CITY OF SILOAM SPRINGS

INDUSTRIAL PRETREATMENT PROGRAM

2012

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June 2012

Exhibits

Exhibit 'A' NPDES Permit Number AR0020273

Exhibit 'B' Article V

Exhibit 'C' Wastewater Discharge Permit Form

Exhibit 'D' Enforcement Response Plan

Exhibit 'E' Ordinance #11-17

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I. INTRODUCTION

In accordance with the provisions of the Arkansas Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Ann. 8-4-101 et seq.), and the federal Clean Water Act (33 U.S.C., 1251 et seq.), the City of Siloam Springs is authorized to discharge treated wastewater from its publicly-owned treatment works (POTW) under the National Pollutant Discharge Elimination System (NPDES) Permit No. AR0020273 (see Exhibit A). The NPDES Permit requires the City to operate an industrial pretreatment program in accordance with Section 402(b)(8) of the Clean Water Act and the General Pretreatment Regulations (40 C.F.R. Part 403). In accordance with those requirements, Siloam Springs has developed the following Industrial Pretreatment Program to regulate, monitor and enforce requirements for the discharge of pollutants from Industrial Users to the POTW.

The Siloam Springs POTW is a biological nutrient reactor system providing primary and secondary treatment. The POTW was constructed at various times in the past with the most recent expansion beginning in 2009 and scheduled for completion in 2012. The POTW is equipped with inlet works including metering and grit removal facilities, followed by primary clarification, Biological Nutrient Splitter (BNR), BNR Process systems designed for anaerobic, anoxic, and activated sludge with return activated sludge, waste activated sludge, mix liquor suspended solids return, final clarification, chlorination, dechlorination and reaeration. Sludge handling facilities include, gravity thickening, waste activated sludge thickening, aerobic digestion, and dewatering by a belt filter press. The Tank Farm includes sodium chloride, sodium bisulfite, aluminum sulfate for chemical additions.

The average daily inflow to the POTW is 3.0 mgd. Approximately 1.66 mgd of that flow is from non-domestic Users.

The City's legal authority to implement and enforce this Pretreatment Program is located in the City Codes, Chapter 98-Utilities, Article V-Industrial Pretreatment ("Article V"). Article V provides authority to prevent process inhibition, adverse pass-through, and sludge contamination. Sludge is disposed of in a permitted landfill in compliance with regulations at 40 C.F.R. Part 503.

II. PROGRAM OBJECTIVES

A POTW is a sewage collection system and wastewater treatment plant owned and operated by a state or municipality. POTWs may receive wastewater from various sources including domestic users, commercial users and industrial users. The purpose of the Siloam Springs Industrial Pretreatment Program is to protect the Siloam Springs POTW and the environment from adverse effects from discharges of pollutants into the POTW and to limit the levels of pollutants discharged into the POTW so that the requirements of the City's NPDES permit are met. The program will also improve opportunities to recycle and reclaim municipal and industrial wastewaters and sludges.

III. SUBMISSION REQUIREMENTS

In accordance with 40 C.F.R. § 403.9, the City of Siloam Springs submits this Industrial Pretreatment Program for approval.

A. STATEMENT FROM CITY ATTORNEY (40 C.F.R. § 403.9(b)(1))

I am attorney for the City of Siloam Springs, Arkansas. In my capacity as City Attorney, I am making this statement as part of the City's submission of its Industrial Pretreatment Program for approval pursuant to the terms of the City's National Pollutant Discharge Elimination System permit and requirements of federal and state laws and regulations.

The City has authority adequate to carry out the programs described and required in 40 C.F.R. § 403.8. The legal authority that provides the basis for each procedure under 40 C.F.R. § 403.8(f)(2) are the City Codes, Chapter 98-Utilities, Article V-Industrial Pretreatment (updated from time to time by Ordinance 1084; et al.). Specifically, the following provisions of Article V provide the basis for the corresponding procedures under 40 C.F.R. § 403.8(f)(2):

Ordinance Provision(s)	§ 403.8(f)(2) Procedures
2.1 and 7.1	403.8(f)(2)(i)
4.1	403.8(f)(2)(ii)
2.1	403.8(f)(2)(iii)
6	403.8(f)(2)(iv)
2.7 and 7	403.8(f)(2)(v)
7	403.8(f)(2)(vi)
7	403.8(f)(2)(vii)

Specific pretreatment program requirements in 40 C.F.R. § 403.8 will be imposed and noncompliance will be addressed through requirements in Article V, and permits issued certain industrial users. The City has enacted a fats, oil, and grease ordinance (Ordinance No. 11-17). Although Ordinance No. 11-17 is not a required pretreatment program component, Ordinance 11-17 compliments Article V and, therefore, information regarding Ordinance No. 11-17 may be included in this summary document. Compliance with Categorical Pretreatment Standards and Pretreatment Standards and Requirements will be ensured through enforcement measures authorized by Article V and implemented with guidance from the City's Enforcement Response Plan.

A copy of Article V, a sample wastewater discharge permit, the City's Enforcement Response Plan, and Ordinance 11-17 are attached to this Industrial Pretreatment Program as Exhibits B, C, D, and E, respectively.

City Attorney

B. STATEMENT OF ENDORSEMENT AND APPROVAL BY THE BOARD OF DIRECTORS OF THE CITY OF SILOAM SPRINGS
(40 C.F.R. § 403.9(b)(2))

We the undersigned Board of Directors of the City of Siloam Springs, Arkansas endorse and approve this Industrial Pretreatment Program. We are the governing body responsible for funding this Industrial Pretreatment Program if it is approved by the Approval Authority and we are the governing body responsible for considering and voting on passage of Article V attached to this Industrial Pretreatment Program as Exhibit B.

Kenneth D. Wiles

Ken Krafft

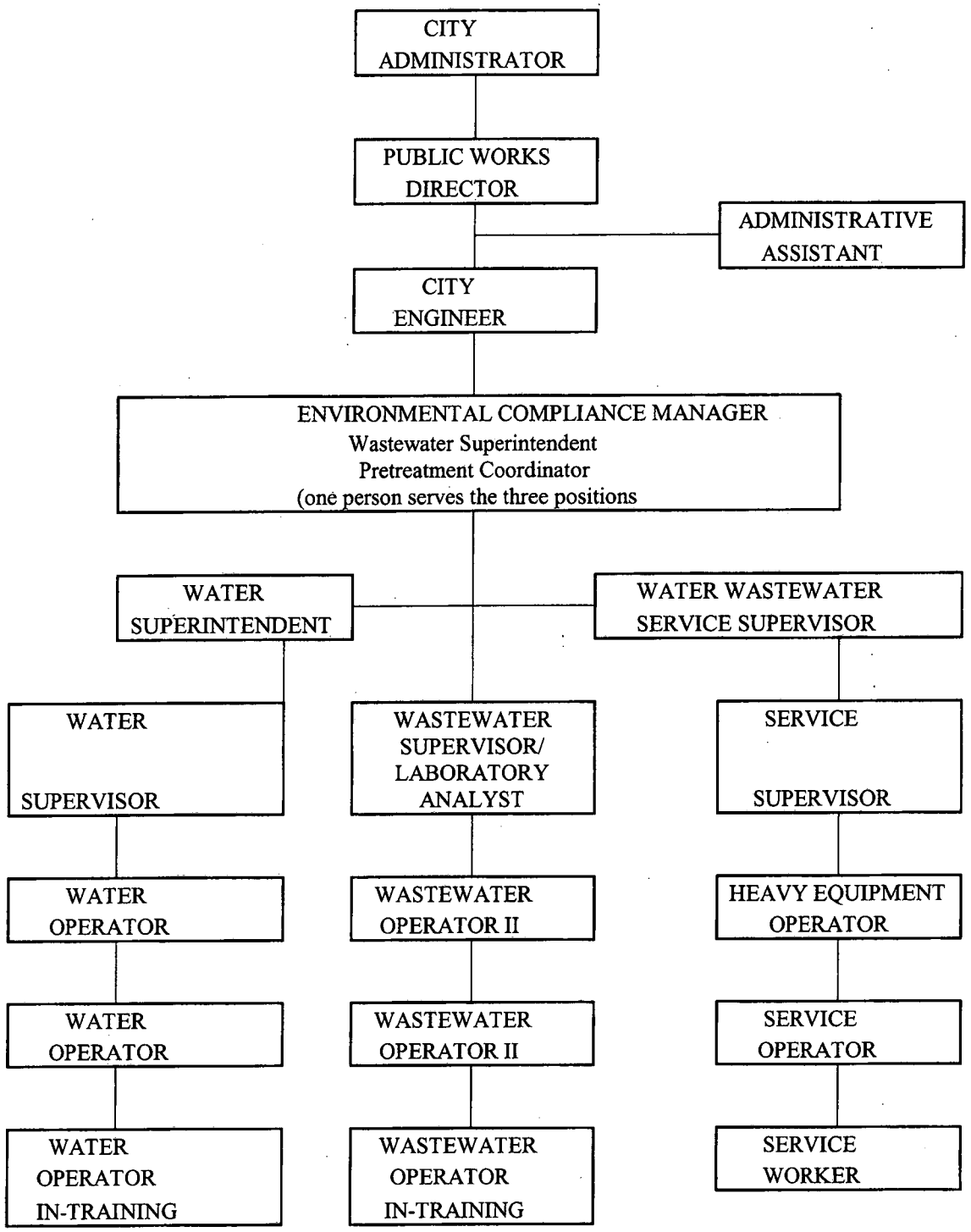
Mayor

C. POTW ORGANIZATION (40 C.F.R. § 403.9(b)(3))

1. Organizational Structure and Chain of Command

The City Board of Directors has, under Article V, authorized the City Administrator to administer this Industrial Pretreatment Program. The City Administrator directly supervises the Public Works Director with advice and counsel from the City Administration Department and the City Attorney. The Public Works Director directly supervises the Environmental Compliance Manager/Wastewater Superintendent/ Pretreatment Coordinator who in turn, supervises the Wastewater Supervisor and Wastewater Operator(s). The Environmental Compliance Manager also is responsible for working with any contract laboratory engaged by the City. The following Industrial Pretreatment Organization Chart depicts the relative positions and responsibilities of individuals in the above-described positions. In addition, the Organizational Chart depicts the chain of command for implementation of this Industrial Pretreatment Program.

INDUSTRIAL PRETREATMENT ORGANIZATION CHART



2. Personnel Requirements

CITY ADMINISTRATOR

GENERAL DESCRIPTION OF RESPONSIBILITIES: Chief executive officer for the City of Siloam Springs. Is responsible to the Mayor and the seven member City Board of Directors for the proper and efficient operations of all departments of City government.

DUTIES: As prescribed by Section 19-811, Arkansas Statutes Annotated and as further presented by the City Board of Directors.

Supervise and control all administrative departments, agencies, offices and employees of the City.

Administer and recommend revisions to employment policies and procedures.

Represent the Board of Directors in the enforcement of all obligations in favor of the City.

Inquire into the conduct of any municipal office, department or agency of the City.

Contact for and purchase supplies, material and equipment.

Approve for payment or disapprove bills, debts or liabilities of the City.

Transfer to or from any office department or agency of the City, any materials, equipment, supplies, or personnel.

Prepare the municipal budget annually and be responsible for its administration after adoption.

Has all powers, except those involving the exercise of sovereign authority, which under statutes applicable to municipalities under the aldermanic form of government, or under ordinances and resolutions of the City in effect at the time of its reorganization into the City Administrator form of government, may be vested in the Mayor.

CITY ATTORNEY

GENERAL DESCRIPTION OF RESPONSIBILITIES: Is responsible to the City Administrator to provide legal advice and guidance to all departments of the City.

DUTIES:

Provides legal advice and guidance to City Departments.

Provides legal advice and guidance to City Administrator and Managers and Supervisors regarding compliance with employment laws and policies.

Acts as City Prosecutor for local municipal court cases.

Acts as City Defense Counsel in all litigation brought against the City.

Acts as plaintiff's attorney in all suits brought against others by the City.

Files petitions for writs of mandamus, injunctive relief and other legal matters in courts of appropriate jurisdiction to enforce City ordinances.

PUBLIC WORKS DIRECTOR

GENERAL PURPOSE

Performs complex supervisory, administrative and professional work in planning, organizing, directing, and supervising the Water and Wastewater Departments, including environmental, water, sewer, and other water works projects and programs.

SUPERVISION RECEIVED

Works under the broad policy guidance and direction of the City Administrator.

SUPERVISION EXERCISED

Exercises supervision over the Environmental Compliance Manager/Wastewater Superintendent/ Pretreatment Coordinator and ultimately, supervision over all personnel in the Water and Wastewater Departments.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Directly supervises Environmental Compliance Manager/Wastewater Superintendent/Pretreatment Coordinator.

Works according to regular schedule and additional hours as required/assigned. Regular attendance is essential.

Determines work procedures, prepares work schedules, and expedites workflow.

Issues written and oral instructions.

Assigns duties and examines work for exactness, neatness, and conformance to policies and procedures.

Studies and standardizes Department policies and procedures to improve efficiency and effectiveness of operations.

Maintains harmony among workers and resolves grievances.

Prepares composite reports from individual reports of subordinates.

Adjusts errors and complaints.

Prepares and documents budget requests; administers adopted budget in assigned area of responsibility.

Plans, organizes, coordinates, supervises and evaluates programs, plans, services, staffing, equipment and infrastructure of the water, wastewater treatment plants and industrial pretreatment.

Evaluates needs and formulates short and long term plans to meet needs in all areas of water treatment, wastewater treatment, and industrial pretreatment.

Directs the development or update of the Comprehensive Sewer Plan, Comprehensive Water Plan, and other plans involving the municipal water and wastewater plans.

Determines applicable codes, regulations, and requirements for industrial pretreatment.

Directs the preparation of engineering plans and specifications, bidding, competency of contractors and vendors, and the selection criteria for public contracts.

Oversees project management for the construction of the water treatment and wastewater treatment plants. Oversees assigned projects to ensure contract compliance with time and budget parameters for the project.

Coordinates the preparation of reviews and updates the sanitary sewer, water system maps, data base, and comprehensive plans.

Responds to public or other inquiries relative to department policies and procedures. Evaluates issues and options regarding municipal water works and makes recommendations.

Maintains regular contact with consulting engineers, construction project engineers, City, County, State and Federal agencies, professional and technical groups and the general public regarding Departmental activities and services, in areas of Director's responsibility.

Monitors inter-governmental actions affecting water or wastewater works.

Assists in the training of city personnel in water treatment and wastewater treatment systems and techniques.

ENVIRONMENTAL COMPLIANCE MANAGER/WASTEWATER SUPERINTENDENT/PRETREATMENT COORDINATOR

(One person serves the three positions)

SUPERVISION RECEIVED

Works under the general supervision of the Public Works Director.

SUPERVISION EXERCISED

The Environmental Compliance Manager also is the Wastewater Supervisor, and the Water Wastewater Service Supervisor. Responsibilities of the Environmental Compliance Manager are described below in the descriptions of the Wastewater Superintendent and the Pretreatment Coordinator.

WASTEWATER SUPERINTENDENT

GENERAL PURPOSE

Performs a variety of skilled, technical, supervisory, and administrative work in the planning, construction, operation, repair, maintenance, and replacement of municipal wastewater treatment systems.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Operates and maintains the wastewater collection system, treatment plant(s), and lift stations to control flow and processing of wastewater, sludge, and effluent in order to meet NPDES or other local, State, or Federal regulations.

Plans, schedules, and implements construction, maintenance, and operation activities designed to provide quality wastewater treatment service for the City; oversees construction and maintenance work to determine acceptability and conformance to standards.

Supervises the installation, maintenance, and repair of electrical systems for the wastewater treatment system.

Oversees the analysis of wastewater, sludge, and effluent samples to provide data for the efficient operation of wastewater treatment plants.

Trains, supervises, and disciplines employees performing the duties of maintenance, construction, and repair of wastewater treatment facilities.

Supervises the control and use of, and assumes responsibilities for, all materials, supplies and equipment used in the maintenance, construction, and repair of wastewater treatment systems and other department facilities.

Inspects and supervises the repair of water quality equipment, wastewater collection systems, pumping stations, meters, and treatment plant systems at frequent intervals to insure that all aspects of the system are functioning properly.

Requisitions needed supplies for the department and maintains a variety of records relating to personnel, equipment, supplies, water consumption, and reports.

Advises Public Works Director, Attorney, and other City officials in matters relating to department activities; provides information to various civic, educational, and public groups and individuals regarding wastewater collection and treatment problems and services.

Supervises, instructs, and assists assigned crews in wastewater treatment activities.

Insures that all necessary materials, supplies, and equipment are available by maintaining an inventory of parts and materials and obtaining necessary parts, tools, and supplies from the store room.

Responds to complaints regarding wastewater system failures, leaks, or other problems; evaluates situation, determines if liability lies with the City or the property owner; explains findings to property owners; and notifies appropriate crew if necessary.

Contacts residents and business owners in area where services will be discontinued and explains when services will be shut off and how soon services will be restored.

Insures the proper maintenance of equipment and tools by supervising and participating in cleaning and checking equipment and tools after use.

Oversees the safety of assigned maintenance workers by instructing individuals in proper safety procedures and monitoring work in progress.

Assists in motivating and evaluating personnel by acting as a liaison between crew members and other City supervisors.

Inspects and assists in the control and use of supplies and equipment used in the maintenance, construction, and repair of wastewater treatment systems and other department facilities to insure that all equipment is in proper working order.

Analyzes annual operating costs and makes recommendations for department budget.

Provides recommendations regarding heavy equipment purchases and requisitions all supplies and materials needed for effective department operation.

Assists in the design and installation of new wastewater treatment lines, pumps, plants, or related and facilities.

Participates in short- and long-term planning of capital improvement projects.

Monitors pretreatment users to assure compliance with discharge requirements.

Enforces rules, regulations, policies, and procedures relating to the operation of the wastewater utility system.

Coordinates with other utilities for locations of utility systems.

PERIPHERAL DUTIES

Operates a variety of power construction and maintenance equipment used in the department.

Serves on various employee or other committees as assigned.

PRETREATMENT COORDINATOR

GENERAL PURPOSE

Performs a variety of skilled, technical, and administrative work in the planning, construction, operation, maintenance, and implementation of the City's Industrial Pretreatment Program.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Inspects and evaluates industrial and commercial facilities to ensure compliance with Local, State and Federal regulations which concern wastewater discharges.

Responsible for the assessment and resolution of wastewater discharge violations such as illegal discharges and exceeding allowable limits discharges of the ordinance or permit.

Implements the Enforcement Response Plan of the Pretreatment Program which involves conducting informal and formal investigations.

Issues and administers Notices of Violation and assists the City Attorney in the preparation of documentation and evidence as needed in Civil Litigation, arranges for Show Cause Hearing and responds directly either in person, by telephone or written correspondence to wastewater discharge violations.

Represents the City at meetings and seminars with industrial and commercial customers or community action groups which address issues pertaining to high strength wastewater discharges.

Participates in the dissemination of information and education affecting the Industrial Pretreatment Program.

Issues and enforces Wastewater Discharge Permits and Liquid Waste Hauling Permits for regulation of the transport and disposal of septic tank, grease trap and portable toilet wastes.

Provides the public utilities department with billing data for customers who discharge high strength wastewater and who pay a surcharge fee.

Responsible for knowing the Federal, State, and Local regulations that effect the Industrial Pretreatment Program.

Analyzes annual operating costs and makes recommendations for department budget.

Participates in short and long-term planning of capital improvement projects.

Provides written reports for the Public Works Director as required.

PERIPHERAL DUTIES

Serves on various employee or other committees as assigned.

WASTEWATER SUPERVISOR/LABORATORY ANALYST

SUPERVISION RECEIVED

Works under the general supervision of the Environmental Compliance Manager.

SUPERVISION EXERCISED

None generally. May serve as a lead worker over lower level plant operators or maintenance workers.

WASTEWATER SUPERVISOR

GENERAL PURPOSE

Performs a variety of semi-skilled and skilled, technical and maintenance work in the operation, repair, and maintenance of municipal wastewater treatment facilities and systems.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Monitors the performance of all equipment, gauges, and charts in the treatment plant and pump stations; records statistical data concerning plant operations; maintains, operates, repairs, and replaces equipment as necessary; charts lab test results for trend analysis and maintains accurate records of analyses and test results; evaluates data and writes reports as required.

Operates, maintains, and repairs malfunctions at the wastewater treatment plant; repairs gauges, pumps, filters, and other controls and equipment.

Collects samples and identifies concentrations of chemical, physical, or biological characteristics of wastewater required in accordance with local, State, and Federal requirements; gathers and tests wastewater samples for plant efficiency reports as required.

Performs quality control tests on lab equipment and lab analyses; evaluates procedures and results for accuracy and determines appropriate methods.

Assures that plant operates within required standards.

Trains and maintains lesser skilled operators in acceptable lab methods and procedures to assure accuracy of test results.

Contains and disposes of hazardous wastes generated by the lab.

Calibrates, modifies, and repairs instrumentation and control equipment including recorders, flow meters, and other water quality monitoring equipment.

Operates and maintains wastewater pumps and valves to control and adjust flow and treatment process.

PERIPHERAL DUTIES

Ability to substitute for the Environmental Compliance Coordinator should the need arise.

Maintains the drawings and schematics of electric and other systems in the treatment plant.

Monitors performance of electrical systems, circuits, and equipment systems in the treatment plant.

Serves on various employee or other committees as assigned.

LABORATORY ANALYST

GENERAL PURPOSE

Performs sampling and laboratory analysis of samples from the wastewater treatment plant and industries.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Performs chemical and biological analyses of municipal wastes, industrial effluents, treatment plant processes, and the receiving stream. Performs bacteriological analyses of wastewater treatment facility effluent.

Collects samples at the wastewater treatment plant and industries as required or scheduled. Conducts field analyses for selected parameters as directed. Maintains records of samples collected and chain-of-custody records.

Follows EPA approved methodology to satisfy operational and regulatory permit requirements.

Maintains a quality control program to assure precision, accuracy, and correctness of analyses using a system of internal and external checks and controls.

Performs necessary calculations to determine analysis results. Maintains an adequate recordkeeping system.

Follows Federal and State guidelines and provides required permit information. Makes procedural modifications as necessary.

Performs instrument calibrations and chemical standardizations as required.

Prepares chemical solutions and reagents necessary to perform laboratory analysis.

Cleans the laboratory, equipment and glassware to maintain a neat and orderly working area and to assure quality performance and longevity of equipment.

Performs other duties as assigned.

PERIPHERAL DUTIES

Attends meetings, classes and seminars to satisfy training and licensing requirements.

Serves on various employee or other committees as assigned.

D. FUNDING (40 C.F.R. § 403.9(b)(4))

The City has sufficient resources and qualified personnel to carry out the authorities and procedures described in this Industrial Pretreatment Program. Funding for the Industrial Pretreatment Program is from sewer general sales collected from all domestic users and Industrial Users of the City's sewer system. Each year the City allocates all of those revenues to the Program, as well as income from fees and penalties imposed upon Users through Article V, to operation of the Program. The City Administrator prepares an estimate of Industrial Pretreatment Program implementation costs each year with approval by the City Board of Directors as part of the City's fiscal planning.

IV. ABBREVIATIONS AND DEFINITIONS

A. Abbreviations

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

- ADEQ – Arkansas Department of Environmental Quality
- BOD – Biochemical Oxygen Demand
- BMR – Baseline Monitoring Report
- CFR – Code of Federal Regulations
- CIU – Categorical Industrial User
- COD – Chemical Oxygen Demand
- EPA – U.S. Environmental Protection Agency

FOG – Fats, Oils, and Grease

- gpd – gallons per day
- mg/l – milligrams per liter
- NPDES – National Pollutant Discharge Elimination System
- POTW – Publicly Owned Treatment Works
- RCRA – Resource Conservation and Recovery Act
- SDWA – Safe Drinking Water Act
- SNC – Significant Noncompliance

- SWDA – Solid Waste Disposal Act
- SIC – Standard Industrial Classification
- TSS – Total Suspended Solids
- TTO – Total Toxic Organics
- U.S.C. – United States Code

B. Definitions

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

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

B. Approval Authority. Arkansas Department of Environmental Quality (ADEQ).

C. Authorized Representative of the User.

(1) If the user is a corporation:

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

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

(2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the

discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

D. Best Management Practices or BMPs. Schedules of activities, prohibitions or practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.3 of Article V. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

E. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20_ centigrade, usually expressed as a concentration (e.g., mg/1).

F. Categorical Industrial User or CIU. An Industrial User subject to a categorical Pretreatment Standard or Categorical Standard.

G. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

H. City. The City of Siloam Springs or the Board of Directors for the City of Siloam Springs.

I. City Administrator. The person designated by the City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance, or a duly authorized representative.

J. Composite Sample. A sample which is taken proportional to flow in accordance with procedures set forth at 40 C.F.R. part 403 Appendix E, and by the City.

K. Control Authority. The City.

L. Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

M. Existing Source. Any source of discharge that is not a new source.

N. FOG. Fats, oil and grease.

O. Grab Sample. A sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

P. Hauled Wastewater. Wastewater that is contributed to the POTW after being transported from its source to the point where it is discharged to the City sewer or POTW.

Q. Hauled Wastewater Discharge Authorization. A written authorization that the City may issue to authorize a person to discharge Hauled Wastewater. Such authorization shall require compliance with all applicable pretreatment standards and limitations.

R. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.

S. Industrial User or User. A source of Indirect Discharge.

T. Instantaneous Maximum Allowable Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

U. Interceptor. A large grease removal device typically sized to treat all grease laden water from a restaurant or facility (usually 1000-2000 gal. tank); typically located outside the facility in a side yard, green space or parking area. Grease interceptor maintenance is usually performed by permitted haulers or recyclers and consists of removing the entire volume (liquids and solids) from the interceptor and properly disposing of the material in accordance with applicable Federal, State, and local laws.

V. Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the City's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

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

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

Y. New Source.

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

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

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

(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(a) Begun, or caused to begin, as part of a continuous onsite construction program;

(i) any placement, assembly, or installation of facilities or equipment; or

(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Z. Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

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

BB. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or

their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

CC. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

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

EE. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

FF. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

GG. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

HH. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 98-503 of Article V.

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

JJ. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

KK. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

LL. Significant Industrial User.

(1) A user subject to categorical pretreatment standards; or

(2) A user that:

(a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);

(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(c) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

(3) Upon a finding that a user meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

MM. Slug Load or Slug. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 2.3 of Article V.

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

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

PP. Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

QQ. Trap. A small grease removal device typically sized to treat an individual sink or dishwasher connection (usually 25-50 gal. tank); typically located within the establishment in close proximity to a sink or dishwasher. Grease trap maintenance is typically performed by maintenance staff or other employees of the establishment.

RR. User or Industrial User. A source of indirect discharge.

SS. Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of Arkansas or any portion thereof.

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

UU. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

V. LEGAL AUTHORITY

The legal authority for the City's administration of its Industrial Pretreatment Program is provided by Article V which is attached as Exhibit B. The Ordinance addresses and makes all requirements required by 40 C.F.R. § 403.8(f)(1), (2), (4), (5) and (6). The funding requirements of section 403.8(f)(3) are met through this Industrial Pretreatment Program document. This Industrial Pretreatment Program incorporates all of Article V. The following sections explain in more detail how the Ordinance requirements will be achieved.

A. Control Contributions of Pollutants From Industrial Users (40 C.F.R. § 403.8(f)(1)(i))

The City has the legal authority to deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by Users where such contributions do not meet applicable Categorical Pretreatment Standards or Pretreatment Standards and Requirements or where such contributions would cause the POTW to violate its NPDES permit. Ordinance §§ 2, 3, 4, 5, 6, 11, 12. Through User inventories, inspection and compliance sampling, evaluation of User self-monitoring, and other available information the City evaluates the contributions of Users and identifies instances in which this authority should be invoked. Section VII of this Industrial Pretreatment Program describes how the City will identify and locate all possible Industrial Users that might be subject to this Program.

B. Require Compliance with Pretreatment Standards and Requirements (40 C.F.R. § 403.8(f)(1)(ii))

The City has the legal authority to require compliance with applicable Categorical Pretreatment Standards and Pretreatment Standards and Requirements by Industrial Users, and to require compliance with BMPs as the City Administrator may develop. Ordinance §§ 2, 3,4, 5, 6, 11, 12. Article V imposes Categorical Pretreatment Standards and Pretreatment Standards and Requirements on Users and these requirements are implemented through the Ordinance or through permits issued under the Ordinance. Through compliance monitoring and evaluation of User self-monitoring the City will identify non-compliance and use options presented in Article V and the Enforcement Response Plan to address non-compliance.

C. Issue Industrial User Permits (40 C.F.R. § 403.8(f)(1)(iii)(B)(1)-(6))

The City has the legal authority to control, through wastewater discharge permits, the contribution to the POTW by each Industrial User to ensure compliance with applicable Categorical Pretreatment Standards and Pretreatment Standards and Requirements, including BMPs. These permits are enforceable and contain the five conditions listed in 40 C.F.R. § 403.8(f)(1)(iii)(B)(1)-(6). Ordinance §§ 4, 5. The City's form of Wastewater Discharge Permit is attached as Exhibit C. The Environmental Compliance Manager has the authority to require permitting of any third party service provider who performs trap maintenance, but is not in the employment f a food service establishment, to obtain a Grease Trap Pumping Permit from the

Sewage Works. The requirements for such permits shall be in accordance with Ordinance No. 11-17.

D. Require Development of Compliance Schedule (40 C.F.R. § 403.8(f)(1)(iv)(A))

The City has the legal authority to require the development of a compliance schedule by each Industrial User for the installation of technology required to meet applicable Pretreatment Standards and Requirements. The schedule of compliance will contain the increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment technology. Ordinance §§ 6, 11.

E. Require Submission of Notices and Self-Monitoring Reports (40 C.F.R. § 403.8(f)(1)(iv)(B))

The City has the legal authority to require the submission of all notices and self-monitoring reports from Industrial Users as are necessary to assess and assure compliance with Categorical Pretreatment Standards and Pretreatment Standards and Requirements and BMPs, including those listed in 40 C.F.R. § 403.12. Ordinance § 6. The reporting requirements in the Ordinance impose upon the Users specified there one or more of the following duties:

(1) duty to submit baseline monitoring reports on the form provided in Appendix E;

(2) duty to submit compliance schedule progress reports;

(3) duty to submit reports on compliance with deadlines for meeting Categorical Pretreatment Standards;

(4) duty to submit periodic compliance reports, including documentation in cases where the Pretreatment Standard requires compliance with a BMP or pollution prevention;

(5) duty to submit reports of changed conditions;

(6) duty to submit reports of potential problems;

(7) duty to immediately notify of a potential slug discharge;

(8) duty to submit appropriate reports upon request;

(9) duty to notify of a violation; and

(10) duty to notify of the discharge of hazardous waste into the POTW

The above reporting is to be made to the City Administrator. The City Administrator in consultation with the Environmental Compliance Manager, legal counsel and the City Board of Directors determines whether any action is needed in response to any report and, if action is

needed, proceeds in accordance with the authorities in the Ordinance and implementation guidance in the City's Enforcement Response Plan.

F. Carry Out Inspection, Surveillance and Monitoring Procedures (40 C.F.R. § 403.8(f)(1)(v))

The City Administrator has the legal authority to carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Categorical Pretreatment Standards and Pretreatment Standards and Requirements by Industrial Users. Representatives of the POTW are authorized to enter any premises of any Industrial User in which a discharge source or treatment system is located or in which records are required to be kept under 40 C.F.R. § 403.12(m) to assure compliance with Categorical Pretreatment Standards and Pretreatment Standards and Requirements. Ordinance § 7.

G. Obtain Remedies for Noncompliance (40 C.F.R. § 403.8(f)(l)(vi)(A)-(B))

The City Administrator has the legal authority to obtain both judicial and administrative remedies for noncompliance by any Industrial User with any Categorical Pretreatment Standard, Pretreatment Standard or Requirement. Ordinance §§ 11, 12.

H. Confidentiality Procedures (40 C.F.R. § 403.8(f)(1)(vii))

The City has the legal authority to comply with the confidentiality requirements set forth in 40 C.F.R. § 403.14. Ordinance § 8.

VI. LOCAL DISCHARGE LIMITS

In accordance with 40 C.F.R. § 403.8(f)(4) and 403.5(c)(1), the City has developed Technically-Based Local Limits (TBLLs) to protect against pass through and interference. Pursuant to Section 2.6 of Article V, local limits are established by the City Administrator as required by the POTW NPDES permit, which the Administrator may amend or revise as it continues to develop the local limits. At the discretion of the City Administrator, mass limitations may be imposed in addition to or in place of concentration- based TBLLs. The City Administrator may also develop BMPs in individual wastewater discharge permits to implement specific pollutant limitations, which shall be considered Local Limits and Pretreatment Standards. The City Administrator will provide notice as specified in Section 2.6 of Article V.

VII. INDUSTRIAL USER SURVEY (40 C.F.R. § 403.8(f)(2)(i))

The City maintains a Master Users List to identify Industrial Users of the POTW, the nature of discharges from the Users, and in the case of CIUs to identify the applicable Categorical Pretreatment Standards. The Master Users List is updated each year as the City prepares its annual pretreatment report. The City uses a wide variety of information and sources to identify through each year new users and changes in the status of existing uses of the POTW. Where necessary, the City uses its right of entry in Section 7 of Article V. The Master Users List is attached as Exhibit G.

To identify new Users the City uses building permits information, new utilities connections information, Chamber of Commerce information, and knowledge of City leaders. When a new business is identified that is likely to have industrial wastewater discharges there is contact by the City. During this initial contact the City inquires about wastewater discharges. If necessary, the City requests that the business complete an Industrial Waste Discharge Questionnaire. The City's form of Industrial Waste Discharge Questionnaire is attached as Exhibit H. The Pretreatment Coordinator reviews the completed questionnaire and determines whether the new business is an Industrial User. If the new business is an Industrial User the City provides the business with a copy of the City's Industrial Pretreatment Program and Article V. If the business is a Significant Industrial User the City provides the Industrial Pretreatment Program and informs the business of its responsibility to obtain a wastewater discharge permit.

To identify changes in operations of existing businesses the city relies upon similar sources of information, monitoring and reporting required under Article V and wastewater discharge permits, and City inspections where required. If an existing business changes its wastewater discharges such that new or additional requirements apply to the discharge, the City requests a permit application, permit modification request, or other appropriate information needed to properly implement the City's Industrial Pretreatment Program.

VIII. CONTROL MECHANISMS

The City has the legal authority, resources, and procedures necessary to implement control mechanisms including but not limited to:

A. Identification of the Character and Volume of Pollutants (40 C.F.R. § 403.8(f)(2)(ii))

The City uses questionnaires, Industrial Waste Discharge Questionnaires, Baseline Monitoring Reports, self-monitoring, compliance monitoring, and other available information to identify the character and volume of pollutants contributed to the City's POTW by Industrial Users. Ordinance § 4, 6, 7. Article V provides legal authority for the City Administrator to require preparation and submittal of information and reports by Users, and gives the City inspection and entry authority. The Pretreatment Coordinator evaluates all information gathered and submitted in order to determine the loading contributed to the POTW. The City develops additional loading and contribution information through headworks analyses and other exercises. The development of TBLLs includes a comprehensive evaluation of Industrial User contributions.

B. Notification to Industrial Users of Status and Standards (40 C.F.R. § 403.8(f)(2)(iii))

As part of the follow up to updating the Master User List or identifying new Industrial Users the City Administrator or an authorized representative notifies new Industrial Users of their status and existing Industrial Users of any change in status. Industrial Users are given a copy of the Industrial Pretreatment Program. If the Industrial User is a Significant Industrial User, the User is informed of its duty to obtain a discharge permit.

The Environmental Compliance Manager shall give written notice to any person found to be violating the FOG Ordinance No. 11-17 and provide a reasonable time limit for the satisfactory correction thereof. The Environmental Compliance Manager may also provide oral or written notice to any person of any condition not necessarily amounting to a violation, that may represent a compromise of any requirement or prohibition in the FOG Ordinance.

C. POTW Control Over Contributions of Pollutants From Industrial Users (40 C.F.R. § 403.8(f)(1)(v))

The POTW's control over contributions of pollutants from Industrial Users includes but is not limited to: general prohibitions, specific prohibitions, the right to establish more stringent standards or requirements on discharges to the POTW, prohibition of discharge dilution by Industrial Users unless expressly authorized, issuance of permits containing discharge limits as well as various operational and administrative conditions, slug control plans, protection from and notification of accidental discharge, and sanctions for violations of Article V or permit requirements or conditions. The City can revoke, modify and reissue permits and can terminate discharges to the POTW. Ordinance §§ 2, 3, 4, 5.

D. Industrial User Permits (40 C.F.R. § 403.8(f)(1)(iii)(A)-(E))

Article V prohibits a Significant Industrial User from discharging to the POTW without a wastewater discharge permit. In addition, the ordinance gives the City Administrator authority to require other Industrial Users to obtain a wastewater discharge permit if a permit is necessary to carry out the purposes of the ordinance. The permits are enforceable and must contain the five conditions listed in 40 C.F.R. § 403.8(f)(l)(iii)(B)(1)-(6)). The City may modify, revoke and reissue permits, Article V §§ 4, 5. Sampling and analysis for purposes of a violation of a wastewater permit shall occur in accordance with § § 6.8, 6.11 of Article V.

The City's form of Wastewater Discharge Permit is attached as Exhibit C.

E. Slug Discharge Control Plans (40 C.F.R. § 403.8(f)(2)(vi))

The City will evaluate whether each Significant Industrial User needs a plan to control slug discharges. This evaluation is performed by the Pretreatment Coordinator as part of compiling all monitoring data for each Significant Industrial User. Monitoring data is compared to permit limits and local limits and the Pretreatment Coordinator identifies whether trends or episodes depicted in the monitoring data indicate a need to control slug discharges. Each year as the Pretreatment Coordinator prepares data for the City's annual pretreatment report, the need for a Significant Industrial User to develop a slug control plan may be ascertained through that data gathering and preparation. If the City decides that a slug control plan is needed for a Significant Industrial User, the plan shall contain the following elements:

(1) A description of discharge practices, including nonroutine batch discharges;
(2) A description of stored chemicals;
(3) Procedures for immediately notifying the POTW, as required in Ordinance Section 6.6, of slug discharges, including any discharge which would violate a prohibition of 40 C.F.R. § 403.5(b); and
(4) Procedures to prevent adverse impact from accidental or slug discharges.

Ordinance §§ 3.2, 6.6.

F. Required Compliance with Pretreatment Standards and Requirements (40 C.F.R. 403.8(f)(1)(ii))

Users must provide wastewater treatment necessary to achieve compliance with all Categorical Pretreatment Standards, Pretreatment Standards, Requirements, Local Limits, BMPs, and other requirements of the Ordinance. The Ordinance incorporates and Users are required to comply with national Categorical Pretreatment Standards and state standards where the state standards are more stringent than the national standards. Facilities must achieve compliance with all pretreatment standards and requirements. Compliance schedules and compliance schedule progress reports are required for certain users. Reports on compliance with the categorical pretreatment standard deadline are required. Administrative and judicial remedies ensure compliance. Ordinance §§ 2, 3, 6, 11, 12.

G. Compliance Schedule for Technology Installation (40 C.F.R. § 403.8(f)(1)(iv)(A)

The City requires Industrial Users which need additional pretreatment or operation and maintenance (O&M) to develop a compliance schedule for the installation of technology necessary to meet applicable Pretreatment Standards and Requirements. Compliance dates cannot be later than the dates set forth for the Pretreatment Standard or Requirement. Ordinance §§ 6.1, 6.2.

H. Reports of Changed Conditions

Each User must notify the City of any planned significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least 60 days before the change. Ordinance § 6.5, The City will evaluate notices and determine whether a wastewater discharge permit or a modification to an existing permit is required.

I. Reports of Potential Problems

The City requires Users to follow certain reporting procedures in the case of any discharges that may cause potential problems for the POTW. Such procedures include but are not limited to immediate telephone notification to the City of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User. The City may require that the User submit a detailed written report describing the causes of the discharge and the measures to be taken by the User to prevent similar future occurrences. SIUs are required to notify the City Administrator if any changes occur that affect the potential for a slug discharge. The City may require the implementation of a slug control plan. Ordinance § 6.6

J. Record Keeping

The City requires Users subject to the reporting requirements of the Ordinance to maintain records for a period of three years and make those records available for inspection and

copying in accordance with Ordinance § 6.13. The FOG Ordinance 11-17 also imposes reporting requirements by all persons maintaining an Interceptor or a Trap. All persons operating such shall maintain a written record of grease Trap or Interceptor maintenance for three years. All such records shall be available for inspection by the Environmental Compliance Manager at all times. § 98-212 (5), Ordinance 11-17.

K. Additional Requirements Applicable to Users Subject to Categorical Pretreatment Standards

Industrial Users subject to Categorical Pretreatment Standards are subject to control mechanisms in addition to those set out above. These include:

(1) Baseline Monitoring Report (BMR). Ordinance § 6.1

(2) Compliance Schedule Progress Reports. Ordinance § 6.2

(3) Report on Compliance with Categorical Pretreatment Standard Deadline. Ordinance § 6.3

(4) Periodic Reports on Continued Compliance. Ordinance § 6.4

(5) Signatory and Certification Requirements. Ordinance § 4.6

L. Notification of Discharge of Hazardous Waste

Any User who commences the discharge of hazardous waste is required to notify the City Administrator as well as the EPA Regional Waste Management Director and State hazardous waste authorities in writing in accordance with Section 6.9 of the Ordinance and other applicable law and regulations.

M. Current Regulatory Requirements

The City Environmental Compliance Manager and legal counsel keep abreast of changes in regulatory requirements governing pretreatment program requirements and implementation. In addition, the City Administrator receives notice of many such changes from the Control Authority.

IX. COMPLIANCE MONITORING

The City has the legal authority, resources and procedures necessary to implement compliance monitoring mechanisms including but not limited to:

A. Notices and Self-Monitoring Reports (40 C.F.R. § 403.8(f)(1)(iv)(B)

The City requires Industrial Users to submit all notices and self-monitoring reports as are necessary to assess and assure compliance by Industrial Users with Categorical Pretreatment Standards, Pretreatment Standards and Requirements, including those listed in 40 C.F.R. § 403.12. This self-monitoring includes but is not limited to permitted Industrial User

analysis of wastewaters at least four times per year, and the submission of reports to the City indicating the results of this each calendar quarter. Ordinance § 6.

B. Receipt and Analysis of Self-Monitoring Reports (40 C.F.R. § 403.8(f)(2)(iv)

The City receives and analyzes self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements in this program and in the Ordinance. Ordinance § 6. The City Pretreatment Coordinator records and maintains all monitoring data available for each Industrial User in a log that sets forth the limits as the Industrial Users' discharge so that comparison of the monitoring data to the limits can be easily made. In this fashion non-compliance can be identified and acted upon by the City and trends or changes in the discharge from each Industrial User can be identified and acted upon appropriately. In addition, the City's Enforcement Response Plan has procedures for evaluating compliance monitoring.

C. Inspection, Surveillance and Monitoring Procedures (40 C.F.R. § 403.8(f)(1)(v)

The City conducts inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Categorical Pretreatment Standards, Pretreatment Standards, BMPs, and Requirements by Industrial Users. The City inspects each Significant Industrial User at least once each year. A copy of the inspection guidance checklist used by the City is attached as Exhibit I. The City monitors Industrial User compliance with conditions in wastewater discharge permits, compliance schedules, and City directives and orders by tracking the compliance deadline for each requirement. Where necessary, the City prepares a schedule of deadlines which apply to an Industrial User to use in evaluating whether deadlines have been met by that User. Representatives of the POTW are authorized to enter any premises of any Industrial User in which a discharge source or treatment system is located or in which records are required to be kept under 40 C.F.R. § 403.12(m) to assure compliance with Pretreatment Standards. Ordinance § 7, Enforcement Response Plan §§ I, II.

D. Random Sampling and Analysis

At least once a year, the City takes from each Industrial User a random, unannounced sample. The City conducts random sampling and analysis to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with pretreatment standards. The City can take additional samples in response to public complaints, Industrial User noncompliance, POTW operating problems, or in response to trends in monitoring data. The requirements for sampling frequency and grab samples are defined in Article V.

Sampling and analyses are performed according to applicable EPA guidelines and proper chain of custody procedures are followed to insure that the results of compliance sampling by the City will be admissible as evidence should court proceedings follow a noncompliance event. The compliance monitoring samples taken by the City are analyzed in a licensed laboratory. Analyses are performed in accordance with applicable 40 C.F.R. Part 136

procedures. The analytical information is reviewed by the City on the day it is received from the laboratory. Ordinance §6, 7. Enforcement Response Plan § I, II, III.

E. Chain of custody procedures

The City has chain of custody procedures to insure that the results of compliance sampling by the City will be admissible as evidence should court proceedings follow a noncompliance event. Enforcement Response Plan § III. A sample chain of custody form is in Appendix B to the Enforcement Response Plan.

F. Additional Requirements Applicable to Users Subject to Categorical Pretreatment Standards

In addition to the compliance monitoring procedures set out above, Industrial Users subject to Categorical Pretreatment Standards are also subject to monitoring and analysis to determine continued compliance with the applicable categorical standards. Ordinance § 6.

X. PROCEDURES AND REMEDIES FOR NONCOMPLIANCE

Pursuant to 40 C.F.R. § 403.8(f)(5), the City has developed an Enforcement Response Plan which is attached as Exhibit D. This plan is a guidance document and describes the manner in which the City will evaluate noncompliance in the course of exercising its enforcement discretion. The Plan, however, is not intended and should not be interpreted to limit the City's discretion under the Article.

The municipal codes (Chapter 98; Article V) give the City the power and discretion to enforce all pretreatment standards and requirements in full satisfaction of 40 C.F.R. § 403.8(f)(2)(vi). In selecting an enforcement response action, the magnitude and duration of the violation, the effect of the violation on the receiving water, the effect of the violation on the treatment facilities, the compliance history of the user, and the good faith of the user will all be taken into account.

A. Investigation of Noncompliance

Investigation procedures involve site inspections as well as sampling. Noncompliance by Industrial Users with Categorical Pretreatment Standards, Pretreatment Standards and Requirements, as indicated by the results of monitoring by Industrial Users or the City, is investigated through increased sampling and analysis by the City, as appropriate and as needed, to gather the information necessary to ascertain appropriate enforcement response. The City Administrator determines whether additional investigation for enforcement purposes is necessary for noncompliance with Categorical Pretreatment Standards, Pretreatment Standards and Requirements, compliance schedules, and/or City notices and orders. All proper chain of custody procedures are followed to assure admissibility of the sample results in enforcement proceedings. Ordinance § 7, 11. Enforcement Response Plan § HI.

B. Notification and Follow-up Activities for Noncompliance

The ordinance and the Enforcement Response Plan give the City, or its authorized delegee, authority to take the following actions:

Phone Call or Visit
Notification of Violation ("NOV")
Show Cause Order
Show Cause Hearing
Administrative Fine
Administrative Order (Compliance Order, Cease and Desist Order and Consent Order)
Emergency Suspension
Termination of Wastewater Treatment Service
Revocation of Wastewater Discharge Permit
Injunctive Relief Civil Action
Criminal Action

C. Appeal of Enforcement Response Actions

An Industrial User may appeal any Enforcement Response Action decision of the City Administrator, Environmental Compliance Manager, or other delegee of the Board of Directors by filing a Notice of Appeal with the City Board of Directors within thirty (30) days of the action. In order to appeal an administrative fine, the user must also pay the full amount of the fine within thirty days. If the user prevails in the appeal of an administrative fine, the contested payment shall be returned to the user with interest as provided in Section 11.7 of Article V. The Notice of Appeal shall set forth the basis for the appeal. If an Industrial User does not file a Notice of Appeal within 30 days, any Enforcement Response Action decision shall be final and no appeal to the City shall be heard. Upon receiving a Notice of Appeal, the City shall schedule a time for the Industrial User to present its appeal unless it determines the appeal is groundless or otherwise without merit. The City shall notify the Industrial User of its decision regarding the appeal within 30 days after the Industrial User presents its appeal.

XI. PUBLIC PARTICIPATION

The City, to comply with the public participation requirements of 40 C.F.R. § (403.8(f)(2)(viii)) and 40 C.F.R. part 25 in the enforcement of Categorical Pretreatment Standards will publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the Industrial Users which were in significant noncompliance with applicable pretreatment standards and requirements during the previous twelve months. The term significant noncompliance is defined in Section 9 of the Ordinance.

XII. MULTIJURISDICTIONAL ISSUES

Ordinance Section 5.7 sets out the procedure for regulation of waste received from other jurisdictions.

XIII. CONFIDENTIALITY PROCEDURES

Ordinance Section 8 sets forth the City's procedures for dealing with confidentiality requests from Industrial Users.

EXHIBIT A
to Industrial Pretreatment Program
City of Siloam Springs

The current issued NPDES Permit is maintained in a file by the Environmental Compliance Manager.

EXHIBIT 'A'

NPDES PERMIT NUMBER AR0020273

ODEQ Bypass Hotline
800-256-2365

ADEQ

ARKANSAS
Department of Environmental Quality

September 24, 2007

CERTIFIED MAIL RETURN RECEIPT REQUESTED: (7005 1160 0000 3832 4590)

Trevor Bowman, P. E. Public Works Director
City of Siloam Springs
P. O. Box 80, 400 North Broadway
Siloam Springs, AR 72761

RE: NPDES Permit Number AR0020273

Dear Mr. Bowman:

This letter constitutes notice of the Department's final permit decision and a copy of the final permit is enclosed.

The applicant, and any other person submitting written comments during the comment period, and any other person entitled to do so, may request an adjudicatory hearing and Commission review on whether the decision of the Department should be revised or modified. Such a request shall be in the form and manner required by Department Regulation No. 8.

CERTIFICATE OF SERVICE

I, Scott Waller, hereby certify that a copy of this permit has been mailed by first class mail to Trevor Bowman, P. E. Public Works Director at P. O. Box 80, 400 North Broadway in Siloam Springs, Arkansas 72761 on September 24, 2007.

Scott Waller
Administrative Assistant, NPDES Water Division

Permit Number: AR0020273

AUTHORIZATION TO DISCHARGE WASTEWATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT

In accordance with the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Ann. 8-4-101 et seq.), and the Clean Water Act (33 U.S.C. 1251 et seq.),

City of Siloam Springs
P. O. Box 80
400 North Broadway
Siloam Springs, AR 72761

is authorized to discharge from a facility located as follows: 975 Anderson, at the northwest corner of John Brown University, in Section 36, Township 18 North, Range 34 West in Benton County, Arkansas.

Latitude: 36° 11' 34"; Longitude: 94° 33' 48"

to receiving waters named:

Sager Creek in Segment 3J of the Arkansas River Basin, thence into Flint Creek, thence into the Illinois River.

The outfall is located at the following coordinates:

Outfall 001: Latitude: 36° 11' 39"; Longitude: 94° 33' 53"

Discharge shall be in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, III; and IV hereof.

Issue Date: September 24, 2007

Effective Date: October 1, 2007

Expiration Date: September 30, 2012

Steven L. Drown
Chief, Water Division
Arkansas Department of Environmental Quality

PART I
PERMIT REQUIREMENTS

SECTION A. INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS: OUTFALL 001 - treated municipal wastewater.

During the period beginning on the effective date and lasting until November 30, 2009, the permittee is authorized to discharge from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Discharge Limitations			Monitoring Requirements	
	Mass (lbs/day, unless otherwise specified)	Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Monthly Avg.	7-Day Avg.		
Flow[1]	N/A	Report	Report	once/day	totalizing meter
Carbonaceous Biochemical Oxygen Demand (CBOD5)	550	15	22.5	one/week	24-hr composite
Total Suspended Solids (TSS)	734	20	30	one/week	24-hr composite
Ammonia Nitrogen (NH3-N)					
(April)	59	1.6	3.9	one/week	24-hr composite
(May-Oct)	55	1.5	2.3	one/week	24-hr composite
(Nov-March)	147	4.0	6.0	one/week	24-hr composite
Dissolved Oxygen[2]	N/A	7.0 (Monthly Avg. Min.)		one/week	grab
Fecal Coliform Bacteria (FCB)		(colonies/100ml)			
(Apr-Sept)	N/A	200	400	one/week	grab
(Oct-Mar)	N/A	1000	2000	one/week	grab
Total Residual Chlorine (TRC)[3]	N/A	<0.1 mg/l (Inst. Max.)		one/week	grab
Total Phosphorus[4]	Report	Report	Report	one/week	24-hr composite
Copper, Total Recoverable[5]	0.56	15.21 µg/l	22.19 µg/l	one/quarter	24-hr composite
Nitrogen, Nitrate Total (as NO3)[4]	Report	Report	Report	one/week	24-hr composite
pH	N/A	Minimum 6.0 s.u.	Maximum 9.0 s.u.	two/month	grab
Chronic Biomonitoring[6]	N/A	N/A	N/A	one/quarter	24-hr composite

Pimephales promelas (Chronic)[6]		7-Day Average		
Pass/Fail Lethality (7-day NOEC) TLP6C		Report (Pass=0/Fail=1)	once/quarter	24-hr composite
Pass/Fail Growth (7-day NOEC)TGP6C		Report (Pass=0/Fail=1)	once/quarter	24-hr composite
Survival (7-day NOEC) TOP6C		Report %	once/quarter	24-hr composite
Coefficient of Variation TQP6C		Report %	once/quarter	24-hr composite
Growth (7-day NOEC) TPP6C		Report %	once/quarter	24-hr composite
Ceriodaphnia dubia (Chronic)[6]		7-Day Average		
Pass/Fail Lethality (7-day NOEC) TLP3B		Report (Pass=0/Fail=1)	once/quarter	24-hr composite
Pass/Fail production (7-day NOEC)TGP3B		Report (Pass=0/Fail=1)	once/quarter	24-hr composite
Survival (7-day NOEC) TOP3B		Report %	once/quarter	24-hr composite
Coefficient of Variation TQP3B		Report %	once/quarter	24-hr composite
Reproduction (7-day NOEC) TPP3B		Report %	once/quarter	24-hr composite

1 Report monthly average and daily maximum as MGD.
2 See item #27(a) of Part IV (Dissolved Oxygen).
3 See Condition No. 12 of Part III. (TRC).
4 See Condition No. 13 of Part III (Total Phosphorus and Nitrogen, Nitrate Total (as NO3))
5 See Condition No. 11 of Part III (Metals)
6 See Condition No. 9 of Part III (Biomonitoring Condition).

There shall be no discharge of distinctly visible solids, scum, or foam of a persistent nature, nor shall there be any formation of slime, bottom deposits, or sludge banks. There shall be no visible sheen due to the presence of oil (Sheen means an iridescent appearance on the surface of the water).

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following sampling locations: immediately following the chlorination/dechlorination basin (Latitude: 36° 11' 38"; Longitude: 94° 33' 50") – for all parameters except flow and immediately prior to chlorination/dechlorination basin (Latitude: 36° 11' 39"; Longitude: 94° 33' 50") for flow.

PART I
PERMIT REQUIREMENTS

SECTION A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS: OUTFALL 001 - treated municipal w[redacted]water.

During the period beginning on December 1, 2009 and lasting until the expiration date, the permittee is authorized to discharge from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Discharge Limitations			Monitoring Requirements	
	Mass (lbs/day, unless otherwise specified)	Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Monthly Avg.	7-Day Avg.		
Flow[1]	N/A	Report	Report	once/day	totalizing meter
Carbonaceous Biochemical Oxygen Demand (CBOD5)	550	15	22.5	one/week	24-hr composite
Total Suspended Solids (TSS)	734	20	30	one/week	24-hr composite
Ammonia Nitrogen (NH3-N)					
(April)	59	1.6	3.9	one/week	24-hr composite
(May-Oct)	55	1.5	2.3	one/week	24-hr composite
(Nov-March)	147	4.0	6.0	one/week	24-hr composite
Dissolved Oxygen[2]	N/A	7.0 (Monthly Avg. Min.)		one/week	grab
[redacted]l Coliform Bacteria (FCB)		(colonies/100ml)			
(Apr-Sept)	N/A	200	400	one/week	grab
(Oct-Mar)	N/A	1000	2000	one/week	grab
Total Residual Chlorine (TRC)[3]	N/A	<0.1 mg/l (Inst. Max.)		one/week	grab
Total Phosphorus[4]	37	1.0	1.5	one/week	24-hr composite
Copper, Total Recoverable[5]	0.56	15.21 µg/l	22.19 µg/l	one/quarter	24-hr composite
Nitrogen, Nitrate Total (as NO3)[4]	Report	Report	Report	one/week	24-hr composite
pH	N/A	Minimum 6.0 s.u.	Maximum 9.0 s.u.	two/month	grab
Chronic Biomonitoring[6]	N/A	N/A	N/A	one/quarter	24-hr composite

Pimephales promelas (Chronic)[6]		7-Day Average		
Pass/Fail Lethality (7-day NOEC) TLP6C		Report (Pass=0/Fail=1)	once/quarter	24-hr composite
Pass/Fail Growth (7-day NOEC)TGP6C		Report (Pass=0/Fail=1)	once/quarter	24-hr composite
Survival (7-day NOEC) TOP6C		Report %	once/quarter	24-hr composite
Coefficient of Variation TQP6C		Report %	once/quarter	24-hr composite
Growth (7-day NOEC) TPP6C		Report %	once/quarter	24-hr composite
Ceriodaphnia dubia (Chronic)[6]		7-Day Average		
Pass/Fail Lethality (7-day NOEC) TLP3B		Report (Pass=0/Fail=1)	once/quarter	24-hr composite
Pass/Fail production (7-day NOEC)TGP3B		Report (Pass=0/Fail=1)	once/quarter	24-hr composite
Survival (7-day NOEC) TOP3B		Report %	once/quarter	24-hr composite
Coefficient of Variation TQP3B		Report %	once/quarter	24-hr composite
Reproduction (7-day NOEC) TPP3B		Report %	once/quarter	24-hr composite

1 Report monthly average and daily maximum as MGD.
2 See item #27(a) of Part IV (Dissolved Oxygen).
3 See Condition No. 12 of Part III. (TRC).
4 See Condition No. 13 of Part III (Total Phosphorus and Nitrogen, Nitrate Total (as NO3))
5 See Condition No. 11 of Part III (Metals)
6 See Condition No. 9 of Part III (Biomonitoring Condition).

There shall be no discharge of distinctly visible solids, scum, or foam of a persistent nature, nor shall there be any formation of slime, bottom deposits, or sludge banks. There shall be no visible sheen due to the presence of oil (Sheen means an iridescent appearance on the surface of the water).

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following sampling locations: immediately following the chlorination/dechlorination basin (Latitude: 36° 11' 38"; Longitude: 94° 33' 50") – for all parameters except flow and immediately prior to chlorination/dechlorination basin (Latitude: 36° 11' 39"; Longitude: 94° 33' 50") for flow.

SECTION B. SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

1. Compliance with the interim effluent limitations is required on the effective date of the permit.

2. Compliance with the final effluent limitations for Total Phosphorus is required as soon as possible but no later than December 1, 2009.

3. The annual progress reports shall be submitted in accordance with the following schedule:

   First progress report - One year from the effective date
   Second progress report – Two years from the effective date

   The permittee shall submit all necessary proposed Pretreatment Program modifications, including Ordinance revisions to ADEQ within twelve (12) months of the effective date of this permit.

   The permittee shall, within sixty (60) days of the effective date of this permit, (1) submit a **WRITTEN CERTIFICATION** that a technical evaluation has demonstrated that the existing technically based local limits (TBLL) are based on current state water quality standards and are adequate to prevent pass through of pollutants, inhibition of or interference with the treatment facility, worker health and safety problems, and sludge contamination, **OR** (2) submit a **WRITTEN NOTIFICATION** that a technical evaluation revising the current TBLL and a draft sewer use ordinance which incorporates such revisions will be submitted within twelve (12) months of the effective date of this permit.

   Submit updated pretreatment program status report during the month of May each year.

PART II
STANDARD CONDITIONS

SECTION A – GENERAL CONDITIONS

1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Water Act and the Arkansas Water and Air Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; and/or for denial of a permit renewal application. **Any values reported in the required Discharge Monitoring Report (DMR) which are in excess of an effluent limitation specified in Part I shall constitute evidence of violation of such effluent limitation and of this permit.**

2. Penalties for Violations of Permit Conditions

The Arkansas Water and Air Pollution Control Act provides that any person who violates any provisions of a permit issued under the Act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for not more than one (1) year, or a fine of not more than ten thousand dollars ($10,000) or by both such fine and imprisonment for each day of such violation. Any person who violates any provision of a permit issued under the Act may also be subject to civil penalty in such amount as the court shall find appropriate, not to exceed ten thousand dollars ($10,000) for each day of such violation. The fact that any such violation may constitute a misdemeanor shall not be a bar to the maintenance of such civil action.

3. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause including, but not limited to the following:

a. Violation of any terms or conditions of this permit; or
b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
c. A change in any conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
d. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.
e. Failure of the permittee to comply with the provisions of APCEC Regulation No. 9 (Permit fees) as required by Part II.A.10. herein.

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

4. Toxic Pollutants

Notwithstanding Part II.A.3., if any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under APCEC Regulation No. 2, as amended, or Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitations on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standards or prohibition and the permittee so notified.

The permittee shall comply with effluent standards, narrative criteria, or prohibitions established under APCEC Regulation No. 2, as amended, or Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II.B.4.a.), and "Upsets" (Part II.B.5.b), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of this permit or applicable state and federal statues or regulations which defeats the regulatory purposes of the permit may subject the permittee to criminal enforcement pursuant to the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended).

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the Clean Water Act.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

8. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any exclusive privileges, nor does it authorize any injury to

private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

9. Severability

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

10. Permit Fees

The permittee shall comply with all applicable permit fee requirements for wastewater discharge permits as described in APCEC Regulation No. 9 (Regulation for the Fee System for Environmental Permits). Failure to promptly remit all required fees shall be grounds for the Director to initiate action to terminate this permit under the provisions of 40 CFR Parts 122.64 and 124.5 (d), as adopted in APCEC Regulation No. 6 and the provisions of APCEC Regulation No. 8.

SECTION B – OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carryout operation, maintenance, and testing functions required to insure compliance with the conditions of this permit.

2. Need to Halt or Reduce not a Defense

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

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment or the water receiving the discharge.

4. Bypass of Treatment Facilities

a. Bypass not exceeding limitation

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II.B.4.b. and 4.c.

b. Notice

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II.D.6. (24-hour notice).

c. Prohibition of bypass

(1) Bypass is prohibited and the Director may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal or preventive maintenance; and
(c) The permittee submitted notices as required by Part II.B.4.b.

(2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in Part II.B.4.c.(1).

5. Upset Conditions

a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part II.B.5.b. of this section are met. No determination made during administrative

review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

b. Conditions necessary for demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
   (1) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
   (2) The permitted facility was at the time being properly operated.
   (3) The permittee submitted notice of the upset as required by Part II.D.6.; and
   (4) The permittee complied with any remedial measures required by Part II.B.3.

c. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of waste waters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering the waters of the State. Written approval must be obtained from the ADEQ for land application only.

7. Power Failure

The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators, or retention of inadequately treated effluent.

SECTION C – MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge during the entire monitoring period. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Director. Intermittent discharges shall be monitored.

2. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to insure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a

maximum deviation of less than +/- 10% from true discharge rates throughout the range of expected discharge volumes and shall be installed at the monitoring point of the discharge.

3. **Monitoring Procedures**

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals frequent enough to insure accuracy of measurements and shall insure that both calibration and maintenance activities will be conducted. An adequate analytical quality control program, including the analysis of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory. At a minimum, spikes and duplicate samples are to be analyzed on 10% of the samples.

4. **Penalties for Tampering**

The Arkansas Water and Air Pollution Control Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under the Act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for not more than one (1) year or a fine of not more than ten thousand dollars ($10,000) or by both such fine and imprisonment.

5. **Reporting of Monitoring Results**

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1). Permittees are required to use preprinted DMR forms provided by ADEQ, unless specific written authorization to use other reporting forms is obtained from ADEQ. Monitoring results obtained during the previous calendar month shall be summarized and reported on a DMR form postmarked no later than the 25th day of the month following the completed reporting period to begin on the effective date of the permit. Duplicate copies of DMR forms signed and certified as required by Part II.D.11. and all other reports required by Part II.D., shall be submitted to the Director at the following address:

NPDES Enforcement Section
Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

If permittee uses outside laboratory facilities for sampling and/or analysis, the name and address of the contract laboratory shall be included on the DMR.

6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated on the DMR.

7. Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

8. Record Contents

Records and monitoring information shall include:

a. The date, exact place, time and methods of sampling or measurements, and preservatives used, if any;
b. The individuals(s) who performed the sampling or measurements;
c. The date(s) and time analyses were performed;
d. The individual(s) who performed the analyses;
e. The analytical techniques or methods used; and
f. The measurements and results of such analyses.

9. Inspection and Entry

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

a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit, and
d. Sample, inspect, or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

SECTION D – REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give notice and provide plans and specification to the Director for review and approval prior to any planned physical alterations or additions to the permitted facility. Notice is required only when:

For Industrial Dischargers

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b).
b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR Part 122.42 (a)(1).

For POTW Dischargers:

Any change in the facility discharge (including the introduction of any new source or significant discharge or significant changes in the quantity or quality of existing discharges of pollutants) must be reported to the permitting authority. In no case are any new connections, increased flows, or significant changes in influent quality permitted that cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance

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

3. Transfers

The permit is nontransferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

4. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified in Part II.C.5. **Discharge Monitoring Reports must be submitted even when no discharge occurs during the reporting period.**

5. Compliance Schedule

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

6. Twenty-four Hour Report

a. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain the following information:
   (1) a description of the noncompliance and its cause;
   (2) the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
   (3) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

b. The following shall be included as information which must be reported within 24 hours:
   (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
   (2) Any upset which exceeds any effluent limitation in the permit and
   (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in Part I of the permit to be reported within 24 hours to the Enforcement Section of the Water Division of the ADEQ.

c. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours to the Enforcement Section of the Water Division of the ADEQ.

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Parts II.D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed at Part II.D.6.

8. Changes in Discharge of Toxic Substances for Industrial Dischargers

The permittee shall notify the Director as soon as he/she knows or has reason to believe:

a. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" described in 40 CFR Part 122.42(a)(1); or

b. That any activity has occurred or will occur which would result in any discharge on a non-routine or infrequent basis of a toxic pollutant which is not limited in the permit, if

that discharge will exceed the highest of the "notification levels" described in 40 CFR Part 122.42(a)(2).

9. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit. Information shall be submitted in the form, manner and time frame requested by the Director.

10. Duty to reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The complete application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated in APCEC Regulation No. 6.

11. Signatory Requirements

All applications, reports, or information submitted to the Director shall be signed and certified as follows:

a. All **permit applications** shall be signed as follows:

(1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
(i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
(ii) The manager of one or more manufacturing, production, or operation facilities, provided: the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship: by a general partner or proprietor, respectively; or

(3) For a municipality, State, Federal, or other public agency, by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
(i) The chief executive officer of the agency, or
(ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

b. All **reports** required by the permit and **other information** requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
(1) The authorization is made in writing by a person described above.
(2) The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
(3) The written authorization is submitted to the Director.

c. Certification. Any person signing a document under this section shall make the following certification:

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

12. Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2 and APCEC Regulation No. 6, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department of Environmental Quality. As required by the Regulations, the name and address of any permit applicant or permittee, permit applications, permits, and effluent data shall not be considered confidential.

13. Penalties for Falsification of Reports

The Arkansas Air and Water Pollution Control Act provides that any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this permit shall be subject to civil penalties specified in Part II.A.2. and/or criminal penalties under the authority of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended).

PART III
OTHER CONDITIONS

1. The operator of this wastewater treatment facility shall be licensed as Class IV by the State of Arkansas in accordance with Act 211 of 1971, Act 1103 of 1991, Act 556 of 1993, and APCEC Regulation No. 3, as amended.

2. For publicly owned treatment works, the 30-day average percent removal for Carbonaceous Biochemical Oxygen Demand (CBOD5) and Total Suspended Solids shall not be less than 85 percent unless otherwise authorized by the permitting authority in accordance with 40 CFR Part 133.102, as adopted by reference in APCEC Regulation No. 6.

3. Produced sludge shall be disposed of by land application only when meeting the following criteria:

   a. Sewage sludge from treatment works treating domestic sewage (TWTDS) must meet the applicable provisions of 40 CFR Part 503; and

   b. The sewage sludge has not been classified as a hazardous waste under state or federal regulations.

4. The permittee shall give at least 120 days prior notice to the Director of any change planned in the permittee's sludge disposal practice or land use applications, including types of crops grown (if applicable).

5. The permittee shall report all overflows with the Discharge Monitoring Report (DMR) submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of overflow; observed environmental impacts from the overflow; action taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary). All overflows which endanger health or the environment shall be orally reported to this department (Enforcement Section of Water Division), within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows which endanger health or the environment, shall be provided within 5 days of the time the permittee becomes aware of the circumstance.

6. In accordance with 40 CFR Parts 122.62 (a)(2) and 124.5, this permit may be reopened for modification or revocation and/or reissuance to require additional monitoring and/or effluent limitations when new information is received that actual or potential exceedance of State water quality criteria and/or narrative criteria are determined to be the result of the permittee's discharge(s) to a relevant water body or a Total Maximum Daily Load (TMDL) is established or revised for the water body that was not available at the time of the permit issuance that would have justified the application of different permit conditions at the time of permit issuance.

7. Other Specified Monitoring Requirements

The permittee may use alternative appropriate monitoring methods and analytical instruments other than as specified in Part I Section A of the permit without a major permit modification under the following conditions:

- The monitoring and analytical instruments are consistent with accepted scientific practices;
- The requests shall be submitted in writing to the NPDES Section of the Water Division of the ADEQ for use of the alternate method or instrument.
- The method and/or instrument is in compliance with 40 CFR Part 136 or acceptable to the Director; and
- All associated devices are installed, calibrated, and maintained to insure the accuracy of the measurements and are consistent with the accepted capability of that type of device. The calibration and maintenance shall be performed as part of the permittee's laboratory Quality Control/Quality Assurance program.

Upon written approval of the alternative monitoring method and/or analytical instruments, these methods or instruments must be consistently utilized throughout the monitoring period. ADEQ must be notified in writing and the permittee must receive written approval from ADEQ if the permittee decides to return to the original permit monitoring requirements.

8. **CONTRIBUTING INDUSTRIES AND PRETREATMENT REQUIREMENTS**

a. The permittee shall operate an industrial pretreatment program in accordance with Section 402(b)(8) of the Clean Water Act, the General Pretreatment Regulations (40 CFR Part 403) and the approved POTW pretreatment program submitted by the permittee. The pretreatment program was approved on 08/22/84 then subsequently modified and approved on 03/03/2000. The Sewer Use Ordinance and the Pretreatment Program have not been modified to come into compliance with the current 40 CFR 403 regulations. The permittee shall submit all necessary proposed modifications to ADEQ within twelve (12) months of the effective date of this permit. The POTW pretreatment program is hereby incorporated by reference and shall be implemented in a manner consistent with the following requirements:

(1) Industrial user information shall be updated at a frequency adequate to ensure that all Industrial Users (IUs) are properly characterized at all times;

(2) The frequency and nature of industrial user compliance monitoring activities by the permittee shall be commensurate with the character, consistency and volume of waste. The permittee must inspect and sample the effluent from each Significant Industrial User in accordance with 40

CFR 403.8(f)(2)(v). This is in addition to any industrial self-monitoring activities;

(3) The permittee shall enforce and obtain remedies for noncompliance by any industrial users with applicable pretreatment standards and requirements;

(4) The permittee shall 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 40 CFR 403.3 (v), this control shall be achieved through individual or general control mechanisms, in accordance with 40 CFR 403.8(f)(1)(iii). Both individual and general control mechanisms must be enforceable and contain, at a minimum, the following conditions:

(i) Statement of duration (in no case more than five years);
(ii) Statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator;
(iii) Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards, categorical Pretreatment Standards, local limits, and State and local law;
(iv) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the discharge in accordance with § 403.12(e)(2), or a specific waiver for a pollutant in the case of an individual control mechanism), sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards in 40 CFR 403, categorical Pretreatment Standards, local limits, and State and local law;
(v) Statement of applicable civil and criminal penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond federal deadlines; and
(vi) Requirements to control slug discharges, if determined by the POTW to be necessary.

(5) The permittee shall evaluate, whether each Significant Industrial User needs a plan or other action to control slug discharges, in accordance with 40 CFR 403.8(f)(2)(vi);

(6) The permittee shall provide adequate staff, equipment, and support capabilities to carry out all elements of the pretreatment program; and

(7) The approved program shall not be modified by the permittee without the prior approval of ADEQ.

b. The permittee shall establish and enforce specific limits to implement the provisions of 40 CFR Parts 403.5(a) and (b), as required by 40 CFR Part 403.5(c). POTWs may develop Best Management Practices (BMPs) to implement paragraphs 40 CFR 403.5 (c)(1) and (c)(2). Such BMPs shall be considered local limits and Pretreatment Standards. Each POTW with an approved pretreatment program shall continue to develop these limits as necessary and effectively enforce such limits.

The permittee shall, within sixty (60) days of the effective date of this permit, (1) submit a **WRITTEN CERTIFICATION** that a technical evaluation has demonstrated that the existing technically based local limits (TBLL) are based on current state water quality standards and are adequate to prevent pass through of pollutants, inhibition of or interference with the treatment facility, worker health and safety problems, and sludge contamination, **OR** (2) submit a **WRITTEN NOTIFICATION** that a technical evaluation revising the current TBLL and a draft sewer use ordinance which incorporates such revisions will be submitted within 12 months of the effective date of this permit.

All specific prohibitions or limits developed under this requirement are deemed to be conditions of this permit. The specific prohibitions set out in 40 CFR Part 403.5(b) shall be enforced by the permittee unless modified under this provision.

c. The permittee shall analyze the treatment facility influent and effluent for the presence of the toxic pollutants listed in 40 CFR 122 Appendix D (NPDES Application Testing Requirements) Table II at least once/year and the toxic pollutants in Table III at least 4 times/year (quarterly). If, based upon information available to the permittee, there is reason to suspect the presence of any toxic or hazardous pollutant listed in Table V, or any other pollutant, known or suspected to adversely affect treatment plant operation, receiving water quality, or solids disposal procedures, analysis for those pollutants shall be performed at least 4 times/year (quarterly) on both the influent and the effluent.

The influent and effluent samples collected shall be composite samples consisting of at least 12 aliquots collected at approximately equal intervals over a representative 24 hour period and composited according to flow. Sampling and analytical procedures shall be in accordance with guidelines established in 40 CFR 136. Where composite samples are inappropriate, due to sampling, holding time, or analytical constraints, at least 4 grab samples, taken at equal intervals over a representative 24 hour period, shall be taken.

d. The permittee shall prepare annually a list of Industrial Users which during the preceding twelve months were in significant noncompliance with applicable pretreatment requirements. For the purposes of this Part, significant noncompliance shall be determined based upon the more stringent of either criteria established at 40 CFR Part 403.8(f)(2)(viii) [rev. 10/14/05] or criteria established in the approved POTW pretreatment program. This list is to be published annually in the newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW during the month of May.

In addition, during the month of May the permittee shall submit an updated pretreatment program status report to the ADEQ containing the following information:

(1) An updated list of all significant industrial users and identify which Industrial Users are Non-Significant Categorical Industrial Users (NSCIUs) or Middle Tier CIUs. The list must also identify:

i. Industrial Users subject to categorical Pretreatment Standards that are subject to reduced monitoring and reporting requirements under 40 CFR 403.12(e)(2) & (3),
ii. Industrial Users subject to the following categorical Pretreatment Standards [Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF) (40 CFR Part 414), Petroleum Refining (40 CFR Part 419), and Pesticide Chemicals (40 CFR Part 455)] and for which the Control Authority has chosen to use the concentration-based standards rather than converting them to flow-based mass standards as allowed at 40 CFR 403.6(c)(6).
iii. Categorical Industrial Users subject to concentration-based standards for which the Control Authority has chosen to convert the concentration-based standards to equivalent mass limits, as allowed at 40 CFR 403.6(c)(5).
iv. General Control Mechanisms used for similar groups of SIUs along with the substantially similar types of operations and the types of wastes that are the same, for each separate General Control Mechanism, as allowed at 40 CFR 403.8(f)(1)(iii).
v. Best Management Practices or Pollution Prevention alternatives required by a categorical Pretreatment Standard or as a local limit requirement that are implemented and documentation to demonstrate compliance, as required at 40 CFR 403 (b), (e) and (h).

For each industrial user listed the following information shall be included:

(i) Standard Industrial Classification (SIC) and NAICS code and categorical determination;

(ii) Control document status. Whether the user has an effective control document, and the date such document was last issued, reissued, or modified, (indicate which industrial users were added to the system (or newly identified) within the previous 12 months);

(iii) A summary of all monitoring activities performed within the previous 12 months. The following information shall be reported:

* total number of inspections performed;
* total number of sampling visits made;

(iv) Status of compliance with both effluent limitations and reporting requirements. Compliance status shall be defined as follows:

* Compliant (C) - no violations during the previous 12 month period;
* Non-compliant (NC) - one or more violations during the previous 12 months but does not meet the criteria for significantly noncompliant industrial users;
* Significant Noncompliance (SNC) - in accordance with requirements described in d. above; and

(v) For significantly noncompliant industrial users, indicate the nature of the violations, the type and number of actions taken (notice of violation, administrative order, criminal or civil suit, fines or penalties collected, etc.) and current compliance status. If ANY industrial user was on a schedule to attain compliance with effluent limits, indicate the date the schedule was issued and the date compliance is to be attained;

(2) A list of all significant industrial users whose authorization to discharge was terminated or revoked during the preceding 12 month period and the reason for termination;

(3) A report on any interference, pass through, upset or POTW permit violations known or suspected to be caused by industrial contributors and actions taken by the permittee in response;

(4) The results of all influent and effluent analyses performed pursuant to paragraph (c) above;

(5) A copy of the newspaper publication of the significantly noncompliant industrial users giving the name of the newspaper and the date published;

(6) The information requested may be submitted in tabular form as per the example tables provided for your convenience (See Attachment A, B and C); and

(7) The monthly average water quality based effluent concentration necessary to meet the state water quality standards as developed in the approved technically based local limits.

e. The permittee shall provide adequate notice of the following:

(1) Any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to Sections 301 and 306 of the Act if it were directly discharging those pollutants; and

(2) Any substantial change in the volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the permit.

Adequate notice shall include information on (i) the quality and quantity of effluent to be introduced into the treatment works, and (ii) any anticipated impact of the change on the quality or quantity of effluent to be discharged from the POTW.

9. WHOLE EFFLUENT TOXICITY TESTING (7-DAY CHRONIC NOEC FRESHWATER)

1. SCOPE AND METHODOLOGY

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO FINAL OUTFALL: 001

CRITICAL DILUTION (%): 100 %

EFFLUENT DILUTION SERIES (%): 32%, 42%, 56%, 75%, 100%

COMPOSITE SAMPLE TYPE: Defined at PART I

TEST SPECIES/METHODS: 40 CFR Part 136

Ceriodaphnia dubia chronic static renewal survival and reproduction test, Method 1002.0, EPA/600/4-91/002 or the most recent update thereof. This test should be terminated when 60% of the surviving females in the control produce three broods or at the end of eight days, whichever comes first.

Pimephales promelas (fathead minnow) chronic static renewal 7-day larval survival and growth test, Method 1000.0, EPA/600/4-91/002, or the most recent update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. Chronic lethal test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution.

c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

d. Test failure is defined as a demonstration of statistically significant sub-lethal or lethal effects to a test species at or below the effluent critical dilution.

2. PERSISTENT LETHALITY: The requirements of this subsection apply only when a toxicity test demonstrates significant lethal effects at or below the critical dilution. Significant lethal effects are herein defined as a statistically significant difference at the 95% confidence level between the survival of the appropriate test organism in a specified effluent dilution and the control (0% effluent).

a. Part I Testing Frequency Other Than Monthly

i. The permittee shall conduct a total of two (2) additional tests for any species that demonstrates significant lethal effects at or below the critical dilution. The two additional tests shall be conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two additional tests in lieu of routine toxicity testing. The full report shall be prepared for each test required by this section in accordance with procedures outlined in Item 5 of this section and submitted with the period DMR to the permitting authority for review.

ii. If one or both of the two additional tests demonstrates significant lethal effects at or below the critical dilution, the permittee shall initiate Toxicity Reduction Evaluation (TRE) requirements as specified in Item 7 of this section. The permittee shall notify ADEQ in writing within 5 days of the failure of any retest, and the TRE initiation date will be the test completion date of the first failed retest. A TRE may be also be required due to a demonstration of persistent significant sub-lethal effects or intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests. Monthly retesting is not required if the permittee is performing a TRE.

iii. If one or both of the two additional tests demonstrates significant lethal effects at or below the critical dilution, the permittee shall henceforth increase the frequency of testing for this species to once per quarter for the life of the permit.

iv. The provisions of Item 2.a are suspended upon submittal of the TRE Action Plan.

b. Part I Testing Frequency of Monthly

The permittee shall initiate the Toxicity Reduction Evaluation (TRE) requirements as specified in Item 7 of this section when any two of three consecutive monthly toxicity tests exhibit significant lethal effects at or below the critical dilution. A TRE may be also be required due to a demonstration of persistent significant sub-lethal effects or intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests.

3. SUB-LETHAL FAILURES: If a statistically significant sub-lethal effect is demonstrated at or below the critical dilution during any quarterly test, the permittee shall conduct two additional tests. The additional tests shall be

conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two additional in lieu of routine toxicity testing.

If during the first four quarters, statistically significant sub-lethal effects are exhibited, quarterly testing will be required for that species until the effluent passes both the lethal and sub-lethal tests endpoints for the affected species, for four consecutive quarters. After passing four consecutive quarters for the affected species the permittee may request a reduction in testing frequency. Monthly retesting is not required if the permittee is performing a TRE.

4. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

i. The toxicity test control (0% effluent) must have survival equal to or greater than 80%.

ii. The mean number of Ceriodaphnia dubia neonates produced per surviving female in the control (0% effluent) must be 15 or more.

iii. 60% of the surviving control females must produce three broods.

iv. The mean dry weight of surviving fathead minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.25 mg per larva or greater.

v. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints of the fathead minnow test.

vi. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal or nonlethal effects are exhibited for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints of the fathead minnow test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be

conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

i. For the Ceriodaphnia dubia survival test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be Fisher's Exact Test as described in EPA/600/4-91/002 or the most recent update thereof.

ii. For the Ceriodaphnia dubia reproduction test and the fathead minnow larval survival and growth test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA/600/4-91/002 or the most recent update thereof.

iii. If the conditions of Test Acceptability are met in Item 4.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report an NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 5 below.

c. Dilution Water

i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness, and alkalinity to the closest downstream perennial water for;

(A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 4.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

(A) a synthetic dilution water control which fulfills the test acceptance requirements of Item 3.a was run concurrently with the receiving water control;

(B) the test indicating receiving water toxicity has been carried out to completion (i.e., 7 days);

(C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 5 below; and

(D) the synthetic dilution water shall have a pH, hardness, and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

i. The permittee shall collect a minimum of three flow-weighted composite samples from the outfall(s) listed at Item 1.a above.

ii. The permittee shall collect second and third composite samples for use during 24-hour renewals of each dilution concentration for each test. The permittee must collect the composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

iii. The permittee must collect the composite samples so that the maximum holding time for any effluent sample shall not exceed 72 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first composite sample. Samples shall be chilled to 4 degrees Centigrade during collection, shipping, and/or storage.

iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall

be collected on separate days if the discharge occurs over multiple days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 5 of this section.

v. MULTIPLE OUTFALLS: If the provisions of this section are applicable to multiple outfalls, the permittee shall combine the composite effluent samples in proportion to the average flow from the outfalls listed in Item 1.a above for the day the sample was collected. The permittee shall perform the toxicity test on the flow-weighted composite of the outfall samples.

vi. The permittee shall not allow the sample to be dechlorinated at the laboratory. At the time of sample collection the permittee shall measure the TRC of the effluent. The measured concentration of TRC for each sample shall be included in the lab report submitted by the permittee.

5. REPORTING

a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA/600/4-91/002, or the most current publication, for every valid or invalid toxicity test initiated whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of PART II.C.7 of this permit. The permittee shall submit full reports upon the specific request of the Department. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for review.

b. A valid test for each species must be reported on the DMR during each reporting period specified in PART I of this permit unless the permittee is performing a TRE which may increase the frequency of testing and reporting. Only ONE set of biomonitoring data for each species is to be recorded on the DMR for each reporting period. The data submitted should reflect the LOWEST survival results for each species during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests previously failed) performed during the reporting period must be attached to the DMR for ADEQ review.

c. The permittee shall submit the results of each valid toxicity test on DMR for that reporting period in accordance with PART II.D.4 of this permit, as follows below. Submit retest information clearly marked as such with the

following DMR. Only results of valid tests are to be reported on the DMR.

i. Pimephales promelas (fathead minnow)

(A) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP6C.

(B) If the NOEC for growth is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP6C.

(C) Report the NOEC value for survival, Parameter No. TOP6C.

(D) Report the NOEC value for growth, Parameter No. TPP6C.

(E) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP6C.

ii. Ceriodaphnia dubia

(A) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP3B.

(B) If the NOEC for reproduction is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP3B.

(C) Report the NOEC value for survival, Parameter No. TOP3B.

(D) Report the NOEC value for reproduction, Parameter No. TPP3B.

(E) Report the higher (critical dilution or control) Coefficient of Variation, Parameter No. TQP3B.

6. Monitoring Frequency Reduction

a. The permittee may apply for a testing frequency reduction upon the successful completion of the first four consecutive quarters of testing for one or both test species, with no lethal or sub-lethal effects demonstrated

at or below the critical dilution without a major modification. If granted, the monitoring frequency for that test species may be reduced to not less than once per year for the less sensitive species (usually the fathead minnow) and not less than twice per year for the more sensitive test species (usually the Ceriodaphnia dubia).

b. CERTIFICATION - The permittee must certify in writing that no test failures have occurred and that all tests meet all test acceptability criteria in Item 4.a. above. In addition the permittee must provide a list with each test performed including test initiation date, species, NOECs for lethal and sub-lethal effects and the maximum coefficient of variation for the controls. Upon review and acceptance of this information the Department will issue a letter of confirmation of the monitoring frequency reduction. A copy of the letter will be forwarded to the Permit Compliance System section to update the permit reporting requirements.

c. This monitoring frequency reduction applies only until the expiration date of this permit, at which time the monitoring frequency for both test species reverts to once per quarter until the permit is re-issued.

7. TOXICITY REDUCTION EVALUATION (TRE)

a. Within ninety (90) days of confirming lethality in the retests, the permittee shall submit a Toxicity Reduction Evaluation (TRE) Action Plan and Schedule for conducting a TRE. The TRE Action Plan shall specify the approach and methodology to be used in performing the TRE. A Toxicity Reduction Evaluation is an investigation intended to determine those actions necessary to achieve compliance with water quality-based effluent limits by reducing an effluent's toxicity to an acceptable level. A TRE is defined as a step-wise process which combines toxicity testing and analyses of the physical and chemical characteristics of a toxic effluent to identify the constituents causing effluent toxicity and/or treatment methods which will reduce the effluent toxicity. The TRE Action Plan shall lead to the successful elimination of effluent toxicity at the critical dilution and include the following:

i. Specific Activities. The plan shall detail the specific approach the permittee intends to utilize in conducting the TRE. The approach may include toxicity characterizations, identifications and confirmation activities, source evaluation, treatability studies, or alternative approaches. When the permittee conducts Toxicity Characterization Procedures the permittee shall perform multiple characterizations and follow the procedures specified in the documents "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures"

(EPA-600/6-91/003) and "Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I" (EPA-600/6-91/005F), or alternate procedures. When the permittee conducts Toxicity Identification Evaluations and Confirmations, the permittee shall perform multiple identifications and follow the methods specified in the documents "Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081), as appropriate.

The documents referenced above may be obtained through the National Technical Information Service (NTIS) by phone at (800) 553-6847, or by writing:

U.S. Department of Commerce
National Technical Information Service
5285 Port Royal Road
Springfield, VA 22161

ii. Sampling Plan (e.g., locations, methods, holding times, chain of custody, preservation, etc.). The effluent sample volume collected for all tests shall be adequate to perform the toxicity test, toxicity characterization, identification and confirmation procedures, and conduct chemical specific analyses when a probable toxicant has been identified;

Where the permittee has identified or suspects specific pollutant(s) and/or source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical specific analyses for the identified and/or suspected pollutant(s) and/or source(s) of effluent toxicity. Where lethality was demonstrated within 48 hours of test initiation, each composite sample shall be analyzed independently. Otherwise the permittee may substitute a composite sample, comprised of equal portions of the individual composite samples, for the chemical specific analysis;

iii. Quality Assurance Plan (e.g., QA/QC implementation, corrective actions, etc.); and

iv. Project Organization (e.g., project staff, project manager, consulting services, etc.).

b. The permittee shall initiate the TRE Action Plan within thirty (30) days of plan and schedule submittal. The permittee shall assume all risks for failure to achieve the required toxicity reduction.

c. The permittee shall submit a quarterly TRE Activities Report, with the Discharge Monitoring Report in the months of January, April, July and October, containing information on toxicity reduction evaluation activities including:

i. any data and/or substantiating documentation which identifies the pollutant(s) and/or source(s) of effluent toxicity;

ii. any studies/evaluations and results on the treatability of the facility's effluent toxicity; and

iii. any data which identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to meet no significant lethality at the critical dilution.

d. The permittee shall submit a Final Report on Toxicity Reduction Evaluation Activities no later than twenty-eight (28) months from confirming lethality in the retests, which provides information pertaining to the specific control mechanism selected that will, when implemented, result in reduction of effluent toxicity to no significant lethality at the critical dilution. The report will also provide a specific corrective action schedule for implementing the selected control mechanism.

Quarterly testing during the TRE is a minimum monitoring requirement. EPA recommends that permittees required to perform a TRE not rely on quarterly testing alone to ensure success in the TRE, and that additional screening tests be performed to capture toxic samples for identification of toxicants. Failure to identify the specific chemical compound causing toxicity test failure will normally result in a permit limit for whole effluent toxicity limits per federal regulations at 40 CFR 122.44(d)(1)(v).

10. Storm Water Pollution Prevention Plan Requirements

A. **General**

(1) If your facility already has a storm water pollution prevention plan (SWPPP) in place, then you shall continue the implementation of this SWPPP. If you do not have a SWPPP, then you shall prepare a SWPPP for your facility within 60 days of the effective starting date of this permit. Your SWPPP must be prepared in accordance with good engineering practices. Your SWPPP must:

(a) Identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from your facility;

(b) Describe and ensure implementation of practices which you will use to reduce the pollutants in storm water discharges from the facility; and

(c) Assure compliance with the terms and conditions of this permit.

(2) No Exposure Exclusions, as allowed by 40 CFR 122.26(g), can be obtained for the storm water discharges from the facility as long as all of the required conditions for applicability can be certified. These required conditions can be found in the federal regulation. The No Exposure Exclusion application form can be obtained from the Storm Water section of the ADEQ. Application for this exclusion must be made on the form obtained from the ADEQ.

B. **Contents of Plan**

(1) **Pollution Prevention Team**

(a) You must identify the staff individual(s) (by name or title) that comprise the facility's storm water Pollution Prevention Team. Your Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWPPP. Responsibilities of each staff individual on the team must be listed.

(2) **Site Description**

(a) Your SWPPP must include the following:

i. *Activities at Facility.* Description of the nature of the industrial activity(ies) at your facility;

ii. *General Location Map.* A general location map (e.g., U.S.G.S. quadrangle, or other map) with enough detail to identify the location of your facility and the receiving waters within one mile of the facility;

iii. A legible site map identifying the following:

(a) Directions of storm water flow (e.g., use arrows to show which ways storm water will flow);

(b) Locations of all existing structural BMPs;

(c) Locations of all surface water bodies;

(d) Locations of potential pollutant sources identified under Section B(4)(a) of this Part and where significant materials are exposed to precipitation;

(e) Location where major spills or leaks identified under Section B(5) of this Part have occurred;

(f) Locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, and liquid storage tanks;

(g) Locations of storm water outfalls and an approximate outline of the area draining to each outfall;

(h) Location and description of non-storm water discharges;

(i) Locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfer of substance in bulk; and machinery;

(j) Location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the runoff impacts your storm water discharges may be included).

(3) **Receiving Waters and Wetlands**

(a) You must provide the name of the nearest receiving water(s), including intermittent streams, dry sloughs, arroyos and the areal extent and description of wetland or other special aquatic sites that may receive discharges from your facility.

(4) **Summary of Potential Pollutant Source**

(a) You must identify each separate area at your facility where industrial materials or activities are exposed to storm water. Industrial materials or activities include, but are not limited to,

material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading/unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each separate area identified, the description must include:

i. *Activities in Area.* A list of the activities (e.g., material storage, equipment fueling and cleaning, cutting steel beams); and

ii. *Pollutants.* A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) for each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three (3) years before being covered under this permit and the present.

(5) **Spills and Leaks**

(a) You must clearly identify areas where potential spills and leaks, which can contribute pollutants to storm water discharges, can occur, and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility to be covered under this permit, you must provide a list of significant spills and leaks of toxic or hazardous pollutants that occurred during the three (3) year period prior to the starting date of this permit. Your list must be updated if significant spills or leaks occur in exposed areas of your facility during the time you are covered by the permit.

(b) Significant spills and leaks include, but are not limited to releases of oil or hazardous substances in excess of quantities that are reportable under CWA 311 (see 40 CFR 110.10 AND 40 CFR 117.21) or section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

(6) **Sampling Data**

(a) You must provide a summary of existing storm water discharge sampling data taken at your facility. All storm water sampling data collected during the term of this permit must also be summarized and included in this part of the SWPPP.

(7) **Storm Water Controls**

(a) Description of Existing and Planned BMPs. Describe the type and location of existing non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to storm water. All the areas identified in Section B(4)(a) of this Part should have a BMP(s) identified for the areas discharges. For areas where BMPs are not currently in place, describe appropriate BMPs that you will use to control pollutants in storm water discharges. Selection of BMPs should take into consideration:

i. The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;

ii. Opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams - e.g., bank erosion, impairment of aquatic habitat, etc.);

iii. Opportunities to offset the impact impervious areas of the facility on ground water recharge and base flows in local streams (taking into account the potential for ground water contamination.)

(b) BMP Types to be Considered. The following types of structural, non-structural, and other BMPs must be considered for implementation at your facility. Describe how each is, or will be, implemented. This requirement may have been fulfilled with area-specific BMPs identified under Section B(7)(a) of this Part, in which case the previous descriptions are sufficient. However, many of the following BMPs may be more generalized or non site-specific and therefore not previously considered. If you determine that any of these BMPs are not appropriate for your facility, you must include an explanation of why they are not appropriate. The BMP examples listed below are not intended to be an exclusive list of BMPs that you may use. You are encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for your facility. If BMPs are being used or planned at the facility which are not listed here (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), include descriptions of them in this section of the SWPPP.

(c) Non-Structural BMPs

i. *Good Housekeeping:* You must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to storm water discharges. Common problem areas include: around trash containers, storage areas and loading docks. Measures must also include: a schedule for regular pickup and disposal of garbage and waste materials; routine inspections for leaks and conditions of drums, tanks and containers.

ii. *Minimizing Exposure:* Where practicable, industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff.

iii. *Preventive Maintenance:* You must have a preventive maintenance program which includes timely inspection and maintenance of storm water management devices, (e.g., cleaning oil/water separators, catch basins) as well as inspecting, testing, maintaining and repairing facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.

iv. *Spill Prevention and Response Procedures:* You must describe the procedures which will be followed for cleaning up spills or leaks. Those procedures, and necessary spill response equipment, must be made available to those employees that may cause or detect a spill or leak. Where appropriate, you must explain existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), which are intended to minimize spills or leaks at the facility. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265.

v. *Routine Facility Inspections:* In addition to or as part of the comprehensive site evaluation required under Section G of this Part, you must have qualified facility personnel inspect all areas of the facility where industrial materials or activities are exposed to storm water. The inspections must include an evaluation of existing storm water BMPs. Your SWPPP must identify how often these inspections will be conducted. You must correct any deficiencies you find as soon as practicable, but no later than 14 days from the date of the inspection. You must document in your SWPPP the results of your inspections and the corrective actions you

took in response to any deficiencies or opportunities for improvement that you identify.

vi. *Employee Training:* You must describe the storm water employee training program for the facility. The description should include the topics to be covered, such as spill response, good housekeeping, and material management practices, and must identify periodic dates (e.g., every 6 months during the months of July and January) for such training. You must provide employee training for all employees that work in areas where industrial materials or activities are exposed to storm water, and for employees that are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance people). The employee training should inform them of the components and goals of your SWPPP.

(d) Structural BMPs

i. *Sediment and Erosion Control:* You must identify the areas at your facility which, due to topography, land disturbance (e.g., construction), or other factors, have a potential for significant soil erosion. You must describe the structural, vegetative, and/or stabilization BMPs that you will be implementing to limit erosion.

ii. *Management of Runoff:* You must describe the traditional storm water management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or that are planned for your facility. These types of BMPs typically are used to divert, infiltrate, reuse, or otherwise reduce pollutants in storm water discharges from the site. Factors to consider when you are selecting appropriate BMPs should include: 1) the industrial materials and activities that are exposed to storm water, and the associated pollutant potential of those materials and activities; and 2) the beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. Structural measures should be placed on upland soils, avoiding wetlands and flood plains, if possible. Structural BMPs may require a separate permit under section 404 of the CWA before installation begins.

iii. *Example BMPs:* BMPs you could use include but are not limited to: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices).

(e) Other Controls

i. No solid materials, including floatable debris, may be discharged to waters of the United States, except as authorized by a permit issued under section 404 of the CWA. Off-site vehicle tracking of raw, final, or waste materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices must be placed at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g., no significant changes in the hydrological regime of the receiving water).

C. **Maintenance**

(1) All BMPs you identify in your SWPPP must be maintained in effective operating condition. If site inspections required by Section B(7)(c)(v) of this Part identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.).

D. **Non-Storm Water Discharges**

(1) **Certification of Non-Storm Water Discharges**

(a) Your SWPPP must include a certification that all discharges (i.e., outfalls) have been tested or evaluated for the presence of non-storm water. The certification must be signed in accordance with Part II Section D.11 of the individual permit, and include:

i. The date of any testing and/or evaluation;

ii. Identification of potential significant sources of non-storm water at the site;

iii. A description of the results of any test and/or evaluation for the presence of non-storm water discharges;

iv. A description of the evaluation criteria or testing method used; and

v. A list of the outfalls or onsite drainage points that were directly observed during the test.

vi. If you are unable to provide the certification required (testing for non-storm water discharges), you must notify the Director 180 days after the effective starting date of this permit to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification must describe:

vii. The reason(s) why certification was not possible;

viii. The procedure of any test attempted;

ix. The results of such test or other relevant observations; and

x. Potential sources of non-storm water discharges to the storm sewer.

xi. A copy of the notification must be included in the SWPPP at the facility. Non-storm water discharges to waters of the United States which are not authorized by an NPDES permit are unlawful, and must be terminated.

E. **Allowable Non-storm Water Discharges**

(1) Certain sources of non-storm water are allowable under this permit. For the list of allowable non-storm water discharges please see Part I.B.1.a.i on Page 16 of the Industrial Storm Water General Permit number ARR000000. In order for these discharges to be allowed, your SWPPP must include:

(a) An identification of each allowable non-storm water source;

(b) The location where it is likely to be discharged; and

(c) Descriptions of appropriate BMPs for each source.

(d) Except for flows from fire fighting activities, you must identify in your SWPPP all sources of allowable non-storm water that are discharged under the authority of this permit.

(e) If you include mist blown from cooling towers amongst your allowable non-storm water discharges, you must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determined that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs you have selected to control such discharges.

F. Comprehensive Site Compliance Evaluation

(1) Frequency and Inspectors

(a) You must conduct facility inspections at least once a year. The inspections must be done by qualified personnel provided by you. The qualified personnel you use may be either your own employees or outside consultants that you have hired, provided they are knowledgeable and possess the skills to assess conditions at your facility that could impact storm water quality and assess the effectiveness of the BMPs you have chosen to use to control the quality of your storm water discharges. If you decide to conduct more frequent inspections, your SWPPP must specify the frequency of inspections.

(2) Scope of the Compliance Evaluation

(a) Your inspections must include all areas where industrial materials or activities are exposed to storm water, as identified in Section B(4)(a) of this Part, and areas where spills and leaks have occurred within the past 3 years. Inspectors should look for: a) industrial materials, residue, or trash on the ground that could contaminate or be washed away in storm water; b) leaks or spills from industrial equipment, drums, barrels, tanks, or similar containers; c) offsite tracking of industrial materials or sediment where vehicles enter or exit the site; d) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas; and e) for evidence of, or the potential for, pollutants entering the drainage system. Storm water BMPs identified in your SWPPP must be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they must be inspected

to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

(3) **Follow-up Actions**

(a) Based on the results of the inspections, you must modify your SWPPP as necessary (e.g., show additional controls on the map required by Section B(2)(a)(iii) of this Part and revise the description of controls required by Section B(7)(a) of this Part to include additional or modified BMPs designed to correct the problems identified. You must complete revisions to the SWPPP within 14 calendar days following the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next anticipated storm event. If implementation before the next anticipated storm event is impracticable, they must be implemented as soon as practicable.

(4) **Compliance Evaluation Report**

(a) You must insure a report summarizing the scope of the inspection, name(s) of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP is completed and retained as part of the SWPPP for at least three years from the date permit coverage expires or is terminated. Major observations should include: the location(s) of discharges of pollutants from the site; and location(s) of BMPs that need to be maintained; location(s) where additional BMPs are needed that did not exist at the time of inspection. You must retain a record of actions taken in accordance with Part II Section C.7 (Retention of Records) of this permit as part of the storm water pollution prevention plan for at least three years from the date that permit coverage expires or is terminated. The inspection reports must identify any incidents of non-compliance. Where an inspection report does not identify any incidents of non-compliance, the report must contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. Both the inspection report and any reports of follow-up actions must be signed in accordance with Part II Section D (Reporting Requirements) of this permit.

(5) **Credit As a Routine Facility Inspection**

(a) Where compliance evaluation schedules overlap with inspections required under Section B(7)(c)(v) of this Part, your annual compliance evaluation may also be used as one of the Section B(7)(c)(v) of this Part , routine inspections.

G. **Maintaining Updated SWPPP**

(1) You must amend the storm water pollution prevention plan whenever:

(a) There is a change in design, construction, operation, or maintenance at your facility which has a significant effect on the discharge, or potential for discharge, of pollutants from your facility;

(b) During inspections or investigations by you or by local, State, Tribal or Federal officials it is determined the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under Section B(4) of this Part, or is otherwise not achieving the general objectives of controlling pollutants in discharges from your facility.

H. **Signature, Plan Review and Making Plans Available**

(1) You must sign your SWPPP in accordance with Part II Section D.11, and retain the plan on-site at the facility covered by this permit (see Part II Section C.7 for records retention requirements).

(2) You must keep a copy of the SWPPP on-site or locally available to the Director for review at the time of an on-site inspection. You must make your SWPPP available upon request to the Director, a State, Tribal or local agency approving storm water management plans, or the operator of a municipal separate storm sewer receiving discharge from the site. Also, in the interest of public involvement, EPA encourages you to make your SWPPPs available to the public for viewing during normal business hours.

(3) The Director may notify you at any time that your SWPPP does not meet one or more of the minimum requirements of this permit. The notification will identify provisions of this permit which are not being met, as well as the required modifications. Within thirty (30) calendar days of receipt of such notification, you must make the required changes to the SWPPP and submit to the Director a written certification that the requested changes have been made.

(4) You must make the SWPPP available to the USFWS upon request.

I. **Additional Requirements for Storm Water Discharges Associated With Industrial Activity From Facilities Subject to EPCRA Section 313 Reporting Requirements.**

(1) Potential pollutant sources for which you have reporting requirements under EPCRA 313 must be identified in your summary of potential pollutant sources as per Section B(4) of this Part. Note this additional requirement only applies to you if you are subject to reporting requirements under EPCRA 313.

11. If any individual analytical test result is less than the minimum quantification level (MQL) listed below, a value of zero (0) may be used for that individual result for the Discharge Monitoring report (DMR) calculations and reporting requirements.

Pollutant	EPA Method	MQL (µg/l)
Copper	200.7	10

The permittee may develop a matrix specific method detection limit (MDL) in accordance with Appendix B of 40 CFR Part 136. For any pollutant for which the permittee determines a site specific MDL, the permittee shall send to ADEQ, NPDES Permits Branch, a report containing QA/QC documentation, analytical results, and calculations necessary to demonstrate that a site specific MDL was correctly calculated. A site specific minimum quantification level (MQL) shall be determined in accordance with the following calculation:

MQL = 3.3 X MDL

Upon written approval by the NPDES Permits Branch, the site specific MQL may be utilized by the permittee for all future Discharge Monitoring Report (DMR) calculations and reporting requirements.

12. If TRC test results are less than Detection Level Achieved (DL), a value of zero (0) may be used for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

Total residual chlorine (TRC) in the effluent composite sample shall be measured and reported both at the time of sample termination and at the time of toxicity test initiation. The permittee shall ensure that the effluent composite used in toxicity testing is representative of normal facility residual chlorine discharge concentration.

13. This permit may be modified, if necessary, to conform with final effluent limitations established by an approved Water Quality Management Plan (WQMP), an approved waste load allocation (WLA) as part of a Total Maximum Daily Load (TMDL), or pollutant specific limits if a more specific 303(d) list is approved.

PART IV
DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. **"Act"** means the Clean Water Act, Public Law 95-217 (33.U.S.C. 1251 et seq.) as amended.
2. **"Administrator"** means the Administrator of the U.S. Environmental Protection Agency.
3. **"Applicable effluent standards and limitations"** means all State and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards of performance, toxic effluent standards and prohibitions, and pretreatment standards.
4. **"Applicable water quality standards"** means all water quality standards to which a discharge is subject under the federal Clean Water Act and which has been (a) approved or permitted to remain in effect by the Administrator following submission to the Administrator pursuant to Section 303(a) of the Act, or (b) promulgated by the Director pursuant to Section 303(b) or 303(c) of the Act, and standards promulgated under (APCEC) Regulation No. 2, as amended. ,
5. **"Bypass"** means the intentional diversion of waste streams from any portion of a treatment facility.
6. **"Daily Discharge"** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. *Mass Calculations:* For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of pollutant discharged over the sampling day. *Concentration Calculations*: For pollutants with limitations expressed in other units of measurement, determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all the samples collected during that sampling day by using the following formula: where C= daily concentration, F=daily flow and n=number of daily samples

$$\frac{C_1F_1 + C_2F_2 + \cdots + C_nF_n}{F_1 + F_2 + \cdots + F_n}$$

7. **"Monthly average"** means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. For Fecal Coliform Bacteria (FCB) report the monthly average (see 30-day average below).
8. **"Daily Maximum"** discharge limitation means the highest allowable "daily discharge" during the calendar month. The 7-day average for Fecal Coliform Bacteria (FCB) is the

geometric mean of the values of all effluent samples collected during the calendar week in colonies per 100 ml.

9. **"Department"** means the Arkansas Department of Environmental Quality (**ADEQ**).
10. **"Director"** means the Administrator of the U.S. Environmental Protection Agency and/or the Director of the Arkansas Department of Environmental Quality.
11. **"Grab sample"** means an individual sample collected in less than 15 minutes in conjunction with an instantaneous flow measurement.
12. **"Industrial User"** means a nondomestic discharger, as identified in 40 CFR Part 403, introducing pollutants to a POTW.
13. **"National Pollutant Discharge Elimination System"** means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the Clean Water Act.
14. **"POTW"** means a Publicly Owned Treatment Works.
15. **"Severe property damage"** means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in products.
16. **"APCEC"** means the Arkansas Pollution Control and Ecology Commission.
17. **"Sewage sludge"** means the solids, residues, and precipitate separated from or created in sewage by the unit processes at a POTW. Sewage as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff that are discharged to or otherwise enter a POTW.
18. **"7-day average"** discharge limitation, other than for Fecal Coliform Bacteria (FCB), is the highest allowable arithmetic mean of the values for all effluent samples collected during the calendar week. The 7-day average for Fecal Coliform Bacteria (FCB) is the geometric mean of the values of all effluent samples collected during the calendar week in colonies/100 ml. The Discharge Monitoring Report should report the highest 7-day average obtained during the calendar month. For reporting purposes, the 7-day average values should be reported as occurring in the month in which the Saturday of the calendar week falls in.
19. **"30-day average"**, other than for Fecal Coliform Bacteria (FCB), is the arithmetic mean of the daily values for all effluent samples collected during a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. The 30-day average for Fecal Coliform Bacteria (FCB) is the geometric mean of the values for all effluent samples collected during a calendar month. For Fecal Coliform Bacteria (FCB), report the monthly average as a 30-day geometric mean in colonies per 100 ml.
20. **"24-hour composite sample"** consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample collected at frequent intervals proportional to flow over the 24-hour period.
21. **"12-hour composite sample"** consists of 12 effluent portions, collected no closer together than one hour and composited according to flow. The daily sampling intervals shall include the highest flow periods.

22. **"6-hour composite sample"** consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
23. **"3-hour composite sample"** consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
24. **"Treatment works"** means any devices and systems used in storage, treatment, recycling, and reclamation of municipal sewage and industrial wastes, of a liquid nature to implement section 201 of the Act, or necessary to recycle reuse water at the most economic cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities, and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.
25. **"Upset"** means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. Any upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless of improper operations.
26. **"For Fecal Coliform Bacteria (FCB)"**, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads. For Fecal Coliform Bacteria (FCB) report the monthly average as a 30-day geometric mean in colonies per 100 ml.
27. **"Dissolved oxygen limit"**, shall be defined as follows:
    a. When limited in the permit as a minimum monthly average, shall mean the lowest acceptable monthly average value, determined by averaging all samples taken during the calendar month;
    b. When limited in the permit as an instantaneous minimum value, shall mean that no value measured during the reporting period may fall below the stated value.
28. **The term "MGD"** shall mean million gallons per day.
29. **The term "mg/l** "shall mean milligrams per liter or parts per million (ppm).
30. **The term "µg/l"** shall mean micrograms per liter or parts per billion (ppb).
31. **The term "cfs"** shall mean cubic feet per second.
32. **The term "ppm"** shall mean parts per million.
33. **The term "s.u."** shall mean standard units.
34. **The term "Instantaneous Maximum"** when limited in the permit as an instantaneous maximum value, shall mean that no value measured during the reporting period may fall above the stated value.
35. **Monitoring and Reporting:**
    When a permit becomes effective, monitoring requirements are of the immediate period of the permit effective date. Where the monitoring requirement for an effluent characteristic is monthly or more frequently, the Discharge Monitoring Report (DMR) shall be submitted by the 25th of the month following the sampling. Where the monitoring requirement for an effluent characteristic is Quarterly, Semi-Annual, Annual,

or Yearly, the DMR shall be submitted by the 25th of the month following the monitoring period end date.

MONTHLY:
is defined as a calendar month or any portion of a calendar month for monitoring requirement frequency of once/month or more frequently.

QUARTERLY:
(1) is defined as a fixed calendar quarter or any part of the fixed calendar quarter for a non-seasonal effluent characteristic with a measurement frequency of once/quarter. Fixed calendar quarters are: January through March, April through June, July through September, and October through December; or
(2) is defined as a fixed three month period (or any part of the fixed three month period) of or dependent upon the seasons specified in the permit for a seasonal effluent characteristic with a monitoring requirement frequency of once/quarter that does not coincide with the fixed calendar quarter. Seasonal calendar quarters are: May through July, August through October, November through January, and February through April.

SEMI-ANNUAL:
is defined as the fixed time periods January through June, and July through December (or any portion thereof) for an effluent characteristic with a measurement frequency of once/6 months or twice/year.

ANNUAL or YEARLY:
is defined as a fixed calendar year or any portion of the fixed calendar year for an effluent characteristic or parameter with a measurement frequency of once/year. A calendar year is January through December, or any portion thereof.

36. **The term "Weekday"** means Monday – Friday.

Final Fact Sheet

for renewal of final NPDES Permit Number AR0020273 to discharge to Waters of the State

1. **PERMITTING AUTHORITY.**

   The issuing office is:

   Arkansas Department of Environmental Quality
   5301 Northshore Drive
   North Little Rock, Arkansas 72118-5317

2. **APPLICANT.**

   The applicant is:

   City of Siloam Springs
   P. O. Box 80
   400 North Broadway
   Siloam Springs, AR 72761

3. **PREPARED BY.**

   The permit was prepared by:

   Marysia Jastrzebski, P.E.
   NPDES Branch, Water Division

4. **DATE PREPARED.**

   The permit was prepared on August 14, 2007.

5. **PREVIOUS PERMIT ACTIVITY.**

   Effective Date: April 1, 2002
   Modification Date: N/A
   Expiration Date: March 31, 2007

   The permittee submitted a permit renewal application on 12/05/2006. It is proposed that the current NPDES permit be reissued for a 5-year term in accordance with regulations promulgated at 40 CFR Part 122.46(a).

6. **RECEIVING STREAM SEGMENT AND DISCHARGE LOCATION.**

   The outfall is located at the following coordinates:

Latitude: 36° 11' 39" Longitude: 94° 33' 53"

The receiving waters named:

Sager Creek in Segment 3J of the Arkansas River Basin, thence into Flint Creek, thence into the Illinois River. The receiving stream is a Water of the State classified for primary, contact recreation, raw water source for public, industrial, and agricultural water supplies, propagation of desirable species of fish and other aquatic life, and other compatible uses.

a. **303(d) LIST AND ENDANGERED SPECIES CONSIDERATIONS.**

i. **303(d) List:**

Arkansas 303(d) List:

The receiving stream for this discharger is Sager Creek in Segment No. 3J of the Arkansas Basin. The receiving stream is not on the State's currently approved 303(d) list of impaired waterbodies. Therefore, no additional requirements beyond the described below technology-based or water quality-based effluent limitations and monitoring requirements, or those contained in the previous permit, are established in the proposed permit.

Oklahoma 303(d) List:

Since the facility discharges into Sager Creek approximately 500 yards upstream of the Oklahoma border, Oklahoma's Water Quality Standards and the State of Oklahoma "2004 Water Quality Assessment Integrated Report" have been considered. Sager Creek flows approximately 3 miles before reaching Flint Creek. Flint Creek flows approximately 7 miles before its confluence with the Illinois River.

According to Appendix C. Category 5 303(d) List of the State of Oklahoma "2004 Water Quality Assessment Integrated Report" the receiving stream, Sager Creek, is on Oklahoma's currently approved 303(d) list as impaired due to Nitrates. Additionally, Flint Creek below its confluence with Sager Creek is impaired for Nitrates, Enterococci Bacteria, Escherichia coli (E. coli), and Total Fecal Coliform. The Illinois River below the confluence with Flint Creek is impaired for Total Phosphorus. The sources of these pollutants are shown as unknown. All three of these waterbodies are listed in Category 5. TMDLs were scheduled to be performed in 2004 for Sager Creek and the Illinois River and in 2015 for Flint Creek.

Nitrates: The final permit will not include any specific limitations for Nitrates pending completion of the TMDL, however, in order to ensure that monitoring information is made available to assess further water quality requirements for this facility, and to assist in identifying pollutant sources in this waterbody, the proposed permit will include monitoring for Nitrates.

A reopener clause is established in Part III of the permit, which allows the permit to be modified, if necessary, to conform with final effluent limitations established by an approved Water Quality Management Plan (WQMP), an approved waste load allocation (WLA) as part of a Total Maximum Daily Load (TMDL), or pollutant specific limits if a more specific 303(d) list is approved.

Bacteria: Escherichia coli (E. coli), Enterococci, and Total Fecal Coliform. The wastewater treatment facility employs chlorine disinfection - one of the most reliable and effective technologies used to destroy a wide spectrum of pathogenic organisms. The facility has been consistently meeting the effluent limitations for Fecal Coliform Bacteria. Based on the Best Engineering Judgment of the permit writer, Fecal Coliform Bacteria can be used as an indicator of efficiency of disinfection used at the facility. There is no need to require monitoring and reporting for Escherichia coli (E. coli), Enterococci, and Total Fecal Coliform.

Total Phosphorus:

The final permit includes a Total Phosphorus limit based on the December 18, 2003, Statement of Joint Principles and Actions between Arkansas and Oklahoma, which calls for Siloam Springs to reduce the concentration of phosphorus in its effluent to 1 mg/l, based on a 30-day average, by 2009.

ii. **Endangered Species**:

No comments on the application were received from the U.S. Fish and Wildlife Service (USF&WS).

7. OUTFALL AND TREATMENT PROCESS DESCRIPTION.

The following is a description of the facility described in the application:

a. Design Flow: 4.4 MGD

b. Type of Treatment: screening, grit removal, primary clarifiers, secondary treatment - parallel trickling filters, intermediate clarifier, activated sludge nitrifying contact stabilization, final clarifiers, chlorine contact chamber, and sulphur dioxide dechlorination.

c. Discharge Description: treated municipal wastewater

8. INDUSTRIAL WASTEWATER CONTRIBUTIONS.

INDUSTRIAL USERS

This facility receives process wastewater from two non-categorical and two categorical Industrial Users:

Industrial Contributor	Principal Product	Process Wastewater Flow
Simmons Foods	Processed Chicken	1.4 mgd
Cobb -Ventress	Chicken Hatching	0.02 mgd
Gates Rubber	Rubber Belts	0.08 mgd
Franklin Electric	Assembling Motor Parts	0.005 mgd

Based on the applicant's effluent compliance history and the type of industrial contributions, standard Pretreatment Program implementation conditions are deemed appropriate at this time.

9. SEWAGE SLUDGE PRACTICES.

Sludge is treated in a gravity thickener and aerobic digester. It is dewatered using a belt press and then taken to a Cherokee Landfill in Oklahoma.

10. PERMIT CONDITIONS.

The Arkansas Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application. Permit requirements are based on NPDES regulations (40 CFR Parts 122, 124, and Subchapter N), the National Pretreatment Regulation in 40 CFR Part 403 and regulations promulgated pursuant to the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Ann. 8-4-101 et. seq.).

a. **Interim Effluent Limitations**

Outfall 001- treated municipal wastewater

i. Conventional and/or Toxic Pollutants

Effluent Characteristics	Discharge Limitations			Monitoring Requirements	
	Mass (lbs/day, unless otherwise specified)	Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Monthly Avg.	7-Day Avg.		
Flow (MGD)	N/A	Report	Report	once/day	totalizing meter
Carbonaceous Biochemical Oxygen Demand (CBOD5)	550	15	22.5	one/week	24-hr composite
Total Suspended Solids (TSS)	734	20	30	one/week	24-hr composite
Ammonia Nitrogen (NH3-N)					
(April)	59	1.6	3.9	one/week	24-hr composite
(May-Oct)	55	1.5	2.3	one/week	24-hr composite
(Nov-March)	147	4.0	6.0	one/week	24-hr composite
Dissolved Oxygen	N/A	7.0 (Monthly Avg. Min.)		one/week	grab
Fecal Coliform Bacteria (FCB)		(colonies/100ml)			
(Apr-Sept)	N/A	200	400	one/week	grab
(Oct-Mar)	N/A	1000	2000	one/week	grab
Total Residual Chlorine (TRC)	N/A	<0.1 mg/l (Inst. Max.)		one/week	grab
Total Phosphorus	Report	Report	Report	one/week	24-hr composite
Copper, Total Recoverable	0.56	15.21 µg/l	22.19 µg/l	one/quarter	24-hr composite
Nitrogen, Nitrate Total (as NO3)	Report	Report	Report	one/week	24-hr composite
pH	N/A	Minimum 6.0 s.u.	Maximum 9.0 s.u.	two/month	grab
Chronic Biomonitoring	N/A	See Condition 14 Below		one/quarter	24-hr composite

ii. **Solids, Foam, and Free Oil:** There shall be no discharge of distinctly visible solids, scum, or foam of a persistent nature, nor shall there be any formation of slime, bottom deposits, or sludge banks. There shall be no visible sheen due to the presence of oil (Sheen means an iridescent appearance on the surface of the water).

b. **Final Effluent Limitations**

Outfall 001- treated municipal wastewater

ii. Conventional and/or Toxic Pollutants

Effluent Characteristics	Discharge Limitations			Monitoring Requirements	
	Mass (lbs/day, unless otherwise specified)	Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Monthly Avg.	7-Day Avg.		
Flow (MGD)	N/A	Report	Report	once/day	totalizing meter
Carbonaceous Biochemical Oxygen Demand (CBOD5)	550	15	22.5	one/week	24-hr composite
Total Suspended Solids (TSS)	734	20	30	one/week	24-hr composite
Ammonia Nitrogen (NH3-N)					
(April)	59	1.6	3.9	one/week	24-hr composite
(May-Oct)	55	1.5	2.3	one/week	24-hr composite
(Nov-March)	147	4.0	6.0	one/week	24-hr composite
Dissolved Oxygen	N/A	7.0 (Monthly Avg. Min.)		one/week	grab
Fecal Coliform Bacteria (FCB)		(colonies/100ml)			
(Apr-Sept)	N/A	200	400	one/week	grab
(Oct-Mar)	N/A	1000	2000	one/week	grab
Total Residual Chlorine (TRC)	N/A	<0.1 mg/l (Inst. Max.)		one/week	grab
Total Phosphorus	37	1.0	1.5	one/week	24-hr composite
Copper, Total Recoverable	0.56	15.21 µg/l	22.19 µg/l	one/quarter	24-hr composite
Nitrogen, Nitrate Total (as NO3)	Report	Report	Report	one/week	24-hr composite
pH	N/A	Minimum 6.0 s.u.	Maximum 9.0 s.u.	two/month	grab
Chronic Biomonitoring	N/A	See Condition 14 Below		one/quarter	24-hr composite

ii. **Solids, Foam, and Free Oil:** There shall be no discharge of distinctly visible solids, scum, or foam of a persistent nature, nor shall there be any formation of slime, bottom deposits, or sludge banks. There shall be no visible sheen due to the presence of oil (Sheen means an iridescent appearance on the surface of the water).

11. BASIS FOR PERMIT CONDITIONS.

The following is an explanation of the derivation of the conditions of the final permit and the reasons for them or, in the case of notices of intent to deny or terminate, reasons suggesting the tentative decisions as required under 40 CFR Part 124.7 (48 FR 1413, April 1, 1983).

Technology-Based Versus Water Quality-Based Effluent Limitations And Conditions

Following regulations promulgated at 40 CFR Part 122.44 (1)(2)(ii), the final permit limits are based on either technology-based effluent limits pursuant to 40 CFR Part 122.44 (a) or on State water quality standards and requirements pursuant to 40 CFR Part 122.44 (d), whichever are more stringent.

a. Anti-backsliding

The proposed permit is consistent with the requirements to meet Anti-backsliding provisions of the Clean Water Act (CWA), Section 402(o) [40 CFR 122.44(l)(i)(A)], which state in part that final effluent limitations for reissuance permits must be as stringent as those in the previous permit, unless material and substantial alternations or additions to the permitted facility occurred after permit issuance which justify the application of a less stringent effluent limitations.

The proposed permit maintains the requirements of the previous permit with the following exceptions:

1. The effluent limitations for Total Recoverable Cyanide have been deleted based on the Best Engineering Judgment of the permit writer. This revision is allowed in accordance with the regulations contained in 40 CFR 122.44 (l)(2)(i)(B)(2), since the Department determined that technical mistake was made in issuing the previous permit which would constitute cause for permit modification or revocation and reissuance under 40 CFR 122.62. For a detailed explanation see Page 15 below.

2. The monitoring frequencies for CBOD5, TSS, NH3-N, DO, FCB, TRC, and Total Recoverable Copper have been reduced. This revision is allowed in accordance with the regulations contained in 40 CFR 122.44 (l)(2)(i)(B)(1) – since there is new information available which was not available at the time of permit issuance. For a detailed explanation see Page 18 below.

b. Technology-Based Effluent Limitations And/Or Conditions

The permit must at least comply with 40 CFR Part 133 (Secondary Treatment Regulation) when applicable.

c. **State Water Quality Numerical Standards Based Limitations**

The monthly average water quality-based limits for CBOD5, TSS, and DO have been based on the current NPDES permit and 40 CFR Part 122.44(l).

The calculation of the loadings (lbs per day) uses a design flow of 4.4 MGD and the following equation (See below). These limitations are included in the updated Arkansas Water Quality Management Plan (AWQMP). Fecal Coliform Bacteria and pH limitations are based on Chapter 5, Sections 2.507 and 2.504 of APCEC Regulation No. 2 as amended, respectively.

7-Day Average limits = Monthly average limits X 1.5

lbs/day = Concentration (mg/l) X Flow (MGD) X 8.34

Because the Siloam Springs' discharge to Sager Creek is approximately 500 yards from the Arkansas/Oklahoma state line, modeling was conducted to ensure the limits will maintain dissolved oxygen standards in both states. Oklahoma standards are detailed in "Title 785: Oklahoma Water Resources Board, Chapter 45: Oklahoma's Water Quality Standards" (785.45). Appendix A of this document lists the designated uses of Sager Creek as (1) public and private water supply, (2) cool water aquatic community, (3) class 1 irrigation, (4) primary body contact recreation, (5) aesthetic stream, (6) outstanding resource water. Oklahoma's dissolved oxygen criteria for a cool water aquatic communities (785.45 - Table 1) includes 3 seasons; early life stages, summer conditions, and winter conditions. MultiSMP desktop models were conducted for each season using EPA approved model parameters at the 785.45 specified season temperature to ensure Oklahoma water quality standards are maintained at the current effluent limits. The results of the models show the current limits will meet or exceed standards in Arkansas and Oklahoma.

Total Phosphorus:

The final permit includes a Total Phosphorus limit based on the December 18, 2003, Statement of Joint Principles and Actions between Arkansas and Oklahoma, which calls for Siloam Springs to reduce the concentration of Total Phosphorus in its effluent to 1 mg/l, based on a 30-day average, by 2009. The 7-Day Average effluent limitations are calculated using the following equations:

7-Day Avg. limits = Monthly average limits X 1.5

The loadings (lbs per day) are calculated using a design flow of 4.4 MGD and the following equation (See below).

lbs/day = Concentration (mg/l) X Flow (MGD) X 8.34

The proposed schedule of compliance is more stringent than the one required in Reg. 6.401(D)(2) of the APCEC Regulation No. 6.

Ammonia-Nitrogen (NH3-N):

The water quality effluent limitations for Ammonia are based on either DO-based effluent limits or on toxicity-based standards, whichever are more stringent.

The toxicity-based effluent limitations are based on Chapter 5, Section 2.512 of APCEC Regulation No. 2 and an ADEQ internal memo dated March 28, 2005. The following formula has been used to calculate toxicity based Ammonia limits:

$Cd = (IWC(Qd + Qb) - CbQb)/Qd,$

Where:

Cd = effluent limit concentration (mg/l)
IWC = Ammonia toxicity standard for Ecoregion
Qd = design flow = 4.4 MGD = 6.8 cfs
The 7Q10 of 0 cfs is based on "Identification and Classification of Perennial Streams of Arkansas", Arkansas Geological Commission Map
Qb = Critical flow of the receiving stream = 0 cfs. This flow is 67 percent of the 7-day, 10-year low-flow (7Q10) for the receiving stream.
Cb = background concentration = 0 mg/l

The following pH and temperature were used for the Ozark Highland Ecoregion:

Month	pH s.u.	Temperature ° C	IWC (Monthly Avg)	IWC (7-Day Avg.)
April-October	7.6	29	1.56 mg/l	3.9 mg/l
November-March	7.6	14	4.11 mg/l	10.3 mg/l

Notes:
- 7-Day Avg. = 4-day Average in APCEC Regulation No. 2
- Monthly Average = 30-day Average in APCEC Regulation No. 2

Calculations of Toxicity-Based Limits:

For April - October:

Monthly Avg:

Cd = (1.56 mg/l (6.8 cfs + 0 cfs) – (0 mg/l X 0 cfs))/ 6.8 cfs
= 1.56 mg/l, use 1.6 mg/l

7-Day Avg.:

Cd = (3.9 mg/l (6.8 cfs + 0 cfs) – (0 mg/l X 0 cfs))/ 6.8 cfs
= 3.9 mg/l

For November – March:

Monthly Avg:

Cd = (4.11 mg/l (6.8 cfs + 0 cfs) – (0 mg/l X 0 cfs))/ 6.8 cfs = 4.11 mg/l, use 4.1 mg/l

7-Day Avg.:

Cd = (10.3 mg/l (6.8 cfs + 0 cfs) – (0 mg/l X 0 cfs))/6.8 cfs
= 10.3 mg/l

Comparison between Arkansas Water Quality Standard DO based limits and calculated toxicity limits for Ammonia Nitrogen (NH3-N):

Month	DO Based Limits		Calculated Toxicity Limits		Final Water Quality Limits	
	Monthly Avg. (mg/l)	7-Day Avg. (mg/l)	Monthly Avg. (mg/l)	7-Day Avg. (mg/l)	Monthly Avg. (mg/l)	7-Day Avg. (mg/l)
(April)	4.0	6.0	1.6	3.9	1.6	3.9
(May-Oct)	1.5	2.3	1.6	3.9	1.5	2.3
(Nov-Mar)	4.0	6.0	4.1	10.3	4.0	6.0

d. **208 Plan (Water Quality Management Plan)**

The 208 Plan, developed by the ADEQ under provisions of Section 208 of the federal Clean Water Act, is a comprehensive program to work toward achieving federal water goals in Arkansas. The initial 208 Plan, adopted in 1979, provides for annual updates, but can be revised more often if necessary. The updated 208 Plan will add Total Phosphorus to the existing water quality limitations:

May-October: CBOD5/TSS/NH3-N/DO= 15/20/1.5/7.0 mg/l
November-April: CBOD5/TSS/NH3-N/DO= 15/20/4/7.0 mg/l
Design flow: 4.4 MGD
7Q10(background flow of the receiving stream): 0 cfs

Total Phosphorus = 1 mg/l (effective December 1, 2009)

e. **Toxics Pollutants**

i. Post Third Round Policy and Strategy

Section 101 of the Clean Water Act (CWA) states that "...it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited...". To insure that the CWA's prohibitions on toxic discharges are met, EPA has issued a "Policy for the Development of Water Quality-Based Permit Limitations by Toxic Pollutants" (49 FR 9016-9019,3/9/84). In support of the national policy, Region 6 adopted the "Policy for post Third Round NPDES Permitting" and the "Post Third Round NPDES Permit Implementation Strategy" on October 1, 1992. The Regional policy and strategy are designed to insure that no source will be allowed to discharge any wastewater which (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical State water quality standard resulting in non-conformance with the provisions of 40 CFR Part 122.44(d); (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation which threatens human health.

ii. Implementation

The State of Arkansas is currently implementing EPA's Post Third-Round Policy in conformance with the EPA Regional strategy. The 5-year NPDES permits contain technology-based effluent limitations reflecting the best controls available. Where these technology-based permit limits do not protect water quality or the designated uses, or where there are no applicable technology-based limits, additional water quality-based effluent limitations and/or conditions are included in the NPDES permits. State narrative and numerical water quality standards from Regulation No. 2 are used in conjunction with EPA criteria and other available toxicity information to determine the adequacy of technology-based permit limits and the need for additional water quality-based controls.

iii. Priority Pollutant Scan (PPS)

In accordance with the regional policy ADEQ has reviewed and evaluated the effluent in evaluating the potential toxicity of each analyzed pollutant:

(a) The results were evaluated and compared to EPA's Minimum Quantification Levels (MQLs) to determine the potential presence of a respective toxic pollutant. Those pollutants which are greater than or equal to the MQLs are determined to be reasonably present in the effluent and an evaluation of their potential toxicity is necessary.

(b) Those pollutants with one datum shown as "non-detect" (ND), providing the level of detection is equal to or lower than MQL are determined to be not potentially present in the effluent and eliminated from further evaluation.

(c) Those pollutants with a detectable value even if below the MQL are determined to be reasonably present in the effluent and an evaluation of their potential toxicity is necessary.

(d) For those pollutants with multiple data values and all values are determined to be non-detect, therefore no further evaluation is necessary. However, where data set includes some detectable concentrations and some values as ND, one-half of the detection level is used for those values below the level of detection to calculate the geometric mean of the data set.

The concentration of each pollutant after mixing with the receiving stream was compared to the applicable water quality standards as established in the Arkansas Water Quality Standards, Reg. No. 2 and with the aquatic toxicity, human health, and drinking water criteria obtained from the "Quality Criteria for Water, 1986 (Gold Book)". The following expression was used to calculate the pollutant instream waste concentration (IWC):

$$IWC = ((C_e \times Q_e) + (C_b \times Q_b))/(Q_e + Q_b)$$

where:

IWC = instream concentration of pollutant after mixing with receiving stream (μg/l)
C_e = pollutant concentration in effluent (μg/l)
Q_e = effluent flow of facility (cfs)
C_b = background concentration of pollutant in receiving stream (μg/l)
Q_b = background flow of receiving stream (cfs)

The following values were used in the IWC calculations:

C_e = varies with pollutant. A single value from the Priority Pollutant Screen (PPS) submitted by the permittee as part of the NPDES permit application or the geometric mean of a group of data points (less than 20 data points) is multiplied by a factor of 2.13. This factor is based on EPA's Region VI procedure (See attachment IV of Continuing Planning Process (CPP)) to extrapolate limited data sets to better evaluate the potential toxicity for higher effluent concentrations to exceed water quality standards. This procedure employs a statistical approach which yields an estimate of a selected upper percentile value (the 95th percentile) of an effluent data set which would be expected to exceed 95% of effluent concentrations in a discharge. If 20 or more data points during the last two years are available, do not multiply by 2.13, but instead use the maximum reported values.

Q_e = 4.4 MGD = 6.8 cfs

C_b = 0 µg/l

Q_b = (See below):

I. Aquatic Toxicity

Chronic Toxicity: Flow = 0 cfs, for comparison with chronic aquatic toxicity. This flow is 67 percent of the 7-day, 10-year low-flow (7Q10) for the receiving stream. The 7Q10 of 0 cfs is based on "Identification and Classification of Perennial Streams of Arkansas", Arkansas Geological Commission Map.

Acute Toxicity: Flow = 0 cfs, for comparison with acute aquatic toxicity. This flow is 33 percent of the 7Q10 for the receiving stream.

II. Bioaccumulation

Flow = 4 cfs, for comparison with bioaccumulation criteria. This flow is the harmonic mean assumed as per the CPP.

III. Drinking Water

Flow = 0 cfs, for comparison with drinking water criteria. This flow is the 7Q10 for the receiving stream.

The following values were used to determine limits for the pollutants:

Hardness = 148 mg/l, based on Attachment VI of the CPP.

TSS = 2.5 mg/l, based on Attachment V of the CPP

pH = 7.7 s.u., based on compliance data from Arkansas Water Quality Inventory Report"305(b), utilizing ADEQ accumulated data for Station ARK0005, Sager Creek near Siloam Springs

iv. Water Quality Standards for Metals and Cyanide

Standards for Chromium (VI), Mercury, Selenium, and Cyanide are expressed as a function of the pollutant's water-effect ratio (WER), while standards for cadmium, chromium (III), copper, lead, nickel, silver, and zinc are expressed as a function of the pollutant's water-effect ratio, and as a function of hardness.

The Water-effect ratio (WER) is assigned a value of 1.0 unless scientifically defensible study clearly demonstrates that a value less than 1.0 is necessary or a value greater than 1.0 is sufficient to fully protect the designated uses of the receiving stream from the toxic effects of the pollutant.

The WER approach compares bioavailability and toxicity of a specific pollutant in receiving water and in laboratory test water. It involves running toxicity tests for at least two species, measuring LC50 for the pollutant using the local receiving water collected from the site where the criterion is being implemented, and laboratory toxicity testing water made comparable to the site water in terms of chemical hardness. The ratio between site water and lab water LC50 is used to adjust the national acute and chronic criteria to site specific values.

v. Conversion of Dissolved Metals Criteria for Aquatic Life to Total Recoverable Metal

Metals criteria established in APCEC Regulation No. 2, Section 2.508 for aquatic life protection are based on dissolved metals concentrations and hardness values. However, Federal Regulations cited at 40 CFR Part 122.45(c) require that effluent limitations for metals in NPDES permits be expressed as total recoverable based on Attachment V of the CPP. Therefore a dissolved to the total recoverable metal conversion must be implemented. This involves determining a linear partition coefficient for the metal of concern and using this coefficient to determine the fraction of metal dissolved, so that the dissolved metal ambient criteria may be translated to a total effluent limit. The formula for converting dissolved metals to total recoverable metals for streams and lakes are provided in Attachment V of the CPP and Region 6 Implementation Guidance for Arkansas Water Quality Standards promulgated at 40 CFR Part 131.36.

vi. Comparison of the submitted information with the water quality standards and criteria

The following pollutants were determined to be present in the effluent for each pollutant as reported by the permittee.

Pollutant	Concentration Reported µg/l	MQL µg/l
Zinc	45*	20
Copper	15**	10

* Geometric mean of 17 samples collected on September 11, 2002, November 13, 2002, March 12, 2003, May 14, 2003, September 10, 2003, November 19, 2003, February 10, 2004, May 11, 2004, August 18, 2004, October 12, 2004, February 8, 2005, April 13, 2005, August 1, 2005, November 01, 2005, February 7, 2006, May 2, 2006, and PPS datum.

The following equation has been used to calculate Geometric mean:

(24 µg/l x 60 µg/l x 29 µg/l x 24 µg/l x 38 µg/l x 35 µg/l x 53 µg/l x 50 µg/l x 44 µg/l x 40 µg/l x 48 µg/l x 110 µg/l x 53µg/l x 47 µg/l x 80 µg/l x 40 µg/l x 50 µg/l)$^{1/17}$ = 45 µg/l

** The highest value of twenty four concentrations reported on the Discharge Monitoring reports submitted since December 2004.

However, ADEQ has determined from the information submitted by the permittee that no water quality standards or Gold Book criteria are exceeded. Therefore, no permit action is necessary to maintain these standards or criteria (See Attachment 1.)

Discussion regarding Total Recoverable Cyanide:

The current permit includes the effluent limitations for Total Recoverable Cyanide based on Arkansas' Water Quality Standards. A review of the 2002 Fact Sheet indicates a technical error was made in assuming Cyanide was present in the effluent. The reported value of 10 µg/l was compared with Arkansas' chronic and acute water quality standards. Since this value was below MQL of 20 µg/l, Cyanide should be shown as non detect and the permit limit should not be included in the permit. Furthermore, according to the submitted Discharge Monitoring Reports this pollutant has been reported as non-detect (i. e. below 20 µg/l since June 2002). Therefore, based on the Best Engineering Judgment of the permit writer, the effluent limitations for this parameter have been deleted. Based on 40 CFR 122.44 (l)(2)(i)(B)(2) this change does not constitute backsliding since there was technical mistake made during the time of permit issuance which would constitute cause for a permit modification or revocation and reissuance under 40 CFR 122.62.

Oklahoma Water Quality Standards Evaluation

The effluent from this facility flows into Sager Creek, then to Flint Creek, thence to the Illinois River which is a Water of the State of Oklahoma. Therefore, ADEQ compared the IWC of the pollutants in Item 11.e.vi to the Oklahoma Water Quality Standards.

A. **Effluent Analysis Summary for Aquatic Life Protection**

Pollutant	Ce µg/l	Ce X 2.13 µg/l	IWC µg/l	WQ Acute+ µg/l	WQ Chronic+ µg/l
Zinc*	45	96	96	120.8	110.3
Copper**	6.4	13.7	13.7	19.6	13.0

Zinc*:

C_e - Geometric mean of 17 samples collected on September 11, 2002, November 13, 2002, March 12, 2003, May 14, 2003, September 10, 2003, November 19, 2003, February 10, 2004, May 11, 2004, August 18, 2004, October 12, 2004, February 8, 2005, April 13, 2005, August 1, 2005, November 01, 2005, February 7, 2006, May 2, 2006, and PPS datum.

The following equation has been used to calculate Geometric mean:

(24 µg/l x 60 µg/l x 29 µg/l x 24 µg/l x 38 µg/l x 35 µg/l x 53 µg/l x 50 µg/l x 44 µg/l x 40 µg/l x 48 µg/l x 110 µg/l x 53µg/l x 47 µg/l x 80 µg/l x 40 µg/l x 50 µg/l)$^{1/17}$ = 45 µg/l

C_e X 2.13 = Reasonable potential factor. (Referred to as C_{95} in Paragraph 785:46-5-3(b)(1) of "Title 785. Oklahoma Water Resources Board, Chapter 46. Implementation of Oklahoma's Water Quality Standards", July 2006

Instream Waste Concentration (IWC). IWC (Referred to as C) is determined by first calculating the dilution capacity of the receiving stream, Q*. The value of Q* will determine which of three equations is to be used to calculate C, the concentration on the mixing zone boundary. (Following equations were taken Paragraph 785:46-5-3(b)(2) of "Title 785. Oklahoma Water Resources Board, Chapter 46. Implementation of Oklahoma's Water Quality Standards", July 2006.

Q* = Qe/Qu = 6.8/1 = 6.8
at Qe = design flow of facility = 4.4 MGD = 6.8 cfs, and

Qu = 7Q2 of receiving stream = assume 1.0 cfs

Since Q* is greater than 0.3333, the following equation from Paragraph 785:46-5-3(b)(2) of "Title 785. Oklahoma Water Resources Board, Chapter 46. Implementation of Oklahoma's Water Quality Standards", July 2006 will be used to determine the concentration on the mixing zone:

$C = C_{95}$

+ Based on Oklahoma water quality standards (OWQS) for the numerical chronic and acute criteria for toxic substances-Fish and Wildlife Propagation (Table 2 of Appendix G of "Title 785. Oklahoma Water Resources Board, Chapter 45. Oklahoma's Water Quality Standards", July 2006.) All hardness dependent criteria were calculated using a hardness value of 106.55 mg/l $CaCo_3$ for Segment No. 121700, as taken from Appendix B of "Title 785. Oklahoma Water Resources Board, Chapter 46. Implementation of Oklahoma's Water Quality Standards", July 2006.

{e(0.8473[ln(hardness)] + 0.8604)} x 0.978 = 120.8 µg/l, Acute Criterion

{e(0.8473[ln(hardness)] + 0.7614)} x 0.986 = 110.3 µg/l, Chronic Criterion

As seen in the above table, the calculated IWC does not exceed any Oklahoma Water Quality Standards. Therefore, no permit limits are necessary for aquatic life protection.

Copper:

C_e - Geometric mean of 24 samples reported on the Discharge Monitoring Reports submitted since December 2004. PPS submitted with the applications also shows this parameter as non-detect. This pollutant was reported as non-detect, i. e. below 10 µg/l during 17 out of 24 monthly tests. During the same period of time, the facility reported eight detectable concentrations of this pollutant. According to Arkansas' CPP, the highest reported concentration of 15 µg/l geometric mean of all reported concentrations would be

used as C_e since we have more than 20 datapoints available. According to Oklahoma's CPP C_e is calculated as geometric mean. The calculation is shown below(for all non-detect values, ½ of MQL of 10 µg/l was used):

$GM=(5^{17}\mu g/l \times 14\mu g/l \times 12\mu g/l \times 15\mu g/l \times 10\mu g/l \times 11\mu g/l \times 11\mu g/l \times 11\mu g/)^{1/24} =$
$= 6.4\ \mu g/l$

$C_e = GM$

C_e X 2.13 = Reasonable potential factor. (Referred to as C_{95} in Paragraph 785:46-5-3(b)(1) of "Title 785. Oklahoma Water Resources Board, Chapter 46. Implementation of Oklahoma's Water Quality Standards" July 2006)

Instream Waste Concentration (IWC). IWC (Referred to as C) is determined by first calculating the dilution capacity of the receiving stream, Q*. The value of Q* will determine which of three equations is to be used to calculate C, the concentration on the mixing zone boundary. (Following equations were taken Paragraph 785:46-5-3(b)(2) of "Title 785. Oklahoma Water Resources Board, Chapter 46. Implementation of Oklahoma's Water Quality Standards", July 2006.

Q* = Qe/Qu = 6.8/1 = 6.8
at Qe = design flow of facility = 4.4 MGD = 6.8 cfs, and

Qu = 7Q2 of receiving stream = assume 1.0 cfs

Since Q* is greater than 0.3333, the following equation from Paragraph 785:46-5-3(b)(2) of "Title 785. Oklahoma Water Resources Board, Chapter 46. Implementation of Oklahoma's Water Quality Standards", July 2006 will be used to determine the concentration on the mixing zone:

$C = C_{95}$

+ Based on Oklahoma water quality standards (OWQS) for the numerical chronic and acute criteria for toxic substances-Fish and Wildlife Propagation (Table 2 of Appendix G of "Title 785. Oklahoma Water Resources Board, Chapter 45. Oklahoma's Water Quality Standards", July 2006.) All hardness dependent criteria were calculated using a hardness value of 106.55 mg/l $CaCo_3$ for Segment No. 121700, as taken from Appendix B of "Title 785. Oklahoma Water Resources Board, Chapter 46. Implementation of Oklahoma's Water Quality Standards", July 2006.

{e(0.9422[ln(hardness)] – 1.3844)}x 0.960 = 19.6 µg/l, Acute Criterion

{e(0.8545[ln(hardness)] – 1.386)} x 0.960 = 13.0 µg/l, Chronic Criterion

As seen in the above table, the calculated IWC exceeds Oklahoma Water Quality Standards for Copper. Therefore, the effluent limitations from the current permit will be continued.

Discussion regarding monitoring frequency for Total Recoverable Copper:

The current permit includes effluent limitations for Total Recoverable Copper based on Oklahoma's Water Quality Standards. According to the submitted Discharge Monitoring Reports this pollutant was reported as non-detect, i. e. below 10 µg/l during 17 out of 24 monthly tests since December 2004. It is the Best Engineering Judgment of the permit writer that the monitoring requirements should be reduced from 1/month to 1/quarter. Based on 40 CFR 122.44 (l)(2)(i)(B)(1) this change does not constitute backsliding since there is new information available at the time of permit issuance which would constitute cause for permit modification or revocation and reissuance under 40 CFR 122.62.

B. **Effluent Analysis Summary for Human Health Protection**

Pollutant	Ce, µg/l	Cs, 2413 µg/l	IWC, µg/l	Human Health Standard, µg/l
Zinc	45	96	9.6	*
Copper	6.4	13.7	13.7	*

* Oklahoma does not have any numerical criteria for these parameters, therefore, no further calculations are required.

12. TOTAL RESIDUAL CHLORINE (TRC) REQUIREMENTS.

No measurable which is defined as less than 0.1 mg/l is continued from the previous permit.

13. FINAL LIMITATIONS.

The following effluent limitations requirements were placed in the permit based on the more stringent of the technology-based, water quality-based, or previous NPDES permit limitations:

Parameter	Water Quality Based		Technology Based/BPJ		Previous NPDES Permit		Permit Limit	
	Monthly Avg. mg/l	7-day Avg. mg/l	Monthly Avg. mg/l	7-day Avg. mg/l	Monthly Avg. mg/l	7-day Avg. mg/l	Monthly Avg. mg/l	7-day Avg. mg/l
CBOD5	15	22.5	25	40	15	23	15	22.5
TSS	20	30	30	45	20	30	20	30
NH3-N								

(April)	1.6	3.9	N/A	N/A	4.0	6.0	1.6	3.9
(May-Oct)	1.5	2.3	N/A	N/A	1.5	2.3	1.5	2.3
(Nov-March)	4.0	6.0	N/A	N/A	4.0	6.0	4.0	6.0
Dissolved Oxygen	7.0 (Monthly Avg. Min.)		N/A		7.0 (Inst. Min)		7.0 (Monthly Avg. Min.)	
FCB (col/100 ml)								
(Apr-Sept)	200	400	N/A	N/A	200	400	200	400
(Oct-Mar)	1000	2000	N/A	N/A	1000	2000	1000	2000
TRC (Inst. Max)	N/A		< 0.1 mg/l		<0.1 mg/l		<0.1 mg/l	
Total Phosphorus	1	1.5	N/A	N/A	Report	Report	1	1.5
Total Recoverable Copper	15.21 µg/l	22.19 µg/l	N/A	N/A	15.21 µg/l	22.19 µg/l	15.21 µg/l	22.19 µg/l
Nitrogen, Nitrate Total (as NO3)	N/A	N/A	Report	Report	N/A	N/A	Report	Report
pH	6.0-9.0 s.u.		6.0-9.0 s.u.		6-9 s.u.		6.0-9.0 s.u.	

14. **BIOMONITORING.**

Section 101(a)(3) of the Clean Water Act states that ".....it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited." In addition, ADEQ is required under 40 CFR Part 122.44(d)(1), adopted by reference in Regulation 6, to include conditions as necessary to achieve water quality standards as established under Section 303 of the Clean Water Act. Arkansas has established a narrative criteria which states "toxic materials shall not be present in receiving waters in such quantities as to be toxic to human, animal, plant or aquatic life or to interfere with the normal propagation, growth and survival of aquatic biota."

Whole effluent biomonitoring is the most direct measure of potential toxicity which incorporates the effects of synergism of effluent components and receiving stream water quality characteristics. It is the national policy of EPA to use bioassays as a measure of toxicity to allow evaluation of the effects of a discharge upon a receiving water (49 Federal Register 9016-9019, March 9, 1984). EPA Region 6 and the State of Arkansas are now implementing the Post Third Round Policy and Strategy established on September 9, 1992, and EPA Region 6 Post-Third Round Whole Effluent Toxicity Testing Frequencies, revised March 13, 2000. Biomonitoring of the effluent is thereby required as a condition of this permit to assess potential toxicity. The biomonitoring procedures stipulated as a condition of this permit are as follows:

TOXICITY TESTS	**FREQUENCY**
Chronic Biomonitoring	Once/quarter

Requirements for measurement frequency are based on Appendix D of the CPP.

Since 7Q10 is less than 100 cfs (ft^3/sec) and dilution ratio is less than 100:1, chronic biomonitoring requirements will be included in the permit.

The calculations for dilution used for chronic biomonitoring are as follows:

Critical dilution (CD) = (Qd/(Qd + Qb)) X 100

Qd = Design flow = 4.4 MGD = 6.8 cfs
7Q10 = 0 cfs
Qb = Background flow = (0.67) X 7Q10 = 0 cfs
CD = (6.8) / (6.8+0) X 100 = 100 %

Toxicity tests shall be performed in accordance with protocols described in "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms", EPA/600/4-91/002, July 1994. A minimum of five effluent dilutions in addition to an appropriate control (0%) are to be used in the toxicity tests. These additional effluent concentrations are **32%, 42%, 56%, 75%, and 100%** (See **Attachment I** of the CPP). The low-flow effluent concentration (critical dilution) is defined as **100%** effluent. The requirement for chronic biomonitoring tests is based on the magnitude of the facility's discharge with respect to receiving stream flow. The stipulated test species, *Ceriodaphnia dubia* and the Fathead Minnow (*Pimephales promelas*) are indigenous to the geographic area of the facility; the use of these is consistent with the requirements of the State water quality standards. The biomonitoring frequency has been established to provide data representative of the toxic potential of the facility's discharge, in accordance with the regulations promulgated at 40 CFR Part 122.48.

Results of all dilutions as well as the associated chemical monitoring of pH, temperature, hardness, dissolved oxygen conductivity, and alkalinity shall be reported according to EPA/600/4-91/002, July 1994 and shall be submitted as an attachment to the Discharge Monitoring Report (DMR).

This permit may be reopened to require further biomonitoring studies, Toxicity Reduction Evaluation (TRE) and/or effluent limits if biomonitoring data submitted to the Department shows toxicity in the permittee's discharge. Modification or revocation of this permit is subject to the provisions of 40 CFR 122.62, as adopted by reference in APCEC Regulation No. 6. Increased or intensified toxicity testing may also be required in accordance with Section 308 of the Clean Water Act and Section 8-4-201 of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended).

Administrative Records

The following information summarized toxicity test submitted by the permittee during the term of the current permit at Outfall **001**:

BIOMONITORING FREQUENCY RECOMMENDATION AND RATIONALE FOR ADDITIONAL REQUIREMENTS

Permit Number: **AR0020273**
Facility Name: **City of Siloam Springs**
Previous Critical Dilution: **100%** Proposed Critical Dilution: **100 %**
Date of Review: 2/1/07 Name of Reviewer: **Clem**

Number of Test Performed during previous 5 years by Species:
***Pimephales promelas* (Fathead minnow) : 18**
***Ceriodaphnia dubia* (water flea): 16**

Failed Test Dates during previous 5 years by Species:
***Pimephales promelas* (Fathead minnow):** Lethal:11-03 Sublethal: 12-02, 11-03, 11-05

***Ceriodaphnia dubia* (water flea):** Sublethal: 5-04, 11-05

Previous TRE Activities:

Frequency Recommendation by Species:
***Pimephales promelas* (Fathead minnow): four/year**
***Ceriodaphnia dubia* (water flea): four/year**

Additional Requirements (including WET Limits) Rationale/Comments Concerning Permitting:

Rationale: According to the EPA Region 6 Post-Third Round Whole Effluent Toxicity Testing Frequencies: "All major dischargers, and those minor dischargers specifically identified by EPA or the State permitting authority (based on available information on a case-by case basis) as posing a significant unaddressed toxic risk, will be required to perform Whole Effluent Toxicity testing at a frequency of once per quarter for the vertebrate and invertebrate tests species for the first year of a new or reissued permit."

15. **SAMPLE TYPE AND FREQUENCY.**

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity [40 CFR Part 122.48(b)] and to ensure compliance with permit limitations [40 CFR Part 122.44(i)(l)].

The requirements for the sample type and sampling frequencies for pH and biomonitoring have been based on the current NPDES permit.

The requirements for sample type for flow, DO, TRC, and FBC have been based on the current NPDES permit.

The requirements for sample type for CBOD5, TSS, NH3-N, and Total Recoverable Copper have been changed from 6-hr composite to 24-hr composite as per request from the permittee. It is the Best Engineering Judgment of the permit writer that this requirement is more stringent that the requirement of the previous permit.

The requirements for sampling frequencies for CBOD5, TSS, NH3-N, DO, TRC, and FCB have been reduced using EPA's *Interim Guidance for Performance - Based Reductions of NPDES Permit Monitoring Frequencies*. This decrease in monitoring frequencies does not constitute backsliding based on 40 CFR 122.44 (l)(2)(i)(B)(1) since there is new information available which was not available at the time of permit issuance.

The sampling frequency for flow has been changed from 5/week to 1/day based on the Best Engineering Judgment of the permit writer.

The requirements for sample type and sampling frequencies for Nitrates and Total Phosphorus have been based on the Best Engineering Judgment of the permit writer.

The monitoring frequencies are based on the Best Engineering Judgment of the permit writer, taking into account the nature of the facility and the previous permit information

Parameter	Previous Permit		Final Permit	
	Sample Type	Frequency of Sample	Sample Type	Frequency of Sample
Flow	totalizing meter	five/week	totalizing meter	once/day
CBOD5	6-hr composite	three/week	24-hr composite	one/week
TSS	6-hr composite	three/week	24-hr composite	one/week
NH3-N				
(April)	6-hr composite	three/week	24-hr composite	one/week
(May-Oct)	6-hr composite	three/week	24-hr composite	one/week
(Nov-March)	6-hr composite	three/week	24-hr composite	one/week
Dissolved Oxygen	grab	three/week	grab	one/week
FCB				
(Apr-Sept)	grab	three/week	grab	one/week
(Oct-Mar)	grab	three/week	grab	one/week
TRC	grab	three/week	grab	one/week
Total Phosphorus	grab	one/month	24-hr composite	one/week
Copper, Total Recoverable	6-hr composite	one/month	24-hr composite	one/quarter

Nitrogen, Nitrate Total (as NO3)	N/A	N/A	24-hr composite	one/week
pH	grab	two/month	grab	two/month

16. SIGNIFICANT CHANGES FROM THE PREVIOUSLY ISSUED PERMIT.

The permittee is responsible for carefully reading the permit in detail and becoming familiar with all of the changes therein:

1. The coordinates for the facility location and Outfall 001 have been corrected.
2. The coordinates for the sampling locations have been added.
3. The sampling locations for flow and all other parameters have been clarified.
4. The physical address has been included.
5. The 7-day Avg. effluent limitations for Carbonaceous Biochemical Oxygen Demand (5 day) (CBOD5) have been changed.
6. The effluent limitation for Dissolved Oxygen has been changed from Inst. Min. to Monthly Avg. Min.
7. The effluent limitations for pH have been changed from 6-9 s.u. to 6.0-9.0 s.u.
8. Final limitations and a schedule of compliance have been included for Total Phosphorus.
9. The effluent limitations for Ammonia Nitrogen for the month of April have been changed.
10. A requirement for monitoring and reporting for Nitrates has been added.
11. The effluent limitations for Total Recoverable Cyanide have been deleted.
12. The interim effluent limitations and a schedule of compliance for Total Recoverable Copper have been deleted.
13. The requirements for sample type for Carbonaceous Biochemical Oxygen Demand (5 day)(CBOD5), Total Suspended Solids (TSS), Ammonia- Nitrogen (NH3-N), and Total Recoverable Copper have been changed from 6-hr composite to 24-hr composite.
14. The requirements for sample frequencies for all parameters except pH and biomonitoring have been changed.
15. The requirements for sample type and sample frequency for Total Phosphorus have been changed.
16. The units for Total Phosphorus have been changed from µg/l to mg/l.
17. A specific requirement for a licensed operator has been included.
18. Condition 8 of Part III.(Pretreatment Requirements) has been revised to require the permittee to modify their existing Pretreatment Program to be current with the revised (10/05) Pretreatment Regulations under 40 CFR 403 and submit to ADEQ for approval.
19. Part II, Part III, and Part IV have been revised.
20. One decimal place has been added to the concentration limitations for NH3-N for the months of November through March.

17. STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS.

Storm water pollution prevention plan requirements are included based on Storm water General Permit ARR000000, Part I, Section A.4.a.ix. which requires SWPPP for POTW's

with discharges greater than 1.0 MGD. However; in lieu of storm water pollution prevention plan requirements the permittee may submit "No exposure certification for exclusion from NPDES Storm water " to the Department during the public comment period and storm water pollution prevention plan requirements will be deleted in the final permit.

18. **SCHEDULE OF COMPLIANCE.**

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

1. Compliance with the interim effluent limitations is required on the effective date of the permit.

2. Compliance with the final effluent limitations for Total Phosphorus is required as soon as possible but no later than December 1, 2009.

3. The annual progress reports shall be submitted in accordance with the following schedule:

   First progress report - One year from the effective date
   Second progress report - Two years from the effective date

   The permittee shall submit all necessary proposed Pretreatment Program modifications, including Ordinance revisions to ADEQ within twelve (12) months of the effective date of this permit.

   The permittee shall, within sixty (60) days of the effective date of this permit, (1) submit a **WRITTEN CERTIFICATION** that a technical evaluation has demonstrated that the existing technically based local limits (TBLL) are based on current state water quality standards and are adequate to prevent pass through of pollutants, inhibition of or interference with the treatment facility, worker health and safety problems, and sludge contamination, **OR** (2) submit a **WRITTEN NOTIFICATION** that a technical evaluation revising the current TBLL and a final sewer use ordinance which incorporates such revisions will be submitted within twelve (12) months of the effective date of this permit.

19. **MONITORING AND REPORTING.**

The applicant is at all times required to monitor the discharge on a regular basis; and report the results monthly. The monitoring results will be available to the public.

20. **SOURCES.**

The following sources were used to draft the final permit:

a. NPDES application No. AR0020273 received 12/05/2006.

b. Arkansas Water Quality Management Plan (WQMP).
c. APCEC Regulation No. 2.
d. APCEC Regulation No. 6.
e. 40 CFR Parts 122, 125, 133 and 403.
f. NPDES permit file AR0020273.
g. Discharge Monitoring Reports (DMRs).
h. "Arkansas Water Quality Inventory Report 2000 (305B)", ADEQ.
i. Memo from Mo Shafii to NPDES Engineers dated March 28, 2005
j. "Identification and Classification of Perennial Streams of Arkansas", Arkansas Geological Commission.
k. Continuing Planning Process (CPP).
l. Technical Support Document For Water Quality-based Toxic Control.
m. Region 6 Implementation Guidance for Arkansas Water Quality Standards promulgated at 40 CFR Part 131.36.
n. Title 785. Oklahoma Water Resources Board. Chapter 45. Oklahoma's Water Quality Standards, July 1, 2006.
o. Title 786. Oklahoma Water Resources Board. Chapter 46. Implementation of Oklahoma's Water Quality Standards, July 1, 2006.
p. The State of Oklahoma 2004 Water Quality Assessment Integrated Report.
q. Statement of Joint Principles and Actions between Arkansas and Oklahoma, December 18, 2003.
r. Letter dated February 9, 2007, from Trevor Bowman, P. E., to George McCluskey, Arkansas Department of Heritage.
s. Site visit and facility inspection on February 5, 2007.
t. E-mail dated January 24, 2007 and January 25, 2007, from Amy Cotter to Marysia Jastrzebski.
u. E-mail dated February 12, 2007, from Dick Cassat to Marysia Jastrzebski.
v. E-mail dated February 1, 2007, from Sarah Clem to Marysia Jastrzebski.
w. E-mail dated January 24, 2007, from Allen Gilliam to Marysia Jastrzebski.
x. E-mail dated February 13, 2007, from Allen Gilliam to Marysia Jastrzebski.
y. E-mail dated February 27, 2007, from Thomas A. Myers to Marysia Jastrzebski.

ATTACHMENT 1

Priority Pollutant Scan Calculation

Permittee	City of Siloam Springs		
Receiving Stream	Sager Creek, thence to Flint Creek, thence to the Illinois River		
Permit number	AR0020273		Qe for:
Flow (Qe)	4.40	MGD	Municipalities = Design Flow
Flow (Qe)	6.80	CFS	Industrial Discharges = Highest monthly average flow of the last two years
7Q10 =	0.00	CFS	
Long Term Average =	4.00	CFS	TSS for:
Using Diffusers	no	Yes/No	Gulf Coastal 5.5 mg/l Ouach Mount = 2 mg/l
pH =	7.70	S.U.	Ark River Valley = 3 mg/l Ozark Highands = 2.5 mg/l
Total Hardness	148.00	mg/l	Boston Mount = 1.3 mg/l Delta = 8 mg/l
TSS	2.5	mg/l	
(% of 7Q10 for Chronic)	0.67		Total Hardness for:
(% of 7Q10 for Acute)	0.06		Arkansas River = 125 mg/l Red River = 211 mg/l
			Ouachita River = 28 mg/l St. Francis River = 103 mg/l
For the following receiving enter 0.06 in cell *C17			White River = 116 mg/l
Mississippi, Arkansas, Red River.			Gulf Coastal = 31 mg/l Ouachita Mount = 31 mg/l
White (Below confluence with Black River)			Ozark Highlands = 148 mg/l Ark River Valley = 25 mg/l
Ouachita (below Confluence with Little Miss. Rive			Boston Mount = 25 mg/l Delta = 81 mg/l

Upstream Flow (Qb) = 0.00 (Chronic) 0.00 (Acute)
Pollutant Concentration Upstream (Cb) = 0 ug/l
Water Effect Ratio(WER) 1.00
Cancer Risk Level: 1.00E-05 (STATE); 1.00e-6 (EPA)

IWC = Instream concentration of pollutant after mixing with the receiving stream
IWC = (Ce*Qe + Cb*Qb)/(Qb +Qe)
Ce = Pollutant concentration in the effluent (ug/l) - Reported value as Total Recov

	Reported Value (Ce) (ug/l)	Ce*2.13 (ug/l)	EPA Acute (ug/l)	STATE Acute (ug/l)	IWC Acute (ug/l)	EPA Chronic (ug/l)	STATE Chronic (ug/l)	IWC Chronic (ug/l)	EPA Bioacc. (ug/l)	STATE Bioacc. (ug/l)	IWC Bioacc. (ug/l)	Violation of Acute	Chr	Bio
METALS and CYANIDE														
1. Antimony Total	0.00	0.00	9000	**********	0.00	1600	**********	0.00	4300	**********	0.00	NO	NO	NO
2. Arsenic Total	0.00	0.00	581.30	**********	0.00	306.80	**********	0.00	1.40	**********	0.00	NO	NO	NO
3. Beryllium Total	0.00	0.00	130.00	**********	0.00	5.30	**********	0.00	**********	0.076	0.00	NO	NO	NO
4. Cadmium Total*	0.00	0.00	**********	25.76	0.00	**********	6.27	0.00	**********	**********	0.00	NO	NO	NO
6. Chromium (Tri)*	0.00	0.00	**********	3466.72	0.00	**********	1124.57	0.00	**********	**********	0.00	NO	NO	NO
7. Chromium (hex)	0.00	0.00	**********	15.71	0.00	**********	10.58	0.00	**********	**********	0.00	NO	NO	NO
8. Copper Total*	0.00	0.00	**********	57.11	0.00	**********	36.81	0.00	**********	**********	0.00	NO	NO	NO
9. Lead Total*	0.00	0.00	**********	430.62	0.00	**********	16.78	0.00	**********	**********	0.00	NO	NO	NO
10. Mercury Total*	0.00	0.00	**********	7.24	0.00	**********	0.0120	0.00	0.15	**********	0.00	NO	NO	NO
12. Nickel Total*	0.00	0.00	**********	3405.03	0.00	**********	378.16	0.00	4600	**********	0.00	NO	NO	NO
13. Selenium Total	0.00	0.00	**********	20.00	0.00	**********	5.00	0.00	**********	**********	0.00	NO	NO	NO
14. Silver Total*	0.00	0.00	**********	22.5816	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
15. Thallium Total	0.00	0.00	1400	**********	0.00	40.00	**********	0.00	6.30	**********	0.00	NO	NO	NO
16. Zinc Total*	45.00	95.85	**********	422.06	95.85	**********	385.40	95.85	**********	**********	60.34	NO	NO	NO
129. Phenols, Total	0.00	0.00	**********	**********	**********	**********	**********	**********	**********	**********	0.00			NO
17. Cyanide Total	0.00	0.00	**********	22.36	0.00	**********	5.20	0.00	220000	**********	0.00	NO	NO	NO

* See linear partition coefficient (Page 6)

	Reported Value (Ce) (ug/l)	Ce*2.13 (ug/l)	EPA Acute (ug/l)	STATE Acute (ug/l)	IWC Acute (ug/l)	EPA Chronic (ug/l)	STATE Chronic (ug/l)	IWC Chronic (ug/l)	EPA Bioacc. (ug/l)	STATE Bioacc. (ug/l)	IWC Bioacc. (ug/l)	Violation of Acute	Chr	Bio
DIOXIN														
18. 2-3-7-8-TCDD	0.00	0.00	0.01	**********	0.00	**********	**********	0.00	1.40E-07	1.00E-09	0.00	NO	NO	NO
VOLATILE COMPOUNDS														
19. Acrolein	0.00	0.00	68.00	**********	0.00	21.00	**********	0.00	780.00	**********	0.00	NO	NO	NO
20. Acrylonitrile	0.00	0.00	7550	**********	0.00	2600	**********	0.00	6.60	**********	0.00	NO	NO	NO
21. Benzene	0.00	0.00	5300	**********	0.00	**********	**********	0.00	710.00	**********	0.00	NO	NO	NO
22. Bromoform	0.00	0.00	**********	**********	0.00	**********	**********	0.00	3600.00	**********	0.00	NO	NO	NO
23. Carbon 1Tet	0.00	0.00	35200	**********	0.00	**********	**********	0.00	44.00	**********	0.00	NO	NO	NO
24. Chlorobenzene	0.00	0.00	250.00	**********	0.00	50.00	**********	0.00	2.10E+04	**********	0.00	NO	NO	NO
25. Chlorodibromomethane	0.00	0.00	**********	**********	0.00	**********	**********	0.00	340.00	**********	0.00	NO	NO	NO
26. Chloroethane	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
27. 2-Chloroethylvinyl ether	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
28. Chloroform	0.00	0.00	28900	**********	0.00	1240	**********	0.00	4700.00	**********	0.00	NO	NO	NO
29. Dichlorobromomethane	0.00	0.00	**********	**********	0.00	**********	**********	0.00	220.00	**********	0.00	NO	NO	NO
30. 1-1-Dichlorethane	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
31. 1-2-Dichloroethane	0.00	0.00	118000	**********	0.00	20000	**********	0.00	990.00	**********	0.00	NO	NO	NO
32. 1-1-Dichlorethylene	0.00	0.00	11600	**********	0.00	**********	**********	0.00	32.00	**********	0.00	NO	NO	NO
33. 1,2 Dichloropropane	0.00	0.00	23000	**********	0.00	5700	**********	0.00	**********	**********	0.00	NO	NO	NO
34. 1,3 Dichloropropylene	0.00	0.00	6060	**********	0.00	244.00	**********	0.00	1700.00	**********	0.00	NO	NO	NO
35. Ethylbenzene	0.00	0.00	32000	**********	0.00	**********	**********	0.00	29000.00	**********	0.00	NO	NO	NO
37. Methyl Chloride	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
36. Methyl bromide	0.00	0.00	**********	**********	0.00	**********	**********	0.00	4000.00	**********	0.00	NO	NO	NO
38. Methylene chloride	0.00	0.00	**********	**********	0.00	**********	**********	0.00	16000.00	**********	0.00	NO	NO	NO
39. 1-1-2-2-Tetrachloroethane	0.00	0.00	9320	**********	0.00	2400	**********	0.00	110.00	**********	0.00	NO	NO	NO
40. Tetrachloroethylene	0.00	0.00	5280	**********	0.00	840	**********	0.00	88.50	**********	0.00	NO	NO	NO
41. Toluene	0.00	0.00	17500	**********	0.00	**********	**********	0.00	2.0E+05	**********	0.00	NO	NO	NO
42. 1,2-trans-dichloroethylene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
44. 1-1-2-Trichloroethane	0.00	0.00	18000	**********	0.00	9400	**********	0.00	420.00	**********	0.00	NO	NO	NO
43. 1-1-1-Trichloroethane	0.00	0.00	18000	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
45. Trichloroethylene	0.00	0.00	45000	**********	0.00	21900	**********	0.00	810.00	**********	0.00	NO	NO	NO
46. Vinyl Chloride	0.00	0.00	**********	**********	0.00	**********	**********	0.00	5250.00	**********	0.00	NO	NO	NO

	Reported Value (Ce) (ug/l)	Ce*2.13 (ug/l)	EPA Acute (ug/l)	STATE Acute (ug/l)	IWC Acute (ug/l)	EPA Chronic (ug/l)	STATE Chronic (ug/l)	IWC Chronic (ug/l)	EPA Bioacc. (ug/l)	STATE Bioacc. (ug/l)	IWC Bioacc. (ug/l)	Violation of Acute	Chr	Bio
ACID COMPOUNDS														
47. 2-Chlorophenol	0.00	0.00	4380	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
48. 2-4-Dichlorphenol	0.00	0.00	2020	**********	0.00	365	**********	0.00	**********	**********	0.00	NO	NO	NO
49. 2-4 Dimethylphenol	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
50. 4,6-Dinitro-o-Cresol	0.00	0.00	**********	**********	0.00	**********	**********	0.00	765.00	**********	0.00	NO	NO	NO
51. 2,4-Dinitrophenol	0.00	0.00	**********	**********	0.00	**********	**********	0.00	14000	**********	0.00	NO	NO	NO
52.-53. Nitrophenols	0.00	0.00	230	**********	0.00	150	**********	0.00	**********	**********	0.00	NO	NO	NO
54. 4 Chloro-3-methylphenol	0.00	0.00	30.00	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
55. Pentachlorophenol	0.00	0.00	18.33	18.33	0.00	11.57	11.57	0.00	82.00	**********	0.00	NO	NO	NO
56. Phenol	0.00	0.00	10200	**********	0.00	2560	**********	0.00	4600000	**********	0.00	NO	NO	NO
57. 2-4-6-Trichlorophenol	0.00	0.00	**********	**********	0.00	**********	**********	0.00	65.00	**********	0.00	NO	NO	NO
BASE/NEUTRAL COMPOUNDS														
58. Acenaphthene	0.00	0.00	1700	**********	0.00	520	**********	0.00	**********	**********	0.00	NO	NO	NO
59. Acenapthylene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
60. Anthracene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	110000.00	**********	0.00	NO	NO	NO
61. Benzidine	0.00	0.00	2500	**********	0.00	**********	**********	0.00	5.4E-03	**********	0.00	NO	NO	NO
62. Benzo(a) anthracene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.310	**********	0.00	NO	NO	NO
63. Benzo(a) pyrene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.310	**********	0.00	NO	NO	NO
64. 3,4-benzoflouranthene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.310	**********	0.00	NO	NO	NO
65. Benzo(g,h,i)perylene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
66. Benzo(k) fluoranthene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.310	**********	0.00	NO	NO	NO
67. Bis(2-chloroethoxy)methane	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
68. Bis(2-cloroethly) Ether	0.00	0.00	**********	**********	0.00	**********	**********	0.00	14.00	**********	0.00	NO	NO	NO
69. Bis(2-Chloroisopropyl) eth	0.00	0.00	**********	**********	0.00	**********	**********	0.00	1.7E+05	**********	0.00	NO	NO	NO
70. Bis(2-ethylhexyl)phthalate	0.00	0.00	**********	**********	0.00	**********	**********	0.00	59.00	**********	0.00	NO	NO	NO
71. 4-Bromophenyl phenyl ether	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
72. Butylbenzy phthalate	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
73. 2-chloronapthalene	0.00	0.00	1600	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
74. 4-chlorophenyl phenyl ether	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
75. Chrysene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.310	**********	0.00	NO	NO	NO
76. Dibenzo(a,h)anthracene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.310	**********	0.00	NO	NO	NO
77-79. Dichlorobenzene(1,2-1,3-1,4)	0.00	0.00	1120	**********	0.00	763	**********	0.00	2600.0	**********	0.00	NO	NO	NO
80. 3,3' Dichlorobenzidine	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.770	**********	0.00	NO	NO	NO
81. Diethyl Phthalate	0.00	0.00	**********	**********	0.00	**********	**********	0.00	1.2E+05	**********	0.00	NO	NO	NO
82. Dimethyl phthalate	0.00	0.00	**********	**********	0.00	**********	**********	0.00	2.9E+06	**********	0.00	NO	NO	NO
83. Di-n-Butyl phthalate	0.00	0.00	**********	**********	0.00	**********	**********	0.00	1.2E+04	**********	0.00	NO	NO	NO
84. 2-4-Dinitrotoluene	0.00	0.00	330	**********	0.00	230	**********	0.00	91.00	**********	0.00	NO	NO	NO
85. 2-6-Dinitrotoluene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
86. Di-n-octyl phthalate	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
87. 1,2-diphenylhydrazine	0.00	0.00	270	**********	0.00	**********	**********	0.00	5.400	**********	0.00	NO	NO	NO
88. Fluoranthene	0.00	0.00	3980	**********	0.00	**********	**********	0.00	370.00	**********	0.00	NO	NO	NO
89. Fluorene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	14000.000	**********	0.00	NO	NO	NO
90. Hexachlorobenzene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.00770	**********	0.00	NO	NO	NO
91. Hexachlorobutadiene	0.00	0.00	90.00	**********	0.00	9.30	**********	0.00	500.000	**********	0.00	NO	NO	NO
92. Hexachlorocyclopentadiene	0.00	0.00	7.00	**********	0.00	5.20	**********	0.00	1.70E+04	**********	0.00	NO	NO	NO
93. Hexachloroethane	0.00	0.00	980	**********	0.00	540	**********	0.00	89.00	**********	0.00	NO	NO	NO
Hexachlorocyclohexane	0.00	0.00	2.00	2.00	0.00	0.08	0.08	0.00	**********	**********	0.00	NO	NO	NO
94. Indeno(1,2,3-cd)pyrene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	0.31000	**********	0.00	NO	NO	NO
95. Isophorone	0.00	0.00	117000	**********	0.00	**********	**********	0.00	6000	**********	0.00	NO	NO	NO
96. Naphthalene	0.00	0.00	2300	**********	0.00	620	**********	0.00	**********	**********	0.00	NO	NO	NO
97. Nitrobenzene	0.00	0.00	27000	**********	0.00	**********	**********	0.00	1900.00	**********	0.00	NO	NO	NO
98. N-nitrosodimethylamine	0.00	0.00	**********	**********	0.00	**********	**********	0.00	81.00	**********	0.00	NO	NO	NO
99. N-nitrosodi-n-propylamine	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
100. N-nitrosodiphenylamine	0.00	0.00	**********	**********	0.00	**********	**********	0.00	160.00	**********	0.00	NO	NO	NO
101. Phenanthrene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO
103. 1,2,4-trichlorobenzene	0.00	0.00	**********	**********	0.00	**********	**********	0.00	**********	**********	0.00	NO	NO	NO

	Reported Value (Ce) (ug/l)	Ce*2.13 (ug/l)	EPA Acute (ug/l)	STATE Acute (ug/l)	IWC Acute (ug/l)	EPA Chronic (ug/l)	STATE Chronic (ug/l)	IWC Chronic (ug/l)	EPA Bioacc. (ug/l)	STATE Bioacc. (ug/l)	IWC Bioacc. (ug/l)	Violation of Acute	Chr	Bio
PESTICIDES														
104. Aldrin	0.01	0.01	3.00	3.00	0.01	**********	**********	0.01	0.00140	**********	0.01	NO	NO	Yes
105. Alpha-BHC	0.00	0.00	**********	2.00	0.00	**********	0.08	0.00	1.300E-01	0.0373	0.00	NO	NO	NO
106. Beta-BHC	0.00	0.00	**********	2.00	0.00	**********	0.08	0.00	0.4600	**********	0.00	NO	NO	NO
107. Gamma-BHC	0.00	0.00	2.00	2.00	0.00	0.08	0.08	0.00	0.6300	**********	0.00	NO	NO	NO
108. Delta-BHC	0.00	0.00	**********	2.00	0.00	**********	0.08	0.00	**********	**********	0.00	NO	NO	NO
109. Chlordane	0.00	0.00	2.40	2.40	0.00	0.0043	0.0043	0.00	5.900E-03	0.0050	0.00	NO	NO	NO
110. 4,4'-DDT	0.00	0.00	1.10	1.10	0.00	0.0010	0.0010	0.00	0.0059	**********	0.00	NO	NO	NO
111. 4,4'-DDE	0.00	0.00	**********	1.10	0.00	**********	0.0010	0.00	0.0059	**********	0.00	NO	NO	NO
112. 4,4'-DDD	0.00	0.00	**********	1.10	0.00	**********	0.0010	0.00	0.0084	**********	0.00	NO	NO	NO
113. Dieldrin	0.00	0.00	2.50	2.50	0.00	0.0019	0.0019	0.00	1.400E-03	0.0012	0.00	NO	NO	NO
114. Alpha-endosulfan	0.00	0.00	0.22	0.22	0.00	0.0560	0.0560	0.00	2.00	**********	0.00	NO	NO	NO
115. Beta-endosulfan	0.00	0.00	0.22	0.22	0.00	0.0560	0.0560	0.00	2.00	**********	0.00	NO	NO	NO
116. Endosulfan sulfate	0.00	0.00	**********	0.22	0.00	**********	0.0560	0.00	2.00	**********	0.00	NO	NO	NO
117. Endrin	0.00	0.00	0.18	0.18	0.00	0.0023	0.0023	0.00	8.100E-01	**********	0.00	NO	NO	NO
118. Endrin aldehyde	0.00	0.00	**********	0.18	0.00	**********	0.0023	0.00	8.1000E-01	**********	0.00	NO	NO	NO
119. Heptachlor	0.00	0.00	0.52	0.52	0.00	0.0038	0.0038	0.00	0.0021	**********	0.00	NO	NO	NO
120. Heptachlor epoxide	0.00	0.00	0.52	0.52	0.00	0.0038	0.0038	0.00	0.0011	**********	0.00	NO	NO	NO
121. PCB-1242	0.00	0.00	**********	**********	0.00	0.0140	0.0140	0.00	4.500E-04	4.00E-04	0.00	NO	NO	NO
122. PCB-1254	0.00	0.00	**********	**********	0.00	0.0140	0.0140	0.00	4.500E-04	4.00E-04	0.00	NO	NO	NO
123. PCB-1221	0.00	0.00	**********	**********	0.00	0.0140	0.0140	0.00	4.500E-04	4.00E-04	0.00	NO	NO	NO
124. PCB-1232	0.00	0.00	**********	**********	0.00	0.0140	0.0140	0.00	4.500E-04	4.00E-04	0.00	NO	NO	NO
125. PCB-1248	0.00	0.00	**********	**********	0.00	0.0140	0.0140	0.00	4.500E-04	4.00E-04	0.00	NO	NO	NO
126. PCB-1260	0.00	0.00	**********	**********	0.00	0.0140	0.0140	0.00	4.500E-04	4.00E-04	0.00	NO	NO	NO
127. PCB-1016	0.00	0.00	**********	**********	0.00	0.0140	0.0140	0.00	4.500E-04	4.00E-04	0.00	NO	NO	NO
128. Toxaphene	0.00	0.00	0.73	0.73	0.00	0.00020	0.0002	0.00	4.500E-04	0.0063	0.00	NO	NO	NO
130. Chlorpyrifos	0.00	0.00	0.083	0.083	0.00	0.041	0.041	0.00	**********	**********	0.00	NO	NO	NO

	Reported Value (Ce) (ug/l)	Ce*2.13 (ug/l)	STATE Acute (ug/l)	IWC Acute (ug/l)	STATE Chronic (ug/l)	IWC Chronic (ug/l)	STATE Bioacc. (ug/l)	IWC Bioacc. (ug/l)	Violation of Acute	Chr	Bio
AWQ, Reg. No. 2											
Alpha-BHC	0.00	0.00	2.00	0.00	0.08	0.00	0.0373	0.00	NO	NO	NO
Beta-BHC	0.00	0.00	2.00	0.00	0.08	0.00			NO	NO	
Gamma-BHC	0.00	0.00	2.00	0.00	0.08	0.00			NO	NO	
Delta-BHC	0.00	0.00	2.00	0.00	0.08	0.00			NO	NO	
Pentachlorophenol	0.00	0.00	18.33	0.00	11.57	0.00			NO	NO	
Aldrin	0.01	0.01	3.00	0.01					NO		
Chlordane	0.00	0.00	2.40	0.00	0.0043	0.00	0.005	0.00	NO	NO	NO
4,4'-DDT	0.00	0.00	1.10	0.00	0.0010	0.00			NO	NO	
4,4'-DDE	0.00	0.00	1.10	0.00	0.0010	0.00			NO	NO	
4,4'-DDD	0.00	0.00	1.10	0.00	0.0010	0.00			NO	NO	
Dieldrin	0.00	0.00	2.50	0.00	0.0019	0.00	0.0012	0.00	NO	NO	NO
Alpha-endosulfan	0.00	0.00	0.22	0.00	0.0560	0.00			NO	NO	
Beta-endosulfan	0.00	0.00	0.22	0.00	0.0560	0.00			NO	NO	
Endosulfan sulfate	0.00	0.00	0.22	0.00	0.0560	0.00			NO	NO	
Endrin	0.00	0.00	0.18	0.00	0.0023	0.00			NO	NO	
Endrin aldehyde	0.00	0.00	0.18	0.00	0.0023	0.00			NO	NO	
Heptachlor	0.00	0.00	0.52	0.00	0.0038	0.00			NO	NO	
Heptachlor epoxide	0.00	0.00	0.52	0.00	0.0038	0.00			NO	NO	
Toxaphene	0.00	0.00	0.73	0.00	0.0002	0.00	0.0063	0.00	NO	NO	NO
Chlorpyrifos	0.00	0.00	0.083	0.00	0.0410	0.00			NO	NO	
Cadmium Total*	0.00	0.00	25.76	0.00	6.27	0.00			NO	NO	
Chromium (hex)	0.00	0.00	15.71	0.00	10.58	0.00			NO	NO	
Copper Total*	0.00	0.00	57.11	0.00	36.81	0.00			NO	NO	
Lead Total*	0.00	0.00	430.62	0.00	16.78	0.00			NO	NO	
Mercury Total*	0.00	0.00	7.24	0.00	0.0120	0.00			NO	NO	
Nickel Total*	0.00	0.00	3405.03	0.00	378.16	0.00			NO	NO	
Selenium Total	0.00	0.00	20.00	0.00	5.00	0.00			NO	NO	
Silver Total*	0.00	0.00	22.5816	0.00					NO		
Zinc Total*	45.00	95.85	422.06	95.85	385.40	95.85			NO	NO	
Chromium (Tri)*	0.00	0.00	3466.72	0.00	1124.57	0.00			NO	NO	
Cyanide Total	0.00	0.00	22.36	0.00	5.20	0.00			NO	NO	
Beryllium Total	0.00	0.00					0.076	0.00			NO
PCB-1242	0.00	0.00			0.0140	0.00	4.00E-04	0.00		NO	NO
PCB-1254	0.00	0.00			0.0140	0.00	4.00E-04	0.00		NO	NO
PCB-1221	0.00	0.00			0.0140	0.00	4.00E-04	0.00		NO	NO
PCB-1232	0.00	0.00			0.0140	0.00	4.00E-04	0.00		NO	NO
PCB-1248	0.00	0.00			0.0140	0.00	4.00E-04	0.00		NO	NO
PCB-1260	0.00	0.00			0.0140	0.00	4.00E-04	0.00		NO	NO
PCB-1016	0.00	0.00			0.0140	0.00	4.00E-04	0.00		NO	NO
2-3-7-8-TCDD	0.00	0.00					1E-06	0.00			NO

* See Linear Partition Coefficient (Page 6)

Linear Partition Coefficients

Metals	Streams Kpo	a
Arsenic	**********	-0.73
Cadmium	**********	-1.13
Chromium(3)	**********	-0.93
Copper	**********	-0.74
Lead	**********	-0.80
Mercury	**********	-1.14
Nickel	**********	-0.57
Zinc	**********	-0.70
Silver	**********	-1.03

Kp = Kpo X TSS^a

Kp = Linear Partition Coefficient
TSS = Total Suspended Solids (mg/l)
Kpo = found from above table
a = found from above table

C/Ct = 1 /(1 + Kp X TSS X10^-6)

C / Ct = Fraction of Metal Dissolved

Metals	Streams Kp	C / Ct
Arsenic	245892	0.6193
Cadmium	1420325	0.2197
Chromium (3)	1433029	0.2182
Copper	527907	0.4311
Lead	1345259	0.2292
Mercury	1020343	0.2816
Nickel	290650	0.5792
Zinc	658191	0.3780
Silver	933970	0.2999

Total Metal = Dissolved Metal / (C/Ct)

AQUATIC LIFE CRITERIA (DISSOLVED ACUTE VALUES)

Pollutant	Dissolved(ug/l)	Formula
Cadmium	5.66	WER X Conversion Factor* X e[1.128ln(hardness)]-3.828
Chromium(III	756.50	WER X 0.316 X e[0.819ln(hardness)]+3.688
Chromium(V	15.71	WER X 0.982 X 16
Copper	24.62	WER X 0.96 X e[0.9422ln(hardness)]-1.464
Lead	98.70	WER X Conversion Factor** X e[1.273ln(hardness)]-1.460
Mercury	2.04	WER X 0.85 X 2.4
Nickel	1972.07	WER X 0.998 X e[0.8460ln(hardness)]+3.3612
Silver	6.7713	WER X 0.85 X e[1.72ln(hardness)]-6.52
Zinc	159.54	WER X 0.978 X e[0.8473ln(hardness)]+0.8604

* 1.136672 - [(ln hardness)(0.041838)]
** 1.46203 - [(ln hardness)(0.145712)]

AQUATIC LIFE CRITERIA (DISSOLVED CHRONIC VALUES)

Pollutant	Dissolved(ug/l)	Formula
Cadmium	1.38	WER X Conversion Factor* X e[0.7852ln(hardness)]-3.490
Chromium(III	245.40	WER X 0.86 X e[0.819ln(hardness)]+1.561
Chromium(V	10.58	WER X 10
Copper	15.87	WER X 0.96 X e[0.8545ln(hardness)]-1.465
Lead	3.85	WER X Conversion Factor** X e[1.273ln(hardness)]-4.705
Nickel	219.23	WER X 0.997 X e[0.8460ln(hardness)]+1.1645
Zinc	145.68	WER X 0.986 X e[0.8473ln(hardness)]+0.7614

* 1.101672 - [(ln hardness)(0.041838)]
** 1.46203 - [(ln hardness)(0.145712)]

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved.
OMB No. 2040-0004
Approval expires 05-31-98

ADDRESS

FACILITY
LOCATION

(2-16)	(17-19)
PERMIT NUMBER	DISCHARGE NUMBER

	MONITORING PERIOD						
FROM	YEAR (20-21)	MO (22-23)	DAY (24-25)	TO	YEAR (26-27)	MO (28-29)	DAY (30-31)

NOTE: Read instructions before completing this form.

PARAMETER (32-37)		(3 Card Only) QUANTITY OR LOADING AVERAGE (46-53)	MAXIMUM (54-61)	UNITS	(4 Card Only) QUANTITY OR CONCENTRATION MINIMUM (38-45)	AVERAGE (46-53)	MAXIMUM (54-61)	UNITS	NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
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NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN; AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION, I BELIEVE THE SUBMITTED INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319. *(Penalties under these statutes may include fines up to $10,000 and or maximum imprisonment of between 6 months and 5 years.)*	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE		DATE		
TYPED OR PRINTED			AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS *(Reference all attachments here)*

Form 3320-1 (08-95) Previous editions may not be used. (REPLACES EPA FORM T-40 WHICH MAY NOT BE USED.)

PAGE OF

PERMITTEE NAME/ADDRESS *(Include Facility Name/Location if Different)*
NAME

ADDRESS

FACILITY
LOCATION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM *(NPDES)*
DISCHARGE MONITORING REPORT *(DMR)*

(2-16) PERMIT NUMBER

(17-19) DISCHARGE NUMBER

Form Approved.
OMB No. 2040-0004
Approval expires 05-31-98

	MONITORING PERIOD						
	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			
	(20-21)	(22-23)	(24-25)		(26-27)	(28-29)	(30-31)

NOTE: Read instructions before completing this form.

PARAMETER (32-37)		*(3 Card Only)* QUANTITY OR LOADING (46-53) AVERAGE	(54-61) MAXIMUM	UNITS	*(4 Card Only)* QUANTITY OR CONCENTRATION (38-45) MINIMUM	(46-53) AVERAGE	(54-61) MAXIMUM	UNITS	NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
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NAME/TITLE PRINCIPAL EXECUTIVE OFFICER

TYPED OR PRINTED

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SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

TELEPHONE		DATE		
AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS *(Reference all attachments here)*

ADDRESS [redacted]

FACILITY

LOCATION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHAR[redacted]ONITORING REPORT (DMR)

(2-16) PERMIT NUMBER

(17-19) DISCHARGE NUMBER

Form [redacted]oved.
OMB [redacted] 2040-0004
Approval expires 05-31-98

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	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			
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PARAMETER (32-37)		(3 Card Only) QUANTITY OR LOADING			(4 Card Only) QUANTITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
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SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

TELEPHONE		DATE		
AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS *(Reference all attachments here)*

d. The permittee shall prepare annually a list of Industrial Users which during the preceding twelve months were in significant noncompliance with applicable pretreatment requirements. For the purposes of this Part, significant noncompliance shall be determined based upon the more stringent of either criteria established at 40 CFR Part 403.8(f)(2)(viii) [rev. 10/14/05] or criteria established in the approved POTW pretreatment program. This list is to be published annually in the newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW during the month of August.

In addition, during the month of August the permittee shall submit an updated pretreatment program status report to the ADEQ containing the following information:

(1) An updated list of all significant industrial users and identify which Industrial Users are Non-Significant Categorical Industrial Users (NSCIUs) or Middle Tier CIUs. The list must also identify:

i. Industrial Users subject to categorical Pretreatment Standards that are subject to reduced monitoring and reporting requirements under 40 CFR 403.12(e)(2) & (3),

ii. Industrial Users subject to the following categorical Pretreatment Standards [Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF) (40 CFR Part 414), Petroleum Refining (40 CFR Part 419), and Pesticide Chemicals (40 CFR Part 455)] and for which the Control Authority has chosen to use the concentration-based standards rather than converting them to flow-based mass standards as allowed at 40 CFR 403.6(c)(6).

iii. Categorical Industrial Users subject to concentration-based standards for which the Control Authority has chosen to convert the concentration-based standards to equivalent mass limits, as allowed at 40 CFR 403.6(c)(5).

iv. General Control Mechanisms used for similar groups of SIUs along with the substantially similar types of operations and the types of wastes that are the same, for each separate General Control Mechanism, as allowed at 40 CFR 403.8(f)(1)(iii).

v. Best Management Practices or Pollution Prevention alternatives required by a categorical Pretreatment Standard or as a local limit requirement that are implemented and documentation to demonstrate compliance, as required at 40 CFR 403 (b), (e) and (h).

For each industrial user listed the following information shall be included:

(i) Standard Industrial Classification (SIC) and NAICS code and categorical determination;

EXHIBIT 'B'

ARTICLE V

ARTICLE V. - INDUSTRIAL PRETREATMENT

DIVISION 1. - GENERALLY

Sec. 98-476. - Purpose and policy.

(a) This article sets forth uniform requirements for users of the publicly owned treatment works for the city and enables the city to comply with all applicable state and federal laws, including the Clean Water Act (33 USC 1251 et seq.) and the general pretreatment regulations (40 CFR 403). The objectives of this article are to:

(1) Prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;

(2) Prevent the introduction of pollutants into the publicly owned treatment works that will pass through the publicly owned treatment works, inadequately treated, into receiving waters, or otherwise be incompatible with the publicly owned treatment works;

(3) Protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment, and the general public;

(4) Promote reuse and recycling of industrial wastewater and sludge from the publicly owned treatment works;

(5) Provide for fees for the equitable distribution of the costs of operation, maintenance and improvement of the publicly owned treatment works; and

(6) Enable the city to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the publicly owned treatment works is subject.

(b) This article shall apply to all users of the publicly owned treatment works. This article authorizes the city to operate an industrial pretreatment program, to issue wastewater discharge permits and to issue hauled wastewater discharge authorizations; provides for monitoring, compliance and enforcement activities; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established in this division.

(Ord. No. 00-11, § 1(1.1), 4-4-2000)

Sec. 98-477. - Administration.

Except as otherwise provided in this article, the city administrator shall administer, implement and enforce the provisions of this article. Any powers granted to or duties imposed upon the city administrator may be delegated by the city administrator to other personnel.

(Ord. No. 00-11, § 1(1.2), 4-4-2000)

Sec. 98-478. - Abbreviations.

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

BMR	–	Baseline monitoring report
BOD	–	Biochemical oxygen demand
CFR	–	Code of Federal Regulations
COD	–	Chemical oxygen demand
EPA	–	U.S. Environmental Protection Agency
gpd	–	Gallons per day
mg/l	–	Milligrams per liter
NPDES	–	National Pollutant Discharge Elimination System
POTW	–	Publicly owned treatment works
RCRA	–	Resource Conservation and Recovery Act
SDWA	–	Safe Drinking Water Act
SIC	–	Standard industrial classification
TSS	–	Total suspended solids
TTO	–	Total toxic organics
USC	–	United States Code

(Ord. No. 00-11, § 1(1.3), 4-4-2000)

Sec. 98-479. - Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this article, shall have the meanings designated in this section:

Act or *the act* means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251 et seq.

Approval authority means the state department of pollution control and ecology.

Authorized representative of the user means:

(1) If the user is a corporation:
   a. The president, secretary, treasurer or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
   b. The manager of one or more manufacturing, production or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25,000,000.00 in second-quarter 1980 dollars, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) A general partner or proprietor, if the user is a partnership or sole proprietorship.

(3) A director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility or their designee, if the user is a federal, state or local government facility.

(4) The individuals described in subsections (1)—(3) of this definition may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the city.

Best management practices or *BMPs* means schedules of activities, prohibitions or practices, maintenance procedures, and other management practices to implement the prohibitions in section 2.3 (section 98-503). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical oxygen demand or *BOD* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 degrees Celsius, usually expressed as a concentration (e.g., mg/l).

Categorical pretreatment standard or *categorical standard* means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with sections 307(b) and (c) of the act (33 USC 1317) which apply to a specific category of users and which appear in 40 CFR 405—471, chapter I, subchapter N.

City means the City of Siloam Springs, Arkansas, or the board of directors for the City of Siloam Springs, Arkansas, or its authorized representatives.

City administrator means the person designated by the city to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this article, or a duly authorized representative.

Composite sample means a sample which is taken proportional to flow in accordance with procedures set forth in 40 CFR 403, appendix E, and by the city.

Environmental Protection Agency or *EPA* means the U.S. Environmental Protection Agency, or, where appropriate, the regional water management division director, or other duly authorized official of such agency.

Existing source means any source of discharge, the construction or operation of which commenced prior to the publication by the EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with section 307 of the act.

Grab sample means a sample which is taken from a waste stream and over a period of time not to exceed 15 minutes.

Hauled wastewater means wastewater that is contributed to the POTW after being transported from its source to the point where it is discharged to the city sewer or POTW.

Hauled wastewater discharge authorization means a written authorization that the city may issue to authorize a person to discharge hauled wastewater. Such authorization shall not alleviate the obligation to meet all applicable federal, state and local standards.

Indirect discharge or *discharge* means the introduction of pollutants into the POTW from any nondomestic source regulated under section 307 (b), (c) or (d) of the act.

Instantaneous maximum allowable discharge limit means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference means a discharge, which alone or in conjunction with a discharge from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the city's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued under such acts, or any more stringent state or local regulations:

(1) Section 405 of the act;
(2) The Solid Waste Disposal Act, including title II, commonly referred to as the Resource Conservation and Recovery Act (RCRA);
(3) Any state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the Solid Waste Disposal Act;
(4) The Clean Air Act;
(5) The Toxic Substances Control Act; and

(6) The Marine Protection, Research and Sanctuaries Act.

Medical waste means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

New source means:

(1) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that the:
   a. Building, structure, facility or installation is constructed at a site at which no other source is located;
   b. Building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
   c. Production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subsection (1)b. or c. of this definition, but otherwise alters, replaces or adds to existing processes or production equipment.

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

Noncontact cooling water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product.

Pass through means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge from other sources, is a cause of a violation of any requirement of the city's NPDES permit, including an increase in the magnitude or duration of a violation.

Person means any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity or their legal representatives, agents or assigns. This definition includes all federal, state and local governmental entities.

pH means a measure of the acidity or alkalinity of a solution, expressed in standard units.

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

Pretreatment means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pretreatment requirements means any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

Pretreatment standards or *standards* means prohibited discharge standards, categorical pretreatment standards and local limits.

Prohibited discharge standards or *prohibited discharges* means absolute prohibitions against the discharge of certain substances.

Publicly owned treatment works or *POTW* means a treatment works as defined by section 212 of the act (33 USC 1292) which is owned by the city. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Septic tank waste means any sewage from septic tanks and holding tanks such as those found in vessels, chemical toilets, campers, and trailers.

Sewage means human excrement and gray water (household showers, dishwashing operations, etc.).

Significant industrial user means:

(1) A user subject to categorical pretreatment standards; or

(2) A user that:
   a. Discharges an average of 25,000 gpd or more of process wastewater to the POTW, excluding sanitary, noncontact cooling and boiler blowdown wastewater;

b. Contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

c. Is designated as such by the city on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

Upon a finding that a user meeting the criteria in subsection (2) of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the city may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Slug load or *slug* means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in section 98-503.

Standard industrial classification (SIC) code means a classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

Stormwater means any flow occurring during or following any form of natural precipitation and resulting from such precipitation, including snowmelt.

Suspended solids means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquid, and which is removable by laboratory filtering, usually expressed as a concentration (e.g., mg/l).

User or *industrial user* means a source of indirect discharge.

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

Wastewater treatment plant or *treatment plant* means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

(Ord. No. 00-11, § 1(1.4), 4-4-2000; Ord. No. 09-20, 9-1-2009)
***Cross reference**— Definitions generally, § 1-2.*

Secs. 98-480—98-500. - Reserved.

EXHIBIT 'C'

WASTEWATER DISCHARGE PERMIT FORM

CITY OF SILOAM SPRINGS

PO BOX 80

SILOAM SPRINGS, ARKANSAS 72761-0080

WASTEWATER DISCHARGE PERMIT

Company Name _____

Division (if applicable) _____

Mailing Address _____

_____

Facility Address _____

_____

Permit Number _____

Pursuant to all terms and conditions of Ordinance No. 00-11, City of Siloam Springs, Arkansas, and subject to any applicable provision of Federal or State Law or regulation; permission is hereby granted to _____, classified by SIC No.____, for the contribution of industrial wastewater into the City of Siloam Springs sewer lines at the plant site at _____.

This permit is granted in accordance with the application filed on _____ and in conformity with all data submitted in support of the application, all of which are filed with and considered as part of this permit.

This permit is granted subject to conditions, requirements, or limitations attached hereto. Further, this permit is subject to modification, upon review, should the volume, flow, character or content of the industrial wastewater materially change.

Effective Date: _____

Expiration Date: _____

City Administrator _____

City Administrator Signature: _____ Date: _____

SPECIFIC CONDITIONS

SECTION A - DISCHARGE LIMITATIONS

_____:

Pollutant	**Daily Maximum (mg/l)**	**Maximum Monthly Average (mg/l)**
Oil and Grease		
PH		
Total Suspended Solids		

The discharge limits stated in this permit are the more stringent between the City Ordinance 00-11 (Section 2.4) limits and the Code of Federal Regulations (40 CFR part _____) limits, except for the conventional pollutants (Total Suspended Solids and Oil and Grease). These limits (except TTS, and O&G) are to be applied to the regulated process waste streams prior to any dilution from non-regulated or dilution waste streams. If the point at which samples are collected from this facility is subsequent to any dilution by non-regulated or dilution waste systems , then it shall be the permittee's responsibility to furnish to the City all information necessary to calculate combined waste stream limits.

SECTION B - SELF-MONITORING REQUIREMENTS

Sample Monitoring Requirements

Pollutant	Location	Frequency	Sample Type
Flow*			
TSS			
Oil & Grease			
PH			

*Calibration of flow monitoring equipment must be verified on a monthly basis. Documentation of this verification must be available to City representatives upon request. Any time the calibration is more than 5% off, the flow equipment must be recalibrated, and this recalibration documented.

The reporting period for this permit shall be monthly.

In addition to meeting the stated specific discharge limitations, the permittee is required to meet all the general discharge limitations as set forth in Section 2.1 of City Ordinance 00-11. City Ordinance 00-11 is attached hereto and incorporated herein by this reference for all purposes.

During the afore stated period the permittee is authorized to discharge process wastewater to the City of Siloam Springs sewer system from the Outfall listed below.

Description of outfall:

Outfall	Description

SECTION C - BEST MANAGEMENT PRACTICES (BMPs)

1. BMP's include schedules of activities, prohibitions or practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.3. BMP's also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

2. Applicable BMPs:

STANDARD CONDITIONS

SECTION D - GENERAL CONDITIONS

Duty to Comply

The permittee must comply with all conditions of this permit and all applicable provisions of the Federal Clean Water Act, 33 U.S.C. sections 1251 et seq., the Arkansas Water and Air Pollution Control Act, Ark. State. Ann. sections 82-1901 et seq., City Ordinance No. 00-11, and all orders, rules, and regulations issued pursuant to those laws. Any permit noncompliance constitutes a violation of the Federal Clean Water Act and the Arkansas Water and Air Pollution Control Act and is grounds for enforcement action, for permit termination, revocation and re-issuance, or modification, or for denial of a permit renewal application.

Penalties for Violation of Permit Conditions

Section 6.1 of City Ordinance No. 00-11 provides that any industrial user who violates an order of the City Board of Directors or who willfully or negligently fails to comply with any provision of City Ordinance No. 00-11 and the orders, rules, regulations, and permits

issued there under shall be fined not less than $100.00 nor more than $1000.00 per day of violation.

In addition, section 82-1909 of the Arkansas Water and Air Pollution Control Act provides that any person who violates any condition of a permit may be assessed a civil penalty of up to $5000.00 per day of violation.

Further, pursuant to section 1319 (a)(3) of the Federal Clean Water Act, industrial users of publicly-owned treatment works are subject to Federal enforcement action including civil penalties of up to $50,000.00 per day of violation and/or three years imprisonment for the first conviction.

Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

Violation of any terms or conditions of this permit including violation of any provision of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, City Ordinance No. 00-11, and any rules, regulations, or orders issued under those laws. This makes clear the permittee's obligation under federal, state, and local laws;

Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or

A change in any conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or

A change in or promulgation of national categorical pretreatment standards, state standards, technically based local limits or city standards applicable to the discharge authorized under this permit; or

A determination that the permitted activity endangers human health, the environment, or threatens disruption of the wastewater treatment plant and can only be regulated to acceptable levels by permit modification or termination; or

Failure of the permittee to comply with the provisions of Section III Ordinance 00-11 (Fees) as required by condition II A. 8 herein.

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

Toxic Pollutants

Notwithstanding Part II A.3, if an effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under ADPC&E Regulation No. 2, as amended, (regulation establishing water quality standards for surface waters of the State of Arkansas) or Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than the current limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the permittee so notified.

A compliance schedule may be appended to the reissued permit.

Civil and Criminal Liability

Nothing in the permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, City Ordinance No. 00-11, and any rules, regulations, or orders issued under those laws or from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under any other federal, state, or local law, or the common law, including private causes of action.

Property Rights

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

Severability

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

Permit Fees

The permittee shall comply with all applicable fee requirements for wastewater discharge permits as described in Section III of Ordinance 00-11 (Fees). Failure to promptly remit all required fees shall be grounds for the City to initiate action to terminate this permit or to take any other action authorized by City Ordinance No. 00-11.

SECTION E - OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and City Ordinance No. 00-11. Proper operation and maintenance includes Best Management Practices (BMPs). Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures (which may be met by third party laboratories). This provision includes a requirement for the installation and the operation of backup or auxiliary facilities or similar systems when the operation of such facilities or systems is necessary to achieve compliance with the conditions of this permit.

Need to Halt or Reduce Not a Defense

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

Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge I violation of this permit which has a reasonable likelihood of adversely affecting human health, the environment or the wastewater treatment plant. Adverse effects on the wastewater treatment plant include:

Biological upset of the plant;

Pollutant loadings to the plant causing pass through to the receiving stream;

Pollutant loadings which interfere with normal sludge disposal;

Any discharge which directly or indirectly causes the plant to violate its NPDES permit.

Bypass of Treatment Facilities

Bypass not exceeding limitation. The permittee may allow any bypass to occur which does not cause effluent limitations or other permit conditions to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part II B.4.B and 4.C.

Notice of bypass.

Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible, at least ten days before the date of the bypass.

Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II D.6 (24 hour notice).

Prohibition of bypass.

Bypass is prohibited and the City may take enforcement action against a permittee for bypass, unless:

Pass was unavoidable to prevent loss of life, personal injury, or severe property damage (this does not include economic loss caused by delays in production); or

There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed

adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

The permittee submitted notices as required by Part II B.4.B.

Notification of Slug Loading

In accordance with 40 CFR, Section 403.12 (f), permittee shall notify the POTW (Phone No. 524-5623) immediately of any changes at its facility affecting the potential for a slug discharge and of any slug loading of any pollutant, including oxygen demanding pollutants (BOD, etc.) released to the POTW system at a flow rate and/or pollutant concentration which has the potential to cause interference with the POTW. If the City decides that a slug control plan is needed, the plan shall contain the elements in City Ordinance 1084, Section 3.2 and such other requirements as the City may specify.

Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials (or runoff from such materials) from entering the wastewater collection system or navigable waterways or their tributaries. The permittee is responsible for obtaining the appropriate state permits required for disposal of these materials. This permit shall not be construed to authorize the generation, treatment, transport, or disposal of any materials removed during pretreatment.

Power Failure

The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure by such means as alternate power sources, standby generators, or retention of inadequately treated effluent.

SECTION F - MONITORING AND RECORDS

Monitoring

All monitoring and the installation and maintenance of all monitoring facilities and equipment shall be at the sole expense of the permittee. Monitoring facilities and equipment shall be constructed and maintained in accordance with the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, City Ordinance No. 00-11, and any rules, orders or regulations issued there under.

Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream. Monitoring points shall not be changed without notification to and approval of the City.

Automatic Resampling

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

Inform the City of Siloam Springs of the violation within 24 hours; and

Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation.

Where the City has performed the sampling and analysis in lieu of the Industrial User, the City must perform the repeat sampling and analysis unless the City notifies the Use of the violation and requires the User to perform the repeat analysis. Resampling is not required if:

(1) The City performs sampling at the Industrial User at a frequency of at least once per month; or

(2) The City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the City receives the results of this sampling.

Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to insure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than +/- 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

"A Guide to Methods and Standards for the Measurement of Water Flow", U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 97 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10.421).

"Water Measurement Manual", U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by Catalog No.127.19/2:w29/2, Stock No. S/N 24003-0027).

"Flow Measurement in Open Channels and Closed Conduits", U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Service (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273535/5ST).

"NPDES Compliance Sampling Manual", U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977 140 pp. (Available from the General Services Administration (8FFS). Centralized Mailing Lists Services, Building 41, Denver Federal Center, Denver, CO 80225).

Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. The permittee shall

calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals frequent enough to insure accuracy of measurements and shall document both calibration and maintenance activities. An adequate analytical quality control program, including the analysis of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results, shall be maintained by the permittee or designated commercial laboratory.

Penalties for Tampering

City Ordinance No. 00-11, Section 6.2 authorizes a fine in the amount of $1000.00 and/or not more than six (6) months imprisonment upon conviction for falsifying, tampering, or knowingly rendering inaccurate any required monitoring device or method.

In addition, Section 82-1909 (a) of the Arkansas Water and Air Pollution Control Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under the Arkansas act shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to imprisonment for not more than one (1) year and/or a fine of not more than $10,000.00 per day of violation.

Section 1319(c)(4) of the Federal Clean Water Act establishes first offense penalties of up to $10,000.00 per day of violation and/or up to two (2) years imprisonment for falsifying, tampering, with, or rendering inaccurate any required monitoring device or method.

Reporting of Results

Monitoring results must be submitted in Self-Monitoring Compliance Report. Monitoring results obtained during the previous reporting period shall be summarized and reported no later than the 25th day of the month following the completed reporting period to begin on the effective date of the permit. The report shall include information required to demonstrate compliance with Best Management Practices imposed on the permitter. Signed and certified reports as required by Part II D.11 and all other reports required by Part II D (Reporting requirements), shall be submitted to the City at the following address:

Pretreatment Coordinator
PO Box 80
Siloam Springs, AR 72761-0080

See PART I - SPECIFIC CONDITIONS for the frequency of the reporting period for this permit.

Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Compliance Report. Such increased frequency shall also be indicated in the Compliance Report.

Special Monitoring Requirements

The control authority reserves the right to require the permittee to conduct additional monitoring for the following reasons:

One time monitoring for specific pollutants to verify their presence.

Acute or chronic biomonitoring to determine the toxicity of the industrial users discharge.

Development of sludge disposal plans, slug loading control plans, or other industrial user management plans that might be required by the control authority.

Response to noncompliance, additional monitoring of regulated and nonregulated pollutants may be necessary.

Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip charts, recordings for continuous monitoring instrumentation, records of all documentation associated with Best Management Practices, and copies of all reports required by this permit for a period of at least three (3) years from the date of the sample, measurement, or report. This period may be extended by request of the City at any time.

Record Contents

Records and monitoring information shall include, as a minimum, a signature and certification sheet (see Section D, Subpart 11c), a laboratory summary sheet, and a chain of custody sheet. These documents shall contain, as a minimum, the following information:

The date, exact place, time and methods of sampling or measurements;

The individual(s) who performed the sampling or measurements;

The date(s) analyses were performed;

The individual(s) who performed the analyses;

The analytical techniques or methods used;

The measurements and results of such analyses; and

Any additional information the City deems necessary.

Inspection and Entry

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

Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

Sample, inspect or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

Best Management Practices

In cases where the Pretreatment Standard requires compliance with a Best Management Practice (or pollution prevention alternative), the permittee shall prepare and submit documentation necessary to demonstrate the permittee's compliance status with the Best Management Practice or pollution prevention alternative.

SECTION G - REPORTING REQUIREMENTS

Planned Changes

The permittee shall give notice and provide plans and specifications to the City for review and approval prior to any planned physical alterations or additions to the permitted facility meeting the following criteria:

Any change in the facility discharge (including the introduction of any new source of discharge or changes in the quantity or quality of discharges of pollutants) must be reported to the permitting authority. In no case are any new connections, increased flows, or significant changes permitted that will cause violation of the discharge limitations specified herein.

Anticipated Noncompliance

The permittee shall give advance notice to the City of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Such notice does not constitute any defense in any enforcement action.

Transfers

The permit is nontransferable to any person except after notice to the City. The City may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and City Ordinance No. 1084.

Monitoring Reports and Best Management Practices Documentation

Monitoring results shall be reported at the intervals and in the form specified as Part II.C.7 (Reporting of Results). Documentation of compliance with Best Management Practices as required in this permit shall be submitted in the form specified in the Best Management Practices.

Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any compliance schedule of this permit, shall be submitted no later than fourteen (14) days following each schedule date. Any reports of

noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

Twenty-four Hour Reporting

The permittee shall report any noncompliance which may endanger health or adversely affect the wastewater treatment facility. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The City may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

The following shall be included as information which must be reported within 24 hours:

Any unanticipated bypass which exceeds any effluent limitation in the permit;

Any upset which exceeds any effluent limitation in the permit;

Violation of a maximum daily discharge limitation for any of the pollutants listed by the City in Part I of the permit; and

Any act or event which may endanger public health or adversely affect the wastewater treatment facility.

Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Part II D.4, 5 and 6 at the time monitoring reports are submitted. The reports shall contain the information listed at Part II D.6.

Changes in Discharge of Toxic Substances

The permittee shall notify the City as soon as he/she knows or has reason to believe:

That any activity has occurred or will occur which would result in the discharge, in a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" described in

40 CFR 122.42(a) (1) (48 FR 14153, April 1, 1983, as amended at 49 FR 38046, September 26, 1984).

That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" described in 40 CFR Part 122.42(a) (2) (48 FR 14153, April 1, 1983, as amended at 49 FR 38046, September 26, 1984).

Duty to Provide Information

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

Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application should be submitted at least 180 days before the expiration date of this permit. The City may grant permission to submit an application less than 180 days in advance but no later than 30 days prior to the permit expiration date.

Satisfactory Requirements

All applications, reports or information submitted to the City shall be signed and certified.

All permit applications shall be signed as follows:

For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

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

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

For a partnership or sole proprietorship; by a general partner or the proprietor, respectively.

All reports required by the permit and other information requested by the City shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

The authorization is made in writing by a person described above;

The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity (such as the position of plant manager, superintendent, or position of equivalent responsibility). A duly authorized representative may thus be either a named individual or any individual occupying a named position; and

The written authorization is submitted to the City.

Certification

Any person signing a document under this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate

the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2 and Regulation 6, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the City Administration offices. The name and address of any permit applicant or permittee, permit applications, permits and effluent data shall not be considered confidential.

Penalties for Falsification of Reports

City Ordinance No. 00-11 Section 6.2 provides that any person who knowingly makes any false statements, representations, or certifications on any document filed or required under the ordinance shall, upon conviction, be punished by a fine of not more than $1,000.00 and/or imprisonment of not more than six (6) months.

In addition, Section 32-1909(a) of the Arkansas Water and Air Pollution Control Act provides that any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Arkansas law shall be subject to civil and/or criminal penalties specified in Part II, Section A.2 of this permit.

Section 1319(c)(4) of the Federal Clean Water Act provides that any person who knowingly makes any false material statement, representations, or certification in any required report or document can be subject for a first offense to up to two (2) years imprisonment and/or a fine of up to $10,000 per day of violation.

INDUSTRIAL COMPLIANCE PLAN

NOT USED

CITY OF SILOAM SPRINGS
PO BOX 80
SILOAM SPRINGS, AR 72761
(479) 524-5136

APPLICATION FOR INDUSTRIAL SEWER CONNECTION PERMIT

TO: City of Siloam Springs
Attn: Director Water/Wastewater Utilities
PO Box 80
Siloam Springs, AR 72761 – 0080

Pursuant to Ordinance No. _____, dated _____, of the City of Siloam Springs, application is herewith submitted to (establish) (continue) _____ an industrial sewer connection for the following industry.

Name of Industry: _____
Address: _____
Type of Industry: _____

In support of this application, information required by Section 4.2.2 (a) through (m) of Ordinance No. _____ is attached hereto:

In consideration of the granting of this permit the undersigned agrees to:

1) To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the City.

2) To accept and abide by all provisions of Ordinance No. _____ of the City of Siloam Springs and of all other pertinent Ordinances or regulations currently in effect or that may be adopted in the future.

3) To operate and maintain any waste pretreatment facilities, as may be required as a condition of the acceptance into the wastewater treatment system of the industrial wastes involved, in an efficient manner at all times, and at no expense to the City.

4) To cooperate at all times with the City and his representative in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.

5) To notify the City immediately in the event of any accident, or other occurrence that occasions contributor to the wastewater treatment system of any wastewater of substances prohibited or not covered by this permit.

DATE: _____ SIGNED: _____

Inspection fee attached: _____ TITLE: _____

Application approved and permit granted

_____ _____
Date Signed

COMPLIANCE MONITORING REPORT (CMR)

PERMITTEE NAME / ADDRESS
NAME: **EXAMPLE**
ADDRESS:
Siloam Springs, AR 72761

005
PERMIT NUMBER

001
DISCHARGE NUMBER

MONITORING PERIOD						
	YEAR	MONTH	DAY		YEAR	MONTH	DAY
FROM				TO			

TOTAL MONTHLY FLOW: _____ MILLION GALLONS

PARAMETER (EFFLUENT GROSS VALUES)	PERMIT LIMIT		QUANTITY OR CONCENTRATION			NUMBER OF SAMPLES
	DAILY MAX	MONTHLY AVG.	DAILY MAX	MONTHLY AVG.	UNITS	
Total Suspended Solids	900	600			mg/L	
Oil and Grease	100	100			mg/L	
Total Copper	REPORT ONLY	REPORT ONLY			mg/L	
Total Cyanide	REPORT ONLY	REPORT ONLY			mg/L	
Total Phosphorous	REPORT ONLY	REPORT ONLY			mg/L	
Ammonia (NH3)	REPORT ONLY	REPORT ONLY			mg/L	
Nitrate (NO3)	REPORT ONLY	REPORT ONLY			mg/L	
	DAILY MAX	DAILY MININUM	DAILY MAX	DAILY MINIMUM	UNITS	
pH	9.0	6.0			S.U.	

NAME/TITLE AUTHORIZED AGENT		DATE		
TYPED OR PRINTED	SIGNATURE OF AUTHORIZED AGENT	YEAR	MO	DAY

FACT SHEET

EXAMPLE
Siloam Springs, AR 72761

Permit #001

Local Contacts:

Director Environmental Quality (479)-	President (479)-

User Classification: Permitted Industrial Wastewater Discharger

SIC Code: 0215

Annual Certification Requirements: Flow Meter Calibration

Accidental Spill Prevention Plan: On File
MSDS's on File

Confidential Information: All non-wastewater related information is strictly confidential.

Reporting Frequency: Monthly

EFFLUENT LIMITS & MONITORING REQUIREMENTS

POLLUTANTS	EFFLUENT LIMITS		MONITORING REQUIREMENTS	
	End of Pipe - Outfall #001		End of Pipe - Outfall #001	
	DAILY MAX mg/L	MONTHLY AVG. mg/L	Self-Monitor	City Monitor
FLOW	2,000,000 MGD	2,000,000 MGD	DAILY	N/A
BOD	900	350	MONTHLY	YEARLY
TSS	900	350	MONTHLY	YEARLY
OIL & GREASE	100	100	MONTHLY	YEARLY
COPPER (T)	REPORT ONLY		QUARTERLY	YEARLY
CYANIDE (T)	REPORT ONLY		QUARTERLY	YEARLY
ZINC (T)	REPORT ONLY		QUARTERLY	YEARLY
AMMONIA (NH_3-N)	REPORT ONLY		SEMI-ANNUAL	YEARLY
PHOSPHORUS (T)	REPORT ONLY		MONTHLY	YEARLY
NITRATE (NO_3)	REPORT ONLY		SEMI-ANNUAL	YEARLY
	DAILY MAX S.U.	DAILY MIN S.U.		
Ph	9.0	5.5	MONTHLY	YEARLY

FACT SHEET (CON'T.)

Employees: Total on Site
Shift #1
Shift #2
Shift #3

Description of Production Processes

Plant #1. Facility is a poultry slaughter plant for initial poultry processing with fully automated and state of the art kill, de-feathering, and evisceration equipment.

Pet Foods is attached to Plant #1 use of fresh offal, feed grain pre-mix with addition of any needed minerals and vitamins. Product is canned, labeled, and packaged for many customers/suppliers going to the Pet Food markets.

Truck Shop/Wash is Simmons owned, managed truck maintenance and fuel station where fleet tractors are fueled and repaired as needed; with tractors and trailers being washed using phosphate free soap as needed.

Plant #2. Facility is a further processing facility with deboning and individually frozen (I.F.) processes. This plant receives its raw material from the Simmons plants in Siloam Plant #1 and the Southwest City, Missouri Plant, and also from Decatur Plant.

Description of Discharges:

1.	Sanitary Sewer	17,000 Avg/gpd
2.	Cooling Water, non contact	10,000 Avg/gpd
3.	Cooling Water, contact	100,000 Avg/gpd
4.	Boiler/Tower Blowdown	3,000 Avg/gpd
5.	Production Processes	1,500,000 Avg/gpd
6.	Contained in Product	115,000 Avg/gpd
7.	Ice Production	64,000 Avg/gpd

Process Flow Description:

Wash down and clean up water from Plant #1, Plant #2, Pet Food operations as well as truck washdown.

Pretreatment Process Used:

Wastewater is screened then polymer added prior to (2) Habersham DAF units. Waste solids from DAF units are collected and pumped to on-site temporary storage

Pretreatment Process Operational Problems:

Grease trap can overflow solids if not cleaned with proper frequency.

Pollutants of Interest:

BOD, Copper, TSS

Sample Site:

Outfall #001 - Self-Monitoring and City Monitoring – located in the manhole adjacent to the flow monitoring facility that is located between west of the hatchery building, off of the east side of Ark. Hwy. 59, on the nouth side of the truck wash driveway.

Floor Drains:

Floor drains in all process areas go to the sewer. Floor drains in the chemical storage area are plugged.

Air Pollution Control Equipment:

None.

Solid Waste Disposal:

TRS
333 W. Henri De Tonti Blvd. #5
Springdale, AR 72762

ADF
3801 East Sunshine
Springfield, MO 65809

Discharge Limits:

See page 1.

EXHIBIT 'D'

ENFORCEMENT RESPONSE PLAN

CITY OF SILOAM SPRINGS, ARKANSAS
ENFORCEMENT RESPONSE PLAN FOR
CITY ORDINANCE NO. 00-11
AND
INDUSTRIAL PRETREATMENT PROGRAM

December, 1999

Pursuant to Section 402(b) of the Federal Clean Water Act, 33 U.S.C. § 1342(b) ("CWA"), Part 403 of Title 40 of the Code of Federal Regulations, and Part III, Section 1 of the City of Siloam Springs' (the "City") National Pollutant Discharge Elimination System ("NPDES") Permit No. AR0020273, the City is required to operate an industrial pretreatment program for discharges into the City's publicly owned treatment works ("POTW"). City Ordinance No. 00-11, as amended, (the "Ordinance") authorizes the City to operate an industrial pretreatment program. The City has an Industrial Pretreatment Program, October 1983 ("Program"), which was approved by Region VI of the U.S. Environmental Protection Agency on August 22, 1985, and has submitted to the Arkansas Department of Pollution Control and Ecology a revised Industrial Pretreatment Program for review and approval pursuant to requirements of the City's NPDES permit.

Critical to the success of the City's Program is compliance with requirements of the Ordinance by Industrial Users of the City's POTW. Ordinance 00-11 gives the City enforcement power and gives the City broad enforcement discretion. This Enforcement Response Plan ("ERP") is not intended and should not be interpreted to limit the City's discretion under the Ordinance. This ERP is a guidance document and describes the manner in which the City will evaluate noncompliance in the course of exercising its enforcement discretion. All capitalized terms in this ERP shall have the meaning attributed to those terms in Section 1.4 of Ordinance 00-11.

This ERP will be appropriately updated to remain consistent with the Ordinance and the Program.

This Enforcement Response Plan:

1. Describes the City's compliance monitoring program;

2. Describes how the City evaluates monitoring data submitted by Industrial Users, monitoring data from the City's compliance monitoring program, and information regarding compliance with requirements and deadlines imposed through wastewater discharge permits, the Ordinance, and City directives;

3. Describes how the City will investigate instances of noncompliance;

4. Describes the range of enforcement actions that the City may take in response to violations of the Ordinance and violations of wastewater discharge permits issued by the City to industrial users of the POTW; and

5. Identifies the City officials and employees responsible for carrying out duties under this ERP.

I. COMPLIANCE MONITORING PROGRAM

Section IX of the Pretreatment Program describes the City's compliance monitoring program. Section 6.4 of the Ordinance requires that each permitted Industrial User sample and test its discharge to the POTW at least four times per year, once each calendar quarter. The City is authorized under Section IX.D of the Pretreatment Program to require more frequent monitoring and reporting from permitted Industrial Users and can require monitoring and reporting from unpermitted Users under Section 6.7. In addition, under Section IX.D of the Pretreatment Program, each year the City inspects and takes from each Industrial User a random, unannounced sample. The City can take additional samples in response to public complaints, Industrial User noncompliance, or POTW operating problems.

Sections 6.10 and 6.11 of the Ordinance require that all sampling and analyses by Industrial Users be performed in accordance with applicable EPA regulations and guidelines. Program Sections IX D. and E. require that the City's compliance sampling and analyses be performed according to applicable EPA guidelines and that proper chain of custody procedures be followed to insure that the results of compliance sampling by the City will be admissible as evidence should court proceedings follow a noncompliance event.

The City Administrator and the Water/Wastewater Director are responsible for implementation and oversight of the compliance monitoring program. All information generated through the compliance monitoring program, whether through Industrial User self monitoring or City compliance monitoring is maintained at the office of the City Clerk and at the POTW.

II. DATA EVALUATION

Under Section 6 of the Ordinance and Section V.E of the Pretreatment Program all Industrial User reporting is submitted to the City Administrator. A copy of each report submitted is sent to the Water/Wastewater Director and is filed at the POTW. The reports are initially screened by the Water/Wastewater Director as soon after receipt as possible to identify whether noncompliance is apparent. After the initial screening, the Water/Wastewater Director compiles the analytical data and other reported information for each Industrial User and compare that data against all requirements that apply to that Industrial User.

The Water/Wastewater Director evaluates Industrial User compliance with all deadlines that apply to the Industrial User by tracking the compliance deadline for each requirement. Where necessary, the Water/Wastewater Director prepares a schedule of deadlines which apply to an Industrial User to use in evaluating whether deadlines have been met by that User.

When any noncompliance is noted by the Water/Wastewater Director, the Water/Wastewater Director reports that finding to the City Administrator.

III. INVESTIGATING NONCOMPLIANCE

If Industrial User self-monitoring results or the City's compliance monitoring results indicate noncompliance with discharge limits, the City Administrator and Water/Wastewater Director determine whether an increase in compliance sampling is needed to establish a violation. Compliance sampling will be increased as appropriate and as needed to gather the information necessary to show noncompliance for enforcement purposes. All proper chain-of-custody procedures are followed to assure admissibility of the sample results in enforcement proceedings, should any be necessary.

For noncompliance by Industrial Users with wastewater permit conditions, compliance schedules, and City directives, the City Administrator determines whether additional investigation is necessary to show noncompliance for enforcement purposes, should any be necessary.

Appendix A through C of this ERP contain, respectively, Industrial User inspection guidelines, chain-of-custody forms, and sample analysis and reporting forms.

IV. ENFORCEMENT RESPONSE

The City Administrator or Water/Wastewater Director, in consultation with the POTW Superintendent, legal counsel, and the City Board of Directors, determine whether, on the basis of the reported information, enforcement action is warranted and identify the appropriate enforcement action(s).

A. Non-Emergency Situations

Ordinance 00-11 and the City's Pretreatment Program give the City authority to take the following enforcement actions:

Phone Call or Visit
Notification of Violation ("NOV")
Show Cause Order
Show Cause Hearing
Administrative Fine
Administrative Order (Compliance Orders, Cease and Desist Order and Consent Order)

Emergency Suspension
Termination of Wastewater Treatment Service
Revocation of Wastewater Discharge Permit
Civil Action
Criminal Action

Section 11.1 of the Ordinance provides that when an Industrial User has violated Ordinance 00-11, a wastewater discharge permit or other Pretreatment Standard or Requirement the City may serve on the Industrial User a written notification of violation ("NOV"). Within thirty (30) days of the date of the NOV, the Industrial User must submit to the City Administrator an explanation for the violation and a plan for the satisfactory correction of the violation.

The Ordinance and Program attempt to elicit the willing cooperation of the Industrial User that has violated the Ordinance, a wastewater discharge permit provision or Pretreatment Standard or Requirement. The Ordinance authorizes the City to take any of several enforcement response actions where an Industrial User fails to adequately respond to attempts by the City to obtain the cooperation of the Industrial User to address past noncompliance and secure future compliance.

In selecting enforcement response action the City Administrator or Water/Wastewater Director, in consultation with the POTW Superintendent, City engineers, legal counsel, and the City Board of Directors, will consider the following:

* Magnitude of the violation.
* Duration of the violation.
* Effect of the violation on the receiving water.
* Effect of the violation on the POTW.
* Compliance history of the User.
* Good faith of the User.

1. Magnitude of the Violation. In order to determine the magnitude of the violation, the City will evaluate whether the violation constitutes significant noncompliance in accordance with 40 CFR section 403.8(f)(2)(vii) and will, in addition, evaluate such violation under the following more stringent criteria developed by the City:

a. Violations of wastewater discharge limits.

1. Chronic violations are those in which 66% or more of the analyses for any pollutant exceed the daily maximum or the monthly average limit for that pollutant in a six month period.
2. Technical review criteria violations are those in which 33% or more of the analyses for any pollutant exceed the daily maximum or the monthly average limit for that pollutant by more than the technical review criteria in a six month period.
3. Any other violations of effluent limits that the City believes has caused alone or in combination with other discharges, interference or pass through or endangers the health of the sewage treatment personnel or the public.
4. Any discharge of a pollutant that has caused any danger to human health and welfare or to the environment and has resulted in the City's exercise of its emergency authorities to halt or prevent such a discharge.

b. Violations of compliance schedule deadlines including an NOV, order, or directive from the City, or of deadlines in wastewater discharge permit conditions where the deadline has been missed by 30 days or more.

c. A failure to provide any report, such as reports for compliance schedules, self-monitoring data, or categorical standards, within 30 days from the due date for the report.

d. Falsification of any data regarding discharges to the POTW or failure to accurately report discharges or report any other matter required under the Ordinance, a wastewater discharge permit, or Pretreatment Standard or Requirement.

e. Any other violation or group of violations that the City considers to be significant.

2. Duration of the Violation. In evaluating the duration of the violation the City will consider the time period over which the violation has continued, regardless of the significance of the violation. Where violations have continued over prolonged periods of time, the City may undertake escalated enforcement action.

3. Effect on Receiving Water. The City will assume that a violation adversely affects the receiving water whenever one of the following occur:

a. The discharge passes through the POTW;
b. The discharge causes a violation of the City's NPDES permit; or
c. The discharge has a toxic effect on the receiving waters such as a fish kill.

Other circumstances may also show adverse affect on the receiving waters.

4. Effect on the POTW. All violations by Industrial Users affect the POTW. Violations alone or in combination with other discharges can cause the City additional wastewater treatment expense, require operational changes at the POTW, or cause other deleterious effects. If an Industrial User violation causes an upset in the POTW, damages the City's collection system, causes an obstruction or explosion, causes the POTW effluent to fail a toxicity test, or causes expense to the City, the violation will be considered one that severely affects the POTW.

5. Compliance History of the Industrial User. Compliance history is an important factor that the City will weigh in deciding how to respond to a violation of the Ordinance, wastewater discharge permit requirements, or Pretreatment Standards or Requirements. Where an Industrial User has exhibited recurring compliance problems, the City will consider escalated enforcement alternatives. Where the Industrial User has a good compliance history, the City may decide to use less severe enforcement alternatives.

6. Good Faith of the Industrial User. The City will consider the good faith of the Industrial User in determining the action to take in response to violations of the Ordinance, wastewater discharge permit requirements, or Pretreatment Standards and Requirements. Good faith is the Industrial User's honest intention to remedy its noncompliance coupled with actions that give support to this intention. In some circumstances, although an Industrial User has exhibited good faith, escalated enforcement actions may be necessary. For example, if the violation has caused an upset at the POTW, the City might initiate an action to recover its costs in responding to the upset regardless of the good faith of the Industrial User.

Enforcement response by the City will be expeditious. The following sets forth the approximate time frames within which the City may take enforcement actions after the City receives information that a violation has occurred or after any deadline has passed. Failure of the

City to take action within the indicated time in no way relieves the Industrial User from liability for the violation and does not prevent enforcement action by the City at a later time.

ENFORCEMENT RESPONSE	TIME FRAME
Phone Call or Visit	5 working days
Notification of Violation	10 working days
Show Cause Order	45 days
Civil or Criminal Action	120 days

The following Enforcement Response Guide describes the range of enforcement alternatives the City may consider in responding to violations of the Ordinance, wastewater discharge permit conditions, or Pretreatment Standards or Requirements. The Enforcement Response Guide is in no way intended to restrict the enforcement discretion given to the City in the Ordinance.

ENFORCEMENT RESPONSE GUIDE

UNAUTHORIZED DISCHARGES (No Permit)			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
1. Unpermitted discharge	IU unaware of requirement; no harm to POTW, human health, or environment	- Phone call or visit - NOV with application form	- Pretreatment Coordinator or/ Water/Wastewater Director
	IU unaware of requirement; harm to POTW, human health, or environment	- NOV - Show Cause Order - Administrative order - Civil action	- Pretreatment Coordinator - City Administrator - City Administrator, Mayor - Board of Directors
	Failure to apply for wastewater discharge permit continues after notice by the POTW	- Civil action - Criminal action - Terminate service	- Board of Directors - Board of Directors - Board of Directors
2. Failure to Apply for Renewal of Wastewater Discharge Permit	IU has not submitted application within 10 days of due date	- Phone call or visit	- Pretreatment Coordinator or Water/Wastewater Director

DISCHARGE LIMIT VIOLATION			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
3. Exceedance of wastewater discharge permit limit, a Categorical Pretreatment Standard, or Pretreatment Standard or Requirement	Isolated; not significant	- Phone call or visit - NOV	- Pretreatment Coordinator or/ Water/Wastewater Director
	Isolated; significant; no harm to POTW, human health, or environment	- NOV requiring spill prevention plan	- Pretreatment Coordinator or/ Water/Wastewater Director
	Isolated; harm to POTW, human health, or environment	- Show cause order - Administrative fine - Emergency Suspension - Civil action	- City Administrator - City Administrator - City Administrator - Board of Directors
	Recurring; no harm to POTW, human health, or environment	- NOV - Show cause order	- Pre.Coor. or W/WW Director - City Administrator
	Recurring; significant; harm to POTW, human health, or environment	- Show cause order - Administrative fine - Administrative order - Emergency Suspension - Civil action - Criminal action - Terminate service	- City Administrator - City Administrator - City Administrator, Mayor - City Administrator - Board of Directors - Board of Directors - Board of Directors

MONITORING AND REPORTING VIOLATIONS			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
4. Reporting violation	Report is improperly signed or certified	- Phone call or visit	- Pretreatment Coordinator or/ Water/Wastewater Director
	Report is improperly signed or certified after notice by POTW	- NOV	- Pretreatment Coordinator or/ Water/Wastewater Director
	Isolated; not significant (e.g., 5 days late)	- Show cause order	- City Administrator
	Significant (e.g., report 30 days or more late)	- Phone call or visit	- Pretreatment Coordinator or/ Water/Wastewater Director
	Reports are always late or no reports at all	- NOV	- Pretreatment Coordinator or/ Water/Wastewater Director
	Failure to report spill or changed discharge; no harm to POTW, human health, or environment	- NOV	- Pretreatment Coordinator or/ Water/Wastewater Director
	Failure to report spill or changed discharge; harm to POTW, human health, or environment	- Show cause order - Administrative fine - Administrative order - Civil action	- City Administrator - City Administrator - City Administrator, Mayor - Board of Directors

MONITORING AND REPORTING VIOLATIONS (cont'd)			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
	Repeated failure to report spills	- Show cause order - Administrative fine - Administrative order - Civil action	- City Administrator - City Administrator - City Administrator, Mayor - Board of Directors
	Falsification	- Show cause order - Civil action - Criminal action	- City Administrator - Board of Directors - Board of Directors
5. Failure to monitor correctly	Failure to monitor all pollutants as required by permit	- NOV	- Pretreatment Coordinator or/ Water/Wastewater Director
	Recurring failure to monitor	- NOV - Show cause order - Administrative fine - Administrative order - Civil action	- Pretreatment Coordinator or/ Water/Wastewater Director - City Administrator - City Administrator - City Administrator, Mayor - Board of Directors
6. Improper sampling	Evidence of intent	- Criminal action - Terminate service	- Board of Directors - Board of Directors
7. Failure to install monitoring equipment	Delay of less than 30 days	- NOV	- Pretreatment Coordinator or/ Water/Wastewater Director

MONITORING AND REPORTING VIOLATIONS (cont'd)			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
	Delay of 30 days or more	- Show cause order	- City Administrator
	Recurring violation of NOV	- Show cause order - Administrative fine - Administrative order - Civil action - Criminal action - Terminate service	- City Administrator - City Administrator - City Administrator, Mayor - Board of Directors - Board of Directors - Board of Directors
8. Compliance Schedules	Missed milestone by less than 30 days, or will not affect final milestone	- Phone call or visit - NOV	- Pretreatment Coordinator or/ Water/Wastewater Director
	Missed milestone by more than 30 days, or will affect final milestone (good cause for delay)	- NOV	- Pretreatment Coordinator or/ Water/Wastewater Director
	Missed milestone by more than 30 days, or will affect final milestone (no good cause for delay)	- Show cause order - Administrative fine - Administrative order - Civil action - Terminate service	- City Administrator - City Administrator - City Administrator, Mayor - Board of Directors - Board of Directors

MONITORING AND REPORTING VIOLATIONS (cont'd)			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
	Recurring violation or violation of schedule in NOV or order	- Civil action - Criminal action - Terminate service	- Board of Directors - Board of Directors - Board of Directors

OTHER PERMIT VIOLATIONS			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
9. Waste streams are diluted in lieu of treatment	Initial violation	- NOV - Show cause order	- Pretreatment Coordinator or/ Water/Wastewater Director - Water/Wastewater Director or City Administrator
	Recurring	- Show cause order - Administrative order - Terminate service	- City Administrator - City Administrator, Mayor - Board of Directors
10. Failure to mitigate non-compliance or halt production	Does not result in harm to POTW, human health, or environment	- NOV	- Pretreatment Coordinator or/ Water/Wastewater Director
	Does result in harm to POTW, human health, or environment	- NOV - Show cause order - Administrative fine - Administrative order - Civil action	- Pretreatment Coordinator or/ Water/Wastewater Director - City Administrator - City Administrator - City Administrator, Mayor - Board of Directors
11. Failure to properly operate and maintain pretreatment facility	Does not result in harm to POTW, human health, or environment	- NOV	- Pretreatment Coordinator or/ Water/Wastewater Director

OTHER PERMIT VIOLATIONS (cont'd)			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
	Does result in harm to POTW, human health, or environment	- NOV - Show cause order - Administrative fine - Administrative order - Emergency suspension - Civil action - Criminal action - Terminate service	- Pretreatment Coordinator or/ Water/Wastewater Director - City Administrator - City Administrator - City Administrator, Mayor - City Administrator - Board of Directors - Board of Directors - Board of Directors

VIOLATIONS DETECTED DURING SITE VISITS			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
12. Entry Denial	Entry denied or consent withdrawn Copies of records denied	- Obtain warrant and return to IU - Criminal action - Terminate service	- Water/Wastewater Director or City Administrator in conjunction with City Attorney - Board of Directors - Board of Directors
	No harm to POTW or environment	- NOV - Show cause order	- Pretreatment Coordinator or/ Water/Wastewater Director - City Administrator
13. Illegal Discharge	Discharges cause harm or evidence of intent/negligence	- Show cause order - Administrative fine - Administrative order - Emergency suspension - Civil action - Criminal action - Terminate service	- City Administrator - City Administrator - City Administrator, Mayor - City Administrator - Board of Directors - Board of Directors - Board of Directors
	Recurring violation of NOV or Order	- Civil action - Criminal action - Terminate service	- Board of Directors - Board of Directors - Board of Directors
14. Improper Sampling	Unintentional sampling at incorrect location	- Phone call or visit - NOV	- Pretreatment Coordinator or/ Water/Wastewater Director - Pretreatment Coordinator or/ Water/Wastewater Director
	Unintentionally using incorrect sample type	- Phone call or visit - NOV	- Pretreatment Coordinator or/ Water/Wastewater Director - Pretreatment Coordinator or/ Water/Wastewater Director

VIOLATIONS DETECTED DURING SITE VISITS (cont'd)			
NONCOMPLIANCE	NATURE OF THE VIOLATION	POSSIBLE ENFORCEMENT RESPONSES	AUTHORIZED TO BE TAKEN BY
	Unintentionally using incorrect sample collection technique	- Phone call or visit - NOV	- Pretreatment Coordinator or/ Water/Wastewater Director - Pretreatment Coordinator or/ Water/Wastewater Director
15. Inadequate record keeping	Inspector finds files incomplete to missing (no evidence of intent)	- Phone call or visit - NOV	- Pretreatment Coordinator or/ Water/Wastewater Director - Pretreatment Coordinator or/ Water/Wastewater Director
	Recurring	- NOV - Show cause order	- Pretreatment Coordinator or/ Water/Wastewater Director - City Administrator
16. Failure to report all monitoring	Inspection finds additional files	- Show cause order - Administrative fine - Administrative order - Civil action	- City Administrator - City Administrator - City Administrator, Mayor - Board of Directors
	Recurring	- Show cause order - Administrative fine - Administrative order - Civil action	- City Administrator - City Administrator - City Administrator, Mayor - Board of Directors

B. Emergency Situations

In emergency situations where an actual or threatened discharge reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons, the City may under Section 10.5 of the Ordinance immediately suspend a User's discharge after informal notice to the User. Where a discharge threatens to interfere with operation of the POTW or presents or may present an endangerment to the environment, the City may suspend a User's discharge after notice and an opportunity to respond. In addition to those emergency measures, the non-emergency provisions of this Enforcement Response Plan may be implemented.

APPENDIX A

City of Siloam Springs
Industrial Pretreatment Program Inspection Report

Date:_____

Reported By:_____

A. Facility Description

Name_____ Contact Name_____

Location Address_____

Mailing Address_____

Principal Product/Service_____

Permit_____ SIC Code(s)_____
Categorical_____ Significant Noncategorical_____ Undetermined_____
Operation Schedule: Hours/Day_____ Days/Week_____ Weeks/Year_____
Scheduled Plant Shutdown Periods_____
Plant Activities During Shutdowns_____
Employees Per Shift: 1st_____ 2nd_____ 3rd_____

B. Inspection Description

Entry Time_____ Exit Time_____

Inspection Type (Check all that apply):

Scheduled_____ Partial_____ Unscheduled (2 hrs notice or less)_____
User Classification_____ Demand (no notice)_____ Pre-Permit_____
Initial_____ Compliance Follow-Up_____ Comprehensive_____
Other_____

Attendance:

Name/Title	Facility/Agency	Telephone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____

C. Waste Stream Description (All Facilities)

Reviewed Plant Schematic(s)? _____Yes _____No

Schematic(s) on file with Control Authority? _____ Yes _____No

If not on file, contacted? _____Yes _____No

	Schematic Includes yes	no	Reviewed Actual Site yes	no	Condition (Good, bad, poor)
Location(s) incoming water	[ ]	[ ]	[ ]	[ ]	_____
Regulated Waste stream(s)	[ ]	[ ]	[ ]	[ ]	_____
Unregulated Waste stream(s)	[ ]	[ ]	[ ]	[ ]	_____
Dilutional Waste stream(s)	[ ]	[ ]	[ ]	[ ]	_____
All floor drains/trenches	[ ]	[ ]	[ ]	[ ]	_____
Locations of:					
Chemical storage area(s)	[ ]	[ ]	[ ]	[ ]	_____
Raw material storage area(s)	[ ]	[ ]	[ ]	[ ]	_____
Acid use area(s)	[ ]	[ ]	[ ]	[ ]	_____
Caustic use area(s)	[ ]	[ ]	[ ]	[ ]	_____
Other area(s)	[ ]	[ ]	[ ]	[ ]	_____
Specially handled materials	[ ]	[ ]	[ ]	[ ]	_____
Explain Other:					_____
Layout of:					
Major plant feature(s)	[ ]	[ ]	[ ]	[ ]	_____
Pretreatment facility(ies)	[ ]	[ ]	[ ]	[ ]	_____
Location of drainage from:					
Boiler(s)	[ ]	[ ]	[ ]	[ ]	_____
Cooling system(s)	[ ]	[ ]	[ ]	[ ]	_____
Dehumidifier(s)	[ ]	[ ]	[ ]	[ ]	_____
Air pollution control equip	[ ]	[ ]	[ ]	[ ]	_____
Sanitary sewer connection(s)	[ ]	[ ]	[ ]	[ ]	_____
Storm sewer connection(s)	[ ]	[ ]	[ ]	[ ]	_____

D. Describe Process Streams

_____

_____

_____

_____

_____

E. Sample Location(s) Each

Sample Location No._____ Verified During Inspection? _____Yes _____No
Sample Location Description_____
Estimated Volume/Description of:
Regulated Flow_____
Unregulated Flow_____
Dilutional Flow_____
Self Monitoring Methods:
Flow Measurement Approved? _____Yes _____No
Verified During Inspection? _____Yes _____No
Flow Meter Calibrated? _____Yes _____No
Reviewed Records? _____Yes _____No
Collection Methods Approved? _____Yes _____No
Verified During Inspection? _____Yes _____No

Comments:
_____
_____
_____

F. Industry Self-Monitoring Program

Has the approved self-monitoring program been implemented?____Yes _____No
(If not, check_____ and go to the next page.)
All regulated waste streams sampled?_____Yes _____No
Verified? _____Yes _____No
Sampling performed by: Industry_____ Contract Lab_____
Analysis performed by: Industry_____ Contract Lab_____
Industry personnel responsible for sampling and/or analysis trained to do so?
_____Yes _____No
By whom?_____
Name/Address of contract lab(s) _____
_____
Records kept of dates, times, locations, methods and names of persons taking samples?
_____Yes _____No Verified during Inspection? _____Yes _____No
Records kept of regulated production, continuous and batch discharge schedules, observations, etc. on sampling days?
_____Yes _____No Verified during Inspection? _____Yes _____No
Records kept of time and method of sample preservation?
_____Yes _____No Verified during Inspection? _____Yes _____No
Are refrigerated autosamplers and refrigerators used for sample storage at a temperature of 4° C or below, but not freezing?
_____Yes _____No Verified during Inspection? _____Yes _____No

Is there an appropriate thermometer in each?
_____Yes _____No Verified during Inspection? _____Yes _____No
Records kept of dates, times, methods of sample delivery to contract lab, and names of persons receiving samples?
_____Yes _____No Verified during Inspection? _____Yes _____No
Chain-of-custory records being used?
_____Yes _____No Verified during Inspection? _____Yes _____No
Records on site of all analytical results for at least 3 years?
_____Yes _____No Verified during Inspection? _____Yes _____No

G. Pretreatment System

Is there a pretreatment system? _____Yes _____No Is it Approved?_____Yes _____No
Description_____
Contributing Processes_____
_____
Is system operated per approved plans?
_____Yes _____No Verified during Inspection? _____Yes _____No
Is system operated per approved schedule?
_____Yes _____No Verified during Inspection? _____Yes _____No
Is there an assigned operator? _____Yes _____No
Has the operator been trained? _____Yes _____No
Is the system regularly maintained?
_____Yes _____No Verified during Inspection? _____Yes _____No
Are grease traps/waste pits routinely cleaned?
_____Yes _____No Verified during Inspection? _____Yes _____No
Are operational and maintenance records kept?
_____Yes _____No Verified during Inspection? _____Yes _____No
Can this system be bypassed by obvious means? _____Yes _____No
If yes, who was this reported to?_____

Comments:
_____
_____
_____
_____
_____

H. Residuals Management

Describe volume produced, handling, storage, and disposal of residuals generated by pretreatment system, including names of haulers and disposal sites.

_____

_____

_____

_____

_____

Are residuals classified as hazardous wastes? _____Yes _____No
Are records kept? _____Yes _____No
Reviewed during inspection? _____Yes _____No
Should handling, storage and/or disposal of wastes be discussed further with solid/hazardous waste specialist? _____Yes _____No
If yes, indicate what additional steps, if any, are required._____

_____

_____

_____

_____

_____

I. Waste Oil Management

Describe handling, storage and disposal of waste oils, including volume generated per year, frequency of disposal, and names of haulers and disposal sites.

_____

_____

_____

_____

Are waste oils petroleum-based? _____Yes _____No
Records kept? _____Yes _____No
Reviewed during inspection? _____Yes _____No
Should handling, storage and/or disposal of wastes be discussed further with oil/hazardous waste specialist? _____Yes _____No
If yes, indicate what additional steps, if any, are required._____

_____

_____

_____

J. Solvent/Toxic Organic Management (STO)

Is there an approved STO plan? _____Yes _____No
Reviewed prior to inspection? _____Yes _____No
If yes, is this plan being implemented? _____Yes _____No
Verified during inspection? _____Yes _____No
Is there any evidence of discharge of solvents or defined toxic organics to sanitary sewer?
_____Yes _____No
Is there potential for discharge of solvents or defined toxic organics to sanitary sewer?
_____Yes _____No

Comments:

_____
_____
_____
_____
_____

K. Accidental Spill and Discharge Control

Are floor drains/manholes in proximity to: (if yes, where discharge to)

	YES	NO	DISCHARGE	VERIFIED
Chemical storage area(s)	[ ]	[ ]	_____	[ ]
Acid use area(s)	[ ]	[ ]	_____	[ ]
Caustic use area(s)	[ ]	[ ]	_____	[ ]
Raw materials storage area(s)	[ ]	[ ]	_____	[ ]
Maintenance shop area(s)	[ ]	[ ]	_____	[ ]
Paint application area(s)	[ ]	[ ]	_____	[ ]

Are there spill facilities? _____Yes _____No
Where discharged to?_____
Does User have an approved ASPP? _____Yes _____No
Reviewed prior to inspection?_____Yes _____No
Is there a need for an ASPP? _____Yes _____No
If no, explain why._____
_____
_____
_____

Comments:

_____
_____
_____

L. Defined Pollutants

List pollutants coming into direct contact with waste stream that discharges into POTW.

_____

_____

_____

List pollutants that have the potential to access the POTW collection system by spill, accidental discharge, machinery malfunction, etc.

_____

_____

_____

M. Close Out Interview

Attending: _____

Findings:	OK	NOT OK	COMMENTS
Waste stream schematic(s)	[ ]	[ ]	_____
Regulated process(es)	[ ]	[ ]	_____
Sample location(s)	[ ]	[ ]	_____
Self-monitoring program	[ ]	[ ]	_____
Compliance schedule	[ ]	[ ]	_____
Pretreatment system	[ ]	[ ]	_____
Residuals management program	[ ]	[ ]	_____
Waste oil management program	[ ]	[ ]	_____
STO management program	[ ]	[ ]	_____
ASPP procedures and postings	[ ]	[ ]	_____
Reporting	[ ]	[ ]	_____
Certification	[ ]	[ ]	_____
Notification	[ ]	[ ]	_____

Other: _____

_____

_____

N. Follow-Up

Date of next inspection_____

Other notes or comments on inspection:

_____

_____

_____

_____

_____

Corrective action to be taken:

_____

_____

_____

_____

_____

Inspector_____

APPENDIX B

City of Siloam Springs

CITY OF SILOAM SPRINGS

975 Anderson Avenue
Siloam Springs, AR
website: siloamsprings.com

P.O. Box 80
Siloam Springs, AR 72761

Phone: 479-524-5623
Fax: 479-524-4653

WATER POLLUTION CONTROL FACILITY

CHAIN OF CUSTODY

Client Information		Project Information	
Company Name:	Siloam Springs	Permit/Project #:	Weekly Testing
Address:	P.O. Box 80	Project Order #:	
	410 N. Broadway		
	Siloam Springs, Ar 72761	Sampler Name(s):	
Telephone:	(479) 524-5623		
FAX:	(479) 524-4653	and Signature(s):	

Sample Identification		Sample Collection				Sample Containers				Requested Parameters							
Identification	Lab Control #	Date	Time	Type	Matrix	Type	Volume	Preservative	#	CBOD	NH3-N	Total Suspended Solids	BOD	NO3	TP		
Effluent;Outfall 001				Comp	H_2O	P	1 Qt	I C E		X	X						
Effluent;Outfall 001				Comp	H_2O	P	500 ML	H2SO4 + IC				X		X	X		
Influent				Comp	H_2O	P	500 ML	H2SO4 + ICE				X		X	X		
Influent				Comp	H_2O	P	1 Qt	I C E			X		X				

Relinquished By: (Signature and Printed Name)	Date	Time	Received By: (Signature and Printed Name)	Date	Time
Relinquished By: (Signature and Printed Name)	Date	Time	Received By: (Signature and Printed Name)	Date	Time
Relinquished By: (Signature and Printed Name)	Date	Time	Received for Lab By: (Signature and Printed Name)	Date	Time

Custody Seals: Used? ☐ Intact? ☐

Turnaround: Regular [X] Special ☐

Were samples properly preserved: Yes [X] No ☐

Comments:

G:\WP50\DOC\FORMS\CHAIN.XLS Cool all samples to 4 degrees C.

Chlorinated? Yes No

APPENDIX C

FORM OF
ANALYSIS AND REPORTING

Sample analysis and reporting for User self-monitoring is expected to contain:

1. A completed Industrial User Periodic Compliance Report (PCR) Form with certification by an authorized representative of the User pursuant to section 4.6 of Ordinance 1084;

2. Completed Compliance Monitoring Report (CMR);

3. Monitoring results from the contract laboratory;

4. Flow data; and

5. Completed chain of custody.

Industrial User
Periodic Compliance Report (PCR) Certification Form

Permit #:_____

Industrial User:_____

Sample Date(s):_____

Monitoring Event Type(s): (check all that apply)

- ☐ self-monitoring
- ☐ City monitoring
- ☐ consent order
- ☐ compliance monitoring
- ☐ compliance order
- ☐ other:

_____
_____
_____

Violations:_____
_____
_____
_____
_____

The Control Authority was notified of the violation(s) detailed above on ___/___/___ @ ____:____ via _____ (e.g., phone, voice mail, fax, etc.).

I, _____ (print name), 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 fines and imprisonment for knowing violations.

_____	_____	_____
Signature of Company Official	Title of Company Official	Date Signed

COMPLIANCE MONITORING REPORT (CMR)

PERMITTEE NAME/ADDRESS
NAME:
ADDRESS:

ATTN.:

	PERMIT NUMBER

001
DISCHARGE NUMBER

	MONITORING PERIOD						
	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			

TOTAL MONTHLY FLOW : _____ MILLION GALLONS

PARAMETER	PERMIT LIMIT		QUANTITY OR CONCENTRATION			NUMBER OF SAMPLES	SAMPLE TYPE
	DAILY MAX	MONTHLY AVE	DAILY MAX	MONTHLY AVE	UNITS		
pH EFFLUENT GROSS VALUE					S.U.		
EFFLUENT GROSS VALUE					mg/L		
EFFLUENT GROSS VALUE					mg/L		
EFFLUENT GROSS VALUE					mg/L		
EFFLUENT GROSS VALUE					mg/L		
EFFLUENT GROSS VALUE					mg/L		
EFFLUENT GROSS VALUE							
EFFLUENT GROSS VALUE							
FLOW EFFLUENT GROSS VALUE	0.30	0.30			MGD		

NAME/TITLE AUTHORIZED AGENT		DATE		
TYPE OR PRINTED	SIGNATURE OF AUTHORIZED AGENT	YEAR	MO	DAY

EXHIBIT 'E'

ORDINANCE #11-17

ORDINANCE NO. 11 - 17

AN ORDINANCE AMENDING CHAPTER 98, ARTICLE IV OF THE SILOAM SPRINGS CODE WITH RESPECT TO FATS, OILS, AND GREASE CONTROL.

WHEREAS, City staff has developed revised permitting requirements for the control of Fats, Oils and Grease, in order to better preserve the City's investment in sewer infrastructure and minimize sanitary sewer overflows; and

WHEREAS, The Arkansas Department of Environmental Quality has directed the City to implement additional regulations in order for the City to effectively address wastewater violators and enforce corrective action when necessary;

NOW THEREFORE, be it ordained by the Board of Directors of the City of Siloam Springs:

That Chapter 98, Article IV of the Siloam Springs Code is hereby amended as follows (added language is underlined, deleted language is ~~struck-through~~.):

Sec. 98-211. - Definitions.

As used in this article, the following words and phrases shall have the meanings indicated, unless the context specifically indicates otherwise:

BOD (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

Building drain means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

Building sewer means the extension from the building drain to the public sewer or other place of disposal.

Combined sewer means a sewer receiving both surface runoff and sewage.

Garbage means solid wastes from the domestic and commercial manufacturing process, trade or business as distinct from sanitary sewage.

Interceptor means a large grease removal device typically sized to treat all grease laden water from a restaurant or facility (usually 1000-2000 gal. tank); typically located outside the facility in a side yard, green space or parking area. Grease interceptor maintenance is usually performed by permitted haulers or recyclers and consists of removing the entire volume (liquids and solids) from the interceptor and properly disposing of the material in accordance with applicable Federal, State, and local laws.

Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

Person means any individual, firm, company, association, society, corporation or group.

pH means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Properly shredded garbage means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

Public sewer means a sewer in which all owners of abutting properties having equal rights, and is controlled by public authority.

Sanitary sewer means a sewer which carries sewage and to which stormwater, surface water and groundwater are intentionally admitted.

Sewage means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

Sewage treatment plant means any arrangement of devices and structures used for treating sewage.

Sewage works means all facilities for collection, pumping, treating and disposing of sewage.

Sewer means a pipe or conduit for carrying sewage.

Slug means any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration of flows during normal operation.

Storm drain or *storm sewer* means a sewer which carries stormwater, surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Suspended solids means solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by laboratory filtering.

Trap means a small grease removal device typically sized to treat an individual sink or dishwasher connection (usually 25-50 gal. tank); typically located within the establishment in close proximity to a sink or dishwasher. Grease trap maintenance is typically performed by maintenance staff or other employees of the establishment.

Unusual BOD means excessive amounts of BOD above the normal operations indigenous to each particular type of industry using normal, reasonable and economical practices before discharging their sewage into the sanitary sewers.

Water department superintendent or *sewer plant superintendent* means the duly appointed officer in charge of the water and/or sewer department of the city, or his authorized representative.

Watercourse means a channel in which a flow of water occurs, either continuously or intermittently.

Sec. 98-212. - Notice to correct violations.

(1) Any person found to be violating any provision of this article shall be served by the ~~director of utilities~~ sewer plant superintendent with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(2) The sewer plant superintendent may, at his discretion, provide oral or written notice to any person of any condition not necessarily amounting to a violation, that may represent a compromise of any requirement or prohibition in this Article. Such notice may provide

information regarding such condition and request cooperation in addressing any potential causes of such condition.

Sec. 98-356. Grease and Oil and Sand Interceptors

Sand, grease, and oil interceptors shall be provided as required below. In all cases, sand, grease and oil interceptors are to be provided at the person's expense. "Person" is defined in Section 98-211 as any individual, firm, company, association, society, corporation or group."

(1) ~~Grease, oil and~~ Sand interceptors shall be provided at the person's expense, when, in the opinion of the sewer plant superintendent, they are necessary for the proper handling of ~~liquid wastes containing grease in excessive amounts, or any flammable wastes,~~ sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All sand interceptors shall be of a type and capacity approved by the sewer plant superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

(2) Grease and/or oil traps and interceptors shall be provided at the person's expense, when such person operates an establishment preparing, processing or serving food and/or food products, or activities conducted at said establishment results in grease or oil being introduced into the sanitary sewer system. The sewer plant superintendent may require a grease trap or interceptor of any person if the superintendent determines that a grease and/or interceptor is necessary to comply with this Article. At a minimum, all food preparatory sinks, dishwashers, waste pits, etc., shall be connected to the appropriate trap or interceptor. Any sink equipped with a waste grinder or any plumbing fixture not associated with food preparation must not be connected to the trap or interceptor.

(3) All grease and/or oil traps and interceptors shall be of a type and capacity accessible for cleaning and inspection and shall meet the minimum design set forth in the Arkansas Plumbing Code as implemented through "Grease Interceptor Minimum Design Criteria" available from the sewer plant superintendent. All such traps or interceptors shall be serviced and emptied of the waste content as required in order to maintain their minimum design capability to trap or intercept oils and greases from the wastewater discharged to the public sewer, or to achieve compliance with the oil and grease limit of 100 mg/l as regulated in section 98-353(2). For under-the-sink traps, person shall inspect, service and document daily or at frequency recommended by the manufacture in order to maintain continuously efficient operation at all times. If the under-the-sink trap is not serviced daily, it shall be the responsibility of the person to demonstrate compliance with the oil and grease limit. For grease and/or oil interceptors, the person shall inspect and document weekly and service when required in order to maintain continuously efficient operation at all times. The trap shall be serviced and documented quarterly, unless approval is obtained in writing from the sewer plant superintendant. In this case, it shall be the responsibility of the person to demonstrate compliance with the oil and grease limit.

(4) Persons who are required to pass water through a grease trap or similar interceptor will provide for a minimum hydraulic retention time of 24 minutes at actual peak flow between the influent and effluent baffles with 25 percent of the total volume of the grease

trap or interceptor being allowed for any food-derived solids to settle or accumulate and floatable grease-derived materials to rise and accumulate.

(5) Where installed, all traps or interceptors shall be maintained by the person at his expense in continuously efficient operation at all times. Persons shall maintain a written record of grease trap or interceptor maintenance for three years. All such records shall be available for inspection by the sewer plant superintendent at all times. These records shall include:

(a) Establishment name and physical location
(b) Date and time of grease trap or interceptor maintenance
(c) Name of third party service provider if required for proper interceptor service.
(d) Name and signature of third party service provider company agent performing service
(e) Number and size of each grease trap or interceptor serviced at site
(f) Approximate volume of waste removed from each grease trap or interceptor
(g) Destination of removed wastes
(h) Such other information as required by the Sewer Plant Superintendent

(6) During trap maintenance, all inorganic and organic solids shall be removed from the sludge pocket. In addition, all floating materials shall be skimmed from the trap or basin tank to avoid accumulation of scum covering the surface of the liquid. There shall be no reintroduction of the water removed from the trap either to the trap itself or to the Sewage Works without prior written approval from the Sewer Plant Superintendent. The person shall be responsible for the removal and disposal by appropriate means of the captured material in accordance with local regulations.

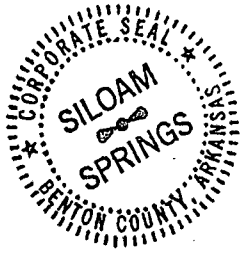
(7) The sewer plant superintendent may, at his or her discretion, require permitting of third party service providers, i.e., any third party not in the employment of a food service establishment who performs trap maintenance to include removal of grease and/or solids on a grease trap or interceptor connected to the Sewage Works, to obtain a Grease Trap Pumping Permit from the Sewage Works. This permit will include requirements for providing such services to establishments discharging into the Sewage Works. The permit may include, but not be limited to, submission of a permit application with documentation of a legal disposal option for any waste removed from grease traps and the number and size of any trucks used to remove grease from grease traps on the Sewage Works collection system. The permit may include, but not be limited to, requirements for submittal of documentation of any traps that are maintained on the Sewage Works collection system as well as the date, time, approximate amount (per best professional judgment of third party service provider) of waste removed, and destination of removed wastes.

(8) No chemical degreasers or enzymes may be used to substitute the need for a grease interceptor. No chemical degreasers of enzymes may be used in the grease trap or interceptor to allow for grease to be discharged to the public sewer.

ORDAINED AND ENACTED THIS 4 **DAY OF** October, **2011.**

David E. Allen, Mayor

(Seal)



ATTEST:

Peggy Woody, City Clerk, MMC

EXHIBIT 'F'

TBLL'S

SLUG/SPILL EVALUATION CHECKLIST

Siloam Springs *Maximum Allowable Headworks Loading*

Pollutant	% Rem***	Oklahoma Water Quality mg/l	Arkansas Water Quality mg/l	Water Quality* lbs/day	Sludge mg/kg	Sludge+ lbs/day	Inhibition** mg/l	Inhibition++ lbs/day	MAHL lbs/day	MAHC mg/l	Domestic lbs/day	Allocation for %SF lbs/day^	MAIL lbs/day	Max Inf Exceeded MAHC	Max Effluent vs WQS(mg/l)
Cadmium Total	68.4	0.00108	0.0070	0.0843	85	1.272	1.00	24.67	0.0843	0.00342	0.03	0.08	0.041	0.5950	0.2300
Copper Total	87.82	0.01297	0.0411	2.6270	4300	50.117	1.00	24.67	2.6270	0.10649	0.70	2.36	1.660	110.0000	9.3000
Lead Total	61.0	0.00270	0.0187	0.1708	840	14.095	1.00	24.67	0.1708	0.00692	0.57	0.15	0.000	32.0000	3.3000
Mercury Total	60.0	0.001302	0.00001339	0.0008	57	0.972	0.10	2.47	0.0008	0.00003	0.0035	0.0007	0.000	0.0170	0.0026
Nickel Total	44.34	0.16586	0.4220	7.3513	420	9.695	1.00	24.67	7.3513	0.29799	0.24	6.62	6.373	7.8000	5.0000
Selenium Total	#N/A	0.00500	0.0056	#N/A	100	#N/A	0.20	4.93	#N/A	#N/A	0.03	#N/A	#N/A	#N/A	No
Silver Total	75	0.00385	0.0200	0.3799	0	0.000	0.25	6.167	0.3799	0.01540	0.06	0.34	0.284	No	No
Zinc Total	66.67	0.11028	0.3729	8.1625	7500	115.145	0.800	19.74	8.1625	0.33087	2.03	7.35	5.317	238.0000	79.0000
Chromium Total	84.11	0.05000	1.2550	7.7627	3000	36.508	1.00	24.67	7.7627	0.31466	0.01	6.99	6.978	3.0800	No
Cyanide Total	#N/A	0.01072	0.0058	#N/A	0	#N/A	0.10	2.467	#N/A	#N/A	0.48	#N/A	#N/A	#N/A	No
Arsenic	#N/A	0.19000	0.3424	#N/A	75	#N/A	0.10	2.47	#N/A	#N/A	0.03	#N/A	#N/A	#N/A	No
Molybdenum	50	0.00000	0.0000	0.0000	75	1.535	0.20	4.93	1.5353	0.06224	0.02	1.38	1.357	No	No
Beryllium	50	0.00000	0.005915	0.2918	0	0.000	0.10	2.4670	0.2918	0.01183	0.00	0.26	0.262	No	No

Dry tons/day of sludge**** 5.12 Saftey Factor 0.10

* lbs/day = mg/l * 8.34 * average flow / (1-%Rem) based on the more stringent of Arkansas vs Oklahoma Water Quality (see "Oklahoma Water Quality Criteria" workbook).

** Page 3-44 of EPA 833B87202 Be est @ 0.10 mg/l and Zinc Level from 04-19-2005 Inf analysis

\+ lbs/day = (dry tons/day * 0.002 * critria(mg/kg))/ % Rem; Dry Tons/Day taken from Audit report dated 12-16-03, page 3

++ lbs/day = mg/l * Flow * 8.34

^ lbs/day = (1 - SF) * MAHL

MAIL = Maximum allowable industrial loading = Allocation for % SF - Domestic

*** Page 3-56 EPA 833B87202, Be & Mo est @ 50

****Dry tons/day of sludge from 2009 Sludge data equal 934 dry/tons per year with new plant estimated at twice this sludge rate (2 X 934/365 = 5.12 dt/day)

CITY OF
Siloam Springs
It's a natural

February 21, 2012

Water Division, Enforcement Branch
Arkansas Dept. of Environmental Quality (ADEQ)
Mr. Rufus Torrence, Pretreatment Engineer
5301 Northshore Drive
North Little Rock, AR 72118

RE: NPDES Permit No. AR0020273, AFIN: 04-00106
Technical Based Local Limits (TBLL)

Dear Mr. Torrence:

This letter is to submit the City's Industrial Pretreatment Program Technically-Based Local Limits ("TBLLs") re-evaluation in accordance with applicable regulations in 40 CFR Part 403 and with EPA's Local Limits Development Guidance (July 2004) ("2004 TBLLs Guidance"). As we have discussed, the TBLLs have been re-evaluated in part, in connection with the recent major upgrades to the City's Publicly-Owned Treatment Works ("POTW"). The maximum allowable headworks loading ("MAHLs") you recommended have been used in the TBLLs re-evaluation. Comparison of the City's most recent actual headworks loadings ("AHLs") to the recommended MAHLs was conducted. All of the AHLs are below the respective MAHLs. The result of the City's TBLLs re-evaluation is that no changes in the City's TBLLs are necessary. Accordingly, we are submitting the updated TBLLs evaluation as a request for approval of a non-substantial modification to the City's approved Industrial Pretreatment Program in accordance with 40 CFR section 403.18(d) and the 2004 TBLLs Guidance (p. 9-12). Enclosed please find:

1. POTW treatment plant process schematic. The POTW has been upgraded from a secondary trickling filter facility to a biological nutrient removal ("BNR") facility. Construction is nearing completion. The upgrades have resulted in major improvements to solids handling and nutrient removal.
2. All data used to re-evaluate the TBLLs and prepare the TBLLs calculations. The data includes domestic/commercial pollutant contributions; process inhibition thresholds; POTW pollutant removal efficiencies; sludge disposal criteria including site area and site life if used in developing applicable criteria; POTW, industrial and domestic/commercial flows; and where applicable, effluent quality measured or assumed for industrial users.
3. Supporting assumptions, methodologies, and calculations used in establishing the items referenced in number 2 above.
4. A comparison of MAHLs based on all applicable limiting criteria in tabular form.

Thank you for your input and assistance to the City in this project. I look forward to receiving ADEQ's approval of this non-substantial modification to the City's Industrial Pretreatment Program. If you have any questions regarding this submittal, please do not hesitate to contact me.

Sincerely,

Thomas A. Myers, Environmental Compliance Manager
(479) 238-0927
tmyers@siloamsprings.com
cc: Peggy Woody, City Clerk
Wastewater File

City of Siloam Springs
INDUSTRIAL WASTEWATER
SLUG/SPILL EVALUATION CHECKLIST

SIU NAME: _____

PERMIT NO.: _____ CONTACT: _____

1. SLUG CONTROL PLAN

   a. Evaluated for need for slug discharge control plan: Yes ☐ No ☐

      Result: Slug Discharge Control Plan: ____Required ____

   b. If Slug Discharge Control Plan is required has it been submitted? Yes ☐ No ☐

   c. If Slug Discharge Control Plan is required has it been reviewed for sufficiency?

      Yes ☐ No ☐ Result: Sufficient ____ Not Sufficient ____

2. SPILL PLAN

   a. Type on file: (PIPP, SPCC, TOMP, Contingency): _____ Date: _____

   b. Number of Spills in last 3 years: _____

3. CHEMICAL STORAGE

   a. Attach chemical list, including location of chemical, quantity stored, and container size.

   b. Containment: Yes ☐ No ☐ Describe: _____

      _____

      Condition: Good ☐ Fair ☐ Poor ☐ N/A ☐

   c. Drains/Trenches: Yes ☐ No ☐ Routed to: _____

      Distance from storage tanks or drums (in feet): _____

   d. Spill Potential (High, Medium, Low): _____

4. MANUFACTURING PROCESSES

   a. Process solutions in tanks

Chemical Solution Name	Location (attach sketch)	Process Tank Size (in gallons)

EXHIBIT 'G'

MASTER USERS LIST

Master Users List

Cobb Vantress
PO Box 1031
Siloam Springs, AR 72761

Gates Corporation
1801 N. Lincoln
Siloam Springs, AR 72761

Simmons Foods
PO Box 430
Siloam Springs, AR 72761

EXHIBIT 'H'

INDUSTRIAL WASTEWATER DISCHARGE QUESTIONNAIRE

March 1, 2011

Siloam Springs, AR 72761

Dear;

The City of Siloam Springs is required by Arkansas Department of Environmental Quality (ADEQ) to conduct a pre-treatment questionnaire survey. This information gathered is to be used to determine chemical and organic discharges to the municipal wastewater system.

Through this information the City of Siloam Springs can determine growth and process control needs to the existing wastewater facility and proposed new improvements.

In addition all dischargers must follow applicable requirements under subtitles C and D of the Resource Recovery Act pursuant to 40 CFR 403.8(f)(2)(iii).

In order to comply with **Ordinance no 98-556,** the attached questionnaire survey must be completed and return within **30 Days** from the date of this letter to;

Wastewater Dept., Attn: Tom Myers
P.O. Box 80
Siloam Springs, Arkansas 72761

If you have any questions, please contact me at 524-5623 or 238-0927.

Sincerely,

Thomas A. Myers
Environmental Compliance Manager

Cc: Randy Atkinson, Public Works Director
Peggy Woody, City Clerk

INDUSTRIAL WASTE DISCHARGE QUESTIONNAIRE
SILOAM SPRINGS, ARKANSAS

1. COMPANY INFORMATION

Company Name _____
Mailing Address _____
_____
Street Address _____
_____

Authorized Official _____
Title _____
Address _____
_____
Telephone Number _____

Contact Representative _____
Title _____
Address _____
_____
Telephone Number _____

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

I have examined and am familiar with the information submitted in this document and attachments. To the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and/or imprisonment.

_____ _____
Date Signature of Authorized Official

II. GENERAL INFORMATION

Type of Business _____

_____

Production Description (attach additional sheet if necessary) _____

_____

_____

_____

_____

_____

III. OPERATIONAL CHARACTERISTICS

Production Shifts

Hours of Operation _____ to _____ or _____ Continuous

Number of shifts per day _____

Employees per shift 1st _____ 2nd _____ 3rd _____ Time

shift begins 1st _____ 2nd _____ 3rd _____ Time shift

ends 1st _____ 2nd _____ 3rd _____ Work days

1st _____ 2nd _____ 3rd _____

Raw materials and process additives used _____

_____

_____

_____

_____

_____

_____

Type of production processes:

_____ Batch

_____ Continuous

_____ Both _____ % Batch _____ % Continuous

_____ Average number of batches per day

Are there scheduled facility shutdowns? _____ Yes _____ No

If so, when? _____

Seasonal Production:

Is production subject to seasonal variations? _____ Yes _____ No

If yes, briefly describe seasonal production cycle _____

_____

Are any process changes or expansions planned during the next three years?

_____ Yes _____ No

If yes, attach a separate sheet to this form describing the nature of planned changes or expansions.

Is an Accidental Spill Prevention Plan prepared for the facility:

_____ Yes _____ No

If yes, attach a copy of the Spill Prevention Plan.

How are spills (chemicals, food wastes, etc.) disposed of?

_____ Washed into sewer
_____ Hauled off premises
_____ Other (describe) _____

IV. WATER CONSUMPTION AND LOSSES

Is there any wastewater generated within your facility other than normal domestic sewage? _____ Yes _____ No

Provide a diagram or blueprint of the facility sewer drain system showing process sources, floor drains, grease traps, settling basins, screens, other applicable treatment components, pretreatment systems, connections to the City sewer system, and access manholes.

Water Consumption:

_____	(a.) Sanitary	_____ Avg Gal/Day
_____	(b.) Cooling Water, non contact	_____ Avg Gal/Day
_____	(c.) Cooling Water, contact	_____ Avg Gal/Day
_____	(d.) Boiler/Tower Blowdown	_____ Avg Gal/Day
_____	(e.) Production Processes	_____ Avg Gal/Day
_____	(f.) Contained in Product	_____ Avg Gal/Day
_____	(g.) Other (describe) _____	_____ Avg Gal/Day
	_____	_____ Avg Gal/Day
	(h.) Total	_____

Water Losses:

_____	(a.) Sanitary Sewer	_____ Avg Gal/Day
_____	(b.) Storm Sewer	_____ Avg Gal/Day
_____	(c.) Surface Water	_____ Avg Gal/Day
_____	(d.) Waste Hauler	_____ Avg Gal/Day
_____	(e.) Evaporation	_____ Avg Gal/Day
_____	(f.) Other (describe) _____	_____ Avg Gal/Day
	_____	_____ Avg Gal/Day
	(g.) Total	

Name and Address of Waste Hauler, if used:

_____
_____
_____
_____

List each source of wastewater describing the process which produces the wastewater and the general type of pollutant in the wastewater stream (i.e.: detergent, grease, wood shavings, caustic cleaning agent, food particles, etc.):

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Type of Discharge:

Is discharge to Sanitary Sewer? _____ Intermittent _____ Steady
If intermittent, describe (holding tanks, sump pump, batch discharge, etc.):

_____
_____
_____
_____

V. PRETREATMENT INFORMATION

Wastes:

Are any liquid wastes or sludges from this facility disposed of by means other than discharge to the sewer system? _____ Yes _____ No

If yes, these wastes may best be described as:

_____	Acids and Alkalies	_____ Gal or lbs/Yr
_____	Heavy Metal Sludges	_____ Gal or lbs/Yr
_____	Inks/Dyes	_____ Gal or lbs/Yr
_____	Oil and/or Grease	_____ Gal or lbs/Yr
_____	Organic Compounds	_____ Gal or lbs/Yr
_____	Paints	_____ Gal or lbs/Yr
_____	Pesticides	_____ Gal or lbs/Yr
_____	Plating Wastes	_____ Gal or lbs/Yr
_____	Pretreatment Sludges	_____ Gal or lbs/Yr
_____	Solvents/Thinners	_____ Gal or lbs/Yr
_____	Other Hazardous Wastes (specify)	_____ Gal or lbs/Yr
	_____	_____ Gal or lbs/Yr
	_____	_____ Gal or lbs/Yr
_____	Other Wastes (specify)	_____ Gal or lbs/Yr
	_____	_____ Gal or lbs/Yr
	_____	_____ Gal or lbs/Yr

For the above checked wastes, does your facility practice:

_____ On-site storage	_____ On-site disposal
_____ Off-site storage	_____ Off-site disposal

Briefly describe the method(s) of storage or disposal checked above:

_____

_____

_____

_____

_____

_____

_____

If any wastewater analyses have been performed on your facility's discharge, attach a copy of the most recent data to this questionnaire. Include date of the analysis, name of laboratory performing the analysis, and location(s) from which sample(s) were taken.

EXHIBIT 'I'

INSPECTION GUIDANCE CHECKLIST

City of Siloam Springs
Industrial Pretreatment Program Inspection Report

Date:_____

Reported By:_____

A. Facility Description

Name _____ Contact Name _____

Location Address _____

Mailing Address _____

Principal Product/Service _____

Permit _____ SIC Code(s) _____
Categorical ☐ Significant Noncategorical ☐ Undetermined ☐
Operation Schedule: Hours/Day ___ Days/Week ___ Weeks/Year
Scheduled Plant Shutdown Periods _____
Plant Activities During Shutdowns _____
Employees Per Shift: 1st ___ 2nd ___ 3rd

B. Inspection Description

Entry Time _____ Exit Time _____

Inspection Type (Check all that apply):

Scheduled ☐ Partial ☐ Unscheduled (2 hrs notice or less) ☐
User Classification ☐ Demand (no notice) ☐ Pre-Permit ☐
Initial ☐ Compliance Follow-Up ☐ Comprehensive ☐
Other _____

Attendance:

Name/Title	Facility/Agency	Telephone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____

C. Waste Stream Description (All Facilities)

Reviewed Plant Schematic(s)? ☐ Yes ☐ No

Schematic(s) on file with Control Authority? ☐ Yes ☐ No

If not on file, contacted? ☐ Yes ☐ No

	Schematic Includes		Reviewed Actual Site		Condition (Good, bad, poor)
	yes	no	yes	no	
Location(s) incoming water	☐	☐	☐	☐	
Regulated Waste stream(s)	☐	☐	☐	☐	
Unregulated Waste stream(s)	☐	☐	☐	☐	
Dilutional Waste stream(s)	☐	☐	☐	☐	
All floor drains/trenches	☐	☐	☐	☐	
Locations of	☐	☐	☐	☐	
Chemical storage area(s)	☐	☐	☐	☐	
Raw material storage area(s)	☐	☐	☐	☐	
Acid use area(s)	☐	☐	☐	☐	
Caustic use area(s)	☐	☐	☐	☐	
Other area(s)	☐	☐	☐	☐	
Specially handled materials	☐	☐	☐	☐	
Explain Other: _____					
Layout of:					
Major plant feature(s)	☐	☐	☐	☐	
Pretreatment facility(ies)	☐	☐	☐	☐	
Location of drainage from:					
Boiler(s)	☐	☐	☐	☐	
Cooling system(s)	☐	☐	☐	☐	
Dehumidifier(s)	☐	☐	☐	☐	
Air pollution control equip	☐	☐	☐	☐	
Sanitary sewer connection(s)	☐	☐	☐	☐	
Storm sewer connection(s)	☐	☐	☐	☐	

D. Describe Process Streams

_____

_____

_____

_____

_____

E. Sample Location(s) Each

Sample Location No. ___ Verified During Inspection? ☐ Yes ☐ No

Sample Location Description _____

Estimated Volume/Description of:

Regulated Flow _____

Unregulated Flow _____

Dilutional Flow _____

Self Monitoring Methods:

Flow Measurement Approved?	☐ Yes	☐ No
Verified During Inspection?	☐ Yes	☐ No
Flow Meter Calibrated?	☐ Yes	☐ No
Reviewed Records?	☐ Yes	☐ No
Collection Methods Approved?	☐ Yes	☐ No
Verified During Inspection?	☐ Yes	☐ No

Comments:

_____

_____

_____

F. Industry Self-Monitoring Program

Has the approved self-monitoring program been implemented? ☐ Yes ☐ No
(If not, check ☐ and go to the next page.)
All regulated waste streams sampled? ☐ Yes ☐ No
Verified? ☐ Yes ☐ No
Sampling performed by: Industry ☐ Contract Lab ☐
Analysis performed by: Industry ☐ Contract Lab ☐
Industry personnel responsible for sampling and/or analysis trained to do so?
☐ Yes ☐ No
By whom? _____
Name/Address of contract lab(s) _____

_____

Records kept of dates, times, locations, methods and names of persons taking sample:
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Records kept of regulated production, continuous and batch discharge schedules, observations, etc on sampling days?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Records kept of time and method of sample preservation?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Are refrigerated autosamplers and refrigerators used for sample storage at a temperate of 4° C or below, but not freezing?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Is there an appropriate thermometer in each?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Records kept of dates, times, methods of sample delivery to contract lab, and names of persons receiving samples?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Chain-of-custody records being used?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No

Records on site of all analytical results for at least 3 years?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No

G. Pretreatment System

Is there a pretreatment system? ☐ Yes ☐ No Is it Approved? ☐ Yes ☐ No
Description _____
Contributing Processes _____
_____
Is system operated per approved plans?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Is system operated per approved schedule?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Is there an assigned operator? ☐ Yes ☐ No
Has the operator been trained? ☐ Yes ☐ No
Is the system regularly maintained?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Are grease traps/waste pits routinely cleaned?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Are operational and maintenance records kept?
☐ Yes ☐ No Verified during Inspection? ☐ Yes ☐ No
Can this system be bypassed by obvious means? ☐ Yes ☐ No
If yes, who was this reported to? _____

Comments:

_____
_____
_____

H. Residuals Management

Describe volume produced, handling, storage, and disposal of residuals generated by pretreatment system, including names of haulers and disposal sites.

_____
_____
_____
_____
_____

Are residuals classified as hazardous wastes? ☐ Yes ☐ No
Are records kept? ☐ Yes ☐ No
Reviewed during inspection? ☐ Yes ☐ No
Should handling, storage and/or disposal of wastes be discussed further with solid/hazardous waste specialist? ☐ Yes ☐ No
If yes, indicate what additional steps, if any, are required. _____
_____

I. Waste Oil Management

Describe handling, storage and disposal of waste oils, including volume generated per year, frequency of disposal, and names of haulers and disposal sites.

Are waste oils petroleum-based? ☐ Yes ☐ No
Records kept? ☐ Yes ☐ No
Reviewed during inspection? ☐ Yes ☐ No
Should handling, storage and/or disposal of wastes be discussed further with oil/hazardous waste specialist? ☐ Yes ☐ No
If yes, indicate what additional steps, if any, are required. _____

J. Solvent/Toxic Organic Management (STO)

Is there an approved STO plan? ☐ Yes ☐ No
Reviewed prior to inspection? ☐ Yes ☐ No
If yes, is this plan being implemented? ☐ Yes ☐ No
Verified during inspection? ☐ Yes ☐ No
Is there any evidence of discharge of solvents or defined toxic organics to sanitary sewer?
☐ Yes ☐ No
Is there potential for discharge of solvents or defined toxic organics to sanitary sewer?
☐ Yes ☐ No

Comments:

K. Accidental Spill and Discharge Control

Are floor drains/manholes in proximity to: (if yes, where discharge to)

	YES	NO	DISCHARGE	VERIFIED
Chemical storage area(s)	☐	☐		☐
Acid use area(s)	☐	☐		☐
Caustic use area(s)	☐	☐		☐
Raw materials storage area(s)	☐	☐		☐
Maintenance shop area(s)	☐	☐		☐
Paint application area(s)	☐	☐		☐

Are there spill facilities? ☐ Yes ☐ No
Where discharged to? _____
Does User have an approved ASPP? ☐ Yes ☐ No
Reviewed prior to inspection? ☐ Yes ☐ No
Is there a need for an ASPP? ☐ Yes ☐ No
If no, explain why. _____
_____
_____
_____

Is a Slug Control Plan currently required? ☐ Yes ☐ No
If a Slug Control Plan is currently required, does the plan adequately:
Describe discharge practices? ☐ Yes ☐ No
Identify and locate chemicals stored at the facility ? ☐ Yes ☐ No
Provide procedures for immediately notifying the City of a slug discharge or threatened slug discharge? ☐ Yes ☐ No
Provide procedures for preventing adverse impacts from accidental spills (e.g., inspection and maintenance of chemical storage areas)? ☐ Yes ☐ No

Comments:

_____
_____
_____

L. Defined Pollutants

List pollutants coming into direct contact with waste stream that discharges into POTW.

_____
_____
_____

List pollutants that have the potential to access the POTW collection system by spill, accidental discharge, machinery malfunction, etc.

_____

M. Close Out Interview

Attending: _____

Findings:	OK	NOT OK	COMMENTS
Waste stream schematic(s)	☐	☐	
Regulated process(es)	☐	☐	
Sample location(s)	☐	☐	
Self-monitoring program	☐	☐	
Compliance schedule	☐	☐	
Pretreatment system	☐	☐	
Residuals management program	☐	☐	
Waste oil management program	☐	☐	
STO management program	☐	☐	
Spill and Slug Discharge plans, procedures and postings	☐	☐	
Reporting	☐	☐	
Certification	☐	☐	
Notification	☐	☐	

Other: _____

N. Follow-Up

Date of next inspection: _____

Other notes or comments on inspection:

Corrective action to be taken:

Inspector: _____

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FZ 179 1854 04.23

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Sender's Name Myers Phone 479 524-5X36

Company CITY OF SILOAM SPRINGS

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City SILOAM SPRINGS State AR ZIP 72761-2714

2 Your Internal Billing Reference

3 To

Recipient's Name Ms Torrence Phone 501 682-0744

Company ADEQ

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4a Express Package Service — Packages up to 150 lbs.

- FedEx Priority Overnight — Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Standard Overnight — Next business afternoon.* Saturday Delivery NOT available.
- FedEx First Overnight — Earliest next business morning delivery to select locations.* Saturday Delivery NOT available.
- FedEx 2Day — Second business day.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Express Saver — Third business day.* Saturday Delivery NOT available.

FedEx Envelope rate not available. Minimum charge: One-pound rate. * To most locations.

4b Express Freight Service — Packages over 150 lbs.

- FedEx 1Day Freight — Next business day.** Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx 2Day Freight — Second business day.** Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx 3Day Freight — Third business day.** Saturday Delivery NOT available.

* Call for Confirmation. ** To most locations.

5 Packaging

FedEx Envelope* | FedEx Pak — Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak. | FedEx Box | FedEx Tube | Other

* Declared value limit $500.

6 Special Handling — Include FedEx address in Section 3.

- SATURDAY Delivery — Not available for FedEx Standard Overnight, FedEx First Overnight, FedEx Express Saver, or FedEx 3Day Freight.
- HOLD Weekday at FedEx Location — Not available for FedEx First Overnight.
- HOLD Saturday at FedEx Location — Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.

Does this shipment contain dangerous goods? One box must be checked.

No | Yes — As per attached Shipper's Declaration | Yes — Shipper's Declaration not required | Dry Ice — Dry ice, 9, UN 1845 ____ x ____ kg | Cargo Aircraft Only

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging.

7 Payment Bill to: Enter FedEx Acct. No. or Credit Card No. below. Obtain Recip. Acct. No.

Sender Acct. No. in Section 1 will be billed. | Recipient | Third Party | Credit Card | Cash/Check

Total Packages 1 Total Weight 2 Credit Card Auth.

†Our liability is limited to $100 unless you declare a higher value. See the current FedEx Service Guide for details.

8 Residential Delivery Signature Options If you require a signature, check Direct or Indirect.

- No Signature Required — Package may be left without obtaining a signature for delivery.
- Direct Signature — Someone at recipient's address may sign for delivery. *Fee applies.*
- Indirect Signature — If no one is available at recipient's address, someone at a neighboring address may sign for delivery. *Fee applies.*

519

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