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870-239-7700

Fax: 870-239-7798
www.paragould.com

56001

April 14, 2008

Mr. Allen Gilliam
Pretreatment Coordinator
Water Division
ADEQ
5301 Northshore Drive
North Little Rock, AR 72118-5317

APR 18 2008



response to audit within 30 days
Adequate, no comment
#5

Re: Paragould Light Water and Cable NPDES #AR0033766
Corrective Action Report on Pretreatment Program Audit/Assessment

AFIN # 2800060

Dear Mr. Gilliam:

Please find enclosed the Corrective Action Report for Paragould Light, Water and Cable based on the audit/assessment you conducted on our Pretreatment Program in December 2007.

If you have any questions or need additional information, please contact Lisa Ellington, Environmental Services Manager, at (870) 239-7795.

Sincerely,

Darrell Phillips
Chief Operations Officer

Enclosure

NPDES PERMIT FILE
NPDES # AR0033766
AFIN # 28-00060

Permit PN
 Correspondence
 Technical Backup
5/29/08 Date Scanned

Pret Rpt

Corrective Action Report

**Pretreatment Program Audit
and
Pollution Prevention Assessment**

NPDES Permit #AR0033766

**Submitted by:
Lisa Ellington
Manager of Environmental Services
Paragould Light, Water and Cable
April 8, 2008**

Required Actions

1) Under 40 CFR 403.12(l)

“The reports required by paragraphs (b), (d), and (e) of this section shall include the certification statement as set forth in 40 CFR 403.6(a)(2)(ii), and shall be signed as follows...”

Not all reports submitted by the industries included this certification statement and must be included.

Corrective Action:

All reports are being revised to include the following certification statement as required by 40 CFR 403.12(l) and listed in 40 CFR 403.6(a)(2)(ii).

“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.”

2) Under 40 CFR 403.12(e)

“...In addition, this report shall include a record of measured or estimated average and maximum daily [regulated process] flows for the reporting period for the Discharge reported...”

The city does all the wastewater sampling/monitoring for their IUs. It was not ascertained if the flows the City was recording was total plant or process flows. Categorical process flows must be accurately measured and recorded.

Corrective Action:

All regulated, or process, flows discharged from IUs will be documented to the best of our ability. Sanitary flows will also be ascertained when possible. In addition, IUs have been asked to submit documentation quarterly confirming the accuracy of meter readings.

3a) Under 40 CFR 4433.12(b)

[Regarding toxic organic management plans [TOMPs] in lieu of monitoring for the toxic organics], “a discharger shall submit a solvent management plan that specifies to the satisfaction of the [City] the toxic organic compounds used; the method of disposal used instead of dumping, such as reclamation, contract hauling, or incineration; and procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater.”

A TOMP could not be located in Spectrum's file but they were making the certification statement. Updated and signed TOMPs should be kept in appropriate metal finishers' files. Correspondence from the City should also be sent to the metal finisher indicating the City has approved or concurred with the submitted TOMP.

Corrective Action:

A letter has been forwarded to Spectrum requesting an updated TOMP be submitted to Paragould Light, Water and Cable (PLWC) within 30 days.

3b) Under 40 CFR 403.12(e)

"In cases where the Pretreatment Standard requires compliance with a Best Management Practice [a TOMP for example]...the User shall submit documentation required by the Control Authority or the Pretreatment Standard necessary to determine the compliance status of the User."

The City should begin preparation of additional permit reporting requirements for their metal finishers to verify compliance with their submitted TOMPs.

Corrective Action:

Permits for each IU will be revised during their respective renewal periods.

4) Under the City's Pretreatment Program's Enforcement Response Plan (ERP)

One of the initial enforcement options is to make a phone call to notify an IU of a violation. But on page 34 of that ERP, "The PC [pretreatment coordinator] should also maintain documentation of follow-up phone or in-person contacts..."

Not all records of communication (ROCs) regarding IU violations could be produced during the audit. These ROCs must be documented to "start the clock" for escalated enforcement actions if necessary.

Corrective Action:

ROCs of all communication in regards to IU violations are logged and kept for future reference.

5a) Under 40 CFR 403.8(f)(1)(vi)(A)

“Obtain remedies for noncompliance by any Industrial User with any Pretreatment Standard and Requirement”

Correspondence date 8/1/07, discovered during the file review revealed the City had sent Martin Sprocket a notice that a slug control plan was deemed necessary. No further correspondence nor slug control plan had been submitted for approval from Martin could be located.

The City must take necessary enforcement actions necessary to obtain reports determined necessary from its industries.

Corrective Action:

Martin Sprocket and Gear has submitted a preliminary slug control plan. A second letter has been sent to Martin Sprocket and Gear requesting some changes to the plan. They will have 30 days to submit the final plan to PLWC.

6) Under 40 CFR 403.8(f)(2)(vii)

“Investigates instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under 40 CFR 403.12, or indicated by analysis, inspection, and surveillance activities described in paragraph (f)(2)(v) of this section. Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions.”

It was discovered during the file review that a chain of custody did not appear complete. It could not be determined who the sampler (Bill Keasler) relinquished the sample to before it was received by the contract lab. With this chain of custody “broken”, the final lab results could be challenged in a court of law.

Corrective Actions:

Chain of custody procedures have been changed to include the relinquishment of the samples from the sampler to the laboratory personnel. All samples bottles are taped shut with security tape before shipping to the contract laboratory. Since a carrier is used to deliver the samples to the contract laboratory, the cooler containing samples is taped shut with security tape. The contract laboratory acknowledges that the all security tape is intact when samples arrive at their facility.

7) Under 40 CFR 403.8(f)(1)(ii)

“Require compliance with applicable Pretreatment Standards and Requirements by Industrial Users...”

A tumbling operation which generated a small amount of wastewater was discovered at Spectrum during the site visit. Its discharge point was not connected to the City's normal sampling point. City personnel had no knowledge if it had been monitored for compliance with 40 CFR 433. This wastestream must also be monitored for compliance.

Corrective Actions:

The tumbling operation was found at Martin Sprocket and Gear. We are currently looking at the tumbling procedure at Martin Sprocket and Gear to determine if that process necessitates its addition to their permit.

Recommendations

1) Strongly Recommend

Send the hazardous waste notification statement in 40 CFR 403.12(p) to ALL haz waste generators connected to the City's collection system. A copy of ADEQ's generators list was supplied to aid in this updated notification process. And, it's strongly recommended to send this notification requirement to the City's hospitals, dentists, dental clinics, chiropractors, veterinarians, film processors, long term health care clinics, pharmacies and others having the potential to discharge haz waste into the City's collection system. Many, if not all of these small quantity generators are not being tracked by ADEQ.

Response:

A hazardous waste notification has been sent to all potential haz waste generators connected to the PWLC collection system, including hospitals, dentists, veterinarians, etc.

2) Recommend

Revising permit language clarifying types of samples to be taken. The permit limit's page should include another column identifying what type of sample (grab or composite) should be taken for each parameter. At a minimum, a footnote should be added to reference the type samples referenced under the permits' Part II-Monitoring Requirements, paragraph 5. This will help make sample types more identifiable for both the IUs (in the case they want to monitor themselves for QA) and any outside entity (ADEQ inspector, e.g.).

Response:

Permits for each IU will be revised during their respective renewal periods.

3) Recommend

Drafting standard operating procedures (SOPs) for the day-to-day administrative duties of the City's Pretreatment Coordinator. SOPs could include more details on how simple industry surveys are conducted from a draft or example cover letter, to potential source(s) of businesses to the actual survey template. Other SOPs could include sampling protocols for each industry sampled, IU inspections, how correspondence should be handled/filed, etc.

Response:

While it is not feasible to write an SOP for all the day-to-day administrative duties of the Pretreatment Coordinator, every effort will be made to write SOPs that specify the responsibilities of the Pretreatment Coordinator.

4) Recommend

CLW personnel have an excellent start on their IUs' facts sheets. It's recommended to also date the most current ones, include more detailed data with hand calculations that illustrate the basis for permit limits.

Response:

All IU fact sheets are dated and sent to IUs for an annual revision. Fact sheets will be updated to include the basis for permit limits.

5) Recommend

Continue sending the City's IUs these fact sheets for the reps to update, sign and date with any changes in processes or chemicals. Updated, detailed description of processes should be included as well as accurate process schematics should be required. Non-regulated wastewater flows should also be included on these schematics.

Response:

Fact sheets will be updated this year, and will include requests for detailed descriptions of processes and schematics.

6) Recommend

Inspection reports should reference these fact sheets where more information includes a physical description of manufacturing processes (e.g.: 5 polishing stations, 15 welding stations, 10 self-contained machining units, assembly, etc.). Other information in the fact sheets (or in the inspections) could include "flow" of raw materials as it travels through the various processes to the end product out the back door, materials (especially haz waste) handling practices (totes, carboys, forklift, buckets, etc.), how chemicals are handled from point A to point B, measured/estimated dilution water sources/flows, etc. should be included.

Once a comprehensive inspection is on file electronically for each IU, for the next annual inspection, this auditor would recommend City personnel use the previous year's completed inspection and "red ink" necessary updates or IU changes on that form instead of re-writing a new one each year that basically says the same thing. Obviously, new signatures with the inspection date would be necessary.

Response:

Inspection reports are on file electronically for each IU, and each report will be updated to include recommended information. These reports are printed out and placed in the respective IU

file. During inspections, copies of the electronic report are taken on the respective visits and “red inked” with updates and corrections. New signatures are obtained during the inspection.

7) Recommend

Include in the City’s Ordinance/ERP and guide an option of requiring P2 Audits and Best Management Practices to be developed and implemented.

Response:

PLWC is in the process of working on the City’s Ordinance/ERP. Required changes will be made, which may also include optional changes as defined in the Streamlining Rule.

8) Recommend

Also, Consider requirements for licensed operators where deemed necessary.

Response:

There is only one industry permitted by PLWC that has a pretreatment system which would necessitate the need for licensed operators. The operators in charge of that system are ADEQ licensed operators.

9) Recommend

Recycle old permits and other needless documents older than 3 years. Recommend keeping any original baseline monitoring reports and 90-day compliance reports if they’re still “findable”.

During the audit, documentation was, for the most part, easily retrievable but, it seemed to this auditor, better order could be attended to.

Response:

Paperwork older than 3 years will be recycled, but pertinent information will be retained. PLWC will work on IU files to get them in better order.

10) Strongly Recommend

Cross train another employee in all aspects of the day-to-day operations of the City’s Pretreatment Program.

Response:

PLWC is considering the assignment of employees for cross training in various jobs, including the operations of the Pretreatment Program.

11) Recommend

More attention should be given to the Pollution Prevention (P2) program. Several instances of IUs' P2 efforts were observed during the site visits, but no reports were being gathered nor asked for by the City reps. These IUs should be recognized for going above and beyond the basic regulatory minimum. That can be accomplished via both the national P2 and regional P2 programs and databases.

Response:

IUs who have established P2 programs have been encouraged to submit information regarding their success stories to national and regional P2 programs. PLWC will gather information regarding IU P2 activities during annual inspections.