



November 20, 2007

HAND DELIVERED

Director
Arkansas Department of Environmental Quality
NPDES Enforcement Section
5301 Northshore Drive
North Little Rock, AR 72118

RE: LRWU's Response to Pretreatment Audit Report Dated October 25, 2007
(NPDES #AR0021806 and #AR0040177)

Gentlemen:

Little Rock Wastewater (LRW) is responding, as required, to the Requirements and Recommendations provided by Mr. Allen Gilliam, ADEQ NPDES Pretreatment Coordinator, in a letter dated October 25, 2007 concerning the Pretreatment Audit performed September 11th through the 13th, 2007. Attached is a table that lists the requirements and recommendations and LRW's response to each. If there are any questions concerning these submittals, please do not hesitate to call me at 376-2903

Sincerely,
LITTLE ROCK WASTEWATER

Reggie A. Corbitt, P.E.
Chief Executive Officer

NOV 21 2007

Attachment

cc: Reggie Corbitt, P.E., CEO
Perry Thornton, Adams Field Superintendent
Walter Collins, Fourche Creek Superintendent
Stanley Suel, EAD Director
Jeff Davis, Pretreatment Supervisor

*adequate, no further
action necessary
AB*

NPDES PERMIT FILE
NPDES # AR0021806
AFIN # 60-00409
Permit PN
Correspondence
11-20-07
Technical Backup
Date Scanned

LITTLE ROCK WASTEWATER ACTION PLAN
RESPONSES TO ALLEN GILLIAM'S PRETREATMENT AUDIT ASSESSMENT (09/11-13/07)

Item No.	Comments Taken From Allen Gilliam's Letter 10/25/07	LRW's Resolution Statements
Summary of Findings with Required Actions		
1	<p>Under 40 CFR 403.8(f)(2)(iii), "Notify Industrial Users identified under paragraph (f)(2)(i) of this section ["all possible Industrial Users which might be subject to the POTW Pretreatment Program"], of applicable Pretreatment Standards and any applicable requirements ..."</p> <p>It was not evident the City had notified its IU's revisions had been made to the pretreatment regulations. Correspondence to all affected entities should be made. Even with the revisions posted in the Federal Register, it's the City's obligation to make the notification. The website where they can locate the revisions is located @ http://efpub.epa.gov/npdes/home.cfm?program_id=3</p>	<p>LRW will make an official notification to all permitted IU's stating that LRW is making modifications to the Industrial Pretreatment Program and City of Little Rock Pretreatment Ordinance 17,966. The modifications will incorporate all required revisions of the 40 CFR 403 Streamlining Rule. A draft copy of this notification letter is attached.</p>
2	<p>Revisit and confirm all inter-jurisdictional agreements with neighboring suburbs are parallel with the City's intent of implementing equally any and all non-domestic dischargers outside the City's jurisdictional boundaries.</p> <p>An excerpt (Attachment A-14) from Shannon Hills' "Contract Agreement and Pretreatment Ordinance" (9/95) indicates its "local limits" do not parallel Little Rock's.</p>	<p>All of the Multijurisdiction Area Contract and Agreements with Little Rock Wastewater all include the following: "Multijurisdiction ...shall at all times be subject to the charges, collections and provisions contained in the applicable Little Rock sewer ordinances in effect, and as amended or changed in the future during the terms of this contract, or any extension thereof..."</p>
Summary of Findings with Recommended Actions		
1	<p>Recommend requesting industry/business Pollution Prevention (P2) "success stories" on at least an IU permit duration basis. While the City has integrated P2 successfully into its Pretreatment Program elements, metrics (toxics lbs reduced, gallons H₂O conserved, money saved, etc) should be compiled for the City to continually summarize its past and current progress.</p>	<p>For the past 10 years of the LRW Pollution Prevention Award, such information has been requested on the Award applications. (1)LRW will send a letter to all permitted IU's requesting voluntary information of reductions and savings from past pollution prevention activity. (2) For future evaluation LRW is proposing to develop a Success Stories on Pollution Prevention Activity Form (get form recommends from Allen Gilliam) that can be mailed with each permit renewal application and allow the IU to make a voluntary submittal of the forms information requests.</p>
2	<p>Recommend adding more information to the current IU's fact sheets. See Appendix I of EPA's "Industrial User Guidance Manual" (9/89) for additional info to include.</p>	<p>LRW has reviewed Appendix I of EPA's "Industrial User Guidance Manual" (9/89). All items listed in this appendix are incorporated into the LRW control documents at various points of the permit structure. LRW contends that it would be redundant to add items to the Fact Sheet that are more appropriately addressed in specific permit sections. The Fact sheet is utilized on a case by case basis to address special conditions when appropriate; such as, when industries are required to have and abide by the conditions of a Spill/Slug Control Plan.</p>
3	<p>Clarify the City's procedures/determination for testing only "a few" toxic organics at Interstate Sign, a metal finisher under CFR 433. Interstate has not submitted an approved TOMP but, the City is requiring a subset of organics "reasonably expected to be present" to be sampled/analyzed for (per CFR 433.12(a)). And, the City is analyzing the entire TTO list annually.</p> <p>There seemed to be some confusion about this practice from the other ADEQ auditor.</p>	<p>Since there are a few TTOs present, monitoring is required specifically by permit for those TTO parameters deemed potentially present. In accordance to 433.12(a)... "if monitoring is necessary to measure compliance with the TTO standard, the industrial discharger need analysis for only those pollutants which would reasonably be expected to be present." The IU cannot submit a TOMP (toxic organic management plan) because it cannot certify "no dumping of TTO have occurred", thus monitoring for those deemed present is required by permit. LRW conducts an annual TTO scan to confirm no other Volatile TTO parameters are present. No where in the EPA Regulations or EPA Guidance Manuals is it stated an IU must submit and certify a TOMP for the parameters that are deemed not present when monitoring is required for those that are present.</p>

LITTLE ROCK WASTEWATER ACTION PLAN	
RESPONSES TO ALLEN GILLIAM'S PRETREATMENT AUDIT ASSESSMENT (09/11-13/07)	
4	<p>Recommend notifying the hazardous waste generators (ADEQ's list provided during audit) of RCRA reporting requirements with a copy of 40 CFR 403.12(j) & (p). This list of hazardous wastes generators should include dentist offices/clinics, hospitals, veterinarians, long term care facilities and photo/X-ray processors. While they may not be identified as generators by ADEQ, data from numerous reports seen nationally suggest hazardous waste is generated (unknowingly) and typically discharged to the City's collection systems.</p>
5	<p>Recommend sending all SIU's a copy of their reporting requirements located in 40 CFR 403.12. One provision, the notification of "changed discharge" requirement is frequently "overlooked" by many IU's AND control authorities throughout the State. Modifications to pretreatment/process equipment constitute such changes requiring notification in the form of updated schematics.</p> <p>Not all the IU's process descriptions or schematics found on file were drafted/drawn in enough detail in this auditor's opinion.</p>
6	<p>Include a more descriptive narrative of each IU's chemical handling procedures in the City's inspection reports. While transporting chemicals around their facility (with no floor drains directly to your collection system) may be out of the strict purview of 40 CFR 403, is it out of yours City's purview of total environmental stewardship and employee safety concerns?</p>
7	<p>The City may consider the derived local limits as "Maximum Daily Limits" since local limits may be specified in the pretreatment ordinance as "instantaneous".</p>
<p>Summary of Required Program Modifications</p>	
	<p>Submit Program modifications to be current with the new "streamlined" revisions to 40 CFR 403.</p> <p style="text-align: center;">*****</p> <p>The City should consider the recommendations contained in this audit/assessment before finalizing any pretreatment program modifications. Any intended substantial program/ordinance changes made, whether in response to the recommendations or otherwise, should be submitted to ADEQ for review and approval.</p>
	<p>1. Notification has been made to all permitted IU's. 2. Notification is made to all other commercial businesses that may receive a LRW Discharge Survey Form. Over 250 have been mailed to dental/medical facilities alone. Evaluation of pollutant sources (ADEQ hazardous waste list, manufacturing guides and other listings) are conducted on a continuous annual basis for sending out the survey forms. The survey forms include the 40 CFR 403.12 (p) notification requirements for wastewater discharges if otherwise disposed of would be classified as a hazardous waste.</p>
	<p>SIU permits address all reporting requirements. Evaluations of on file treatment process and plumbing schematics are and will be made during annual inspections to confirm that no changes have occurred.</p> <p>Post inspection letter (also enclosed) is mailed (usually every other year during off year permit renewal cycle) to permitted industry to address these notification requirements.</p>
	<p>Inspection Form Attachment D includes a section on chemical storage and handling comments. Instead of comments, a descriptive narrative will be required on the form.</p>
	<p>The local limits Maximum Daily and Monthly Average as developed provide needed protection to the POTW and receiving streams with the derived limit listed as the Monthly Average limit. A change would cause unnecessary restriction on the IU.</p>
	<p>The Pretreatment Program and Ordinance have been modified to meet Streamlining Rule required actions. Submittal to ADEQ is pending approval by the City of Little Rock Board.</p> <p>Actions/response to the Audit Report will not require substantial modifications to the Pretreatment Program and ordinance.</p>



<<DATE>>

DRAFT

«First_Name»
«Company»
«Address»
«City», AR «ZIP»

Subject: Notification of Changes to 40 CFR 403/Revisions to Pretreatment Regulations

Dear «First_Name»:

By this letter Little Rock Wastewater (LRW) is notifying «Company» that the Environmental Protection Agency (EPA) and the Arkansas Department of Environmental Quality is requiring the changes to 40 CFR 403 General Pretreatment Regulations Streamlining Rule be implement into Local Ordinance and Pretreatment Programs. LRW has made the appropriate changes to both its Pretreatment Program and City of Little Rock Ordinance 17,966 to meet the required modifications.

Information about the Streamlining Rule and its subparts may be located at http://cfpub.epa.gov/npdes/home.cfm?program_id=3.

If you have any question(s) concerning this letter or require further instruction, contact me at 688-1547.

Sincerely,
LITTLE ROCK WASTEWATER

Jeff Davis, Pretreatment Supervisor
Environmental Assessment Division

cc: EAD Compiler File
«Company», Correspondence File



COPY

<<Date of Letter>>

<<Mr./Ms. Name of Contact>>,<<Title>>
<<Company Name>>
<<Mailing Address>>
<<City>>, <<State>>, <<Zip>>

RE: Pretreatment Inspection on <<Inspection Date>>

Dear <<Mr./Ms. Name of Contact>>,

I appreciate the courtesy extended to me on <<Inspection Date>> during the recent facility inspection at <<Company Name>>. Based on information received during this visit and inspection of your facility, <<Company Name>> appears to be in compliance with all requirements of the Industrial Wastewater Discharge Permit << Industrial Wastewater Discharge Permit No. >>.

Please review all requirements listed in your permit, including the following items:

Part II (3) of Permit << Permit Number>> requires that << Company Name>> notify Little Rock Wastewater (LRW) prior to the introduction of new wastewater or pollutants, any substantial change in the volume or characteristic of the wastewater being discharged to the sanitary sewer, or any new construction or process modifications involving plumbing changes. This notification shall be written and << Company Name>> must receive LRW approval before the changes can occur.

The USEPA regulations require that local control authorities notify industrial users that there are identification and disposal requirements for hazardous waste. Part III (L) of Industrial Wastewater Discharge Permit << Permit Number>> states <<Company Name>> shall dispose of any sludge or spent chemicals in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act (40CFR403.8(f)(2)(iii)). For further instruction on hazardous waste disposal contact the Arkansas Department of Environmental Quality (ADEQ) Hazardous Waste Division at 682-0833.

We appreciate your cooperation in these matters. If you have any questions, please call the Environmental Assessment Division of Little Rock Wastewater at <<Industrial Inspector's telephone number>>.

Sincerely,
LITTLE ROCK WASTEWATER

<<Industrial Inspector Name>>, Industrial Inspector
Environmental Assessment Division

cc: EAD Compiler File
<<Company Name>> Correspondence File