit Require									
Sample Measure									
Permit Require									

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature: _____ Title: _____ Date: _____

Date: 01 / 01 / 2014

Time: 13:17

**CITY OF FORT SMITH
SEPTIC TANK TRUCK
DISCHARGE TICKET**

Discharge Ticket Number:
0000000

TRANSPORTER & HAULER INFORMATION

Company Name: Any Septic Hauler, Inc. Permit Number: SEP000
Please Print Please Print

Tanker/Trailer License No.: AR00000 Volume Discharged: 1000 (Gallons)
(From Generator Listed Below)

GENERATOR & WASTE INFORMATION (Information for the first site listed on the manifest)

Waste Generator: John Doe Telephone: 4 7 9 - 5 5 5 - 5 5 5 5
Please Print

Address: 123 A Street Anytown AR 72999
Please Print (Street) (City) (State) (Zip)

Waste Type: Septic Tank Portable Toilet Other: _____
Please Print (Please Specify)

Certification: I certify under penalty of law that the information given is true and complete and the waste contains domestic sewage only and no hazardous, prohibited or industrial waste according to federal, state and local laws.

Driver: I.M. D. Driver Signed: I.M. D. Driver Date: 01 / 01 / 2014
Please Print

Example Ticket