Approved 7-30-2010 #97 Mod Date 8-1-2010

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Jacksonville Wastewater Utility

Jacksonville Soaring Higher

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July 7, 2010

Mr. Rufus Torrence, ADEQ Pretreatment Engineer
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72218-5317

RE: Final Revisions to Pretreatment Program

Dear Mr. Torrence:

In reference to your letter dated April 9, 2010, enclosed are the required changes* to the Jacksonville Wastewater Pretreatment Program (revised 2010) document and appendices as requested.

Should there be any questions or clarification needed concerning this letter or documents, please feel free to contact me at (501) 982-0581.

SINCERELY,

JACKSONVILLE WASTEWATER UTILITY

Sal Pappalardo

Sal Pappalardo
Pretreatment Coordinator

* "Pages" with changes are layed with "7-9-10".

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February 1, 2010

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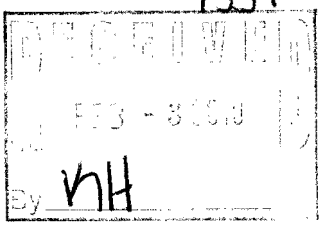

Mr. Rufus Torrence, ADEQ Pretreatment Engineer
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72218-5317

RE: Final Revisions to Pretreatment Program

Dear Mr. Torrence:

In reference to your letter dated December 17, 2009, enclosed is the complete Jacksonville Wastewater Pretreatment Program (revised 2010) document and appendices as requested.

Should there be any questions or clarification needed concerning this letter or documents, please feel free to contact me at (501) 982-0581.

SINCERELY,

JACKSONVILLE WASTEWATER UTILITY

Sal Pappalardo

Sal Pappalardo
Pretreatment Coordinator

Mod date
8-1-2010

Jacksonville
WASTEWATER UTILITY

JWWU Industrial Pretreatment Program

2010

Modification

The changes to the Industrial Pretreatment Program and City Ordinance are indicated by:

1. **Blue or pink printing for deletions to the program.**

2. **Bold black printing for additions to the program.**

3. **Highlighted with red printing indicate Ordinance references.**

4. **Bold Lime Green printing for revisions made after August 27, 2009.**

TABLE OF CONTENTS

7-9-10

INTRODUCTION

The City of Jacksonville must comply with the State of Arkansas (Arkansas Department of Environmental Quality or ADEQ) state administered National Pollutant Discharge Elimination System (NPDES) program in accordance with 40 CFR Part 122 (Clean Water Act 33 U.S.C. 1251 et seq). ADEQ has issued the City an NPDES permit with the requirement for the City's Publicly Owned Treatment Works (POTW) to implement and operate a NPDES Pretreatment Program in accordance with 40 CFR Part 403.

The Jacksonville Wastewater Utility Pretreatment Program was approved in 1983 and the revisions made in 1985 **along with the modifications made in 2000, provide** the guidelines for the operation of the Utility's Pretreatment Program. Since 1983, conditions have changed substantially at Jacksonville Wastewater Utility (JWU). JWU has closed the East Treatment Plant that received domestic wastewater and has opened the Dr. J. Albert Johnson Regional Treatment Facility (POTW description Exhibit B), which is operated under NPDES Permit #AR0041335. Flow from the West Plant has been transferred to the Dr. Albert J. Johnson Regional Treatment Facility (hereafter known as Johnson Plant) since May 1998 to present, unless during extremely high rainfall events.

The General Pretreatment Regulations (40 CFR 403) were amended in November 1988 through the execution of the Pretreatment Implementation Review Task Force [PIRT] Revisions, Domestic Sewage Study [DDS] Revisions in July 1990, **and the Streamlining Rule of 2005.** Since 1985, the City of Jacksonville has also experienced the loss of **several significant** dischargers, Vertac Chemical Corporation, **Regal Manufacturing Corporation, FabKote Incorporated, and CECA LLC.** These changing conditions, along with the requirement in NPDES Permit #AR0041335, for JWU to develop technically based local limits for the Dr. J. Albert Johnson Regional Treatment Facility, has revealed the need to modify the Pretreatment Program in order to continue to adequately comply with the provisions of the Clean Water Act.

The Pretreatment Department is charged with the responsibility for monitoring and assessing compliance with environmental regulations concerning wastewater discharges at JWU. The monitoring activities include collecting samples, performing analysis, conducting inspections, and evaluating and interpreting results in support of meeting the POTW NPDES permit requirements. The principle monitoring locations are the Johnson Plant and industrial / commercial facilities which discharge process wastewater to our collection system. It has been determined that the influent flow contribution to the Johnson Plant is comprised of two (2%) percent from industrial / commercial facilities and ninety-eight (98%) percent from residential sources.

PRETREATMENT PROGRAM OBJECTIVES

The objectives of the Jacksonville Wastewater Utility (JWU) pretreatment program are as follows:

1. Prevent the introduction of pollutants into the municipal wastewater collection system, which will interfere with the operation of the wastewater collection system, wastewater treatment facility, or will render the wastewater Biosolids unfit for economical disposal.

2. Prevent the introduction of pollutants into the municipal wastewater collection system, which will pass through the wastewater treatment system, inadequately treated, into the receiving waters or the atmosphere or otherwise be incompatible with the wastewater collection system.

3. Prevent the introduction of pollutants into the storm drainage system either through a direct discharge or an indirect discharge such as a sanitary sewer overflow **(SSO)**.

4. Prevent the discharge of pollutants, which may be harmful to the employees of JWU or the public.

5. Implement procedures for the random inspection and sampling of industrial users to ensure compliance with all applicable local, state, or federal regulations including the collection of data suitable for presentation as evidence in court.

6. Develop a line of communication with the City's industrial users to discuss the goals and intent of the pretreatment regulations; waste minimization practices, pollution prevention (P2), reuse and recycling methods, operation and maintenance procedures; and the inspection of the facilities.

Under the pretreatment program, Industrial Users (IU's) which discharge wastewater into the sanitary sewer system, that do not meet the standards set forth in **40 CFR 403 and others,** JMC 13.24.et. Seq. Arkansas Department of Environmental Quality **(ADEQ)** standard or regulation, or applicable federal categorical standard. These IU's shall be required to install and operate, at their own expense, wastewater treatment facilities. **These Users** will reduce the concentration or mass loadings of specific regulated pollutants to limits established by the applicable law or regulation before discharging to the sanitary sewer.

7-9-10

PRETREATMENT PROGRAM ORGANIZATION AND MANPOWER

The responsibility of administering the Pretreatment Program lies within the Laboratory Division of Jacksonville Wastewater Utility (JWU). The Laboratory is under the supervision of the **Laboratory Director and/or** Pretreatment Coordinator. These individuals are responsible for and have the authority to conduct the day-to-day operations of the Pretreatment Program. The Pretreatment Coordinator reports directly to the Administrative Operations Manager of JWU. The Laboratory Department consists of the following positions:

1. Pretreatment Coordinator: (1) spends approximately 90% of time in the direct administration of the Pretreatment Program. Specific duties related to the Pretreatment Program will include conducting annual inspections, tracking the compliance status of the industrial users, investigating of citizen complaints, updating the industrial users' survey, maintain the associated records, and will be the point of contact for all industrial users. This person should be well trained in laboratory procedures should the Laboratory Supervisor be absent or need assistance.

2. Laboratory Director: (1) spends approximately 30% of time performing duties related to the Pretreatment Program. Specific duties related to the Pretreatment Program include industrial sampling, computer data entry, filing, and minor administrative tasks.

3. Pretreatment Inspector; (1) spends approximately 50% of time performing duties related to the Pretreatment Program. Specific duties related to the Pretreatment Program include assisting with industrial & POTW sampling, which includes Biomonitoring, Quarterly, & Priority Pollutants. Sampling QA/QC, computer data entry, filing, conducts inspection program for Grease Traps & Interceptors and O/W separators, silver recover systems, and other major and minor duties as assigned.

4. Laboratory / Sampling Technician: (1) spends approximately 50% of time in the administration of the Pretreatment Program. Specific duties related to the Pretreatment Program include assisting with industrial sampling including sampling QA/QC, computer data entry, conducts an inspection program for grease traps at JWU service area restaurants and food service facilities, assists in conducting industrial inspections, and investigation of citizen complaints.

In addition, personnel from each of the departments within JWU (Managerial, Treatment, Technical Services, and Maintenance) are available to support the Pretreatment Program in whatever manner required.

The job descriptions for the above positions are enclosed in Exhibit "C" along with the organizational structure of JWU.

PRETREATMENT PROGRAM LEGAL AUTHORITY

The City of Jacksonville has passed into law various ordinances throughout the years providing Jacksonville Wastewater Utility (JWU) with the legal authority to develop and administer a Pretreatment Program as required in 40 CFR 403 (General Pretreatment Regulations).

The ordinance (Jacksonville Municipal Ordinance) or **Jacksonville Municipal Code 13.24.et. Seq.** (JMC 13.24.et.Seq.) is listed in its entirety under Exhibit "A".

A letter dated January 6, 2010 stating the legal authority of JWU as required in 40 CFR 403.8 (f) (1) from the Utility's attorney is included under Exhibit "A".

UPDATING THE INDUSTRIAL USER SURVEY

40CFR403.8f(2)(i)...POTW shall develop and implement procedures to locate and identify all possible Industrial Users (IUs), which may be subject to the pretreatment program.
Locating and identifying IUs will be accomplished by reviewing the following sources:

1. **The Utility is listed on the privilege license inspection form that all Industrial Users must complete and return to the city clerk's office before opening for business. The Pretreatment Coordinator or Pretreatment Inspector will inspect the new User to determine if process wastewater will be generated and whether pretreatment will be necessary to treat the wastewater generated from the new user.**

2. The Utility will annually review the Century Tel Yellow Pages of the telephone directory for any potential new users on the system.

3. The Utility will annually receive a list from the Jacksonville Water Department of all users with a monthly discharge rate in excess of 250,000 gallons (approximately 11,300 gallons per day per 22 work days per month).

4. The Jacksonville Water Department will notify the Utility at least once per month of any new commercial or industrial users on the system.

5. The Utility will review the Jacksonville Chamber of Commerce's Manufacturing Guide each year for any new industries listed within the Jacksonville area.

6. Annual printout of hazardous waste generators provided by the Arkansas Department of Environmental Quality (ADEQ).

JWU Pretreatment Program industrial base was generated from an Industrial Waste Survey conducted by Crist Engineers, Inc. in June 1980. In September 1983, a new Industrial Waste Survey was conducted by JWU to update the information obtained in 1980. Every year since this second survey was conducted, evaluations have been made using the information obtained from the sources mentioned above as well as visual observations made during driving on roads and streets within the service area of JWU. Yearly and/or Monthly reports are received by JWU from these sources. This information is used to continually update the Industrial Survey File, which will be used to include all industrial facilities (not previously identified as an existing regulated permitted user) located in the JWU service area. Industries identified, as an existing potential IU will be revaluated on a yearly basis. Any Potential New IU or Newly Discovered IU identified from one of the mechanisms listed above will be contacted by JWU.

Contact will be in the form of a telephone call to obtain information used to send an Industrial Survey Form, located in Exhibit "G". The user will be required to complete and return the Industrial Survey Form by a specified date. Upon return of the Survey form, Utility personnel will perform a site investigation to evaluate the discharge characteristics of the facility as well as the need of a slug control plan. Upon completion of these three items, a determination will be made by JWU to require the user to perform monitoring of their discharge, and shall submit a slug control plan. If indicated by the results of this monitoring, the user will be required to obtain an Industrial Wastewater Discharge Permit (IWDP) and will be removed from the user survey list. Any user that is not required to obtain an IWDP will remain on the Industrial Survey File for revaluation.

Identifying Character and Volume of Pollutants from IU's

Jacksonville Wastewater Utility (JWU) will comply with the provision located within 40 CFR 403.8(f)(2)(ii), which states " POTW shall develop and implement procedures to identify the character and volume of pollutants contributed to the POTW identified by the POTW's procedure for locating new industrial users.

JWU may utilize the following means to characterize the pollutants and volume in new and permitted IU discharges

Privilege License Inspections – The inspection shall be an information-gathering event to ascertain what chemical compounds may be discharged to the sanitary sewer.

Industrial User Discharge Permit Application – The permit application requires the IU to evaluate the MSDS of all chemicals used and note on the permit application those pollutants that may be present in the process wastestream.

Industrial User Survey – The survey requires the IU to evaluate the MSDS of all chemicals used and note on the permit application those pollutants that may be present in the process wastestream.

Baseline Monitoring Report (BMR) – All permitted IU's are required to complete a Baseline Monitoring Report (BMR) as part of the initial permit application package and for each subsequent permit renewal application. The BMR requires the facility to identify, through sampling and testing, the "nature and concentration of the regulated pollutants in the discharge from each process."

Material Safety Data Sheets (MSDS) – The IU is to provide to JWU a MSDS for all chemicals used with potential to discharge to the process effluent. The MSDS will be reviewed by JWU for identifying pollutants that are listed as hazardous components used in the preparation of the chemical.

On-Site inspections will be conducted to confirm the information provided by the IU. Additionally, permitted industries will be inspected annually and non-permitted industries that are listed with the Jacksonville Chamber of Commerce will be inspected every two years at a minimum to assess their potential to impact the treatment works. During the on-site inspection, waste manifests may be examined for contents of the waste and this volume will be compared against the purchased quantity to verify that the amount used in the product and the amount contributed to the waste stream are less than the purchased quantity.

Industry Appreciation Day

The Industrial Users' Day is an activity that JWU uses to reward good characters within the pretreatment program. This day is used to highlight and celebrate the accomplishments made by the IU's to control their contributions to their wastestream and share ideas and activities used for pollution prevention (P2). The IU's are rewarded with certificates of appreciation from JWU as to the degree of compliance with the discharge limitations listed within the IU's industrial discharge permit. The certificates are categorized into the following classifications:

Excellence Award: No violations, spills, or upsets are recorded from the IU for the preceding calendar year and is in compliance with all provisions of the Industrial Wastewater Discharge Permit issued to the IU.

Merit Award: No more than two (2) violations, spills, or upsets are recorded from the IU for the preceding calendar year and a return to compliance with all provisions of the Industrial Discharge Permit issued to the IU.

No Award: No award is provided to the IU whose compliance is not within the criteria listed for the above-mentioned awards.

DISCHARGE LIMITATIONS

Jacksonville Wastewater Utility (JWU) has passed, through the Jacksonville City Council, Jacksonville Municipal Codes reflecting the requirements of 40 CFR 403.5, as amended on July 24, 1990, on prohibited discharges . JWU has submitted Local Limits for the Johnson Plant on March 1994 for review and approval by Arkansas Department of Environmental Quality (ADEQ). These prohibitions are contained in the **JMC 13.24.09, 13.24.10, 13.24.12,** and 13.24.13 which reads as follows:

JMC 13.24.09 Discharge Prohibitions

(1) General Prohibitions: No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will **cause pass through or** interference

(2) Specific Prohibitions: No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

(a) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause a fire or explosion or be injurious in any other way to the POTW or the operation of the POTW. Any waste stream with a closed cup flash point of less than 140^0 Fahrenheit or that result in the LEL (lower explosion limit) of greater than 20% at any point in the system are prohibited. In determining the flashpoint of a waste stream, the test methods specified in 40 CFR 261.21 shall be used. Specific materials limited by this paragraph include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketone, aldehydes, peroxides, chlorates, percholorates, bromate, carbides, hydrides, and sulfides and any other substances which the City, the State, or the EPA has notified the User is a fire hazard or a hazard to the system.

(b) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW, such as, but not limited to: excessive grease, garbage with particles greater than one-half inch (½") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, stray, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubrication oil, mud, or glass grinding or polishing wastes.

(c) Any wastewater having a pH of less than 5.0 or greater than 11.0 or any wastewater having any other corrosive or acidic property capable of causing damage or hazard to structures, equipment, or personnel of the POTW. Any discharge which either singly or in combination with others results in the pH at the POTW treatment plant being less than 6.0 or greater than 9.0 is prohibited.

(d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process including sludge disposal, constitute a hazard to humans or causes a violation of the POTW's NPDES permit. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307 (a) of the Act.

(e) Any noxious or malodorous liquids, gases, or solids which singly or by interaction with other waste are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repairs. In determining if a discharge has created an unacceptable hazard for POTW workers, the Manager will use standards established by the Occupational Safety and Health Administration in 29 CFR 1910, Subpart Z, as a guideline for establishing effluent limitations for the materials creating the hazard.

(f) Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludge, or scum, 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 noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act. Any criteria, guidelines, regulations affecting sludge use of disposal developed pursuant to the Clean Air Act, the Toxic Substances Control Act, or State criteria are applicable to the sludge management method being used.

(g) Any substance, which will cause the POTW to violate its NPDES or State Disposal System Permit or the receiving stream water quality standards.

(h) Any wastewater with objectionable color(s) not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

(i) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40^0 C (104^0 F).

(j) Any pollutants, including oxygen demanding pollutants (BOD_5, etc) released at a flow rate or pollutant concentration which a user knows or has reason to know will cause Interference to the POTW. In no case shall a slug load have a flow rate or contain a concentration or quantity of pollutants that exceed for any time period longer than fifteen (15) minutes more that five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation unless prior approval has been received from the Manager and the discharge will not violate the provisions of this Ordinance.

(k) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager in compliance with applicable State or Federal regulations.

(l) Any wastewater containing petroleum oil, non-biodegradable cutting oils, or products of mineral oil origin in amounts that will cause interference with the operation of the POTW or will pass through the POTW to the receiving system

(m) Any hauled or trucked waste or wastewater except at the POTW treatment plant unless prior written permission is received from the Manager.

(2) When the Manager determines that an IU is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Manager shall advise the User of the impact of the contribution or the POTW; and either reject the waste or develop effluent limitations for such User to correct the interference. If the Manager develops effluent limitations for the discharge, then all cost associated with the development of this limitation including consultant fees and any sampling and analysis shall be borne by the User.

JMC 13.24.10 also addresses Federal Categorical Standards as follows:

JMC 13.24.10 Federal Categorical Pretreatment Standards

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial process, the Federal Standard, if more stringent than the limitation(s) imposed under Ordinance #1360 for that user, shall immediately supersede the limitation(s) imposed under this Ordinance (#1360). The Manager shall notify all affected Users of the applicable standards and reporting requirement imposed by the Federal Categorical Pretreatment Standard and this Ordinance (#1360).

Jacksonville Wastewater Utility has, in the past, kept abreast with changes in Federal Regulations through a subscription to the Federal Register. In the future, Jacksonville Wastewater Utility plans to use the following mechanisms to keep abreast of changes in the Federal Regulations:

1. An employee will attend the Region VI EPA or ADEQ sponsored Pretreatment Seminars/Workshops once per year, if they are offered, sponsored, or approved by the regulatory agencies during the year.

2. Jacksonville Wastewater Utility will annually order the latest revisions of the applicable CFR's, which are revised each year as of July 1 and are usually available to the public by December of the year.

3. Using JWU computers connected to the internet, JWU employees will seek any information posted on EPA, ADEQ, or other regulatory agency website for updates and information concerning Pretreatment Standards.

4. JWU will contact the state Pretreatment Coordinator(s) and / or person(s) in similar capacity in other cities to seek advice or information concerning the Standards.

Any User that is affected by a change in the regulations will be notified promptly of the changes and any deadlines, limitations, reporting requirements, or other requirements that may be required die to the changes in the
Standards.

JMC 13.24.12 (Local Limits) Specific Pollutant Limitations

Jacksonville Wastewater Utility (JWU) has completed a study of Headworks Loading Concentrations for the J. Albert Johnson Regional Treatment Facility (Johnson Plant) and submitted this study for review and comments by ADEQ. Although several technical approaches are available for determining Local Limits, the allowable headworks loading method is the method of choice for development of limits applicable for the Johnson Plant. For each pollutant of concern, the most stringent of the allowable headwork loadings derived from the respective sets of criteria (U. S. EPA., CWA, ADEQ, and other data) was taken as that pollutant's maximum headworks loading allowable to ensure consistent compliance with all applicable requirements. The study specifies how Local Limits will be developed for pollutant of concerns as identified by JWU Industrial and Residential contributions to the treatment headworks. These headworks limitations are enforced as part of the Pretreatment Program and delegated to all permitted industries.

JMC 13.24.12, as follows:

No person shall discharge any waters or wastes at a concentration that would exceed the concentration of pollutants, including but not limited to, those identified in the "technically based Local Limits Development Document", and adopted by the Manager of Jacksonville Wastewater Utility and approved by the Arkansas Department of Environmental Quality and the Jacksonville Wastewater Commission.

The Utility will develop and assign specific discharge permit limitations for pollutants for permitted Users based on criteria approved by the manager. The specific permit limits shall ensure that Local Limit pollutant concentrations will protect the wastewater treatment plant from upset. The Local Limits shall apply to the total flow or total discharge from the Industrial User. In developing specific permit limits, the Manager may impose mass limitations in addition to, or in the place of, specific concentration-based limits. In addition. the Utility may develop specific discharge limitations for any other toxic pollutants, which the Manager of the Utility may determine to be of sufficient quantity to cause POTW interference and/or pass through, endanger the health and safety of the of POTW personnel or the public health, cause a POTW permit violation or render the POTW sludges unacceptable for economic reuse or reclamation.

The Utility may develop Best Management Practices (BMPs) in lieu of numerical discharge standards. The adherence to these BMPs shall be utilized in place of numerical local limits and Pretreatment Standards. This information is included with the **JMC 13. 24. et. Seq**

JMC 13.24.13 Dilution Prohibited

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, this Code, or in any other pollutant-specific limitation developed by the City, State, and or the Federal Government.

METHOD OF CONTROL

This section of the Pretreatment Program Manual outlines progressive steps Jacksonville Wastewater Utility (JWU) may use to require compliance with pretreatment standards from Industrial Users (IUs). Nothing in the Enforcement Response Plan, which follows, will prohibit JWU from skipping intermediate steps if violations are found to be flagrant or willful. Similarly, less stringent enforcement actions may be appropriate based on the degree of the violation and past history of the Individual User. JWU shall enforce industrial wastewater discharge standards by use of the authority delegated to JWU by the United States Environmental Protection Agency under the provisions of 40 CFR 403, the Arkansas Department of Environmental Quality directives and regulations, City of Jacksonville Ordinance #1360, and the JWU Enforcement Response Plan detailed in Exhibit "J". Tools used to achieve these means are the use of a Chain of Custody while conducting a sample event, historical data contained within the files at JWU, inspection observations, and other similar tools.

The control of IU's shall be achieved by using the provisions in the JMC 13. 24. et. Seq, which are specified by the issuance of an Industrial Wastewater Discharge Permit (IWDP) or a General Discharge Permit (to certain Industry Sectors). These control mechanisms shall be issued to those industries determined to be classified as SIU, **CIU, or NSIU**. IU Self-Monitoring reports and JWU Monitoring reports will be evaluated against the discharge limits listed in the IUs IWDP **and the requirements listed on the BMP's**. The discharge limits **and requirements** will be determined from federal regulations (EPA), state regulations (ADEQ), local limits, and other possible sources (such as MSDS, past sampling results, inventory lists). These reports and any other written correspondence received from the IU will be dated upon receipt for record keeping purposes. Other methods used to provide control over these discharges are Pollution Prevention (P2) methods, Slug Control Plans, and other methods which are deemed appropriate for the individual IU. The enforcement used to control these IU's shall be granted to the following official utility representatives: General Manager or Manager, Administrative Operations Manager, Pretreatment Coordinator, **Laboratory/Sample Technician(s)**, **Pretreatment Inspector**, and the Jacksonville City Attorney. The steps used to exercise control over the IU's are detailed in the Enforcement Response Plan, which is located in Exhibit "J".

Tools used to monitor compliance by the IU's are random inspections of the IU'are:

Observations for changes in the IU's workplace (more cars in parking lot, new, more, or different 55–gallon or larger chemical drums on site **or etc...**

Checking the water consumption records against those from the past, and etc...

Random sampling of the IU's effluent and other tools that may be used and developed to aid in this endeavor.

During inspections of IU's, records will be reviewed, spill **and slug control plans** will be reviewed, and employee training records.

An exit interview with the IU's contact or other means of communication to discuss new or future plans for the user.

Reporting Requirements

Permitted Significant IU's are required to submit monthly industrial user self-monitoring reports (IUSM) on which **monthly water consumption flow** measurements and the sampling results for the parameters listed on the IU's discharge permit or general permit for monthly sampling are reported to JWU for determining compliance. Other reporting requirements for Categorical and Significant IU's are listed on the Industrial Wastewater Discharge Permit (IWDP) with the submission time frame also listed.

Significant (Non-Categorical) IU's are required to submit monitoring reports monthly to JWU also. The sampling requirements and/or monitoring requirements for the Significant IU's are listed on their IWDP.

During the Industrial Wastewater Discharge Permit or General Permit application phase, the User shall appoint and/or designate an "Authorized Representative"[JMC 13.24.03(4)] to be recognized as the User's signatory authority. This representative can sign POTW reports as well as other official reports from the User.

JMC 13.24.et.Seq. requires that all significant industrial users to have a valid Industrial Wastewater Discharge Permit or General Permit. This ordinance also provides for:

1. Both civil and criminal penalties of up to one thousand dollars ($1000) per day for violations of the ordinance;

2. Jacksonville Wastewater Utility employees to inspect industrial establishments;

3. A list of prohibited or regulated strengths of volumes of industrial wastewater discharges

4. Requirements for sampling, analysis, flow measurement, and pretreatment facilities if necessary.

5. Requirements for spill or slug control where necessary.

6. Requirements for industry reporting and self-monitoring.:

7. Allows for the emergency suspension of service if a discharge presents an imminent or substantial danger to the health or welfare of persons, to the environment, to the operation of the POTW, or causes or will cause the POTW to violate its NPDES Permit.

These P2 methods are to be used to provide waste reduction: by means such as reuse, substitution of materials used, or recycling of products used. Examples of these methods are the reuse of raw material containers without washing between uses (dedicated containers). use of aqueous based cleansers instead of organic cleansers, and the use of rinse water as make-up water for process use.

INDUSTRIAL WASTEWATER DISCHARGE PERMITS

Jacksonville Wastewater Utility (JWU) will use Industrial Wastewater Discharge Permits (IWDP) as the primary control mechanism to regulate Significant Industrial Users (SIU's). The IWDP allows for the systematic integration of applicable SIU requirements under the provisions of the JMC 13.24.et.Seq. state, and federal regulations. The IWDP will facilitate enforcement action for Significant Non-Compliance (SNC) by clearly stating the SIU's limitations and responsibilities.

In consideration of the granting of an IWDP, the industry affected agrees to furnish information relating to the installation or use of the industrial sewer for which the permit is sought, to accept and abide by all provisions of JMC 13.24.et.Seq.

(Jacksonville Wastewater Utility) JWU will issue two classes of IWDP (Class I and Class II). All SIU's will be required to have a Class I permit which will contain the specific reporting, monitoring, slug control requirements and sampling requirements, standard conditions, information necessary to contact JWU in the event of an emergency, and discharge limitations required by JMC 13.24.18 and the General Pretreatment Regulations (40 CFR 403). Non-Significant Industrial Users (NSIU's), **which** may require some control or regulations but are not SIU's, will be issued a Class II permit. Class II permits will contain standard conditions, slug control requirements, limitations, information necessary to contact JWU in the event of an emergency, and sampling and reporting requirements as required by the JMC 13.24.et.Seq.

Slug Control Evaluations

Any Industrial User (Categorical, Non-Categorical, Significant, or Non-Significant) whose wastestream has the potential to introduce Slug Loading to the POTW shall be subject to evaluation during the annual inspection or during a special industrial inspection for Slug Control. Pollution prevention methods will be suggested at this time to eliminate any Slug Loading potential to the POTW.

Industrial User Reporting Requirements

Reporting requirements for an IU are to send Self-Monitoring reports to the utility no later than one (1) month following the month in which the sample was collected. Example: Sample(s) collected in September, received by Laboratory for analysis in September, sample results in Self-Monitoring report are due to JWU by end of October. If these reports are not received within the timeframe noted above, the Enforcement Response Plan (ERP) will be used to seek the appropriate corrective measures. These measures can range from a telephone call, a written Notice of Violation requesting corrective measures and a timetable of events, and continuing to legal action against the IU for specific violations. If a Notice of Violation (NOV) is sent to the IU, it is sent within five (5) days of the violation and a response with a corrective action plan is requested to be submitted by the IU no later than thirty days from receipt of the NOV. Other reporting requirements are specified in the IWDP or Enforcement Response Plan.

Copies of Class I (SIU) & Class II (NSIU), Industrial Wastewater Discharge Permits are included in Exhibit "E" of this report. Copy of the Enforcement Response Plan is included in Exhibit "J" of this report.

BEST MANAGEMENT PRACTICES

BMPs (Best Management Practices) are management and operational procedures that intended to prevent pollutants from entering a facility's wastestream or from reaching a discharge point. BMPs are defined in JMC 13.24.03(6) and at Title 40 of the *Code of Federal Regulation* (CFR) 403.3(e) as schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the general and specific prohibitions listed in sections 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.

Means used to track the use of the BMP are logbooks, waste manifests, and other record keeping methods as well as instrument readings and the use of test strips to check the effluent from the treatment device. The final rule requires in JMC 13.24.18(5)(g) and at 40 CFR 403.12(b), (e), and (h) that IUs subject to BMP requirements as part of their Pretreatment Standards submit documentation of compliance with such requirements.

More information on BMPs is included in Exhibit "K" of this report.

7-9-10

INDUSTRY AND UTILITY COMPLIANCE MONITORING

Compliance Monitoring - Jacksonville Wastewater Utility (JWU) will determine compliance with all applicable regulations by Industrial Users (IUs) through self-monitoring, JWU monitoring, and from a minimum of an annual industrial inspection(s) of the IUs. All of the above mentioned resources would be used to determine whether the IU is Significantly Non-Compliant (SNC) or not as determined with the Enforcement Response Plan (ERP). **All Significant Industrial Users, Categorical and Non-Categorical, will be required by their permit to resample for any pollutant that exceeds the limits in their permit within 30 days of becoming aware of the violation if the Control Authority (JWU) has not sampled in this period. Should JWU sampling results show that the User (SIU or NSIU) has violated the permit limit and JWU has elected not to require the user to resample; JWU shall resample (within 30 days of becoming aware of the violation) the User's discharge (the User may resample also) for the purposes of determination of compliance with the IWDP or General Permit. All sampling shall be representative of the process water discharged from the facility.** Listed below are the minimum requirements of this monitoring program:

Inspections - All Significant and Non-Significant Permitted IUs will be inspected a minimum of once per year. The (JWU) Utility will reserve the right to conduct inspections more often in response to violations or other problems. These inspections will be on demand inspections and will be conducted with no prior notice to the IU. Permitted Non-Significant industrial users will be inspected a minimum of once a year. A copy of the latest inspection form used by JWU is located in Exhibit "H". Before any inspection is conducted, a review of the information located within the files of JWU is conducted by the Pretreatment Coordinator or other designated utility representative. Other type of inspections conducted by JWU will be to assess the potential for slug loadings from IU's, response to emergency situations (fire, explosions, and etc...), response to requests from the general public, collection system upsets, violations of instantaneous limits, and concerns of treatment plant employees, and other situations that could be determined to be of imminent danger to health and safety.

Industry Self-Monitoring – Industry Self-Monitoring shall consist of samples collected by the IUs. The types of samples collected shall be grab and composite. Grab samples are individual samples collected over a period of time not exceeding 15 minutes, and may be collected by manual or automatic methods. A composite sample is a mixture of grab samples collected at the same sampling point over a known period of time or proportional to flow. Composite sampling may be done manually or with an automatic sampler. All sample collection handling and analysis shall be performed by an ADEQ-certified laboratory unless they are performed by the permitee. Designated laboratories shall be subject to the Manager of JWU for approval. **IU's are required to submit one of the following reports* (Monthly (IUSM), Quarterly (IUSMQ), or Semi-Annual (PRCC)) for t he purpose of determining compliance with their IWDP. Sampling requirements are listed on the permit as well as the number of grab and composite samples required to determine compliance status. All sampling results shall be reported to JWU by the end of the month following sample collection.**

***Industrial User Self-Monitoring Report (IUSM), Industrial User Self-Monitoring Report Quarterly (IUSMQ), Semi-Annual Pretreatment Report Compliance Certification (PRCC)**

7-9-10

Sampling Methods

Methods used to collect a grab sample are as follows:

Method 1: This method makes use of a long section of nylon twine ($^1/_4$ inch size) tied tightly around the neck of a sample container. The container is lowered down into the interior of the manhole or sample port. The container is positioned above the representative sampling point within the wastewater flow stream. . This method is used for collecting samples from a manhole for parameters such as pH, O&G, cyanide, and phenol. This method is used at IUs and for treatment plant sampling. Surcharge O&G samples are collected using this method.

Method 2: This method uses the pumping action of an automatic sampler to lift the sample from the wastewater flow stream. The suction line of an automatic sampler is lowered into the interior of a manhole. The pump of the automatic sampler is turned on to lift the sample from the flow stream and is deposited into the appropriate sample container. This method is not to be used to collect an O&G sample, because portions of the analyte may adhere to the inside of the suction line, thus preventing the collection of a representative sample. This method may be used at industrial **and/or commercial** locations.

Methods used to collect a composite sample are as follows:

Time Weighted Composite Samples: This method is used for compositing wastewater samples in which a fixed volume of wastewater (aliquot) is collected at a set time interval over a pre-determined designated period of time, usually 24 hours, and deposited into one container. This method is used to collect IUs samples for BOD_5, TSS, COD, Metals, etc... This method is also used for process control samples collected within the Johnson Plant and at the IU locations for compliance monitoring. Surcharge BOD_5 & TSS samples are collected using this method. The abbreviation for this method is 24 HC.

Time Weighted Composite Samples – Manually Flow-Proportioned: Equal volume aliquots of wastewater are collected at equal time intervals, which are then composited together proportionally to the flow during the time the aliquots were collected. This method is currently used as a back up to the Flow Proportioned Composite Sample method used at the Johnson Plant Final Effluent. The abbreviation used for this method is 24 HFC. An example of this method is presented below:

(a) Samples are collected over a 24-hour period, with individual aliquots collected every two hours, beginning at 8:00 AM and ending at 6:00 AM the next day. To determine the flow proportioned volume, a factor is derived by first totaling the individual flow reading (in MGD) at the time each sample is collected and secondly by dividing each individual flow reading by the total. Multiply this factor by the volume of the composite sample container to determine the actual volume to be composited.

Flow Proportioned Composite Samples: This method is used to collect a series of discrete, equal volume wastewater aliquots at a known flow interval, and to place these samples into a single composite container. The known flow interval will be provided by the data user is known commonly as a flow pulse. A flow pulse represents an electronic flow input signal transmitted to the sampler at fixed increments of total flow. For example, one (1) pulse may equal one hundred (100) gallons of flow. The fixed volume will be determined by how many equal volume aliquots are to be collected during the compositing period and the size of the

composite container. The maximum amount of sample should be collected without overflowing the composite container. The abbreviation used for this method is 24 HFPC. This method is used at the Johnson Plant Influent and Final Effluent to determine compliance with the POTW's NPDES permit. This method is also used at Little Rock Air Force Base **(for self-monitoring purposes)**.

Self-Monitoring

The Self-Monitoring frequencies for SIU's will be based upon the industry category (Categorical vs. Noncategorical) and the quantity and quality of the discharge. Non-Significant permitted industrial users **(NSIU)** may be required to monitor at a frequency determined by the Manager based upon the facility's potential impact upon the POTW and compliance with JMC 13. 24. et. Seq. The Manager may require no monitoring for those facilities that do not discharge industrial wastewater but are permitted to ensure compliance with nondischarge provisions of the Ordinance such as spill control.

a. All Categorical users **(CIU)** will be required to monitor at least once per year for any regulated pollutant that is reasonably expected to be present based upon sampling history and inspection results. All Categorical users will be required to monitor for all pollutants regulated by that category at least twice per year unless the Utility elects to monitor for these pollutants for the user. Categorical users that are allowed by Federal Regulations to certify compliance with a pollutant will not be required to monitor for that pollutant if they comply with the provisions of certification. An example would be Metal Finishers who are allowed to certify compliance with the TTO standards.

b. All Significant Noncategorical Users **(SIU)** will be required to monitor at a frequency ranging from weekly to once per year based upon the quantity and quality of their discharge.

c. All Significant Industrial Users, Categorical and Non-Categorical, will be required by their permit to resample for any pollutant that exceeds the limits in their permit within 30 days of becoming aware of the violation if the Control Authority (JWU) has not sampled in this period. **This requirement is listed within the IWDP.**

Utility Monitoring

Utility Monitoring - JWU shall monitor all Categorical Users **(CIUs)** a minimum of twice per year for all pollutants regulated by the industrial user category. Other Significant Industrial Users **(SIU's)** shall be monitored by JWU at least once per year. This monitoring is for the parameters listed on the Sampling Protocol for the individual IU. Non-Permitted Non-Significant IU's may be sampled at least once every two years. JWU reserves the right to sample at higher frequencies in response to violations or other problems that would make the IU Noncompliant with the conditions in the Industrial Wastewater Discharge Permit or **would place the IU in SNC under provisions in** JMC 13. 24. et. Seq.

JWU will confirm that categorical users that are certifying compliance with a specific parameter by evaluations of the IU Self-Monitoring results, evaluations of JWU Monitoring results, and through annual industrial inspections. JWU reserves the right to increase the sampling for these parameters if the user appears to have failed to adhere to the conditions of this certification or is experiencing other problems. Non-Significant industrial users will be monitored by JWU at a frequency determined by the Manager based upon the facility's potential impact on the POTW collection system and treatment system. The Manager may require no monitoring if the facility does not discharge industrial wastewater to the sanitary sewer.

Demand Monitoring - Additionally, JWU reserves the right to increase both industry self-monitoring and Utility monitoring in response to problems in the POTW collection system or treatment plant, problems with the industrial users compliance status, or in response to questionable or suspect sampling and analytical data.

All sampling and analysis will be performed according to the requirements in 40 CFR 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants). Industrial users will be required to certify with their self-monitoring reports that they have complied with this provision and that all samples were collected during normal operations. Jacksonville Wastewater Utility will collect all demand monitoring samples and maintain appropriate records in such a manner as to produce evidence admissible in court. A list of the equipment used in conducting sampling operations is located in Exhibit "F'. Sampling may be conducted in the event of an emergency or violation of the regulations governing the POTW or IU. The ERP will be used in response to any violation specified in the IWDP or other regulatory requirements.

All sample containers shall be washed and prepared in accordance with Environmental Protection Agency (EPA) regulation 40 CFR 136, Tables 1^{a} and 1^{b} or where there is no EPA regulation is defined, approved methods accordance with procedures listed in Standard Methods for the Examination of Water and Wastewater, 18^{th}, 19^{th}, 20^{th}, and 21^{st} Editions. Any sample container provided by contract laboratories or other sources shall be held to these same standards.

Once an automatic sampler is removed from the field, it must be properly cleaned before it is returned to service. The following procedures describe the techniques used in cleaning the automatic sampler after completion of the sampling event.

Sampler Base, Midsection and Top Cover

Step 1: Inspect the sampler base, mid-section and top cover for any cracks or defects. Repair with available spare parts if possible. Consult the Pretreatment Coordinator for disposal and replacement considerations.
Step 2: The entire surface areas inside and outside of the top cover, mid-section, and sampler base should be cleaned as soon as possible after use. Wash thoroughly with laboratory grade detergent and hot water using a brush to remove any material or surface film.
Step 3: Rinse thoroughly with hot water and air dry.

Control Box

Step 1: The control; should be wiped with a clean wet cloth or paper towel after each use.
Step 2: Check the desiccant indicator and replace any spent cartridge with a reactivated cartridge if necessary.
Step 3: Twice a year, check inside the control box for loose debris. Remove debris by use of a vacuum cleaner. Check rubber seal for cracks and replace if necessary. Always before closing lid, coat rubber seal with thin layer of silicone or lithium grease.

Pump Tubing and Suction Line

New pump tubing and suction line are use for each sample event. Should the pump tubing or suction line need to be reused, the cleaning techniques listed below are to be used.

Step 1: Pump a laboratory grade detergent and hot tap water through the sample line and pump tubing for minimum of two (2) minutes. Use the pump switch in the forward position and alternate with the reverse

position during this time to remove any residual detergent solution.

Step 2: Clean the outside of the suction line with a laboratory grade detergent and wet scouring pad (scotchbrite).

Step 3: Rinse the suction line thoroughly by pumping hot tap water through the line for two minutes. Rinse a second time using deionized water in place of tap water and pump for one minute.

Step 4: If the suction line is transporting sample for metal analysis, rinse suction line using 1:1 H_2SO_4, followed by three rinses of deionized water. Following the last deionized rinse, rinse the suction line with 1:1 HNO_3, followed by three rinses of deionized water.

Step 5: If the suction line is transporting sample for the following organic fractions: base/neutrals, acid extractables, and/or pesticides, the silicone pump tubing should be thoroughly rinsed with methanol, followed by repeated rinsing with deionized water to minimize the potential for contamination of the sample. Do not use methanol around open flames because of the flammability factor.

Step 6: If the sample line is to be replaced, new sample line must be washed according to the above-described procedures before it can be used.

Step 7: Sample lines are to be stored in the laboratory until placed into use.

Sample Containers

All sample containers used for plant final effluent and process control samples will be washed and prepared in accordance with Environmental Protection Agency (EPA) regulation 40 CFR 136 or where there is no EPA regulation defined, in accordance with procedures listed in Standards Methods for the Examination of Water and Wastewater, 18th, 19th, 20th, or 21st Editions.

Sample containers and sample bottles should be cleaned as soon as possible after use and when removed from stock and to be placed into service. The cleaning procedures outlined in this section will be used. Solvents, acid solutions, laboratory detergent and rinse waters used to clean sample containers shall not be reused. Brushes used to clean sample containers should be discarded when they become worn or become a source of contamination. The discarded brushes will be replaced with new brushes. Once the particles and surface grime has been completely removed, the brush will not be reintroduced into any of the remaining steps of the washing procedures.

JWU has the authority to require industry self-monitoring in JMC 13. 24. et. Seq.

CHAIN OF CUSTODY

To insure sample integrity, JWU will employ the following security and chain of custody methods. A copy of the chain of custody is located in Exhibit "I".

1. All automatic samplers will be locked when set up at the industry. Sample technicians will note the conditions surrounding the sampler during setup. The technician will complete a form when the unit is set up indicating all the specifics of the sampler set up and the conditions surrounding the unit. This form has a section for sampler set up, sampler pick up and sampler clean up.

2. **Upon completion of the sampling event, all samples collected shall be sealed using a vinyl tape. This tape is used as a deterrent to tampering after the sample is collected.**

3. Sample technicians will maintain custody of all samples until they are delivered to the lab.

4. Sample technicians will complete a chain of custody form, which will be signed by individuals at the receiving lab when they receive custody of the samples from the technician. This form has a space for the industry ID #, sample #, sample date, sample description, sample parameters, sample type, bottle number (s), designated laboratory, and signature block (s) for the relinquish of custody.

5. **JWU shall retain the original chain of custody form after a copy has been made by the receiving lab. The original chain of custody form shall be attached to the sampling results report after the results have been entered upon the spreadsheet for the User. The lab identity number shall be transferred to the original chain of custody.**

PUBLIC PARTICIPATION

Jacksonville Wastewater Utility will conform to the public participation requirements of 40 CFR 403 in the following manner:

1. A monthly report will be prepared by the Pretreatment Coordinator and delivered to the Manager, which will contain all violations and discharges beyond **the surcharge parameters** experienced by industrial users during the reporting month. The Manager will communicate this information to the Sewer Commission as required by the Commission.

2. The Manager will annually publish in a newspaper of general circulation in Jacksonville a list of all industrial users that were in significant noncompliance with the provisions of Ordinance #1360 or JMC 13. 24. et. Seq. and any applicable state or federal regulations for the previous calendar year.

3. The Laboratory Department will promptly investigate possible violations of the provisions of Ordinance # **1360** or JMC 13. 24. et. Seq. that is reported by members of the public or any **state and /or federal** governmental agency.

FUNDING

Funding for the program will come from the following sources:

1. Extra Strength Surcharges
2. Analytical Fees
3. Permit Application Fees
4. General Revenues (those amounts set aside in the JWU budget)
5. **Domestic Septage and Landfill Leachate disposal fees**
6. Other fees as determined by the Commission under the authority of JMC 13.24. et. Seq.

The 2008budget for the Laboratory is included as Exhibit "D". This exhibit contains the estimated portion of that budget that directly relates to the **Industrial** Pretreatment Program.

CONFIDENTIALITY

In accordance with 40 CFR 403.8 (f) (1) (vii) and the Arkansas Freedom of Information Act, any records that will give advantage to competitors or bidders and other similar records shall be kept under double lock. These records, which by law are required to be closed to the public, will not be made available to the public and will be filed separately from those records available on public file. Reasonable access to public records and reasonable comforts and facilities for the full exercise of the right to inspect and copy such records will not be denied to any citizen.

SAFETY

Jacksonville Wastewater Utility has an ongoing safety program to educate employees of the dangers present in the wastewater business. The Utility will supply the necessary safety equipment to ensure that the employees can complete the work safely. Listed below is safety equipment available to employees.

1. Hard Hats
2. Steel toed rubber boots
3. The Utility will pay a pre-determined amount toward the purchase of approved Steel/safety toe leather shoes or boots for use on the job
4. Chemical resistant gloves
5. Safety Glasses
6. Ear Plugs
7. **Rain Suit / Rain Coat**
8. **Tyvek Disposable Jump Suit**
9. **SCBAs (Self-Contained Breathing Apparatus)**
10. **Chemical Respirators**

Additionally, the following equipment will be stored for use in the sampling vehicle:

1. Eye Wash Station
2. OSHA approved first-aid kits
3. Portable (Class ABC) fire extinguisher
4. Safety Cones
5. Two-Way Radio
6. Antibacterial **Hand Wipes**
7. Hazardous/Explosive Gas Monitor (on an as needed basis)
8. **Latex Gloves**
9. **Antibacterial Hand Sanitizer**

Safety is taken very seriously by the Jacksonville Wastewater Utility. A full safety manual for the Utility was developed in 1995 and was updated in 2009 that includes educational information, policy, and standard operating procedures.

JACKSONVILLE WASTEWATER UTILITY
ENFORCEMENT RESPONSE PLAN

This section of the Pretreatment Manual outlines progressive steps the Utility uses to require compliance with pretreatment standards from all Industrial Users. Nothing in the Enforcement Response Plan (ERP), which follows, will prohibit Jacksonville Wastewater Utility (JWU) from skipping intermediate steps if violations are found to be flagrant or willful. Similarly, less stringent enforcement actions may be appropriate based on the degree of the violation and past history. Any questions regarding appropriate enforcement action should be addressed to the Pretreatment Coordinator or the Jacksonville City Attorney.

The following definitions will be applied within the ERP:

Potential New Industry – A potential discharger that has not connected to the sewer but plans to begin discharging after completion of construction or extension of sewer service.

Newly Discovered Industry – An existing discharger that has recently been discovered, has recently become subject to a categorical discharge standard, or is found to have a pollutant of concern in their discharge.

Existing Industry – An Industrial User (IU) that is connected to the JWU sanitary sewer system and has a Discharge Permit.

All new industries may be required to have adequate pretreatment facilities (if necessary) to achieve compliance with appropriate discharge standards and will submit all necessary reports (IUSM, BMRs, permit applications, spill and/or slug control plans, etc...) before they are allowed to discharge.

Any newly discovered industry would be required to submit all necessary reports (BMRs, permit applications, spill and/or, etc...). A compliance schedule may be required if the industry is found to be noncompliant with any (federal, state, and/or local) discharge limits. This compliance schedule (if required) will be placed within the discharge permit.

All newly discovered industries that fail to meet compliance schedule milestone dates (including a final date for compliance) without reasonable cause or appears willing to accept fines instead of installing pretreatment equipment, and/or appears unwilling to comply with pretreatment rules and regulations will be subject to further enforcement action.

Investigating Instances of Industrial User Noncompliance

Instances of Industrial User (IU) noncompliance are identified through review of IU self-monitoring reports, Jacksonville Wastewater Utility (JWU) compliance monitoring, and inspections, Demand inspections and monitoring is performed when deemed necessary to provide additional information and/or to confirm suspicions about compliance issues.

IU self-monitoring reports are reviewed upon receipt. These reports are checked for appropriate parameters, certification statement, sampling and analytical procedures, signature, and results. These reports are checked against the discharge permit for the IU to determine compliance with the limitations listed within the permit. Any violations are noted and an appropriate response is made. Should the IU not adhere to regulations specified in the discharge permit, JMC 13. 24.et. Seq., and etc. The IU shall be determined noncompliant and shall remain until compliance is achieved through proper documentation.

Compliance monitoring at JWU's categorical IUs is conducted at a minimum of twice per year. Compliance monitoring at Significant Industrial Users within the JWU service area is conducted on an annual basis. All compliance monitoring visits made by JWU are unscheduled. All compliance monitoring is performed in accordance with U. S. EPA sampling and analytical procedure requirements (40 CFR 136). These procedures and requirements provide JWU with quality data that would be admissible as evidence in enforcement proceedings. Chain of Custody procedures are in effect.

Annual inspections are conducted at all permitted IUs and this inspection is scheduled with the facility representative. The annual inspection provides the opportunity to review operations, pretreatment facilities, and records to ensure compliance with the discharge permit and state requirements.

Demand monitoring and inspection activities are performed in response to known or suspected violations to gather additional information. JWU procedures require additional sampling by JWU when a violation is discovered during compliance monitoring. This extra monitoring is usually performed the month following the month in which the effluent limit violation is discovered. The information obtained from additional compliance monitoring may be used to confirm whether noncompliance continues or a return to compliance.

Should JWU suspect an illegal discharge from any facility and these activities are not being detected by compliance monitoring, covert surveillance procedures should be initiated. Covert surveillance procedures will be designated by the Pretreatment Coordinator.

Types of Enforcement Responses and Descriptions

In accordance with 40 CFR 403.8(f)(5)(ii), a description of the types of escalating enforcement responses to JWU will take in response to anticipated types of IU violations and the time periods within which the responses will take place must be identified in the ERP. The following enforcement responses to IU noncompliance are allowed in JMC 13. 24. et. Seq. These responses fall into five (5) general categories.

Telephone call and communications records – This enforcement response is the least severe of the options available to JWU and will occur for every instance of IU noncompliance. The telephone call will state the nature of the violation and any corrective actions that need to be taken by the IU. A Communication Record is kept of the conversation and is used to document the conversation, nature of the violation, actions taken by JWU, who was contacted, and IU initial response to the violation. All subsequent communications from the IU and JWU in regards to this violation shall reference the initial communications record. These communications documents shall show, from initial recognition of a violation until return to compliance, the actions taken by the IU and JWU in response to the violation.

Informal Meetings – Some minor instances of noncompliance may warrant an informal meeting to explain the violation and/or pretreatment requirements in person. These meetings are generally scheduled at a convenient time for the IU Representative and the Pretreatment Coordinator. The Pretreatment Coordinator will take notes during the meeting and generate a memo to the file regarding what was discussed and any comments made by the IU Representative.

Notice of Violation – A Notice of Violation (NOV) is a formal notice to the IU that they are in violation of an ordinance provision; permit condition, or effluent limitation. The NOV is sent by certified mail-return receipt requested and outlines the nature of the violation(s) and requests the IU to respond within a specific time period (usually 30 days from the date of the letter) as to the cause of the violation(s) and the steps the IU will take to prevent future violations.

Show cause hearing – This is a formal hearing meeting between the IU Representatives and JWU Representatives. JWU Representatives may include members of the Jacksonville Sewer Commission, Jacksonville City Attorney, Manager, Administrative Operations Manager, Pretreatment Coordinator, and/or any other individual employed by JWU with knowledge of an IU violation.

The purpose of the show cause hearing is to allow the IU to present reasons why particular enforcement action proposed by JWU should not be taken. The reasons will be considered and the appointed hearing officer will submit findings and recommendations to the Jacksonville City Attorney for action. The ultimate decision on enforcement actions shall be determined by the Jacksonville City Attorney upon recommendations made by the Jacksonville Sewer Commission and/or members of the JWU staff.

Consent order – This is an assurance of voluntary compliance, which establishes a formal agreement between JWU and an IU. The consent order will include specific actions to be taken by the IU to correct noncompliance within a specific time.

Compliance order – An order, which gives the IU a specific time to come into compliance with appropriate regulations and/or discharge standards. The specific time is generally incorporated into the IU's discharge permit as a formal compliance schedule. Failure to meet a compliance order or schedule may be grounds for

termination of service.

Cease and desist order – This enforcement remedy requires an IU to cease and desist all violations and to (1) immediately comply with all requirements, and (2) to take appropriate remedial or preventative action to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Administrative fines – A penalty for the violation of pretreatment requirements or effluent limitations. Administrative fines may be levied by the Manager at a rate up to $1,000.00 per violation per day [JMC 13.24.29(4)].

Emergency suspension – Any discharge that is an actual or threatened imminent danger to persons, the environment, or the operation of the POTW, may be suspended by JWU. Failure to comply with an order for emergency suspension will result in the JWU further enforcement action, including termination of discharge.

Termination of discharge – The last step in the administrative enforcement remedies is termination of the IU discharge permit. Continuing to discharge without a valid discharge permit could lead to further enforcement action such as civil penalties or criminal prosecution.

Injunctive relief – This a formal, judicial action which restrains or compels specific performance or other requirements imposed by the JMC 13. 24. et. Seq.

Civil penalties – JWU may consider an IU who has violated any provision of JMC 13. 24. et. Seq. or the discharge permit, liable to JWU for a maximum fine up to $ 1,000.00 per violation per day. In addition to the civil penalty, JWU may be entitled to other damages and civil liability, such as damage to the treatment works.

Criminal prosecution – This enforcement remedy carries specific fines and/or the possibility of imprisonment.

When assessing monetary penalties, the following criteria should be considered for determining the amount of the penalty:

1. Penalties should recover the economic benefit of noncompliance plus some amount for the gravity of the violation,

2. Penalties should be large enough to deter future noncompliance,

3. Penalties should be uniform or reasonably consistent for similar instances of noncompliance.

Performance bond – May be used in conjunction with any of the other enforcement options and is meant to be a guarantee that an IU will achieve compliance. Failure to achieve compliance will cause forfeiture of the bond.

Liability insurance – This type of supplemental enforcement action may be used in conjunction with any other type of enforcement action. This is a requirement to submit proof of adequate financial assurances to restore or repair damages to the POTW, which may be caused by an industrial discharge.

The ERP, which follows in Exhibit "J", contains anticipated pretreatment violations and enforcement

responses. It shall be the policy of JWU in selecting enforcement proceedings against any IU to consider several factors. These factors are listed below.

1. The magnitude of the violation.
2. The duration of the violation.
3. The effect the violation had on the POTW and/or the receiving stream,
4. The compliance history of the user in violation, and
5. The good faith exhibited by the user in violation.

JWU will respond to all incidences of IU violations with a minimum of a documented phone call. For all escalated enforcement responses above the Notice of Violation and incorporation of compliance schedules in IU discharge permits, the enforcement response will consist of a show cause hearing and escalating enforcement (if warranted) as allowed by the JMC 13. 24. et. Seq. The Pretreatment Coordinator will confer with the Jacksonville City Attorney to determine the appropriate escalated enforcement response.

Enforcement Response Plan

Revisions to the General Pretreatment Regulations contained in 40 CFR 403 were promulgated on July 24, 1990 and the under 403.8(f)(5) requires that POTW develop and implement an Enforcement Response Plan (ERP). JWU has prepared an ERP to establish the framework to follow in response to instances of noncompliance by IU in accordance with the Federal Regulations. This plan will be followed under normal conditions in response to violations. Nothing contained in the plan will prevent the Manager or the Sewer Commission from omitting and/or amending any step or recommended course of action in seeking compliance with JMC 13. 24. et. Seq. or any other applicable state or federal regulations. The Enforcement Response Plan is located in Exhibit "J".

PENALTIES

JMC 13.24.30. et. Seq., states the following:

(1) Any User found to have violated a provision of this Code or any applicable provision or directive of any orders, rules, regulations, and permits issued hereunder shall be fined no less than twenty five dollars ($25) or more than $1000.00 or the maximum allowed by Arkansas Law, whichever is greater, for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

(2) Any person who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Code or Industrial Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Code. They shall, upon conviction, be punished by a fine of not more than one thousand dollars ($1000), or the maximum allowed by Arkansas Law, whichever is greater, and/or by imprisonment of not more than six (6) months.

(3) Any person who violates any provision of this Code or any orders, rules, regulations, and permits issued hereunder shall be liable to a civil penalty not to exceed one thousand dollars ($1000). or the maximum allowed by Arkansas Law. Each day on which a violation shall occur or continue shall be deemed separate and distinct offense. Any such penalties imposed under the provisions of this paragraph shall to be construed as liquidated damages, and shall accrue in addition to any liability for any consequential damages or additional operating expense incurred by the Utility resulting from the violation for which the penalty is imposed. Consequential damages shall include, but not be limited to, fines, penalties, and costs incurred and imposed upon the City or by other public authorities.

EXHIBIT "A" - LEGAL AUTHORITY

1. Attorney's Letter

2. JMC 13. 24. et. Seq / Ordinance #

3. LRAFB Contract

City of

JACKSONVILLE,

ARKANSAS

April 16, 2010

Robert E. Bamburg
CITY ATTORNEY

Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118

Attention: Pretreatment Coordinator
Regarding: Jacksonville, Arkansas, Pretreatment Program,
NPDES Permit No. AR0041335

Dear Coordinator:

Please be advised that, as City Attorney, I also serve as attorney for the Jacksonville Wastewater Utility. This letter is an opinion regarding the requisite City authority under Section 403.9(b)(1) and Section 403.8(f) of applicable regulations promulgated under the Federal Clean Water Act.

In my opinion, the City does have does have the necessary authority and powers to carry out the program as set forth in Section 403.8 of the applicable regulations.

The Jacksonville City Council has enacted a Pretreatment Ordinance No. 1360 (JMC 13.24, et. seq.), which has previously been approved by your Department. Additionally, the City Council has enacted an Industrial Discharge and User Surcharge Ordinance, Ordinance No. 1360 (JMC 13.24.24), which covers excessive discharges of certain pollutants. Copies of the relevant portions are part of our submission.

The Arkansas Legislature has vested authority in Cites of the State to construct, operate, and maintain municipal sewer systems, delegating the requisite authority, in my opinion, to establish a Pretreatment Program as required by Section 403.8(f). Copies of relevant sections of the Arkansas Statutes are attached collectively as Exhibit A to this letter.

It is, therefore, my opinion that the Jacksonville Wastewater Utility can enact such a Pretreatment Program as authorized by Ordinance No. 1360 (JMC 13.24, et. seq.) through adoption of such by the City Council of Jacksonville, Arkansas. There are other Ordinances in effect which give the City broad general powers of regulation of its system and which also require compliance with applicable Federal, State, and local laws

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7-9-10

and regulations. Although not sufficient alone to meet the Clean Water Act requirements, copies are attached collectively as Exhibit 2 to this letter for informational purposes.

In my opinion, the newly enacted Ordinances give the City all of the requisite powers under Section 403.8(f)(I). The specific provisions of the Jacksonville Municipal Code creating such authority are set forth as follows:

CFR Enforcement Provision	*JMC Enforcement Provision*
403.8 (f) (1) (i)	JMC 13.24.09 and .12
403.8 (f) (1) (ii)	JMC 13.24.10 and .11
403.8 (f) (1) (iii)	JMC 13.24.18
403.8 (f) (1) (iv)	JMC 13.24.18.5(f) and (g)
403.8 (f) (1) (v)	JMC 13.24.20 and .21
403.8 (f) (1) (vi)	JMC 13.24.28 and .29 and
403.8 (f) (1) (vii)	JMC 13.24.22

The Pretreatment Program requirements will be implemented and pretreatment standards applied to individual industrial users pursuant to the surcharge provisions. The Commission intends to require that all reporting and monitoring standards be kept and to exercise its rights of admission, inspection, and monitoring. Enforcement methods to be used can be denials of permits and hookups, refusal to allow discharge, administration sanctions, and court action where necessary requesting injunctive and/or damage relief.

As stated, this opinion is submitted pursuant to 40 CFR 403.9(b)(1). If further information or opinion is necessary, please do not hesitate to contact me.

Sincerely,

CITY OF JACKSONVILLE, ARKANSAS

BY: _____
ROBERT E. BAMBURG
City Attorney

REB/hz
cc: Jacksonville Sewer Commission
Ms. Thea Hughes

7-9-10

ORDINANCE NO. 1360 (#3 – 09)

AN ORDINANCE REGULATING USE AND OPERATION OF THE JACKSONVILLE WASTEWATER UTILITY TO BE SPECIFICALLY CODIFIED AS JACKSONVILLE MUNICIPAL CODE, CHAPTER 13.24; REPEALING ORDINANCES 604, 620, 684, 877, 932, 1133 AND ANY AMENDMENTS THEREOF; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, ARKANSAS, THAT:

SECTION ONE: Jacksonville Municipal Code Chapter 13.24 shall be amended to include the following:

PREAMBLE

This Code Section sets forth uniform requirements for direct and indirect contributors into the Publicly Owned Treatment Works for the City of Jacksonville, Arkansas, and enables Jacksonville Wastewater Utility, hereafter known as Utility, to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and amendments and the General Pretreatment Regulations (40 CFR part 403).

The objectives of this Code Section are:

a. To prevent the introduction of pollutants into the Publicly Owned Treatment Works which will interfere with its operation, contaminate the resulting biosolids, or interfere with the use and disposal of wastewater or biosolids in compliance with applicable statutes and regulations;

b. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, and flow into the receiving waters, the atmosphere or otherwise be incompatible with the Publicly Owned Treatment Works and/or ecological system; and,

c. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and biosolids in the course of their employment and the general public;

d. To prevent the introduction of pollutants into the storm drainage system either through direct discharge or in that direct discharge such as a sanitary sewer overflow.

e. To establish uniform standards for the use of public sewers.

f. To enable the Utility to comply with its National Pollutant Discharge Elimination System Permit conditions, biosolids use and disposal requirements, and any other Federal or State laws to which the Utility is subject,

g. To promote and encourage pollution prevention and waste minimization and waste reduction through Pollution Prevention and Best Management Practices by the promotion of re-use and recycling of wastewater and biosolids from the Publicly Owned Treatment Works.

This Code shall apply to business citizens and industries within the City of Jacksonville, and to those entities and/or persons outside the city of Jacksonville who are, by contract or agreement with the Jacksonville Sewer Commission, Users of the City's Wastewater Utility system. Except as otherwise provided herein, the Manager of the Jacksonville Wastewater Utility shall be responsible to administer, implement, and enforce the policies of the Jacksonville Sewer Commission or their authorized representative, of the terms of this Code Section.

13.24.01 Administration

Except as otherwise provided herein, the Manager shall administer, implement, and enforce the provisions of this Code. Any powers granted to or duties imposed upon the Manager may be delegated by the Manager to other Utility personnel.

13.24.02 Abbreviations

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

ADEQ	-	Arkansas Department of Environmental Quality
BMP	-	Best Management Practices
BOD_5	-	Biochemical Oxygen Demand$_5$
BTEX	-	Benzene, Toluene, Ethylbenzene, Xylene
CFR	-	Code of Federal Regulations
CIU	-	Categorical Industrial User

COD	-	Chemical Oxygen Demand
EPA	-	U.S. Environmental Protection Agency
gpd	-	gallons per day
mg/L	-	milligrams per liter
NACIS	-	North American Cartographic Information Society
NPDES	-	National Pollutant Discharge Elimination System
O&G	-	Oil and Grease
POTW	-	Publicly Owned Treatment Works
SIC	-	Standard Industrial Classification
SIU	-	Significant Industrial User
TSS	-	Total Suspended Solids
(t)	-	Total

13.24.03 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this section, shall have the following meanings:

(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) Agent. Person who acts on behalf of an industrial/commercial/residential user or an authorized representative of the industrial/commercial/residential user.

(3) Approval Authority. The Director of the State of Arkansas Department of Environmental Quality and/or their written designee.

(4) Authorized Representative of Industrial User. An authorized representative of an Industrial User may be:

(a) A principal executive officer the level of vice-president or above if the Industrial or Commercial User is a corporation.

(b) A general partner or proprietor if the Industrial or Commercial User is a partnership or proprietorship.

(c) Any duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facility or administers the facility's environmental programs. The individuals as defined in terms (a) and (b) above must submit the designation of a facility representative that does not meet the requirements of items (a) and (b) above, in writing to the Utility.

(5) Batch Discharge. The discharge of process wastewater to a POTW on an intermittent basis from a tank, vat, or similar vessel.

(6) BMP. Best Management Practices or BMP's means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in §13.24.09. BMP's include treatment requirements, operating procedures, and practices to control plant site runoff, spillage of leaks, sludge or wastes disposal, or drainage from raw materials storage. [Note: BMP's also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.]

(7) BOD_5 (denoting Biochemical Oxygen Demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures five (5) days at 20 degrees centigrade expressed in milligrams per liter (mg/L).

(8) Brown Grease. Used fryer grease, collected by a restaurant in an above ground receptacle (vat).

(9) Building Drain. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil water and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet outside the inner face of the building wall.

(10) Building Sewer. A privately owned sewer that conveys wastewater from the premises of a User, to the sanitary sewer main and/or manhole that is owned by the City.

(11) 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. Section 1317) that apply to a specific categorical category of Users and that appear in 40 CFR Chapter I, subchapter N, Parts 405-471.

(12) City. The City of Jacksonville, Arkansas.

(13) Commission. The Jacksonville Sewer Commission.

(14) Commercial User. A non-residental user who engages in work in a non-manufacturing environment and produces little or no process wastewater.

(15) Composite Sample. A series of individual grab samples collected over a known period of time or proportional to flow and combined to make one sample.

(16) Control Authority. The City of Jacksonville, Arkansas, or its designee.

(17) Cooling Water. Any waters which are used for the purpose of cooling in which the only pollutant added is heat.

(18) Direct Discharge. The discharge of treated or untreated wastewater directly into the waters of the State of Arkansas

(19) Domestic Septage. Any waste from holding tanks such as, but not limited to, chemical toilets, campers, trailers, septic tanks, and vacuum-pump trucks.

(20) EPA. The Environmental Protection Agency.

(21) Existing Source. Any source of discharge, which is not a "New Source".

(22) Garbage. The solid waste from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

(23) Grab Sample. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and (without consideration of time) over a period of time not to exceed 15 minutes.

(24) Indirect Discharge. The discharge of the introduction of pollutants into the sanitary sewer system including holding tank waste discharges into the sanitary sewer or at the wastewater treatment plant.

(25) Industrial User. A non-residential user of the sanitary sewer system, which discharges or has the potential to discharge toxic or conventional pollutants in amounts that could exceed the limitations set forth in this Code.

(26) Interference. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the City's NPDES Permit. The term includes rendering the POTW's wastewater sludge unfit for disposal or under the criteria specified in the City's NPDES Permit or Solid Waste Disposal Permit.

(27) Manager. The Manager of the Jacksonville Wastewater Utility of the City of Jacksonville, Arkansas, or his/her authorized deputy or representative.

(28) Natural Outlet. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

(29) 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 which will be applicable to such source if such standards are there after promulgated in accordance with the Section, provided that:

b. The building, structure, facility or installation is constructed at a site at which no other source is located; or

c. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

d. The production or wastewater generating process 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 engaged in the same general type of activity as the existing source, should be considered.

e. 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 Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

f. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

1. Begun, or caused to begin, as part of a continuous on-site construction program:
   i. any placement, assembly, or installation of facilities or equipment; or,
   ii. 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

g. 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.

(30) Non-contact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

(31) NPDES Permit. A National Pollutant Discharge Eliminations System Permit as administered by EPA or State of Arkansas.

(32) "O and G", O&G, or Oil and Grease. A group of substances with similar physical characteristics are determined quantitatively on the basis of their common solubility in an organic extracting solvent. These substances including fats, waxes, free fattyacids, calcium and magnesium soaps, mineral oils, and certain other non-fatty materials. It includes other materals recovered by the solvent from an acidified sample (such as sulfur compounds, certain organic dyes, and chorlphyll) and not volatilized during the test. At the discretion of the Manager, the Oil and Grease test may be determined by the Partition-Gravimetric Method as outlined in the latest approved listing in 40 Code of Federal Regulation, Part 136, or the Soxhlet Method contained in the latest approved edition of "Standard Methods for the Examination of Water and Wastes". Further, the solvent used may either be Trichlorotrifluoroethane (1,1,2-Trichloro-1,2,2-trifluoro-ethane) or a mixture of 80% n-Hexane and 20% methl-tert-butyl ether.

(33) "O and M". Operations and Maintenance.

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

(35) Person. Any individual, firm, company, association, society, corporation, group, partnership, joint stock company, trust, estate, governmental entity, or any other entity, or their legal representatives.

(36) "pH". A measure of the hydrogen-ion concentration in a solution, expressed as the logarithm (base ten) of the reciprocal of the hydrogen-ion concentration in gram moles per liter (g/mole/L). On the pH scale (0 to 14), a value of 7 at 25°c (77°F) represents a neutral condition. Decreasing values indicate increasing hydrogen-ion concentration (acidity); increasing values indicate decreasing hydrogen-ion concentration (alkalinity).

(37) 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 waste water (e.g., TSS, turbidity, color, BOD, COD, cyanide, oil & grease (O&G), heavy metals, toxic organic compounds, heat, pH, toxicity, or odor).

(38) Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

(39) Pretreatment Program. The Utility's EPA and/or Arkansas Department of Environmental Quality approved program to administer the requirements of 40 CFR 403, the General Pretreatment Regulations, and associated National Categorical Standards as adopted into Section 4 of Regulation No. 6: Regulations for State Administration of the National Pollutant Discharge Elimination System.

(40) Pretreatment Requirement. Any substantive or procedural requirement related to Pretreatment, other than a Pretreatment Standard, imposed on the Industrial User.

(41) Pretreatment Standards or Standards. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

(42) Prohibited Discharge Standards or Discharge Prohibitions. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 13.24.09 of this Ordinance.

(44) Publicly Owned Treatment Works or POTW. A "treatment works," as defined by Section 212 of the ACT (33U.S.C. §1292) which is owned by the City of Jacksonville. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

(45) Public Sewer. A sewer in which all owners of the abutting properties have equal rights and is controlled by a public authority.

(46) Sanitary Sewer. A system of pipes and conduits in which sewage is carried and which storm, surface and ground waters are not intentionally admitted.

(47) Sewer System. Jacksonville Wastewater Utility as operated by the Jacksonville Sewer Commission of the City of Jacksonville, Arkansas.

(48) Shall is mandatory; May is permissive.

(49) Significant Industrial Users.

a. Any Industrial User subject to categorical pretreatment standards; or,

b. An Industrial User that:

i. Discharges an average of twenty-five thousand (25,000) gallons or more per day, of process wastewater to the POTW (excluding sanitary, non-contact cooling, and blow-down 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 Manager on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

iv. Discharges any substance that causes pass-through or a substance that is untreatable by the POTW (i.e. endocrine disruptors, human hormones, antibiotics, etc.)

v. The Manager may decide that a User meeting the criteria in Section 45 b (i), (ii) & (iii) has no potential for adversely affecting the POTW and should not be considered a Significant Industrial User and may be considered a Non-Significant Industrial User.

c. Slug/Slug Load. The discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average 24 hour concentration or flows experienced during normal operation.

(50) State. State of Arkansas.

(51) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1997.

(52) Total Suspended Solids. The total suspended matter that floats on the surface or, is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

(53) Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic regulations promulgated by the Administrator of the EPA under the provisions of the Clean Water Act, Resource Conservation and Recovery Act, or other Acts.

(54) Upset. An exceptional incident in which a discharger unintentionally and temporarily is in a state of non-compliance with the standards set forth in the Ordinance or the forces beyond the reasonable control of the discharger, and excluding non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

(55) User. A residential or a non-residential customer of Jacksonville Wastewater Utility.

(56) Utility. The City of Jacksonville Wastewater Utility, including the POTW, personnel, and all authorized representatives.

(57) Wastewater. Industrial waste or sewage or any other waste including that which may be combined with any ground water, surface water or storm water that may be discharged to the POTW.

(58) Yellow Grease. The grease collected in an underground Grease Trap.

13.24.04 Use of Public Sewers Required

(1) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Jacksonville, Arkansas, or at any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet, within the jurisdiction of said City, any sewage or other polluted wasters except where suitable treatment has been provided in accordance with the provisions of this Code, the laws of the State of Arkansas, and the EPA.

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy vault, septic tank, cesspool, or other facility intended to be used for the disposal of sewage.

(4) The owner of all houses, buildings, or properties used for employment, recreation and other purposes situated within the City and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary sewer of the Utility is hereby required to install suitable toilet facilities therein and shall obtain a permit to connect such facility directly with the proper public sewer in accordance with provisions of this Code within thirty (30) days after the date of official notice to do so. Said real property shall be within three hundred (300) feet of an accessible sewer, and construction of the sewer and its connection thereof to the public sewer shall be made by the owner within ninety (90) days, unless extenuating circumstances are present and an extension is granted by the Manager.

13.24.05 Private Sewage Disposal

(1) Where a public sanitary sewer is not available under the provision of Section 13.24.04, Paragraph #4, the building sewer shall be connected to a private sewage disposal system, which meets all requirements of the City of Jacksonville, the State of Arkansas, and the EPA.

(2) Before commencement of construction of a private disposal system, the owner shall first obtain written permits from the Health Department, Arkansas Department of Environmental Quality, and/or the Jacksonville Sewer Commission. The applications for such permits shall be made, and the applicant is responsible to supplement said application with any plans, specifications, and any other information deemed necessary by the agencies issuing said permits.

(3) The type, capacities, locations and lay out of private sewage disposal systems shall comply with all recommendations of the Arkansas Department of Health and the Arkansas Department of Environmental Quality.

(4) When a public sewer becomes available, the building sewer shall be connected to said sewer within the time period designated above in Section 13.24.04, Paragraph #4. The private sewage disposal system shall be cleaned of sludge and filled with clean bank run gravel or dirt.

13.24.06 ***Building Sewers and Connections***

(1) No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public or private sewer or appurtenance thereof without first obtaining a written permit from the Manager.

(2) There shall be two classes of building sewer permits:
(a) Residential and commercial service; and,

(b) Service to establishments producing industrial waste.

In either case, the owner or agent shall make application for service on a special form furnished by the Utility. The permit application shall be supplemented with any plans, specifications or other information considered relevant in the judgment of the Manager. A permit and inspection fee shall be paid to the Utility at the time application is filed. Coincident with the application for a permit, a connection fee shall be paid to the Utility as well. All fees will be determined and set by the Sewer Commission.

(3) All cost and expenses incident to the installation and connection of the building sewer shall be born by owner. The owner shall indemnify the Utility from any loss or damage that may directly be occasioned by the installation of the building sewer.

(4) A separate and independent building sewer shall be provided for every building, except as follows:
(a) Where multiple buildings are constructed in an apartment complex or condominium on a single lot or tract of land which cannot be subsequently subdivided and sold in parcels. The individual buildings may be connected to a collector building sewer provided that only one person is responsible for maintenance of the building sewer.

(b) Temporary buildings, mobile homes or similar portable structures may be connected to a building sewer and installed to serve a previously constructed permanent building provided that both the permanent and temporary buildings are located on the same lot.

(5) Existing building sewers may be used in connection with new buildings only when they are found upon examination and testing by a Utility inspector to meet all requirements of this Code and all other applicable rules and regulations.

(6) The size, slope, alignment, and materials of construction of a building sewer and methods to be used in excavating, placing of pipe, jointing, testing, and back filling the trench shall all conform to the rules and regulations of the Utility and the building and plumbing Codes or other applicable rules or regulations of the City. In the absence of Code provisions or in amplification thereof, the materials and procedures set forth and appropriate specification of the ASTM and the WPCF Manual of Practice Number Nine (9) shall apply.

(7) Whenever possible the building sewer shall be brought to the buildings at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, the sewage shall be lifted by an approved means and discharge directed to the building sewer.

(8) No persons shall make connection of roof down spouts, exterior foundation drains, areaway drains, or other sources of surface run off or ground water to the sanitary sewer, directly or indirectly.

(9) The connection of the building sewer into the public sewer shall conform to the rules and regulations of the Utility. In absence of Utility or City rules and regulations, the specifications and procedures of the ASTM and WPCF Manuals of Practice Number Nine (9) shall apply. All such connections shall be watertight and gas tight. Any deviation from the prescribed procedures and materials must be approved by the Manager before installation.

(10) The applicant for the building sewer permit shall notify the Manager when the building sewer is ready for inspection and connection to the public sewer. All portions of the

building sewer from the foundation to the connection to the public sewer shall be inspected and approved by the Manager or his authorized agent before backfilling.

(11) All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from any hazard. Street, sidewalks, parkways, and other areas disturbed in the course of the work shall be restored in a manner satisfactory to the City's Public Works Department.

(12) Owners of land shall be required to maintain their building drains and sewers in their entirely, including the point of connection to the public sewer, in a water tight condition so as to eliminate introduction of surface or ground water to the sewer system. If it is determined by the Manager that a building drain or sewer has not been maintained in a water tight condition, the owner shall be notified by certified mail, return receipt requested, that, at owner's expense, repairs must be made within a reasonable time (not to exceed ninety (90) days) in order to restore the building drain or sewer to a water tight condition. If satisfactory repairs are not made by the owner and inspected by duly authorized Jacksonville Wastewater Utility personnel within the specified time, the Jacksonville Sewer Commission may request that water service be discontinued to that building or property until satisfactory repairs are made and inspected. The Commission shall further have the authority to make such rules and regulations as may be necessary to carry out the purpose of this section.

13.24.07 Disconnecting Sewers

Before any dwelling or other building served by the public sewer is moved or demolished, the building sewer serving said building shall be disconnected from the sewer at the property line and sealed to prevent entrance of storm water and debris into the public sewer. This seal shall be maintained in a watertight condition by the owner. The disconnection and sealing of the building sewer line will require a permit from and inspection by the Utility. The owner of the property shall bear all costs associated with this disconnection

13.24.08 Protection from Damage

(1) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the POTW.

(2) No unauthorized person shall cover any manhole on a public sewer with earth, paving, or otherwise render it inaccessible.

(3) No unauthorized person shall remove the earth cover from a public sewer so that less than two feet of cover remains over the pipe bells. Approval to remove subsequent cover requires written consent of the Manager.

(4) Any person found violating the above paragraphs of this section shall be subject to arrest and prosecution under applicable criminal law.

13.24.09 Discharge Prohibitions

1 General Prohibitions. No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will cause pass through or interference or in any way contaminates the POTW effluent, biosolids, scum or residues to render them unacceptable for economical reuse or reclamation. 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 into the POTW the following pollutants, substances, or wastewater:

(a) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient alone or by interaction with other substances to cause a fire, explosion, or be injurious in any other way to the operation of the POTW. Any wastewater with a closed cup flash point of less than 140^0 Fahrenheit or 60^0 Centigrade or that results in a LEL (lower explosion limit) of greater than 20% at any point in the system is prohibited. In determining the flashpoint of a waste stream, the test methods specified in 40 CFR 261.21 shall be used. Specific materials limited by this paragraph include, but are not limited to, the following: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketone, aldehydes, peroxides, chlorates, perchlorate, bromate, carbides, hydrides, sulfides, and any other substances which the City, the State, or EPA has notified User is a fire hazard or a hazard to the system:

(b) Solids or viscous substances which may cause obstruction to the flow in a sewer, or other interference with the operation of the POTW such as, but not limited to the following: excessive grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes;

(c) Any wastewater having a pH of less than 5.0 or greater than 11.0 or any wastewater having any other corrosive or acidic property capable of causing damage or hazard to structures, equipment, or personnel of the POTW. Any discharge which singly or in combination with others results in the pH at the POTW treatment plant being less than 6.0 or greater than 9.0 is prohibited;

(d) Any wastewater containing toxic pollutants in sufficient quantity, singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process including sludge disposal, constitutes a hazard to humans or animals, creates a toxic effect in the receiving waters of the POTW, causes a violation of the POTW's NPDES permit. A toxic pollutant shall include, but not limited to, any pollutant identified in Section 307(a) of the Act;

(e) Any noxious or malodorous liquids, gases, or solids which singly or by interaction with other waste are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repairs. In determining if a discharge has created an unacceptable hazard for POTW workers, the Manager will use standards established by the Occupational Safety and Health Administration in 29 CFR 1910, Subpart Z, as a guideline for establishing effluent limitations for the materials creating the hazard;

(f) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludge, or scum, to be unsuitable for reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations affecting sludge use of disposal developed pursuant to the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used;

(g) Any substance which will cause the POTW to violate its NPDES or State Disposal System Permit or receiving stream water quality standards;

(h) Any wastewater with objectionable color not removed in the treatment process such as, but not limited to, dye waste(s) and vegetable tanning solutions;

(i) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40^0C (104^0F);

(j) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate or pollutant concentration which User knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain a concentration or quantity 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 unless prior approval has been received from the Manager and the discharge will not violate the provisions of this Code;

(k) Any wastewater containing radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager in compliance with applicable State or Federal regulations;

(l) Any wastewater containing petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin in amounts that will cause interference with operation of the POTW or will pass through the POTW to the receiving stream; and/or,

(m) Any hauled or trucked waste or wastewater, except at the POTW treatment plant, unless prior written permission is received from the Manager.

3. When the Manager determines that a User is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Manager shall advise User of the impact of the contribution on the POTW and either reject the waste or develop effluent limitations for such User to correct the interference. If the Manager develops effluent limitations for the discharge, then all cost associated with the development of this limitation, including consultant fees and any sampling and analysis, shall be borne by User.

13.24.10 Federal Categorical Pretreatment Standards

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are here by incorporated. Those standards, if more stringent than the limitations by the latest approved "Technically Based Local Limits Development Document" for sources in that sub-category, shall supersede the limitations imposed by the Local Limits.

1. Where a categorical pretreatment standard is expressed only in the terms of either mass or the concentration of a pollutant in wastewater, the Manager 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 Manager shall impose an alternative limit using the combined wastestream formula in 40 CFR 403.6(e)

13.24.11 State Pretreatment Standards

The State has not developed State Pretreatment Standards. The State has adopted section 4 of EPA's regulation No.6: which incorporates Federal Pretreatment Standards.

13.24.12 Specific Pollutant Limitations (Local Limits)

No person shall discharge any waters or wastes at a concentration that would exceed the concentration of pollutants, including but not limited to, those identified in the "technically Based Local Limits Development Document", and adopted by the Manager of Jacksonville Wastewater Utility and approved by the Arkansas Department of Environmental Quality and the Jacksonville Sewer Commission.

The Utility will develop and assign specific discharge permit limitations for pollutants for permitted Users based on criteria approved by the Manager. The specific permit limits shall ensure that local limit pollutant concentrations will protect the wastewater treatment plant from upset. The Local Limits shall apply to the total flow or total discharge from the Industrial Users. In developing specific permit limits, the Manager may impose mass limitations in addition to, or in the place of, specific concentration-based limits. In addition, the Utility may develop specific discharge limitations for any other toxic pollutants which the Manager of the Utility may determine to be of sufficient quantity to cause POTW interference and/or pass through, endanger the health and safety of the POTW personnel or the public health, cause a POTW permit violation or render the POTW sludges unacceptable for economic reuse or reclamation.

The Utility may develop Best Management Practices (BMPs) and/or General Discharge Permits for certain groups of Users in lieu of Numerical Discharge Standards. The adherence to these BMPs and/or General Discharge Permits shall be utilized in the place of Numerical Local Limits and Pretreatment Standards.

13.24.13 Dilution Prohibited

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, this Code, or in any other pollutant-specific limitation developed by the City, the State, and/or the Federal government.

13.24.14 Grease, Oil, and Sand Traps

(1) Grease and oil interceptors shall be provided when, in the opinion of the Manager, they are necessary for the proper handling of liquid waste containing grease in excessive amounts except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Utility and shall be located as readily and easily accessible for required cleaning and inspection. Within ninety (90) days of approval of this Code, the Utility will develop Standard Specifications for the type and capacity of grease trap required by this Code and shall duly notify any affected User. In that event, the following provisions shall apply:

(a) Existing grease traps that do not meet Utility requirements will not be required to be upgraded to meet Utility requirements, unless in the opinion of the Manager and/or the Health Department the existing grease trap will not

function to a level adequate to prevent sewer line blockage or a public health hazard. In lieu of replacing an existing trap, the Manager may allow for use of a grease trap treatment such as bacteria or require more frequent cleaning of the trap;

(b) All grease traps must be continuously maintained and operated by User at User's expense. User will insure that all resides from the grease trap are disposed of in a manner consistent with applicable local, state, and federal laws;

(c) Manager may require that a grease trap be cleaned by User at a frequency determined by Manager and Manager may require User to maintain records of said cleaning;

(d) The Utility may recover any cost from User associated with excessive line cleaning due to the absence of a grease trap or improper or inadequate maintenance and operation of the grease trap. For the purposes of this provision, excessive line cleaning is defined as any cleaning of the sewer line that would not be expected if the trap was functioning normally and/or required; and/or,

(e) Manager may waive the requirement for the installation of a grease trap when conditions make installation impractical. A grease trap waiver will not relieve User from any line cleaning charges that may occur as a result of the waiver.

(2) Sand and oil interceptors shall be provided when, in the opinion of Manager, they are necessary for proper handling of liquid waste containing sand, oil, or other harmful ingredients. Such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by Utility and shall be readily and easily accessible for regular cleaning and inspection. Within ninety (90) days of approval of this Code, Utility will develop Standard Specifications for the type and capacity of sand and oil interceptors required by this Code and shall duly notify any affected User. In that event, the following provisions shall apply:

(a) Existing sand and oil interceptors which do not meet Utility requirements will not have to be upgraded to meet Utility requirements, unless in the opinion of the Manager the existing interceptor will not function to a level adequate to prevent the discharge of excessive sand or oil into the sanitary sewer system;

(b) All sand and oil interceptors must be continuously maintained and operated by User at User's expense. User will insure that all residues from the sand and oil interceptor are disposed of in a manner consistent with applicable local, state, and federal laws; and/or,

(c) Manager may require User to clean the sand and oil trap at a frequency determined by Manager, and Manager may require that User maintain a record of said cleaning.

13.24.15 Accidental Discharges/Slug Control Plans

At least once every two (2) years, the Manager shall evaluate whether each Significant/Non-Significant Industrial User needs an accidental discharge/slug control plan, during the annual inspection. The Manager may require any User to develop, submit for approval, and implement such a plan. Alternatively, the Manager may develop such a plan for any User. An accidental discharge/slug control plan shall address at a minimum, the following:

(a) A description of discharge practices, including non-routine batch discharges;

(b) a description of stored chemicals;

(c) procedures for immediately notifying the POTW of the accidental discharge and follow-up procedures for notifying Utility in writing within five (5) days of the discharge;

(d) any procedures necessary to prevent adverse impact from accidental discharge, including inspection and maintenance of chemical storage areas, loading and unloading of chemicals, building or containment structures, employee training, control of plant site runoff, any follow-up practice to limit the damage suffered by POTW, and/or emergency measures and equipment; and/or,

(e) Notify the POTW or Control Authority of any changes to the Facility affecting the potential for accidental and or slug discharges.

(1) All facilities used to prevent an accidental and/or slug discharge of regulated materials shall be provided and maintained at the User's expense.

(2) In the event of accidental and/or slug discharge, it is the responsibility of User to notify Utility immediately of the incident. The notification will include location of the discharge, type of waste discharged, concentration and volume of the discharge, and any corrective action.

(3) Within five (5) days following the accidental and/or slug discharge, User shall submit to Manager a detailed written report describing the cause of the discharge and the measures taken by User to prevent similar future occurrences.

(4) All permitted Industrial Users shall post a notice in a prominent place, advising employees of whom to call in the event of an accidental, slug and/or dangerous discharge. User shall insure that all employees who may cause or suffer such a dangerous discharge are advised of the emergency notification procedures.

(5) All existing permitted Industrial Users shall have one hundred and eighty (180) days to upgrade current accidental discharge control plan to meet requirements of this section. Industrial Users who receive permits after passage of this Code must comply with the requirements of this section upon commencement of discharge or as soon thereafter as reasonably possible.

13.24.16 Hauled Liquid Wastes

(1) Hauled liquid wastes may be introduced into the POTW, with prior approval of the Manager. These wastes may include, but are not limited to portable toilet wastewater and waters associated with the removal of underground petroleum storage tanks (BTEX waters). The acceptance of such waters for introduction to the POTW shall comply with Jacksonville Wastewater Utility current policies on the acceptance of portable toilet wastewater and BTEX.

(2) The Manager shall require all haulers of liquid wastes discharged into the POTW to use the Utility manifest system for each load of hauled liquid waste. This form must contain at a minimum, the name and address of the wastehauler (transporter), permit number (if applicable), truck identification, names and address(es) of the source(s) of the waste(s), and volume and characteristics of the waste. This form shall identify the type of waste.

13.24.17 Fees and Charges

The Jacksonville Sewer Commission may adopt charges and fees to include, but not be limited to, the following:

(1) fees for reimbursement of costs incurred in development and operation of the City's Pretreatment Program;

(2) fees for monitoring, inspections, and surveillance procedures;

(3) fees for reviewing accidental discharge procedures and construction;

(4) fees for permit applications and permits; and/or,

(5) other fees as the Jacksonville Sewer Commission deem necessary to carry out the requirements contained herein.

These fees relate solely to matters covered under this Code and are separate from all other fees chargeable by the City.

13.24.18 Industrial Wastewater Discharge Permits

Wastewater Survey. When requested by the manager, all Industrial Users (CIUs, SIUs, and NSIUs) must submit information on the nature and characteristics of their wastewater by completing a wastewater survey prior to commencing their discharge. The Manager is authorized to prepare a form for this purpose and periodically require Industrial Users to update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the Industrial User and shall be considered a violation of this Ordinance.

(1) It shall be unlawful for any Significant Industrial User to discharge to the POTW any wastewater without a valid Industrial Wastewater Discharge Permit (or a General Permit). Additionally, any Industrial User which may not be considered a Significant Industrial User may be required to obtain an Industrial Wastewater Discharge Permit (or a General Permit), if in the opinion of Manager, this Industrial User's facility, singly or in combination with others, has the potential to adversely impact the POTW.

(2) There shall be three (3) classes of Industrial Wastewater Discharge Permits. A Class I Industrial Wastewater Discharge Permit can be issued to all Significant/Non-Significant Industrial Users and Categorical Industrial Users. Class II Industrial Wastewater Discharge Permit can be issued to any other Industrial/Commercial User requiring a permit, but which is not a Significant Industrial User. Class III Industrial Wastewater General Discharge Permit can be issued to a group of Users with similar operations and wastewater characteristics.

(3) All Significant Industrial Users, Categorical Industrial Users, and Non-Significant Industrial Users wishing to connect to or contribute to POTW shall obtain an Industrial Wastewater Discharge Permit (or a General Permit) before connecting to or contributing to POTW.

(4) All Industrial Users required to obtain an Industrial Wastewater Discharge Permit (or a General Permit) shall complete and file with Manager an application, in form prescribed by the Manager, and pay a fee as determined by the Jacksonville Sewer Commission. A proposed new Industrial User shall submit a completed application at least sixty (60) days prior to connecting or contributing to POTW. In support of the application, Industrial Users shall submit all relevant information as required by Manager. The Manager will evaluate data furnished by the Industrial User. After evaluation and acceptance of the data furnished, Manager may issue an Industrial Wastewater Discharge Permit, subject to the terms and conditions contained in said Permit.

(5) Industrial Wastewater Discharge Permits (shall be expressly subject to all provisions of this Code and all other applicable regulations. Industrial User charges, and fees established by the Jacksonville Sewer Commission. Permits may contain, but are not limited to, the following conditions:

(a) Unit charge or schedule of Industrial User charges and fees for wastewater discharged to the Utility;

(b) Limits on average and maximum wastewater constituents and characteristics;

(c) Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;

(d) Requirements for installation and maintenance of a secure sampling point and flow monitoring installations;

(e) Requirements for industrial self-monitoring including sample location, sampling frequency, acceptable analytical and sampling methods, and reporting frequency, and the results from appropriate sampling of any regulated pollutant more frequently than required by the Manager;

(f) Any necessary compliance schedules;

(g) Requirements for submission of applicable technical or discharge reports, as required in 40 CFR 403.12(b),(c),(d),(e),(1), & (h), including but not limited to, Baseline Monitoring Reports, Ninety (90) Day Compliance Reports, Semiannual Reports on Continuing Compliance, Monthly Reports, and Compliance Schedule Milestone Reports;

(h) Requirements for maintaining and retaining for at least 3 years any records relating to wastewater discharge or BMP's and affording Manager access thereto;

(i) Requirements to notify Manager of any new introduction of wastewater constituents or any substantial change in the column or character of wastewater constituents being introduced into POTW;

(j) Requirement to develop a slug control plan (to be submitted with the permit application package) and Notification requirements in the event of a slug discharge or accidental spill;

(k) Provision under which Manager may extend the duration of the Industrial User's permit for up to one (1) year;

(l) Prohibition against bypassing of wastewater pretreatment equipment, except under conditions contained in the Industrial User's Permit;

(m) Designation of an authorized on-site representative at the facility authorized to sign reports required by the Industrial User's permit;

(n) A statement of applicable civil and criminal penalties (including but not limited to the penalties in 13.24.30 for violation of Pretreatment Standards and requirements;

(o) Requirements to control Slug Discharge, if determined by the Manager to be necessary; and/or,

(n) Other conditions as deemed appropriate by Manager to ensure compliance with this Code and/or all applicable regulations and provisions of the Jacksonville Sewer Commission.

(6) Permits shall be issued for a specified time period not to exceed three (3) years, except that Manager may extend expiration date of a Permit for up to one (1) year. Applications for renewal of an Industrial Wastewater Discharge Permit must be completed and submitted to Manager within 90 days of the Permit expiration date. Manager will notify the Permitted Industrial User of the duty to reapply 120 days before the expiration date of said Permit.

(7) The terms and conditions of an Industrial Wastewater Discharge Permit may be subject to modification by Manager during the term of the permit. Permits may be modified due to changes in Federal or State Regulations including the promulgation of Categorical Pretreatment Standards, changes in limitations or conditions contained in this Code, issuance of any order or directive from EPA or the State of Arkansas, changes in processes of the Industrial User, or any other condition which, in the opinion of Manager, will require a permit modification to insure compliance by the Industrial User and Utility with all applicable laws or regulations.

(8) Industrial Wastewater Discharge Permits are issued to a specific Industrial User for a specific operation. An Industrial Wastewater Discharge Permit shall not be reassigned, transferred, or sold to a new owner, new Industrial User, different premise or location, or accepted for a new or changed operation without written approval of Manager.

(9) Application(s) for an Industrial Wastewater Permit may be denied by Manager if the proposed discharge would exceed the limitations included in this Code, if the proposed discharge would result in an unacceptable loading, either hydraulic, organic, or toxic, to the Utility, if the proposed discharge will exceed limitations of applicable categorical standard, or if applicant has ever been convicted or entered into a consent decree over violations of environmental laws or regulations.

13.24.19 Monitoring Facilities

Permitted Industrial Users may be required by the Manager to provide and operate at the Industrial User's expense a secure sampling point. A secure sampling point may consist of equipment and appurtenances required to collect a representative wastewater sample. Equipment that may be required by Manager for a secure sampling point include, but are not limited to, an automatic wastewater sampler, equipment to constantly monitor discharge flow and pace the wastewater sampler, continuous pH monitoring equipment, any necessary safety equipment, and locking mechanism(s). Monitoring Sampling facilities should normally be located on the Industrial User's property but Manager may, when such a location would be impractical or cause undue hardship on the Industrial User, allow a monitoring facility to be constructed in a public street or sidewalk area and located so as not to be obtrusive. All sampling locations shall be constructed in accordance with Manager's requirements and any applicable local construction standards and specifications. The construction of a secure sampling point shall be completed within ninety (90) days of written notification by Manager. The Manager may extend the deadline for completion of installation of a secure sampling point for up to one year.

13.24.20 Inspection and Sampling

(1) When directed to do so by the Manager; Owner or Industrial User of any property discharging Industrial waste shall, at the expense of said Owner or Industrial User, obtain a representative sample of the discharge and have appropriate physical, chemical, and biological tests performed on the sample by a qualified testing laboratory acceptable to Manager. The purpose of such test shall be to determine conformance of effluent characteristics to this Code. A report shall be made in writing to Manager stating the results of all said tests and a statement included as to whether or not the discharge is in conformance with this Code. All sampling and analysis required by this Code will conform to the conditions and requirements of 40 CFR 136, unless otherwise specified by Manager.

(2) The Manager shall inspect the facilities of any Industrial User to ascertain whether the provisions of this Code are being met and all requirements complied with. Persons or occupants of the premises where wastewater is created or discharged shall allow Manager or his representative ready access at all reasonable times to all parts of said premises for

purposes of inspection, sampling, records examination and copying, or in performance of their duties. A reasonable time shall be considered any time in which the facility is discharging industrial wastewater. Manager shall have the right to set up on the Industrial User's property such devices as are necessary to conduct sampling inspection, compliance monitoring, or metering operations. All permitted Industrial Users will be inspected by Manager a minimum of one time per year.

(3) The Manager and Industrial Users shall comply with the monitoring requirements in 40 CFR 403.12(g), (2), (3) & (4).

(4) Each Industrial User must notify the Manager of any significant changes to the User's operations or system which might alter the nature, quality or volume of its wastewater at least Thirty (30) days prior to obtaining a building permit or the commencement of internal plumbing changes and/or the introduction of new chemical components used in the production of products.

13.24.21 Pretreatment

Industrial Users shall provide necessary wastewater treatment as required to comply with this Code and shall achieve compliance with any applicable Federal Categorical Pretreatment Standard(s) within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to Manager shall be provided, operated, and maintained at the Industrial User's expense. Detailed plans showing pretreatment facilities and operating procedures shall be submitted to Manager for review and approval before construction of the facility. The review of such plans and operating procedures will in no way relieve the Industrial User from responsibility of modifying or replacing facility as necessary to produce an effluent acceptable to Manager in compliance with this Code. Any subsequent changes in pretreatment facilitates or method of operation shall be reported to and accepted by Manager prior to the Industrial User's initiation of said changes. For information concerning the City of Jacksonville's ADEQ approved Pretreatment program, a copy is available for review at the Wastewater utility office.

13.24.22 Confidential Information

(1) Information and data regarding the Industrial User obtained from reports, questionnaires, permit applications, permits, monitoring, and inspections shall be available to the public or other governmental agency without restriction, unless the Industrial User specifically request(s) and is able to demonstrate, to the satisfaction of Manager, that the release of such information would divulge information, processes, or methods of production entitled to protection as a trade secret of the Industrial User.

(2) The Industrial User must request in writing that Manager deem specific information confidential. The Industrial User must submit said information separate from any other information, labeled "Confidential". Manager will notify the Industrial User within a reasonable time of receiving the information if such can be held confidential. Information accepted by Manager as confidential shall not be transmitted to any governmental agency or to the general public by Manager until and unless a ten day notification is given to the Industrial User.

(3) Information accepted as confidential shall not be made available to the general public, but shall be made available upon written request to governmental agencies for uses related to this Code, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal Permit, or the Pretreatment Program: However, such portions of the report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing said report. Wastewater constituents and characteristics will not be recognized as confidential information.

13.24.23 Extra Strength Surcharge

(1) Any Industrial or Commercial User discharging wastewater into the sanitary sewer which exhibits none of the characteristics prohibited in Section 13.24.09, other than excessive BOD_5, TSS, and/or oil and grease (O&G), shall pretreat the wastewater so that BOD_5 and TSS concentrations do not exceed 250 mg/L and so that any O&G concentration does not exceed 100 mg/L. Manager may accept waste which exceeds these amounts for treatment, provided the following conditions are met:

(a) Waste will not cause damage to the collection system, including a sewer line blockage; and/or.

(b) Waste will not impair or interfere with the POTW wastewater treatment plant; and/or.

(c) Waste does not cause or contribute to the POTW wastewater exceeding 250 mg/L BOD_5 or TSS and O&G exceeding 100 mg/L; and/or,

(d) Industrial or Commercial User will pay all extra strength surcharge(s) as provided by this Code.

(2) The extra strength surcharge for discharge of excessive BOD_5, TSS, and O&G shall be determined using the following formula:

(pollutant - allowance)(8.34)(flow in million gallons)(cost factor) = extra strength surcharge

(a) Value for the pollutant shall be the average concentration of all samples (IUs and JWU) for that pollutant during the month that the IUSM report has been submitted, (Value for the pollutant shall be the average of all samples for that pollutant for the past twelve (12) months or the past eight (8) samples which ever is larger), unless the Industrial or Commercial User has significantly altered the character and nature of the wastewater to such an extent that some of the values to be included in the average are not representative of current discharge conditions. Only BOD_5, TSS, and O&G are acceptable pollutants for use in this formula.

(b) Allowance for BOD_5 and TSS shall be 250 mg/L, and allowance for O&G shall be 100 mg/L.

(c) The flow shall be the discharge flow from the Industrial or Commercial User expressed in million gallons for the month billed for the extra strength surcharge.

(d) The cost factor for BOD_5, TSS, and O&G shall be contained in a separate provision and shall be expressed in cost per pound of pollutant.

13.24.24 Report on Hazardous Waste Activity

(1) Any User that discharges to POTW any substances which, if otherwise disposed of, would be listed or characterized as hazardous waste under Section 3001 of RCRA shall report such to Manager, EPA Region VI Waste Management Division Director, and Arkansas Department of Environmental Quality's RCRA Division within one hundred and eighty (180) days of the effective date of this Code. This report shall contain the following information:

(a) Name of the waste discharge;

(b) EPA hazardous waste number for hazardous wastes as listed under 40 CFR Chapter 1, Subpart D;

(c) Type of discharge (continuous, batch, or other);

(d) Hazardous constituents contained in the listed waste (if known);

(e) Volume and concentration of the waste (if known); and/or,

(f) Estimation of the volume of hazardous wastes expected to be discharged during the next twelve (12) months.

Industrial and Commercial Users who begin discharging after the effective date of this Code and whose discharge contains materials described above will be required to submit a report on hazardous waste activity within one hundred and eighty (180) days of commencement of discharge.

(2) Any existing Industrial or Commercial User that is submitting this information as part of a report required by this Code or their Industrial Wastewater Discharge Permit will not be required to submit this report.

13.24.25 Powers and Authorities of Inspectors

(1) Manager or other duly authorized employees of the Utility or City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in compliance with the provisions of this Code. Manager or his representatives have no authority to inquire into processes including metallurgical, chemical or refining, ceramic, paper, or other industries beyond the point necessary and having a direct bearing on the kind and source of discharge to sanitary sewer or waterways or facilities for waste treatment.

(2) While performing necessary work on private property referred to in Section 13.24.21, Manager or duly authorized employees of Utility shall observe all safety rules applicable to the premises established by the Industrial or Commercial User. Utility shall indemnify the Industrial or Commercial User against loss or damage to property by Utility employees from

gauging, inspection, and sampling of operations, except as those losses as may be caused by negligence or failure of the Industrial or Commercial User to maintain safe conditions.

(3) Manager and other duly authorized employees of Utility bearing proper credentials and identification shall be permitted to enter all private properties through which the Utility holds an easement for the inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Utility's equipment and property within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the easement pertaining to any private property involved.

13.24.26 Rule Making Authority

In addition to the provisions of this Code, the Jacksonville Sewer Commission is specifically authorized to make all other rules and regulations necessary for the construction, use, and operation of the sanitary sewers to be connected to or connecting into the Utility. Such rules and regulations so made and adopted at a regular meeting of the Sewer Commission shall become effective upon said approval of a majority of those Commissioners present at said meeting.

13.24.27 Users Outside the City of Jacksonville

Any Industrial or Commercial User of the Utility located outside the city limits of the City of Jacksonville shall be required to agree, by written contract, to abide by the conditions set forth in this Code, Utility regulations, permit requirements, and any subsequent amendments thereto.

All municipalities which discharge to the City of Jacksonville POTW shall agree by written contract to adopt a Code section which meets the requirements of 40 CFR 403, General Pretreatment Regulations, and is at least as stringent as conditions set forth in this Code. This agreement must also contain a provision that allows for adoption of any and all rules and/or regulations promulgated by the Jacksonville Sewer Commission as delegated to the Jacksonville Wastewater Utility, regarding the powers of enforcement for the provisions of all laws, rules, and/or regulations adopted in accordance with this Code.

13.24.28 Enforcement

(1) Manager may suspend wastewater treatment services or an Industrial Wastewater Discharge Permit when such suspension is necessary, in the opinion of Manager, to stop an actual or threatened discharge which presents or may present an imminent or substantial danger to the health or welfare of persons and/or the environment, or causes or will cause interference to the Utility or causes or will cause a violation of any condition of the Utility's NPDES Permit.

(2) Any Industrial or Commercial User who violates any provisions of the following conditions of this Code or any applicable State and Federal Regulation is subject to revocation and/or termination of its Industrial Wastewater Discharge Permit:

(a) Failure of Industrial or Commercial User to factually report wastewater constituents and characteristics of a discharge;

(b) Failure of Industrial or Commercial User to report significant changes in operation or wastewater constituents and characteristics;

(c) Refusal of reasonable access to the Industrial or Commercial User's property under conditions outlined in this Code;

(d) Knowingly submitting false or misleading information in any report required by Utility under conditions provided in this Code; and/or,

(e) Violations of any condition or limitation contained in Industrial or Commercial User's Industrial Wastewater Discharge Permit.

(3) The Jacksonville Sewer Commission will develop an enforcement response plan and policy outlining methods and procedures for use by Manager and/or Utility employees to enforce the provisions of this Code or any applicable regulation.

(4) If any Industrial or Commercial User discharges sewage, industrial wastes, or other waste into POTW contrary to provisions of this Code, Federal, or State Pretreatment Requirement, or any other applicable provision or directive, the Commission may commence an action for appropriate legal or equitable relief, notwithstanding the provisions contained herein.

(5) The Manager will annually publish in the largest daily newspaper published in Jacksonville a list of Industrial Users which have been in Significant Non-Compliance during the previous twelve months. This publication will be made in February. 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 permit 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 exceeded (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2 B; ***[Note: Required Streamlining Rule Change,* see 40 CFR 403.3(l)]**

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 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils, and grease, and 1.2 for all other pollutants except pH); ***[Note: Required Streamlining Rule Change, see 40 CFR 408.3(l)]***

C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limits, or narrative standard) that (the Manager) determines has caused, alone or in combination with other discharges, Interferences or Pass Through, including endangering the health of POTW personnel or the general public: ***[Required Streamlining Rule Change see 40 CFR 403.3(i)]***

D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in [the Manager's] exercise of the emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date; a compliant 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 days (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, provide self-monitoring reports and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; and/or,

H. Any other violation(s), which may include a violation Best Management Practices, which [the Manager] determines will adversely affect the operation or implementation of the local pretreatment program.

13.24.29 Penalties

SECTION ONE:

(1) Any User found to have violated a provision of this Code or any applicable provision or directive of any orders, rules, regulations, and permits issued hereunder shall be fined not less than $25.00 nor more than $1000.00, or the maximum allowed by Arkansas Law, whichever is greater, for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

(2) Any person who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Code section or Industrial Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Code section, shall, upon conviction, be punished by a fine of not more than $1000.00, or the maximum allowed by Arkansas Law, whichever is lower, and/or by imprisonment for not more than six (6) months.

(3) Any person who violates any provision of this Code section or any orders, rules, regulations, and permits issued hereunder, shall be liable civilly to a penalty not to exceed $1000.00 or the maximum allowed by Arkansas Law. Each day on which a violation shall occur or continue shall be deemed separate and distinct offense. Any such penalties imposed under the provisions of this paragraph shall not be construed as liquidated damages, and shall accrue in addition to any liability for any consequential damages or additional operating expense incurred by Utility resulting from the violation for which the penalty is imposed. Consequential damages shall include but not be limited to, fines, penalties, and costs incurred and imposed upon the City or by other public authorities

(4) When the Manager finds that a user has violated, or continues to violate, any provision of this Ordinance, an individual wastewater industrial discharge permit, or a general permit or order issued hereunder or any Pretreatment Standard or Requirement, the Manager may fine such User in amount not to exceed One Thousand Dollars ($1000.00). Such fines 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.

(5) When the manager finds that a User has violated or continues to violate, any provision of this ordinance, an individual industrial wastewater permit (or a general permit0 or order issued hereunder, or any other Pretreatment Standard or Requirement, the Manager may petition the City of Jacksonville, District Court 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 industrial wastewater discharge permit (or general permit) order, or other requirement imposed by this ordinance on activities of the User. The Manager may also seek such other action as is appropriate for legal and and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User

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

SECTION TWO:

If any provision, paragraph, word, section, or article of this Code Section is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

SECTION THREE:

All other Codes and parts of Codes in conflict herewith are hereby repealed to the extent of said conflict.

SECTION FOUR:

Immediate implementation of the terms of this Ordinance are necessary to the health and welfare of the citizens because efficient and effective operation of the Jacksonville Wastewater Utility is vital to service the needs of the citizens of Jacksonville. Therefore, an emergency is hereby declared and this Ordinance shall take effect immediately upon its passage and publication, as provided by and subject to applicable law.

APPROVED AND ADOPTED THIS 5th DAY OF FEBRUARY, 2009.

CITY OF JACKSONVILLE, ARKANSAS

BY: TOMMY SWAIM, MAYOR

ATTEST:

SUSAN DAVITT, CITY CLERK

APPROVED AS TO FORM:

ROBERT E. BAMBURG, CITY ATTORNEY

GENERAL SERVICES ADMINISTRATION
FED. PROC. REG. (41 CFR) 1-16.101

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. AMENDMENT/MODIFICATION NO.	2. EFFECTIVE DATE	3. REQUISITION/PURCHASE REQUEST NO.	4. PROJECT NO. (If applicable)
P00008	29 MAR 82	FQ446012740007	

5. ISSUED BY — CODE
Base Contracting Division
314 TAW LGCC, Bldg 642, LRAFB
Jacksonville AR 72099
(LGCC, Ms. Eichbrecht, 501/988-3378)

6. ADMINISTERED BY (If other than block 5) — CODE

7. CONTRACTOR NAME AND ADDRESS — CODE 3SC3N — FACILITY CODE

(Street, city, county, state, and ZIP Code)
City of Jacksonville
109 Second Street
Jacksonville, AR 72099

8.
☐ AMENDMENT OF SOLICITATION NO. _____
DATED _____ (See block 9)
☒ MODIFICATION OF CONTRACT/ORDER NO. F03602-76-D0081
DATED 23 NOV 60 (See block 11)

9. THIS BLOCK APPLIES ONLY TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in block 12. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offerors must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation, or as amended, by one of the following methods: (a) By signing and returning _____ copies of this amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE ISSUING OFFICE PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If, by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided such telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

10. ACCOUNTING AND APPROPRIATION DATA (If required)
N/A

11. THIS BLOCK APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS

(a) ☐ This Change Order is issued pursuant to _____
The Changes set forth in block 12 are made to the above numbered contract/order.

(b) ☐ The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data, etc.) set forth in block 12.

(c) ☒ This Supplemental Agreement is entered into pursuant to authority of Mutual Agreement of Contracting Parties
It modifies the above numbered contract as set forth in block 12.

12. DESCRIPTION OF AMENDMENT/MODIFICATION

WHEREAS, the City of Jacksonville (hereafter to be referred to as "City") has passed Ordinanc #620, dated 20 Nov 1980, in order to comply with all applicable State and Federal laws requir by the Federal Water Pollution Control Act (hereafter to be referred to as the "Act"), also known as the Clean Water Act of 1977, as amended, 33 U.S.C. 1251, et seq., and the General Treatment Regulations, 40 CFR, Part 403 and

WHEREAS, the Act is being administered by the Environmental Protection Agency (EPA), and

WHEREAS, the City is obliged to obey and enforce the Act, and desires to issue permits to its Users in order to control conditions under said Act, and

WHEREAS, the City has recognized, in writing, Little Rock Air Force Base as being in a unique classification of user (98% residential and 2% industrial), and

WHEREAS, the City has agreed to, in writing, to give Little Rock Air Force Base reasonable time, after notification, in which to correct any suspect areas in violation of said Act,

Except as provided herein, all terms and conditions of the document referenced in block 8, as heretofore changed, remain unchanged and in full force and effect.

13. ☐ CONTRACTOR/OFFEROR IS NOT REQUIRED TO SIGN THIS DOCUMENT ☒ CONTRACTOR/OFFEROR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN ORIG + 2 COPIES TO ISSUING OFFICE

14. NAME OF CONTRACTOR/OFFEROR
BY Dayton W. Barker
(Signature of person authorized to sign)

17. UNITED STATES OF AMERICA
BY Katherine L. Roseberry
(Signature of Contracting Officer)

15. NAME OF TITLE OF SIGNER (Type or print)	16. DATE SIGNED	18. NAME OF CONTRACTING OFFICER (Type or print)	19. DATE SIGNED
Chairman, Jacksonville Sewer Commission	6-3-82	KATHERINE L. ROSEBERRY	2 Jun 1

30-101-20

GENERAL SERVICES ADMINISTRATION
FED. PROC. REG. (41 CFR) 1-16.101

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. AMENDMENT/MODIFICATION NO.	2. EFFECTIVE DATE	3. REQUISITION/PURCHASE REQUEST NO.	4. PROJECT NO. (If applicable)
P00008	29 MAR 82	FQ4460127400O7	

5. ISSUED BY CODE
Base Contracting Division
314 TAW LGCC, Bldg 642, LRAFB
Jacksonville AR 72099
(LGCC, Ms. Eichbrecht, 501/988-3378)

6. ADMINISTERED BY (If other than block 5) CODE

7. CONTRACTOR NAME AND ADDRESS (Street, city, county, state, and ZIP Code)
CODE 3SC3N FACILITY CODE
City of Jacksonville
109 Second Street
Jacksonville, AR 72099

8.
☐ AMENDMENT OF SOLICITATION NO. _____
DATED _____ (See block 9)
X ☐ MODIFICATION OF CONTRACT/ORDER NO. F03602-76-D0081
DATED 23 NOV 60 (See block 11)

9. THIS BLOCK APPLIES ONLY TO AMENDMENTS OF SOLICITATIONS
☐ The above numbered solicitation is amended as set forth in block 12. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.
Offerors must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation, or as amended, by one of the following methods: (a) By signing and returning _____ copies of this amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE ISSUING OFFICE PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If, by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided such telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

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11. THIS BLOCK APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS
(a) ☐ This Change Order is issued pursuant to _____
The Changes set forth in block 12 are made to the above numbered contract/order.
(b) ☐ The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data, etc.) set forth in block 12.
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It modifies the above numbered contract as set forth in block 12.

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WHEREAS, the Act is being administered by the Environmental Protection Agency (EPA), and

WHEREAS, the City is obliged to obey and enforce the Act, and desires to issue permits to its Users in order to control conditions under said Act, and

WHEREAS, the City has recognized, in writing, Little Rock Air Force Base as being in a unique classification of user (98% residential and 2% industrial), and

WHEREAS, the City has agreed to, in writing, to give Little Rock Air Force Base reasonable time, after notification, in which to correct any suspect areas in violation of said Act,

Except as provided herein, all terms and conditions of the document referenced in block 8, as heretofore changed, remain unchanged and in full force and effect.

13 ORIG + 2
☐ CONTRACTOR/OFFEROR IS NOT REQUIRED TO SIGN THIS DOCUMENT [X] CONTRACTOR/OFFEROR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN _____ COPIES TO ISSUING OFFICE

14. NAME OF CONTRACTOR/OFFEROR
BY Clayton W. Barker
(Signature of person authorized to sign)

17. UNITED STATES OF AMERICA
BY Katherine L. Roseberry
(Signature of Contracting Officer)

15. NAME & TITLE OF SIGNER (Type or print)	16. DATE SIGNED	18. NAME OF CONTRACTING OFFICER (Type or print)	19. DATE SIGNED
Chairman, Jacksonville Sewer Commission	6-3-82	KATHERINE L. ROSEBERRY	8 2 Jun 1

30-101-20

O.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT

NOW THEREFORE, The parties hereto, in conformance with the terms and conditions of tract number F03602-76-D0081, dated 23 November 1960, as amended, agree as follows:

1. Ordinance #620, dated 20 November 1980, the letter of agreement between Little Rock Force Base and the City, dated 24 November 1981, signed by Mrs. Betty J. Bone, Base tracting Officer, and Mr. B. J. Boroughs, Chairman/Commissioner of the Jacksonville Sewer ommission, and the Application for Industrial Discharge Permit are hereby incorporated into tract Number F03602-76-D0081.

2. The City agrees that wherein there should lie conflicting provisions, said Contract ..es precedence over any provisions of City Ordinance #620 and the Application for Industrial charge Permit. Any conflicting provisions shall also be resolved to meet the requirements F Federal and State law.

3. Each party agrees that it shall respect and preserve the rights of the other in accor- ance with provisions of said Contract.

4. No revisions or amendments to City Ordinance #620 are provided for under this modifi- ion, but such changes and further revisions shall not be binding upon the Government, unless 1) 60 days' notification is given to the Government, in writing; (2) agreed to by the ernment after review, consideration and determination; and (3) reduced in writing and signed y both parties.

☆ U. S. GOVERNMENT PRINTING OFFICE 1978 254-430

DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 314 TACTICAL AIRLIFT WING (MAC)
LITTLE ROCK AIR FORCE BASE, ARKANSAS 72076

RECEIVED

NOV 30 1981

24 NOV 1981

LY TO
TTN OF LGC (LGCC, MS. Eichbrecht, 501/988-3379)

JECT Industrial Discharge Permit, City of Jacksonville, Contract F03602-76-D0081

TO City of Jacksonville
Attn: Mr. Dick Morris
109 Second St.
Jacksonville, AR 72076

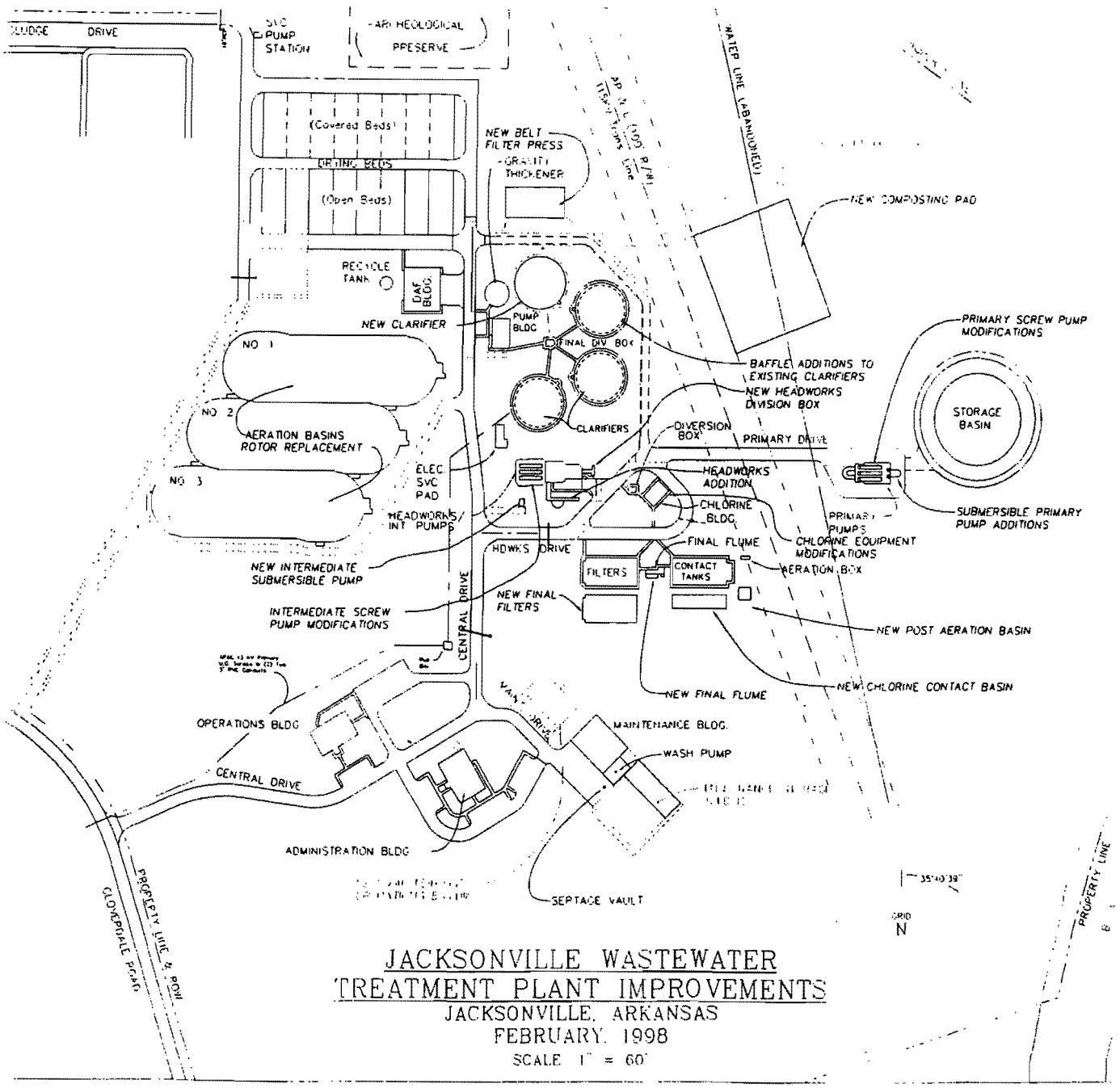
1. In order to comply with EPA regulations and Ordinance #620 of the City of Jacksonville, it is necessary to have the City of Jacksonville recognize Little Rock Air Force Base as being in a Unique Classification of a User of the sewage facilities, and assure that Little Rock Air Force Base is given sufficient notification of any disruption of sewage services. Therefore, the following statement is proposed to clarify the Government's position.

a. Little Rock Air Force Base (hereinafter referred to as "the Base") has been categorized as an industrial user of the Jacksonville Wastewater Utility ("the Utility"). Both the Base and the Utility recognize that only approximately two per cent (2%) of the wastewater discharge from the Base is industrial in nature. The remaining ninety-eight per cent (98%) of the wastewater discharge is residential or other non-industrial portion of the Base (the two per cent) is generally confined to the flightline areas of the Base, areas of the wastewater discharge system which can be selectively isolated (physically disconnected) by civil engineers on the Base.

b. Since there are 1535 family housing units on the Base, any termination of wastewater treatment services would severly affect the health of those Base residents. Accordingly, the Base and the Utility recognize that reasonable notice by the Utility to the Base is both desirable and necessary.

c. Understanding the above, the Base and the Utility, with the concurrence of the City of Jacksonville, the Jacksonville Sewer Commission and the Jacksonville Wastewater Utility agree that the Base will be given time to isolate any areas suspected of contributing substances prohibited or not covered by the Industrial Discharge Permit. Reasonable time for isolating and shutting off suspected areas is defined as four (4) hours during Base Workdays and six (6) hours during other periods. The parties understand and agree that the point of contact on the Base is the 24-hour Civil Engineering Services Desk, telephone numbers 988-6159 or 988-6553.

EXHIBIT "B" -POTW DESCRIPTION (see description)



JACKSONVILLE WASTEWATER TREATMENT PLANT IMPROVEMENTS

JACKSONVILLE, ARKANSAS

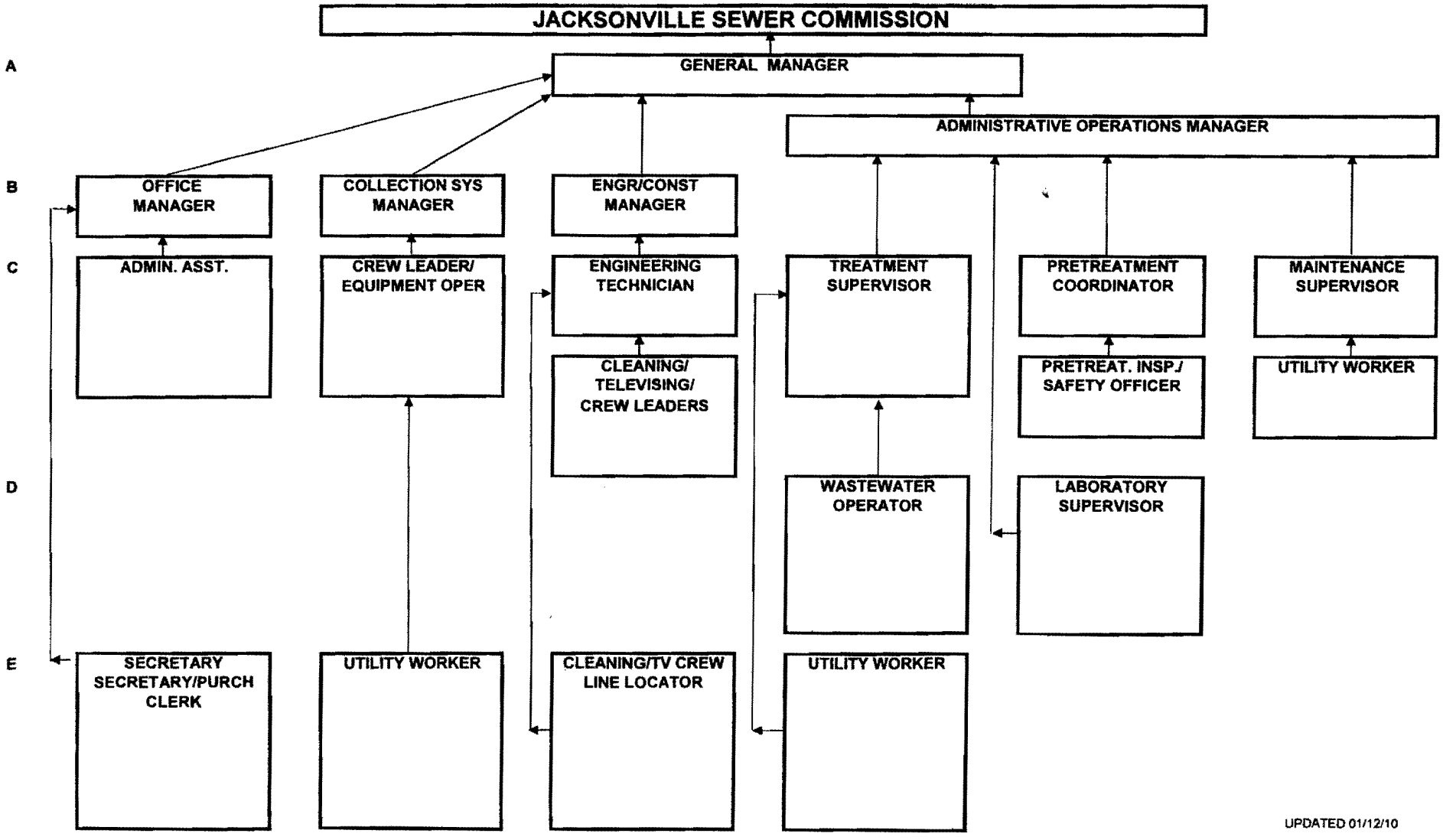
FEBRUARY, 1998

SCALE 1" = 60'

EXHIBIT "C"- ORGANIZATION

1. Utility Organizational Flow Chart

2. Job Descriptions


JACKSONVILLE SEWER COMMISSION
A
GENERAL MANAGER
ADMINISTRATIVE OPERATIONS MANAGER
B
OFFICE MANAGER
COLLECTION SYS MANAGER
ENGR/CONST MANAGER
C
ADMIN. ASST.
CREW LEADER/ EQUIPMENT OPER
ENGINEERING TECHNICIAN
CLEANING/ TELEVISING/ CREW LEADERS
TREATMENT SUPERVISOR
PRETREATMENT COORDINATOR
PRETREAT. INSP./ SAFETY OFFICER
MAINTENANCE SUPERVISOR
UTILITY WORKER
D
WASTEWATER OPERATOR
LABORATORY SUPERVISOR
E
SECRETARY SECRETARY/PURCH CLERK
UTILITY WORKER
CLEANING/TV CREW LINE LOCATOR
UTILITY WORKER
UPDATED 01/12/10

JACKSONVILLE WASTEWATER UTILITY
JOB DESCRIPTION

TITLE: Pretreatment Coordinator
IMMEDIATE SUPERVISOR: Administrative Operations Manager
JOB SUMMARY: Under supervision of the Administrative Operations Manager, assists with process control and effluent monitoring conducted by the laboratory, and conducts the pretreatment program.

SPECIFIC JOB DUTIES & RESPONSIBILITIES:

1) Perform or supervise all duties and responsibilities associated with the pretreatment program to include inspections of industrial and commercial facilities, collection of representative samples from industrial users, and record keeping.
2) Supervise Laboratory personnel and duties.
3) Prepare and maintain manuals of laboratory operating procedures, compile reports and data of laboratory operations.
4) Prepare treatment, pretreatment, and laboratory reports and maintain records.
5) Perform NPDES and process control sampling and analysis.
6) Accept "on call" duty nights, weekends, and/or holidays as scheduled or as necessary.
7) Perform other duties as assigned.

SPECIAL KNOWLEDGE, SKILLS, ABILITIES, OR EDUCATION:

1) Knowledge of Federal and State regulations and requirements pertaining to pretreatment and laboratory operations.
2) Knowledge of process and equipment involved in wastewater treatment, laboratory, and pretreatment processes used by industries.
3) Ability to communicate technical information effectively both orally and in writing.
4) Ability to supervise others.
5) Ability to turn heavy valves, open gates, and lift objects weighing up to approximately 100 lbs.

MINIMUM QUALIFICATIONS:

1) Bachelor's degree in Environmental Science, Chemistry, Biology or related field.
2) Experience in a professional laboratory.
3) Valid Arkansas driver's license.

WORKING CONDITIONS:

The Pretreatment Coordinator will work in and around the treatment plant, laboratory, and various pump stations and locations, various industrial and commercial facilities, in various types of weather conditions and will be "on call" during normal off duty hours.

The above information is intended to describe the general nature of this position and is not to be considered a complete statement of duties, responsibilities and requirements.

3/00

JACKSONVILLE WASTEWATER UTILITY
JOB DESCRIPTION

TITLE: Laboratory/Sample Technician
IMMEDIATE SUPERVISOR: Pretreatment Coordinator
JOB SUMMARY: Under general supervision of the Pretreatment Coordinator, the Laboratory/Sample Technician performs skilled and semi-skilled work in the assistance of operations, maintenance, and/or laboratory sampling and analysis for wastewater facilities.

SPECIFIC JOB DUTIES & RESPONSIBILITIES:

1) Collect and analyze daily process control and NPDES reporting samples from the wastewater treatment plants and compliance monitoring samples from the industrial users.
2) Maintain records required to document progress or results of specific tasks. Examples are treatment plant performance log sheets, equipment meter reading, and records pertaining to operation and maintenance of vehicles/equipment.
3) Accept "on call" duties during nights, weekends, and/or holidays as scheduled or as necessary consisting of investigation of the problem, and taking immediate appropriate action. Action taken consists of the same duties required during the workday.
4) Clean and maintain sampling equipment and laboratory glassware.
5) Filling and computer data entry of laboratory results.
6) Delivery of wastewater samples to contract laboratories.
7) Fill Wastewater Operator shifts when required.
8) Other duties related to the operation of the laboratory, pretreatment program, and treatment.

SPECIAL KNOWLEDGE, SKILLS, ABILITIES, OR EDUCATION:

1) Ability to drive an automobile safely and use good judgment in the operation and use of the automobile.
2) Knowledge of the wastewater treatment and sampling procedures.
3) Laboratory experience.

MINIMUM QUALIFICATIONS:

1) High school diploma or equivalent.
2) Valid Arkansas Driver's license.
3) Ability to lift heavy equipment such as samplers, manhole lids and other heavy objects. (approximately 75 lbs.)
4) Ability to communicate information effectively both orally and writing.
5) Ability to acquire an Arkansas Class I Wastewater Operator's license in one year.

WORKING CONDITIONS:

The Laboratory/Sample Technician may work in the laboratory, the treatment plant, the construction site, the office, outdoors, and in various types of weather conditions. The daily routine could require lifting heavy objects, opening manhole lids, climbing, operating heavy equipment, and driving a vehicle. The Laboratory/Sample Technician position may involve periodic "on call" duties during which you may be required to report to work, on short notice, during off-duty hours, weekends and holidays.

This position is normally a 40-hour week, although some overtime could be required.

The above information is intended to describe the general nature of this position and is not to be considered a complete statement of duties, responsibilities and requirements.

JACKSONVILLE WASTEWATER UTILITY
JOB DESCRIPTION

TITLE: **Laboratory Supervisor**

IMMEDIATE SUPERVISOR: Administrative Operations Manager

JOB SUMMARY: Under supervision of the Administrative Operations Manager, supervises laboratory staff and assists with process control and effluent monitoring conducted by the laboratory.

SPECIFIC JOB DUTIES & RESPONSIBILITIES:

1) Supervise Laboratory personnel and duties.
2) Prepare and maintain manuals of laboratory operating procedures, compile reports and data of laboratory operations.
3) Prepare treatment, pretreatment, and laboratory reports and maintain records.
4) Perform NPDES and process control sampling and analysis.
5) Accept "on call" duty nights, weekends, and/or holidays as scheduled or as necessary.
6) Assist Pretreatment Coordinator with duties and responsibilities associated with the pretreatment program to include inspections of industrial and commercial facilities, collection of representative samples from industrial users, and record keeping.
7) May be required to fill in for wastewater operators as necessary.
8) Perform other duties as assigned.

SPECIAL KNOWLEDGE, SKILLS, ABILITIES, OR EDUCATION:

1) Knowledge of Federal and State regulations and requirements pertaining to pretreatment and laboratory operations.
2) Knowledge of process and equipment involved in wastewater treatment, laboratory, and pretreatment processes used by industries.
3) Ability to communicate technical information effectively both orally and in writing.
4) Ability to supervise others.
5) Ability to turn heavy valves, open gates, and lift objects weighing up to approximately 100 lbs.

MINIMUM QUALIFICATIONS:

1) Bachelor's degree in Environmental Science, Chemistry, Biology or related field, or five years experience in a wastewater laboratory.
2) Class II or higher Wastewater Operator's license.
3) Valid Arkansas driver's license.

WORKING CONDITIONS:

The Laboratory Supervisor will work in and around the treatment plant, laboratory, and various pump stations and locations, various industrial and commercial facilities, in various types of weather conditions and will be "on call" during normal off duty hours.

The above information is intended to describe the general nature of this position and is not to be considered a complete statement of duties, responsibilities and requirements.

11/2000

EXHIBIT "D" – LABORATORY BUDGET (2008)

Jacksonville Wastewater Utility
2010 O&M Budget
Laboratory

Account	2009 BUDGET	Projected 2009 ACTUAL	2010 BUDGET	DIFFERENCE 2009 Actual Vs. 2010 Budget	% Actual Vs. 2010 Budget
Labor (1)	$116,000	$115,145	$117,784	$2,639	2%
Labor - OT	300	0	300	300	100%
Labor - FICA	7,211	7,139	7,321	182	3%
Labor - Med	1,686	1,670	1,712	43	3%
Labor - Ret	12,793	13,817	14,170	353	3%
Labor - GINS	17,905	17,052	17,905	853	5%
Labor - OINS	2,400	1,695	1,730	35	2%
Labor - OOH	6,200	7,200	7,800	600	8%
Electricity	0	0	0	0	0%
Telephone	1,200	905	950	45	5%
Natural Gas	0	0	0	0	0%
Garbage	370	352	350	-2	-1%
Supplies - Fuels (2)	1,500	846	930	84	10%
Supplies - Office	550	369	350	-19	-5%
Supplies - Other	8,500	8,112	9,500	1,388	17%
Postage	150	16	100	84	511%
Printing	100	0	50	50	100%
R/M - Sewers	0	0	0	0	0%
R/M - Pumps	0	0	0	0	0%
R/M - Vehicles	1,200	174	1,200	1,026	590%
R/M - Equipment (3)	2,500	1,253	4,500	3,247	259%
R/M - Other	500	0	500	500	100%
Services - Prof.	20,000	20,296	18,000	-2,296	-11%
Services - PINS	1,000	870	900	30	3%
Services - CL	250	0	250	250	100%
Services - Billing	0	0	0	0	0%
Services - Other	300	0	300	300	36%
Other	200	0	0	0	100%
	0	0	0	0	0%
Total	**$202,815**	**$196,912**	**$206,602**	**$9,690**	5%

NOTES:

(1) 3% COLA increase for hourly employees; 2% COLA for exempt employees.

(2) Fuel is an unknown factor. 2010 budget shows 10% increase in each department.

(3) Aged equipment may need additional repairs in 2010.

Jacksonville Wastewater Utility
2008 O&M Budget
Laboratory

Account	2007 BUDGET	Projected 2007 ACTUAL	2008 BUDGET	DIFFERENCE 2007 Actual Vs. 2008 Budget	% Actual Vs. 2008 Budget
Labor (1)	$104,839	$104,867	$109,580	$4,713	4%
Labor - OT	300	0	300	300	100%
Labor - FICA	6,519	6,502	6,813	311	5%
Labor - Med	1,525	1,521	1,593	73	5%
Labor - Ret	12,133	12,102	12,680	579	5%
Labor - GINS	17,052	17,052	17,803	751	4%
Labor - OINS	900	1,712	1,800	88	5%
Labor - OOH	4,000	3,834	5,000	1,166	30%
Electricity	0	0	0	0	0%
Telephone	1,200	1,038	1,200	162	16%
Natural Gas	0	0	0	0	0%
Garbage	336	248	336	88	35%
Supplies - Fuels	1,800	652	850	198	30%
Supplies - Office	700	420	550	130	31%
Supplies - Other	7,000	5,500	7,000	1,500	27%
Postage	80	107	150	43	40%
Printing	100	0	100	100	100%
R/M - Sewers	0	0	0	0	0%
R/M - Pumps	0	0	0	0	0%
R/M - Vehicles	1,200	572	1,200	628	110%
R/M - Equipment	2,300	2,260	2,500	240	11%
R/M - Other	500	0	500	500	100%
Services - Prof.	20,000	13,531	20,000	6,469	48%
Services - PINS	910	1,084	1,200	116	11%
Services - CL	250	0	250	250	100%
Services - Billing	0	0	0	0	0%
Services - Other	300	8	300	292	36%
Other	200	0	200	200	100%
	0	0	0	0	0%
Total	**$184,144**	**$173,009**	**$191,905**	**$18,896**	11%

NOTES.

(1) Includes 2.5% COLA across the board, and 2% merits based on performance given on anniversary dates, with a minimum increase of $1000.

EXHIBIT '"E" –

TYPICAL INDUSTRIAL WASTEWATER DISCHARGE PERMITS & BEST MANAGEMENT PRACTICES PLAN

1. Class I

2. Class II

JACKSONVILLE WASTEWATER UTILITY

INDUSTRIAL WASTEWATER DISCHARGE PERMIT NO.

In accordance with all terms and conditions of Jacksonville City Ordinance No. 1360, and amendments, and also with any applicable provisions of Federal or State law or regulation:

Permission is hereby granted to _____

Classified by SIC No. _____ NACIS No. _____

For the contribution of Industrial Wastewater into the Jacksonville Wastewater Utility sewer lines at _____.

This Permit is granted in accordance with the application filed on _____ in the office of the Jacksonville Wastewater Utility and in conformity with plans, specifications and other data submitted to the Jacksonville Wastewater Utility in support of the above application. All of which are filed with and considered as part of this permit, together with the following named conditions and requirements.

Effective this date: _____

To expire date: _____

_____

General Manager,
Jacksonville Wastewater Utility

PART I: LIMITATIONS

1. The Permittee shall not discharge any waters regulated by the _____ without prior approval from the Utility. Any request to discharge waters regulated by the _____ will result in a permit modification before any of these waters can be discharged.

Parameters	Daily Max. (mg/L)	Max. Monthly Average (mg/L)	Monitoring Requirements (E, SC, S)
Biochemical Oxygen Demand (5-Day)	-----	----- *1	SC, S *2
Total Suspended Solids	-----	----- *1	SC, S *2
Oil & Grease	-----	----- *1	SC, S *2
Cadmium	-----	-----	E, S *3
Chromium	-----	-----	E, S *3
Copper	-----	-----	E, S *3
Cyanide	-----	-----	E, S *2
Lead	-----	-----	E, S *3
Nickel	-----	-----	E, S *3
Silver	-----	-----	E, S *3
Zinc	-----	-----	E, S *3
Flow		REPORT ONLY	
pH Maximum (instantaneous)	-----	S.U.	
pH Minimum (instantaneous)	-----	S.U.	

E – Enforcement Monitoring
SC – Surcharge Monitoring *1
S – Self-Monitoring

*1. Exceedances of these parameters are not considered a violation be the City of Jacksonville, Ordinance 1360, unless they cause the Treatment Plant Head Works to exceed these levels. Exceedances of these parameters are subject to surcharge.

*2 Samples for this parameter shall be collected using the grab method.

*3 Samples for this parameter shall be collected as composite samples (minimum of 4 parts over a 24-Hour period).

7-9-15

PART II: MONITORING REQUIREMENTS

1. The Utility will conduct surcharge and enforcement monitoring at a frequency subject to the discretion of the Utility. Samples collected for surcharge monitoring will be averaged with the samples collected by the permittee for the purpose of assessing a surcharge if applicable.

2. The Permittee will monitor the discharge from _____ at the _____ _____operation at the frequency specified. All samples shall be grab samples unless otherwise indicated. The permittee will not discharge any water from the _____ to the sanitary sewer.

BOD_5		-1 sample every __ months*
TSS		-1 sample every __ months*
O&G		-1 sample every __ months
Cyanide	(total)	-1 sample every __ months
pH		-1 sample every __ months
Arsenic	(total)	-1 sample every __ months*
Cadmium	(total)	-1 sample every __ months*
Chromium	(total)	-1 sample every __ months*
Copper	(total)	-1 sample every __ months*
Lead	(total)	-1 sample every __ months*
Mercury	(total)	-1 sample every __ months*
Nickel	(total)	-1 sample every __ months*
Silver	(total)	-1 sample every __ months*
Zinc	(total)	-1 sample every __ months*
TTO		-1 sample every __ months*

*-Denotes composite sample

3. All sample collection, handling, preservation and analysis shall be performed by an ADEQ-certified laboratory unless they are performed by the permittee. Designated laboratories shall be subject to Jacksonville Wastewater Utility approval.

4. All samples handling, preservation, equipment, sample container, holding times, analysis and quality control procedures shall be in accordance with approved and current EPA procedures and requirements.

PART III: REPORTING REQUIREMENTS/SPECIAL CONDITIONS

1. SPILL CONTROL- (Each Industrial User will be evaluated individually to determine the extent of their spill control program)

A. In case of an accidental discharge, the Jacksonville Wastewater Utility Pretreatment Coordinator/Laboratory Department must be notified immediately, by telephone, at 982-0581. If after regular business hours, leave a message with the answering service, which will notify the proper Utility personnel. Notification shall include location of discharge, type of waste, concentration and volume, Permittee personnel with knowledge of the spill, and corrective actions to be taken by the Permittee to prevent any further accidental discharge.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.15.E.2,3.)

B. A notice shall be permanently posted on the Permittee's bulletin board or other prominent place-advising employees of the notification procedure in the event of a dangerous discharge. Permittee shall ensure that all employees who may cause or witness such a dangerous discharge are advised of the emergency notification procedure.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.15.E.4)

C. Within five days of an accidental discharge, the Permittee shall submit to the Manager of Jacksonville Wastewater Utility, a detailed written report describing the cause of the discharge and the measures to be taken by the Permittee to prevent future incidents. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.15.E.3)

2. REPORTING REQUIREMENTS

A. The Permittee will submit monthly self-monitoring reports for the pollutants monitored during the previous month. These reports are due by the last day of the month for all discharges in the previous month. The report must contain the results of all samples collected during the month and a signed statement that all sampling and analysis was performed according to EPA regulations. (40 CFR 403.12) If the Permittee monitors any pollutant more frequently than required by Part II (2) of this Permit, the results of this monitoring shall be included in the reports as outlined above.

B. The Permittee shall notify the Utility's Pretreatment Coordinator/Laboratory Department, by telephone, within one (1) business day of becoming aware of the violations of the conditions of this permit.
(40 CFR 403.12.G.2)

C. The Permittee shall notify the Utility prior to the introduction of new wastewater or pollutants, any substantial change in the volume or characteristic of the wastewater being discharged to the sanitary sewer, or any new construction or process modifications involving plumbing changes. This notification shall be written and the Permittee must receive the Utility's approval before the changes can occur.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.20.4)

D. All reports required by this permit must be signed by either the owner, general partner, a principal executive officer of at least the level of vice president, or a responsible individual who has received written delegation of this authority from either the owner, general partner, or a principal executive officer of at least the level of vice president. (40 CFR 403.12 (k)

E. The Permittee shall notify the utility of the release of a slug load. A slug load is any release of pollutants at a flow rate or concentration, which would cause the Permittee to violate any limitations contained in this permit or the General Discharge Prohibitions contained in the City of Jacksonville Ordinance No. 1360. This notification shall be made immediately by telephone –982-0581. The notification shall include the corrective actions to be taken. The verbal notification must be followed by a detailed written report within five days of the discharge. (40 CFR 403.12.(g) (City of Jacksonville, Ordinance No. 1360 – Section 13.24.15.2,3)

3. SPECIAL CONDITIONS

A. If the Permittee experiences a violation of any of the Pretreatment Standards specified in Part I of this Permit, then the Permittee will resample for that pollutant within 30 days, unless the Permittee has samples for that parameter since the violation. (40 CFR403.12.g).

PART IV: STANDARD CONDITIONS

1. The Permittee shall comply with all general prohibitive discharge standards in the City of Jacksonville Ordinance No. 1360 – Section 13.24.09.

2. Rights of Entry – The Permittee shall allow duly authorized representatives of the Utility, bearing proper credentials and identification, to enter the premises at reasonable hours for the purpose of inspecting, sampling or record inspection. Reasonable hours are considered anytime the Permittee is operating any process, which results in the discharge of wastewater to the sanitary sewer.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.25.3)

3. Records Retention – The Permittee shall retain all records relative to monitoring, analysis, and operations of any process or treatment system, which results in the discharge of wastewater to the sanitary sewer for a minimum of three (3) years.
(40 CFR 403.12 (1) (City of Jacksonville, Ordinance No. 1360 – Section13.24.18.5.h)

4. Dilution – The Permittee shall not increase the use of potable or process waters 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 Part I of this permit. (City of Jacksonville Ordinance No. 1360 – Section 13.24.13)

5. Non-transferability – This permit is issued to a specific Permittee for a specific operation and is not assignable to another discharger or transferable to any other location without the prior written approval of the Utility.
(City of Jacksonville, Ordinance no. 1360 – Section 13.24.18.8)

6. Permit Modification – (a) The terms and conditions of this permit are subject to modification by the Utility at any time in response to changes in the City of Jacksonville Ordinance No. 1360, modification or promulgation of any federal regulation including promulgation of new Categorical Pretreatment Standards, State of Arkansas Regulation, and/or issuance of special or administrative orders, (b) Any permit modifications which result in new conditions or limitations will include a reasonable time schedule for compliance, if necessary. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.18.7)

7. Permit Revocation – This permit may be revoked by the Utility if it is determined that the Permittee has violated any provision of this permit, City of Jacksonville Ordinance No. 1360, State of Arkansas regulations, or EPA regulations. Additionally, falsification or intentional misrepresentation of data or statements pertaining to the permit application or any report required by this permit shall be cause for permit revocation.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.28.2)

8. Penalties – Failure to resolve any violation of this permit, City of Jacksonville Ordinance No. 1360, State of Arkansas regulation, or EPA regulation may result in the Utility seeking applicable fines and penalties as outlined in City of Jacksonville Ordinance No. 1360 – Section 13.24.29.

9. 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 circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.29.5)

10. Property Rights – The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of federal, state or local regulation. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.25.3)

11. Proper Disposal of Pretreatment Sludge and Spent Chemicals – The Permittee shall dispose of any sludge or spent chemicals in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act. (40 CFR 403.8 (f) (iii)

12. Confidentiality – All reports and data related to the requirements of the permit shall be available for public inspection at the Jacksonville Wastewater Utility, 248 Cloverdale Road, except for that information that is deemed confidential in accordance with the provisions of the City of Jacksonville Ordinance No. 1360 – Section 13.24.22.1)

13. Permit Expiration – This permit comes due for review on _____. The Permittee must reapply for re-issuance of the permit at least 180 days prior to the expiration date. The Utility will notify the Permittee of this responsibility 90 days before the reapplication date. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.18.6)

JACKSONVILLE WASTEWATER UTILITY

INDUSTRIAL WASTEWATER DISCHARGE PERMIT NO. _____

In accordance with all terms and conditions of Jacksonville City Ordinance No. 1360, and also with any applicable provisions of Federal or State law or regulation:

Permission is hereby granted to _____

Classified by SIC No._____NACIS No._____

For the contribution of Industrial Wastewater into the Jacksonville Wastewater Utility sewer lines at _____.

This Permit is granted in accordance with the application filed on _____ in the office of the Jacksonville Wastewater Utility and in conformity with plans, specifications and other data submitted to the Jacksonville Wastewater Utility in support of the above application. All of which are filed with and considered as part of this permit, together with the following named conditions and requirements.

Effective this date: _____

To expire date: _____

_____
General Manager,
Jacksonville Wastewater Utility

7-9-10

PART I: LIMITATIONS

1. The Permittee shall not exceed the effluent limitations stated below for all waters discharged to the City of Jacksonville Sanitary Sewer System at .....

Parameters	Daily Max. (mg/L)	Max. Monthly Average (mg/L)	Monitoring Requirements (E, SC, S)
Biochemical Oxygen Demand (5-Day)	-----	----- *1	SC, S *3
Total Suspended Solids	-----	----- *1	SC, S *3
Oil & Grease	-----	----- *1	SC, S *2
Cadmium	-----	-----	E, S *3
Chromium	-----	-----	E, S *3
Copper	-----	-----	E, S *3
Cyanide	-----	-----	E, S *2
Lead	-----	-----	E, S *3
Nickel	-----	-----	E, S *3
Silver	-----	-----	E, S *3
Zinc	-----	-----	E, S *3
TTO		-----	E, S *2
Flow	REPORT ONLY		
pH Maximum (instantaneous)	----- S.U.		
pH Minimum (instantaneous)	----- S.U.		

E – Enforcement Monitoring
SC – Surcharge Monitoring *1
S – Self-Monitoring

*1. Exceedances of these parameters are not considered a violation be the City of Jacksonville, Ordinance 1360, unless they cause the Treatment Plant Head Works to exceed these levels. Exceedances of these parameters are subject to surcharge.

*2 Samples for this parameter shall be collected using the grab method.

*3 Samples for this parameter shall be collected as composite samples (minimum of 4 parts over a 24-Hour period).

7-9-10

PART II: MONITORING REQUIREMENTS

1. The Utility may conduct any monitoring that the utility deems necessary to verify that _____ is not discharging any waters regulated by the _____ Category (40 CFR).

2. The Permittee and the Utility will monitor the discharge from the collection tanks located at_____

BOD	-1 sample every Month/Quarter/Semi-Annually
TSS	-1 sample every Month/Quarter/Semi-Annually
O&G	-1 sample every Month/Quarter/Semi-Annually
pH	-1 sample every Month/Quarter/Semi-Annually
CN^- (Total)	-1 sample every Month/Quarter/Semi-Annually
As (Total)	-1 sample every Month/Quarter/Semi-Annually
Cd (Total)	-1 sample every Month/Quarter/Semi-Annually
Cr (Total)	-1 sample every Month/Quarter/Semi-Annually
Cu (Total)	-1 sample every Month/Quarter/Semi-Annually
Pb (Total)	-1 sample every Month/Quarter/Semi-Annually
Hg (Total)	-1 sample every Month/Quarter/Semi-Annually
Ni (Total)	-1 sample every Month/Quarter/Semi-Annually
Ag (Total)	-1 sample every Month/Quarter/Semi-Annually
Zn (Total)	-1 sample every Month/Quarter/Semi-Annually
Be (Total)	-1 sample every Month/Quarter/Semi-Annually
Tl (Total)	-1 sample every Month/Quarter/Semi-Annually
Sb (Total)	-1 sample every Month/Quarter/Semi-Annually
Se (Total)	-1 sample every Month/Quarter/Semi-Annually

3. All sample collection, handling, preservation and analysis shall be performed by an ADEQ-certified laboratory unless they are performed by the Permittee. Designated laboratories shall be subject to Jacksonville Wastewater Utility approval.

4. All samples handling, preservation, equipment, sample container, holding times, analysis and quality control procedures shall be in accordance with approved and current EPA procedures and requirements.

PART III: REPORTING REQUIREMENTS/SPECIAL CONDITIONS

1. SPILL/SLUG CONTROL-(Each Industrial User will be evaluated individually to determine the extent of their spill control program)

A. In case of an accidental discharge, the Jacksonville Wastewater Utility Pretreatment Coordinator/Laboratory Department must be notified immediately, by telephone, at 982-0581. If after regular business hours, leave a message with the answering service, which will notify the proper Utility personnel. Notification shall include location of discharge, type of waste, concentration and volume, Permittee personnel with knowledge of the spill, and corrective actions to be taken by the Permittee to prevent any further accidental discharge.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.15.E.2,3)

B. A notice shall be permanently posted on the Permittee's bulletin board or other prominent place-advising employees of the notification procedure in the event of a dangerous discharge. Permittee shall ensure that all employees who may cause or witness such a dangerous discharge are advised of the emergency notification procedure.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.15.E.4)

C. Within five days of an accidental discharge, the Permittee shall submit to the Manager of Jacksonville Wastewater Utility, a detailed written report describing the cause of the discharge and the measures to be taken by the Permittee to prevent future incidents. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.15.E.3)

2. REPORTING REQUIREMENTS

A. The Permittee will submit monthly self-monitoring reports for the pollutants monitored during the previous month. These reports are due by the last day of the month for all discharges in the previous month. The report must contain the results of all samples collected during the month and a signed statement that all sampling and analysis was performed according to EPA regulations. (40 CFR 403.12) If the Permittee monitors any pollutant more frequently than required by Part II (2) of this Permit, the results of this monitoring shall be included in the reports as outlined above.

B. The Permittee shall notify the Utility's Pretreatment Coordinator/Laboratory Department, by telephone, within one (1) business day of becoming aware of the violations of the conditions of this permit.
(40 CFR 403.12.G.2)

C. The Permittee shall notify the Utility prior to the introduction of new wastewater or pollutants, any substantial change in the volume or characteristic of the wastewater being discharged to the sanitary sewer, or any new construction or process modifications involving plumbing changes. This notification shall be written and the Permittee must receive the Utility's approval before the changes can occur.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.20.4)

7-9-10

D. All reports required by this permit must be signed by either the owner, general partner, a principal executive officer of at least the level of vice president, or a responsible individual who has received written delegation of this authority from either the owner, general partner, or a principal executive officer of at least the level of vice president. (40 CFR 403.12 (k)

E. The Permitee shall notify the utility of the release of a slug load. A slug load is any release of pollutants at a flow rate or concentration, which would cause the Permitee to violate any limitations contained in this permit or the General Discharge Prohibitions contained in the City of Jacksonville Ordinance No. 1360. This notification shall be made immediately by telephone –982-0581. The notification shall include the corrective actions to be taken. The verbal notification must be followed by a detailed written report within five days of the discharge. (40 CFR 403.12(g) (City of Jacksonville, Ordinance No. 1360 – Section 13.24.15.2,3)

3. SPECIAL CONDITIONS

A. If the Permittee experiences a violation of any of the Pretreatment Standards specified in Part I of this Permit, then the Permitee will resample for that pollutant within 30 days, unless the Permittee has samples for that parameter since the violation. (40 CFR403.12.g).

PART IV: STANDARD CONDITIONS

1. The Permittee shall comply with all general prohibitive discharge standards in the City of Jacksonville Ordinance No. 1360 – Section 13.24.09.

2. Rights of Entry – The Permittee shall allow duly authorized representatives of the Utility, bearing proper credentials and identification, to enter the premises at reasonable hours for the purpose of inspecting, sampling or record inspection. Reasonable hours are considered anytime the Permittee is operating any process, which results in the discharge of wastewater to the sanitary sewer.
(City of Jacksonville, Ordinance No. 1360 – Section 13.24.25.3)

3. Records Retention – The Permittee shall retain all records relative to monitoring, analysis, and operations of any process or treatment system, which results in the discharge of wastewater to the sanitary sewer for a minimum of three (3) years.
(40 CFR 403.12 (1) (City of Jacksonville, Ordinance No. 1360 – Section 13.24.18.5.g.h)

4. Dilution – The Permittee shall not increase the use of potable or process waters 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 Part I of this permit. (City of Jacksonville Ordinance No. 1360 – Section 13.24.13)

5. Non-transferability – This permit is issued to a specific Permittee for a specific operation and is not assignable to another discharger or transferable to any other location without the prior written approval of the Utility.
(City of Jacksonville, Ordinance no. 1360 – Section 13.24.18.8)

6. Permit Modification – (a) The terms and conditions of this permit are subject to modification by the Utility at any time in response to changes in the City of Jacksonville Ordinance No. 1360, modification or promulgation of any federal regulation including promulgation of new Categorical Pretreatment Standards, State of Arkansas Regulation, and/or issuance of special or administrative orders, (b) Any permit modifications which result in new conditions or limitations will include a reasonable time schedule for compliance, if necessary. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.18.7)

7. Permit Revocation – This permit may be revoked by the Utility if it is determined that the Permittee has violated any provision of this permit, City of Jacksonville Ordinance No. 1133, State of Arkansas regulations, or EPA regulations. Additionally, falsification or intentional misrepresentation of data or statements pertaining to the permit application or any report required by this permit shall be cause for permit revocation. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.28.2)

8. Penalties – Failure to resolve any violation of this permit, City of Jacksonville Ordinance No. 1360, State of Arkansas regulation, or EPA regulation may result in the Utility seeking applicable fines and penalties as outlined in City of Jacksonville Ordinance No. 1360 – Section 13.24.29.

9. 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 circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.29.5)

10. Property Rights – The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of federal, state or local regulation. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.25.3)

11. Proper Disposal of Pretreatment Sludge and Spent Chemicals – The Permittee shall dispose of any sludge or spent chemicals in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act. (40 CFR 403.8 (f) (iii)

12. Confidentiality – All reports and data related to the requirements of the permit shall be available for public inspection at the Jacksonville Wastewater Utility, 248 Cloverdale Road, except for that information that is deemed confidential in accordance with the provisions of the City of Jacksonville Ordinance No. 1360 – Section 13.24.2.1

13. Permit Expiration – This permit comes due for review on _____. The Permittee must reapply for re-issuance of the permit at least 180 days prior to the expiration date. The Utility will notify the Permittee of this responsibility 90 days before the reapplication date. (City of Jacksonville, Ordinance No. 1360 – Section 13.24.18.6)

EXHIBIT "F" – MONITORING EQUIPMENT

Monitoring Equipment

1. 1999 Dodge Van
2. ISCO Model 2700 Automatic Sampler
3. ISCO Model 3700 Automatic Sampler
4. Fisher Scientific pH Meter- Accumet Model # AP71
5. Hand Tools and Tool Box
6. Sample Containers
7. Suction Line with Strainers
8. Nickel Cadmium rechargeable sampler batteries
9. YSI Dissolved Oxygen Meter- model 550A

EXHIBIT "G" – INDUSTRIAL SURVEY FORM

CITY OF JACKSONVILLE, ARKANSAS
INDUSTRIAL USER'S SURVEY

Note to signing official: In accordance with Title 40 of the Code of Federal Regulations Part 403 Section 403.14, information and data provided in this questionnaire which identifies the nature and frequency of discharge shall be made available to the public without restriction. Requests for confidential treatment of other information shall be governed by procedures specified in 40 CFR Part 2. Should a discharge permit be required for your facility, the information in this questionnaire will be used to issue the permit.

SECTION A: GENERAL INFORMATION

1. Company Name: _____

2. Mailing Address: _____

   _____Zip Code:_____

3. Premise Address: _____

   _____Zip Code:_____

4. Name and Title of Person (s) authorized to represent your company in an official capacity in transactions with Jacksonville Wastewater Utility (a primary and a secondary contact)

   Primary Contact:_____

   Title: _____

   E-Mail: _____

   Telephone Number: _____ Fax Number: _____

   Secondary Contact: _____

   Title: _____

   E-Mail: _____

   Telephone Number:_____ Fax Number: _____

5. Check One: _____Existing Discharge _____Proposed Discharge

   If proposed, anticipated date of commencement:_____

6. If the facility has a corporate office, please list below the corporate officer in charge of environmental / regulatory compliance.

   Corporate Contact: _____

   Title: _____

   Address: _____

   Telephone: _____ Fax: _____

   E-Mail: _____

7. List all SIC/NACIS codes for this company (along with the applicable description of the code):

_____

_____

_____

_____

_____

_____

8. List below all, if any, Environmental Permits currently held by the company. Name the issuing agency and list the permit number for the company:

A. Arkansas Department of Environmental Quality RCRA Permit:

_____ Yes _____ No

If Yes, Permit #: _____

B. Arkansas Department of Environmental Quality Stormwater Permit:

_____ Yes _____ No

If Yes, Permit #: _____

C. Arkansas Department of Environmental Quality Air Permit:

_____ Yes _____ No

If Yes, Permit #: _____

D. Arkansas Department of Environmental Quality Incinerator Permit:

_____ Yes _____ No

If Yes, Permit #: _____

E. Arkansas Department of Environmental Quality Underground Storage Tank Permit:

_____ Yes _____ No

If Yes, Permit #: _____

F. Other Environmental Permits:

_____ Yes _____ No

If Yes, Permit #: _____

_____

_____

_____

SECTION B: PRODUCT OR SERVICE INFORMATION

1. Give a brief, narrative description of the primary manufacturing or service activity and premise address and the applicable Standard Classification Code (A).

(S.I.C. No.):_____

_____

_____SIC No.(s):_____

2. Principal Raw Materials Used:_____

3. Principal Products Produced:_____

4. Check all additional activities and indicate SIC No. (s), if known, at your premise:

	SIC No.		SIC No.
___Electroplating	_____	___Food Preparation Service	_____
___Printing	_____	___Photographic Processing	_____
___Warehousing	_____	___Plastic Processing	_____
___Laboratory	_____	___Painting, Finishing	_____
___Machine Shop	_____	___Paint or Ink Formulation	_____
___Research	_____	___Laundry, Cleaning	_____
___Medical Care	_____	___Rubber Processing	_____
___Repair Shop, Garage	_____	___Steam/Power Generation	_____
___Flammables, Explosives	_____	___Other (Specify)	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. Does your facility practice Pollution Prevention (P2)? _____ Yes _____ No

If so, what are type of activities are practiced? _____

_____

_____

_____

Has your facility seen benefits from these activities? _____ Yes _____ No

If so, what type of benefits? _____

_____

_____

_____

SECTION C: PLANT OPERATIONAL CHARACTERISTICS

1. Are major processes batch or continuous? _____

   Average number of batches per 24-hour day: _____

2. Are your processes subject to seasonal variation? _____

   If yes, explain and indicate the month(s) of peak operation and products:

   _____

   _____

3. Shift Information:

   a. Number of shifts per day:_____ b. Number of workdays per week:_____

   c. Average number of employees per shift: 1st_____ 2nd_____ 3rd_____

   Total:_____ Administrative: _____ Production: _____

   d. Shift start times: 1st_____2nd_____3rd_____

4. Describe any water recycling or material-reclaiming processes utilized:

   _____

   _____

5. Is a Spill Prevention Control and Countermeasure Plan prepared for the facility?

   If more room is needed, please attach necessary description(s):

   ___Yes ___No If yes, describe:_____

   _____

   _____

   _____

SECTION D: WATER CONSUMPTION AND LOSS

1. Raw water source(s): ___Municipal Water Division ___Private Contract

   ___County Water Company ___Private Well

   ___Surface Water ___Other _____

2. Water bill addressee:_____

3. Water services account numbers:_____

4. List the past twelve months water usage from water bills:

   a. 1st six-month period 20_____, _____ gallons

   b. 2nd six-month period 20_____, _____ gallons

   c. Volume from other source(s):_____gallons per day.

5. List water consumption within the facility:

Type	Estimated Average Volume (GPD)
a. Cooling Water	
b. Boiler Feed	
c. Process	
d. Sanitary	
e. Plant and Equipment Wash-down	
f. Irrigation and Lawn Watering	
g. Other (specify):_____	
h. Total of a. through g.	

6. List the average volume of discharge lost to:

Outlet	Estimated Average Discharge (GPD)
a. Municipal Sewer	
b. Watercourse, Storm Drain, Ground	
c. Waste Haulers	
d. Evaporation	
e. Contained in Product	
f. Total of a. through e.	

7. List the average water usage and average wastewater discharge for SIC process itemized in SECTION B (attach additional sheets if necessary):

Brief Process Description	SIC No.	Average Water Consumption
a._____	_____	_____ GPD
b._____	_____	_____ GPD
c._____	_____	_____ GPD
d._____	_____	_____ GPD

8. Describe any water treatment or conditioning processes utilized:

_____

_____

9. Does your facility have any plans to minimize water usage or any of the following wastewater reduction programs?

_____ Storm Water Pollution Prevention plan in place (SWP 3)?

_____ SPCC plan in place?

SECTION E: SEWER INFORMATION

1. Attach a scaled drawing of your facility site showing the location of all sewers. In addition, show the location of possible sampling points for these sewers and sampling points for regulated SIC processes. For reference and field orientation, buildings, streets, alleys, and other pertinent structures should be included.

2. List facility sewers shown in Item 1, size and flow; assign reference numbers to each sewer starting with No. 1:

	Reference Number	Sewer Size (in.)	Descriptive location of Sewer Connection of Discharge Point	Average Flow (GPD)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10				
11.				
12.				

SECTION F: WASTEWATER INFORMATION

1. Does this facility discharge any wastewater other than from restrooms, cafeterias, or non-contaminated cooling water?

   ___Yes If yes, complete the remainder of Section F

   ___No If no, skip to Section G

2. Please indicate the quantities from the activities indicated below in units of gallons per day. (Refer to Section D, items 5, 6, 7, and 8) The quantities are to be given for each sewer receiving the discharge. Place an asterisk on any outfall discharging to a storm drain or surface course and give the NPDES Outfall Number and NPDES Permit Number.

Type Process (from D-7)	Discharge Quantity by Sewer Referenced in E-2 1	2	3				Total (Refer to D 5-7)
a.							
b.							
c.							
Sanitary							
Boiler							
Cooling							
Plant & Equip. Wash							
Retention Waste (From D-8)							
Other (Specify):							
Total (Refer to E-2)							
* NPDES Outfall No.							
**NPDES Permit No.							

3. Is any form of wastewater pretreatment utilized at this facility?

_____ Yes _____ No

If yes, check type of device:

_____ Silver Recovery System _____ Ultra Membrane Filtration

_____ Grease Trap (In Ground) _____ Detention/Flow Equalization Basin

_____ Oil/Water Separator _____ pH Adjustment

_____ Grease Interceptor _____ Other

Description and location of device(s) mentioned above: _____

_____

_____

_____

If the facility has any of the above-mentioned pretreatment devices, how often is it serviced and by whom (please include individual name, company name, address, phone number and last date of service)?

_____

_____

_____

_____

Does this facility have a parts washer? _____ Yes _____ No

If yes, is the waste produced considered a Hazardous Waste? _____ Yes _____ No

If yes, how are the wastes disposed (please include individual name, company name, address, phone number and last date of service)? _____

_____

_____

_____

4. If any wastewater analyses have been performed on the wastewater discharges from your facilities, attach a copy of the most recent data to this questionnaire. Be sure to include the date of the analysis, name of the laboratory performing the analysis, and location(s) from which the sample(s) were taken (Attach sketches, plans, etc., as necessary).

_____

_____

_____

_____

_____

_____

_____

_____

_____

5. Priority Pollutant Information: Please indicate by placing an "X" in the appropriate box by each listed chemical whether it is "Suspected to be Absent," "Known to be Absent," "Suspected to be Present," or "Known to be Present" in your manufacturing or service activity or generated as a by-product. (Some compounds are known by other names. An asterisk notes those compounds (*).)

Item No.	Chemical or Compound	Suspected Absent	Known Absent	Suspected Present	Known Present
1.	Asbestos (fibrous)				
2.	Cyanide (total)				
3.	Antimony (total)				
4.	Arsenic (total)				
5.	Beryllium (total)				
6.	Cadmium (total)				
7.	Chromium (total)				
8.	Copper (total)				
9.	Lead (total)				
10.	Mercury (total)				
11.	Nickel (total)				
12.	Selenium (total)				
13.	Silver (total)				
14.	Thallium (total)				
15.	Zinc (total)				
16.	Acenaphthene				
17.	Acenaphthylene				
18.	Acrolein				
19.	Acrylonitrile				
20.	Aldrin				
21.	Anthracene				
22.	Benzene				
23.	Benzidine				
24.	Benzo (a) anthracene*				
25.	Benzo (a) pyrene*				
26.	Benzo (b) fluoranthene				

Item No.	Chemical Compound	Suspected Absent	Known Absent	Suspected Present	Known Present
27.	Benzo (g, h, I) perylene*				
28.	Benzo (k) fluoranthene*				
29.	a-BHC (alpha)				
30.	b-BHC (beta)				
31.	d-BHC (delta)				
32.	g-BHC* (gamma)				
33.	Bis (2-chloroethyl) ether*				
34.	Bis (2-chloroethoxy) methane*				
35.	Bis (2-chloroisopropropyl) ether*				
36.	Bis (chloromethyl) ether*				
37.	Bis (2-ethylhexyl) phthalate*				
38.	Bromodichloromethane*				
39.	Bromoform*				
40.	Bromomethane*				
41.	4-Bromophenylphenyl ether				
42.	Butylbenzyl phthalate				
43.	Carbon tetrachloride*				
44.	Chlordane				
45.	4-Chloro-3-methylphenol*				
46.	Chlorobenzene				
47.	Chloroethane*				
48.	2-Chloroethylvinyl ether				
49.	Chloroform				
50.	Chloromethane*				
51.	2-Chloronaphthalene				
52.	2-Chlorophenol*				
53.	4-Chlorophenylphenyl ether				
54.	Chrysene*				
55.	4,4'-DDD*				
56.	4,4'-DDE*				
57.	4,4'-DDT*				
58.	Dibenzo (a, h) anthracene*				
59.	Dibromochloromethane*				
60.	1,2-Dichlorobenzene*				

Item No.	Chemical or Compound	Suspected Absent	Known Absent	Suspected Present	Known Present
61.	1,3-Dichlorobenzene*				
62.	1,4-Dichlorobenzene*				
63.	3,3'-Dichlorobenzidine				
64.	Dichlorodifluoromethane*				
65.	1,1-Dichloroethene*				
66.	1,2-Dichloroethene*				
67.	1,1-Dichloroethene				
68.	Trans-1,2-dichloroethene*				
69.	2,4-Dichlorophenol				
70.	1,2-Dichloropropane*				
71.	(cis & trans) 1,3-Dichloropropene*				
72.	Dieldrin				
73.	Diethyl phthalate*				
74.	2,4-Dimethylphenol*				
75.	Dimethyl phthalate				
76.	Di-n-butyl phthalate				
77.	Di-n-octyl phthalate*				
78.	4,6-Dinitro-2-methylphenol*				
79.	2,4-Dinitrophenol				
80.	2,4-Dinitrotoluene				
81.	2,6-Dinitrotoluene				
82.	1,2-Diphenylhydrazine*				
83.	Endosulfan I*				
84.	Endosulfan II*				
85.	Endosulfan sulfate				
86.	Endrin				
87.	Endrin aldehyde				
88.	Ethylbenzene				
89.	Fluoranthene				
90.	Fluorene*				
91.	Heptachlor				
92.	Heptachlor epoxide				
93.	Hexachlorobenzene*				
94.	Hexachlorobutadiene				

Item No.	Chemical or Compound	Suspected Absent	Known Absent	Suspected Present	Known Present
95.	Hexachlorocyclopentadiene*				
96.	Hexachloroethane*				
97.	Indeno(1,2,3,-cd)pyrene*				
98.	Isophorone*				
99.	Methylene chloride*				
100.	Naphthalene				
101.	Nitrobenzene				
102.	2-Nitrophenol*				
103.	4-Nitrophenol*				
104.	N-nitrosodimethylamine*				
105.	N-nitrosodi-n-propylamine*				
106.	N-nitrosodiphenylamine*				
107.	PCB-1016*				
108.	PCB-1221*				
109.	PCB-1232*				
110.	PCB-1242*				
111.	PCB-1248*				
112.	PCB-1254*				
113.	PCB-1260*				
114.	Pentachlorophenol				
115.	Phenanthrene				
116.	Phenol				
117.	Pyrene				
118.	2,3,7,8-Tetrachlorodibenzo-p-dioxin*				
119.	1,1,2,2-Tetrachloroethane*				
120.	Tetrachloroethene*				
121.	Toluene*				
122.	Toxaphene				
123.	1,2,4-Trichlorobenzene				
124.	1,1,1-Trichloroethane*				
125.	1,1,2-Trichloroethane*				
126.	Trichloroethene*				
127.	Trichlorofluoromethane*				
128.	2,4,6-Trichlorophenol				

Item No.	Chemical or Compound	Suspected Absent	Known Absent	Suspected Present	Known Present
129.	Vinyl chloride*				

6. For chemical compounds in F-5 which are indicated to be "Known Present", please list and provide the following data for each: (attach additional sheets if needed).

Item No.	Chemical or Compound	Annual Usage (Lbs.)	Estimated Loss To Sewer (Lbs./Year)

SECTION G: SIGNATURE

The information contained in this questionnaire is familiar to me and to the best of my knowledge and belief; such information is true, complete, and accurate.

Signature of Official Date

EXHIBIT "H" – INSPECTION FORM

1. Inspection Form

2. Post Inspection Report

Date: _____

Signature: _____

JACKSONVILLE WASTEWATER UTILITY
INDUSTRIAL INSPECTION FORM

SECTION I. FACILITY INFORMATION

A. General Information (All Items Must Be Completed)

1. Facility name: _____
2. Service address: _____
3. Mailing address (if different): _____
4. Contact(s) & Title(s): _____
_____
5. Phone number(s): _____
6. Water Works account #: _____
7. Environmental Permit(s): _____
   a. RCRA: _____
   b. Air: _____
   c. Stormwater: _____
   d. Underground ST: _____
   e. Land Farm Permit: _____
8. Signatory Authority (Name & Title): _____
_____

B. Sample Protocol Information

1. SIC(s) Codes: _____
2. Days of Operation: _____ Days of Production: _____
3. Hours of Operation: _____ Hours of Production: _____
4. Number of Shifts: _____ Hrs-Shift 1: _____ Hrs-Shift 2: _____ Hrs-Shift 3: _____
5. Number of Employees: _____ Production: _____ Administrative: _____
6. Seasonal Variations: _____ Peak Months: _____ Low Months: _____
7. Scheduled Plant Shutdowns: _____

C. Records Review (Yes/No & Comment)

1. Pretreatment System Operations Logs: _____
_____
2. Sample Results & Reports (IU Must Maintain for 3 Years): _____
_____
3. Emergency Response & Spill Plan (Review for Changes): _____
_____
4. Chemical Inventory (MSDS on new chemicals): _____
_____
5. Production Verification Records (for IUs with production-based standards- Record type, inclusive dates, production figures, etc.): _____
_____
6. Inform IU of need to inform ADEQ of discharge of non-polluted waters and possible need for NPDES permit: _____
_____

Date: _____
Signature: _____

SECTION II. FACILITY INSPECTION (Walkthrough Information)

A. Process review

1. Process Name: _____
2. Location: _____
3. Description of Process: _____
4. Raw Materials & Chemicals Used: _____
5. Product & Possible Pollutants: _____
6. Destination of Wastewater From Process (sewer, treatment system, diverted): _____
7. Are Management Practices Outlined in TOMP, Spill Control, or Other Plans Being Followed?: _____
8. Comments: _____
9. Sketch of Process, In File: _____ If No: Attach Diagram or Plan if Available: _____
10. Is There A Potential for Spills into Sewer ?: _____
11. Spill Prevention (Berms, Secondary Containment, and etc...): _____
12. Is the Employee Notification Sign of Whom to Call in the Event of A Spill Posted ?: _____

B. Chemical Storage Area(s)

1. Location (s): _____
2. Chemical List & Volumes: _____
3. Is the employee notification sign of whom to call in the event of a spill posted?: _____
4. Are employees in the area aware of spill containment, handling, and cleaning Procedures? Comments: _____
5. Spill Containment Area Assessment (attach sketch and comments):

Date: _____

Signature: _____

C. Pretreatment System

1. System Operator(s): _____

2. System Description: _____

3. Is the Schematic Drawing Accurate?:____ ____ If No, Then List the Descrepancies: __

4. Discharge From System: Continuous Discharge from each trap.

Notes: _____

5. Meters on System (flow, pH, etc.)

Meter Type	Model & Serial #	Calibration Procedure/Frequency	Comments (Totalizer Reading)
N/A	N/A	N/A	N/A

6. Is the System Operator Knowledgeable of System's Operation? Comments: _____

7. Permit Sampling Methodology (list sample type, container type, preservatives used, holding times, and frequency): _____

8. Sample Location and Evaluation. (All regulated & non-regulated Wastestreams): _____

9. Sludge Handling: _____

10. Is There Potential for Spills into the Sewer?_____ If Yes or Maybe, See 11&12.

11. Chemical List & Volumes: _____

12. Is the Employee Notification Sign of Whom to Call in the Event of A Spill Posted?

13. Comments: _____

14. Exit Interview (IU comments): _____

(IU Representative Signature)

SECTION III. INSPECTION SUMMARY

A. Action Items:

List all corrective action, additional information, communications or follow up action required as a result of the inspection and estimated completion date of each item.

Follow-up Visit Required: Yes_____ No_____

B. Comments

Inspectors Overall Assessment of the Industrial User and any General Comments.

_____ _____

Inspector Date of Inspection

To: Little Rock Air Force Base (LRAFB) Correspondence File -- 2009

From: Jon Boyles, Pretreatment Coordinator
Sal Pappalardo, Pretreatment Inspector

Subject: 2009 Annual Inspection Report

Date: July 28 , 2009

An annual pretreatment inspection was performed at LRAFB by Jon Boyles, JWU Pretreatment Coordinator and Sal Pappalardo, JWU Pretreatment Inspector, on Thursday and Friday, July 9 & 10, 2009. The escort for this inspection was Mr. Malcolm Windsor, Environmental Engineer. The purpose of this inspection was to provide an overview into the operations of the base. Areas of major emphasis observed during the inspection included the following areas: Motor Pool, Aircraft Ground Equipment, Aircraft Wash Rack Hanger, Corrosion Control, Fuel Cell, Hospital (now Clinics), National Guard (Air) Facility (Aircraft Wash Rack), Nondestructive Inspection, Engine Test Cell, and the Grease Traps located throughout the base. A summary of the inspection will be entered at the bottom of this report. From the information obtained during the inspection and the information contained within Jacksonville Wastewater Utility (JWU) files, LRAFB appears to be in compliance with their Industrial Wastewater Discharge Permit.

The following is a summary of the inspection of the major areas that create process wastewater that is disposed of in the sanitary sewer. These areas are inspected on annual basis.

USAF Motor Pool (Buildings: #B-549, #B-550, #B-552, and #B-554): Vehicles are brought in for servicing or repair. There are no floor drains that service these buildings. The mechanic shop has parts washers that utilize a recyclable solvent. These areas use a Tenant/Zamboni type floor scrubber to clean the floor after sweeping and picking up of large solids. Fluids (motor oils, transmission fluids, anti-freeze, and others) are recycled and if unable to recycle, they are sent off site for disposal. There are no oil/water separators for these buildings. All solvent-based parts washers located in this area are not connected to the sanitary sewer and waste solvent is hauled off site for disposal.

USAF Aircraft Ground Equipment "AGE" (Building #B-256): This building performs routine maintenance and repairs for the support equipment used by the aircraft crews during servicing and repair of aircraft. All solvent-based parts washers located in this area are not connected to the sanitary sewer and waste solvent is hauled off site for disposal. Examples of these types of equipment are generators, trailers for loading and transportation, fuel tank bowsers, gray water bowsers, and other related equipment. This building uses a Tenant/Zamboni type floor scrubber to clean the floor after sweeping and picking up of large solids.

USAF Aircraft Wash Rack Hangar (Building #B-228): This area is a large hangar that is big enough to hold the whole aircraft. Aircraft are brought into this building to be washed and waxed. The Hangar is currently using the following compounds to wash and wax the aircraft: Areo-Wash IV (alkaline detergent) & PC-1020 (Soil Barrier-Wax). This building uses a

Tenant/Zamboni type floor scrubber to clean the floor after sweeping and picking up of large solids. The oil/water separator for this building has been removed.

USAF Corrosion Control (Buildings #B-282 & B-208): This area is a large paint and prep hangar. A dry painting system has been installed and filters are used to trap airborne particles. Very little wastewater is generated at this location, with the primary source being from the bathroom facilities. This building uses a Tenant/Zamboni type floor scrubber to clean the floor after sweeping and picking up of large solids.

A canister that has a small quantity of alodine (approximately one ounce) within a crushable vessel that has a paint brush/swap attached has replaced the alodine coating dip, for surface preparation. When the vessel of alodine is crushed, the alodine is released to the brush/swab and the brush/swab applies the alodine to the area that has been prepared. After this operation, the area can now be painted. The wastes from this process have been approved for disposal in the dumpster.

USAF Fuel Cell (Building #295): This building is similar to a Gas Station that provides Fuel for Aircraft. Trucks can carry Fuel to the plane on Portable tanks. These tanks are called Bowers. If an aircraft is experiencing fuel tank problems, the fuel tanks are off-loaded into fuel tank bowsers and the aircraft's fuel tanks are brought to this building. The tanks are pressure tested and the site of the leak is determined and marked for repair. The fuel tank bowsers are taken to the tank bottoms water treatment system for fuel reclamation. No drains are located in this building or can any Fuel reach the sanitary sewer from this building.

USAF Hospital (Building #B-1090): All X-Ray and Dental work has gone to digital processes.

Air National Guard Facility (Buildings #B-126, & B-207): Located in Building 126, are a garage, administrative offices, and vehicle wash rack. The only floor drain in this building has been removed. The vehicle wash rack operates similar to a self-service car wash. There is a high-pressure washer, and detergent and rinse water used are similar to the ones used in civilian car washes. A Tenant/Zamboni floor scrubber is used to remove the used wash water in the wash rack before filtering and disposal down the sanitary sewer. The fire station is also located within this building and shares equipment with Building 126.

In Building 207, aircraft are washed, tires are washed and inspected, and small engine repairs are performed. The washing of the aircraft is performed similar to the USAF operation and the same chemicals are used to wash and wax the aircraft. The tires and wheels are washed using Areo Wash IV and a tire washer that recycles the wash solution. The spent solution is filtered before disposal to the sanitary sewer. The engine repair facility has an aqueous parts washer similar to the unit mentioned above. The waste solids collected in the screening of the wash water are allowed to dry before disposal as hazardous wastes. There is also a small (approx 20 gallon) solvent part washer located in the engine repair facility that is not connected to the sanitary sewer. The solvent is hauled off site for disposal.

Nondestructive Inspection (Building #B-368): This facility inspects parts from aircraft and other machinery for wear and fatigue. A process is used in which a part is immersed in a

florescent liquid (penetrant) and allowed to drain. After draining, the part is rinsed and inspected under ultraviolet lighting. Any imperfection is dramatically illuminated by the ultraviolet light and marked for repair. Another process utilizes applying a small electrical current to the part and measuring any increase or decrease in the magnetic field of the part. The instrument used to inspect the part will also aid in identifying the area of the imperfection. This section also uses an X-Ray inspection process for fine examination of the parts. The spent fixer and developer are disposed at the existing silver recovery system located in the building.

Engine Repair and Testing Facilities (Building #B-390 &B-391): This facility performs the major engine repairs and testing for the entire base. This facility is a jointly run operation between Air National Guard (Building 390), USAF (Building 391), and private contractors. The private contractors are the firms that have built the aircraft or are doing modifications to the aircraft. This facility has the majority of its operations performed outside. A concrete pad covers this entire area. The run-off from this pad goes through socks or booms to skim and/or collect any excess petroleum products before going to a separate catch basin. There is a valve located within this catch basin that allows the water to be routed to solvent socks that filters out the oily wastes before entry to the sanitary sewer.

Tank Bottoms Water Treatment System (Buildings #B-1340 & B-1342): This system is responsible for the removal of water, which has combined with petroleum solutions from fuel tanks. The solutions are pumped to a holding tank until a determined amount (approximately 250 gallons) is collected. The solution is then pumped to activated charcoal filters, which attract the petroleum solution and allows the water to pass through minus the petroleum solution. The initial test results collected from this system are located in the correspondence file. These results show the concentrations before and after the system was used to remove the petroleum solutions.

Metals Technology (Building #B-246): Basically a machine shop that performs these operations: Tooling &Tap & Die, Welding, Polishing, Cutting and Grinding. Tooling has self-contained cooling water that has mineral spirits added. There are no existing drains or any way to receive influent to wastewater plant.

Grease Traps: The grease traps were inspected at the following locations:

- **Hanger 1080** — ***1,000*** Gallon Trap – Needs Pumping
- **DFAC:** — ***5,000*** Gallon Trap --Good Condition
- **Anthony's Pizza:** — ***750*** Gallon Trap – Good Condition
- **Chief Williams Express:** — ***1,000*** Gallon Trap – Facility Closed
- **Commissary:** — ***1,000*** Gallon Trap -- Good Condition
- **Golf Center:** — *Interceptor outside bldg.* – Facility Closed
- **Bowling Center:** — ***100*** Gallon Interceptor – Needs Pumping
- **Shoppette / Popeyes:** — ***1,000*** Gallon Trap – Needs Pumping
- **Burger King:** — ***500*** Gallon Trap – Good Condition
- **Conference Center:** — ***1000*** Gallon Trap – Needs Pumping,
- Open Drain needs to be sealed, also vent or c/o open.
- **Flight Kitchen:** — ***100*** Gallon Interceptor Outside – Good Condition
- **Razorback Café:** — ***5000*** Gallon Trap – Good Condition

Summary: The purpose of this inspection was to provide an overview into the operations of the base and the second was to inspect the grease traps. I was very impressed by the energy and dedication of personnel operating the base and achieving compliance under their Industrial Wastewater Discharge Permit.

JWU will address any requirements, recommendations and suggestions that have resulted from this inspection in the *Post Inspection Findings—2009* report, which will be presented concurrently with this report.

To: Little Rock Air Force Base – Correspondence File 2009

From: Jon Boyles, Pretreatment Coordinator
Sal Pappalardo, Pretreatment Inspector

Subject: Post Inspection Finding -- 2009

Date: July 28, 2009

The following is a summary document, which lists the findings of the July 9 and 10, 2009 inspection of the Little Rock Air Force Base (LRAFB). These findings are summarized with the requested actions following the inspection.

Recommendations:

(1) **JWU would like the solids traps located in the new Hercules dining facility** to be inspected on a regular basis and records kept of the dates of the inspections.

EXHIBIT "I "– CHAIN OF CUSTODY

Jacksonville Wastewater Utility

LABORATORY SERVICES DEPARTMENT

CHAIN-OF-CUSTODY RECORD

ntification & Sample Number:	Sampler Number:	Set-up Collection Date & Time: @ AM/PM
Sample Technician(s) (Signature): Patrick Ellis / Sal Pappalardo /		Take-off Collection Date & Time: @ AM/PM

Type Of Sample: (Specify STP)

Plant Influent | Industrial Waste | Receiving Stream | Final Effluent | Other

Wastewater Characterization Of Composite Sample:

Color	Oil	Flow In Pipe	Turbidity
0			

Sample Type: Composite	Sample Type: Grab Sample Collection Date & Time	Preservative	Sample Bottle Type & Number		Parameters Requested	Designated Laboratory	Relinquished By: (Signature) Date & Time	Received In Laboratory By (Signature)
		N/A			pH--S/U	ON SITE		
		Cool to 4 deg C H2SO4 to pH of < 2.0	G	A30-01	O & G	AI		
24 HC		Cool to 4 deg C	P	A30-02	BOD, TSS	AI		
24 HC		Cool to 4 deg C HNO3 to pH of	P	A30-03	Ag (t)	AI		
		N/A			pH--T/O	ON SITE		

pH Calibration and Performance Data

Date & Time	Calib. Method	Buffer Temp.	pH Buffers Before & After Standardization	4.00	7.00	10.00	% Slope	Analysist	Comments
1			B						
			A						
2			B						
			A						

pH Analysis Record

Sample Number:	17-002		Grab pH Date&Time:	1
Reported Value (pH s.u.) :	1	2		2
Duplicate Values:	1	2	Date & Time Performed:	1
				2

Date	Time	pH Val. (s.u.)	Deg. C	Vio. Y/N		
1					Analysist:(See names Above)	1
2					Analysist:(See names Above)	2

7-9-10

EXHIBIT "J'" – ENFORCEMENT RESPONSE PLAN

Jacksonville Wastewater Utility

Pretreatment Program Enforcement Response Plan

November-2009

JACKSONVILLE INDUSTRIAL PRETREATMENT PROGRAM

Enforcement Response Plan

INTRODUCTION AND OBJECTIVES

The objectives of the Jacksonville Industrial Pretreatment Program will be met only through the cooperation of utility and industry officials. In order for the objectives to be realized, appropriate enforcement of approved pretreatment standards will have to be exercised from time to time. The purpose of this Plan is to establish the objectives of the program, and to lay out the procedures the utility will take to bring about compliance with this program.

The objectives of the Jacksonville Industrial Pretreatment Program are:

a. To prevent the introduction of pollutants into the municipality wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;

b. To prevent the introduction of pollutants into the municipality wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;

c. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and

d. To encourage pollution prevention in waste reduction prior to recycling, treatment, or disposal;

e. To provide for equitable distribution of the cost of the municipal wastewater system;

f. To prevent any violation of the City's NPDES (National Pollutant Discharge Elimination System) permit.

This program provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

7-9-10

GENERAL DISCHARGE PROHIBITIONS

It shall be unlawful to and no User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the Publicly Owned Treatment Works (POTW) or which may be otherwise harmful to it. These general prohibitions apply to all such Users of a POTW whether or not the User is subject to National Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements. A user may not contribute the following substances to the POTW:

a. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with others substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW, including, but not limited to, pollutants with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) and pollutants which cause an exceedence of 10% of the Lower Explosive Limit (LEL) at any point within the POTW. Prohibited materials include, but are not limited to, gasoline, kerosene, naptha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the Utility, the State or EPA has deemed to be a fire hazard or a hazard to the system.

b. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides of fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

c. Any wastewater having a pH less than 5.0 standard units, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.

d. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Clean Water Act.

7-9-10

e. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair, or pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute workers health and safety problems.

f. Any substance which 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 noncompliance with sludge use or disposal criteria, guidelines or regulations developed under section 405 of the Clean Water Act, any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Water Act, the Clean Air Act, the Toxic Substance Control Act, or State criteria applicable to the sludge management method being used.

g. Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.

h. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

i. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees C (104 degrees F).

j. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause Interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or qualities 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.

k. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager in compliance with applicable State or Federal regulations.

l. Any wastewater which causes a hazard to human life or creates a public nuisance.

m. Any trucked and/or hauled wastes or wastewater except at the POTW treatment plant, unless prior written permission is received from the Manager. (Per Ordinance Section 13.24.09.2(m). See also 13.24.16(1) (2) Hauled liquid waste.)

7-9-10

When the Manager determines that a User(s) is contributing to the POTW any of the above enumerated substances in such amounts as to Interfere with the operation of the POTW, or to cause the City to be in violation of any applicable statute or regulation, the Manager shall: 1) Advise the User(s) of the impact of the contribution on the POTW; 2) Develop effluent limitation(s) for such User to correct the Interference with the POTW or violation; and 3) Take any enforcement measures necessary and appropriate under the circumstances, as described in Sections 13.24.28 of the Pretreatment Ordinance.

PRETREATMENT

Users shall provide necessary wastewater treatment as required to comply with this Program and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Utility shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Utility for review, and shall be acceptable to the Utility before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Utility under the provisions of this Program. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Utility prior to the User's initiation of the changes.

PRETREATMENT MONITORING AND INVESTIGATION

Reporting requirements for POTW's and SIU's are described in 40 CFR 403.12 with paragraph (b) of that section discussing reporting requirements for SIU's upon the effective date of an applicable Categorical Pretreatment Standard; paragraph (e) describing periodic reports of continued compliance for Categorical SIU's; paragraph (g) discussing monitoring and analysis requirements to demonstrate compliance; paragraph (h) describing minimum reporting requirements for significant non-categorical industrial users (refer to Appendix J, 40 CFR 403, and Section 13.24.19 and 13.24.20 of the Jacksonville Pretreatment Ordinance); and paragraph (p) outlining hazardous waste notification requirements under 40 CFR 261, and RCRA.

When sampling for BMR and initial permit applications, the Utility intends for these guidelines to be used in establishing initial flow measurement, sampling, and analysis requirements in order to identify the volume and the concentration (average and maximum) of various pollutants in the discharges from new industries.

After submittal and review of all information from the new industries on their wastewater discharges; specific pollutant limits, pretreatment requirements, and any required compliance schedule will be proposed. The frequency of self-monitoring shall be specified by the Utility, or in the case of categorical industries, monitoring must be monthly at a minimum. All other SIU's will be once/quarterly at a minimum, with most being once or twice per month, determined at the discretion of the Utility. Necessary requirements will be specified and recorded on the discharge permit to be issued to the industrial user.

7-9-10

Conditions in the industrial users discharge permit may include:

a. The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;

b. Limits on the average and maximum wastewater constituents and characteristics;

c. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.

d. Requirements for installation and maintenance of inspection and sampling facilities;

e. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;

f. Compliance Schedules;

g. Requirements for submission of technical reports or discharge reports, and signatory and certification requirements (per Ordinance Section 13.24.18.5);

h. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Utility, and affording Utility access thereto;

i. Requirements for notification of the Utility of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.

j. Requirements of notification of slug discharges.

k. A specified duration in which the permit is effective (per Ordinance Section 13.24.18.6).

l. Requirements in regard to transferability (per Ordinance Section 13.24.18.8).

m. Statements of applicable civil and criminal penalties for violations of pretreatment standards and requirements (per Ordinance Section 13.24.29).

n. Requirements for the submission of a Pollution Prevention Plan in accordance with the Pollution Prevention Act of 1990.

o. Other conditions as deemed appropriate by the Utility to ensure compliance with this Ordinance.

7-9-10

The Utility shall be responsible for receiving and reviewing self-monitoring reports from the various industries. Annually, the Utility shall submit a report to the Arkansas Department of Environmental Quality summarizing monitoring activity from the industrial dischargers required to monitor. The contents of this report are outlined in Section III of the Utility's NPDES permit. A copy of the latest Annual Report is located in Appendix L. Depending on the industrial discharger, any or all of the following compliance sampling and analysis types will be followed:

a. Scheduled monitoring (sampling and analysis on a fixed schedule)

b. Random monitoring (sampling and analysis—scheduled unscheduled—that is unannounced or performed with short notice)

c. Demand monitoring (sampling and analysis triggered by an event such as a public complaint or an observed POTW operating problem)

The Utility shall retain the right of entry into the I.U.'s premises for the purpose of sampling, inspection, or wastewater records examination. All industries shall be inspected annually. Inspections are conducted in random order, and are not scheduled in any published report or printout.

1. Procedures for Follow Up of Instances of Noncompliance

Procedures for follow up of instances of noncompliance if detected from self-monitoring reports, random sampling, or POTW monitoring shall be as follows:

a. Noncompliance Detected from Reviewing Self-Monitoring Reports:

Should a noncompliance instance be detected from reviewing self-monitoring reports the Utility shall notify the industry by letter noting the date, time, and parameter(s) resulting in noncompliance. The industry will be required to submit a written response within 30 days noting reason for noncompliance and stating a plan of action to get into compliance and to prevent future violations of noncompliance.

b. Noncompliance detected from Random Sampling:

Should a noncompliance instance be detected from a random sampling and should the Utility suspect or have reason to suspect that noncompliance is occurring frequently the Utility shall perform a composite sample collection and analysis of the wastewater discharge from the industry in question. Should the analysis verify that the industry is in noncompliance, the Utility shall notify the industry in writing of such noncompliance requesting a written response from the industry within 30 days noting reason for noncompliance and stating plan of action to get into compliance and to prevent future violations of noncompliance.

c. Noncompliance Detected from Analysis of POTW Influent:

Should analysis of the influent to the POTW indicate the specific limits of prohibited pollutants are exceeded the Utility shall perform a follow up investigation to determine cause and probable source of pollutant. The investigation shall include contacting suspected industry or industries, either by telephone or correspondence, inquiring about the release or discharge of non-normal waste loadings. Additional sample collection and analysis of the POTW influent shall take place and the industry shall be notified in writing of the results of the investigation requesting written response within a specified time noting reason for noncompliance and stating plan of action to get into compliance and to prevent future violation of noncompliance.

d. Emergency, Quick Response Sampling:

Due to the nature of industrial wastes being discharged and the type of waste treatment employed at the Utility's POTW, a quick response for sampling and investigation for possible acute treatment plant upsets is not likely to be required. Should it appear an emergency situation exists, however, the Wastewater Treatment Plant staff will be able to perform sample collection and analysis of discharges from suspected industry or industries. Should an industry be identified as the cause for treatment plant upset, they shall be notified in writing of any violations requesting written response within a specified time noting reason for violations and requesting plan of action to get into compliance and to prevent future violations of noncompliance.

ENFORCEMENT

1. Emergency Suspension of Service Due to Harmful Contributions:

The Manager may suspend the wastewater treatment service and/or Industrial Wastewater Discharge Permit of any person when such suspension is necessary, in the opinion of the Manager, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or to the environment, cause interference or damage to the POTW or cause the Utility to violate any condition of its NPDES permit or any other applicable statute or regulation. Any person notified of a suspension of the wastewater treatment service and/or the Industrial Wastewater Discharge Permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the Manager shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The Manager may reinstate the Industrial Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the noncompliant discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the Utility within 15 days of the date of occurrence.

2. Revocation of Permit

Any User who violates any of the conditions or requirements of this Program, or applicable State and Federal laws or regulations or any provisions of the permit is subject to having his permit revoked in accordance with the procedures of Section 13.24.28 of the Pretreatment Ordinance.

3. Notice of Violation

Whenever the Utlility finds that any User has violated or is violating the Pretreatment Ordinance, Industrial Wastewater Discharge permit, or any prohibition, limitation or requirements contained herein or applicable State or Federal laws or regulations, the Utility may serve upon such person a written notice stating the nature of the violation and set forth the required actions to correct the violations and a schedule to accomplish the corrective actions. Within 30 days of the date of the order, a plan for the satisfactory correction thereof shall be submitted to the Utility by the User, as well as evidence that appropriate resampling has taken place in accordance with 40 CFR 403.12(g)(2). This 30 day response period does not absolve the User of its responsibilities to comply with any pretreatment standards, and failure to do so may subject the User to the provisions of Sections 13.24.28 and 13.24.29 of the Pretreatment Ordinance.

4. Telephone Call

Infractions of the ordinance or Industrial Wastewater Discharge permit that are deemed by the Manager to be of a relatively minor nature will be addressed by the use of a telephone call to the industry contact official. Such minor infractions might include, but are not limited to: late reports, not signing a report, an unpermitted discharge from a new user without knowledge of the requirements, or using an improper method of laboratory analysis.

This telephone conversation will be documented on the Utility's Enforcement Response Tracking Form, as is all enforcement correspondence.

5. Show Cause Hearing

5.1 Issuance of Show Cause Order

The Utility may order any User who causes or allows an unauthorized discharge to enter the POTW or who violates any of the conditions of the Pretreatment Ordinance, the permit, or applicable State or Federal laws or regulations to show cause before the Utility why the proposed compliance order corrective action should not be undertaken. A show cause order shall be served on the User specifying the time and place of a hearing to be held by the Utlity regarding the violation, the reasons why the action is to be taken, and the proposed corrective action, and shall direct the User to show cause before the Utility why the proposed corrective action should not be taken. The show cause order for the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation, or other legal organization.

7-9-15

5.2 Hearings

The Utility shall conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the Utility to:

a. Issue in the name of the Utility notices of hearings and/or subpoenas requiring the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;

b. Take the evidence; and

c. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Utility for action thereon.

5.3 Hearing Transcript

At any hearing held pursuant to this Program, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

5.4 Corrective Orders/Compliance Schedules

After the Utility has reviewed the evidence, it may issue a corrective order to the User responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed and existing treatment facilities, devices or other related appurtenances are properly operated. The schedule of activities for the completion of the installation of such facilities may follow the guidelines as noted in Section 13.24.28(E) of this Ordinance. Other orders and directives as are necessary and appropriate may be issued, such as the development of Pollution Prevention Plans, and the imposition of an administrative fine or civil or criminal penalty authorized under the provisions of the Ordinance or State and Federal law.

6. Injunctive Relief

If any person discharges sewage, industrial wastes or other wastes into the Utility's wastewater disposal system contrary to the provisions of this Program, any other applicable Ordinance, Federal or State Pretreatment Requirements, or any Ordinance, permit, or applicable laws and regulations, the Utility may commence an action for appropriate legal and/or equitable relief in the City of Jacksonville District Court (see 13.24.29(5) of the ordinance).The Utility shall not be required to precede under paragraph 3 or 4 above prior to undertaking a proceeding under this paragraph.

7. Publication of SIU's Significantly Noncompliant
The Utility shall publish annually in the local newspaper of largest local circulation a list of significant industrial users whose activities have met the definition for significant noncompliance during the previous twelve month pretreatment reporting period.

PENALTIES

1. Administrative Fines

Any User who fails or refuses to comply with any Compliance Order, Show Cause Order or Corrective Order may be assessed an administrative fine of up to $1000.00 per violation per day. The Utility shall be entitled to recover any costs incurred by the Utility because of the violation and the User's noncompliance. In the event any User deliberately fails to comply with the provisions of the Pretreatment Ordinance because the fines or penalties of noncompliance are less than the costs of achieving compliance, the Utility may calculate the appropriate administrative fine using the U.S. EPA Guidance Manual for Calculation of Economic Benefit of Noncompliance with Pretreatment Standards (1989), as amended in the future.

2. Civil and Criminal Penalties

Any Industrial User who is found to have violated an Order of the Utility or who willfully or negligently failed to comply with any provision of this Program or any other applicable Ordinance, and the orders, rules, regulations and permits issued hereunder, or applicable Federal or State laws or regulations, may be assessed a civil or criminal penalty of One Thousand Dollars ($1,000.00) for each offense. The initiation of such criminal or civil action may be commenced only after a majority vote of the Jacksonville Sewer Commission resolves to pursue such action. Jurisdiction to determine such penalties shall be in the City of Jacksonville District Court, or other court of competent jurisdiction. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

In addition to the penalties provided herein, the Utility may recover in a court of appropriate jurisdiction any damages suffered, reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law or equity against the User or person found to have violated the Pretreatment Ordinance or the orders, rules, regulations, and permits issued hereunder or to have otherwise harmed or interfered with the operation of the POTW.

3. Falsifying Information

Any person who knowingly makes any false statement, representations or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Program, or an Industrial Wastewater Discharge Permit, 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 of not more than One Thousand Dollars ($1,000.00) or the maximum allowed by Arkansas law, whichever is lower, and/or by imprisonment for not more than (6) six months. Section13.24.29(2)

7-6-10

ENFORCEMENT PROCEDURES – ALTERNATIVES

In situations involving emergencies or where the involved industry has failed to promptly respond and correct the problem, enforcement procedures and remedies set forth in Jacksonville City Ordinance #1360 of February 5, 2009 shall be utilized. The options include immediate cutoff of discharge, revocation of permit, administrative procedures, imposition of fines and surcharges and suits by the Utility for injunctive relief and/or damages caused to the system. All such remedies are authorized by the ordinances and can be utilized singly or in combination. These remedies, as appropriate, shall be promptly sought in cases of improper discharge.

ENFORCEMENT HIERARCHY AND STEPS

Specific steps to be used in enforcement are listed below. These procedures can be used singly or in conjunction with each other in an effort to bring about I.U. compliance. Generally speaking, the steps are listed in the order of increasing severity. It should also be noted that the first item listed may or may not necessarily be the first step due to the severity of the violation. For example, a late self-monitoring report might bring about a (step 1) Notice of Violation. A chemical spill, on the other hand, may force an immediate (step10) Termination of Service.

1. Telephone Call
2. Notice of Violation
3. 2nd Notice of Violation
4. Notice sent from Board Attorney
5. Increase monitoring frequency and/or parameters
6. Corrective Order/Compliance Schedule
7. Administrative Fines
8. Show-Cause Hearing
9. Revocation of Permit
10. Termination of Water and/or Sewer Services
11. Civil Fines
12. Court Injunctions
13. Criminal Prosecution

More specifically, the enforcement actions of the Utility will proceed as described in the following Enforcement Response Guide.

ABBREVIATIONS

NOV – Notice of Violation
AO – Administrative Order
CS – Compliance Schedule
GM – General Manager
COMM- Jacksonville Sewer Commission
A – City Attorney
PC – Pretreatment Coordinator
MJ – Municipal Judge
SMP – Solvent Management Plan

JACKSONVILLE INDUSTRIAL PRETREATMENT PROGRAM

Enforcement Response Guide

The purpose of this guide is to establish criteria for responses to instances of noncompliance. By so doing, the Utility is attempting to remove subjectivity in the decision making process when an industrial user is found to be noncompliant with established pretreatment standards.

Listed in this guide are the areas of noncompliance, the nature of the violation, the response to be made by the Utility, and the Utility personnel to be involved in the activity.

PART I: UNAUTHORIZED DISCHARGES

Noncompliance	Nature of Violation	Response	Personnel
Unpermitted Discharge	IU unaware of requirement; no harm to POTW, or environment	Phone Call; NOV	PC
	IU unaware of requirement; harm to POTW	NOV; AO	PC
	Failure to apply for permit after notice by the POTW	AO; Fine; Terminate	PC, GM, A, COMM
Nonpermitted Discharge (No Renewal)	IU has not submitted application within 10 days of due date	NOV; AO	PC

PART II: DISCHARGE LIMIT VIOLATIONS

Noncompliance	Nature of Violation	Response	Personnel
Exceedance of Local or Federal Standard (Permit Limit)	Isolated, not significant.	NOV	PC
	Isolated, significant, no harm	NOV; AO	PC
	Isolated, harm to POTW or environment	AO; Fine; Terminate; Civil Suit	PC, GM, A, COMM
	Recurring, no harm to POTW or environment	AO; Fine; Hearing; CS	PC, GM, A, COMM
	Recurring, significant (harm)	Fine; Civil or Criminal Action; CS; Terminate	PC, GM, A, COMM

7-6-10

PART III: MONITORING AND REPORTING VIOLATIONS

Noncompliance	Nature of Violation	Response	Personnel
Reporting	Report improperly signed or certified	Phone Call	PC
	Report still improperly signed after notice by POTW	NOV	PC
	Isolated, not significant (<5 days late)	Phone Call; NOV	PC
	>5 days, <30 days late	NOV	PC
	Significant, >30 days late	NOV; AO	PC
	Reports always late, or not at all	AO; Fine	PC, GM, A
	Failure to report spill or changed discharge (no harm)	NOV; AO	PC
	Failure to report spill or changed discharge (harm to POTW, environment)	AO; Fine; Terminate	PC, GM, A
	Repeated failure of reporting requirements	Fine; Hearing; Terminate	PC, GM, A, COMM
	Repeated failure to report spills	Fine; Civil Action; Terminate	PC, GM, A, COMM
	Falsification	Hearing; Fine; Criminal Action	PC, GM, A, COMM
Failure to Monitor Correctly	Failure to monitor all pollutants per permit	NOV; AO	PC
	Recurring failure to monitor	AO; Fine	PC, GM, A
Improper Sampling	Unintentional	Phone Call	PC
	Evidence of Intent	NOV; AO	PC
Has Not Installed Monitoring Equip.	Delay, <30 days	Phone Call; NOV	PC
	Delay, >30days	NOV; AO	PC
	Recurring, viol. Of AO	AO; Fine; Hearing	PC, GM, A, COMM
Compliance Schedules	Missed milestone, <30 days, final milestone not affected	NOV	PC
	Missed milestone, >30 days, or will affect final milestone (good cause)	AO	PC
	Missed milestone, >30 days, or will affect final milestone (no good cause)	AO; Fine	PC, A
	Recurring violation, missed schedule	Fine; Hearing	PC, GM, A, COMM

7-9-10

PART IV: OTHER PERMIT VIOLATIONS

Noncompliance	Nature of Violation	Response	Personnel
Wastestreams are Diluted in lieu of Treatment	Initial violation	NOV	PC
	Recurring	AO; Fine	PC, GM, A
Failure to Mitigate Violation or Halt Process	No harm to POTW	NOV	PC
	Harm to POTW, environment	AO; Fine; Terminate	PC, GM, A
Failure to Properly O & M Pretreatment Process	No harm to POTW	NOV	PC
	Harm to POTW, environment	AO; Fine; Terminate	PC, GM, A

PART V: VIOLATIONS DETECTED DURING SITE VISITS

Noncompliance	Nature of Violation	Response	Personnel
Entry Denied	Entry denied, consent withdrawn, records denied	Warrant; NOV; Fine	PC, GM, A
Illegal Discharge	No harm to POTW	NOV	PC
	Harm to POTW, environment, evidence of intent/negligence	AO; Fine; Hearing; Civil and/or Criminal Act.	PC, GM, A, COMM
Improper Sampling	Unintentional, at wrong location	NOV	PC
	Unintentional, wrong sample type	NOV	PC
	Unintentional, wrong sample techniques	NOV	PC
	Recurring, any above 3	AO; Fine	PC, A
Inadequate Recordkeeping	Incomplete files, no intent	NOV	PC
	Intentional, recurring	AO; Fine	PC, A
Unresolved Items From Previous Inspection	Recordkeeping	NOV	PC
	Notification, chemical storage facility, SMP	NOV; AO	PC
	Monitoring, treatment	NOV; AO	PC

7-9-10

PART VI: RESPONSE TIMEFRAMES

1. All violations will be identified and documented within five days of receiving compliance information.

2. Industries will be required to respond to Utility compliance correspondence within 30 days of the date of the notice.

3. Follow up actions will occur on unresolved initial compliance activities, with escalated response as the case may dictate.

4. Violation which threaten health, property, or environmental quality are considered emergencies and will receive immediate response such as halting discharge, or terminating services.

7-9-10

EXHIBIT "K" – BEST MANAGEMENT PRACTICES

BEST MANAGEMENT PRACTICES
(BMPs)

BMPs are management and operational procedures that are intended to prevent pollutants from entering a facility's wastestream or from reaching a discharge point.

Due to the uniqueness of each Industrial User (IU), enforceable BMPs may include any or none of the following elements:

1. Specific notice to IUs of requirements and enforceability.
2. Installation of treatment.
3. Requirements for or prohibitions on certain practices, activities, or discharges.
4. Requirements for operation and maintenance of treatment units.
5. Timeframes associated with key activities.
6. Compliance certification, reporting and records retention.
7. Provision for re-opening or revoking the BMP conditions.
8. Other requirements as determined by the POTW.

Depending on the industry being controlled, not all elements may be necessary or appropriate.

Attached is a copy of Environmental Protection Agency Fact Sheet 7.0: BMPs (Office of Water, EPA-833-F-06-013 January 2007)

National Pretreatment Program

(40 CFR 403)

Pretreatment Streamlining Rule

Fact Sheet 7.0: Best Management Practices

Summary

Provisions of the Pretreatment Streamlining Rule clarify that publicly owned treatment works (POTWs) may use best management practices (BMPs) as an alternative to numeric limits that are developed to protect the POTW, water quality, and sewage sludge. In addition, the rule requires that any applicable BMPs be included in the user's control mechanism, that self-monitoring reports include BMP compliance information where applicable, and that documentation of compliance information for BMPs be maintained by the POTW and the user.

What are BMPs?

BMPs are management and operational procedures that are intended to prevent pollutants from entering a facility's wastestream or from reaching a discharge point. BMPs are defined at Title 40 of the *Code of Federal Regulations* (CFR) 403.3(e) as schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the general and specific prohibitions listed in sections 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.

When are BMPs appropriately used?

BMPs may be Pretreatment Standards in two different circumstances. The first is when the BMPs are categorical Pretreatment Standards established by EPA. These are discussed in more detail below.
The second is when a POTW establishes BMPs as local limits to implement the general and specific prohibitions.

EPA anticipates that POTWs will choose to use BMPs instead of numeric limits where determination of compliance with numeric limits is infeasible or as a supplement to numeric limits, as appropriate, to meet the requirements of the Clean Water Act. BMPs may be appropriate for regulating releases when the types of

pollutants vary greatly over time, when chemical analyses are impracticable, where discharges are episodic in nature, and when other discharge control options are inappropriate (e.g., requirements for photoprocessors to use silver recovery systems or for dental facilities to follow BMPs to control mercury). Additional examples of BMPs used for the control of commercial sources of wastewater can be found in "Appendix W - Best Management Practices Mini-Case Studies" of "Local Limits Development Guidance Appendices," EPA 833-R-04-002B, July 2004.
(http://www.epa.gov/npdes/pubs/final_local_limits_appendices.pdf)

What elements should be included in an enforceable BMP?

Enforceable BMPs may include the following elements: (1) specific notice to IUs of requirements and enforceability; (2) installation of treatment; (3) requirements for or prohibitions on certain practices, activities or discharges; (4) requirements for operation and maintenance of treatment units; (5) timeframes associated with key activities; (6) compliance certification, reporting and records retention; (7) provision for re-opening or revoking the BMP conditions; and (8) other requirements as determined by the POTW. Depending on the industry being controlled, not all elements may be necessary or appropriate.

POTWs may develop and implement the use of BMPs in lieu of numerical local limits for IUs

Description of change: The final rule clarifies that POTWs may develop BMPs for industrial users (IUs) in order to implement the specific limits requirements listed at 40 CFR 403.5(c)(1–2). Such BMPs are considered local limits and Pretreatment Standards. POTWs have the option to use BMPs to regulate IUs at their discretion (e.g., to regulate noncategorical IUs).

When developing and implementing BMPs, what actions are required? POTWs must evaluate BMPs during the technical evaluation of their local limits, structuring applicable BMPs to allow for compliance verification. For BMPs to be considered local limits under 40 CFR 403.5(c), the practices must protect against Pass Through and/or Interference.

When implementing BMP requirements for IUs, the control authority (CA) must include those requirements, as necessary, in the IU's control mechanism.

POTWs must include BMPs required by a categorical Pretreatment Standard in the CIU's control mechanism

Description of required change: The final rule clarifies at section 403.8(f)(1)(iii)(B)(3) that BMPs required by a categorical Pretreatment Standard **must** be included amongst any necessary effluent limits in the CIU's control mechanism.

What follow-up actions are required? POTWs must revise, as necessary, CIU control mechanisms to include applicable BMPs required by categorical Pretreatment Standards. Appropriate reporting and recordkeeping requirements must also be specified in the control mechanism and compliance information maintained. For example, facilities may develop toxic organic management plans in lieu of sampling to demonstrate compliance with the total toxic organic limit in 40 CFR Part 433 (Metal Finishing category). The Pesticides Formulating, Packaging, and Repackaging (PFPR) regulation provides a pollution prevention alternative as an option that may be chosen rather than complying with the "zero discharge" limitations.

IU reports must include BMP compliance information

Description of required change: The final rule requires at sections 403.12(b), (e), and (h) that IUs subject to BMP requirements as part of their Pretreatment Standards submit documentation of compliance with such requirements.

What follow-up actions are required? POTWs must revise, as necessary, IU control mechanisms to require IUs to report on compliance with Pretreatment Standards that include BMP requirements. States and POTWs must revise their programs to ensure that they have the legal authority and procedures to enforce this requirement.

The CA must enforce those requirements where IUs fail to submit the required information. The CA must also ensure that the BMPs are enforceable, and that its enforcement response plan addresses violations of BMP requirements.

Documentation of compliance with BMP requirements must be maintained as part of the IU's and POTW's record-keeping requirements

Description of required change: The final rule clarifies at section 403.12(o) that the POTW and the IU must maintain records of BMP compliance in the same way that other records are maintained as part of section 403.12(o).

What follow-up actions are required? POTWs must notify IUs of this change and revise IU control mechanisms to require maintaining BMP compliance records. The POTW must also maintain documentation associated with BMPs

What steps are required to implement these Streamlining provisions?

Once the POTW has determined what program revisions it will make in response to the Streamlining Rule, it must submit the modifications to the Approval Authority (either the state, if it has Pretreatment Program authority, or the EPA Regional Administrator) for approval. The program modifications must include a statement of basis for the changes, a description of the modifications, and other information the Approval Authority may request, as appropriate.

EXHIBIT "L"-INDUSTRIAL REPORT FORM

JACKSONVILLE WASTEWATER UTILITY
MONTHLY INDUSTRIAL SELF-MONITORING REPORT

Industrial Discharge Permittee Name:_____

Mailing Address:_____

This report covers the month of:_____ Year of:_____

Sampling Information (please attach sample report)

Date Sample Collected:_____ Time Collected:_____ A.M. / P.M.

Sample Type (Composite or Grab):_____

Sample Preservation:_____

_____

Sample Collected By:_____

Flow Reporting

Regulated Process:_____gpd (Average)_____gpd (Maximum)

Other Flows_____gpd(avg)_____gpd(max)_____Source

Other Flows_____gpd(avg)_____gpd(max)_____Source

Other Flows_____gpd(avg)_____gpd(max)_____Source

Sample Results (Please Attach)

Are the limits in the permit being met? Yes _____ No _____
If no, please explain _____

_____

_____

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 that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I am aware that the City of Jacksonville Ordinance No. 1133 carries strict penalties for making false statements in reports as required by Jacksonville Wastewater Utility.

_____ _____

Authorized Signature Date

JACKSONVILLE WASTEWATER UTILITY
QUARTERLY INDUSTRIAL SELF-MONITORING REPORT

Industrial Discharge Permittee Name:_____

Mailing Address:_____

This report covers the _____ quarter of the year _____

First Quarter: (Jan. – Mar.) Second Quarter: (Apr. – Jun.)
Third Quarter: (Jul. – Sep.) Fourth Quarter: (Oct. – Dec.)

Sampling Information

Date Sample Collected:_____ Time Collected:_____ A.M. / P. M.

Sample Type:(Composite or Grab):_____

Sample Preservation: _____
_____

Sample Collected by: _____

Sample Results (please attach sample report)

Are the limits in your Industrial Discharge Permit being met? _____ Y / N
If no, please explain. _____
_____
_____

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 that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I am aware that the City of Jacksonville Ordinance No. 1133 carries strict penalties for making false statements in reports as required by Jacksonville Wastewater Utility.

_____ _____
Authorized Signature Date

JACKSONVILLE WASTEWATER UTILITY
SEMI-ANNUAL (PRCC) REPORT FORM

This report covers the following period: _____ Dec.-May (Due 6/30) _____ Jun.-Nov. (Due 12/31)

COMPANY NAME_____

MAILING ADDRESS_____

FLOW REPORTING: This information should be based upon the actual flow during the reporting period.

Average Daily Flow from Categorical Processes _____ gpd
Maximum Daily Flow from Categorical Processes _____ gpd
Average Daily Total Flow from Facility _____ gpd
Maximum Daily Total Flow from Facility _____ gpd

SAMPLE REPORTING: Please attach any laboratory reports for this reporting period that has not already been submitted as part of another report. List below the average of all pollutants sampled during the reporting period.

Cadmium [Cd (t)] _____ mg/L	Chromium [Cr (t)] _____ mg/L	Copper [Cu (t)] _____ mg/L
Nickel [Ni (t)] _____ mg/L	Lead [Pb (t)] _____ mg/L	Silver [Ni (t)] _____ mg/L
Zinc [Zn (t)] _____ mg/L	Arsenic [As (t)] _____ mg/L	Mercury [Hg (t)] _____ mg/L
Cyanide [CN- (t)] _____ mg/L	TTO _____ mg/L	Other list below:

_____
_____
_____

TTO CERTIFICATION: Please sign the following certification statement if your facility has an approved TTO Management Plan and you have followed the guidelines in that plan.

"Based on my inquiry of the person or persons directly responsible for management compliance with the pretreatment standard of total toxic organics (TTO), I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since the filing of the last semi-annual compliance report." I further certify that this facility is implementing the solvent management plan submitted to Jacksonville Wastewater Utility.

_____
Authorized Signature and Title Date

COMPLIANCE CERTIFICATION: 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. I am aware that the City of Jacksonville Ordinance No. 1133 carries strict penalties for making false statements in reports as required by Jacksonville Wastewater Utility.

Are the pretreatment standards listed in your Industrial Discharge Permit being met? _____ Yes _____ No
If no, Please explain on an attached sheet.

_____
Authorized Signature and Title Date