



Pretreatment Program Manual

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SECTION 1.0

Part 1.1 Legal Authority

40 CFR 403.8(f)(1) Legal Authority. The POTW shall operate pursuant to legal authority enforceable in Federal, State, or local courts, which authorizes or enable the POTW to apply and to enforce the requirements of sections 307 (b) and (c), and 402(b)(8) of the Act and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into, or implement, and which are authorized by State law. At a minimum, this legal authority shall enable the POTW to:

Part 1.2 Attorney's Statement from Local Control Authority

40 CFR 403.9(b) Contents of the POTW program submission. The program description must contain the following information:

40 CFR 403.9(b)(1) A statement from the City Solicitor or a city official acting in a comparable capacity (or the attorney for those POTWs which have independent legal counsel) that the POTW has authority adequate to carry out the programs described in 403.8(f)(2).

40 CFR 403.9(b)(2) A copy of any statutes, ordinances, regulations, agreements, or other authorities relied upon by the POTW for its administration of the Program. This Submission shall include a statement reflecting the endorsement or approval of the local boards or bodies responsible for supervising and/or funding the POTW Pretreatment Program if approved.

A letter from the LRWRA's Chief Legal Officer is included in Appendix A.

A copy of the current Little Rock Pretreatment Ordinance is included in Appendix B and the current Sewer Use Ordinance is included in Appendix C. Current Multijurisdictional Agreements are included in Appendix D.

Part 1.3 Regulatory Approval for Modifications to Pretreatment Program Manual

The Pretreatment Program Manual will be updated by LRWRA as needed to reflect changing conditions. All substantial and non-substantial modifications to the Pretreatment Program will be submitted to the Arkansas Department of Energy and Environment – Division of Environmental Quality (DEQ) Pretreatment Coordinator for approval as required by 40 CFR 403.18. In accordance with 40 CFR 403.18, substantial modifications changes shall include:

- Changes to the Publicly Owned Treatment Plant's (POTW) control mechanism as described by 403.8(f)(1)(iii);
- Decreases in the frequency of self-monitoring and reporting required of industrial users;
- Changes in the POTW's confidentiality procedures;
- Decreases inspections or sampling by the POTW; and
- Other modifications include any change that relaxes the legal authority, local limits, or maximum allowable headworks concentration limits of the POTW.

Decreases in frequency of self-monitoring and industrial user inspections refer to changes in the overall general policy and is not Industrial User (IU) specific. In addition, changes to the control mechanism, the

IU Discharge Permit, refers to a change in the type of mechanism used and not to changes in the boiler plate language or language specific to one IU. Changes affecting individual industrial users are not substantial modifications.

SECTION 2.0

Part 2.1 Economic and Personnel Resources

40 CFR 403.8(f)(3) Funding. The POTW shall have sufficient resources and qualified personnel to carry out the authorities and procedures described in paragraphs (f) (1) and (2) of this section. In some limited circumstances, funding and personnel may be delayed where (i) the POTW has adequate legal authority and procedures to carry out the Pretreatment Program requirements described in this section, and (ii) a limited aspect of the Program does not need to be implemented immediately (see 403.9(b)).

40 CFR 403.9(b)(4) A description of the funding levels and full- and part-time manpower available to implement the Program;

Finance Programs

Rates: Rates for sewer service are set by ordinance by the City of Little Rock Board of Directors. The Sewer Rate Ordinance is updated as rates by the City of Little Rock Board of Directors are approved. The Sewer Rate Ordinance will reflect the current or adjusted volumetric rates and specific industrial extra strength surcharge rate allocations. LRWRA assesses fees with a Consolidated Fee Schedule. The Consolidated Fee Schedule is updated and approved yearly by the Little Rock Water Reclamation Commission.

Assessments Levied: The majority of LRWRA's budgeted revenue comes from assessments levied. Assessments levied are defined as fees collected from customers of LRWRA for ordinary sewer service provided. Assessments are billed and collected by Central Arkansas Water monthly. However, certain commercial and industrial customers receive their billings directly from LRWRA.

Industrial Surcharges: Industrial surcharges are charges to industrial customers for excess Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), and/or Oil and Grease (O&G) in their wastewater. Violations of pH limits are also subject to an extra charge rate based on the provisions of the sewer rate ordinance. Because these excess strengths create an added expense in the operation and maintenance of LRWRA's reclamation facilities, the additional charges are levied.

Annual and Noncompliance Fees: Permitted industrial users and approved domestic septage waste haulers are required to pay a yearly permit fee. New permits or modifications require fee payments. Noncompliance fees have also been approved by the Little Rock Water Reclamation Commission to recover LRWRA's costs for inspections, sampling, and testing. Other Revenues: Other revenues consist of miscellaneous fees such as sewer connection fees, inspection fees, and hauler permits. These fees are budgeted based on past years' averages.

Part 2.2 Organizational Structure of the Environmental Assessment Department

40 CFR 403.9(b)(3) A brief description (including organization charts) of the POTW organization which will administer the Pretreatment Program.

The Environmental Assessment Department (EAD) is responsible for conducting all pretreatment program activities required by the General Pretreatment Regulations contained in 40 CFR 403, as well as collecting and performing laboratory testing for treatment plant operations, NPDES permit requirements, and compliance monitoring activities at industrial users. LRWRA's staff provides

assistance to industrial customers to lower the strengths in their wastewater through education, pollution prevention guidance, and best management practices. The current organizational structure and job descriptions of the EAD are included in Appendix E.

SECTION 3.0

3.1 Industrial Survey

40 CFR 403.8(f)(2) Procedures. The POTW shall develop and implement procedures to ensure compliance with requirements of a Pretreatment Program. At a minimum, these procedures shall enable the POTW to:

40 CFR 403.8(f)(2)(i) 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.

Part 3.2 Industrial Survey List

An Industrial User Survey List (Survey List) is maintained to include all industrial facilities located and identified (through sources listed in Section 3.3) in the Little Rock Water Reclamation Authority (LRWRA) service area. The IUs which are not subject to the Pretreatment Regulations in 40 CFR 403 will be maintained in the Survey List.

Facilities identified for survey are mailed an Industrial Screening Form requiring initial information on wastewater discharge characterizations. Once an IU has been identified as a regulated Significant Industrial User under applicable rules and regulations, the IU shall be permitted and assigned an Industrial Discharge Permit Number.

Industries identified by past surveys, but not permitted, should be re-evaluated at least once every five (5) years for changes through completion of an updated Industrial Screening Form. Industries that have previously been identified to have a categorical process, but do not discharge any categorical process wastewater, will be re-evaluated every two (2) years to ensure there is zero-discharge of categorical wastewater. The Industrial Survey List of industrial users who are not permitted may be used as a reference tool to identify IUs that may be reclassified as a categorical significant user when federal standards are promulgated or facility processes change.

Part 3.3 Screening Processes for Identifying New Sources

The following screening processes will be utilized for identifying new industrial facilities which need to be surveyed and evaluated for pretreatment requirements. These tasks will be performed by the EAD. All final permitting decisions will be made by the Pretreatment Program Administrator and the Director of Environmental Assessment.

Initial Screening

The initial screening process will consist of reviewing the following sources for new Industrial Users at least every two years. All industries screened from these sources will be subject to the further screening processes.

- The Central Arkansas Manufacturers Directory and Arkansas Manufacturers Directory Standard Industrial Classification (SIC) codes and process descriptions will be cross-referenced against the SIC codes of significant industrial processes.
- The annual printout of hazardous waste generators can be obtained through the Hazardous Waste Section of the Arkansas Department of Energy and Environment –

Division of Environmental Quality Web Site
(http://www.adeq.state.ar.us/hazwaste/rcra2/facil_sum.asp).

- The Central Arkansas Water print-out of customers who purchase in excess of 73,000 ft³ (25,000 gallons) of water will be screened to eliminate commercial sources such as office buildings and shopping centers.
- Review of new industrial facilities identified through new construction plans received by LRWRA.
- The Little Rock business license list will be checked annually after a copy has been procured from the City of Little Rock Finance Department.
- Social Media

Secondary Screening

The second screening procedure includes sending an Industrial Screening Form for those industrial facilities identified in the Initial Screening and/or collecting additional information through a telephone survey or by email. This information will be compared against LRWRA's permitting criteria and a determination will be made as to whether a permit is required or if further screening is necessary.

Third Screening

The third screening procedure may consist of an on-site inspection. After assessment of information gathered during the inspection, a determination will be made as to whether a permit is required or if a final screening, consisting of wastewater sampling, is necessary.

Final Screening

The final screening procedure may consist of sampling and analysis of a representative sample of wastewater from the IU. The results of the sampling and analysis will be compared against LRWRA's permitting criteria and a determination made to either permit the industry or that no permit is required.

Part 3.4 Multijurisdictional Areas

Little Rock Water Reclamation Authority currently serves three (3) separate sewerage systems that lie outside the Little Rock City limits. These areas are Cammack Village, Alexander, and the City of College Station. LRWRA has service contracts with each of these areas which requires them to abide by all rules and regulations (ordinances and pretreatment requirements) as promulgated by Little Rock Water Reclamation Authority.

Copies of the agreements and contracts with Cammack Village, Alexander, and the City of College Station are included as Appendix D.

The screening processes listed in Part 3.3 will be used to survey any industrial facility found in the multijurisdictional areas and permitted as necessary by LRWRA.

Part 3.5 Confidentiality

40 CFR 403.14(a) ...any information submitted to EPA pursuant to the regulations may be claimed as confidential by the submitter.

Any requests or claims for confidential treatment of information submitted to LRWRA shall be handled in accordance with the Arkansas Freedom of Information Act, Ark. Code Ann. § 25-19-101 *et seq.*, any other applicable Arkansas state law, and the City of Little Rock Pretreatment Ordinance. The Pretreatment Program Administrator and the Director of Environmental Assessment, in consultation with the Chief Legal Officer, will consult applicable law and determine if the confidential request may be granted. If the request cannot be granted, LRWRA will inform the requesting party in writing that the request is denied, along with the reasons for the denial.

Part 3.6 Regulatory Updates

EAD staff utilizes many sources to ensure regulatory updates are incorporated into our Pretreatment Program, including updates to this manual and City of Little Rock's Pretreatment Ordinance, as necessary. Staff monitors the Federal Register for publication of new proposed and final regulations issued by the Environmental Protection Agency ("EPA"). Staff also regularly attends meetings of the Arkansas Pollution Control and Ecology Commission, where new state environmental regulations are promulgated. Staff also participates in regular stakeholder meetings convened by DEQ. LRWRA is also a member of the Water Environment Federation and the National Association of Clean Water Agencies, and both organizations provide updates and training on new rules and regulations that pertain to our Pretreatment Program.

SECTION 4.0

Part 4.1: Identifying Character and Volume of Pollutants From IU

40 CFR 403.8(f)(2)(vii)(2) Procedures. The POTW shall develop and implement procedures to ensure compliance with the requirements of a Pretreatment Program. At a minimum these procedures shall enable the POTW to:

40 CFR 403.8(f)(2)(vii)(2)(i) Identify and locate all 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;

LRWRA may utilize the following means to characterize the pollutants and volume in new and permitted IU discharge:

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

Industrial Screening Form. The Industrial Screening Form requires the IU to evaluate the SDS of all chemicals used and note those pollutants that may be present in the process wastestream.

Baseline Monitoring Report (BMR). If the facility is classified as being a federal categorical (Class S-C) industry, the facility shall be required to complete a Baseline Monitoring Report (BMR). The Baseline Monitoring Report requires the facility to identify, through sampling and testing, the “nature and concentration of the regulated pollutants in the Discharge from each regulated process” (40 CFR 403.1(b)(5)(ii)).

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

Toxic Pollutant Scan. A toxic pollutant scan may be required as deemed necessary for Industrial Users prior to receiving a permit. Those IUs with the potential to discharge toxic pollutants to the collection system will be evaluated by LRWRA prior to receiving a permit. The toxic pollutant scan could include all the toxic pollutants from 40 CFR Part 122, Appendix D, Table III and the pollutants barium, boron, manganese, and molybdenum from 40 CFR Part 122, Appendix D, Table IV when inspections or applications show such pollutants may be present. EAD personnel will review an industrial facility’s permit application and SDS sheets to make the determination of whether a toxic pollutant scan is required. This review will also determine the need for performing an organic pollutant scan to include any compounds listed in 40 CFR Part 122, Appendix D, Tables II and V. Once all testing is complete, the data will be available for the EAD’s Staff to review and compare to LRWRA’s Technically Based Local Limits (TBLL) and any applicable categorical standards. Periodically the local limits will be re-evaluated, and this data will provide a history base from the Industrial User contributors for toxic pollutants with a local limit and those without a local limit. If the reported value for any pollutant exceeds a current local limit concentration or applicable pretreatment standards, the information will be

forwarded to the Pretreatment Program Administrator and the EAD Director to determine the next steps in the permit renewal process. This could include but are not limited to, retesting or new permit limits for the pollutants of concern. A copy of approved TBLLs is included in Appendix J.

Based upon the information received with the permit application, BMR, analytical data, and inspections, a discharge permit may be issued with discharge pollutant limitations and monitoring. Self-monitoring requirements for pollutants identified during the methods identified above may be included with the Industrial User Discharge Permit. The Sampling Section of EAD issues protocols that will be issued for each permitted industry with a process discharge and will address parameter and sampling frequencies for LRWRA monitoring.

Part 4.2: Permit Application and Instructions

A permit application is required for all industries desiring to renew a discharge permit upon expiration of an existing permits, and all newly identified industrial users that meet the LRWRA permitting criteria. All industries maintaining compliance with a current discharge permits will be mailed discharge permit applications for renewal purposes ninety (90) days prior to the expiration of the current permit. The EAD Staff will initiate this action. A cover letter will be sent with the permit application providing deadline information to the industry. This letter and application should be sent as Certified Mail to: LRWRA Pretreatment Program, 11 Clearwater Drive, Little Rock, 72204 or by email to LRWRA.Pretreatment@lrwra.com. The application is the same for all industries whether new or existing.

The permit application must be completed by the IU and returned to LRWRA within a designated time period. The permit application, a copy of the most recent inspection report, and laboratory data is available to Pretreatment Program Administrator who is responsible for revising the IU's permit. If new information is received either through the permit application or inspection, permit requirements will be revised accordingly.

SECTION 5.0

Part 5.1 Permitting Procedures

40 CFR 403.8(f)(1)(iii) Control through permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements. In the case of Industrial Users identified as significant under 403.3(v), this control shall be achieved through individual permits or equivalent individual control mechanisms issued to each User except as follows.

The permitting process provides a mechanism for LRWRA to enforce all federal, state, and local regulations with permit conditions written in a clear and concise manner. An industrial discharge permit clearly identifies all the permittee's responsibilities and obligations in a single document.

All permits issued by LRWRA include at a minimum the following items:

- A statement of duration: LRWRA IU permits in no event shall exceed five (5) years.
- Statement of non-transferability without prior notification to LRWRA. Upon LRWRA approval of transfer, a modified permit listing the new owner or operator will be issued.
- Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards, categorical pretreatment standards, and State and local limits.
- Self-monitoring (self-compliance monitoring), sampling, reporting, notification, and recordkeeping requirements, including an identification of the pollutants to monitor (or best management practices), sampling location, sample type, and frequency based Federal, State, and local law.
- Statement of applicable civil and criminal penalties for violations of pretreatment standards and any applicable compliance schedule.
- Notification requirements: IU must make advance notification to POTW of any change in volume or character of pollutants in IU discharge, changes that may affect the spill/slug control plans or notification of characteristics of hazardous waste.
- Requirements to control slug discharges when determined necessary by the POTW.

Part 5.2 LRWRA Industrial Discharge Permit Criteria

Legal Citation - City of Little Rock Ordinance 21,776. All significant industrial dischargers must have a valid Industrial Wastewater Discharge Permit.

In order to ensure that all Industrial Users (IUs), required to have a permit, are issued the appropriate permit, the following criteria will be used by the Environmental Assessment Department. If an IU meets any of the conditions outlined below, the IU will be issued a Class "S" and "S-C" and identified by the permit number (example: S-C-11); S – Significant Industrial User, S-C – Significant Categorical Industrial User.

According to 40 CFR 403.3 (v), a Significant Industrial User (SIU) shall be defined as:

- (i) *All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and*
- (ii) *Any other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler*

blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Class S: All SIUs will receive a Class S Industrial Wastewater Discharge permit.

Class S-C: Class S-C permits are a sub-class of Class S permits. If any IU subject to Categorical Pretreatment Standards under 40 CFR 403.6 as referenced above shall be designated a Class S-C Permit. Categorical standards contain specific numerical limits based on an evaluation of treatment technologies for a particular industrial category. These limits are applied uniformly across the nation.

The EAD may issue Special Discharge Permits or Restricted Short-Term Authorization control mechanisms to non-direct or temporary users of the LRWRA system from which a liquid waste is received, and when an enforceable control mechanism is advantageous to the protection of the POTW. Such permits may be issued for discharges, such as, liquid waste hauled by truck from outside the collection system to the POTW, mobile wastewater treatment operations, discharges of temporary duration, or instances where wastewater treatment or site clean-up is contracted to an outside firm capable of meeting conditions set forth by the POTW. Special permitting may be applicable to mobile washers that discharge to the Adams Field Water Reclamation Facility (AFWRF).

Part 5.3 Permit Structure

The IU Discharge Permit issued by LRWRA consists of the following items:

1. Fact Sheet

The fact sheet includes specific information concerning the Industrial User that include facility location, facility representative, SIC codes, and permit number. In addition, this Fact Sheet includes information that defines the IU's classification as a Significant IU (Class S), or Significant Categorical IU (Class S-C). Travel times for high and low flow conditions are also included to demonstrate the need for prompt reporting of spills, slug loads, or violations of pretreatment standards. The fact sheet shall also state if the IU is required to adhere to the Spill/Slug Control Plan submitted by the IU and approved by LRWRA.

2. Authorization

This page includes the signatory authorization allowing the IU to discharge in accordance with provisions of the Pretreatment Ordinance, 40 CFR 403, and any other applicable federal or state regulations. The effective and the expiration dates are included.

3. Part I, Monitoring Requirements

Part I includes the permit requirements for self-monitoring for effluent limitations, reporting compliance with Best Management Practices (BMP) and a compliance schedule when necessary. This information is specific for each IU. When a narrative BMP is used in place or as a supplement of a numeric limit, Part I will include the approved Best Management Practices and any reporting requirements for tracking compliance with the BMP. (example. Toxic Organic Management Plan)

The self-monitoring requirements include the required sampling location, test parameters, test frequency, discharge limits per parameter, and sample type. The permit requirements specifically direct the IU to conduct all sampling and analysis in accordance with the latest EPA approved methods listed in 40 CFR 136. If analyses are contracted to a private laboratory, the private laboratory shall be certified for that analysis by the Arkansas Department of Energy and Environment - Division of Environmental Quality and perform all analysis in accordance with the latest approved method listed in 40 CFR 136 unless the IU chooses to authorize LRWRA to perform self-monitoring. Samples collection required by permit should be conducted using appropriate chain of custody procedures that include the following items:

- (a) The date, exact place, method, and time of sampling and the names of the person(s) taking the sample;
- (b) Type of preservation method and containers used for sample collection,
- (c) The dates analyses were performed;
- (d) Who performed the analyses;
- (e) The analytical techniques/methods used;
- (f) The results of such analyses.

4. Part II, General Conditions

Part II is a standardized document defining general conditions and is included with every permit issued by LRWRA. There are two sets of General Conditions. The difference between the two is the reporting requirements. For IUs that are required to self-monitor there are specific reports that must be completed and sent to LRWRA. For those IUs that are not required to self-monitor, the reporting section does not include self-monitoring report requirements.

5. Part III, Standard Conditions

Part III is a standardized document defining standard conditions and is included with every permit issued by LRWRA.

SECTION 6.0

Part 6.1 Notifying New IU's of Applicable Clean Water Act ("CWA") Standards and Resource Conservation and Recovery Act ("RCRA") Requirements

40 CFR 403.8(f)(2)(iii) Notify Industrial Users identified under paragraph (f)(2)(i) of this section, of applicable Pretreatment Standards and any applicable requirements under sections 204(b) and 405 of the Act and subtitles C and D of the Resource Conservation and Recovery Act. Within 30 days of approval pursuant to 40 CFR 403.8(f)(6), of requirements applicable to it as a result of such status.

Part 6.2: IU Notification

As new users are identified by LRWRA and are determined to be required to have an Industrial Wastewater Discharge Permit, they will be notified of the applicable rules and regulations in the following manner:

Class S Permits (Significant Industrial Users) - These industries will be notified of the requirements of the local ordinances when the permit application is forwarded to the industry for completion by including copies of the Sewer Use and Pretreatment Ordinances with the permit application letter. The permit application letter will also briefly point out the applicable sections of the Sewer Use Ordinance or Pretreatment Ordinance (Appendices B and C). LRWRA shall inform these industries that the Arkansas Department of Energy and Environment – Division of Environmental Quality (DEQ) is delegated for Resource Conservation and Recovery Act (RCRA) implementation and enforcement with the permit application letter. Arkansas Regulation 23 was promulgated to govern all Treatment Storage and Disposal Facilities (TSDFs) in the state. The Industrial User should contact the DEQ's Hazardous Waste Division for further instructions. A copy of Arkansas Regulation 23 may be obtained from DEQ. Copies of these notification letters will be maintained in the industries' permanent Permit File. When permits are issued to these industries, the permit will contain paragraphs with the requirements of the applicable regulations and the source citation for these requirements.

Class S-C Permits (Significant-Categorical Industrial Users) - These industries will be notified of the requirements of the Sewer Use Ordinance, Pretreatment Ordinance, and RCRA with the permit application letter in the same manner as described for Class S Permits in addition to their status as a federal categorical industry. In addition to this notification, they will be sent a copy of the appropriate categorical standards with the Baseline Monitoring Report (BMR) request letter. This letter will not only request the BMR but will also briefly explain the essential elements and conditions of the categorical standard. The permit application letter will also briefly point out the applicable sections of the Sewer Use Ordinance. The Pretreatment Program Administrator may combine the BMR request letter and the permit application letter providing that they include all the information outlined above. These industries will be notified of the requirements of the Sewer Use Ordinance and RCRA with the permit application letter in the same manner as described for Class S Permits.

Surveyed Industrial Users (IUs) not required to obtain an Industrial Wastewater Discharge Permit issued by LRWRA - Surveyed facilities will receive the proper RCRA notification requirement as stated in the Survey Form. The Survey includes a statement that the POTW must be notified if the facility discharges a wastewater that would be classified as a hazardous waste if not disposed to the sanitary sewer. Such facilities may also receive requirements and guidance to maintain or require compliance with local

ordinances on a case-by-case basis when deemed necessary by control document or requirement letter other than the LRWRA Industrial Wastewater Discharge Permit Program.

SECTION 7.0

Part 7.1 Spill/Slug Control Plan

403.8(f)(2)(vi) Evaluate whether each such Significant Industrial User needs a plan or other action to control Slug Discharges....

403.8(f)(2)(v) Significant Industrial User are required to notify the POTW immediately of any changes at its facility affecting potential for a Slug Discharge....

All Significant Industrial Users (SIU) will be evaluated for the need of a Spill/Slug Control Plan. A copy of a Spill/Slug Plan Evaluation will be placed in each IU file. When LRWRA deems it necessary, the IU must submit a Spill/Slug Control Plan. The IU must adhere to Spill and/or Slug Control Plans submitted to the LRWRA in accordance with permit Standard Conditions: "The permittee shall adhere to the accidental spill prevention plan submitted to LRWRA". Failure to adhere to the Spill/Slug Control Plan submitted to LRWRA is considered a violation of the permit.

Spill/Slug Control Plans will be reviewed as part of the annual inspection conducted by the Pretreatment Compliance Specialist. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits, or permit conditions.

If LRWRA decides that a Spill/Slug Control Plan is needed, the IU will submit a plan that includes, at a minimum, the following elements:

1. Description of discharge practices, including non-routine batch discharges,
2. Description of stored chemicals,
3. Procedures for immediately notifying LRWRA of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up written notification within five days,
4. Procedures to prevent adverse impact from accidental spills, including but not limited to:
 - (a) Inspection and maintenance of storage areas,
 - (b) Handling and transfer of materials,
 - (c) Loading and unloading operations,
 - (d) Control of plant site run-off,
 - (e) Worker training,
 - (f) Containment structures or equipment,
 - (g) Measures for containing toxic organic pollutants,
 - (h) Measures and equipment for emergency response.

Part 7.2: EAD Emergency Spill/Slug Control Response Plan

This plan outlines the procedures EAD should use for responding to a chemical spill or slug when notified by an IU who is connected to the sanitary sewer. It addresses actions to be taken by EAD personnel, who should be contacted immediately, and possible sampling/testing requirements to trace and characterize the contaminant through the collection system. The goal of this plan is to ensure public safety including LRWRA personnel, prevent, or minimize damage to the infrastructure of the collection system and treatment plants, prevent passthrough and/or interference to the biological treatment, and prevent contamination of LRWRA's biosolids.

Initial Response

When contacted by an IU of a chemical spill or slug, the EAD staff member receiving the call will proceed as follows:

1. Obtain the following information from the IU:
 - (a) Facility Name,
 - (b) Facility Location,
 - (c) Caller's Name,
 - (d) Phone number where the caller can be reached,
 - (e) The chemical name of the substance spilled,
 - (f) Volume spilled,
 - (g) Has the spill been contained or was the spill discharged to the sanitary sewer. If discharged, was the spill discharged accidentally or willfully. (The intent of the response plan is to keep a spill contained until further determination can be made by Operations and management.),
 - (h) Does the facility have an SDS for the spilled material or chemical, if yes, fax or email a copy to LRWRA as soon as possible,
 - (i) Is the substance flammable, explosive, corrosive (acid or base), or toxic.
2. Appendix G shows the sequence of personnel to be notified in the event of a spill/slug. A request to discharge contained spills will be evaluated by the Water Reclamation Facility (WRF) Senior Manager and Pretreatment Program Administrator. A site visit, phone call to the IU, and sampling may be required to fully evaluate the nature of the slug, spill, or proposed discharge.
3. If the spill was not contained or is inadvertently discharged before approval is given, the following LRWRA Maintenance and Safety personnel must be contacted if the event occurs during normal work hours. LRWRA collection system employees who are working downstream of the discharge point must be notified of the discharge and potential hazards so work can be suspended until work area is determined to be safe.
 - (a) LRWRA CP Dispatcher Senior

(b) Environmental Security & Risk Supervisor and Safety Coordinator

Part 7.3 Safety

EAD personnel will adhere to all safety rules and wear safety equipment required by the Industry and/or LRWRA upon entry to plant production, chemical storage, or other areas outside the public access domain. Safety concerns and right-to-know information should be discussed during the pre-inspection meeting.

SECTION 8.0

Part 8.1 Monitoring and Inspections

40 CFR 403.8(f)(1)(v) Carry out all inspections, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Pretreatment Standards and Requirements by Industrial Users....

40 CFR 403.8(f)(2)(v) Randomly sample and analyze the effluent from Industrial users and 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, except as otherwise specified below:

8.2 Surveillance Monitoring

Permitted Industrial Users will be monitored by LRWRA at a minimum of once per year for pollutants “reasonably expected to be present.” Surveillance Monitoring is performed by LRWRA to verify continued compliance of industrial discharge. More frequent monitoring may be applicable based on flow, pollutant loading, and compliance history. The monitoring frequencies may be increased either temporarily or permanently at any specific industry.

Total Toxic Organic (TTO) monitoring by LRWRA for CIUs shall be conducted at a minimum of once per year for those TTOs “reasonably expected to be present.” This monitoring shall only be conducted at those industries that do not have a Toxic Organic Management Plan (TOMP). For industries with a TOMP, compliance will be determined through inspections.

8.3 Compliance Monitoring

The routine compliance monitoring frequencies on the permitted industries shall be based upon a variety of factors including flow, compliance history, pollutant concentration, and potential for impact on the collection system and receiving water reclamation facility. All Significant Industrial Users (SIUs) shall be required to sample a minimum of once per year. LRWRA will perform compliance sampling and subsequent analysis in lieu of the Industrial User (IU) unless the IU chooses to use an independent laboratory. Categorical Industrial Users (CIUs) will be required to be sampled a minimum of twice per year for all regulated parameters as required by 40 CFR 403.8 f(2)(v). The compliance monitoring frequencies for the Permitted IUs may be increased either temporarily or permanently at any specific industry due to changes in categorical effluent guidelines, compliance history, inspection results, or other factors such as process or management changes. Additional compliance sampling may be performed by LRWRA at the request and the expense of the IU.

New industries with no sampling history will be monitored at a frequency determined by estimated flow, type of industrial processes, and potential impact to receiving reclamation facility. The sampling frequency will be re-evaluated once sufficient data has been gathered to determine the average pollutant levels. After this determination has been made then the sampling criteria above will be applied to determine the compliance sampling frequency.

Part 8.4 Inspection Types

All permitted Industrial Users (IUs) are inspected a minimum of once per calendar year. Inspections may be carried out any time the IU is suspected of non-compliance, has made changes in process which could affect wastestream characteristics, or in response to spill/slugs or emergency situations. The purpose of these inspections will be to determine if IUs are attaining and maintaining compliance with the laws and regulations administered by LRWRA. Inspections are used to aid enforcement and implementation of the discharge permit requirements, to ensure the accuracy of the data base for the IU, and to maintain open lines of communication between the IU and LRWRA on changes within the IU and regulations administered through LRWRA.

For the purpose of these procedures, LRWRA will conduct two basic types of inspections: (1) annual compliance and (2) unscheduled/demand. Each inspection type will be conducted in the same manner except for the differences noted below:

Annual Compliance Inspections - Annual Compliance inspections are conducted to determine compliance with the IU Discharge Permit. These are conducted on a minimum of once a calendar year and are placed on an inspection schedule for completion by Pretreatment Personnel. If notification is necessary to have the facility's representative, or specific records available, notification may be made to coordinate the scheduled event.

Unscheduled/Demand Inspections - These inspections are carried out with little or no advance notice given to the IU. Generally, these inspections will be performed if the IU is suspected of being in non-compliance, the IU is having difficulty consistently meeting compliance, there are suspected spill/slugs, there has been a change in process or follow-up is needed for verifying problems identified in previous inspections have been corrected.

Part 8.5 Annual Inspection Preparation

Before each inspection, the EAD Personnel (Inspector) should complete the following tasks to ensure that they are informed about the IU and conduct a complete and fair inspection. Time limitations may result in less inspection preparation.

1. Review permit file and site plan on the IU. This information may be recorded along on the inspection for review and verification of accuracy by the IU.
2. Review all available information about Industrial Process, Pollution Prevention, Pretreatment Systems, Chemical Storage, Spill/Slug Control, Self-monitoring/TOMP, and Diversion Meter to determine the proper attachments to be used with core inspection document.
3. Review communications records, self-monitoring, inspection reports, and laboratory data to determine any other changes or conditions that could be encountered during inspection.
4. Review IU Spill/Slug Control Plan. Inspect locations addressed in Spill/Slug Control Plan to confirm plan is up to date.
5. Prepare any sampling equipment which may be necessary.

6. Prepare any safety equipment which may be necessary.
7. Draft notes or outline of specific things to accomplish by the inspection if the review determines specific issues should be updated or clarified.
8. Review the ISCO Open Flow Measurement Handbook for the appropriate calculation based on the type and size flow measuring device used by the industry. Prepare Flow Calculation Sheet ahead of time with the information on file.
9. Review available guidance material for pollution prevention and industry type.

Part 8.6 On-Site Procedures

The EAD Personnel conducting inspections (Inspector) will use information gathered during inspection preparation to determine the applicable inspection objectives. The inspection objectives will be noted and brought to the inspection. Notes should be recorded during the inspection to complete a final inspection document.

Attachments to the inspection document may include one or more of the following information:

- (a) Industrial Processes
- (b) Pollution Prevention Activities
- (c) Pretreatment System
- (d) Chemical Storage
- (e) Spill/Slug Control Plan
- (f) Self-Monitoring/TOMP
- (g) Sewer Meter
- (h) Wastewater Characteristics

The Inspector should incorporate the following activities and take relevant notes during the inspection:

1. Conduct an inspection meeting/discussion with industrial contacts for the purpose of:
 - (a) Explaining the purpose, intent, and scope of the inspection,
 - (b) Reviewing the permit for accuracy,
 - (c) Reviewing the Spill/Slug Control Plan for updates,
 - (d) Educating the IU on the regulations which apply to them,
 - (e) Updating work force, shift, and contact information,
 - (f) Discussing any changes since the last inspection,
 - (g) Review documentation to ensure a copy of the permit and relevant information is retained by the IU,

- (h) Address IU's history of compliance or noncompliance.
- 2. Tour the facility. Complete inspection form data as tour is taking place for the purpose of:
 - (a) Updating the accuracy of facility site plans.
 - (b) Assessing areas addressed and confirming accuracy of Spill/Slug Control Plan. Assessing the effectiveness of a spill/slug prevention plan, if applicable, including the posting of LRWRA notice.
 - (c) Observing chemical storage area and the potential for spills entering the sewer.
 - (e) Reviewing operations and maintenance of any pretreatment devices.
 - (f) Assessing the implementation of Toxic Organic Management Plans (TOMPs).
 - (g) Reviewing sampling procedures and observe the sampling point for representation of wastestream.
 - (h) Check for possible rainwater inflow points (gutters).
 - (i) Read and inspect diversion credit meters and relay the information to LRWRA's Engineering Department.
 - (j) Verify accuracy of effluent flow meter. List the recorded flow. Manually calculate the flow meter using the appropriate formula listed in the Isco Open Channel Flow Measurement Handbook. Calculate the percent (%) error between the recorded flow and the manually calculated flow. The % error should be within 10 %. The maximum error allowed is 10%. If the % error is greater than 10%, the IU is deficient in maintaining the flow meter for accuracy and will be required to have the meter checked and/or calibrated by a factory trained representative. Once checked the IU must provide a copy of the manufacturer's calibration form to LRWRA.
 - (k) Review records for the following items:
 - 1. Self - Monitoring Reports
 - 2. Chain of Custody Records
 - 3. Laboratory Analytical Data Reports
 - 4. Periodic Report of Continuing Compliance
 - 5. Effluent flow meter calibration record as provided by factory trained representative
 - 6. Hazardous Waste Shipping Manifests
 - 7. Production reports
 - 8. Industrial Wastewater Discharge Permit
- 3. After completion of the inspection, the Industrial Inspector should review any findings with the contact.

Part 8.7 Access to IU Premises

Unreasonable delays and/or refusals in allowing EAD personnel access to the user's premises shall be a violation in accordance with the City of Little Rock Pretreatment Ordinance. If the EAD Personnel is denied access onto the premises for the purpose of performing an inspection and/or collecting a

sample, EAD Personnel should respectfully leave the premises, and immediately call the Pretreatment Compliance Specialist, Pretreatment Program Administrator, or EAD Director, in that order, to report the incident. Additionally, a grab sample should be collected from the facility's designated sampling point if outside of the facility premise. If inside, collect a grab sample at the nearest downstream manhole. Enough sample should be collected to split into several aliquots for various analytical determinations and Quality Control. The incident will then be reported by the Pretreatment Program Administrator or EAD Director or to the LRWRA Chief Legal Officer as noted in the Enforcement Response Plan.

If an IU is unreasonably delaying access to their facility for EAD personnel to perform an inspection and/or collect a sample the EAD personnel shall immediately notify the Pretreatment Compliance Specialist. A phone call to the IU representative or an unscheduled inspection will be performed immediately, and monitoring may be initiated.

Part 8.8 Inspection Follow-Up Procedures

After the inspection is complete, a detailed inspection report will be prepared by the EAD Personnel which performed the inspection, and one of the following actions will be taken:

1. If the IU is found to be in compliance and there are no potential compliance concerns, the Pretreatment Compliance Specialist will provide the final inspection document to the Pretreatment Program Administrator for review. Any relevant changes will be noted for the IU's permit renewal.
2. If the IU is found to be out of compliance, the Pretreatment Program Administrator will be notified immediately of the non-compliance issue. Depending on the severity of the non-compliance issue, enforcement activities will be implemented in accordance with the Enforcement Response Guide.
3. The final inspection report will incorporate the following information:
 - (a) All areas of concern and why.
 - (b) This response must include a timetable as to when these areas will be solved and the corrective measures to be taken.
 - (c) Follow-up inspections will be scheduled once corrective measures have been completed.

The final inspection report will be shared with the Pretreatment Program Administrator for a final review prior to sending a copy to the IU. Inspection reports will be available in the Pretreatment Program SharePoint File.

SECTION 9.0

Part 9.1 Receiving and Analyzing Industrial Reports

40 CFR 403.8(f)(2) Procedures. The POTW shall develop and implement procedures to ensure compliance with the requirements of a Pretreatment Program. At a minimum, these procedures shall enable the POTW to:

40 CFR 403.8(f)(2)(iv) Receive and analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements in 403.12.

Part 9.2 Reports Submitted by IU

Reports listed in this section, where Best Management Practices (BMP) (example TOMP) are required, shall contain documentation necessary to show compliance with BMPs as directed by the POTW control mechanism.

Compliance Monitoring Reports

Significant Industrial User Reporting Requirements listed in 40 CFR 403.12 requires those users to submit periodic reports on the concentration of pollutants and flows to the POTW. The Industrial Users will report results of the parameters required to be sampled and tested by the Industrial Discharge Permit on their Compliance Report Form unless LRWRA performs monitoring in lieu of the IU. If LRWRA is permitted by the IU to perform the monitoring, reporting for those parameters may be waived by LRWRA. The IU shall submit the flow on their Compliance Monitoring Reports monthly. The monthly flow for the IU shall be calculated using CAW consumption or approved sewer meter readings for the month of the sampling. The IU's sampling, testing, and reporting responsibilities will be outlined by the Industrial Discharge Permit. If monitoring is performed by an outside or contract laboratory, it shall be performed by a laboratory certified for that analysis by the Arkansas Department of Energy and Environment – Division of Environmental Quality. The samples shall be conducted during normal work cycles and collected in accordance with the provisions of 40 CFR 136 and all samples will be, at a minimum, four-part one-day composites except for samples from batch discharges and samples for parameters that do not lend themselves to composite sampling (CN, volatile organics, pH, O&G) which may be grab samples. Compliance Monitoring Reports should be received no later than the last day of the month subsequent to the month in which the sample is collected. All items on the form must be completed by the Industrial User and signed by the Signatory Authority.

Baseline Monitoring Reports

Within 180 days after the effective date of a categorical Pretreatment Standard, or 180 days after the final administrative decision made upon a category determination submission must submit a Baseline Monitoring Report (BMR). The BMR must contain the following:

- (a) Name and address of the facility, including names of operator(s) and owner(s).
- (b) List of all environmental control permits held by or for the facility.

(c) Brief description of the nature, average production rate and SIC code for each of the operation(s) conducted, including a schematic process diagram which indicates points of discharge from the regulated processes to the POTW.

(d) Flow measurement information for regulated process streams discharged to the municipal system. Flow measurements of other wastestreams will be necessary if application of the combined wastestreams formula is necessary.

(e) Identification of the pretreatment standards applicable to each regulated process and results of measurements of pollutant concentrations and/or mass. All samples must be representative of daily operations and results reported must include values for daily maximum and average concentration (or mass, where required). If samples cannot be taken immediately downstream from the regulated process and other wastewaters are mixed with the regulated process, the Industrial User should measure flows and concentrations of the other wastestreams sufficient to allow use of the combined wastestream formula. For new facilities, the IU is required to take a minimum of four grab samples to measure pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds to meet BMR report requirements. For existing IUs where historical sampling data are available, LRWRA may authorize a lower minimum.

(f) Statement of certification concerning compliance or noncompliance with the Pretreatment Standards.

(g) If not in compliance, a compliance schedule must be submitted with the BMR that describes the actions the User will take and a timetable for completing those actions to achieve compliance with the standard. This compliance schedule must contain specific increments of progress in the form of dates for the commencement and completion of major events, however, no increment of the schedule shall exceed nine (9) months. Within fourteen (14) days of each completion date in the schedule, the Industrial User shall submit a progress report to the LRWRA's Pretreatment Program Administrator indicating whether or not the Industrial User complied with the increment of progress to be met on such date, and, if not, the date on which it expects to comply with this increment of progress and the steps being taken to return to the schedule.

Ninety (90) Day Compliance Reports

All New Industrial Users subject to a categorical standard must submit within ninety days after the compliance date for that categorical standard, a Ninety (90) Day Compliance Report. At least 90 days following commencement of discharge, New Sources shall be required to submit the 90-day compliance report to the Pretreatment Program Administrator. This report is intended to demonstrate compliance with the categorical standard. The User will collect a sample consistent with the items listed under the Baseline Monitoring report provisions of these procedures and have it analyzed for all parameters regulated by the categorical standard. This report must also contain the average daily and maximum daily flows from the regulated process(es) and, if the standards are production-based, the average daily production. This report must state whether the categorical standards are being met on a consistent basis and, if standards are not being

met, it must contain a compliance schedule. As with the other monitoring reports, the Ninety (90) Day Compliance Report must be signed by an authorized agent.

Periodic Reports on Continuing Compliance

All Industrial Users subject to a categorical pretreatment standard that has passed the compliance deadline will be required to submit a Periodic Report on Continuing Compliance (PRCC). These reports are designed to demonstrate compliance with pretreatment standards for a period of six (6) months. These reports will be due on the last day of June and December of each year as required by 40 CFR Part 403.12 (e). The June report will cover the period from December to May, and the December report will cover the period from June to November. The User will be required to collect one sample during the six-month period, and have it analyzed for all parameters regulated by the User's categorical standard except for those parameters which the categorical standards allow for certification. Required sampling shall be conducted in a manner consistent with the items listed under the Compliance Monitoring provisions.

The Industrial Users will report their PRCC on LRWRA's Periodic Report on Continuing Compliance Form. The results of the sampling shall be reported as the average of the parameters monitored monthly during the six-month period and the results of the one sample for all the other parameters regulated by the User's category. Industrial Users which only monitor twice per year will report the results of the one sample collected during the period. All items on the PRCC Form must be completed by the User and signed by the authorized agent.

Slug/Spill/Upset Reports

Any Industrial Users which experience an upset that results in a slug discharge or has a spill/slug which results in the release of a reportable quantity from a non-routine episodic nature must file a written report within five (5) days of the incident (in addition to the Immediate Notification Procedures addressed in Industrial Discharge Permits). This report must be submitted to the Pretreatment Program Administrator. The written report must contain the following:

- (a) Description of the upset, the cause thereof, and the upset's impact on a Discharger's compliance status.
- (b) Duration and extent of noncompliance, including exact dates, quantities and qualities, and date and time of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur.
- (c) All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or other condition or noncompliance.

For spills, the report must contain the location of the spill, the type of waste, the concentration and volume of the spill, and what measures will be undertaken to prevent future reoccurrence. These reports must be signed by the authorized representative.

Compliance Schedule Status Reports

Any industrial user which is on a compliance schedule must submit a Compliance Schedule Status Report to the Pretreatment Compliance Specialist. These reports are due within fourteen

(14) days of the milestone date on the compliance schedule. These reports must state whether the goal was reached and if the user failed to meet the goal, the report must state what measures will be taken to get back on schedule. The Compliance Schedule Status Report must be signed by the authorized agent.

Noncompliance Reports – Self Compliance Monitoring

Any industrial user which, as a result of self-compliance monitoring activities, finds they have violated any applicable pretreatment standard is required by 40 CFR 403.12(g)(2) to report the violation to the LRWRA within twenty-four (24) hours of becoming aware of the violation. This report is generally made by phone call or email to the Pretreatment Compliance Specialist or the Pretreatment Program Administrator.

In addition to the verbal or email report, the user is required to re-sample, if no sampling since the date of violation has occurred, and to submit the results of this monitoring to the Pretreatment Compliance Specialist and Pretreatment Program Administrator within 30 days of becoming aware of the violation. Two sampling events showing no violation shall be conducted to show the IU is back in compliance.

Noncompliance Reports - LRWRA Surveillance Monitoring and Compliance Monitoring

Any industrial user which, as a result of surveillance or compliance monitoring by LRWRA, has violated any applicable pretreatment standard will be notified by the Pretreatment Compliance Specialist or Pretreatment Program Administrator within twenty-four (24) hours of becoming aware of the violation. The IU may be required to provide by email within a specified deadline the cause of the violation and the corrective measures that will be taken to prevent future violations. Additional sampling will be performed, unless LRWRA specifically requires IU to perform repeat analysis and report results, within 30 days of becoming aware of the violation. Monitoring is repeated until the IU has returned to compliance with permit limits. Generally, the deadline for the IU reply is one (1) month from the time they are notified, however this will depend on the magnitude of the violation and number of occurrences per parameter within the last six months.

Part 9.3 Signatory and Certification

All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

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

Authorized representatives are defined by EPA Regulation 40 CFR 403.12(l) and the City of Little Rock Pretreatment Ordinance.

Part 9.4 Receiving Industry Reports

The Pretreatment Compliance Specialist is responsible for monitoring reporting deadlines. To ensure that reports are received in a timely manner, automated event prompts will be utilized and will include the due date of the reports. Also, event prompts will be entered at thirty (30) day increments up to the due date of the report to contact the User and remind the User of the due date for the report. These event prompts will serve as the compliance record for the timely receipt of these reports.

Compliance Monitoring Reports

Compliance Monitoring Reports received from the Industry will be reviewed for sampling/testing/reporting violations and completion. The Compliance Monitoring data will be entered by the Pretreatment Compliance Specialist into the facility's database. The Compliance Monitoring report will then be shared with the Pretreatment Program Administrator and EAD personnel will review and verify the facility's data. If the Compliance Monitoring is performed by LRWRA in lieu of the IU, the data will be shared with the IU and the IU shall report the flow data. Flow data shall be compared with CAW billing information to ensure accuracy of reporting. If the report includes a violation, it will be shared with the EAD Director. The report will be filed in the Industrial User Compliance & Surveillance Monitoring Sharepoint File. This will serve as compliance documentation for timely receipt of reports.

Periodic Reports on Continued Compliance (PRCC)

To ensure that the PRCC samples are collected during the covered period, an event should be scheduled for the first week of May and November to remind the Pretreatment Compliance Specialist to contact the categorical discharges and remind them that if they have not already collected a sample for all regulated parameters, and that it must be done during that month. This event prompt will serve as a check-off list to ensure that all the affected Users have been contacted.

The PRCC Reports received by the Pretreatment Compliance Specialist will be reviewed for sampling, testing, and reporting violations. The report will be forwarded to the Pretreatment Program Administrator for additional review. Both reports will be filed in the Industrial User report file. This will serve as compliance documentation for timely receipt of reports.

Baseline Monitoring Reports and Ninety Day Compliance Reports

The Baseline Monitoring Reports and Ninety (90) Day Compliance Reports are to be submitted by the Industrial User to the Pretreatment Compliance Specialist for a first review and forwarded to the Pretreatment Program Administrator for second review.

Slug, Upset, or Spill Reports

For slug/upset/spill reports, the Pretreatment Compliance will enter an event prompt for receipt of these reports five (5) days after receiving verbal notification from the User. These event prompts shall serve as the compliance record for the timely receipt of these reports.

Compliance Schedule Status Reports

Compliance Schedule Status Report due dates will be handled by making event prompts for the milestone date and fourteen (14) days after the milestone date. The Pretreatment Compliance Specialist will contact the User on the milestone date, determine if the goal was met, and remind the User that a status report is due in fourteen (14) days. The event prompts will serve as a compliance record for receipt of these reports.

Late Reports

For all reports that are not received by the due date, the Industrial User should be contacted on the next working day following the due date of the report to determine the reason for the delay. The Pretreatment Compliance Specialist will remind the User that late reports are considered a violation and will complete a communication record of the conversation. If the required report is not received after 30 days from the due date, a written Notice of Violation will be issued. If the required report is not received after 45 days from the due date, a Notice of Significant Violation will be issued.

Part 9.5 Hazardous Waste Notification

A. Any user who commences the discharge of hazardous waste shall notify LRWRA, the EPA Regional Waste Management Division Director, and State Hazardous Waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. LRWRA's response to this notification shall be directed by the Pretreatment Program Administrator or EAD Director. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted as required by the City of Little Rock Pretreatment Ordinance. The notification requirement in this section does not apply to pollutants already reported by user's subject to categorical pretreatment standards under the self-monitoring requirements of this manual.

B. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.

C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the CEO, the EPA Regional Waste Management Waste Division Director, and State

hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

D. In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by the Pretreatment Ordinance, a permit issued thereunder, or any applicable Federal or State law.

Part 9.6 Records Retention

The IU shall retain records of all monitoring information for a period of at least three (3) years from the date of sample collection, measurement, report, including effluent limitation and BMP compliance reports and application. This period may be extended by request of LRWRA at any time.

SECTION 10.0

Part 10.1 Investigating Instances of Industrial User Noncompliance

40 CFR 403.8(f)(2)(vii) Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under 403.12 or indicated by analysis, inspections, and surveillance activities described in paragraph (F)(2)(V) of this section. Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions; and

Instances of industrial user noncompliance are identified through review of user compliance reports, LRWRA compliance and surveillance monitoring, and inspections. Unscheduled/demand inspections and monitoring is performed when deemed necessary to provide additional information and/or to confirm or support enforcement actions.

Industrial user compliance monitoring reports are reviewed upon receipt. These reports are checked for completion, appropriate parameters, certification statements, sampling and analytical procedures, signature, and results. Any violations are noted, and an appropriate response is made.

Compliance monitoring at LRWRA's significant industrial users is conducted a minimum of twice per year. All compliance monitoring visits made by LRWRA are unscheduled when possible. All compliance monitoring is performed in compliance with EPA sampling and analytical procedure requirements (40 CFR 136) and provides LRWRA with quality data that would be admissible as evidence in enforcement proceedings. Chain of custody and quality control procedures are in effect.

Compliance inspections are conducted at all permitted industrial users a minimum of once per year 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 federal and state requirements.

Unscheduled/Demand monitoring and inspection activities are performed in response to known or suspected violations and to gather additional information. EAD procedures require additional sampling events when a violation is discovered during compliance monitoring. This extra monitoring is usually performed within thirty (30) days of becoming aware of the violation. The information obtained from additional compliance monitoring may be used to confirm noncompliance or a return to compliance.

Should LRWRA suspect an illegal discharge from any facility and these activities are not being detected by compliance monitoring, covert surveillance procedures could be initiated. Covert surveillance procedures will be designated by the EAD Director and Pretreatment Program Administrator.

SECTION 11.0

Part 11.1 Enforcement Response Plan

40 CFR 403.8(f)(5) The POTW shall develop and implement an enforcement response plan. This plan shall contain detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance.

The City of Little Rock Pretreatment Ordinance, Appendix B, provides the detail of the Administrative Enforcement Remedies. The Enforcement Response Plan consists of the Enforcement Response Guide (Appendix G) and the Pretreatment Ordinance.

Part 11.2 Criteria for Determining an Appropriate Enforcement Response

The Enforcement Response Guide and Pretreatment Ordinance contains anticipated pretreatment violations and enforcement responses. It shall be the policy of LRWRA in selecting enforcement proceedings against any User 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.

The EAD will respond to all instances of IU violations with a minimum of a documented phone call. The enforcement responses listed in the Enforcement Response Guide appearing in bold, italic print are required responses. All other enforcement responses are optional and may be considered depending on the criteria listed above.

For all escalated enforcement responses above the Notice of Violation and incorporation of compliance schedules in industrial user discharge permits, the enforcement response will consist of a show cause hearing and escalating enforcement (if warranted) as allowed by the current Pretreatment Ordinance. The Pretreatment Program Administrator will confer with the Environmental Assessment Director, Director of Operations and Facilities, and Chief Legal Officer to determine the appropriate escalated enforcement response.

Part 11.3 Enforcement Response Guide

Revisions to the General Pretreatment Regulations contained in 40 CFR 403 were promulgated on July 24, 1990 and the requirements under 403.8(f)(5) requires that POTWs develop and implement an enforcement response plan. The citation reads as follows:

The POTW shall develop and implement an enforcement response plan. This plan shall contain detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance. The plan shall, at a minimum:

(1) Describe how the POTW will investigate instances of noncompliance,

(2) Describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of industrial user violations and the time periods within which the responses will take place,

(3) Identify (by title) the official(s) responsible for each type of response, and

(4) Adequately reflect the POTWs primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed in 40 CFR 403.8(f)(1) and (f)(2)."

LRWRA has prepared an Enforcement Response Guide, Appendix G, to establish the framework to follow in response to instances of noncompliance by industrial users in accordance with the Federal Regulations.

Part 11.4 Monetary Penalties

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.

SECTION 12.0

40 CFR 403.8(f)(2)(viii)...at least annual public notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW of industrial Users which, at any time during the previous 12- months, were in significant noncompliance with applicable Pretreatment requirements.

Part 12.1 Annual Publication of the SNC List

LRWRA in accordance with NPDES Permits and 40 CFR 403 will publish annually a list of the Industrial Users which were determined to be in significant noncompliance (SNC) for the previous calendar year. "Significant noncompliance" shall be determined based upon the criteria established by 40 CFR 403.8(f)(2)(viii). This list will be published in the newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW during the month of March. The format for publication of the SNC list shall follow the example publication in Appendix H, and shall be published in the legal notice section of local public circulation newspaper by the last day of March of the following year. A copy of this published notice will be included with the Annual Pretreatment Report.

Part 12.2 Criteria for Determination of SNC

The following criteria from 40 CFR 403.8(f)(2)(viii) will be used to determine if a Significant Industrial User is in SNC. Paragraphs C, D, and H will be used to determine SNC for any Industrial User.

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in City of Little Rock Pretreatment Ordinance;
- 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 City of Little Rock Pretreatment Ordinance multiplied by the applicable TRC criteria (TRC=1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- C. Any other violation of a Pretreatment Standard or Requirement as defined by City of Little Rock Pretreatment Ordinance (daily maximum, long-term average, instantaneous limit, or narrative standard) that LRWRA determines has caused, alone or in combination with other Discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of pollutants that have caused imminent endangerment to the public or to the environment or have resulted in LRWRA's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

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

SECTION 13.0

Part 13.1 NPDES Permit Requirement Technical Review of Local Limits

40 CFR 403.8(f)(4). The POTW shall develop local limits as required in 403.5(c)(1) or demonstrate they are not necessary.

The LRWRA NPDES permits require LRWRA to technically review and reassess local limits as needed to ensure protection of the treatment plants, workers, and the environment. LRWRA is required to perform this technical analysis every five (5) years at the time of our NPDES permit renewals. The development of technically based local limits is discussed in detail in a separate document entitled LRWRA Local Limits Development Document.

However, in order to assess the effectiveness of the industrial pretreatment program on a continual basis, the following steps and procedures will be used by the Environmental Assessment Department to track the effectiveness of the pretreatment program and the need to reevaluate local limits. A report on the status of the local limits is sent to the Approval Authority at a frequency required by NPDES permit.

LRWRA's Local Limits Development Document is included in Appendix J.

Part 13.2 Review of Plant Influent/Effluent Analytical Data Reports

The Pretreatment Program Administrator will review influent data and compare it with the appropriate headworks concentration limits in the current LRWRA Local Limits Development Document. The headworks concentration limits are those limits which were set in conjunction with the development of technically based local limits for industrial dischargers.

If any influent analysis exceeds the indicated headworks concentration limit set in the current LRWRA Local Limits Development Document, the Pretreatment Program Administrator will mark the appropriate section on the report indicating a violation and route this report directly to the EAD Director. The Pretreatment Program Administrator, EAD Director, and the Director of Operations and Facilities will decide what actions to take in response to an exceedance of a headworks concentration limit.

SECTION 14.0

Part 14.1 Annual DEQ Pretreatment Program Status Report

403.12(i)...POTWs with approved pretreatment programs shall provide the Approval Authority with a report that briefly describes the POTW's program activities... at least annually.

A template form is provided by the DEQ and is to be filled out in its entirety for each SIU on the LRWRA sewer system and submitted to Arkansas Department of Energy and Environment – Division of Environmental Quality State Pretreatment Coordinator by March 31st annually. Information which must be on the form includes the following:

1. SIC code and categorical determination,
2. Control document status - date last issued, reissued, or modified and any new users within the last twelve (12) months must be identified as such,
3. A summary of all monitoring activities performed during the previous twelve (12) months, including:
 - (a) Total number of inspections performed
 - (b) Total number of sampling visits made
4. Compliance status with both effluent limitations and reporting requirements.

Part 14.2 Instructions for Completing the Annual DEQ Pretreatment Program Status Report

SIC code and categorical determination

Fill in the name of the industry in the space provided on the form, along with the user's SIC code(s). The SIC code(s) can be obtained from the last Annual DEQ Pretreatment Program Status Report or the industry's permit file (permit application or renewal form).

In the space provided for categorical determination by each IU name, fill in what categorical standard that IU is subject to, such as 40 CFR 413. If the IU is not subject to a categorical standard, use the abbreviation N/A (meaning not applicable) in the space provided.

Control Document Status

This section of the form should indicate Y for Yes in the space provided for Control Document for each IU and also indicate the last action taken on the permit in the appropriate space. For example: Issued May 23, 2018, Renewed June 30, 2020, or Modified January 3, 2019. This information is available in each IU permit file. Also list Y for Yes or N for No whether this is a new user in the appropriate space for the calendar year beginning on January 1 and ending on December 31.

Summary of All Monitoring Activities Performed within the Previous Year

- A. Times inspected - this space on the form should indicate the number of non- sampling visits made to the industry during the calendar year (January 1 through December 31). The annual inspection should always be counted, along with any other enforcement activity visits to the industry for any type of inspection or verification visit.

- B. Times sampled - this space on the form should indicate the number of sampling visits made to the IU by EAD for Surveillance Monitoring. A sampling visit is each time a trip is made to the IU and a sample is collected. This will include grab samples for pH determination in the field.

For most IU's, the number of samples should be fairly easy to determine from the IU's monitoring data. Remember to include any special sampling visits made in response to violations or compliance issues.

- C. Compliance with reporting requirements and effluent limitations - the compliance status categories are described below. In the space provided on the form, use the following denotations:

C = Compliant. No violations during the calendar year.

NC = Noncompliant. One or more violation during the previous calendar year, but the number of violations does not exceed the definitions of SNC (TRC or Chronic criteria).

SNC = Significant noncompliance as defined in 40 CFR 403.8(f)(2)(vii).

NR = Not required.

Reporting Requirements

Any required reports or permit applications received over forty-five (45) days after the due date is considered SNC. These required reports may include baseline monitoring reports, 90-day compliance reports, self-monitoring compliance reports, and reports on compliance with compliance schedules.

The abbreviations listed above are to be used to indicate the compliance status for all reports. For all industrial users not subject to categorical standards or other reporting requirements, leave these sections in the form blank.

Effluent Limits

Effluent limits apply to all, but a few industries permitted by LRWRA. Effluent limits are not contained in discharge permits for domestic wastewater only. All data (both LRWRA compliance monitoring data and industrial self-monitoring data) must be counted. All industries listed on the annual report will have a C, NC, SNC, Domestic only, or No discharge listed in this section of the form.

EAD is responsible for tabulating each industrial user violation noted during the calendar year and calculating the percentage of noncompliance as specified in 40 CFR 403.8(f)(2)(viii). The documented violations include both TRC violations and Chronic violations.

Determination of the Category of Effluent Limit Violations

Each year, an evaluation will be done to determine whether any SIU will receive TRC or Chronic violations. Any SIU industry found to exceed the TRC or Chronic violation criteria during the evaluation must be listed as SNC on the Annual DEQ Pretreatment Program Status Report. 40 CFR 403.8 (viii)(A) and 40 CFR 403.8(viii)(B)

SECTION 15.0

Dental Amalgam Point Source Category

Dental Dischargers are required to submit a One-Time Compliance Report to LRWRA in accordance with 40 CFR 440. "Dental Discharger" means a facility where the practice of dentistry is performed, including, but not limited to, institutions, permanent or temporary offices, clinics, home offices, and facilities owned and operated by Federal, state, or local governments, that discharge wastewater to a POTW.

Annually, EAD personnel will notify Dental Dischargers who have not completed and submitted a One-Time Compliance Report of the requirements and provide them with a standard One-Time Compliance Report form. The Dental Dischargers in the LRWRA system, and their compliance status, will be maintained in a database. Each January, the database will be updated to include New Dental Dischargers. New Dental Dischargers will be recognized using the same resources that are reviewed for IU Surveys. See Part 3.3.

New Dental Dischargers, and Dental Dischargers who have not previously submitted a One-Time Compliance Report, will be added from the database to a mailing list. The notification will provide the Dental Discharger of the time allotted to submit the One-Time Compliance Report. LRWRA and the Dental Discharger shall maintain a copy of the One-Time Compliance Report.

Appendices are available as a separate document at:

https://www.adeg.state.ar.us/downloads/WebDatabases/PermitsOnline/NPDES/Pretreatment/Programs/AR0021806_Pretreatment%20Program%20Manual%20Appendices_20210512.pdf