

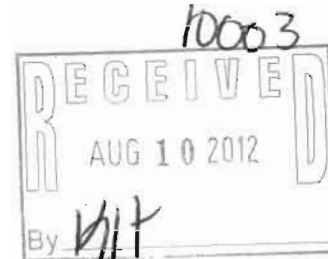


Conway
Corporation

A0152 AG

August 3, 2012

Mr. Allen R. Gilliam
ADEQ State Pretreatment Coordinator
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317



Adequate, no comment
HS

RE: City of Conway (NPDES # AR0051951; AFIN#23-01095) Pretreatment Program
Audit/Municipal Pollution Prevention Assessment *Response*

Dear Mr. Gilliam:

This letter is submitted in response to ADEQ's Pretreatment Program Audit/Municipal Pollution Prevention Assessment letter dated July 16, 2012. This reply letter details an outline of the measures taken by Conway Corporation to amend the deficiencies that were noted in the Assessment letter. Listed below are the required actions and recommendations that were noted in the audit, along with the course of action by Conway Corporation to solve the deficiencies.

Section B: SUMMARY OF FINDINGS WITH REQUIRED ACTIONS

✓ **1a)** Under the City's current **Pretreatment Ordinance # 0-12-08, Section 4.2.4(10)**, "All wastewater discharge applications...must be signed by an Authorized Representative...and contain the certification statement in 4.2.2(2)" [40 CFR 403.6(a)(2)(ii)]

✓ **1b)** Under the City's old **Pretreatment Ordinance # 0-02-122, Section 4.2.2(2)** (dated 8/13/02), "All Industrial Wastewater Questionnaires [Applications] must contain the following certification statement [40 CFR 403.6(a)(2)(ii)] and signed by an authorized representative...".

During the file review, neither the certification statement nor the "authorized representative's" signature could be found. See Attachment A-3 for example. CC must enforce this application provision."

Conway Corporation has recently updated all the Permitted Industrial Users wastewater discharge applications. During this process there was an oversight and the certification statement and the authorized representative's signature were not included. Conway Corporation will return the application that each industry submitted and as for a Certification Statement and Authorized representative's signature, this will be performed within the next 30 days.

2) "Under **40 CFR 403.8(f)(2)(v)**, "Randomly...conduct surveillance activities in order to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with Pretreatment Standards. Inspect and sample the effluent from each Significant Industrial User at least once a year"

During the file review the IU inspection template was adequate, but questions were mostly answered by checking a "yes" or "no" box. Some answers referred to, "See Attached" when there was nothing attached. See Attachment A-4 for example.

The inspection reports should be more narratively detailed (utilizing what is required from the IUs' applications mentioned above and the fact sheets that will be mentioned in the Recommended Actions' Section of this Audit). Once a comprehensive inspection is on file, it can be used as a template for future ones. Upon commencement of an inspection, one of the first questions to be asked should be, ■Has there been any process, raw material, etc. changes since the last inspection?•

A section should be included with questions asking about the IU's Pollution Prevention and best management practices. Some of CC's metal finishers are practicing state of the art P2 activities.

Remarks during the Audit made to the CC's Pretreatment reps. were that if all of this Audit's checklist items (See Checklist Section III, D.9.a. through D.9.q.) could be "checked off" as narratively described in the inspection itself, he could feel fairly comfortable that a comprehensive inspection had been conducted. Once the City is comfortable they have a comprehensive inspection, it could be formally typed up, electronically filed and used as the template for subsequent inspections without having to spend time re-writing what is already on file.

The City inspector's as well as the industry representative's signature should also be included on all inspections."

Conway Corporation will update the current inspection forms to be more narrative in nature, utilizing what is required from the IU's Applications and fact sheets. This update will include a section detailing the Pollution Prevention and Best Management Practices. These inspections will also include a section for signatures both from Conway Corporation's Inspector as well as the industry's representative. These updated inspection forms will be utilized during the next annual inspection for each industry, which usually occurs near the end of each year.

3a) Under the City's old Pretreatment Ordinance # 0-02-122, Section 4.2.6, "The User shall apply for a permit re-issuance a minimum of a minimum of sixty (60) days prior to the expiration date of the user's existing permit". This language is the same in the City's current Pretreatment Ordinance, Section 4.2.9.

3b) Standard permit language (See Attachment A-2g) states, "The permittee must reapply for re-issuance of the permit at least 180 days prior to the expiration date". This language must be corrected to reflect what is now included in the City's current Pretreatment Ordinance for permit re-issuance.

It was discovered during the file review that permit applications (at least for the four [4] reviewed) were received closer to thirty (30) days prior to their permit expiration date. See Attachment A-3 for example. Only a "received date" stamp was found on the application.

The City must enforce the application time requirements.

3c) CC's Environmental Coordinator indicated the SIU permits were standardized template-wise as far as Reporting requirements and Standard Conditions. The four (4) files reviewed during this permit indicated the IU's "...permit comes due for review on 1/1/12. The permittee must reapply for re-issuance of the permit at least 180 days prior to the expiration date." See Attachment A-2g, #13 for example.

The City must correct this provision to coincide with the current Pretreatment Ordinance's requirements.

Conway Corporation sent out a letter to each permitted industry date January 23, 2012, asking for updated application, fact sheet, and schematics, chemical storage, as well as spill control plan. This letter requested these updates by February 21, 2012. These updates were not stamped or dated when received and thus could not be proven to meet this requirement. Current Industrial User permits were changed to reflect the 60 day timeline as stated in current Pretreatment Ordinance.

Section C) Recommended POTW actions for improved implementation of the pretreatment and pollution prevention programs:

1) Recommend issuing Conway's landfill leachate a permit. This source of wastewater could be a significant source of toxic pollutants. It is recommended to require them to initially provide a full priority pollutant scan (40 CFR 122, Appendix D, Tables II & III) to ascertain which parameters may need closer scrutiny. There may be pollutants found where "report only" should be placed into their requirements to determine which, if any, pollutants need to be included in the local limits (if necessary) allocation scheme.

Conway Corporation will look into sampling and permitting the City of Conway's Landfill leachate.

2) Conway Corp. should send the permitted industries their old schematics, narrative process description and the City's fact sheets developed for them and, ask the industry representatives to comprehensively review, update and revise to reflect its current operations and process/pretreatment equipment layout AND wastewater flow to the final discharge/sampling point. A revision date should also be noted on the documents.

Conway Corporation did perform the above recommendation with the permit renewal process that was recently completed. Thus all industry schematics, narrative process description and fact sheets are currently up to date.

3a) Under 40 CFR 403.8(f)(1)(B)(3), "...individual...control mechanisms must be enforceable and contain, at a minimum, the following conditions: (3) Effluent limits...categorical Pretreatment Standards, local limits...".

3b) During the file review of four (4) of the City's Metal Finishers, their limitations page did not include footnotes or any rationale for inclusion of local limits.

Footnotes should be included on the limitations page denoting what the parameters are based on. The "current" local limits' rationale could not be produced, but this Auditor recognized them as pre-1989 ADPC&E "guidance" local limits. CC's metal finishing "local limits" could be footnoted as "based on pre-1989 ADPC&E guidance local limits" to better explain their basis.

3c) During the file review of the four (4) of the City's Metal Finishers, footnotes on their monitoring page for TTOs did not match the parameters they were supposed to. This led to some confusion since these footnotes applied to BOD, TSS and O&G. It is recommended to revise this page.

The permit renewal in which the new permits became effective August 1, 2012, corrected the above mentioned recommendations.

4) Conway Corp. should complete their IU fact sheets. See Attachment A-5 for current example. While the template is adequate, they were lacking some pertinent information. Other items that should be included in the fact sheets are: the date of the industry's first discharge; compliance history; a picture and narrative describing the sampling point; rationale for permit limits and type/frequency (if batch) of each wastewater source discharge. These fact sheets should also be dated as to when they were last updated.

CC's Environmental Coordinator was previously sent a good example of another city's fact sheet. See also EPA's "Industrial User Permitting Guidance Manual" (9/89), Appendix I at

<http://www.epa.gov/npdes/pubs/owm0017.pdf> for more information that may be considered in a more comprehensive fact sheet.

Conway Corporation will review the current industrial fact sheet and update the changes above, as needed.

5) It was determined during the Audit approximately 275 industry/non-domestic user notifications were recently sent out requesting information regarding toxic/hazardous waste on-site and/or disposal methods. CC's Environmental Coordinator also indicated any new business connections or plumbing modifications have to be routed through his office for review and possible follow-up investigation.

Under 40 CFR 403.8(f)(2)(i), "[CC] shall identify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program. Any compilation, index or inventory of Industrial Users made under this paragraph shall be made available to the Regional Administrator or Director upon request;

This "compilation" could not be produced during the Audit. A multitude of folders was offered. It is recommended CC summarize the results of the above mentioned "survey" and digest the pertinent information received for review upon request. See Chapter 2 of EPA's "Guidance Manual for POTW Pretreatment Program Development" and its tables at <http://www.epa.gov/npdes/pubs/owm0003.pdf> for more information regarding this master/summary list.

Conway Corporation will work towards the compilation of a master list of the industrial surveys and plans reviewed.

6) Recommend including the general and specific prohibitions [40 CFR 403.5(a)(1) and 403.5(b)] in the septage haulers' permits. See Attachment A-1 for CC's current "permit" to their waste haulers.

Conway Corporation will review the current septage haulers' permit, and will look at including the general and specific prohibitions at the next permit renewal.

7) Recommend clarifying what is expected of the "grab method" in CC's IU permits (Attachment A-2b, footnote *2). Does this mean a series of equally (time) spaced grab samples over the discharge period or is it just one grab sample?

The current industrial user permits were updated to define the "grab sample" technique that is currently being used. These permits became effective August 1, 2012.

8) Recommend clarifying what is expected of "composite samples" (see Attachment A-2b, footnote *3). CC's Environmental Coordinator indicated all "composites" were timed. This should be better explained in the permits in case a permitted industry decided to take its own "composite sample" and mistakenly uses a flow proportioned composite.

The current industrial user permits were updated to define the "composite sample" technique that is currently being used. These permits became effective August 1, 2012.

9) Recommend developing a Program section for standard operating procedures (SOP) for the various day-to-day Pretreatment Program implementation activities. Sampling techniques at individual IUs, incoming data management, "date received" stamp pretreatment correspondence, filing procedures of Pretreatment reports and data (hard copies and/or entered into Linko's database), pre-inspection procedures, etc., may be well known to the more experienced pretreatment related employees, but it would make sense to have these activities briefly summarized in writing for ease of educating new employees.

This SOP should also include sampling protocols for each permitted IU with proper equipment preparation, hose usage/change-out period and storage after use. See EPA's "IU Inspection and Sampling Manual for POTWs" dated 4/94 for more details.

Conway Corporation will look at developing a SOP for the industrial pretreatment program. This SOP will include the above mentioned recommendations.

10) Recommend revising the existing Enforcement Response Plan to include "Pollution Prevention Audits by a qualified Professional Engineer and implementation of recommendations thereof". This would add another enforcement option to choose from.

Conway Corporation will review the Enforcement Response Plan, and look at including Pollution Prevention Audits to this plan.

11) Pollution Prevention (P2) and Best Management Practice (BMP) questions should be included as a section in the applications as well as the IU survey questionnaires.

Pollution Prevention and Best Management Practices sections within the IU survey questionnaires will be included when the next survey is performed.

12) Recommend hosting/catering an annual Industry Awards/Information Day, Luncheon or something similar. This should help the industries realize their stakeholders' role in the City's Pretreatment and Pollution Prevention programs. This is being conducted at numerous Pretreatment cities throughout the state and is received with appreciation by the industries. Much information can be shared at meetings such as this.

Hosting a annual Industry awards/Information Day will be discussed and approached as budget allows

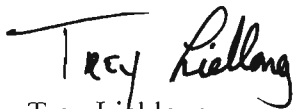
13) As a public service, articles could be sent to the local newspaper to provide further outreach to the public at large. Topics from grease, pharmaceuticals, wastewater plant and collection system information would help the general public be more aware of what part they can play in protecting its investment in the publicly owned treatment plants.

Conway Corporation maintains a website that we utilize for public outreach. This website allows us to include topics such as grease, pharmaceuticals, wastewater plant and collection system information.

Conway Corporation has benefited greatly from this Pretreatment Program Audit/Municipal Pollution Prevention Assessment. This audit has given both course and direction that will benefit both Conway Corporation's Industrial Pretreatment Program and the Industrial Users of Conway. We are very focused on implementing and maintaining an Industrial Pretreatment Program that is at the highest level of compliance.

Please feel free to contact us if any further information is needed.

Sincerely,

A handwritten signature in black ink that reads "Trey Lieblong". The signature is written in a cursive style with a long horizontal line extending from the top of the "T".

Trey Lieblong
Environmental Coordinator