Wilson, Tabatha

From: Torrence, Rufus
Sent: Thursday, September 05, 2013 8:16 AM
To: dbosnick@westmemphisutilities.com
Cc: Wilson, Tabatha
Subject: AFIN 18-00109 AR0022039 City of West Memphis: Pretreatment Audit / P2 Assessment
Attachments: Map SIU Sites.doc; Map 7-45 am Meeting Location.docx; Map 2-00 pm Meeting Location.docx; Audit Report 2010 FINAL.pdf; Blank Audit Checklist.doc

ADEQ

ARKANSAS
Department of Environmental Quality

September 6, 2013

Denise Bosnick, Director Environmental Quality
West Memphis Utility Commission
P. O. Box 1868
West Memphis, Arkansas 72303

Re: City of West Memphis (AFIN 18-00109 NPDES Permit #AR0022039) Pretreatment Program Audit & Municipal Pollution Prevention (P2) Assessment

ATTN: Denise Bosnick, Pretreatment Coordinator

The Department has scheduled a pretreatment Audit/P2 Assessment of City of West Memphis' pretreatment program from October 15th through 17th, 2013. The format of the Audit includes an assessment of City's Pretreatment Program Pollution Prevention activities. Please find attached a copy of the Audit/Assessment Report with the Checklist from the last audit conducted in October 2010 (Adobe PDF document). The Department has also attached a BLANK checklist (Word document).

The City pretreatment officials should review the checklist and familiarize themselves with the questions. Please review Section B (Treatment Plant Information pages 3 thru 6) in the 2010 checklist to verify that the information is current for the plant. If any information needs to be updated or added, please send the Auditor the current information before October 11, 2013. For minor changes the City may call the Auditor. If the City has major changes, the City should use the blank checklist.

The schedule for the audit covers about three (3) days. We'll begin around 9:30 am on Tuesday the 15th with a review of the files which the City maintains for the four significant industrial users (Automated Conveyers, Grace, PSC & Stateside). The files should be in order and complete.

About two weeks before the audit, the Department will send the City a DRAFT copy of the completed 2013 checklist. On Tuesday afternoon (October 15th), the Auditor will interview the City's pretreatment staff on this Draft 2013 checklist and associated information. Some items in the Draft checklist will be highlighted in yellow; these items have priority for review.

On Wednesday the 16th, the Auditor plans to visit the four significant industrial users (Auto Conveyors @ 8:00 am, Grace @ 9:30 am, PSC @ 11:00 pm and Stateside @ 2:00 pm). If time allows, the Auditor will also visit Langston Bag Co around 3:30 pm. An appropriate pretreatment representative must accompany the Auditor on the site visits. To conserve time the Auditor with meet the City pretreatment representative(s) at Auto Conveyors Parking Lot around 7:45 am (see attached map). The times are approximate and can be altered (a little) to accompany the SIUs. Please verify that the attached pictures show the correct location of each industrial user.

Please contact the industrial users in advance and let them know that the Department will be conducting a "walk-through" visit of their facilities. The focus of the visit will be on any industrial operation that generates wastewater and on Pollution Prevention (P2) activities & techniques.

Please store the Auditor's cell phone number (501-558-6272) in your mobile phone for future reference.

On Thursday morning (October 17th) the Auditor and City Pretreatment Coordinator will follow-up on the file review or site visits as necessary. The Auditor and Coordinator will hold the exit interview before lunch. The interview will address general findings, required actions and recommendations. Any questions which the City may have about the audit/assessment can be discussed as well as other pretreatment or P2 related issues. City representatives (who may be interested in the audit) are welcome and they are encouraged to attend this meeting. Please inform all appropriate city representatives about the audit/assessment, exit interview and subject matter.

If the City has any questions, please feel free to contact the Auditor (Rufus Torrence) at (501) 682-0626 or torrence@adeq.state.ar.us .

Sincerely,

Rufus J. Torrence, ADEQ Engineer and Auditor

ARKANSAS DEPA

5301 NORTHSHORE DRIVE : NORTH LITTLE ROCK

ADEQ

ARKANSAS
Department of Environmental Quality

November 30, 2010

Denise Bosnick, Director Environmental Quality
West Memphis Utility Commission
P. O. Box 1868
West Memphis, Arkansas 72303

Re: City of West Memphis (AFIN 18-00109 NPDES #AR0022039) Pretreatment Program Audit & Municipal Pollution Prevention (P2) Assessment

Dear Ms. Bosnick:

Please find enclosed the finished report for the audit/assessment conducted October 18 through October 21, 2010. The report should be made available for review to appropriate industrial officials. The City of West Memphis staff should discuss and evaluate the findings in this report. Please respond to required actions and recommendations in writing within thirty (30) working days from the date on this correspondence.

The Department appreciates the staff's assistance. The staff appeared very interested in both the Pretreatment and Pollution Prevention Programs. Most of the recommendations in the attached audit/assessment are intended to aide the City of West Memphis pretreatment program with achieving the objectives of the Clean Water Act.

If the City has questions or concerns, please do not hesitate to contact the Department at (501) 682-0626 or torrence@adeq.state.ar.us .

Sincerely,

Rufus J. Torrence, Water Division Engineer

Encl: Audit/Assessment Checklist

Cc: Rudy Molinda / EPA 6WQ-PM (via e-mail w/o attmt)
Eric Flemings / ADEQ Technical Assistant Mgr-Field Services (w/o attmt)
Cindy Garner / ADEQ Technical Assistant Mgr-Enforcement (w/o attmt)

PRETREATMENT PROGRAM AUDIT

POLLUTION PREVENTION ASSESSMENT

CITY OF WEST MEMPHIS, ARKANSAS

NPDES PERMIT #AR0022039

AFIN 18-00109

November 30, 2010

PREPARED BY: Rufus Torrence

ADEQ Water Division Engineer

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

5301 Northshore Drive

NORTH LITTLE ROCK, ARKANSAS 72118

TABLE OF CONTENTS

LIST OF ATTACHMENTS

A) INTRODUCTION

Under ADEQ's responsibility to fulfill its obligations for the administration and enforcement of the NPDES Program, the department will perform audits to coordinate pretreatment programs within the state. Audits are an important part of the department's compliance monitoring strategy.

EPA has integrated Pollution Prevention (P2) into Pretreatment Programs; therefore, EPA has expanded the scope of audits to include assessments of Cities' P2 projects.

ADEQ (Rufus Torrence, Auditor) performed a pretreatment audit from October 18th to 21st, 2010 on the Pretreatment Program implemented by the City of West Memphis, Arkansas. Participants included:

Rufus Torrence	ADEQ / Pretreatment Engineer; email: torrence@adeq.state.ar.us ; (501) 682-0626
John Rimmer	West Memphis Utility Commission, General Manager email: jrimmer@ci.west-memphis.ar.us ; (870) 735-3355
Denise Bosnick	West Memphis Director of Environmental Quality email: eq@ci.west-memphis.ar.us ; (870) 735-3355
Marvin Jones	West Memphis Environment Quality Inspector email: (none) ; (870) 735-3355

The goals of the audit/assessment were:

* To determine the implementation and compliance status of the City of West Memphis' Pretreatment Program with the requirements of the General Pretreatment Regulations located in 40 Code of Federal Regulations (CFR) Part 403

* To determine the effectiveness of the City's Pretreatment and P2 Programs in eliminating the introduction of toxic pollutants from industrial discharges

* To provide assistance and recommendations to the City that might allow for more effective implementation of program requirements

* To assess the level of additional Pollution Prevention activities implemented within the City's day-to-day Pretreatment procedures and make recommendations thereof

EPA originally approved the West Memphis Pretreatment Program on 4/5/86; the City modified the Program and ADEQ incorporated it by reference into the City NPDES permit on January 11, 1996. The modifications included the headworks loading evaluation to demonstrate that Technically Based Local Limits weren't necessary, incorporation of an enforcement response plan and revisions to the Pretreatment Ordinance and Program narrative. The City is currently in the process of modifying the pretreatment program to comply with recent revisions to 40 CFR 403. These revisions were promulgated on October 14, 2005 and are commonly referred to as the "Streamlining Revisions".

The City's wastewater treatment plant has a design flow of 6.0 MGD and is a return activated sludge oxidation ditch system. The POTW receives approximately 0.7 MGD from four (4) significant/categorical industrial users (SIU/CIU). The POTW disposes about 714 dry tons of sludge per year to a local landfill. The POTW discharges an average flow of 4.6 MGD to the Mississippi River with no apparent toxicity problems.

The audit/assessment consisted of informal discussions with the City's Pretreatment personnel, examination of significant industrial user files, pretreatment records and site visits to five (5) of the industrial users. The auditor utilized a checklist to ensure that all facets of the program were evaluated. A copy of the completed checklist is attached. Additional information obtained during the audit is included as Attachments A thru I.

The report is divided into four sections. Section B provides a summary of the significant findings of the audit. The findings specify actions that are required by the City of West Memphis. Section C includes recommendations to help improve the implementation and enforcement of the pretreatment and pollution prevention programs. Section D shows required program modifications to the City's approved program. Finally, Section E details conclusions.

B) SUMMARY OF FINDINGS WITH REQUIRED ACTIONS

This section of the report is a summary of deficiencies found in the City of West Memphis Pretreatment Program. The auditor has paraphrased with CFR citations the actions required by the City to comply with the current General Pretreatment Regulations (40 CFR 403) and with the approved program. A narrative explanation of the finding will follow each citation.

Under ***40 CFR 403.4*** the City cannot have any local regulations (ordinance/code) that are "*less stringent than any set forth in National Pretreatment Standards, or any other requirements or prohibitions established under the Act...*".

On October 14, 2005 EPA promulgated revisions to 40 CFR 403. These revisions are commonly referred to as the "Streamlining" revisions. Each POTW with an approved pretreatment program must review the local legal authority to ensure that local ordinances/codes are not less stringent than the Streamlining revisions.

In an email dated May 1, 2008, the City submitted an approved ordinance (#2187) to the Department for review. Ordinance #2187 was codified in the municipal codes under section 14.52 Wastewater Treatment. In a letter (sent as an email) dated September 28, 2010, the Department requested the City to revise the ordinance. In an email September 30, 2010 the City submitted a draft ordinance in response to the Department's letter. The Department has reviewed the draft ordinance shown in Attachment N and the City may adopt it. However, the current Municipal Codes appear to have conflicts between the sewer use ordinances and pretreatment ordinances. The City must resolve all conflicts noted in Section D below.

C) RECOMMENDED POTW ACTIONS FOR IMPROVED IMPLEMENTATION OF THE PRETREATMENT AND POLLUTION PREVENTION PROGRAMS

1) Require periodic P2 audits (once per permit cycle?) to be conducted at / submitted by the City's largest pollutant load contributors. Results from these audits may turn up P2 activities and/or procedures previously unknown and economically beneficial to the IU. This is a recommendation from the September 2003 audit.

2) Include a place for the industry representative's signature on future industry inspection visits (September 2003 Audit).

3. The City should compare the city drinking water records against the "estimates" of effluent flow to the POTW that are supplied by the SIUs in their permit applications. If all the intake water comes from the City, then the effluent flow estimate cannot be greater than the intake potable water.

4. The City should consider dropping the "100 mg/l" Oil and Grease limit. This was an old universal limit adopted by most cities before EPA required that all limits have a firm technical basis.

5. The City representative(s) which conducts the SIU inspection should sign the inspection report.

6. The City should request PSC to submit a Baseline Monitoring Report (BMR) if West Memphis Utility Commission (WMUC) did collect all the information required for the report [40 CFR 403.12(g)]. In accordance with 40 CFR 403.12(b), PSC was supposed to submit the BMR at least 90 days before commencing regulated discharge to the POTW. Since PSC's permit became effective on 8-10-09, PSC should submit a "complete" BMR by June 30, 2011. The BMR may also serve as the first semi-annual report. Please note that in accordance with Section 6.4.B, WMUC may collect all the information required for semi-annual reporting and PSC will not be required to submit semi-annual reports.

7. The City may request copies of WMUC's Annual Reports (and all documents that were submitted to ADEQ).

8. The City should include a section in the inspection report for the re-evaluation of slug plans. During each SIU annual inspection, the City should verify that the plan is current and properly implemented. This re-evaluation is required by Section 3.3 in the local pretreatment ordinance.

9. Referring to Attachment L, Stateside does not have a site-specific slug plan as required by 40 CFR 403.8(f)(2)(vi) and section 3.3 in the local pretreatment ordinance. In reference to Stateside's permit, see Part IV-3 (Attachment B-6/10) for more specific requirements. The current "spill" plan does not address issues at the West Memphis facility. For example, the "float-controlled" pump should be manually controlled to prevent slugs from entering the plant when a spill occurs. The City should require Stateside to implement a plan similar to the plan submitted by PSC Container.

The PSC plan is shown in Attachment K. A more applicable plan (ABC Circuits) is shown in Appendix D of "EPA Control of Slug Loadings to POTWs".

10. The City should request Stateside to post an 8 ½" x 11" sign in the galvanizing area in a conspicuous location as required by Section 6.6.C in the local ordinance. The sign should list the name and telephone numbers of Stateside and WMUC contacts in the event of a spill or slug loading. The names and numbers should be bold letters at least ½ " (one-half inch) high. As required by Section 6.6.A, the employee who calls must supply the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the Stateside (this information should also be shown on the sign to assist the calling employee).

11. Referring to Attachment B1-6/10, please strike the term " *or slug discharge*" in the section 3, last paragraph. Replace this term with the word "*spill*" as shown in 40 CFR 403.8(f)(2)(vi)(D). Stateside is required to have procedures in place to prevent adverse impact on the POTW in the event of a spill. WMUC should have procedures in place to prevent adverse impact on the POTW in case of an accidental slug discharge (for example, diverting the slug load to an equalization basin).

D) REQUIRED PROGRAM MODIFICATIONS TO THE APPROVED PRETREATMENT PROGRAM NECESSARY TO BRING THE PROGRAM INTO COMPLIANCE WITH THE LETTER OR INTENT OF THE CURRENT REGULATORY REQUIREMENTS

The City must comply with most the most recent changes to 40 CFR 403 (commonly referred to as the "Streamlining Rule Changes" promulgated on October 14, 2005). The City must review the existing approved program and make all necessary modifications to comply.

1) The City must adopt the ordinance approved by the Department and resolve any conflicts between the new ordinance and existing ordinances.

a) The City must strike section 14.32.030 in the Municipal Codes. These local limits have no technical basis and conflicts with section 2.7 in ordinance # 1714 and section 2.4 in ordinance #2187. In accordance with 40 CFR 403.5(d), section 2.3 in the new draft ordinance must appear in section 14.52.070 in the codes and preempt section 14.32.030.

b) The Department has listed possible conflicts between ordinance #760 in the codes and the new draft ordinance (to be included in the codes):

	Codes	New Ordinance	Provision
i.)	§ 1.16.010	§ 7.1	Right of Entry
ii)	§ 14.16.210	§ 1.4(14)	Pretreatment Coordinator
iii)	§ 14.32.040	§ 2.1	Prohibited Discharges
iv)	§ 14.32.050	§ 3.1	Pretreatment
v)	§ 14.32.090	§ 6.10	Analytical Methods
vi)	§ 14.40.010	§ 7.1	Right of Entry
vii)	§ 14.40.030	§ 7.1	Right of Entry
viii)	§ 14.44.010	§ 10.1	Notice of Violation
ix)	§ 14.44.020	§ 11.3.A	Misdemeanor
x)	§ 14.44.030	§ 11.2.B	Damages

The new draft ordinance has more specific and inclusive language than the existing ordinance (#760) and the City should strike all conflicting language in the codes.

2) The City must review the approved program narrative and make all necessary updates and correction to be compatible with the Streamlining updates and the approved ordinance.

* * * * * * * *

E) CONCLUSIONS

The City should consider the required actions and 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.

PRETREATMENT AUDIT CHECKLIST
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)

SECTION I: GENERAL INFORMATION

A. GENERAL INFORMATION

Control Authority Name: *West Memphis Utility Comm.* NPDES #: *AR0022039*
Mailing address: *P.O. Box 1868, 604 East Cooper, West Memphis 72301*

Permit Signatory: *John Rimmer* Title: *General Manager*

Telephone: *(870) 735-3355* FAX NUMBER: *(870) 732-7623*

Pretreatment Contact: *Denise Bosnick* Title: *Dir. of Env. Quality*
Address: *Same*
Telephone: *Same*
e-mail: dbosnick@ci.west-memphis.ar.us

Pretreatment program approval date: *4/5/86*

Dates of approval of any substantial modifications: *1/11/96*

Month Annual Pretreatment Report Due: *April*

Pretreatment Year Dates: *3/1 - 2/28* Date(s) of Audit: *Oct 18-21,2010*

(ASSESSMENT)

Inspector(s):

NAME	TITLE/AFFILIATION	PHONE NUMBER
Rufus Torrence	*Water Div Engineer/ADEQ*	*(501)682-0626*

Control Authority representative(s):

NAME	TITLE	PHONE NUMBER
* *Denise Bosnick*	*Director of Env. Quality*	*Same*
Marvin Jones	*Laboratory Supervisor*	*Same*
Tommy Butler	*Field Technician*	*Same*

* Identifies Program Contact

Dates of Previous PCIs/Audits:

TYPE	DATE	DEFICIENCIES NOTED
PCI	*02/10*	*Recommended Enf Action for Grace*

YES	NO	
___	✓	Is the Control Authority currently operating under any pretreatment related consent decree, Administrative Order, compliance or enforcement action?
		If yes, describe the required corrective action: _____
___	✓	Is the Control Authority currently in SNC or RNC?

. . . . . .

The remainder of this page has been left blank, but provides a place to enter a narrative description of any information that may not fit appropriately into the questions that are asked. Mark questions or input areas with a asterisk or footnote that tells that there is more explanatory information and where it can be found.

B. TREATMENT PLANT INFORMATION

1. THIS PRETREATMENT PROGRAM COVERS THE FOLLOWING NPDES PERMITS/TREATMENT PLANTS:

NPDES Permit No.	Name of Treatment Plant	Effective Date	Expiration Date
*AR0022039	West Memphis	8/1/08	7/31/13

* Indicates the permit number/treatment plant under which the Pretreatment Program is tracked.

2. Individual Treatment Plant Information

a. Name of Treatment Plant: West Memphis
Location Address: 502 Rushing Road

Expiration Date of NPDES Permit: Same

Treatment Plant Wastewater Flow: Design- 6.0 MGD; Actual (Average)- 4.6 MGD

Sewer System: 100 % Separate; 0 % Combined, # of CSOs ?

Industrial Contribution to this Treatment Plant

# of SIUs : 4 # of CIUs: 4
Industrial Flow (mgd): 0.69 Industrial Flow (%) : 15 %

Level of Treatment		Type of Process(es):
Primary	_____	_____
Secondary	✓	RAS/oxidation ditches/
Tertiary	_____	Clarification

Method of Disinfection: none

Dechlorination _____ YES ✓ NO

Effluent Discharge

Receiving Stream Name: Mississippi River

Receiving Stream Classification: Seg. 6C/Mississippi Riv. Basin

Receiving Stream Use: Primary/secondary contact

If effluent is disposed of to any location other than the receiving stream, please note: _____

Method of Sludge Disposal:		Quantity of Sludge:
_____	Land Application	_____ dry tons/yr.
_____	Incineration	_____ dry tons/yr.
_____	Monofill	_____ dry tons/yr.
✓	Mun. Solid Waste Landfill*	713.6 dry tons/yr.
_____	Public Distribution	_____ dry tons/yr.
_____	Lagoon Storage	_____ dry tons/yr.
_____	Other (specify)	_____ dry tons/yr.

* Crittenden County Landfill

List of toxic pollutant limits in NPDES permit: None

a. (continuation of individual treatment plant information for West Memphis Treatment Plant.)

YES	NO	
___	✓	Does the Control Authority hold a sludge permit or has the NPDES permit been modified to include sludge use and disposal requirements? If yes, specify the following:

Issuing Authority: *N/A*

Issuance Date: _____

Expiration Date: _____

List pollutants that are specified in current sludge permit:

N/A

YES	NO	N/A	
✓	___	___	Has the Control Authority submitted results of whole effluent biological toxicity testing.
___	✓	___	Has there been a pattern of toxicity demonstrated by effluent toxicity testing? If yes, explain what has been or is being done about it. (eg. Is there an ongoing TRE?) _____

How many times were the following monitored during the past pretreatment year?

	Influent	Effluent	Sludge	Ambient
Metals *	*4*	*4*	*1*	
Priority **	*1*	*1*		
Biomonitoring		*4*		
TCLP			*1*	
Other: _____				

* As identified at 40 CFR 122, Appendix D, Table III, ** As identified at 40 CFR 122, Appendix D, Table II

Summarize any trends over the last five years regarding pollutant (influent, effluent and sludge) loadings. Have they increased, decreased, or stayed the same. Evaluate for each parameter measured.

All stayed about the same

YES	NO	N/A	
✓	___	___	Has the POTW begun tracking the trends in the above samples?
___	✓	___	Has the POTW violated it's NPDES Permit either for effluent limits or sludge over the last 12 months?

If yes, List the NPDES effluent and sludge limits violated and the suspected cause(s)

Parameters Violated	Cause(s)

YES	NO	
___	✓	Has the treatment plant sludge violated the TCLP Test?

C. Control Authority Pretreatment Program Modification [403.18]

YES	NO	
N/A		Has public comment been solicited during revisions to the Sewer use ordinance and/or local limits since the last program modification? [403.5(c)(3)]
	✓	Have any substantial modifications been made or requested to any pretreatment program components since the last audit? If yes, identify below.

1. Modifications:

Date Approved by ADEQ	Ordinance Citation/ Nature of Modification	Date Incorporated in NPDES Permit
N/A		

2. Modifications in Progress: N/A

Date Requested	Nature of Modification
N/A	

YES	NO	
	✓	Have any changes been made to any pretreatment program components (excluding any listed above)? If yes:
✓		Has the Control Authority notified the Approval Authority of all program changes? (e.g., Modified forms, procedures, legal authorities). If no, please copy and attach the modified form, etc.

D. Legal Authority [403.8(f)(1)]

Date of original Pretreatment Program approval: 4/5/86
Date of most recent Ordinance approved by the Control authority: 12/21/95
Date of most recent Pretreatment Program modification approval: 1/11/96

Does the Control Authority's legal authority enable it to: [403.8(f)(1)(i-vii)]

YES	NO	
✓		Deny or condition pollutant discharges
✓		Require compliance with standards
✓		Control discharges through permit or similar means
✓		Require compliance schedules and IU reports
✓		Carry out inspection and monitoring activities
✓		Obtain remedies for noncompliance
✓		Comply with confidentiality requirements
	✓	Establish Pollution Prevention

SECTION II: PROGRAM ANALYSIS AND PROFILE

____ ✓ Has the city developed and adopted a Pollution Prevention policy?

YES NO

___ ✓ Has the Control Authority experienced difficulty in implementing the sewer use ordinance? If yes, identify reason:

_____ No oversight authority
_____ No inspection authority
_____ No remedies for noncompliance
_____ No "equivalent" standard
_____ No clear delineation of responsibility for program implementation
_____ Interjurisdictional agreements not entered into
_____ Other, Specify: _____

✓ ___ Are all industrial users located within the jurisdictional boundaries the Control Authority? If no:

Note: If the City has Non-Significant IUs in other municipalities, the City MAY entered into an interjurisdictional agreement.

___*N/A*___ Has the Control Authority negotiated all legal agreements necessary to ensure that pretreatment standards will be enforced in contributing jurisdictions?

___*N/A*___ Have provisions been made for the incorporation of Pollution Prevention (P^2) policies by contributing jurisdictions?

List the name of contributing jurisdictions, if any, the number of CIUs, SIUs and type of multijurisdictional agreements in those jurisdictions:

Name of Jurisdiction	Number of CIUs	Number of Other SIUs	Type of Agreement
1.			
2.			
3.			
4.			

If relying on activities of contributing jurisdictions, indicate which activities are performed by jurisdictions and describe any problems in their implementation. *N/A*

		Problems
___	Updating industrial waste survey	*N/A*
___	Notification of IUs	
___	Permit issuance	
___	Receipt and review of IU reports	
___	Inspection and sampling of IUs	
___	Assessment of IUs for P^2 activity	
___	Analysis of samples	
___	Enforcement	
___	Other: _____	

Briefly describe other problems: _____

_____

Identify any IUs that have caused problems of interference, upset, pass through,

sludge contamination, problems in the collection system, or worker health and safety in the past 12 months:

IU Name	Problem	NPDES Permit Violation Yes	No
None			

E. Industrial User Characterization [403.8(f)(2)(i)]

YES NO

___ ✓[1] Has the Control Authority (CA) updated its Industrial Waste Survey (IWS) to identify new Industrial Users (IUs) or changes in wastewater discharges at existing IUs? [403.8(f)(2)(i)]

[1]Last IWS was conducted in 2004

___ ✓ If yes, while conducting the IWS, was each potential IU evaluated by the CA for the possibility of incorporating P^2 activity?

___ ✓ Does the Control Authority have written procedures to update its Industrial Waste Survey (IWS) to identify new Industrial Users (IUs) or changes in wastewater discharges at existing IUs? [403.8(f)(2)(i)]

N/A If yes, do the written procedures include provisions for the assessment of potential new IUs to incorporate P^2 activity and the distribution of P^2 reference materials to the IUs which qualify?

What methods are used to update the IWS:

___ Review of newspaper/phone book
✓ Review of plumbing/building permits
✓ Review of water billing records
✓ Permit reapplication requirements
✓ Onsite inspections
___ Citizen involvement
___ Other (specify) _____

How often is the survey to be updated? *Continuous Process*

Are there any problems that the Control Authority has in identifying and categorizing SIUs: *None Apparent*

YES NO

___ ✓ Have any new SIUs been identified within the last 12 months? If yes:

Name of IU	Type of Industry	Is the IU Permitted?
PSC Container Truck Wash	*Categorical 40CFR442*	*Yes*

How many IUs are currently identified by the Control Authority in each of the following groups:

a. *4* SIUs (As defined by the Control Authority) [RIDE-SIUS]*
b. *4* Categorical Industrial Users (CIUs) [RIDE-CIUS]
c. *0* Non-categorical SIUs
d. *4* Other regulated nonsignificant IUs (Describe) Bottler, grease/septic haulers,etc

8 TOTAL of a. + d.

*RIDE => "Required ICIS Data Element" - Required EPA Database Integrated Compliance Information System (ICIS) entry.

YES NO

SECTION II: PROGRAM ANALYSIS AND PROFILE

___ ✓ Has the POTW identified any IUs with Pollution Prevention opportunities?
___ ✓ Is the Control Authority's definition of "significant industrial user" the same as EPA's? [403.3(v)]

If not, the Control Authority has defined "significant industrial user" to mean:
CA Definition is presenting being updated to Streamlining changes

F. Control Mechanism Evaluation [403.8(f)(1)(iii)]

YES NO
___ ✓ Has the Control Authority asked for Best Management Practices (BMPs) or Pollution Prevention assessments as part of the permit application?

Describe the Control Authority's approved control mechanism (e.g., permit, etc.): *Permit*

What is the maximum term of the control mechanism? *3 years*

0 How many SIUs are not covered by an existing, unexpired permit or other control mechanism? [RIDE-NOCM] If there are any SIUs without current (unexpired) permits, please complete the information below:

IU NAME	PERMIT EXPIRATION DATE

YES NO
___ ✓ Does the Control Authority accept trucked septage wastes?
✓[1] ___ Does the Control Authority accept other trucked wastes?
✓[2] ___ Does the Control Authority have a control mechanism for regulating trucked wastes? If yes, answer the following:

[1]*Accept trucked waste from restaurants (O&G) only.* [2]*Trucks have stickers on doors.*

YES NO
✓ ___ Does Control Mechanism designate a discharge point[1]? [403.5(b)(8)]
N/A Are all applicable categorical standards and local limits applied to trucked wastes?

[1]*Headworks is the designated discharge point.*

List all pollutants and applicable limits, other than local limits and categorical standards, that are applied to waste haulers:

Pollutant	Limit
General and specific prohibitions	

Describe the discharge point(s) (including security procedures):
Equalization Basin

___ ✓ Does the Control Authority accept Underground Storage Tank (UST) cleanup Wastes?

N/A Does the Control Authority have a control mechanism for regulating wastes from UST sites?

List all pollutants and applicable limits, other than local limits and

categorical standards, that are applied to UST cleanup sites:

Pollutant	Limit
N/A	

G. Application of Pretreatment Standards and Requirements

YES NO

✓ ___ Has the POTW notified the IUs of their potential requirement to report hazardous wastes to EPA, the State, and the POTW?

9/25/07 Date Notified *Letter* Method of Notification
3/08/10 Date Notified *Letter* Method of Notification

How does the Control Authority keep abreast of current regulations to ensure proper implementation of standards?

✓ Federal Register CPR's ✓ Journals, Newsletters
✓ Meetings, Training ✓ Other *Internet*
✓ Government Agencies ___ Other ___

YES NO
✓ ___ Is the Control Authority in the process of making any changes to its local limits or have limits changed since the last PCI, Audit or Annual Report?

If yes, complete the information below:

Pollutant Changed	Old Limit	New Limit	Reason for Change
The Control Authority is revising its legal authority to remove all specific numerical limits and replace these limits with a narrative. The narrative states that the City may change its local limits from time to time and on a case-by-case basis.			

SECTION II: PROGRAM ANALYSIS AND PROFILE

YES NO

✓ ___ Has the Control Authority technically evaluated the need for local limits for all required pollutants listed below? [403.5(c)(1); 403.8(f)(4)]

Control Authority and ADEQ evaluated MAHL/TBLL in 2008 for permit renewal

	Headworks Analysis Completed?		Local Limits Needed?		Local (SUO) Limits Adopted?[1]		Local Limits Adopted[1]
	Yes	No	Yes	No	Yes	No	
Arsenic (As)	✓						
Cadmium (Cd)	✓						
Chromium-Total	✓						
Copper (Cu)	✓						
Cyanide (CN)	✓						
Lead (Pb)	✓						
Mercury (Hg)	✓						
Molybdenum (Mo)	✓						
Nickel (Ni)	✓						
Selenium (Se)	✓						
Silver (Ag)	✓						
Zinc (Zn)	✓						

[1]Control Authority is removing numerical limits from ordinance to allow the City to determine limits from time to time and on a case-by-case basis.

YES NO

___ ✓ Has the Control Authority identified pollutants of concern other than the required pollutants and technically evaluated the need for local limits for these? If yes, provide the following information:

POLLUTANT	Headworks Analysis Completed?		Local Limits Needed?		Local Limits Adopted?		Numerical Limit Adopted (mg/l)
	Yes	No	Yes	No	Yes	No	
N/A							

YES NO

N/A Where it has been determined that certain pollutants need to have limits, has the POTW identified the sources of the pollutants?

SECTION II: PROGRAM ANALYSIS AND PROFILE

What method of allocation was used for local limits for each pollutant that has a local limit in-place? *N/A*

	TYPE OF ALLOCATION		
	Uniform Concentration	Mass	Hybrid
Arsenic (As)	*Control Authority is presently evaluating*		
Cadmium (Cd)	*the new MAHLs.*		
Chromium-Total			
Copper (Cu)			
Cyanide (CN)			
Lead (Pb)			
Mercury (Hg)			
Molybdenum (Mo)			
Nickel (Ni)			
Selenium (Se)			
Silver (Ag)			
Zinc (Zn)			

If there is more than one treatment plant, were the local limits established specifically for each plant or were local limits applied uniformly to all plants? ___
N/A

H. COMPLIANCE MONITORING

Compliance Monitoring and Inspection Requirements:

Program Aspect	Approved Program	Federal Requirement	Explain Difference
Inspections:			
CIUs	1	1/year	See Section 9-3
Other SIUs	*N/A*	1/year	No Non-Cat SIUs[1]
Sampling:			
CIUs	12-24	1/year	See Section 6-1
Other SIUs	*N/A*	1/year	No Non-Cat SIUs
Reporting:			
CIUs	12 (TTO cert.)	2/year	See Section 9-4
Other SIUs	*N/A*	2/year	No Non-Cat SIUs
Self-Monitoring:			
CIUs	*N/A*[2]	2/year	See Section 9-4
Other SIUs	*N/A*	2/year	No Non-Cat SIUs

[1]All Four SIUs are also CIUs [2]City performs all monitoring

#	%	How many and what percentage of SIUs were: (refer to p.1 for Pretreatment year)
0	0	Not sampled at least once in the past reporting year?
0	0	Not inspected at least once in the past Pretreatment reporting year?
~~0~~	~~0~~	~~Not inspected and not sampled at least once in the past reporting year? [WENDB-NOIN] [403.8(f)(2)(v)]~~

SECTION II: PROGRAM ANALYSIS AND PROFILE

Attach the names of SIUs that were not sampled and/or not inspected within the last Pretreatment reporting year. Include an explanation next to each name as to why it was not sampled and/or not inspected.

Does the Control Authority routinely split samples with industrial personnel:

YES	NO	
___	✓	If requested?
___N/A___		To verify IU self-monitoring results?

Provide the following information regarding pollutant analyses done by the POTW:

	Analytical Method *	Name of Laboratory
Metals	200.8,1631E / ICP	Environmental Testing
Cyanide	SM-4500CNE / Spectrophoto	" "
Organics	601 - 625 / GC/MS	" "
Other		

Were all wastewater samples analyzed by 40 CFR 136 methods? *Yes*

* Enter the type of Analytical Method used for each group of pollutants. (eg. AA-flame, AA-furnace, GC, GC/MS, ICP, etc.

SECTION II: PROGRAM ANALYSIS AND PROFILE

YES NO

✓ ___ Does the POTW use QA/QC for sampling and analysis? If yes, describe:
The City relies on the state and EPA's certification program & has a fairly well written sampling/equipment operations procedures manual as part of their approved Pretreatment Program

How much time normally elapses between sample collection and obtaining analytical results for:

5 dys Conventionals
1 wk Metals
10 dys Organics

✓ ___ Is there an established protocol clearly detailing sampling location and procedures?

✓ ___ Has the Control Authority had any problems performing compliance monitoring?

If yes, explain: *Since PSC has irregular flow, sometimes the CA has problems collecting samples.*

Does the Control Authority use the following methods for compliance monitoring?

YES	NO	
___	✓	Scheduled compliance monitoring
✓	___	Unscheduled compliance monitoring
✓	___	Demand monitoring for IU compliance
___	✓	IU self-monitoring
___	___	Other:_____

YES NO

✓ ___ Has the Control Authority identified any violation of the prohibited discharge standards in the last reporting year ? If yes, describe below. *Several CIUs had pH excursions below 5.*

I. ENFORCEMENT

YES NO

✓ ___ Is the Control Authority definition of SNC consistent with EPA's? [403.8(f)(2)(viii)] *The CA will update definition to Streamlining changes.*

✓ ___ Does the Control Authority have a written enforcement response plan? [403.8(f)(5)]. If yes, does the plan:

YES NO

✓ ___ Describe how the Control Authority will investigate instances of noncompliance

✓ ___ Describe the Control Authority's types of escalating enforcement responses and the periods for each response

___ ✓* Identify by Title the Official(s) responsible for implementing each type of enforcement response
**Only the PC is listed in the ERG; need to identify or replace "PC" in ERG.*

✓ ___ Reflect the Control Authority's responsibility to enforce all applicable pretreatment requirements and standards

SECTION II: PROGRAM ANALYSIS AND PROFILE

Check those compliance/enforcement options that are available to the POTW in the event of IU noncompliance: [403.8(f)(1)(vi)]

✓	Notice or letter of violation	✓	Administrative Order
✓	Setting of compliance schedule	✓	Revocation of permit
✓	Injunctive relief	✓	Fines (maximum amount):

civil	$ 1000	/day/violation
criminal	$ 1000	/day/violation
administrative	$ 1000	/day/violation

✓ Imprisonment
✓ Termination of Service
_____ Other: _____

Describe any problems the Control Authority has experienced in implementing or enforcing its pretreatment program: *The Control Authority currently does not have "legal" authority to issue administrative fines but the proposed "Streamlining" ordinance has this provision.*

YES	NO	
✓		When violations occur, does the Control Authority routinely notify SIUs and escalate enforcement responses if violations continue? [403.8(f)(5)]
	✓	Are SIUs required to notify the Control Authority within 24 hours of becoming aware of a violation and to conduct additional monitoring within 30 days after the violation is identified? [403.12(g)(2)]. Comment: *Control Authority performs all required monitoring.*
✓		If no, does the Control Authority conduct all of the monitoring?

YES	NO	N/A	
✓			Does the pattern of enforcement conform to the Enforcement Response Plan?

Complete the following table for SIUs identified as SNC.

SIU Name	Date First Identified in SNC	Enforcement Action Type	Enforcement Action Date	Return to Compliance? Yes (Date)	Return to Compliance? No
Grace Trailer		NOV	4-1-2010		✓[1]
Auto Conv		NOV	4-1-2010	✓	
Stateside		NOV	4-1-2010		✓[1]

[1] *Grace and Stateside still have problems from time to time.*

SECTION II: PROGRAM ANALYSIS AND PROFILE

Indicate the number and percent of SIUs that were identified as being in significant noncompliance during the past Pretreatment reporting period:

#	%	
3	75	Pretreatment Standards [RIDE-SNC Pret Std] (Local Limits/Categorical Standards)
0	0	Self-monitoring requirements [RIDE-SNC]
0	0	Reporting requirements [RIDE-SNC w/Reporting Requirements]
0	0	Pretreatment compliance schedule [RIDE-SNC w/Pret Schedule]

~~0 How many SIUs that are currently in SNC with self-monitoring and were not inspected or sampled? [WENDB-SNIN]~~

YES	NO	
___	✓	Does the ERP provide for any Pollution Prevention activities as corrective actions? If so, give some examples. ___

Has the Control Authority experienced any of the following:

YES	NO		EXPLAIN and ID Industrial User
✓	___	Interference [ICIS].	Warren Unilube caused problems with O&G[1]
___	✓	Pass through [ICIS].	
___	✓	Fire or explosions? (incl. flash point viol.)	
___	✓	Corrosive structural damage? (incl. pH <5.0).	
___	✓	Flow obstructions?	
___	✓	Excessive flow or pollutant concentrations?	
___	✓	Heat problems?	
___	✓	Interference due to oil or grease?	
___	✓	Toxic fumes?	
___	✓	Illicit dumping of hauled wastes?	

[1]*The CA is currently considering permitting Warren Unilube as a Non-SIU.*

YES	NO	
✓	___	Does the Control Authority compare all monitoring data to applicable Pretreatment Standards and requirements contained in the control mechanism? [403.8(f)(2)(iv)]

0 How many SIUs are currently on compliance schedules?

___ ✓ Have any CIUs been allowed more than 3 years from the effective date of a categorical standard to achieve compliance with those standards? [403.6(b)]

Indicate the number of SIUs from which penalties have been collected by the Control Authority during the past Pretreatment reporting period:

	Number		Amount
Civil	___		$ 0
Administrative	___		$ 0
Total	___	[RIDE-Penalties]	$ 0

SECTION II: PROGRAM ANALYSIS AND PROFILE

J. DATA MANAGEMENT/PUBLIC PARTICIPATION

YES ✓ NO ___ Are inspection & sampling records well documented, organized and readily retrievable? Are files/records:

YES	NO	
✓	___	computerized[1]
✓	___	hard copy
___	___	OTHER: _____

Are the following files computerized:

YES	NO	
✓	___	Control Mechanism Issuance
___	✓	Inspection and Sampling schedule
✓	___	Monitoring Data
✓	___	IU Compliance Status Tracking
✓	___	Other: *Inf/Eff/Sludge*

Can IU monitoring data can be retrieved by:

✓	___	Industry name
✓	___	Pollutant type
___	✓	Industrial category or type
___	✓	SIC Code
✓	___	IU discharge volume
___	✓	Geographic location
N/A		Receiving treatment plant (i.e.if > one plant in the system)
___	___	Other (specify) _____

✓ ___ Does the POTW have provisions to address claims of confidentiality? [403.8(f)(1)(vii)]

___ ✓ Have IUs requested that data be held confidential?
How is confidential information handled by the Control Authority?
N/A

___ ✓ Are there significant public or community issues impacting the POTW's pretreatment program?

If yes, please explain: *N/A*

✓ ___ Are all records maintained for at least 3 years?

K. RESOURCES

What is the current level of resources dedicated to the Pretreatment Program in FTEs and funding amounts? [403.8(f)(3)] * - FTE = Full Time Equivalent Employee

~ 3 FTE

[1] *ETC (Lab) sends all monitoring results to WMUC by email; the CA stores the data electronically.*

SECTION II: PROGRAM ANALYSIS AND PROFILE

YES NO

___ ✓ Have any problems in program implementation been observed which appear to be related to inadequate funding?
If yes, describe and show below the source(s) of funding for the program:

_____
_____

		Percent of Total Funding
✓	POTW general operating fund	*100*
_____	IU permit fees	_____
✓	monitoring charges (Goes back to GOF)	_____
_____	industry surcharges	_____
_____	other (describe) _____	_____
	Total	*100%*

✓ ___ Is funding expected to continue near the current level? If no, will it:
Increase ____ or Decrease ____
If no, describe the nature of the changes:

_____
_____

Are an adequate number of personnel available for the following program areas:

YES	NO		If no, explain
✓	___	Legal assistance	_____
✓	___	Permitting	_____
✓	___	IU inspections	_____
✓	___	Sample collection	_____
✓	___	Sample analyses	_____
✓	___	Data analysis, review and response	_____
✓	___	Enforcement	_____
✓	___	Administration (inc. record keeping /data management)	_____

Does the Control Authority have access to adequate:

YES	NO		If yes then list and if no, explain
✓	___	Sampling equipment	*6 automated ISCO samplers;* _____
✓	___	Safety equipment	*standard list & SCBA* _____
✓	___	Vehicles	*1* _____
✓	___	Analytical equipment	*pH meters; spectrophotometric equip. electronic balance, incubator, Hach Testers, etc.*

SECTION II: PROGRAM ANALYSIS AND PROFILE

L. POLLUTION PREVENTION

1. Describe any efforts that have been taken to incorporate pollution prevention into the Pretreatment Program (e.g. waste minimization at IUs, household hazardous waste programs, etc.):
None

2. Has the source of any toxic pollutants been identified? *No*
If yes, what was found?

3. Has the POTW implemented any kind of public education program? If yes, describe:
The POTW plans to place articles in the local newspaper to inform the public on proper O&G and pharmaceutical disposal. The POTW personnel plans to speak at local schools (elementary, junior & senior), too.

4. Does the POTW have any pollution prevention success stories for industrial users documented? *No*. If yes, please attach.

5. Are SIUs required to get a pollution prevention audit or assessment as a part of their permit application or as a requirement of their permit?
No

6. Has the POTW used any of the various "Guides to Pollution Prevention" as examples to their industrial and commercial users as ways to eliminate or reduce pollutants? *No*
If yes, which of the "Guides to Pollution Prevention" were used? _____

SECTION III: INDUSTRIAL USER FILE REVIEW

FILE #: 1 Industry Name Grace Trailer Service File/ID No. 24
Industry Address 615 Petro Cove 72301
Industry Description Truck Wash (Interior/Exterior)
Industrial Category TEC 40 CFR 442 SIC Code: 7542
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) 70,000

Industry visited during audit: YES

Comments: Chemical & petroleum cargo 870-732-0404

FILE #: 2 Industry Name Automated Conveyors System, Inc File/ID No. 2
Industry Address 3850 Southland Drive 72301
Industry Description Mfg of conveyor systems
Industrial Category metal finisher 40 CFR 433 SIC Code: 3535
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) 950 (Intermittent)

Industry visited during audit: YES

Comments: ASCI makes 80% power driven conveyors, 20% gravity conveyors 732-5050

FILE #: 3 Industry Name Stateside Steel & Wire, LLC File/ID No. 25
Industry Address 394 Wyanoka Road
Industry Description Mfg galvanized steel fencing
Industrial Category Metal Finisher 40 CFR 433 SIC Code: 3315
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) 8500

Industry visited during audit: YES

Comments: This facility recently commenced operation and the City is assisting the facility with pretreatment reporting requirements.

FILE #: 4 Industry Name PSC Container File/ID No. _____
Industry Address 400 Mound City Road
Industry Description Truck Wash
Industrial Category Trans Equip Cleaner 40 CFR 442 SIC Code: 7542
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) 6500

Industry visited during audit: YES

Comments: _____

FILE #: 5 Industry Name Langston Bag File/ID No. _____
Industry Address 1100 North 7th
Industry Description _____
Industrial Category *N/A* 40 CFR *N/A* SIC Code: _____
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) (None)

Industry visited during audit: YES

Comments: Auditor visited this "Non-SIU" to confirm its status as a non-significant industrial user. This facility wastewater comes from occasional clean-up.

SECTION III: INDUSTRIAL USER FILE REVIEW

A. Industrial User Characterization

✓ => Yes; X => No; N/A => Not Applicable

		GRACE	ACSI	SSW	PSC	FILE 5
1.	Is the IU considered "significant" by the Control Authority?	✓	✓	✓	✓	
2.	Is the user subject to categorical pretreatment standards?	✓	✓	✓	✓	
	a. New source or existing source (NS or ES)?	ES	ES	NS	NS	
	b. Is this IU one identified as having P[2] potential?	✓[1]	✓	✓	✓[1]	

B. Control Mechanism

1.	Does the file contain an application for a control mechanism?	✓[2]	✓[2]	✓[2]	✓[2]	
	If yes, what is the application date?	2-12-08	2-28-08	3-5-10	4-15-09	
	Does it ask for Pollution Prevention information?	X	X	X	X	
2.	Does the file contain a Permit?	✓[2]	✓[2]	✓[2]	✓[2]	
	Permit Expiration Date?	5-31-11[3]	5-31-11[3]	2-28-13	7-31-12	
	Is a fact sheet included?	✓[4]	✓	✓	✓	
3.	Has the SIU been issued a control mechanism containing: [403.8(f)(1)(iii)(A)-(E)]					
	a. Legal Authority Cite?	CP[5]	CP[5]	CP[5]	CP[5]	
	b. Expiration date?	CP[5]	CP[5]	CP[5]	CP[5]	
	c. Statement of nontransferability?	V-12[6]	V-12[6]	V-12[6]	V-12[6]	
	d. Appropriate discharge limitations?	I-2	I-2	I-2	I-2	
	e. Appropriate self-monitoring requirements?	X[7]	X[7]	X[7]	X[7]	
	f. Sampling frequency?	✓[7]	✓[7]	✓[7]	✓[7]	

Comments:
1. TEC regs have an option for a BMP but Grace and PSC have elected to comply with limits.
2. See Attachment B for a copies of permits.
3. Grace and Auto Conv has same permit expiration dates.
4. See Attachment C for a copy of Stateside Fact Sheet.
5. CP => Cover Page of permits; see attachment B.
6. Part V paragraph 12 in permits
7. CA performs all monitoring

SECTION III: INDUSTRIAL USER FILE REVIEW

✓ => Yes; X => No; N/A => Not Applicable

	GRACE	ACSI	SSW	PSC	FILE 5
g. Sampling locations?	I-1	I-1	I-1	I-1	
h. Requirement for flow monitoring?	✓[7]	✓[7]	✓[7]	✓[7]	
i. Types of samples (grab or composite) for self-monitoring?	Comp[7,8]	Comp[7,8]	Comp[7,8]	Comp[7,8]	
j. Applicable IU reporting requirements?	✓[7]	✓[7]	✓[7]	✓[7]	
k. Standard conditions for:					
Right of Entry?	III-1	III-1	III-1	III-1	
Records retention?	✓[7]	✓[7]	✓[7]	✓[7]	
Civil and Criminal Penalty provisions?	VI	VI	VI	VI	
Revocation of permit?	V	V	V	V	
l. Compliance schedules/ progress reports	N/A	N/A	N/A	N/A	
m. General/Specific Prohibitions?	II	II	II	II	
n. Where technologically and economically achievable, are P^2 aspect included?	X	X	X	X	
C. Application of Standards					
1. Has the IU been properly categorized?	✓	✓	✓	✓	
2. Were both Categorical Standards and Local Limits properly applied?	X[9]	X[9]	X[9]	X[9]	
3. Was the IU notified of recent revisions to applicable pretreatment standards? [403.8(f)(2)(iii)]	✓[10]	✓[10]	✓[10]	✓[10]	
4. For IUs subject to production-based standards, have the standards been properly applied? [403.8(f)(1)(iii)]	N/A	N/A	N/A	N/A	

Comments: 8. Composite for metals (Grab for pH, Cyanide and O&G)

9. Permits contain categorical limits only; presently, the City has no numerical local limits.

10. The City recently adopted a new ordinance which repealed old numerical limits and reserved the right of the City to establish local limits on a case-by-case basis.

11. Paragraph IV-5 in the permits (see attachment B-7/10) prohibits bypass.

SECTION III: INDUSTRIAL USER FILE REVIEW

✓ => Yes; X => No; N/A => Not Applicable

		GRACE	ACSI	SSW	PSC	FILE 5
5.	For IUs with combined wastestreams is the Combined Wastestream Formula or the Flow Weighted Average formula correctly applied? [403.6(d) and (e)]	N/A	N/A	N/A	N/A	
6.	For IUs receiving a "net/ gross" variance, are the alternate standards properly applied?	N/A	N/A	N/A	N/A	
7.	Is the Control Authority applying a bypass provision to this IU?	X[11]	X[11]	X[11]	X[11]	
D.	Compliance Monitoring					
	Sampling					
1.	Does the file contain Control Authority sampling results for the industry?	✓	✓	✓	✓	
2.	Did the Control Authority sample as frequently as required by its approved program or permit? [403.8(c)]	✓	✓[12]	✓	✓[12]	
3.	Does the sampling report(s) include: [403.8(f)(2)(vi)]					
	a. Name of sampling personnel?	✓[13]	✓	✓	✓	
	b. Sample date and time?	✓	✓	✓	✓	
	c. Sample type?	✓	✓	✓	✓	
	d. Wastewater flow at the time of sampling?	X	X	X	X	
	e. Sample preservation procedures?	✓	✓	✓	✓	
	f. Chain-of-custody records?	✓[13]	✓	✓	✓	
	g. Results for all parameters? SIUs & CIUs [403.12(g)(1) - CIUs]	✓[14]	✓	✓	✓[14]	

SECTION III: INDUSTRIAL USER FILE REVIEW

✓ => Yes; X => No; N/A => Not Applicable

	GRACE	ACSI	SSW	PSC	FILE 5
4. Has the Control Authority appropriately implemented all applicable TTO monitoring/ management requirements?	N/A	✓	✓	N/A	
5. Did the Control Authority adequately assess the need for flow-proportion vs. time-proportion vs. grab samples?	✓[15]	✓[15]	✓[15]	✓[15]	
6. Were 40 CFR 136 analytical methods used? [403.8(f)(2)(vi)	✓	✓	✓	✓	
Inspections					
7. Does the IU file contain inspection reports?	✓	✓	✓	✓	
8. a. Has the Control Authority inspected the IU at least as frequently as required by the approved program or permit? [403.8(c)]	✓	✓	✓	✓	
b. Date of last Inspection	10-5-10	9-29-10	10-6-10	12-21-10	
9. Does the inspection report(s) include: [403.8(f)(2)(vi)]					
a. Inspector Name(s)	✓[16]	✓[16]	✓[16]	✓[16]	
b. Inspection date and time?	✓[16]	✓[16]	✓[16]	✓[16]	
c. Name and title of IU official contacted?	✓[16]	✓[16]	✓[16]	✓[16]	
d. Verification of production rates?	N/A	N/A	N/A	N/A	
e. Identification of sources, flow, and types of discharge (regulated, dilution flow, etc.)?	✓	✓	✓	✓	
f. Evaluation of pretreatment facilities?	✓	N/A	✓	✓	

Comments:

12. ACSI and PSC have intermittent batch discharges and sometimes wastewater is not present for monthly sampling.
13. See Attachment H for copy of WMUC Chain-0f-Custody for a Stateside sampling event.
14. See Attachment I for a copy of ETC lab report.
15. All SIUs have intermittent discharges; the City usually takes time-proportional samples unless the SIU has a short batch discharge. "Timed" sampling appears acceptable for all four SIUs; Grace, SSW & PSC have surge capability to stabilize flow and ASCI short batch discharges usually require a "Grab" sample.
16. See Attachment D for a copy of Stateside inspection.

SECTION III: INDUSTRIAL USER FILE REVIEW

✓ => Yes; X => No; N/A => Not Applicable

	GRACE	ACSI	SSW	PSC	FILE 5
g. Evaluation of self-monitoring equipment and techniques?	N/A	N/A	N/A	N/A	
h. (Re)-Evaluation of slug discharge control plan & need to develop? [403.8(f)(2)(v)]	✓[17]	✓[18]	✓[19]	✓[20]	
i. Manufacturing facilities?	N/A	✓	✓	N/A	
j. Chemical handling and storage procedures?	✓	✓	✓	✓	
k. Chemical spill prevention areas?	X	X	X	X	
l. Hazardous waste storage areas and handling procedures?	X[21]	X[21]	X[21]	X[21]	
m. Sampling procedures?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
n. Laboratory procedures?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
o. Monitoring records?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
p. Evaluation of Pollution Prevention opportunities?	✓	✓	✓	✓	
q. Control Authority inspector signature?	X	X	X	X	
IU Self-Monitoring and Reporting					
10. Does the file contain self-monitoring reports?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
11. Does the file include: a. BMR?	✓	✓	✓	✓[22]	
b. 90-Day Report?	✓[23]	✓[23]	✓[23]	✓[23]	
c. All periodic reports?	✓[23]	✓[23]	✓[23]	✓[23]	
d. Compliance schedule reports?	N/A	N/A	N/A	N/A	

Comments:

17. The inspection reports do not show a re-evaluation of spill/slug plan; the report lists only "Yes or No".
18. ACSI has no potential for slug loads (no open floor drains and has yearly batch discharge to POTW)
19. SSW file did not contain any documentation for slug potential/plan; WMUC requested SSW to produce the plan. The plan is shown in Attachment L. The plan shows only spill procedures for specific products.
20. PSC Slug plan is shown in Attachment K.
21. No description of hazardous waste storage area or handling procedures; the report lists only "Yes or No" for Hazardous Waste Generator.
22. PSC file did not specifically have a BMR but an application for permit with most of the information required.
23. The CA has the option to collect all information required by these reports.

SECTION III: INDUSTRIAL USER FILE REVIEW

✓ => Yes; X => No; N/A => Not Applicable

	GRACE	ACSI	SSW	PSC	FILE 5
12. Did the IU report on all required parameters?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
13. Did the IU comply with the required sampling frequency(s)?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
14. Did the IU report flow?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
15. Did the IU comply with the required reporting frequency(s)?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
16. For all SIUs, are self-monitoring reports signed and certified?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
17. Did the IU report all changes in its discharge? [403.12(j)]	✓	✓	✓	✓	
18. Has the IU developed a Slug Control and Prevention Plan?	✓	N/A	X[19]	✓	
19. Has the industry been responsible for spills or slug loads discharged to the POTW?	X	X	✓[24]	X	
If yes, does the file contain documentation regarding:					
a. Did the spill cause Pass Through or Interference?	N/A	N/A	X[25]	N/A	
b. Did POTW respond to the spill?	N/A	N/A	?	N/A	

E. Enforcement

1. Were all IU discharge violations identified in: [403.8(f)(2)(vi)]					
a. Control Authority monitoring results?	✓	✓	✓	✓	
b. IU self-monitoring results?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
c. If NS CIU was it compliant within 90 days from commencement of discharge?	N/A	N/A	N/A	✓[26]	

SECTION III: INDUSTRIAL USER FILE REVIEW

✓ => Yes; X => No; N/A => Not Applicable

	GRACE	ACSI	SSW	PSC	FILE 5
2. How many reports submitted during the past reporting year indicated discharge violations?	20	4	6	N/A[26]	
3. Did the IU notify the Control Authority within 24 hours of becoming aware of the violation(s)?	N/A[7]	N/A[7]	N/A[7]	N/A[7]	
4. Was additional monitoring conducted within 30 days after each discharge violation occurred?	✓[27]	✓[27]	✓[27]	✓[27]	
5. Were all nondischarge violations identified in the file?	N/A	N/A	N/A	N/A	
6. Was the IU notified of all violations?	✓	✓	✓	✓	
7. Was adequate follow-up enforcement action taken by the Control Authority?	✓	✓	✓	✓	
8. Did the Control Authority follow its approved ERP?	✓	✓	✓	✓	
9. Did the Control Authority's enforcement action result in the IU achieving compliance?	✓[28]	✓[28]	✓[28]	✓[28]	
10. Is there a compliance schedule? If yes:	N/A	N/A	N/A	N/A	
11. Were there any compliance schedule violations?	N/A	N/A	N/A	N/A	

Comments:

24. See Attachment M. A local TV station covered Stateside's "Spill?". In a telephone conversation (Bosnick to Torrence on 11-1-2010 @ 9:20 am), the City claimed that the incident was a fire only and no spill occurred.
25. The file did not contain documentation but the City confirmed no pass through or interference had occurred since the last audit.
26. PSC was not operating during the past annual reporting year. PSC is usually compliant with its limits but does have sporadic violations.
27. All SIUs are CIUs and are sampled monthly; however, all CIUs have intermittent flow and the CA may not be able to take a sample within 30 days.
28. The CIUs are not causing problems at the headworks with any parameter in their permits and have no chronic violations. The SNC for each was mainly for O&G and the CA plans to remove this O&G (Animal and Veg O&G) limits from the permits.

SECTION III: INDUSTRIAL USER FILE REVIEW

✓ => Yes; X => No; N/A => Not Applicable

	GRACE	ACSI	SSW	PSC	FILE 5
12. Was SNC calculated for the violations on a quarterly basis? [403.8(f)(2)(vii)]	✓	✓	✓	N/A	
During evaluation for SNC, did the CA consider each of the following criteria?					
a. Chronic violations	✓	✓	✓	N/A	
b. TRC	✓	✓	✓	N/A	
c. Pass through/Interference	✓	✓	✓	N/A	
d. Spill/slug loads	X	X	?[29]	N/A	
e. Reporting	✓	✓	✓	N/A	
f. Compliance schedule	N/A	N/A	N/A	N/A	
g. others (specify)					
13. Was the SIU published for SNC?	✓	✓	✓	N/A	
Date of publication.	4/1-30/10	4/1-30/10	4/1-30/10	N/A	

Comments:

29. No documentation on spills in SSW file; see Attachment M.

REPORTABLE NONCOMPLIANCE (RNC)
for the Pretreatment Audit Checklist

(MUNICIPAL POLLUTION PREVENTION ASSESSMENT CHECKLIST)

Control Authority: City of West Memphis NPDES #: AR0022039

Date of Audit: 10/18 - 10/21/2010 Date entered into QNCR: 11-1-10
(ASSESSMENT)

		Level
NO	Failure to enforce against pass through and/or interference	I
NO	Failure to submit required reports within 30 days	I
NO	Failure to meet compliance schedule milestone date within 90 days	I
NO	Failure to issue/reissue control mechanisms to 90% of SIUs within 6 months	II
NO	Failure to inspect or sample 80% of SIUs within the last reporting year	II
NO	Failure to enforce pretreatment standards and reporting requirements	II
NO	Other violations of concern	II

SIGNIFICANT NONCOMPLIANCE (SNC)

NO Is the Control Authority in SNC for violation of any Level I criterion.

NO Is the Control Authority in SNC for violation of 2 or more Level II criterion.

11-1-10

ICIS NPDES: Add Inspection - Windows Internet Explorer

https://icis.epa.gov/icis/inspection/AddInspection.do?actionMethod=initiate&epaOrState=S&CMType=INS&fromICIS

File Edit View Favorites Tools Help

Links Customize Links Free Hotmail Windows Windows Marketplace Windows Media

Google Go Bookmarks Popups okay Check AutoLink AutoFill Send to Settings

ICIS NPDES: Add Inspection

Page Tools

Compliance Monitoring Information

Compliance Activity Type: Inspection/Evaluation

* State: AR

Compliance Monitoring Activity Name: City of West Memphis's

If Biomonitoring is selected as the Compliance Monitoring Type, please enter Biomonitoring Compliance Monitoring Method:

* Compliance Monitoring Type: AFO Defined; AFO Designation; Aerial Photography; **Audit**; Audit (IU)

* Linked Facility

FACILITIES

Program System Acronym	Identifier	Facility Site Name	Address	FRS ID
NPDES	AR0022039	VALIDATE		

Compliance Monitoring Dates

Planned Start Date: 10-18-2010

Planned End Date: 10-21-2010

Actual Start Date: 10-18-2010

Actual End Date: 10-21-2010

Statutes and Sections Information

Federal Statutes : CWA - Clean Water Act

* Programs: NPDES - Post Administrative Penalty Case (Settlement); **NPDES - Pretreatment**; NPDES - Sanitary Sewer Overflow (SSO); NPDES - Section 308 Information Requests; NPDES - Sludge/Biosolids

State Statute:

* Compliance Monitoring Action Reason: Agency Priority; Citizen Complaint/Tip; **Core Program**; For Cause; Random Inspection

* Compliance Monitoring Agency Type: State Contractor; State - Using Federal Credential; **State**; Regional; Other Federal

Compliance Monitoring Agency Name:

If State, Local or Tribal lead, did EPA Assist?: No

Was this a State, Federal or Joint (State/Federal) Compliance Monitoring Activity? State

If Joint, what was the purpose of the participation of the other party?

Which party had the lead?

Government Contacts

CONTACTS

Affiliation Type	First Name	Last Name	Phone	Office	Organization

Codes

SIC Codes: 4952 Sewerage Systems

ADD / REMOVE

NAICS Codes:

ADD / REMOVE

Priorities

OECA National Priority: 2009 - (CA Only) - Air Toxics - Flares; 2009 - (CA Only) - Air Toxics - LDAR; 2009 - (CA Only) - Air Toxics - Surface Coating; 2009 - (CA Only) - Financial Assurance; 2009 - (CA Only) - MP - Mining

Regional Priority: 2009 - Region 06 - Air Toxics Major Sources (O & G); 2009 - Region 06 - Brine Spills from Oil & Gas Operations; 2009 - Region 06 - CD Implementation; 2009 - Region 06 - Minor Wastewater Collection & Treatment System; 2009 - Region 06 - Petroleum Refining

Media Monitored

Media Monitored:

Compliance Monitoring Media Indicator

Multimedia Indicator: ☐

Compliance Monitoring Information

Number of Days Physically Conducting Activity:

Number of Hours Physically Conducting Activity:

Compliance Monitoring Action Outcome:

Compliance Monitoring Rating Code:

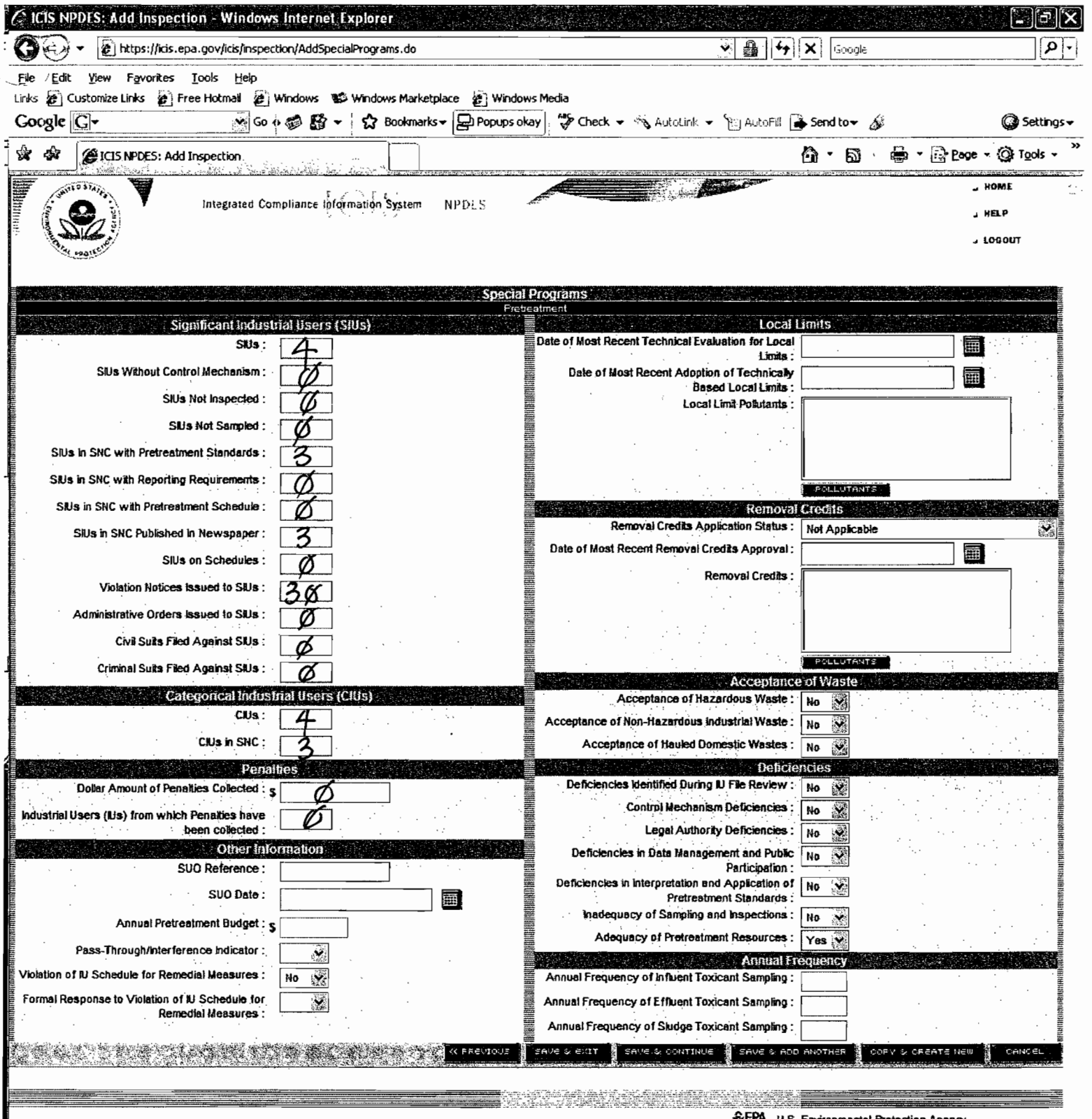
Compliance Monitoring Comments

Compliance Monitoring Comments: 001: Non-Significant Industry Site Visit Conducted
004: Significant Industries Site Visits Conducted

User Defined Fields

1: ☐

Trusted sites 100%


ICIS NPDES: Add Inspection - Windows Internet Explorer
https://icis.epa.gov/icis/inspection/AddSpecialPrograms.do
Integrated Compliance Information System NPDES
HOME
HELP
LOGOUT
Special Programs
Pretreatment
Significant Industrial Users (SIUs)
SIUs : 4
SIUs Without Control Mechanism : 0
SIUs Not Inspected : 0
SIUs Not Sampled : 0
SIUs in SNC with Pretreatment Standards : 3
SIUs in SNC with Reporting Requirements : 0
SIUs in SNC with Pretreatment Schedule : 0
SIUs in SNC Published in Newspaper : 3
SIUs on Schedules : 0
Violation Notices Issued to SIUs : 36
Administrative Orders Issued to SIUs : 0
Civil Suits Filed Against SIUs : 0
Criminal Suits Filed Against SIUs : 0
Categorical Industrial Users (CIUs)
CIUs : 4
CIUs in SNC : 3
Penalties
Dollar Amount of Penalties Collected : $ 0
Industrial Users (IUs) from which Penalties have been collected : 0
Other Information
SUO Reference :
SUO Date :
Annual Pretreatment Budget : $
Pass-Through/Interference Indicator :
Violation of IU Schedule for Remedial Measures : No
Formal Response to Violation of IU Schedule for Remedial Measures :
Local Limits
Date of Most Recent Technical Evaluation for Local Limits :
Date of Most Recent Adoption of Technically Based Local Limits :
Local Limit Pollutants :
POLLUTANTS
Removal Credits
Removal Credits Application Status : Not Applicable
Date of Most Recent Removal Credits Approval :
Removal Credits :
POLLUTANTS
Acceptance of Waste
Acceptance of Hazardous Waste : No
Acceptance of Non-Hazardous Industrial Waste : No
Acceptance of Hauled Domestic Wastes : No
Deficiencies
Deficiencies Identified During IU File Review : No
Control Mechanism Deficiencies : No
Legal Authority Deficiencies : No
Deficiencies in Data Management and Public Participation : No
Deficiencies in Interpretation and Application of Pretreatment Standards : No
Inadequacy of Sampling and Inspections : No
Adequacy of Pretreatment Resources : Yes
Annual Frequency
Annual Frequency of Influent Toxicant Sampling :
Annual Frequency of Effluent Toxicant Sampling :
Annual Frequency of Sludge Toxicant Sampling :
<< PREVIOUS
SAVE & EXIT
SAVE & CONTINUE
SAVE & ADD ANOTHER
COPY & CREATE NEW
CANCEL
EPA U.S. Environmental Protection Agency
Trusted sites
100%

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT

1. Control Authority: *West Memphis* NPDES #: *AR0022039*

Name, address and phone number of industry:
Automated Conveyor Systems
3850 Southland Dr., (870) 732-3361

Type of industry: *Metal Finishing* (40 CFR 433)

Date/Time of visit: *10/20/10 @ 8:35 a.m.*

Industry contacts: *Chip Doty, HR Mgr*
Clifton Bailey, Prod Mgr and Mike Sanders, Plt Mgr.

	Yes	No	N/A
1. Significant industrial user?	✓		
2. Classified correctly?	✓		
3. Pretreatment equipment or procedures?			✓[1]
4. Pretreatment equipment maintained and operational?			✓[2]
5. Hazardous waste generated or stored?	✓		
6. Proper solid waste disposal?	✓		
7. Solvent management/TTO control?	✓		
8. Suitable sampling location?	✓		
9. Appropriate self-monitoring procedures/equipment?			✓
10. Adequate spill prevention and control?	✓		
11. Industrial familiar with limits and requirements?	✓		
12. Pollution Prevention activity	✓[3]		

Comments:

1. ACSI performed P2 efforts to reduce the amount of wastewater discharged to the POTW; presently, there is no continuous discharge of process wastewater to the POTW. ACSI does discharge the phosphate wash tank to the POTW from time to time (once or twice each year).

Visit conducted by: *Torrence/Jones* Date: *10/20/10*

(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT (CONTINUED)

Control Authority: *West Memphis* NPDES #: *AR0022039*

Industry name: *Automated Conveyor*

Additional comments:

2. Once or twice each year ACSI adjusts the pH of the phosphate tank and discharges the wastewater to the POTW.

3. ACSI recycles scrap metals and reclaims powder paints.

Description of Operations:

ACSI manufactures conveyor systems, power driven and roller-gravity types. The raw material which ACSI uses consist of mild carbon steel, cold rolled steel sheets, some aluminum and pre-galvanized strip steel.
The facility has 85 full time employees and has been at the present location since 1982.

Visit conducted by: Torrence/Jones Date: 10/20/10

(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT

Control Authority: *West Memphis* NPDES #: *AR0022039*

Name, address and phone number of industry:
Grace Trailer Service, 615 Petro Cove, (870) 732-0404

Type of industry: *Truck Wash* (40 CFR 442)

Date/Time of visit: *10/20/10 @ 9:55 a.m.*

Industry contacts: *Chris Fox, Managing Partner*
Shawn Stewart-Pool, SCS Env Group Sr. Proj. Mgr.

	Yes	No	N/A
1. Significant industrial user?	✓		
2. Classified correctly?	✓		
3. Pretreatment equipment or procedures?	✓		
4. Pretreatment equipment maintained and operational?	✓[1]		
5. Hazardous waste generated or stored?	✓		
6. Proper solid waste disposal?	✓		
7. Solvent management/TTO control?			✓
8. Suitable sampling location?	✓		
9. Appropriate self-monitoring procedures/equipment?			✓
10. Adequate spill prevention and control?	✓		
11. Industrial familiar with limits and requirements?	✓		
12. Pollution Prevention activity	✓		

Comments: 1. O&G "mopping" operation only.

Visit conducted by: *Torrence/Jones* Date: *10/20/10*

_____

(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT (CONTINUED)

Control Authority: *West Memphis* NPDES #: *AR0022039*

Industry name: *Grace Trailer*

Comments :

Grace employees clean the interior of tank trucks and the exterior of over the highway trucks. In the past Grace has had a number of O&G violations. The nature of Grade's operation prevent them from employing P2 efforts to reduce the quantity of O&G entering the pretreatment system; however, Grace has made modifications to the treatment system (installed baffle to prevent "pass thru") and lower the temperature of the treated wastewater to reduce emulsification. Also Grace has made some O&M changes; the most notable O&M change is having an operator present during "mopping" operation.

The O&G violations are the results of "Total O&G" (HEM O&G) monitoring to include animal and vegetable O&G. The City is considering removing the Total O&G limit (100 mg/l) from their permit and Grace will be required to comply with the 40 CFR 442.15 Non-Polar Material (SGT-HEM) limit of 26 mg/l. The SGT-HEM method checks for petroleum-based (TPH) O&G.

Grace also has a repair shop and truck parts distribution center on-site. The shop performs repair work on trailers and does light engine maintenance.

Visit conducted by: *Torrence/Jones* Date: *10/20/10*

(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT

Control Authority: *West Memphis* NPDES #: *AR0022039*

Name, address and phone number of industry:
PSC Container 400 Mound City Rd

Type of industry: *Truck Wash* (40 CFR 442)

Date/Time of visit: 10/20/10 @11:05 am

Industry contacts: Lamar Promise, Service Center Manager

	Yes	No	N/A
1. Significant industrial user?	✓		
2. Classified correctly?	✓		
3. Pretreatment equipment or procedures?	✓[1]		
4. Pretreatment equipment maintained and operational?			✓
5. Hazardous waste generated or stored?	✓[2]		
6. Proper solid waste disposal?	✓[3]		✓
7. Solvent management/TTO control?			✓
8. Suitable sampling location?	✓		
9. Appropriate self-monitoring procedures/equipment?			✓
10. Adequate spill prevention and control?		?	
11. Industrial familiar with limits and requirements?	✓		
12. Pollution Prevention activity		?	

Additional Comments:

1. PSC has pH adjustment, precip and DAF.
2. PSC refuses all trucks carrying hazardous waste; inspects manifest to verify content.
3. Facility has dewatering station; solids sent to landfill.

Visit conducted by: Torrence/Jones Date: 10/20/10

(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT (CONTINUED)

Control Authority: *West Memphis* NPDES #: *AR0022039*

Industry name: _____

Additional comments:

DESCRIPTION OPERATION:

PSC cleans the interior of Food Grade and Cargo trucks. PSC has 6 employees in the West Memphis facility. Brenner is located adjacent to PSC for repair work on PSC customers' trailers.

Visit conducted by: Torrence/Jones Date: 10/20/10

_____

(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT

Control Authority: *West Memphis* NPDES #: *AR0022039*

Name, address and phone number of industry:
Stateside Steel & Wire 304 Wyanoke Road 72301
870-733-1921

Type of industry: *Galv Wire Mfr/Metal Fin*
(40CFR433)

Date/Time of visit: 10/20/10 @ 1:15 a.m.

Industry contacts: *Herb Holley, VP Manufacturing*

	Yes	No	N/A
1. Significant industrial user?	✓		
2. Classified correctly?	✓		
3. Pretreatment equipment or procedures?	✓		
4. Pretreatment equipment maintained and operational?	✓[1]		
5. Hazardous waste generated or stored?	✓[2]		
6. Proper solid waste disposal?	✓		
7. Solvent management/TTO control?	✓[3]		
8. Suitable sampling location?	✓		
9. Appropriate self-monitoring procedures/equipment?			✓
10. Adequate spill prevention and control?	✓	✓[4]	
11. Industrial familiar with limits and requirements?	✓		
12. Pollution Prevention activity		?	

Comments:

1. SSW uses precip and flow with DAF
2. Sludge generated is not classified as hazardous
3. TOMP states no TTOs in products at facility
4. SSW has spill plan for each product but no slug control plan.

Visit conducted by: *Torrence/Jones* Date: *10/20/10*

(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT (CONTINUED)

Control Authority: *West Memphis* NPDES #: *AR0022039*

Industry name: *Stateside Steel & Wire*

Additional comments:

Description of Operations.

SSW receives 4500 lb steel rod coils and draws the rod to the desired wire diameter. The operations uses "weavers" to produce chain link fences. The woven wire is submerged in a zinc bath to galvanize the wire or coated with plastic. The finished woven wire is cut to 50 foot segments and rolled for shipment.

Visit conducted by: *Torrence/Jones* Date: *10/20/10*

(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT

Control Authority: *West Memphis* NPDES #: *AR0022039*

Name, address and phone number of industry:
Langston Bag 1100 North 7th (870) 735-4197

Type of industry: Paper Bag Mfgr Date/Time of visit: _____

Industry contacts: Jim Steinmetz, Quality Mgr
Wayne Croom, Plant Mgr

	Yes	No	N/A
1. Significant industrial user?		✓	
2. Classified correctly?	✓[1]		
3. Pretreatment equipment or procedures?			✓
4. Pretreatment equipment maintained and operational?			✓
5. Hazardous waste generated or stored?	✓[2]		
6. Proper solid waste disposal?			✓
7. Solvent management/TTO control?			✓
8. Suitable sampling location?	✓		
9. Appropriate self-monitoring procedures/equipment?			✓
10. Adequate spill prevention and control?	✓[3]		
11. Industrial familiar with limits and requirements?	✓		
12. Pollution Prevention activity		?	

Additional Comments:
1. The City has Langston classified as a "Non-SIU". The classification is correct as the facility operations appears to pose no imminent threat for pass through or interference.
2. Stores ink for printing on-site.
3. The operations are dry (except for ink printing) with only two floor drains in the manufacturing area. The drains are mainly for equipment cleaning and floor mopping. The only bulk chemicals (ink in 55 gal drums) are moved with hand trolleys.

Visit conducted by: Torrence/Jones Date: 10/20/10

_____
(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)
INDUSTRIAL SITE VISIT (CONTINUED)

Control Authority: *West Memphis* NPDES #: *AR0022039*

Industry name: _____

Additional comments:

Description of Operations

Langston receives large rolls of paper and has an automated operation for forming the rolls into bags. The required label is printed onto the paper as its flows continuously through a series of rollers. The formed paper is glued and cut into individual bags for stacking and shipping.

Visit conducted by: Torrence/Jones Date: 10/20/10

_____
(signature of auditor conducting visit)

APPLICATION FOR PERMIT
FOR DISCHARGE OF INDUSTRIAL WASTES TO
CITY OF WEST MEMPHIS

DATE: 3-5-10

1. FIRM NAME: STATESIDE STEEL AND WIRE, LLC

ADDRESS: 304 WYANOKE RD

WEST MEMPHIS, AR 72301

TELEPHONE: 870-733-1921

2. CORPORATE HEADQUARTERS/REGISTERED AGENT:

NAME: STATESIDE STEEL AND WIRE, LLC

ADDRESS: 304 WYANOKE RD

WEST MEMPHIS, AR 72301

TELEPHONE: 870-733-1921

CONTACT PERSON: HERB HOLLEY

3. STANDARD INDUSTRIAL CLASSIFICATION (SIC) AND/OR NORTH AMERICAN INDUSTRIAL CLASSIFICATION (NAIC) CODE NUMBERS:

3315

4. LIST OF OTHER ENVIRONMENTAL CONTROL PERMITS HELD AT THIS TIME:

STORM WATER PERMIT MINOR SOURCE AIR PERMIT

5. NUMBER OF EMPLOYEES: 75

6. QUANTITY OF WASTEWATER:	PROJECTED FOR NEXT THREE (3) YEARS (IN GALLONS)	
DISCHARGE TO WEST MEMPHIS SEWER	AVERAGE DAILY (30 DAY)	MAXIMUM DAILY (1 DAY)
A. PROCESS WASTEWATER FROM OPERATION	25,000	30,000
B. PROCESS WASTEWATER FROM OPERATION		
C. DOMESTIC WASTEWATER FROM SANITARY SEWER	2000	2000
D. NON-CONTACT COOLING WATER	500	500
E. TOTAL WASTEWATER DISCHARGE TO PUBLIC SEWAGE WORKS	27,500	32,500

LIST PERIODIC OR SEASONAL VARIATIONS:

N/A

A-2/15

7. WASTEWATER POLLUTANT PARAMETERS AND CONCENTRATIONS:

A. *CONVENTIONAL POLLUTANT* - IN THE SPACES BELOW, INDICATE THE MEASURED (OR PROJECTED FOR NEW INDUSTRY) AVERAGE AND MAXIMUM VALUE FOR EACH OF THE LISTED WASTEWATER POLLUTANTS.

PARAMETER	CONCENTRATION AVERAGE DAILY (30 DAY)	MAXIMUM DAILY (1 DAY)
BIOCHEMICAL OXYGEN DEMAND (5 DAY), MG/L	_____	_____
SOLIDS, MG/L	_____	_____
pH, UNITS (1)	_____	_____
OIL AND GREASE, MG/L (2)	_____	_____
TEMPERATURE, DEGREES F	_____	_____

(1) 5.5 TO 10.0

(2) MAXIMUM 100 MG/L FOR ONE (1) DAY.

B. *PRIORITY POLLUTANTS* - INDUSTRIES DISCHARGING ANY OF THE POLLUTANTS LISTED ON ATTACHMENT NO. 1 MUST PERFORM SAMPLING AND ANALYSES NECESSARY TO DEVELOP INFORMATION REQUIRED TO COMPLETE THE SECTION. IN THE SPACES BELOW, INDICATE THE RESULTS OF SAMPLING AND ANALYSES FOR PRIORITY POLLUTANTS FOUND IN YOUR WASTEWATER.

INDUSTRIES REGULATED BY FEDERAL CATEGORICAL STANDARDS MUST PERFORM (OR FOR NEW INDUSTRIES, HAVE PERFORMED ON A LIKE FACILITY) SAMPLING AND ANALYSES IN ACCORD WITH 40 CFR 403.12. ADDITIONALLY, THE FOLLOWING INFORMATION MUST BE RECORDED AND MAINTAINED AT AND BY THE INDUSTRY: PERSON COLLECTING THE SAMPLE, THE TIME, DATE AND PLACE OF SAMPLE COLLECTION, THE TYPE OF SAMPLE (GRAB, TIME WEIGHTED COMPOSITE, FLOW WEIGHTED COMPOSITE, ETC.) THE METHOD OF COLLECTION, AND THE PERSON PERFORMING THE ANALYSES, THE EPA APPROVED METHOD OF ANALYSIS, AND ALL QUALITY CONTROL DATA PERTINENT TO THE ANALYSIS. THE STATEMENT AT THE BOTTOM OF THIS SECTION MUST BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE COMPANY FAMILIAR WITH THE MANUFACTURING OR REGULATED PROCESS.

PRIORITY POLLUTANT NUMBER	AVERAGE DAILY PARAMETER	CONCENTRATION MG/L MAXIMUM DAILY (30 DAY)	(1 DAY)
128-Zinc			
119-Chromium			

(USE ADDITIONAL SHEETS IF NECESSARY)

I HEREBY CERTIFY THAT THE ABOVE CHEMICAL ANALYSIS IS REPRESENTATIVE OF DAILY OPERATIONS AND THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE.

SIGNATURE Herb Holley

TITLE V.P. MFG.

DATE 3-5-10

8. ATTACH SKETCH(ES) OF GENERAL PLANT PROCESS AND WASTE LINE LAYOUTS, INCLUDING LOCATION OF FLOOR DRAINS. INCLUDE ANY EXISTING OR PROPOSED PRETREATMENT SYSTEMS AND LOCATION AND SIZE OF ALL EXISTING AND PROPOSED CONNECTIONS TO THE WEST MEMPHIS SEWER

SYSTEM. ALSO INCLUDE DETAILS OF PROPOSED MONITORING FACILITIES.

SEE ATTACHED FLOW DIAGRAMS

PROCESS = NEUTRALIZE ACID, ADJUST PH, REMOVE METALS & SOLIDS

9. (A) BRIEF DESCRIPTION OF THE NATURE OF MANUFACTURING PROCESS OR COMMERCIAL ACTIVITIES AT THE PLANT:

CLEANING AND GALVANIZING WOVEN STEEL FABRIC

SEE ATTACHED FLOW DIAGRAM

(B) GENERAL DESCRIPTION OF PRODUCTS PRODUCED BY TYPE AND AMOUNT:

1160 TONS PER DAY OF GALVANIZED STEEL FENCE

(C) GENERAL DESCRIPTION OF TYPE AND AMOUNT OF RAW MATERIALS PROCESSED:

FENCE WASH & (MUSIC) 2400 GALLONS/MONTH
ZALON F - 5700 lbs/MONTH
AMMONIA CHLORIDE - 7500/MONTH
SODIUM BICHROMATE - 200 lbs/MONTH
HYDROCHLORIC ACID 3450 gals/MONTH
7408 WELDING LUBE 7500 lbs/MONTH
194 WIRE DRAWING LUBE 9000 lbs/MONTH

A-5/15

10. BRIEF DESCRIPITON OF BEST MANAGEMENT PRACTICES/ POLLUTION PREVENTION TECHNIQUES BEING IMPLEMENTED BY THIS FACILITY. IF NOT AT THE CURRENT TIME, ARE ANY PLANNED FOR THE FUTURE?

Ph Monitor
Ph Electrode
Ph Chart Recorder
Composite Sampler
Hourly Meters Sampling

11. HOURS OF OPERATION OF PLANT AND ACTUAL OR PROPOSED HOURS OF OPERATION OF PRETREATMENT SYSTEM: 5 AM - 1 AM

12. IS YOUR MANUFACTURING OR COMMERCIAL OPERATION(S) SUBJECT TO NATIONAL CATEGORICAL PRETREATMENT STANDARDS ESTABLISHED UNDER 40 CFR 403.?

YES X NO _____

APPLICABLE NATIONAL CATEGORICAL STANDARD(S): 40 CFR 433 Metal Finishing

40 CFR 403.5 - Ph not Lower Than 5.0
40 CFR 420 K & L (A) Iron & Steel

13. ARE THE APPLICABLE NATIONAL CATEGORICAL PRETREATMENT STANDARDS AND THE WEST MEMPHIS LOCAL DISCHARGE LIMITATIONS BEING MET ON A CONSISTENT BASIS?

YES X NO _____

REMARKS: _____

14. IF THE APPLICABLE WASTEWATER DISCHARGE LIMITATIONS ARE NOT BEING MET CONSISTENTLY, IS ADDITIONAL PRETREATMENT AND/OR ALTERATION OF CURRENT OPERATION AND MAINTENANCE (O & M) REQUIRED BY YOUR FIRM TO MEET THE LIMITATIONS?

YES _____ NO _____

REMARKS: _____

_____

15. IF ADDITIONAL PRETREATMENT AND/OR O & M ARE REQUIRED TO MEET NATIONAL CATEGORICAL APPLICABLE DISCHARGE LIMITATIONS, SUBMIT THE SHORTEST SCHEDULE BY WHICH YOUR FIRM WILL PROVIDE SUCH ADDITIONAL PRETREATMENT.

(A) THE SCHEDULE SHALL CONTAIN A LIST OF MAJOR EVENTS LEADING TO COMPLIANCE. THE EXPECTED DATES OF COMPLETION OF SUCH EVENTS SHALL ALSO BE GIVEN._____

_____

_____

_____

_____

_____

_____

_____

_____

(B) THE COMPLETION DATES OF ANY TWO SUCCESSIVE EVENTS SHALL NOT EXCEED NINE MONTHS.

(C) WITHIN 14 DAYS AFTER THE COMPLETION OF EACH EVENT, THE INDUSTRIAL USER SHALL SUBMIT A PROGRESS REPORT TO THE DIRECTOR Of ENVIRONMENTAL QUALITY INDICATING: (1) DATE THE EVENT WAS COMPLETED, (2) IF THE EVENT IS NOT COMPLETED AS SCHEDULED, THE REASON FOR THE DELAY, (3) THE EXPECTED DATE OF COMPLETION, AND STEPS TAKEN BY THE INDUSTRIAL USER TO RETURN TO THE ESTABLISHED SCHEDULE.

I, THE UNDERSIGNED APPLICANT, BEING THE AUTHORIZED REPRESENTATIVE OF THE HEREIN NAMED COMPANY, DO HEREBY REQUEST A PERMIT TO USE OR TO CONTINUE TO USE AN INDUSTRIAL SEWER CONNECTION AT THE LOCATION INDICATED HEREIN AND DO AGREE TO COMPLY WITH APPLICABLE PROVISIONS OF WEST MEMPHIS CITY CODE REGULATION THE USE OF PUBLIC SEWAGE WORKS.

SIGNATURE APPLICANT Herb Holley

DATE 3-5-10

NAME OF SIGNEE Herb Holley

TITLE OF SIGNEE Vice President Manufacturing

NAME AND TELEPHONE OF PERSON TO CONTACT REGARDING PERMIT INFORMATION 870-733-1921

CORPORATE ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Crittenden

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____

OF _____

A CORPORATION, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED AND AS THE ACT DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS _____

DAY OF 23rd, 20 10

NOTARY PUBLIC IN AND FOR _____

COUNTY, Crittenden (State) Arkansas

SR Miller

LISA K. MILLER MY COMM. EXP. NOTARY PUBLIC SEPT. 21, 2011 CRITTENDEN CO., ARKANSAS

A- 8/15

PRIORITY POLLUTANTS

VOLATILE COMPOUNDS

02 ACROLEIN
004 BENZENE
006 CARBON TETRACHLORIDE
051 CHLORODIBROMOMETHANE
019 2-CHLOROETHYLVINLY ETHER
048 DICHLOROBROMOMETHANE
010 1,2-DICHLOROETHANE
032 1,2-DICHLOROPROPANE
038 ETHYLBENZENE
045 METHYL CHLORIDE
015 1,1,2,2-TETRACHLOROETHANE
086 TOLUENE
011 1,1,1-TRICHLOROETHANE
087 TRICHLOROETHYLENE
088 VINYL CHLORIDE
003 ACRYLONITRILE
047 BROMOFORM
007 CHLOROBENZENE
016 CHLOROETHANE
023 CHLOROFORM
013 1,1-DICHLOROETHANE
029 1,1-DICHLOROETHYLENE
033 1,3-DICHLOROPROPYLENE
046 METHYL BROMIDE
044 METHYLENE CHLORIDE
085 TETRACHLOROETHYLENE
030 1,2-TRANS-DICHLOROETHYLENE
014 1,1,2-TRICHLOROETHANE

ACID COMPOUNDS

024 CHLOROPHENOL
034 2,4-DIMETHYLPHENOL
059 2,4-DINITROPHENOL
058 4-NITROPHENOL
064 PENTACHLOROPHENOL
021 2,4,6-TRICHLOROPHENOL
031 2,4-DICHLOROPHENOL
060 4,6-DINITRO-O-CRESOL
057 2-NITROPHENOL
022 P-CHLOTO-M-CRESOL
065 PHENOL

BASE/NEUTRAL COMPOUNDS

001 ACENAPHTHENE
078 ANTHRACENE
072 BENZO(A)ANTHRACENE
074 BENZO(B)FLUORANTHENE
075 BENZO(K)FLUORANTHENE
018 BIS(2-CHLOROETHYL)ETHER
017 BIS(CHLOROMETHYL)ETHER
066 BIS(2-ETHYLHEZYL)PHTHALATE
067 BUTYL BENZYL PHTHALATE
025 1,2-DICHLOROBENZENE
082 DIBENZO(A,H)ANTHRACENE
026 1,3-DICHLOROBENZENE
028 3,3-DICHLOROBENZIDINE
071 DIMETHYL PHTHALATE
035 2,4-DINITHROTOLUENE
069 DI-N-OCTYL PHTHALATE
039 FLUORANTHENE
077 ACENAPHTYLENE
005 BENZIDINE
073 BENZO(A)PYRENE
079 BENZO(GHI)PERYLENE
043 BIS(2-CHLOROETHOXY)METHANE
042 BIS(2-CHLOROISOPROPYL)ETHER
041 4-BROMOPHENYL PHENYL ETHER
020 2-CHLORONAPHTHALENE
076 CHRYSENE
040 4-CHLOROPHENYL PHENYL ETHER
027 1,4-DICHLOROBENZENE
070 DIETHYL PHTHALATE
068 DI-N-BUTYL PHTHALATE
036 2,6-DINITROTOLUENE
081 PHENANTHRENE
009 HEXACHLOROBENZENE
053 HEXACHLOROCYCLOPENTADIEN

080 FLUORENE
052 HEZACHLOROBUTADIENE
012 HEXACHLOROETHANE
054 ISOPHORONE
056 NITROBENZENE
008 1,2,4-TRICHLOROBENZENE
037 1,2-DIPHENYLHYDRAZINE (AS AZOBENZENE)
083 INDENO(1,2,3-CD)PYRENE
055 NAPHTHALENE
061 N-NITROSODIMETHYLAMINE
062 N-NITROSODIPHENYLAMINE
084 PYRENE
063 N-NITROSODI-N-PROPYLAMINE

PESTICIDES AND PCB'S

089 ALDRINE
102 ALPHA-BHC
103 BETA-BHC
092 4,4'DDT
094 4,4'DDD
095 ALPHA-ENDOSULFAN
097 ENDOSULFAN SULFATE
099 ENDRIN ALDEHYDE
106 PCB-1242
107 PCB-1254
100 HEPTACHLOR
104 GAMMA-BHC
105 DELTA-BHC
091 CHLORDANE
093 4,4'DDE
090 DIELDRIN
096 DETA-ENDOSULFAN
098 ENDRIN
113 TOXAPHENE
109 PCB-1232
111 PCB-1260
101 HEPTACHLOR EPOXIDE

METALS AND CYANIDE

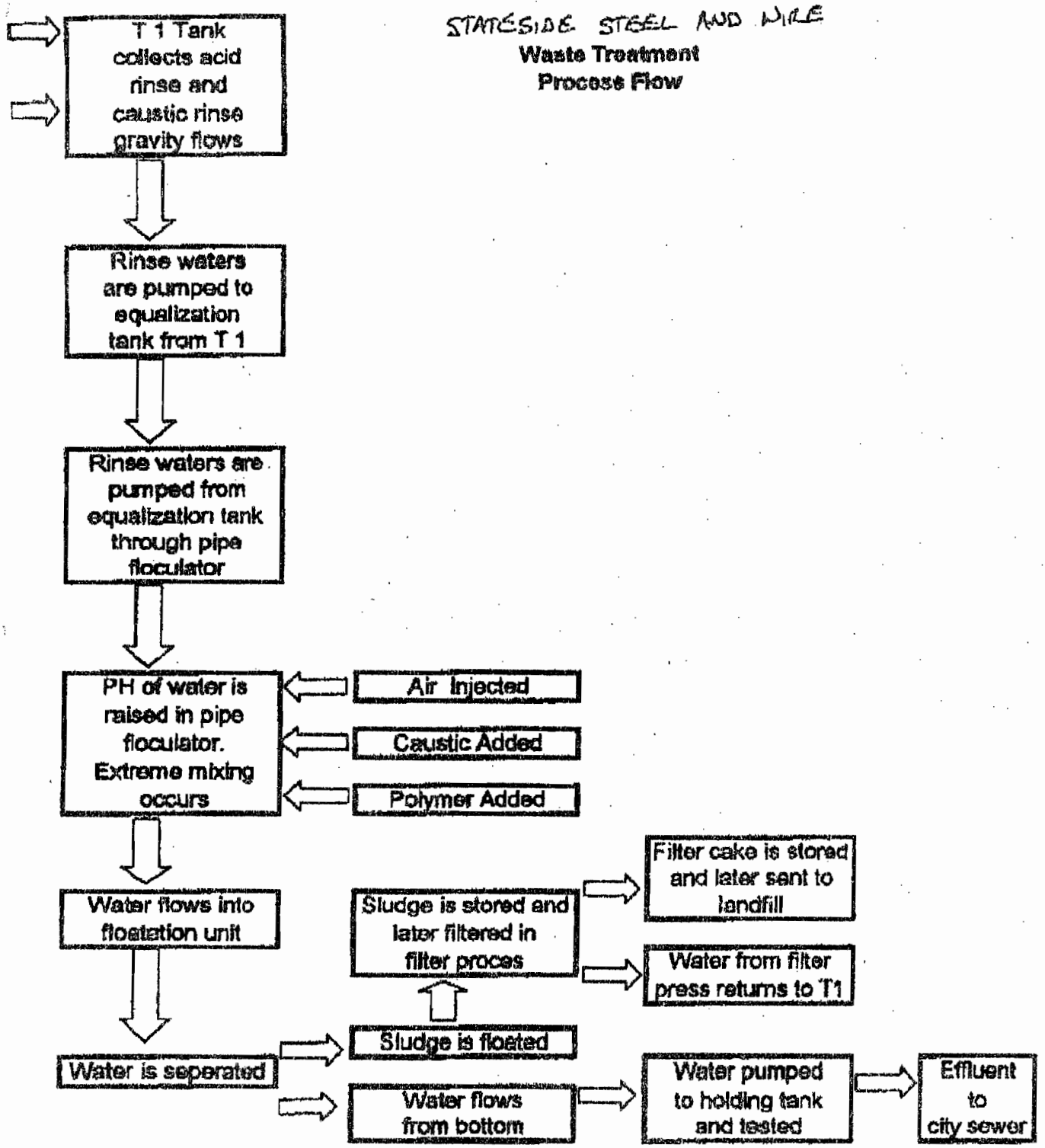
114 ANTIMONY
117 BERYLLIUM
119 CHROMIUM
122 LEAD
124 NICKEL
126 SILVER
128 ZINC
115 ARSENIC
118 CADMIUM
120 COPPER
123 MERCURY
125 SELENIUM
127 THALLIUM
121 CYANIDE

MISCELLANEOUS

129 2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN (TCDD)
116 ASBESTOS

STATESIDE STEEL AND WIRE

Waste Treatment
Process Flow



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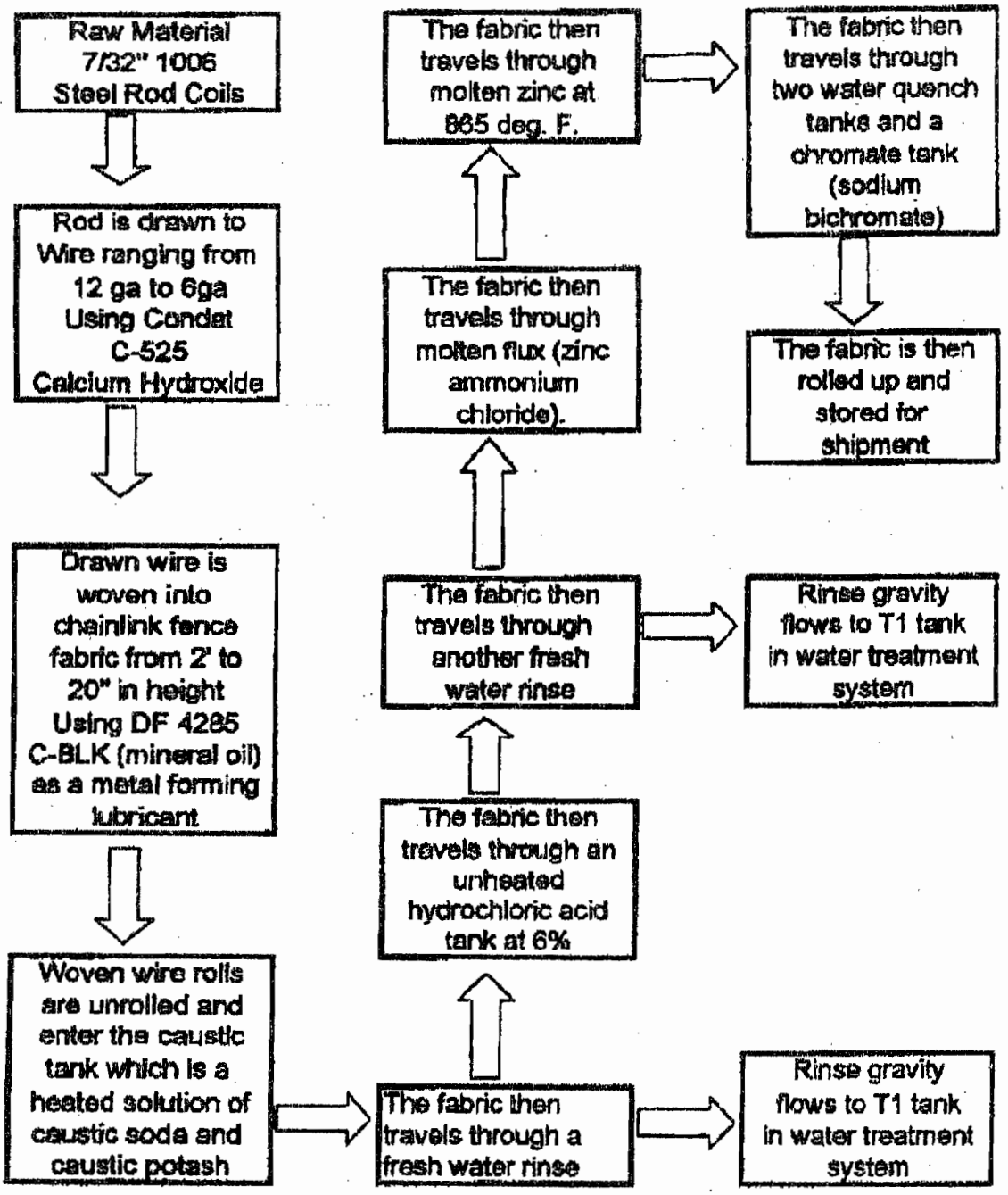
STATESIDE STEEL & WIRE

Process Flow Diagram



A-12/15

ENVIRONMENTAL TESTING & CONSULTING, INC.

Gerdau Ameristeel
4323 Outland Road

Memphis, TN 38181

Project Description: Bi-monthly

Lab Order Number: 0601834

Lab ID: 0601834-001
Field ID: Grab

Received: 01/26/06
Matrix: Aqueous
Sampled: 01/26/06 13:00

Test	Result	Units	MQL	DF	Date/Time Analyzed	By	Analytical Method
Chromium	0.013	mg/L	0.006	1	01/28/06 15:43	JTR	200.7
Lead	< 0.007	mg/L	0.007	1	01/28/06 15:43	JTR	200.7
Zinc	1.33	mg/L	0.012	1	01/28/06 15:43	JTR	200.7
Chromium, Hexavalent	< 0.010	mg/L	0.010	1	01/27/06 12:20	GD	3500-Cr D
pH	9.7	SU		1	01/28/06 15:05	RB	150.1

Qualifiers/ Definitions				
	*	Surrogate Recovery outside accepted limits	*1	Recoveries affected by interferences or high background.
	B	Analyte detected in the associated Method Blank	DF	Dilution Factor
	E	Value exceeds method calibration range	H	Prepped / Analyzed out of holding time.
	J	Estimated Value. Analyte below reported detection limit	M	Minimum value.
	MDL	Method Detion Limit (unadjusted)	MQL	Method Quantitation Limit
	MRL	Method Reporting Limit	SQL	Sample Quantitation Limit (adjusted MDL)

A-23/25

ETC ENVIRONMENTAL TESTING & CONSULTING, INC.
www.etcmemphis.com 2790 Whitten Road Memphis, Tennessee 38133 main (901) 213-2400 fax (901) 213-2440
A Laboratory Management Partner

Gerdau Ameristeel
4323 Ostland Road
Memphis, TN 38181

Project Description: Daily

Report of Analysis

Lab Order Number: 0608031

Lab ID: 0608031-001
Field ID: Grab

Received: 08/01/06
Matrix: Aqueous
Sampled: 08/01/06 13:15

Test	Result	Units	MQL	DF	Date/Time Analyzed	By	Analytical Method
Zinc	0.179	mg/L	0.012	1	08/01/06 14:24	JTR	200.7
pH	8.8	SU		1	08/01/06 13:14	KMN	150.1

Qualifiers/ Definitions					
	*	Surrogate Recovery outside accepted limits	*I	Recoverist affected by interferences or high background
	B	Analyte detected in the associated Method Blank	DF	Dilution Factor
	E	Value exceeds method calibration range	H	Prepped / Analyzed out of holding time.
	J	Estimated Value Analyte below reported detection limit	M	Minimum value
	MDL	Method Detection Limit (unadjusted)	MQL	Method Quantitation Limit (adjusted)
	MRL	Method Reporting Limit	N	Refer to attached Non-Compliance Report
	Q	RPD >40% between primary and confirmation columns	SQL	Sample Quantitation Limit (adjusted MDL)

08/01/06 GERDAU_AMERISTEEL

A-14/15

ADEQ

ARKANSAS
Department of Environmental Quality

March 31, 2008

Herb Holley, VP Manufacturing
Stateside Steel and Wire, LLC
304 Wyanoke Road
West Memphis, AR 72301

Dear Mr. Holley:

The enclosed Permit No. 1719-AR-1 is your authority to construct, operate, and maintain the equipment and/or control apparatus as set forth in your application initially received on 2/6/2008.

After considering the facts and requirements of A.C.A. §8-4-101 et seq., and implementing regulations, I have determined that Permit No. 1719-AR-1 for the construction, operation and maintenance of an air pollution control system for Stateside Steel and Wire, LLC be issued and effective on the date specified in the permit, unless a Commission review has been properly requested under §2.1.14 of Regulation No. 8, Arkansas Department of Pollution Control & Ecology Commission's Administrative Procedures, within thirty (30) days after service of this decision.

All persons submitting written comments during this thirty (30) day period, and all other persons entitled to do so, may request an adjudicatory hearing and Commission review on whether the decision of the Director should be reversed or modified. Such a request shall be in the form and manner required by §2.1.14 of Regulation No. 8.

Sincerely,

Mike Bates
Chief, Air Division

Enclosure

A-15/15

WEST MEMPHIS UTILITY COMMISSION

P.O. Box 1868 604 East Cooper
(870) 735-3355
West Memphis, Arkansas 72301

INDUSTRIAL WASTES DISCHARGE PERMIT

Permit No. 25

In accordance with the provisions and conditions of the City of West Memphis Ordinance No. 2187

Stateside Steel and Wire, LLC
304 Wyanoke Road
West Memphis, Arkansas 72301

Is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfalls identified herein into the West Memphis wastewater collection system in accordance with conditions set forth in this permit. Compliance with this permit does not relieve the User of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City of West Memphis Ordinance No. 2187.

This permit shall become effective on: March 24, 2010.
And shall expire at midnight on: February 28, 2013.

This permit is not transferable to persons, companies, or processes other than those to which it is originally issued.

Signed this 24th day of March 2010.

John Rimmer
General Manager

Denise Bosnick
Director of Environmental Quality

B1-1/10

PART I- EFFLUENT LIMITATIONS

1) During the period of March 24, 2010 to February 28, 2013 the User is authorized to discharge process wastewater to the City of West Memphis wastewater collection system from the outfall listed below:

Outfall: Discharge point located on the northeast side of the building.

2) During the period of March 24, 2010 to February 28, 2013 the discharge from the above outfall shall not exceed the following effluent limitations.

	Effluent Limitations	
Parameter	Daily Maximum	Monthly Average
Oil & Grease	(1, 2) 100 mg/L	
Temperature	(1) 104 F° / 40 C°	
pH	(1) 5.5 - 10.0	
Total Suspended Solids	(2)	
Cadmium	(3) 0.69 mg/L	(3) 0.26 mg/L
Chromium	(3) 2.77 mg/L	(3) 1.71 mg/L
Copper	(3) 3.38 mg/L	(3) 2.07 mg/L
Cyanide	(3) 1.20 mg/L	(3) 0.65 mg/L
Lead	(3) 0.69 mg/L	(3) 0.43 mg/L
Nickel	(3) 3.98 mg/L	(3) 2.68 mg/L
Silver	(3) 0.43 mg/L	(3) 0.24 mg/L
Zinc	(3) 2.61 mg/L	(3) 1.48 mg/L
TTO	(3,4) 2.13 mg/L	

1) Local sewer use ordinance.
2) Organic pollutants may be revised to limit the concentration, which may be discharged without paying a surcharge.
3) Process wastewater per 40 CFR 433.17 pretreatment standards for new sources.
4) See Permit Part IV, 8

BL-2/20

PART II - GENERAL AND SPECIFIC PROHIBITIONS

1) No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which cause pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other National, State or local Pretreatment standards or requirements.

2) Stormwater and all other unpolluted drainage shall be discharged to sewers specifically designated as storm sewers or to a natural outlet. Users discharging industrial wastewater to storm sewers or natural outlets shall be responsible for obtaining appropriate permit to do so from the Arkansas Department of Environmental Quality and from the Environmental Protection Agency.

3) No User shall introduce or cause to be introduced into the POTW the following pollutants, substances or wastewater:

a) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees centigrade using test methods specified in 40 CFR 261.21;

b) Wastewater having a pH less than 5.5 or more than 10.0, or otherwise causing corrosive structural damage to the POTW or equipment;

c) Solid or viscous substances in amounts which will cause obstruction to the flow in the POTW resulting in interference;

d) Pollutants, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and\or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;

e) Wastewater which will inhibit biological activity in the POTW resulting in interference, but in no case wastewater which causes the temperature at the point of introduction into the POTW exceeds forty (40) degrees centigrade or one hundred four (104) degrees Fahrenheit;

f) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through with the POTW;

g) Pollutants which results in the presence of toxic gasses, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

h) Storm water, surface water, ground water, artesian well water, rood runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Director of Environmental Quality.

PART III-MONITORING REQUIREMENTS

1) Stateside Steel and Wire, LLC shall provide a sampling access facility on its building sewer at a point before the building sewer discharge mixes with other discharges in the public sewer. The location, configuration and equipment contained in the sampling access facility shall be as approved by the West Memphis Utility Commission.

2) Sampling and analyses of wastewater discharged into the West Memphis wastewater collection system shall be performed by the West Memphis Utility. Stateside Steel and Wire, LLC shall pay to West Memphis Utility the costs of required sampling and analyses. Stateside Steel and Wire, LLC may upon request obtain a portion of the samples for their analyses. Authorized West Memphis Utility personnel perform the splitting of samples.

3) The sampling of effluent shall be performed no less than twice monthly. The analyses shall be performed on 24-hour composite samples, except that of temperature, pH, cyanide and oil and grease shall be performed on a grab sample.

4) Effluent samples shall be taken on production and/or clean up days. The day of the week on which samples are taken may be varied and shall be determined by West Memphis Utility.

PART IV-CONDITION OF PERMIT

1) Stateside Steel and Wire, LLC shall pay to West Memphis Utility the amount of three hundred (300.00) dollars (one hundred (100.00 dollars per year for three (3) years) as a permit fee.

2) Plans and specifications for monitoring access facilities and for pretreatment facilities shall be approved by the Director of Environmental Quality prior to construction.

3) Stateside Steel and Wire, LLC is required to have an Accidental Discharge/Slug Discharge Control Plan. The plan shall address, at a minimum the following:

Description of discharge practices, including non-routine batch discharges;

Description of stored chemicals;

Procedures for immediately notifying West Memphis Utility of any accidental or slug discharge;

Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include but not limited to inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutant, including solvents, and/or measures and equipment for emergency response.

4) Stateside Steel and Wire, LLC shall notify the Director of Environmental Quality immediately upon the occurrence of an accidental discharge of substances prohibited by Ordinance 2187 Section 2. or any slug loads or spills that may enter the collection system. West Memphis Utility should be notified by telephone at (870) 735-3355. The notification shall include location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken. The user's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, state or federal laws.

Within five (5) days following such discharge, the user shall, unless waived by the Director of Environmental Quality, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which might be incurred as a result of

damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to Ordinance 2187.

5) Bypass means the intentional diversion of waste streams from any portion of a user's treatment facility. Bypass is prohibited according to Ordinance 2187 Section 13(13.3) unless it is unavoidable to prevent loss of life, personal injury or severe property damage or no feasible alternatives.

6) Stateside Steel and Wire, LLC in accordance with Ordinance 2187 Section 6(6.5) must notify the Director of Environmental Quality of any changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least fifteen (15) days before the change.

7) Stateside Steel and Wire, LLC shall maintain documentation of the disposal of sludge or other material classified as "hazardous wastes" by a method and at a site approved by appropriate state and federal regulatory agencies.

8) Stateside Steel and Wire, LLC shall maintain documentation of any and all records pertaining to pretreatment for three years.

10) The Director of Environmental Quality and/or an authorized representative shall have the right to enter the premises of Stateside Steel and Wire, LLC to determine if the user is complying with all requirements of Ordinance 2187, their Industrial Wastewater Discharge Permit or any order issued hereunder. Stateside Steel and Wire, LLC shall allow access to all parts of the premises for the purpose of inspection, sampling, record examination and copying, and the performance of any additional duties.

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PART V - PERMIT REVOCATION

The Director of Environmental Quality may revoke an industrial waste discharge permit for good cause, including, but not limited to, the following reasons:

1) Failure to notify the Director of Environmental Quality of significant changes to the wastewater prior to the changed discharge;

2) Failure to provide prior notification to the Director of Environmental Quality of changed conditions pursuant to Ordinance 2187 Section 6(6.5)

3) Misrepresentation or failure to fully disclose all relevant facts in the industrial waste discharge permit application;

4) Falsifying self-monitoring reports and certification statements;

5) Tampering with monitoring equipment;

6) Refusing to allow the Director of Environmental Quality timely access to the facility premises and records;

7) Failure to meet effluent limitations;

8) Failure to pay fines;

9) Failure to pay sewer charges;

10) Failure to meet compliance schedules;

11) Failure to complete a wastewater survey or the wastewater discharge application;

12) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

13) Violation of any pretreatment standard or requirements, or any terms of the industrial waste discharge permit or the sewer use ordinance.

PART VI - STATEMENT OF APPLICABLE CIVIL AND CRIMINAL PENALTIES

Civil Penalties

A user who has violated, or continues to violate, any provisions of Ordinance 2187, an Individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or requirement shall be liable to West Memphis utility for a maximum civil penalty of $1,000.00 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation; and, each day of continuing violation may be deemed a separate violation.

The Director of Environmental Quality may recover reasonable attorney's fees, court cost, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective action by the User, the compliance history of the User, and any other factor as justice requires.

Filing a suit for civil penalties shall not be a bar against, or prerequisite for, taking any other action against the User.

Criminal Prosecution

A user who willfully or negligently violates any provision of Ordinance 2187, a Individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than $1,000.00 per violation, per day, or imprisonment for such term as allowed by the law or both.

A User who willfully or negligently introduces any substance into the POTW which cause personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least $100.00 but not more than $500.00 for any one (1) specified offense or violation thereof, and not less than $100.00 but no more than $1000.00 for each repetition of such event or violation, or be subject to imprisonment for such term as allowed by law, or both. The

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penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to Ordinance 2187, Individual Wastewater Discharge Permit, or order issued hereunder, or whom falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under Ordinance 2187 shall, upon conviction, be punished by a fine of $100.00 but no more than $500.00 for any one (1) specified offense or violation thereof, and not less than $100.00 but no more than $1000.00 for each repetition of such event or violation, or be subject to imprisonment for such term as allowed. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

WEST MEMPHIS UTILITY COMMISSION

P.O. Box 1868 604 East Cooper
(870) 735-3355
West Memphis, Arkansas 72301

INDUSTRIAL WASTES DISCHARGE PERMIT

Permit No. 02

In accordance with the provisions and conditions of the City of West Memphis Ordinance No. 2187

Automated Conveyor Systems, Inc.
3850 Southland Drive
West Memphis, Arkansas 72301

Is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfalls identified herein into the West Memphis wastewater collection system in accordance with conditions set forth in this permit. Compliance with this permit does not relieve the User of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City of West Memphis Ordinance No. 2187.

This permit shall become effective on: June 15, 2008.
And shall expire at midnight on: May 31, 2011.

This permit is not transferable to persons, companies, or processes other than those to which it is originally issued.

Signed this 2nd day of June 2008.

John Rimmer
General Manager

Denise Bosnick
Director of Environmental Quality

B2-1/3

PART I- EFFLUENT LIMITATIONS

1) During the period of June 15, 2008 to May 31, 2011 the User is authorized to discharge process wastewater to the City of West Memphis wastewater collection system from the outfall listed below:

Outfall: Control manhole located ten (10) feet south of mid-point of Automated Conveyor Systems, Inc. building

2) During the period of June 15, 2008 to May 31, 2011 the discharge from the above outfall shall not exceed the following effluent limitations.

	Effluent Limitations	
Parameter	Daily Maximum	Monthly Average
Oil & Grease	(1, 2) 100 mg/L	
Temperature	(1) 104 F° / 40 C°	
pH	(1) 5.5 - 10.0	
Total Suspended Solids	(2)	
Cadmium	(3) 0.69 mg/L	(3) 0.26 mg/L
Chromium	(3) 2.77 mg/L	(3) 1.71 mg/L
Copper	(3) 3.38 mg/L	(3) 2.07 mg/L
Cyanide	(3) 1.20 mg/L	(3) 0.65 mg/L
Lead	(3) 0.69 mg/L	(3) 0.43 mg/L
Nickel	(3) 3.98 mg/L	(3) 2.68 mg/L
Silver	(3) 0.43 mg/L	(3) 0.24 mg/L
Zinc	(3) 2.61 mg/L	(3) 1.48 mg/L
TTO	(3, 4) 2.13 mg/L	

1) Local sewer use ordinance.
2) Organic pollutants may be revised to limit the concentration, which may be discharged without paying a surcharge.
3) Process wastewater per 40CFR 433.15 pretreatment standards for existing sources.
4) See Permit Part IV, 6

PART III-MONITORING REQUIREMENTS

1) Automated Conveyor Systems, Inc. shall provide a sampling access facility on its building sewer at a point before the building sewer discharge mixes with other discharges in the public sewer. The location, configuration and equipment contained in the sampling access facility shall be as approved by the West Memphis Utility Commission.

2) Sampling and analyses of wastewater discharged into the West Memphis wastewater collection system shall be performed by the West Memphis Utility. Automated Conveyor Systems, Inc. shall pay to West Memphis Utility the costs of required sampling and analyses. Automated Conveyor Systems, Inc. may upon request obtain a portion of the samples for their analyses. Authorized West Memphis Utility personnel perform the splitting of samples.

3) Automated Conveyor Systems, Inc. has gone to a zero discharge and sampling of the effluent will be performed on batch discharges as needed. Automated Conveyor Systems, Inc. shall notify the Director of Environmental Quality at least twenty-four (24) hours prior to discharge.

4) Effluent samples shall be taken on production and/or clean up days. The day of the week on which samples are taken may be varied and shall be determined by West Memphis Utility.

WEST MEMPHIS UTILITY COMMISSION

P.O. Box 1868 604 East Cooper
(870) 735-3355
West Memphis, Arkansas 72301

INDUSTRIAL WASTES DISCHARGE PERMIT

Permit No. 24

In accordance with the provisions and conditions of the City of West Memphis Ordinance No. 2187

Grace Trailer Service, LLC
615 Petro Cove
West Memphis, Arkansas 72301

Is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfalls identified herein into the West Memphis wastewater collection system in accordance with conditions set forth in this permit. Compliance with this permit does not relieve the User of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City of West Memphis Ordinance No. 2187.

This permit shall become effective on: June 15, 2008.
And shall expire at midnight on: May 31, 2011.

This permit is not transferable to persons, companies, or processes other than those to which it is originally issued.

Signed this 5th day of June 2008.

John Rimmer
John Rimmer
General Manager

Denise Bosnick
Denise Bosnick
Director of Environmental Quality

B3-1/3

PART I- EFFLUENT LIMITATIONS

1) During the period of June 15, 2008 to May 31, 2011 the User is authorized to discharge process wastewater to the City of West Memphis wastewater collection system from the outfall listed below:

Outfall: Discharge point located at the small building east of the pretreatment facility.

2) During the period of June 15, 2008 to May 31, 2011 the discharge from the above outfall shall not exceed the following effluent limitations.

	Effluent Limitations	
Parameter	Daily Maximum	Monthly Average
Oil & Grease	(1, 2) 100 mg/L	
Temperature	(1) 104 F° / 40 C°	
pH	(1) 5.5 - 10.0	
Total Suspended Solids	(2)	
Biochemical Oxygen Demand	(2)	
Copper	(3) 0.84 mg/L	
Mercury	(3) 0.0031 mg/L	
Non-Polar Material (SGT-HEM)	(3) 26 mg/L	

1) Local sewer use ordinance.
2) Organic pollutants may be revised to limit the concentration, which may be discharged without paying a surcharge.
3) Process wastewater per 40 CFR 442.15 pretreatment standards for existing sources.

PART III-MONITORING REQUIREMENTS

1) Grace Trailer Service, LLC shall provide a sampling access facility on its building sewer at a point before the building sewer discharge mixes with other discharges in the public sewer. The location, configuration and equipment contained in the sampling access facility shall be as approved by the West Memphis Utility Commission.

2) Sampling and analyses of wastewater discharged into the West Memphis wastewater collection system shall be performed by the West Memphis Utility. Grace Trailer Service, LLC shall pay to West Memphis Utility the costs of required sampling and analyses. Grace Trailer Service, LLC may upon request obtain a portion of the samples for their analyses. Authorized West Memphis Utility personnel perform the splitting of samples.

3) The sampling of effluent shall be performed no less than monthly. The analyses shall be performed on 24-hour composite samples, except that of temperature, pH, cyanide and oil and grease shall be performed on a grab sample.

4) Effluent samples shall be taken on production and/or clean up days. The day of the week on which samples are taken may be varied and shall be determined by West Memphis Utility.

WEST MEMPHIS UTILITY COMMISSION

P.O. Box 1868 604 East Cooper
(870) 735-3355
West Memphis, Arkansas 72301

INDUSTRIAL WASTES DISCHARGE PERMIT

Permit No. 26

In accordance with the provisions and conditions of the City of West Memphis Ordinance No. 2187

PSC Container Services, LLC
400 Mound City Road
West Memphis, Arkansas 72301

Is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfalls identified herein into the West Memphis wastewater collection system in accordance with conditions set forth in this permit. Compliance with this permit does not relieve the User of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City of West Memphis Ordinance No. 2187.

This permit shall become effective on: August 10, 2009.
And shall expire at midnight on: July 31, 2012.

This permit is not transferable to persons, companies, or processes other than those to which it is originally issued.

Signed this 8th day of August 2009.

John Rimmer
General Manager

Denise Bosnick
Director of Environmental Quality

B4-1/3

PART I- EFFLUENT LIMITATIONS

1) During the period of August 10, 2009 to July 31, 2012 the User is authorized to discharge process wastewater to the City of West Memphis wastewater collection system from the outfall listed below:

Outfall: Discharge point located at the small building east of the pretreatment facility.

2) During the period of August 10, 2009 to July 31, 2012 the discharge from the above outfall shall not exceed the following effluent limitations.

	Effluent Limitations	
Parameter	Daily Maximum	Monthly Average
Oil & Grease	(1, 2) 100 mg/L	
Temperature	(1) 104 F° / 40 C°	
pH	(1) 5.5 - 10.0	
Total Suspended Solids	(2)	
Biochemical Oxygen Demand	(2)	
Copper	(3) 0.84 mg/L	
Mercury	(3) 0.0031 mg/L	
Non-Polar Material (SGT-HEM)	(3) 26 mg/l	

1) Local sewer use ordinance.
2) Organic pollutants may be revised to limit the concentration, which may be discharged without paying a surcharge.
3) Process wastewater per 40 CFR 442.16 pretreatment standards for new sources

PART III-MONITORING REQUIREMENTS

1) PSC Container Services, LLC shall provide a sampling access facility on its building sewer at a point before the building sewer discharge mixes with other discharges in the public sewer. The location, configuration and equipment contained in the sampling access facility shall be as approved by the West Memphis Utility Commission.

2) Sampling and analyses of wastewater discharged into the West Memphis wastewater collection system shall be performed by the West Memphis Utility. PSC Container Services, LLC shall pay to West Memphis Utility the costs of required sampling and analyses. PSC Container Services, LLC may upon request obtain a portion of the samples for their analyses. Authorized West Memphis Utility personnel perform the splitting of samples.

3) The sampling of effluent shall be performed no less than twice monthly. The analyses shall be performed on 24-hour composite samples, except that of temperature, pH, cyanide and oil and grease shall be performed on a grab sample.

4) Effluent samples shall be taken on production and/or clean up days. The day of the week on which samples are taken may be varied and shall be determined by West Memphis Utility.

WEST MEMPHIS UTILITY COMMISSION
P O Box 1868 604 East Cooper
West Memphis, AR 72303
Phone (870) 735-3355 Fax (870) 732-7623

INDUSTRIAL USER INFORMATION FACT SHEET

Industrial User Name: Stateside Steel and Wire, LLC.

Industrial User Address: 304 Wyanoke Road

City, State, Zip: West Memphis, AR, 72301

Telephone Number: (870) 733-1921 Fax 733-1934

Industry Contact Person / Title: Herb Holley / Vice Pres. Manu.

Date Business Started: November 13, 2006

Classification: Categorical

North American Industry Classification System: 331222

Description of Industry Operation: A manufacturer of steel drawn and weaved into galvanized fencing.

Final Effluent Limits: Effective no later than the effective date of the current permit (November 13, 2006), and lasting until the expiration date of the current permit (November 30, 2009), Stateside Steel and Wire, LLC. is authorized to discharge wastewater to the West Memphis wastewater collection system. These discharge limits are as specified below:

	Effluent Limits	
Parameter	**Daily Maximum**	**Monthly Average**
Oil and Grease	(1,2) 100 mg/L	
Temperature	(1) 104 °F / 40 °C	
pH	(1) 5.5 - 10.0	
Total Suspended Solids	(2)	
Cadmium	(3) 0.69 mg/L	(3) 0.26 mg/L

Department of Environmental Quality

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Chromium	[3] 2.77 mg/L	[3] 1.71 mg/L
Copper	[3] 3.38 mg/L	[3] 2.07 mg/L
Cyanide	[3] 1.20 mg/L	[3] 0.65 mg/L
Lead	[3] 0.69 mg/L	[3] 0.43 mg/L
Nickel	[3] 3.98 mg/L	[3] 2.68 mg/L
Silver	[3] 0.43 mg/L	[3] 0.24 mg/L
Zinc	[3] 2.61 mg/L	[3] 1.48 mg/L
TTO	[3,4] 2.13 mg/L	

[1] Local Sewer Use Ordinance
[2] Organic pollutants may be revised to limit the concentration which may be discharged without paying a surcharge.
[3] Process wastewater per 40 CFR 433.15 Pretreatment Standards for Existing Sources.
[4] See permit part IV, 8

Rational for Effluent Limits: These limits are based on categorical pretreatment standards set forth in the Code of Federal Regulations (40 CFR 433.15) and local sewer use ordinance.

Monitoring Requirements: Effective no later than the effective date of the current permit (November 13, 2006), and lasting until the expiration date of the current permit (November 30, 2009), Stateside Steel and Wire, LLC. is authorized to discharge wastewater to the West Memphis wastewater collection system. These discharges shall be monitored as follows:

Parameter	Sample Frequency	Type Sample
Oil and Grease	2 / month	Grab
Temperature	2 / month	Grab
pH continuous	record	Grab
Total Suspended Solids	2 / month	24-hr Composite
Cadmium	2 / month	24-hr Composite
Chromium	2 / month	24-hr Composite
Copper	2 / month	24-hr Composite
Cyanide	2 / month	Grab
Lead	2 / month	24-hr Composite
Nickel	2 / month	24-hr Composite
Silver	2 / month	24-hr Composite
Zinc	2 / month	24-hr Composite

TTO 2 / month

Monitoring location is the control manhole located on the northeast side of the building by the street.

Reporting requirements: Industrial user reporting requirements will be in accordance with those outlined in the Industrial User Permit. All required reports must be submitted on a monthly basis.

Brief Compliance History: This is a new industry and has no history as of yet.

WEST MEMPHIS UTILITY COMMISSION

604 East Cooper P O Box 1868
West Memphis, AR 72301
Phone: 870-735-3355 Fax: 870-732-7623

Industrial Inspection Report

Date: October 6, 2010

Industry Name: Stateside Steel and Wire, LLC
Site Address: 304 Wyanoke Road, West Memphis, Ar 72301
Correspondence Address: 304 Wyanoke Road, West Memphis, Ar 72301
Contact Name and Title: Herb Holley, Vice President Manufacturing
Telephone Number: (870) 733-1921

Applicable Code (NAIC or SIC): 331222
Industrial Discharge Permit: 25
Expiration Date: February 13, 2013
Other Environmental Permits: Storm Permit and Minor Source Air Permit

Description of activity on premises: Cleaning and galvanizing woven steel fencing.

Process Description: Raw material is drawn down to different sizes. The the drawn wire is woven into fencing fabric. The fencing fabric rolls are unrolled and go to a heated caustic tank. From there it goes into a fresh water rinse. After the fresh water rinse it goes thru an unheated acid tank. From this tank it goes thru another fresh water rinse. Then thru a molten flux tank of zinc ammonium chloride. Then thru heated molten zinc. Thru two water tanks and a chromate tank. The fabric is then rolled and stored for shipment.

Treatment System: First tank collects acid and caustic rinse water. From there the rinse water is pumped to the equalization tank. Then thru a floculator, where the pH is raised and mixing occurs. It then goes to the floatation unit, where the water is separated from the sludge. The water flows from the bottom and is pumped to a holding tank and tested before it goes to the City sewer. The sludge is floated. It is stored and later filtered in a filter press. Filter cake is stored and later sent to the landfill.

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Chemical Storage Area: In a room by itself with raised curbs for containment. Acid is stored in separate containment.
Chemicals Stored:
Spill Prevention Plan: Yes

Waste Generation and Storage Area:
Generate Sludge:
Sludge Storage/Disposal:
Waste manifest Available:
Hazardous Waste Generator: No
Identification Number:

Pollution Prevention Activities:
Recycle or Reuse Water:

Sampling Information: Permit calls for once a month but not always able to do. Their discharge is intermediate.

Discharge Monitoring Location: Southeast corner of the building.

Overall Comments:

Inspection Completed By: Denise Bosnick and Marvin Jones

WASTEWATER BASELINE MONITORING IN ACCORDANCE WITH 40 CFR 403.12

STATESIDE STEEL & WIRE, LLC
304 Wyanoke Road
West Memphis, AR 72301

Prepared By

Pickering

6775 Lenox Center Court, Suite 300
Memphis, Tennessee 38115
PECI Project No. 22253.11

NOVEMBER 2007

E-1/8

TABLE OF CONTENTS

1.0 INTRODUCTION

Stateside Steel & Wire, LLC has applied for, was granted, and maintains an Industrial Wastes Discharge Permit (Permit No. 25) with the City of West Memphis Utility Commission. This Baseline Monitoring Plan has been prepared in accordance with this permit, West Memphis, AR Ordinance No. 1714 and the referenced general pre treatment regulations contained in 40 CFR 304.

In preparing this Plan, Stateside Steel & Wire, LLC qualifies as a "significant industrial user", as defined in 40 CFR 403.3(v) and is therefore subject to Categorical Pretreatment Standards. Based upon its business operations Stateside Steel & Wire, LLC is governed by Subpart A – Metal Finishing Subcategory codified in 40 CFR 433.

The components of this Baseline Monitoring Plan are divided into nine (9) sections containing requirements of applicable Federal regulations located at 40 CFR 403 and 433 and the wastewater discharge agreement with the City of West Memphis.

- Identifying Information
- Permits
- Description of Operations
- Flow Measurement
- Measurement of Pollutants
- Certification
- Compliance Schedule
- Solvent Management Plan
- Total Toxic Organics Certification Statement

2.0 IDENTIFYING INFORMATION

Stateside Steel & Wire, LLC is located at:

Address: 304 Wyanoke Road in Crittenden County, West Memphis, Arkansas 72301
Emergency Contact: Herb Holley (901)219-1993
Location: Section 25, Township 6 N, Range 8E
Latitude: 35° 06' 20"N
Longitude: 90° 11' 37"W
UTM Zone: 15 755814E 3888159N (NAD27)

Stateside Steel & Wire, LLC is operated by **Stateside Steel & Wire, LLC** and owned by **Jamieson Manufacturing Co.** Located at PO Box 769008, Dallas, Texas 75376.

3.0 PERMITS

Stateside Steel & Wire, LLC holds the following environmental control permits:

- Minor Source Air Permit
- General Storm Water Permit

4.0 DESCRIPTION OF OPERATIONS

Stateside Steel & Wire is located on 36 fenced acres and is bordered by Wyanoke Road to the north and undeveloped, grass covered, cleared land to the west, south and east.

Stateside Steel& Wire takes raw black wire, draws it down to the proper gage, weaves it into rolls of wire mesh fencing ranging in size from 4 to 20 feet, and then galvanizes it by exposing it to vats of the following chemicals: caustic solution (sodium hydroxide, potassium hydroxide and water), hydrochloric acid, molten zinc and sodium dichromate, dehydrate solution as well as a number of water rinse baths. This facility manufactures approximately 28,000 tons of galvanized wire mesh fencing per year and is classified by the following industrial codes:

SIC	NACIS	Description
3496	332618	Chain link fencing and fence gates made from purchased wire
3479	332812	Galvanizing metals and metal products for the trade

Industrial wastewater is generated in the water treatment area. In this area of the plant rinse water is diverted from the galvanizing process line and treated prior to discharging to the City POTW. This treatment includes neutralizing the acid, adjusting the pH and removing metals and solids.

The rate of production for this facility can best be expressed in terms of amount of galvanized steel fence produced. The maximum rate of production at this site is 160 tons per day of galvanized steel fence.

A schematic process diagram follows:

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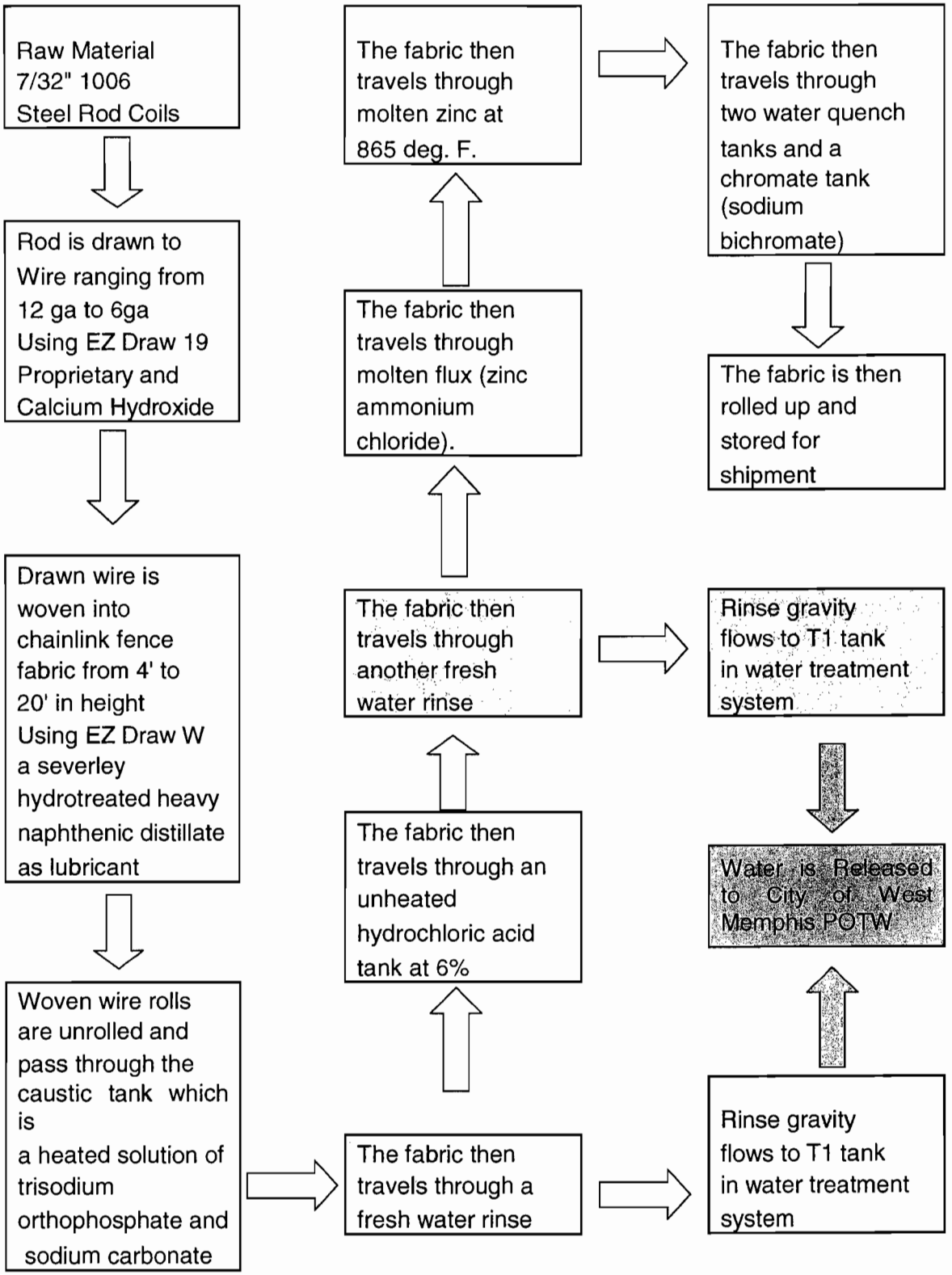
Stateside Steel & Wire, LLC - West Memphis, AR
Process Flow Diagram



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5.0 FLOW MEASUREMENT

Stateside Steel & Wire discharges process wastewater at one location.

- Average daily wastewater discharge is expected to be 27,500 gallons
- Maximum daily wastewater discharge is expected to be 32,500 gallons

6.0 MEASUREMENT OF POLLUTANTS

In accordance with the provisions and conditions of the industrial wastes discharge permit (Permit No. 25) issued by the West Memphis Utility Commission, sampling and analysis of wastewater discharged into the West Memphis wastewater collection system shall be performed by the West Memphis Utility (Part III No. 2). According to a conversation with Ms. Denise Bosnick on September 19, 2007, sample results do not need to be included with this Baseline Monitoring document.

7.0 CERTIFICATION

Based upon analysis of wastewater samples taken by the West Memphis Utility, the wastewater discharge from Stateside Steel & Wire, LLC are within the limits required by the Pretreatment Standards contained in 40CFR 433 and in the Industrial Wastes Discharge Permit (Permit No. 25) with the exception of exceedance(s) identified in Section 11.0. By their signatures below, sample results have been reviewed by Herb Holley the authorized representative of the Industrial User and a qualified professional, Margaret Strom, and are within applicable limits with the exception of exceedance(s) identified in Section 11.0.

Herb Holley, Plant Manager
Stateside Steel & Wire, LLC

11/19/07
Date

Margaret F. Strom, QEP
Pickering Environmental Consultants, Inc

11/19/07
Date

8.0 COMPLIANCE SCHEDULE

According to 40 CFR 403.12(b)(7) if additional pretreatment and/or operation and maintenance (O and M) will be required to meet the Pretreatment Standards: the Industrial User will provide such additional pretreatment and/or O and M as quickly as possible. As indicated in Section 11.0 of this Plan, the West Memphis Utility Commission has identified one exceedance of the zinc parameter in Stateside Steel's wastewater discharge. With the exception of this exceedance, the Stateside Steel & Wire discharge is within the Pretreatment Standards contained in 40CFR 433 and in the Industrial Wastes Discharge Permit (Permit No. 25). Stateside Steel & Wire, LLC was provided 15 days to make a response to the above referenced violation. Stateside Steel & Wire, LLC has responded to the West Memphis Utility Commission within this time frame.

In response, Stateside Steel has modified facility on-site testing procedures. From this point forward wastewater discharge will be analyzed periodically throughout the day for zinc content using an on-site analysis kit. If results indicate higher than normal concentrations of zinc, procedures will be taken to lower concentrations. If additional exceedances are recorded by the West Memphis Utility Commission a more detailed O and M Plan may be developed in the future.

9.0 TOXIC ORGANIC (SOLVENT) MANAGEMENT PLAN (40 CFR 433.12)

40 CFR Section 433.12(b) requires a Toxic Organic (Solvent) Management Plan that identifies the toxic organic compounds used; the method of disposal used instead of dumping, such as reclamation, contract hauling or incineration; and procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater. This plan is referenced in the Certification Statement in Section 10.0 of this Plan.

40 CFR 433.11 contains a list of the total toxic organics. At this time Stateside Steel & Wire, LLC does not use or store any of the listed materials on site. As a result, the Toxic Organic (Solvent) Management Plan is the following statement: Stateside Steel & Wire, LLC ensures that toxic organics do not routinely spill or leak into the wastewater by not using or storing any of the listed substances at their West Memphis Plant. If at such time the facility decided to use or store chemicals containing one or more of the listed Total Toxic Organics this Toxic Organic Management Plan will be modified.

10.0 TOTAL TOXIC ORGANICS CERTIFICATION STATEMENT (40 CFR 433.12)

The Pretreatment Standards for the Metal Finishing Subcategory are contained in 40 CFR 433. These standards contain monitoring requirements in § 433.12. According to this section, in lieu of requiring monitoring for Total Toxic Organics, the permitting authority may allow dischargers to make a certification statement. This section of Stateside Steel & Wire's Baseline Monitoring Plan contains this required Certification Statement.

"Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation [or pretreatment standard] for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping or concentrated toxic organics into the wastewaters has occurred since filing out the last discharge monitoring report. I further certify that this facility is implementing the Toxic Organic Management Plan submitted to the permitting authority."

Herb Holley, Plant Manager
Stateside Steel & Wire, LLC

Date

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11.0 EXCEEDANCES

In a letter dated October 4, 2007 the West Memphis Utility Commission identified an exceedance of the Zinc concentrations in the Stateside Steel and Wire, LLC discharge. Documentation of this correspondence and the response from Stateside Steel & Wire, LLC is contained in Appendix D.

STATESIDE STEEL & WIRE, LLC

P.O. Box 1329
West Memphis, AR 72303

304 Wyanoke Road
West Memphis, AR 72301

Phone: 870.733.1921
Fax: 870.733.1934

Toll Free: 866.733.1921

www.statesidesteel.com

Denise Bosnick
Director Environmental Quality

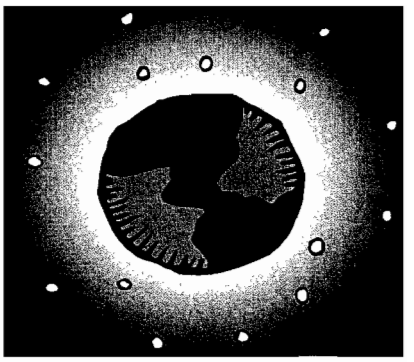
"Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation (or pretreatment standard) for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping or concentrated toxic organics into the wastewaters has occurred since filing out the last discharge monitoring report. I further certify that this facility is implementing the Toxic Organic Management Plan submitted to the permitting authority."

Herb Holley

Herb Holley, Plant Manager
Stateside Steel & Wire, LLC

10-5-10
Date

WEST MEMPHIS UTILITY COMMISSION
P.O. Box 1868 604 East Cooper
West Memphis, AR 72303



IU NAME: Stateside

IU ADDRESS: 304 Wyanoke Road

Sample Type: schedule
Sample Date: 9/16/2010

Parameters / Results	Monthly Average	Daily Maximum
pH: **7.7**		5.5 - 10.0
Chlorine: **0.03**		None
COD: **19/18**		2000 mg/L
TSS: **3/3**		250 mg/L
Temperature: **26**		40 Centigrade
BOD: **2**		250 mg/L
Oil & Grease: **106.0**		100 mg/L
Cadmium: **<0.002**	0.26 mg/L	0.69 mg/L
Chromium(T): **0.199**	1.71 mg/L	2.77 mg/L
Copper: **0.020**	2.07 mg/L	3.38 mg/L
Cyanide(T): **<0.010**	0.65 mg/L	1.20 mg/L
Lead: **<0.006**	0.43 mg/L	0.69 mg/L
Nickel: **<0.005**	2.38 mg/L	3.98 mg/L
Silver: **<0.005**	0.24 mg/L	0.43 mg/L
Zinc: **0.251**	1.48 mg/L	2.61 mg/L
Sodium:		None
Benzene:		None
Toluene:		None
TPH O&G:		26 mg/L
Copper2:		0.84 mg/L
Mercury:		0.0031 mg/L

Notes:

G-1/1

WEST MEMPHIS UTILITY COMMISSION
604 EAST COOPER PHONE 870-735-3355
CHAIN OF CUSTODY

NO. 01009165

FACILITY SAMPLED Statewide Steel and Wire

FACILITY LOCATION 304 Wyandotte Rd.

FACILITY CONTACT PERSON/PHONE Herb Holley 870-733-1921

		pH (EPA approved Standard Methods 20th Edition Method 4500-H)	TEMPERATURE
Date / Time:			°C

BUFFER USED		TEMP. OF BUFFER	ADJUSTED METER TO
4 +/- .01 pH UNITS	RRN	°C	
7 +/- .01 pH UNITS	RRN	°C	

SAMPLER INFORMATION

		pH (EPA approved Standard Methods 20th Edition Method 4500-H)		TEMPERATURE	
Date / Time:	9/15/10 9:56	OUT	7.7	OUT	26 °C
Date / Time:	9/16/10 10:26	IN	—	IN	— °C
ICED	8:45 (AM) / PM		AM / PM		

ANALYSIS TO BE PERFORMED										
PARAMETER	TYPE		PRESERVATIVE USED					CONTAINER	
	GRAB	24-HR COMP	HCl	HNO_3	H_2SO_4	NaOH	Chilled	Glass	Plastic
pH		X					X		X
COD		X					X		X
TSS		X					X		X
BOD		X					X		X
Metals		X		X			X		X
VOC's									
Chlorine									
Cyanide									
Phenols									
Oil and Grease									
TPH-Oil and Grease									
Sodium									

FIELD NOTES:

SAMPLED AND RELINQUISHED BY (SIGNATURE) J. Butler

RECEIVED BY LAB (SIGNATURE) M. Jones

DATE 9-16-10 TIME 10A NO. OF CONTAINERS 1

H-2/4

PERMIT REPORTING WORKSHEET
WEST MEMPHIS UTILITY COMMISSION
604 East Cooper Phone 870-735-3355

INDUSTRY: Stateside

pH (EPA approved Standard Methods. 18th Edition Method 4500-H)

Date / Time Out: 9-15-10 , 9:56A — pH 7.7

Temperature 26 °c

Date / Time In: 9-16-10 , 9:26A — pH —

Temperature — °c

CHLORINE, TOTAL. (EPA approved HACH DPD Method 8167)

0.03 mg/L

COD **COD-Dup.**

(EPA approved HACH Reactor Digestion Method 8000)

Time In:	10:24	Time In:	10:24
Time Out:	1:00	Time Out:	1:00
Result	19	Result	18

BOD **BOD-Dup.**

(EPA approved HACH Dilution Method 8043)

TSS (EPA approved Standard Methods. 18th Edition Method 2540-D)

Dish #	Volume	Init. Weight	Time	Fnl. Weight	Time	Result
3	100 mL	1.6736	7:57	1.6739	11:58	3 mg/L
		1.6736	9:19	1.6739	1:26	

TSS-Dup.

Dish #	Volume	Init. Weight	Time	Fnl. Weight	Time	Result
4	100 mL	1.6644	7:57	1.6647	11:58	3 mg/L
		1.6644	9:19	1.6647	1:26	

O&G (EPA Method 1664)

Flask #	Volume	Init. Weight	Fnl. Weight	Result
	mL			mg/L

Person Responsible for Chlorine: M. Jones

Person Responsible for COD: M. Jones

Person Responsible for TSS: M

H-2/4

WEST MEMPHIS UTILITY COMMISSION

604 EAST COOPER PHONE 870-735-3355

CHAIN OF CUSTODY

FACILITY SAMPLED StateSide Steel

FACILITY LOCATION 304 Wyanoke Road

PERSON SAMPLING M. Jones JB

DATE SAMPLED 9-15-16-10

TIME SAMPLED 1:26 A.M. _____ P.M.

NUMBER OF CONTAINERS ~~4~~ 1

ANALYSIS TO BE PERFORMED

	TYPE		PRESERVATIVE USED					CONTAINER	
	GRAB	COMP.	HCl	HNO_3	H_2SO_4	NaOH	Chilled	Glass	Plastic
Cadmium		X		X			X		X
Chromium		X		X			X		X
Copper		X		X			X		X
~~Cyanide~~	~~X~~					~~X~~	~~X~~	~~X~~	
Lead		X		X			X		X
Nickel		X		X			X		X
Silver		X		X			X		X
Zinc		X		X			X		X
~~Oil and Grease~~	~~X~~				~~X~~		~~X~~	~~X~~	

RELINQUISHED BY (SIGNATURE) M. Jones

DATE 9-17-10 TIME _____

RECEIVED BY LAB (SIGNATURE) B Harvey

DATE 9-17-10 TIME 09:50

4°C

H-3/4

WEST MEMPHIS UTILITY COMMISSION

604 EAST COOPER PHONE 870-735-3355

CHAIN OF CUSTODY

FACILITY SAMPLED Stateside

FACILITY LOCATION 304 Wyanoke Road

PERSON SAMPLING D. Jones B

DATE SAMPLED 9-14-10

TIME SAMPLED 10:12 A.M. _____ P.M.

NUMBER OF CONTAINERS 2

ANALYSIS TO BE PERFORMED

	TYPE		PRESERVATIVE USED					CONTAINER	
	GRAB	COMP.	HCl	HNO_3	H_2SO_4	NaOH	Chilled	Glass	Plastic
Oil and Grease	X				X		X	X	
Cyanide	X					X	X	X	

RELINQUISHED BY (SIGNATURE) D. Jones

DATE 9-17-10 TIME _____

RECEIVED BY LAB (SIGNATURE) B Bond

DATE 9-17-10 TIME 09:50

4°C

H-4/4

ETC ENVIRONMENTAL TESTING & CONSULTING, INC.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2440
"A Laboratory Management Partner"

9/30/2010

West Memphis Utilities- Industries
Ms. Denise Bosnick
PO Box 1868
West Memphis, AR, 72301

Ref: Analytical Testing
Report Number: 10-260-0225
Project Description: Industries

Dear Ms. Denise Bosnick:

Environmental Testing and Consulting, Inc. received 6 sample(s) on 9/17/2010 for the analyses presented in the following report.

The above referenced project has been analyzed per your instructions. The analyses were performed in our laboratory in accordance with Standard Methods, The Solid Waste Manual SW-846, EPA Methods for Chemical Analysis of Water and Wastes and /or 40 CFR part 136.

The analytical data has been validated using standard quality control measures performed as required by the analytical method. Quality Assurance, instrumentation maintenance and calibration were performed in accordance with guidelines established by the USEPA and NELAP.

The results are shown on the attached analysis sheet(s).

Please do not hesitate to contact me or client services if you have any questions or need additional information.

Sincerely,

Randall H. Thomas

Randy Thomas
Project Manager

ETC Environmental Testing & Consulting, Inc.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2440
"A Laboratory Management Partner"

West Memphis Utility
P. O. Box 1868

Project Description **Industries**

West Memphis, AR 72301

Report of Analysis

Lab Order Number **10-260-0225**

Lab ID **1009275-001** Received **09/17/10**
Field ID **Coca-Cola** Matrix **Aqueous**
Sample No. **82261** Sampled **09/15/10 10:08**

Test	Result	Units	MQL	DF	Date/Time Analyzed	By	Analytical Method
Sodium	119	mg/L	5.00	10	09/28/10 1:08	JTR	200.7
HEM (Oil & Grease)	49	mg/L	5	1	09/20/10 13:00	RMJ	1664A

Lab ID **1009275-002** Received **09/17/10**
Field ID **PSC Grab** Matrix **Aqueous**
Sample No. **82262** Sampled **09/15/10 9:11**

Test	Result	Units	MQL	DF	Date/Time Analyzed	By	Analytical Method
HEM (Oil & Grease)	216	mg/L	5	1	09/20/10 13:00	RMJ	1664A
SGT-HEM (TPH)	7	mg/L	5	1	09/21/10 11:00	RMJ	1664A

Lab ID **1009275-003** Received **09/17/10**
Field ID **PSC 9/14-15/10** Matrix **Aqueous**
Sample No. **82263** Sampled **09/15/10 9:11**

Test	Result	Units	MQL	DF	Date/Time Analyzed	By	Analytical Method
Copper	0.282	mg/L	0.005	1	09/24/10 1:52	JTR	200.7
Mercury	0.0015	mg/L	0.0002	1	09/21/10 15:44	TJ	245.1

Qualifiers/ Definitions

*	Surrogate Recovery outside accepted limits	*I	Recoveries affected by interferences or high background
B	Analyte detected in the associated Method Blank	DF	Dilution Factor
E	Value exceeds method calibration range	H	Prepped / Analyzed out of holding time.
J	Estimated Value Analyte below reported detection limit	M	Minimum value
MDL	Method Dection Limit (adjusted)	MQL	Method Quantitation Limit (adjusted)
MRL	Method Reporting Limit	N	Refer to attached Non-Compliance Report
Q	RPD >40% between primary and confirmation columns	SQL	Sample Quantitation Limit (adjusted MDL)

09/30/10 5259 WESTMEM

I-2/15

ETC Environmental Testing & Consulting, Inc.
2750 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2446
"A Sustainability Management Partner"

West Memphis Utility
P. O. Box 1868

Project Description **Industries**

West Memphis, AR 72301

Report of Analysis

Lab Order Number **10-260-0225**

Lab ID **1009275-004** Received **09/17/10**
Field ID **Stateside Steel** Matrix **Aqueous**
Sample No. **82264** Sampled **09/14/10 10:12**

Test	Result	Units	MQL	DF	Date/Time Analyzed	By	Analytical Method
Cyanide, Total	< 0.010	mg/L	0.010	1	09/21/10 8:30	DS	4500CNE
HEM (Oil & Grease)	**106**	**mg/L**	**5**	**1**	**09/20/10 13:00**	**RMJ**	**1664A**

Lab ID **1009275-005** Received **09/17/10**
Field ID **Stateside Steel 9/15-16/10** Matrix **Aqueous**
Sample No. **82265** Sampled **09/16/10 9:26**

Test	Result	Units	MQL	DF	Date/Time Analyzed	By	Analytical Method
Silver	< 0.005	mg/L	0.005	1	09/24/10 1:59	JTR	200.7
Cadmium	< 0.002	mg/L	0.002	1	09/24/10 1:59	JTR	200.7
Chromium	**0.199**	**mg/L**	**0.005**	**1**	**09/24/10 1:59**	**JTR**	**200.7**
Copper	**0.020**	**mg/L**	**0.005**	**1**	**09/24/10 1:59**	**JTR**	**200.7**
Nickel	< 0.005	mg/L	0.005	1	09/24/10 1:59	JTR	200.7
Lead	< 0.006	mg/L	0.006	1	09/24/10 1:59	JTR	200.7
Zinc	**0.251**	**mg/L**	**0.010**	**1**	**09/28/10 1:14**	**JTR**	**200.7**

Lab ID **1009275-006** Received **09/17/10**
Field ID **Warren Unilube** Matrix **Aqueous**
Sample No. **82266** Sampled **09/14/10 9:28**

Test	Result	Units	MQL	DF	Date/Time Analyzed	By	Analytical Method
HEM (Oil & Grease)	**205**	**mg/L**	**5**	**1**	**09/20/10 13:00**	**RMJ**	**1664A**

Qualifiers/ Definitions

*	Surrogate Recovery outside accepted limits	* I	Recoveries affected by interferences or high background
B	Analyte detected in the associated Method Blank	DF	Dilution Factor
E	Value exceeds method calibration range	H	Prepped / Analyzed out of holding time.
J	Estimated Value Analyte below reported detection limit	M	Minimum value
MDL	Method Dection Limit (adjusted)	MQL	Method Quantitation Limit (adjusted)
MRL	Method Reporting Limit	N	Refer to attached Non-Compliance Report
Q	RPD >40% between primary and confirmation columns	SQL	Sample Quantitation Limit (adjusted MDL)

09/30/10 5259 WESTMEM

I - 3/15

ETC Environmental Testing & Consulting, Inc.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2440
"A Laboratory Management Partner"

Analytical QC Summary Report

Client ID **West Memphis Utility**

Project Description Industries

ETC Order Number **1009275**

Metals

Prep Method 200.7 **Batch** 31265 **Prep Date** 9/21/2010 7:06:26 A

Analytical Method 200.7 **Batch** 46847

Method Blank 31265-LB **Analyzed** 09/24/10 1:31 **Dilution Factor** 1 **By** JTR **Aqueous**

Compound	Result	Units	MQL
Silver	< 0.005	mg/L	0.005
Cadmium	< 0.002	mg/L	0.002
Chromium	< 0.005	mg/L	0.005
Copper	< 0.005	mg/L	0.005
Sodium	< 0.500	mg/L	0.500
Nickel	< 0.005	mg/L	0.005
Lead	< 0.006	mg/L	0.006

Method Blank 31265-LB **Analyzed** 09/28/10 1:01 **Dilution Factor** 1 **By** JTR **Aqueous**

Compound	Result	Units	MQL
Zinc	< 0.010	mg/L	0.010

Laboratory Control Spike 31265-LCS **Analyzed** 09/24/10 1:38 **Dilution Factor** 1 **By** JTR **Aqueous**

Compound	LCS Conc.	Units	Spike Added	% Rec	QC Limits
Silver	0.094	mg/L	0.100	94	85-115
Cadmium	0.114	mg/L	0.100	114	85-115
Chromium	1.09	mg/L	1.00	109	85-115
Copper	0.999	mg/L	1.00	100	85-115
Sodium	0.927	mg/L	1.00	93	85-115
Nickel	1.14	mg/L	1.00	114	85-115
Lead	0.111	mg/L	0.100	111	85-115

Laboratory Control Spike 31265-LCS **Analyzed** 09/28/10 0:54 **Dilution Factor** 1 **By** JTR **Aqueous**

Compound	LCS Conc.	Units	Spike Added	% Rec	QC Limits
Zinc	1.06	mg/L	1.00	106	85-115

Qualifiers: MQL Method Quantitation Limit
* Recovery outside accepted recovery limits

30-Sep-10

I - 4/15

ETC Environmental Testing & Consulting, Inc.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2449
A Laboratory Management Partner

Analytical QC Summary Report

Client ID **West Memphis Utility**

Project Description Industries

ETC Order Number **1009275**

Sample Matrix Spike	1009275-005AMS		Analyzed 09/24/10 2:06		Dilution Factor 1		By JTR	Aqueous
Compound	MS Conc.	Units	Spike Added	Sample Conc.	% Rec	QC Limits		
Silver	0.094	mg/L	0.100	< 0.005	94	70-130		
Cadmium	0.111	mg/L	0.100	< 0.002	111	70-130		
Chromium	1.28	mg/L	1.00	0.199	108	70-130		
Copper	1.03	mg/L	1.00	0.020	101	70-130		
Nickel	1.13	mg/L	1.00	< 0.005	113	70-130		
Lead	0.111	mg/L	0.100	< 0.006	111	70-130		

Sample Matrix Spike	1009275-005AMS		Analyzed 09/28/10 1:41		Dilution Factor 1		By JTR	Aqueous
Compound	MS Conc.	Units	Spike Added	Sample Conc.	% Rec	QC Limits		
Sodium	66.0	mg/L	1.00	66.0	**-6 ***	**70-130**		
Zinc	1.30	mg/L	1.00	0.251	105	70-130		

Sample Matrix Spike Duplicate	1009275-005AMSD		Analyzed 09/24/10 2:13		Dilution Factor 1		By JTR	Aqueous
Compound	MSD Conc.	Units	Spike Added	Sample Conc.	% Rec	QC Limits	% RPD	RPD Limits
Silver	0.095	mg/L	0.100	< 0.005	95	70-130	1	20
Cadmium	0.112	mg/L	0.100	< 0.002	112	70-130	0	20
Chromium	1.29	mg/L	1.00	0.199	109	70-130	1	20
Copper	1.07	mg/L	1.00	0.020	105	70-130	4	20
Nickel	1.14	mg/L	1.00	< 0.005	114	70-130	0	20
Lead	0.112	mg/L	0.100	< 0.006	112	70-130	1	20

Sample Matrix Spike Duplicate	1009275-005AMSD		Analyzed 09/28/10 1:48		Dilution Factor 1		By JTR	Aqueous
Compound	MSD Conc.	Units	Spike Added	Sample Conc.	% Rec	QC Limits	% RPD	RPD Limits
Sodium	67.7	mg/L	1.00	66.0	**166 ***	**70-130**	3	20
Zinc	1.33	mg/L	1.00	0.251	108	70-130	2	20

Qualifiers: MQL Method Quantitation Limit
* Recovery outside accepted recovery limits

30-Sep-10

I- 5/15

ETC Environmental Testing & Consulting, Inc.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2440
A Laboratory Management Partner

Analytical QC Summary Report

Client ID **West Memphis Utility**

Project Description Industries

ETC Order Number **1009275**

Metals

Prep Method 245.1 **Batch** 31268 **Prep Date** 9/21/2010 8:25:05 A

Analytical Method 245.1 **Batch** 46798

Method Blank 31268-LB **Analyzed** 09/21/10 15:37 **Dilution Factor** 1 **By** TJ **Aqueous**

Compound	Result	Units	MQL
Mercury	< 0.0002	mg/L	0.0002

Laboratory Control Spike 31268-LCS **Analyzed** 09/21/10 15:38 **Dilution Factor** 1 **By** TJ **Aqueous**

Compound	LCS Conc.	Units	Spike Added	% Rec	QC Limits
Mercury	0.0051	mg/L	0.0050	101	85-115

Sample Matrix Spike 1009274-004AMS **Analyzed** 09/21/10 16:36 **Dilution Factor** 1 **By** TJ **Aqueous**

Compound	MS Conc.	Units	Spike Added	Sample Conc.	% Rec	QC Limits
Mercury	0.0051	mg/L	0.0050	< 0.0002	102	70-130

Sample Matrix Spike Duplicate 1009274-004AMSD **Analyzed** 09/21/10 15:47 **Dilution Factor** 1 **By** TJ **Aqueous**

Compound	MSD Conc.	Units	Spike Added	Sample Conc.	% Rec	QC Limits	% RPD	RPD Limits
Mercury	0.0050	mg/L	0.0050	< 0.0002	99	70-130	3	20

Qualifiers: MQL Method Quantitation Limit
* Recovery outside accepted recovery limits

30-Sep-10

I-6/15

ETC Environmental Testing & Consulting, Inc.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2440
"A Laboratory Management Partner"

Analytical QC Summary Report

Client ID **West Memphis Utility**

Project Description Industries

ETC Order Number **1009275**

Inorganics

Analytical Method 1664A **Batch** 46764

Method Blank	46764R-LB		**Analyzed** 09/20/10 13:00	**Dilution Factor** 1	**By** RMJ	**Aqueous**
Compound	**Result**	**Units**	**MQL**			
HEM (Oil & Grease)	< 5	mg/L	5			

Laboratory Control Spike	46764R-LCS		**Analyzed** 09/20/10 13:00	**Dilution Factor** 1	**By** RMJ	**Aqueous**
Compound	**LCS Conc.**	**Units**	**Spike Added**	**% Rec**	**QC Limits**	
HEM (Oil & Grease)	38	mg/L	40	94	78-114	

Sample Matrix Spike	1009238-001C MS		**Analyzed** 09/20/10 13:00	**Dilution Factor** 1	**By** RMJ	**Aqueous**
Compound	**MS Conc.**	**Units**	**Spike Added**	**Sample Conc.**	**% Rec**	**QC Limits**
HEM (Oil & Grease)	44	mg/L	47	< 5	93	78-114

Qualifiers: MQL Method Quantitation Limit
* Recovery outside accepted recovery limits

30-Sep-10

I - 7/15

ETC Environmental Testing & Consulting, Inc.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2440
"A Laboratory Management Partner"

Analytical QC Summary Report

Client ID **West Memphis Utility**

Project Description Industries

ETC Order Number **1009275**

Inorganics

Analytical Method	1664A	**Batch**	46787						
Method Blank	46787R-LB		**Analyzed**	09/21/10 11:00	**Dilution Factor**	1	**By**	RMJ	**Aqueous**
Compound	**Result**	**Units**	**MQL**						
SGT-HEM (TPH)	< 5	mg/L	5						
Laboratory Control Spike	46787R-LCS		**Analyzed**	09/21/10 11:00	**Dilution Factor**	1	**By**	RMJ	**Aqueous**
Compound	**LCS Conc.**	**Units**	**Spike Added**		**% Rec**	**QC Limits**			
SGT-HEM (TPH)	18	mg/L	20		90	64-132			

Qualifiers: MQL Method Quantitation Limit
* Recovery outside accepted recovery limits

30-Sep-10

I-8/15

ETC Environmental Testing & Consulting, Inc.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2440
"A Laboratory Management Partner"

Analytical QC Summary Report

Client ID **West Memphis Utility**

Project Description Industries

ETC Order Number **1009275**

Inorganics

Analytical Method 4500CNE **Batch** 46794

Method Blank	46794R-LB		**Analyzed** 09/21/10 8:30	**Dilution Factor** 1	**By** DS	**Aqueous**
Compound	**Result**	**Units**	**MQL**			
Cyanide, Total	< 0.010	mg/L	0.010			

Laboratory Control Spike	46794R-LCS		**Analyzed** 09/21/10 8:30	**Dilution Factor** 1	**By** DS	**Aqueous**
Compound	**LCS Conc.**	**Units**	**Spike Added**	**% Rec**	**QC Limits**	
Cyanide, Total	0.194	mg/L	0.200	97	77-112	

Sample Matrix Spike	L82505-MS		**Analyzed** 09/21/10 8:30		**Dilution Factor** 1	**By** DS	**Aqueous**
Compound	**MS Conc.**	**Units**	**Spike Added**	**Sample Conc.**	**% Rec**	**QC Limits**	
Cyanide, Total	9.37	mg/L	10.0	< 0.500	94	65-111	

Sample Duplicate	L82505-DUP		**Analyzed** 09/21/10 8:30		**Dilution Factor** 1	**By** DS	**Aqueous**
Compound	**DUP Conc.**	**Units**	**MQL**	**Sample Conc.**		**% RPD**	**RPD Limits**
Cyanide, Total	< 0.500	mg/L	0.500	< 0.500	mg/L	0	15

Qualifiers: MQL Method Quantitation Limit
* Recovery outside accepted recovery limits

30-Sep-10

Σ - 9/15

ETC
www.etcmemphis.com
ENVIRONMENTAL TESTING & CONSULTING, INC.
2790 Whitten Road Memphis, Tennessee 38133 (901) 213-2400 Fax (901) 213-2440
"A Laboratory Management Partner"

Cooler Receipt Form

Customer Number: **05259**
Customer Name: **West Memphis Utilities- Industries**
Report Number: **10-260-0225**

Shipping Method

○ FedEx ○ UPS ○ US Postal ● Client ○ LMP ○ Courier ○ Other:

Shipping container/cooler uncompromised?	● Yes	○ No	○ Not Present
Custody seals intact on shipping container/cooler?	○ Yes	○ No	● Not Required
Custody seals intact on sample bottles?	○ Yes	○ No	● Not Required
Chain of Custody present?	● Yes	○ No	
COC agrees with sample labels?	● Yes	○ No	
Samples in proper containers?	● Yes	○ No	
Sample containers intact?	● Yes	○ No	
Sufficient sample volume for indicated tests?	● Yes	○ No	
All samples received within holding time?	● Yes	○ No	
Container temperature in compliance?	● Yes	○ No	
Water - VOA vials free of headspace?	○ Yes	○ No	● N/A
Water - Preservation acceptable upon receipt?	● Yes	○ No	○ N/A
Samples screened for radioactivity (COE only)?	○ Yes	○ No	● N/A
Special precautions or instructions included?	○ Yes	● No	

Comments:

Any regulatory non-compliance issues will be recorded on non-compliance report.

Signature: Brooke Shoup

Date & Time: 09/17/2010 11:47:59

1-10/15

WEST MEMPHIS UT
604 EAST COOPER
CHAIN OF

1009275

West Memphis Utilities- Industries
Industries

10-260-0225
05259
2010-09-17
11:43:04

FACILITY SAMPLED Coca-Cola Bottling Company
FACILITY LOCATION 1400 Rainer Road
PERSON SAMPLING M Jones TB
DATE SAMPLED 9-15-10
TIME SAMPLED 10:06 A.M. _____ P.M.

NUMBER OF CONTAINERS 2

ANALYSIS TO BE PERFORMED

	TYPE		PRESERVATIVE USED					CONTAINER	
	GRAB	COMP.	HCl	HNO_3	H_2SO_4	NaOH	Chilled	Glass	Plastic
Sodium	X			X			X		X
Oil and Grease	X				X		X	X	

RELINQUISHED BY (SIGNATURE) M Jones
DATE 9-17-10 TIME _____
RECEIVED BY LAB (SIGNATURE) BMorris
DATE 9-17-10 TIME 09:50

4°C

I-11/15

WEST MEMPHIS
604 EAST COOPEI
CHAIN

1009275

West Memphis Utilities- Industries
Industries

10-260-0225
05259
2010-09-17
11:43:04

FACILITY SAMPLED PSC
FACILITY LOCATION 400 Mound City Road
PERSON SAMPLING M Jones TB
DATE SAMPLED 9-14-15 10
TIME SAMPLED 9 11 A.M. _____ P.M.

NUMBER OF CONTAINERS 3

ANALYSIS TO BE PERFORMED

	TYPE		PRESERVATIVE USED					CONTAINER	
	GRAB	COMP.	HCl	HNO_3	H_2SO_4	NaOH	Chilled	Glass	Plastic
Oil and Grease	X				X		X	X	
Oil and Grease TPH	X				X		X	X	
Mercury		X		X			X		X
Copper		X		X			X		X

RELINQUISHED BY (SIGNATURE) M. Jones
DATE 9-17-10 TIME _____
RECEIVED BY LAB (SIGNATURE) B Hoop
DATE 9-17-10 TIME 0950

4°C

I-12/15

1009295

10-260-0225
05259
2010-09-17
11:43:04
West Memphis Utilities- Industries
Industries

WEST MEMPHIS U
604 EAST COOPER
CHAIN OF

FACILITY SAMPLED: Stateside
FACILITY LOCATION: 304 Wyanoke Road
PERSON SAMPLING: [signature]
DATE SAMPLED: 9-14-10
TIME SAMPLED: 10:12 A.M. _____ P.M.

NUMBER OF CONTAINERS: 2

ANALYSIS TO BE PERFORMED

	TYPE		PRESERVATIVE USED					CONTAINER	
	GRAB	COMP.	HCl	HNO_3	H_2SO_4	NaOH	Chilled	Glass	Plastic
Oil and Grease	X				X		X	X	
Cyanide	X					X	X	X	

RELINQUISHED BY (SIGNATURE): [signature]
DATE: 9-17-10 TIME: _____
RECEIVED BY LAB (SIGNATURE): [signature]
DATE: 9-17-10 TIME: 09:50

4°C

I-13/15

WEST MEMPHIS
604 EAST COOPI
CHAII

1009215

10-260-0225
05259
2010-09-17
11:43:04
West Memphis Utilities- Industries
Industries

FACILITY SAMPLED StateSide Steel
FACILITY LOCATION 304 Wyanoke Road
PERSON SAMPLING M. Jones
DATE SAMPLED 9-15-16-10
TIME SAMPLED 1:26 A.M. _____ P.M.

NUMBER OF CONTAINERS ~~2~~ 1

ANALYSIS TO BE PERFORMED

	TYPE		PRESERVATIVE USED					CONTAINER	
	GRAB	COMP.	HCl	HNO_3	H_2SO_4	NaOH	Chilled	Glass	Plastic
Cadmium		X		X			X		X
Chromium		X		X			X		X
Copper		X		X			X		X
~~Cyanide~~	~~X~~					~~X~~	~~X~~	~~X~~	
Lead		X		X			X		X
Nickel		X		X			X		X
Silver		X		X			X		X
Zinc		X		X			X		X
~~Oil and Grease~~	~~X~~				~~X~~		~~X~~	~~X~~	

RELINQUISHED BY (SIGNATURE) M Jones
DATE 9-17-10 **TIME** _____
RECEIVED BY LAB (SIGNATURE) B Moore
DATE 9-17-10 **TIME** 09:50
4°C

5-14/15

1009275

WEST MEMPHIS
604 EAST COOPER
CHAIN

West Memphis Utilities- Industries
Industries
10-260-0225
05259
2010-09-17
11:45:04

FACILITY SAMPLED: Warren Unilube
FACILITY LOCATION: 915 East Jefferson
PERSON SAMPLING: M Jones B
DATE SAMPLED: 9-14-10
TIME SAMPLED: 9:27 A.M. _____ P.M.

NUMBER OF CONTAINERS: 1

ANALYSIS TO BE PERFORMED

	TYPE		PRESERVATIVE USED					CONTAINER	
	GRAB	COMP.	HCl	HNO_3	H_2SO_4	NaOH	Chilled	Glass	Plastic
Oil and Grease	X				X		X	X	

RELINQUISHED BY (SIGNATURE): M Jones
DATE: 9-17-10 TIME: _____
RECEIVED BY LAB (SIGNATURE): B Bloomp
DATE: 9-17-10 TIME: 09:50
4°C

5-15/15

0601

WEST MEMPHIS UTILITY COMMISSION

604 E. COOPER
WEST MEMPHIS, AR 72301
(870) 735-3355

COMPANY _____

_____

_____

NOTICE OF VIOLATION

YOUR COMPANY'S WASTEWATER WAS

SAMPLED ON _____ AT _____ A.M. P.M.

AND WAS FOUND TO HAVE A Ph OF _____

THIS IS A NOTICE OF VIOLATION OF Ph LIMITS ACCORDING TO CITY ORDINANCE 1714 AND / OR YOUR INDUSTRIAL WASTE DISCHARGE PERMIT. THIS SHOULD BE BROUGHT INTO COMPLIANCE AS SOON AS POSSIBLE WITHOUT FURTHER ENFORCEMENT ACTION.

DENISE T. BOSNICK
DIRECTOR ENVIRONMENTAL QUALITY

SAMPLE TAKEN BY: _____

NOTICE RECEIVED BY: _____

COMMENTS: _____

_____

_____

_____

J - 1/2

WEST MEMPHIS UTILITY COMMISSION

604 E. COOPER
WEST MEMPHIS, AR 72301
(870) 735-3355

COMPANY _____

_____

_____

NOTICE OF VIOLATION

YOUR COMPANY'S WASTEWATER WAS SAMPLED ON _____ AT _____ A.M. P.M.

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DENISE T. BOSNICK
DIRECTOR ENVIRONMENTAL QUALITY

SAMPLE TAKEN BY: _____

NOTICE RECEIVED BY: _____

COMMENTS: _____

_____

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_____

J - 2/2

WEST MEMPHIS UTILITY COMMISSION

P O Box 1868 604 East Cooper

West Memphis, Arkansas 72303

Phone (870) 735-3355 Fax (870) 732-7623

September 27, 2010

Chris Fox
Grace Trailer Services
P.O. Box 2705
615 Petro Cove
West Memphis, Ar 72303

Chris,

This is to notify you of several violations from a sample taken at your facility on September7-8, 2010. The Copper result was 6.29 mg/L with the limit begin 0.84 mg/L. Also there was an Oil and Grease violation. The result was 109 mg/L with the limit begin 100 mg/L

These are violations of your Industrial Waste Discharge Permit. You have within fifteen (15) days from the date of this letter to respond.

If you have any questions, please call my office at (870) 702-5141. Thank you for your assistance.

Sincerely,

DB

Denise Bosnick
Director Environmental Quality

Department of Environmental Quality

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SLUG CONTROL PLAN

IV Description of Stored Chemicals

This facility utilizes a variety of chemicals for wastewater treatment, boiler water treatment and cleaning of containers. [*Attachment B*] The majority of the chemicals are located in the wastewater treatment area. Aluminum Chloride, Polymer, Sulfuric Acid and Caustic Solutions are located next to the pH adjustment tank and next to the DAF for wastewater treatment. All chemicals that are in inventory but not in use are stored in a locked fenced area in the wastewater treatment area. The sump in the wastewater treatment area has a bottom ended sump that is not connected to the main sump. Since the bottom ended sump has a sump pump that must be turned on, any spills can be isolated and kept out of the wastewater system.

The chemical vats used for cleaning containers are located between bays # 3 and # 4. These vats contain detergent, caustic, a boosted caustic, cold water and hot water. The facility's pollution prevention procedures include re-circulating and reusing cleaning solutions. Except for cold and hot water which are not recycled, the facility uses an automated cleaning system and re-circulates each solution back into a segregated tank. The solution is re-circulated and reused until the solution no longer performs to the designed specifications.

All cleaning agents are chosen due to their treatability in the on-site pre-treatment system. Steam, hot or cold water may be used on certain water-soluble cargos verses using a cleaning solution. Additionally, the facility may use hot or cold washes before or after cleaning solutions in order not to contaminate the solutions in their individual tanks extending their useful life.

The facility may use a pre-solve or petroleum based cleaning product by re-circulating and reusing the same pre-solve solution from an isolated tank until such time that the product is no longer useful in cleaning. Because this is a petroleum based pre-solve, the spent product is shipped off-site for proper recycling and/or disposal.

SLUG CONTROL PLAN

V Procedures for immediately notifying the POTW of slug discharges

All cleaning activities will be conducted inside. All areas of the facility are concrete and either have sloped floors to a sump or have facility drains thus preventing any spills from leaving the facility. In the case of a chemical spill or in the case of a slug of material, the facility will be able to isolate and handle because the wastewater treatment system is a batch treatment process and must be physically turned on to start the discharge.

PSC will notify the Director of Environmental Quality immediately upon the occurrence of an accidental discharge of substances prohibited by Ordinance 2187 Section 2 or any slug loads or spills that may enter the collection system. West Memphis Utility will be notified by telephone at (870) 735-3355. The notification will include the following:

- Location of Discharge;
- Date and Time of Discharge;
- Type of waste in the Discharge;
- Concentration of the Discharge;
- Volume of the Discharge; and
- Corrective Actions taken.

Within five (5) days following an accidental discharge, PSC will submit a detailed written report describing the cause of the discharge and the measures taken or to be taken to prevent future occurrences of similar events.

VI Procedures to prevent adverse impact from accidental spills

All chemicals when not in use are stored in a locked, fenced area. Access to the fenced chemical storage area is limited. All other chemicals used within the facility are either on sloped concrete floors or on concrete areas that have drains that prevent spills from leaving the building. The facility also maintains a Preparedness, Prevention and Contingency "PPC" Plan required by AR ADEQ for large quantity generators of hazardous waste. The PPC Plan outlines PSC employees' responsibilities on how to identify, respond and clean up a spill.

As described above, the wastewater treatment system is a batch discharge and must be turned on to start the discharge. Any spills of cleaning chemicals or spills of products in the washing bays will be isolated in the facility wastewater treatment system prior to discharge. Additionally, the majority of the chemicals are stored in the wastewater treatment area where the sump is bottom ended, isolated and not connected to the main sump.

Therefore, PSC has developed the wastewater treatment system and isolated the chemicals in storage to maximize our ability to prevent accidental spills from making it to the discharge.

VII Plan Modifications

If changes are made to either the treatment system, the types of chemicals utilized or the facility discharge permit, the Slug Control Plan will be reviewed and updated as needed. If any changes are made, the new plan with certification will be forwarded to West Memphis Utility.

SLUG CONTROL PLAN

II Management of Residuals

PSC Container Services, LLC "PSC" facility is located at 400 Mound City Road, West Memphis, AR 72301. PSC leases the site and it is located on approximately 10 acres. All parking areas are asphalt. The property has one main building and smaller separate office building. The main building contains a total of 5 cleaning bays. The main building also contains a wastewater treatment unit. A facility site map is attached. [*Attachment A*].

PSC provides interior and exterior cleaning for tank trucks and IBC or tote containers. PSC requires that the customer empty the containers before delivering containers to the facility for servicing. A small amount of "residual" product may remain in the containers.

All containers would first be drained of all residuals by gravity into a bucket, usually 5-gallons in size. All residuals are managed under a separate "Residual Management Program" where certain employees are trained to identify the hazards and how to perform a hazardous waste determination. This employee is called the "Residual Coordinator".

The residual program outlines the process whereby each product is evaluated to see whether to return the product to the manufacturer, reuse the material on-site, recycle the product or dispose of the product off-site. The residual buckets with tags placed on them showing the specifics of the products are staged in an area awaiting classification by a trained residual coordinator.

III Facility Description of Discharge Practices

After removal of the heels, the container is ready to be cleaned. The container is cleaned with one or more of the following cleaning chemicals: caustic, detergent, soap, or diesel. These materials are re-circulated back to holding vats where the cleaning solutions are reused. Final rinse waters from the containers are discharged to the drains within each bay which flows into the main sump. The wastewater in the main sump is then pumped to a pH adjustment tank.

As a result of cleaning activities, industrial wastewater is generated and treated on site in the wastewater treatment facility. Effluent from the pretreatment facility discharges to the City of West Memphis POTW. Since all residuals are drained from the containers prior to beginning the cleaning process and since the cleaning solutions are re-circulated, the wastewater will only contain trace amounts of the chemicals.

The pretreatment system includes initial pH adjustment in a pH adjustment tank via the addition of sulfuric acid or caustic solution. Following pH adjustment, wastewater is directed to an equalization tank. The wastewater is then treated in a Dissolved Air Floatation "DAF" unit where aluminum sulfate and polymer are added. After chemical treatment, solids are skimmed off the top of the DAF and into in a holding chamber prior to being pumped into the dewatering box. Wastewater from the DAF is discharged into the sewer system.

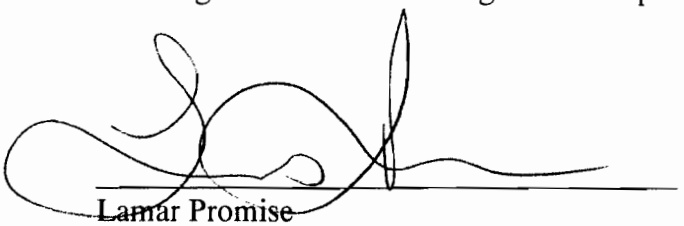
The facility discharges on a batch basis and only when the wastewater operator is present. All wastewater discharged from the facility goes through the facilities pretreatment system.

SLUG CONTROL PLAN

I Introduction and Certification

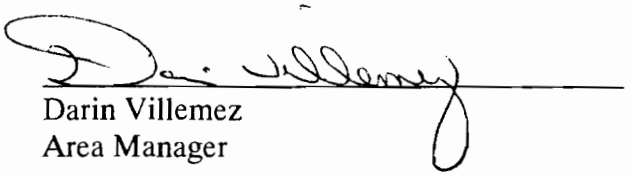
This Slug Control Plan was written to comply with the EPA regulations [40 CFR 403.8(f)(2)(v)] and the Wastewater Discharge Permit Part IV – Condition of Permit Section 3.

PSC Container Services, LLC is committed to this plan and certifies that the facility will utilize this Slug Control Plan as designed and implemented.



Lamar Promise
Facility Manager

8/24/09
DATE



Darin Villemez
Area Manager

8/24/09
DATE

K - 1/4

7.2 HYDROCHLORIC ACID SOLUTION

Hydrochloric acid solution (HCl) is stored outside the plant and piped into the plant for use in the acid bath in the galvanizing process line. This chemical then accumulates in rinse water and is piped to the water treatment area where it is neutralized prior to disposal.

7.2.1 Product Hazard

Hydrochloric acid is purchased and stored outside as a 31% solution and then diluted for use inside at a concentration of 10-15%. HCl is a highly corrosive liquid and must be handled with appropriate safety precautions. HCl is not reactive at normal temperatures and pressure, however contact with water may produce a strong exothermic reaction with spattering.

7.2.2 Roll in Process

7.2.2.1 How Much Is Used

About one tanker load, 45,000 lbs, is used per month.

7.2.2.2 How Much is Stored and Where

The 31% HCl solution is stored outside in a 5,728 gallon above ground storage tank on the west side of the Facility. The process tank on the galvanizing line contains approximately 11,021 gallons of 10-15% solution.

7.2.3 Immediate Release Response Actions

Only the galvanizing crew, waste water treatment operator and janitor/utility man should be involved in the clean up.

The following procedure is to be used in the event of an incidental (BELOW "Reportable Quantity") hydrochloric acid solution spill/release:

1. Contain spill/release using Acid or Universal Spill Kit Materials and/or oil dry.
2. Notify supervisor.
3. Keep all people out of area except employees assigned to the clean up crew.
4. Pump any liquid into a labeled, sealable plastic drum for later use in the galvanizing line or in the waste water treatment plant. Label drum as "used acid". Determination of usage will be made by the Vice President of Manufacturing.
5. Place any contaminated solids in a labeled, sealable plastic drum for later neutralization and/or disposal. Label drum as "acid contaminated solids".
6. Store any drums of liquids or solids in a secure area until used, neutralized or disposed of.

After complete clean up the supervisor will fill out a "Non-Reportable Spill/Release" form and give it to the Vice President Manufacturing. All equipment used must be cleaned per procedures designated in the Material Safety Data Sheet (MSDS).

7.3 CAUSTIC SOLUTION

Aztech Lubricants supplies a powdered product called EZDraw-CL1 that is used as the caustic cleaner at Stateside Steel. The raw material is in powder form and stored in steel drums in the chemical storage room. When required this material is shoveled manually from the drum directly into the process vat until the solution in the vat is at the desired concentration. The resulting caustic solution in use at Stateside Steel is comprised of a detergent with some caustic and wetting agents. Concentration is checked in the process tanks twice a day. This product then accumulates in rinse water and is piped to the water treatment area where it is neutralized prior to disposal.

7.3.1 Product Hazard

This material is a severe eye irritant and prolonged skin contact may lead to irritation. It is also mildly toxic by ingestion and my injure mouth, throat and gastrointestinal tract. Inhalation of dust may irritate nose and throat. Keep materials out of sewers and waterways.

7.3.2 Roll in Process

7.3.2.1 How Much Is Used

When required this material is shoveled manually from the drum directly into the process vat. Typically approximately 1/3 of a drum is added every couple of days. This results in approximately 8-10 drums per month.

7.3.2.2 How Much is Stored and Where

Approximately 4 drums of EZDraw CL1 are kept in the chemical storage room at a time.

7.3.3 Immediate Release Response Actions

Only the galvanizing crew, waste water treatment operator and janitor/utility man should be involved in the clean up. The following procedure is to be used in the event of an incidental (BELOW "Reportable Quantity") sodium hydroxide (caustic) spill/release:

1. Contain spill/release using the Universal Spill Kit Materials and/or oil dry.
2. Notify supervisor.
3. Keep all people out of area except employees assigned to the clean up crew.
4. Pump liquid into a labeled, sealable plastic drum for later use in the galvanizing line or in the waste water treatment plant. Label drum as "used caustic". Determination of usage will be made by the Vice President of Manufacturing.
5. Place any contaminated solids in a labeled, sealable plastic drum for later neutralization and/or disposal. Label drum as "caustic contaminated solids".
6. Store any drums of liquids or solids in a secure area until used, neutralized or disposed of.

After complete clean up the supervisor will fill out a "Non-Reportable Spill/Release" form and give it to the Vice President Manufacturing. All equipment used must be cleaned per procedures designated in the MSDS.

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7.4 CAUSTIC SOLUTION

Sodium hydroxide/potassium hydroxide (caustic) is stored in the water treatment area in a 330 gallon tote. This material is used to neutralize acid in the rinse water treated in this area.

7.4.1 Product Hazard

Caustic solution is purchased and stored in a tote inside the facility as a mixture of 50% sodium hydroxide, 50% potassium hydroxide and then used to neutralize acid contained in rinse water diverted in to the water treatment area.

7.4.2 Roll in Process

7.4.2.1 How Much Is Used

The tote in the water treatment area contains no more than 330 gallons.

7.4.2.2 How Much Is Stored and Where

The tote in the water treatment area contains no more than 330 gallons.

7.4.3 Immediate Release Response Actions

Only the galvanizing crew, waste water treatment operator and janitor/utility man should be involved in the clean up. The following procedure is to be used in the event of an incidental (BELOW "Reportable Quantity") sodium hydroxide (caustic) spill/release:

7. Contain spill/release using the Universal Spill Kit Materials and/or oil dry.
8. Notify supervisor.
9. Keep all people out of area except employees assigned to the clean up crew.
10. Pump liquid into a labeled, sealable plastic drum for later use in the galvanizing line or in the waste water treatment plant. Label drum as "used caustic". Determination of usage will be made by the Vice President of Manufacturing.
11. Place any contaminated solids in a labeled, sealable plastic drum for later neutralization and/or disposal. Label drum as "caustic contaminated solids".
12. Store any drums of liquids or solids in a secure area until used, neutralized or disposed of.

After complete clean up the supervisor will fill out a "Non-Reportable Spill/Release" form and give it to the Vice President Manufacturing. All equipment used must be cleaned per procedures designated in the MSDS.

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7.5 SODIUM DICHROMATE, DIHYDRATE

Sodium dichromate, dihydrate (sodium bichromate) is stored inside the plant in bags on pallets and dumped into the Sodium dichromate, dihydrate solution tank on the galvanizing process line. This tank adds a protective chrome coating to galvanized fabric.

7.5.1 Product Hazard

This is a hexavalient chromium containing material which may be fatal via skin contact, inhalation, or ingestion. Skin and eye contact may cause severe irritation. **AVOID DIRECT CONTACT WITH THIS MATERIAL.**

7.5.2 Handling and Management Procedures

The following are handling and management procedures specific to sodium dichromate, dihydrate as recommended by the MSDS sheet.

- Sodium dichromate, dihydrate containers shall be kept closed when not in use.
- When not actively adding product to vat, containers are protected from physical damage and stored in a cool, dry location away from ignition sources, combustible, organic or other readily oxidizable materials.
- Impervious coveralls (tyvek or equivalent), chemical resistant gloves, and N95 respirator and close fitting safety goggles should be worn when charging the process vat or any other handling of the material.
- Operators must wash hands and face thoroughly with soap after handling, before leaving the work area, and before meals or breaks.
- Avoid contact with skin, eyes and clothing.

7.5.3 Roll in Process

7.5.3.1 How Much Is Used

Approximately 60 pounds of sodium dichromate, dihydrate is used per month. This material is added manually by shoveling directly from the bag to the process tank. Only a shovel full is added at a time, once every couple days.

L-415

7.5.3.2 How Much is Stored and Where

Sodium dichromate, dihydrate is an orange granular material contained in bags. Approximately one pallet of this material is maintained on site at all times. This pallet is stored on the south side of the galvanizing line near the door to water treatment area.

7.5.4 Immediate Release Response Actions

Only the qualified responders should be involved in the clean up of this material.

The following procedures are to be used in the event of an incidental (BELOW "Reportable Quantity") Sodium dichromate, dihydrate (chromate) spill/release:

For a Wet Spill:

1. Contain spill/release using oil dry.
2. Notify supervisor.
3. Keep all people out of area except employees assigned to the clean up crew.
4. Pump liquid into the chromate rinse tank or into a labeled, sealable plastic drum for later addition to the chromate rinse tank. Label drum as "used chromate rinse".
5. Place any contaminated solids in a labeled, sealable plastic drum for later for later disposal with chromate sludge. Label drum as "chromate waste". Store any drums of liquids or solids in a secure area (the chemical storage room) until used or disposed of.

For a Dry Spill:

1. DO NOT DRY SWEEP OR DRY BRUSH. Clean spill residual using wet clean-up method (i.e. misting, etc.) or by a vacuum equipped with a High Efficiency Particulate (HEPA) filter.
2. Waste, scrap, debris, and any other materials contaminated with chromium (VI) and consigned for disposal are collected and disposed of in sealed, impermeable bags or other close, impermeable containers. RUN OFF WATER IS TOXIC and needs to be disposed of properly.
3. Treatment of recovered product, contaminated soil and debris may be considered "hazardous waste treatment" and must only be done with appropriate regulatory agency approval and permits.

Review MSDS Sheet for more detailed instructions on clean up and decontamination of clean up equipment.

http://www.wmctv.com/global/story.asp?s=8567481

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Chemical spill causes fire in West Memphis

Updated: Jun 27, 2008 4:49 PM CDT

A chemical spill caused a brief fire Friday at warehouse in West Memphis, Arkansas.

West Memphis dispatchers said the spill happened at the Stateside Steel and Wire warehouse on Port Road.

The large chemical spill caused a fire that was quickly brought under control by emergency crews, who were still working Friday evening on cleaning the spill.

Stateside Steel and Wire is a manufacturer of chain link fencing.

Stay with WMCTV.com for updates on this story.

M-1/1

ORDINANCE NO. _____

AN ORDINANCE TO SET FORTH UNIFORM REQUIREMENTS FOR DIRECT AND INDIRECT CONTRIBUTORS INTO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM FOR THE CITY OF WEST MEMPHIS; AND FOR OTHER PURPOSES.

WHEREAS, The City of West Memphis finds it necessary to regulate the use of public sewers and drains and the discharge of waters and wastes in the public sanitary sewer system;

WHEREAS, the regulations contained in the present ordinances of the City of West Memphis should be brought into compliance with applicable laws and regulations of the Environmental Protection Agency of the United States of America, the Department of Environmental Quality of the State of Arkansas and the provisions of the "Clean Water Act", being public law 92-500, as amended by public law 95-217, as well as the general pretreatment regulations enacted pursuant thereto (begin 40 CFR, part 403); and

WHEREAS, these proposed regulations have been approved by the appropriate regulatory agencies;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WEST MEMPHIS, ARKANSAS, THAT:

SECTION 1. GENERAL PROVISIONS

1.1 Purpose and Policy

This Ordinance sets forth uniform requirements for users into the wastewater collection and treatment system for the City of West Memphis, Arkansas, and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code 1251 et seq.) and the General Pretreatment Regulations (40 CFR Part 403). The objectives of this Ordinance are:

(A) To prevent the introduction of Pollutants into the Publicly Owned Treatment Works that will interfere with its operation;

(B) To prevent the introduction of Pollutants into the Publicly Owned Treatment Works which will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;

(C) To 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;

(D) To promote reuse and recycling of industrial Wastewater and sludge from the Publicly Owned Treatment Works;

(E) To provided for fees for the equitable distribution of the cost of operation, maintenance and improvements of the Publicly Owned Treatment Works; and

(F) To 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.

(G) To promote and encourage Pollution prevention and waste minimization and waste reduction at Industrial Users prior to their recycling, treatment, or disposal options.

This Ordinance shall apply to all Users of the Publicly Owned Treatment Works. The Ordinance authorizes the issuance of Wastewater Discharge Permits; provides for monitoring, compliance and enforcement activities, establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.2 Administration

Except as otherwise provided herein, the General Manager shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the General Manager may be delegated by the General Manager to a duly authorized employee.

1.3 Abbreviations

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

BMP – Best Management Practice
BMR – Baseline Monitoring Report
BOD – Biochemical Oxygen Demand
CFR – Code of Federal Regulations
CIU – Categorical Industrial User
COD – Chemical Oxygen Demand
EPA – U.S. Environmental Protection Agency
gpd – gallons per day
IU – Industrial User
mg/l – milligrams per liter
NPDES – National Pollutant Discharge Elimination System
NSCIU – Non-Significant Categorical Industrial User

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POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
SIU – Significant Industrial User
SNC – Significant Noncompliance
TSS – Total Suspended Solids
U.S.C. – United States Code

1.4 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance, shall have the meaning hereinafter designated:

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

(2) Approval Authority. The Arkansas Department of Environmental Quality (ADEQ).

(3) Authorized or Duly Authorized Representative of the User.

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, 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 action 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 Duly 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.

(4) Best Management Practices or BMP's. Schedules of activities, prohibitions or practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5 (a) (1) and (b). BMP's to include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

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

(6) Categorical Industrial User. An Industrial User subject to Categorical Pretreatment Standards or Categorical Standards.

(7) Categorical Pretreatment Standards or Categorical Standards. Any regulation containing Pollutant discharge limits promulgated by the Environmental Protection Agency 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.

(8) Chemical Oxygen Demand (COD). A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

(9) City. The City of West Memphis, Arkansas.

(10) Composite Sample. A composite sample is made up of more than one individual grab samples, which are combined, based on either time or flow. A time composite sample consists of equal volume grab samples collected at equal time intervals. A flow composite sample may consist of equal volume grab samples taken at varying time intervals; samples of variable volume collected proportional to flow.

(11) Control Authority. The City.

(12) Control Manhole. A manhole giving access to a building Sewer at some point before the building Sewer discharge mixes with other discharge in the public Sewer.

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(13) Daily Maximum Limit or Daily Maximum. The maximum allowable discharge limit of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

(14) Director of Environmental Quality (Director). Authorized representative of the West Memphis Utility Commission and the General Manager of the West Memphis Utility Commission that administers, implements, and enforces the provisions of the Pretreatment Program and of this Ordinance.

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

(16) Existing Source. Any source of discharge that is not a "New Source".

(17) Garbage. Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

(18) General Manager. The General Manager of the West Memphis Utility Commission is the person designated by the City to supervise the operation of the Publicly Owned Treatment Works and who is charged with certain duties and responsibilities by this Ordinance, or his duly authorized representative referred to as the Director of Environmental Quality.

(19) Governing Board. The West Memphis Utility Commission (the Utility), which may act through the General Manager, his deputy, agent or representatives possessing written evidence of authority to so act.

(20) 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.

(21) Indirect Discharge. The introduction of pollutants into the POTW from any non-domestic source.

(22) Industrial User (IU). A source of Indirect Discharge.

(23) Industrial Wastes. The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary Sewage.

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(24) Industrial Waste Discharge Permit. A permit for establishments producing Industrial Wastes as more particularly set out in Section (4) of this Ordinance.

(25) 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 there under, 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.

(26) 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).

(27) 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.

(28) Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during the month.

(29) Monthly Average Limit. 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.

(30) National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to Section 402 of The Act (33 U.S.C. 1342).

(31) 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 Subparagraphs (1)(B), or (1)(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:

(a) Any placement, assembly, or installation of facilities or equipment; or

(b) Significant site preparation work including clearing, excavation, or removal of existing building, 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 is 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.

(32) Noncontact Cooling Water. Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

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(33) Normal Domestic Wastewater. Wastewater including that from non-residential sources, but excluding industrial process Wastewater, in which neither the concentrations of five-day Biochemical Oxygen Demand (BOD) or total suspended solids (TSS) do not exceed the level of 250 mg/L or the concentration of oil and grease do not exceed the level of 100 mg\L.

(34) Oil and Grease. Any material recovered as a substance soluble in the solvent.

(35) 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 violation of any requirement of the City's NPDES permit (including an increase in the magnitude or duration of a violation).

(36) 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.

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

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

(39) 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.

(40) Pretreatment Program. The Utility's EPA and/or Arkansas Department of Environmental Quality approved program to administer the requirements of 40 CFR 403, the General Pretreatment Regulations.

(41) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a User, other than Pretreatment Standard.

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

(43) Publicly Owned Treatment Works (POTW). A treatment works as defined by Section 212 of The Act, (33 U.S.C. 1292) which is owned in this instance by the City. This definition includes any devices or systems used in collection, storage, treatment, recycling, and reclamation of Sewage or Industrial Wastes of liquid nature and any conveyances, which convey Wastewater to a treatment plant. For the purposes of this Ordinance, "POTW" shall also include any Sewers that convey Wastewaters to the POTW from Persons outside the City, who are by contract or agreement with the City, Users of the City's POTW.

(44) Sanitary Sewer. A Sewer, which carries Sewage and to which storm, surface, and ground waters are not intentionally admitted.

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

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

(47) Sewer. A pipe or conduit for carrying Sewage.

(48) Shall is mandatory; May is permissive.

(49) Significant Industrial User.

(1) An Industrial User subject to Categorical Pretreatment Standards; or

(2) An Industrial User that discharges an average of twenty-five thousand (25,000) gallons or more of process wastewater to the POTW (excluding sanitary, non-contract cooling, and boiler blowdown wastewater); contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the City on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

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(3) Upon finding that a User meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the POTW 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 an Industrial 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.

(50) Slug Load or Slug Discharge. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.1 of this ordinance. A slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

(51) Standard Industrial Classification (SIC). A classification pursuant to the standard industrial classification manual issued by the executive office of the president, office of management and budget, 1972.

(52) State. State of Arkansas.

(53) Storm Sewer. A Sewer, which carries storm and surface waters and drainage, but excludes Sewage and Industrial Wastes, other than unpolluted cooling water.

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

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

(56) Toxic Pollutants. Any Pollutant of combination of Pollutants listed as toxic in regulations promulgated by the administration of the Environment Protection Agency under the provisions of CWA 307(a) or other acts.

(57) User or Industrial User. A source of indirect discharge.

(58) 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.

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

SECTION 2. GENERAL SEWER USE REQUIREMENTS

2.1 Prohibited Discharge Standards

A. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any Pollutant or Wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

B. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following Pollutants, substances, or Wastewater:

(1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;

(2) Wastewater having a pH less than 5.5 or more than 10.0, or otherwise causing corrosive structural damage to the POTW or equipment;

(3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference.

(4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or Pollutant concentration which, either singly or by interaction with other Pollutants, will cause Interference with the POTW;

(5) Wastewater which will inhibit biological activity in the treatment plant resulting in Interference, but in no case Wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);

(6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

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(8) Trucked or hauled Pollutants, except at discharge points designated by the Director in accordance with Section 3.4 of this Ordinance;

(9) Storm Water, surface Water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted Wastewater, unless specifically authorized by Director.

(10) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;

(11) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/L.

(12) Medical Wastes, except as specifically authorized by the Director in a Wastewater Discharge Permit.

(13) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.

(14) Hauled or trucked liquid wastes, except at the specific discharge point(s) designated by the Director.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2 National Categorical Pretreatment Standards

A. Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

(1) When wastewater subject to a Categorical Pretreatment Standard is mixed with wastewater not regulated by the same standard, the Director shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).

(2) A User may obtain a variance from a Categorical Pretreatment Standard if the User can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the Categorical Pretreatment Standard.

(3) A CIU may obtain a net/gross adjustment to a Categorical Standard in accordance with 40 CFR 403.15.

B. If waters or wastes are discharged, or are proposed to be discharged, to the POTW, and which in the judgment of the Governing Board may have a deleterious effect upon sewage works, sewage treatment processes, plant equipment, or waters of the State of Arkansas, or which otherwise create a hazard to life or constitute a public nuisance, the Governing Board may:

(1) Reject the wastes;

(2) Require pretreatment to an acceptable condition for discharge to the POTW;

(3) Require payment of sewer surcharge to cover the added cost of handling and treating the waste not covered by the sewer service charges for transporting and treating normal Wastewater;

(4) Require control over the quantities and rate of discharge;

(5) If the Governing Board permits the pretreatment or equalization of Wastewater flows, the design and installation of the plants equipment shall be subject to the review and approval of the Governing Board and subject to the requirements of all applicable codes, ordinances, and laws, and the regulations and requirements of the Arkansas Department of Environmental Quality, the Arkansas Department of Health, and the U.S. Environmental Protection Agency;

(4) Commence any action for appropriate legal and\or equitable relief, including but not limited to injunctive relief, in any court of appropriate jurisdiction.

2.3 Specific Pollutant Limitations

A. State Pretreatment Standards

State pretreatment standards located in Section 4 of Regulation Number 6: Regulations for State Administration of the national Pollutant Discharge Elimination System for a particular industrial sub-category, if more stringent than the requirements of this Ordinance, shall supersede the requirements of this Ordinance, are hereby incorporated by reference and will be imposed where applicable and shall include, but is not limited to, discharge limitations and reporting requirements. This shall include those regulations currently promulgated or which will be promulgated in the future including any amendments, and shall be recognized as part of this Ordinance.

B. Local Limits

No person shall discharge any water or waste at a concentration that would exceed the concentration of pollutants, including but not limited to, those indentified in the "Technically Based Local Limits Development Document," and adopted by the Director of Environmental Quality and approved by the Arkansas Department of Environmental Quality and West Memphis Utility Commission.

The Director of Environmental Quality will develop and assign specific discharge permit limitations, or Best Management Practices (BMP), when deemed appropriate by the Director, for pollutants for permitted Users based on criteria approved by the Director. The specific permit limits or BMP shall ensure that local limit pollutant concentrations will protect the wastewater treatment plant from upset. The Local Limits shall apply to the total flow or total process discharge for the Industrial User. In developing specific permit limits the Director may impose mass limitations in addition to, or in place of, specific concentration-based limits. In addition, the Director may develop specific discharge limitations, or BMP for any other toxic pollutants with the Director may determine to be of sufficient quantity to cause the POTW interference and/or pass through, endanger the health and safety of the POTW personnel or the public health, cause a POTW permit violation or render the POTW sludge unacceptable for economic reuse or reclamation.

The Director may develop Best Management Practices (BMP's), by Ordinance or in individual wastewater discharge permits or general permits, to implement Local Limits and the requirements of Section 2.1

The Director may also set Local Limits on a case-by-case basis. Case-by-case basis allows the Director to develop performance based local limits and to set local limits based on best performance judgment. In other words, if the Director finds that Categorical limits are applicable to a non-categorical industrial user, the Director may places these limits in the permit.

2.4 Right of Revision

The City reserves the right to establish, by ordinance or in individual Wastewater Discharge Permits more stringent standards or requirements on discharges to the POTW consistent with the purpose of this Ordinance.

2.5 Dilution

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Director may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements or in other case when the imposition of mass limitations is appropriate.

SECTION 3 - PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all Categorical Pretreatment Standards, Specific Pollutant Limits, and the prohibitions set out in Section 2.1 of this Ordinance within the time limitations specified by EPA, the State, or the Director whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to Director for review, and shall be acceptable to the Director before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Governing Board under the provisions of this Ordinance.

3.2 Additional Pretreatment Measures

A. If any waters or wastes which are discharged or which are to be discharged into the public Sewers contain or possess any of the characteristics enumerated in Section 2.1 (A) or (B) of this Ordinance and in the judgment of the Director, may have a deleterious effect upon the sewerage works, processes, equipment, sludges, or receiving waters or which otherwise create a hazard to life or constitutes a public nuisances, the Director may (a) reject the wastes, (b) require Pretreatment to an acceptable condition for discharge to the public Sewer, and/or (c) require control over the quantities and rate of discharge.

If the Director requires the Pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Director and subject to all applicable codes, ordinances, and laws. Where Pretreatment of flow equalization facilities are provided for any waters or wastes, they shall be continuously maintained in satisfactory and effective operation by the owner or occupant at his own expenses.

B. Whenever deemed necessary, the Director may require Users to restrict their discharge during peak flow periods, designate that certain Wastewater be discharged only into specific Sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Ordinance.

C. The Director may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual Wastewater Discharge Permit may be issued solely for flow equalization.

D. Grease, oil and sand interceptors (traps) shall be provided when, in the opinion of the the Director, they are necessary for the proper handling of liquid wastes containing oil and grease in excessive amounts, or any flammable wastes, sand or other harmful substances; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Director, and shall be located as to be readily and easily accessible for cleaning and inspection. All interceptors shall be maintained by the owner, at his expense, in proper operating condition.

E. When required by the Director, the owner of any property serviced by a building sewer carrying industrial waste shall provide a secure sample point or control manhole which is constructed in accordance with the latest revision of the Utility's Specification Requirements for sanitary sewers. The secure point or control manhole shall be safely located and accessible to duly authorized employees and/or representatives of the Utility at all times. When deemed necessary by the Director, the secure sample point or control manhole shall be provided with meters or other appurtenances to facilitate the monitoring of the wastewater. The cost of the installation and maintenance of a secure sample point or control manhole shall be borne by the owner. Any construction and/or alteration of a secure sample point or control manhole shall be approved by the Director before any construction has begun.

F. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

3.3 Accidental Discharge/Slug Discharge Control Plans

At least once every two (2) years, the Director shall evaluate whether each Significant Industrial User needs an accidental discharge/slug discharge control plan or other action to control Slug Discharge. The Director may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the Director may develop such a plan for any User. An accidental discharge/Slug Discharge control plan shall address, at a minimum, the following:

Description of discharge practices, including non-routine batch discharges;

Description of stored chemicals;

Procedures for immediately notifying the Director of any accidental or Slug Discharge, as required by Section 6.6 of this ordinance and the Industrial Waste Discharge Permit; and

Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

3.4 Hauled Wastewater

A. Septic tank waste may be introduced into the POTW only at locations designated by the Director and at such times as are established by the Director. Such waste shall not violate Section 2 of this Ordinance or any other requirements established by the Governing Board. The Director may require septic tank waste haulers to obtain a Wastewater Discharge Permits.

B. The Director may require haulers of industrial waste to obtain Wastewater Discharge Permits. The Director may require generators of hauled industrial waste to obtain Wastewater Discharge Permits. The Director also may prohibit the disposal of hauled Industrial Waste. The discharge of hauled industrial waste is subject to all other requirements of this Ordinance.

C. Industrial Waste haulers may discharge loads only at locations designated by the Director. No load may be discharged without prior consent of the Director. The Director may collect samples of each hauled load to ensure compliance with applicable standards. The Director may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

D. Industrial waste haulers must provide a waste tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names, and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

SECTION 4 - INDIVIDUAL WASTEWATER DISCHARGE PERMITS

4.1 Wastewater Survey

When requested by the Director, a user must submit information on the nature and characteristics of its wastewater within ninety (90) days of the request. The Director of is authorized to prepare a form for this purpose and may periodically require users to update this information.

4.2 Individual Wastewater Discharge Permit Requirement

A. No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual Wastewater Discharge Permit from the Director, except that a Significant Industrial User that has filed a timely application pursuant to Section 4.3 of this Ordinance may continue to discharge for the time period specified therein.

B. The Director may require other users to obtain individual Wastewater Discharge Permits as necessary to carry out the purposes of this Ordinance.

C. Any violation of the terms and conditions of an individual Wastewater Discharge Permit shall be deemed a violation of this Ordinance and subjects the Wastewater Discharge Permittee to the sanctions set out in Sections 10 through 12 of this Ordinance. Obtaining an individual Wastewater Discharge Permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

4.3 Individual Wastewater Discharge Permitting: Existing Connections

Any existing industrial user identified by the Governing Board and required by the Director to obtain an Industrial Wastewater Discharge Permit shall be notified by the Director in writing and shall complete and return an Industrial Wastewater Discharge Permit Application within the time established by the Director. The Director may deny or condition the contribution of pollutants by such user in the Industrial Wastewater Discharge Permit.

4.4 Individual Wastewater Discharge Permitting: New Connections

Any user required by the Director to obtain a Wastewater Discharge Permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this Wastewater Discharge Permit must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence. The Director may deny or condition the contribution of pollutants by such user in the Industrial Wastewater Discharge Permit.

4.5 Individual Wastewater Discharge Permit Application Contents

A. All users required by the Director shall submit an Industrial Wastewater Discharge Permit application to the Governing Board, the form for which shall be provided by the Governing Board. The information required in the permit application shall, where requested or appropriate included but not limited to:

(1) Identifying Information.

a. The name and address of the facility, including the name of the operator and owner.
b. Contact information, description of activities, facilities, and plant production processes on the premises;

(2) Environmental Permits. A list of any environmental control permits held by or for the facility.

(3) Description of Operations.

a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;

c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
d. Type and amount of raw materials processed (average and maximum per day);
e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

(4) Time and duration of discharges;

(5) The location for monitoring all wastes covered by the permit;

(6) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 2.2 (A) (2) (40 CFR 403.6(e)).

(7) Measurement of Pollutants.

a. The Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for existing sources.
b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Director, of regulated pollutants in the discharge from each regulated process.
c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.10 of this Ordinance. Where the Standard requires compliance with a BMP or Pollution prevention alternative, the User shall submit documentation as required by the Director or the applicable Standards to determine compliance with the Standard.
e. Sampling must be performed in accordance with procedures set out in Section 6.11 of this Ordinance.

(8) Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on Section 6.4 B [40 CFR 403.12(e)(2)].

(9) Any other information as may be deemed necessary by the Director to evaluate the permit application.

Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

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4.6 Application Signatories and Certifications

A. All Wastewater Discharge Permit applications, User reports must be signed by an Authorized Representative (defined in Section 1.4.3) of the User and contain the certification statement:

"I certify under penalty of law that his 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 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."

B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Director prior to or together with any reports to be signed by an Authorized Representative.

4.7 Individual Wastewater Discharge Permit Decisions

The Director will evaluate the data furnished by the User and may require additional information. Within thirty (30) days of receipt of a complete permit application, the Director will determine whether to issue and individual wastewater discharge permit. The Director may deny any application for an individual wastewater discharge permit.

SECTION 5 - INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE

5.1 Individual Wastewater Discharge Permit Duration

An individual Wastewater Discharge Permit shall be issued for a specified time period, not to exceed three (3) years from the effective date of the permit. Each individual Wastewater Discharge Permit will indicate a specific date upon which it will expire.

5.2 Individual Wastewater Discharge Permit Contents

An individual Wastewater Discharge Permit shall include such conditions as are deemed reasonably necessary by the Director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Individual Wastewater Discharge Permits must contain:

(1) A statement that indicates the Wastewater Discharge Permit issuance date, expiration date and effective date;

(2) A statement that the Wastewater Discharge Permit is nontransferable without prior notification to the Director in accordance with Section 5.5 of this Ordinance, and provisions for furnishing the new owner or operator with a copy of the existing Wastewater Discharge Permit;

(3) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;

(4) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of Pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

(5) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

(6) Requirements to control Slug Discharge, if determined by the Director to be necessary.

B. Individual Wastewater Discharge Permits may contain, but need not be limited to, the following conditions:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(2) Requirements for the installation of Pretreatment technology, Pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of Pollutants into the treatment works;

(3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(4) Development and implementation of waste minimization plans to reduce the amount of Pollutants discharged to the POTW;

(5) The unit charge or schedule of User charges and fees for the management of the Wastewater discharged to the POTW;

(6) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

(7) A statement that compliance with the individual Wastewater Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual Wastewater Discharge Permit; and

(8) Other conditions as deemed appropriate by the Director to ensure compliance with this Ordinance, and State and Federal laws, rules, and regulations.

5.3 Wastewater Discharge Permit Modification

The Director may modify a Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

A. To incorporate any new or revised Federal, State or local Pretreatment Standards or requirements;

B. To address significant alterations or additions to the User's operation, processes or Wastewater volume or character since the time Wastewater Discharge Permit issuance;

C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.

D. Information indicating that the permitted discharge poses a threat to the POTW and/or it's personnel, or the receiving waters;

E. Violation of any terms or conditions of the Wastewater Discharge Permit.

F. Misrepresentations or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application or in any required reporting;

G. Revision of or a grant of variance from Categorical Pretreatment Standards pursuant to 40 CFR 403.13;

H. To correct typographical or other errors in the Wastewater Discharge Permit; or

I. To reflect a transfer of the facility ownership or operation to a new owner or operator.

5.4 Wastewater Discharge Permit Transfer

Wastewater Discharge Permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the Director and the Director approves the Wastewater Discharge Permit transfer. The notice to the Director must include a written certification by the new owner or operator which:

A. States that the new owner and/or operator has not immediate intent to change the facility's operation and processes;

B. Identifies the specific dates on which the transfer is to occur; and

C. Acknowledges full responsibility for complying with the existing Wastewater Discharge Permit.

Failure to provide advance notice of a transfer renders the Wastewater Discharge Permit void as of the date of facility transfer.

5.5 Wastewater Discharge Permit Revocation

The Director may revoke an individual wastewater discharge permit for good cause, including but not limited to, the following reasons:

A. Failure to notify the Director of significant changes to the Wastewater prior to the changed discharge;

B. Failure to provide prior notification to the Director of changed conditions pursuant to Section 6.5 of this Ordinance;

C. Misrepresentation or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application;

D. Falsifying self-monitoring reports and certification statements;

E. Tampering with monitoring equipment;

F. Refusing to allow the Director timely access to the facility premises and records;

G. Failure to meet effluent limitations;

H. Failure to pay fines;

I. Failure to pay Sewer charges;

J. Failure to meet compliance schedules;

K. Failure to complete a Wastewater survey or the Wastewater Discharge Permit application;

L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

M. Violation of any Pretreatment Standard or Requirement, or any terms of the Wastewater Discharge Permit or this Ordinance.

Individual Wastewater Discharge Permits shall be voidable upon cessation of operations or transfer of business ownership. All individual Wastewater Discharge Permits issued to a User are void upon the issuance of a new individual Wastewater Discharge Permit to that User.

SECTION 6 – REPORTING REQUIREMENTS

6.1 Baseline Monitoring Reports

A. Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a) (4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable Categorical Standard, shall submit to the Director a report which contains the information listed in paragraph B, below. A New Source shall report the method of Pretreatment it intends to use to meet applicable Categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of Pollutants to be discharged.

B. Users described above shall submit the information set forth below.

(1) All information required in Section 4.5A (1) (a), Section 4.5A (2), Section 4.5A (3) (a), and Section 4.5A (6).

(2) Measurement of Pollutants.

a. The User shall provide the information required in Section 4.5 A (7) (a) through (d).
b. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
c. Samples should be taken immediately downstream from Pretreatment facilities if such exist or immediately downstream from the regulated process if no Pretreatment exists. If other Wastewaters are mixed with the regulated Wastewater prior to Pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;
d. Sampling and analysis shall be performed in accordance with Section 6.10;
e. The Director may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial Pretreatment measures;
f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected Pollutant discharges to the POTW.

(3) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 1.4 (3) and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional Pretreatment is required to meet the Pretreatment Standards and Requirements.

(4) Compliance Schedule. If additional Pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional Pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 6.2 of this Ordinance.

(5) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 6.14 A of this Ordinance and signed by an Authorized Representative as defined in Section 1.4 (3).

6.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 6.1(B) (4) of this Ordinance:

A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

B. No increment referred to above shall exceed nine (9) months;

C. The User shall submit a progress report to the Director no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

D. In no event shall more than nine (9) months elapse between such progress reports to the Director.

6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable Categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standard and Requirements shall submit to the Director a report containing the information described in Section 4.5A (6) and (7) and Section 6.1 (B) (2) of this Ordinance. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6 (c), this report shall contain a reasonable measure of the User's long term production rate. For all other Users subject to Categorical Pretreatment Standards expressed in terms of allowable Pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 4.6 of this Ordinance.

6.4 Periodic Compliance Reports

A. All Significant Industrial Users shall, at a frequency determined by the Director, but in no case less than twice per year (June and December), submit a reports indicating the nature and concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Director or the Pretreatment Standard necessary to determine the compliance status of the User. All periodic compliance reports must be signed and certified in accordance with Section 4.6 of this Ordinance.

B. When the City conducts the sampling and flow data collection for the Significant Industrial User, the reporting requirements listed under 6.4.A shall be waived.

C. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

D. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Director, using the procedures prescribed in Section 6.11 of this Ordinance, the results of this monitoring shall be included in the report.

6.5 Reports of Changed Conditions

Each User must notify the Director of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its Wastewater at least fifteen (15) days before the change.

A. The Director may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a Wastewater Discharge Permit application under Section 4.5 of this Ordinance.

B. The Director may issue an individual Wastewater Discharge Permit under Section 5 of this Ordinance or modify an existing Wastewater Discharge Permit under Section 5.3 of this Ordinance in response to changed conditions or anticipated changed conditions.

C. No User shall implement the planned change condition(s) until and unless the Director has responded to the User's notice.

6.6 Reports of Potential Problems

A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Director 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.

B. Within five (5) days following such discharge, the User shall, unless waived by the Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Ordinance.

C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

D. Significant Industrial Users are required to notify the Director immediately of any changes at its facility affecting the potential for a Slug Discharge.

6.7 Reports from Unpermitted Users

All Users not required to obtain an individual Wastewater Discharge Permit shall provide appropriate reports to the Director as the Director may require.

6.8 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Director within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the City performs sampling at the User's facility at least once a month, or if 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, or if the City has performed the sampling and analysis in lieu of the Industrial User.

If the City performed the sampling and analysis in lieu of the Industrial User, the City will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat sampling and analysis. See 40 CFR 403.12(g) (2).

6.9 Notification of the Discharge of Hazardous Waste

A. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 6.5 of this Ordinance. The notification requirement in this Section does not apply to Pollutants already reported by Users subject to Categorical Pretreatment Standards under the self-monitoring requirements of Sections 6.1, 6.3, and 6.4 of this Ordinance.

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

C. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Director, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

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

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

6.10 Analytical Requirements

All Pollutant analyses, including sampling techniques, to be submitted as part of a Wastewater Discharge Permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the Pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the Pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Director or the Approval Authority (ADEQ).

6.11 Sample Collection

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

A. Except as indicated in Section B and C below, the User must collect Wastewater samples using 24-hour flow proportional composite sampling techniques, unless time proportional Composite Sampling or Grab Sampling is authorized by the Director. Where time proportional Composite Sampling or Grab Sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple Grab Samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite Samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, Grab Samples may be required to show compliance with Instantaneous Limits.

B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

C. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [40 CFR 403.12(b) and (d)], a minimum of four (4) Grab Samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Director may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of Grab Samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

6.12 Date of Receipt of Reports

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

6.13 Recordkeeping

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 2.3 (B). Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the Director.

SECTION 7 - COMPLIANCE MONITORING

7.1 Right of Entry: Inspection and Sampling

The Director shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Ordinance and any individual Wastewater Discharge Permit or order issued hereunder. Users shall allow the Director ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Director shall be permitted to enter without delay for the purposes of performing specific responsibilities.

B. The Director shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.

C. The Director may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated frequently to ensure their accuracy.

D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be born by the User.

E. Unreasonable delays in allowing the Director access to the User's premises shall be a violation of this Ordinance.

7.2 Search Warrants

If the Director has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the Utility designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Director may seek issuance of a search warrant from the District Court Judge of the City of West Memphis, Arkansas, or any other Court of competent jurisdiction.

SECTION 8 - CONFIDENTIAL INFORMATION

Information and data on a User obtained from reports, surveys, Wastewater Discharge Permit applications, individual Wastewater Discharge Permits, and monitoring programs, and from the Director's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Director, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or Pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

SECTION 9 - PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The Director shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this Section) and shall mean:

A. Chronic violations of Wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same Pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of Wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other Pollutants except pH);

C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Director determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

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

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual Wastewater Discharge Permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with Categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the Director determines will adversely affect the operation or implementation of the local Pretreatment Program.

SECTION 10 - ADMINISTRATIVE ENFORCEMENT REMEDIES

10.1 Notification of Violation

When the Director finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may serve upon that User a written Notice of Violation. Within fifteen (15) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Director. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

10.2 Consent Orders

The Director may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 10.4 and 10.5 of this Ordinance and shall be judicially enforceable.

10.3 Show Cause Hearing

The Director may order a User which has violated, or continues to violate, any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Director and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Section 1.4 (3). A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

10.4 Compliance Orders

When the Director finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, Sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of Pollutants discharged to the Sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.5 Cease and Desist Orders

When the Director finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Director may issue an order to the User directing it to cease and desist all such violations and directing the User to:

A. Immediately comply with all requirements; and

B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.6 Administrative Fines

A. When the Director finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may fine such User in an amount not to exceed $1,000.00 Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

B. Users desiring to dispute such fines must file a written request for the Director to reconsider the fine along with full payment of the fine amount within ten (10) days of being notified of the fine. Where a request has merit, the Director may convene a hearing on the matter. In the event the User's request is granted, the payment shall be returned to the User. The Director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

C. Issuance or pursuit of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.7 Emergency Suspensions

The Director may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The Director may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary, including immediate severance of the Sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Director may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Director that the period of endangerment has passed, unless the termination proceedings in Section 10.8 of this Ordinance are initiated against the User.

B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Director prior to the date of any show cause or termination hearing under Sections 10.3 or 10.8 of this Ordinance.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

10.8 Termination of Discharge

In addition to the provisions in Section 5.5 of this Ordinance, any User who violates the following conditions is subject to discharge termination:

A. Violation of individual Wastewater Discharge Permit conditions;

B. Failure to accurately report the Wastewater constituents and characteristics of its discharge;

C. Failure to report significant changes in operations or Wastewater volume, constituents, and characteristics prior to discharge;

D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or

E. Violation of the Pretreatment Standards in Section 2 of this Ordinance.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 10.3 of this Ordinance why the proposed action should not be taken. Exercise of this option by the Director shall not be a bar to, or a prerequisite for, taking any other action against the User.

SECTION 11 - JUDICIAL ENFORCEMENT REMEDIES

11.1 Injunctive Relief

When the Director finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may petition District court through the City Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual Wastewater Discharge Permit, order, or other requirement imposed by this Ordinance on activities of the User. The Director may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.2 Civil Penalties

A. A User who has violated, or continues to violate, any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the Utility for a maximum civil penalty of $1,000.00 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation; and, each day of continuing violation may be deemed a separate violation.

B. The Director may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.3 Criminal Prosecution

A. A User who willfully or negligently violates any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than $1,000.00 per violation, per day, or imprisonment for such term as allowed by the law or both.

Comment: The City may have trouble imposing a jail term on an User (Source of Indirect Discharge). The City should replace the term ("User") with "Person" in this section.

B. A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least $100.00 but not more than $500.00 for any one (1) specified offense or violation thereof, and not less than $100.00 but not more than $1,000.00 for each repetition of such event or violation, or be subject to imprisonment for such term as allowed by law, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

C. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Ordinance, individual Wastewater Discharge Permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance shall, upon conviction, be punished by a fine of $100.00 but not more than $500.00 for any one (1) specified offense or violation thereof, and not less than $100.00 but not more than $1,000.00 for each repetition of such event or violation, or be subject to imprisonment for such term as allowed. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

N-40/46

11.4 Remedies Nonexclusive

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

SECTION 12 - SUPPLEMENTAL ENFORCEMENT ACTION

12.1 Performance Bonds

The Director may decline to issue or reissue an individual Wastewater Discharge Permit to any User who has failed to comply with any provision of this Ordinance, a previous individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the Director to be necessary to achieve consistent compliance.

12.2 Liability Insurance

The Director may decline to issue or reissue an individual Wastewater Discharge Permit to any User who has failed to comply with any provision of this Ordinance, a previous individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

12.3 Payment of Outstanding Fees and Penalties

The Director may decline to issue or reissue an individual Wastewater Discharge Permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this Ordinance, a previous individual Wastewater Discharge Permit, or order issued hereunder.

12.4 Water Supply Severance

Whenever a User has violated or continues to violate any provision of this Ordinance, an individual Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply.

SECTION 13 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

13.1 Upset

A. For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. An upset shall constitute an affirmative defense to an action brought for noncompliance with Categorical Pretreatment Standards if the requirements of paragraph (C), below, are met.

C. A User 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 the User can identify the cause(s) of the upset;

(2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and

(3) The User has submitted the following information to the Director within twenty-four (24) hours of becoming aware of the upset [if this information is provided orally, a written submission must be provided within five (5) days]:

a. A description of the Indirect Discharge and cause of noncompliance;

b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and

c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

D. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

E. Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with Categorical Pretreatment Standards.

F. Users shall control production of all discharges to the extent necessary to maintain compliance with Categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

13.2 Prohibited Discharge Standards

A User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 2.1(A) of this Ordinance or the specific prohibitions in Sections 2.1(B)(3) through (14) of this Ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:

A. A Local Limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or

B. No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the City was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements.

13.3 Bypass

A. For the purposes of this Section,

(1) Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility.

(2) 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 production.

B. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this Section.

C. Bypass Notifications

(1) If a User knows in advance of the need for a bypass, it shall submit prior notice to the Director, at least ten (10) days before the date of the bypass, if possible.

(2) A User shall submit oral notice to the Director of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass 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 bypass. The Director may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

D. Bypass

(1) Bypass is prohibited, and the Director may take an enforcement action against a User for a 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 adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
c. The User submitted notices as required under paragraph (C) of this section.

(6) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in paragraph (D)(1) of this Section.

SECTION 14 - MISCELLANEOUS PROVISIONS

14.1 Pretreatment Charges and Fees

The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's Pretreatment Program, which may include:

A. Fees for Wastewater Discharge Permit applications including the cost of processing such applications;

B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports and certification statements submitted by Users;

C. Fees for reviewing and responding to accidental discharge procedures and construction;

D. Fees to recover administrative and legal costs associated with the enforcement activity taken by the Director to address IU noncompliance; and

E. Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the City.

SECTION 15 - SEVERABILITY

The provisions of the Ordinance are severable, and if any provision, paragraph, word, section, or article of this Ordinance is invalidated by any court of competent jurisdiction, it shall not affect the remainder of this Ordinance and the remaining provisions, paragraphs, words, sections and articles shall not be affected and shall continue in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2008.

_____
WILLIAM H. JOHNSON, MAYOR

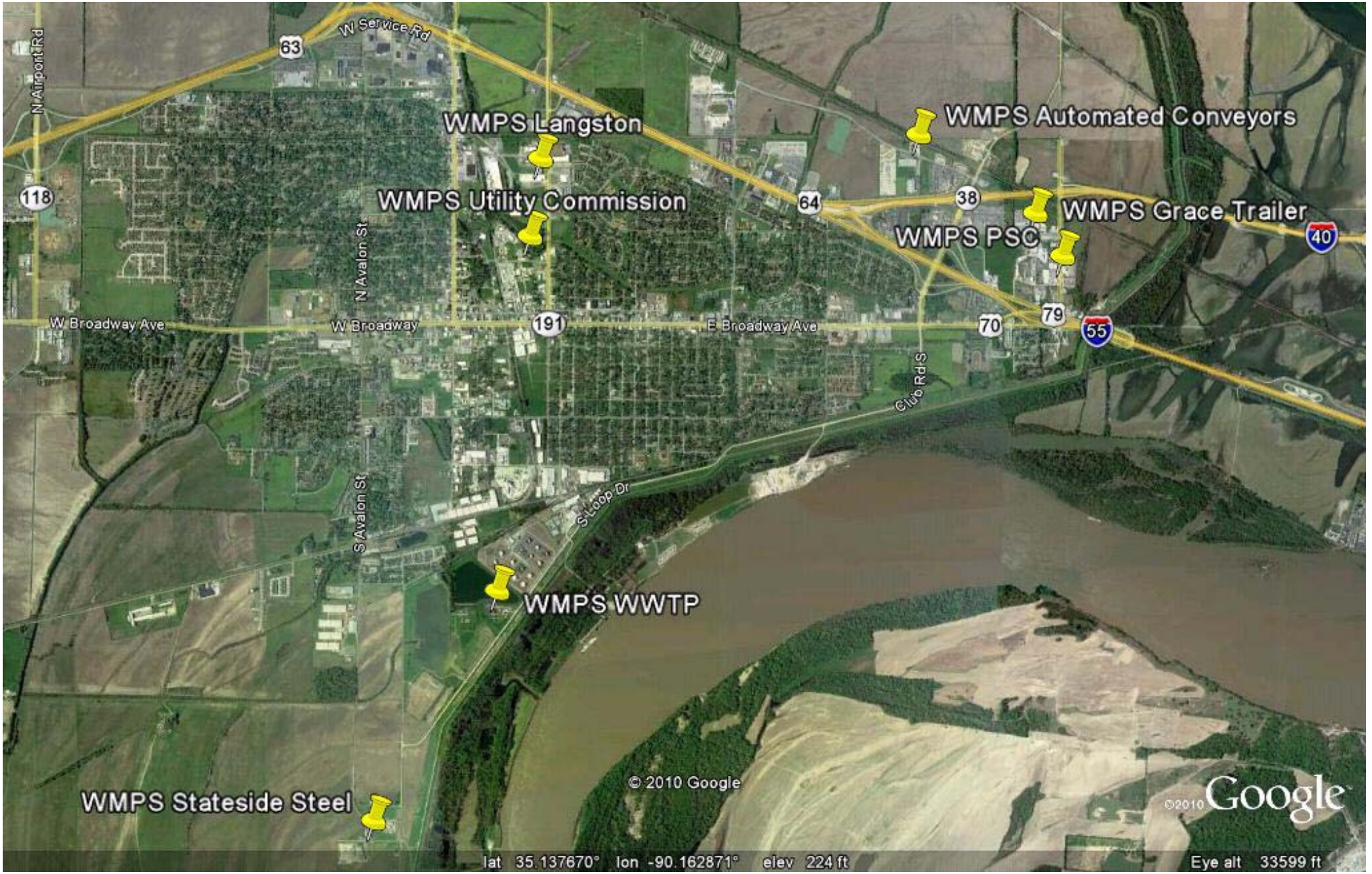
ATTEST:

_____
PHILLIP PARA, CITY CLERK

SPONSORED BY:

_____

_____


WMPS Langston
WMPS Automated Conveyors
WMPS Utility Commission
WMPS Grace Trailer
WMPS PSC
WMPS WWTP
WMPS Stateside Steel
N Airport Rd
W Service Rd
63
118
64
38
40
N Avalon St
W Broadway Ave
W Broadway
191
E Broadway Ave
70
79
55
Club Rd S
S Loop Dr
S Avalon St
© 2010 Google
©2010 Google
lat 35.137670° lon -90.162871° elev 224 ft
Eye alt 33599 ft

2:00 pm Meeting Location

Wednesday October 16, 2013

7:45 am Meeting Location on Wednesday

October 16, 2013

PRETREATMENT AUDIT CHECKLIST
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)

SECTION I: GENERAL INFORMATION

A. GENERAL INFORMATION

Control Authority Name:_____ NPDES #:

Mailing address:_____

_____

Permit Signatory:_____ Title:

Telephone: _____ FAX NUMBER:_____

Pretreatment Contact: _____ Title:

Address:_____

Telephone:_____ E-Mail address: _____

Pretreatment program approval date:

Dates of approval of any substantial modifications:_____

Month Annual Pretreatment Report Due:_____

Pretreatment Year Dates: _____ Date(s) of Audit:
(ASSESSMENT)

Inspector(s):

NAME	TITLE/AFFILIATION	PHONE NUMBER

Control Authority representative(s):

NAME	TITLE	PHONE NUMBER
*		

* Program Primary Contact

Dates of Previous PCIs/Audits:

TYPE	DATE	DEFICIENCIES NOTED

YES NO

___ ___ Is the Control Authority currently operating under any pretreatment related consent decree, Administrative Order, compliance or enforcement action?

If yes, describe the required corrective action:

___ ___ Is the Control Authority currently in SNC or RNC?

.....

The remainder of this page has been left blank, but provides a place to enter a narrative description of any information that may not fit appropriately into the questions that are asked. Mark questions or input areas with a asterisk or footnote that tells that there is more explanatory information and where it can be found.

SECTION I: GENERAL INFORMATION

B. TREATMENT PLANT INFORMATION

1. THIS PRETREATMENT PROGRAM COVERS THE FOLLOWING NPDES PERMITS/TREATMENT PLANTS:

NPDES Permit No.	Name of Treatment Plant	Effective Date	Expiration Date
*			

* Indicates the permit number/treatment plant under which the Pretreatment Program is tracked.

2. Individual Treatment Plant Information

a. Name of Treatment Plant:_____

Location Address: _____

Expiration Date of NPDES Permit:_____

Treatment Plant Wastewater Flow: Design- _____ MGD; Actual (Average)- _____ MGD

Sewer System: _____% Separate; _____ % Combined, # of CSOs _____

Industrial Contribution to this Treatment Plant

# of SIUs :_____ # of CIUs :_____
Industrial Flow (mgd):_____ Industrial Flow (%) :_____%

Level of Treatment Type of Process(es):

Primary _____ _____

Secondary _____ _____

Tertiary _____ _____

Method of Disinfection: _____

Dechlorination ____ YES ____ NO

Effluent Discharge

Receiving Stream Name:

Receiving Stream Classification:

Receiving Stream Use:

If effluent is disposed of to any location other than the receiving stream, please note:

Method of Sludge Disposal:	Quantity of Sludge:
_____ Land Application	_____ dry tons/yr.
_____ Incineration	_____ dry tons/yr.
_____ Monofill	_____ dry tons/yr.
_____ Mun. Solid Waste Landfill	_____ dry tons/yr.
_____ Public Distribution	_____ dry tons/yr.
_____ Lagoon Storage	_____ dry tons/yr.
_____ Other (specify)	_____ dry tons/yr.

List of toxic pollutant limits in NPDES permit:

a. (continuation of individual treatment plant information for Treatment Plant.)

SECTION I: GENERAL INFORMATION

YES NO

___ ___ Does the Control Authority hold a sludge permit or has the NPDES permit been modified to include sludge use and disposal requirements? If yes, specify the following:

Issuing Authority: _____
Issuance Date: _____
Expiration Date: _____

List pollutants that are specified in current sludge permit: _____

YES NO N/A

___ ___ ___ Has the Control Authority submitted results of whole effluent biological toxicity testing.

___ ___ ___ Has there been a pattern of toxicity demonstrated by effluent toxicity testing? If yes, explain what has been or is being done about it. (eg. Is there an ongoing TRE?)

_____
_____

How many times were the following monitored during the past pretreatment year?

	Influent	Effluent	Sludge	Ambient
Metals *	_____	_____	_____	_____
Priority **	_____	_____	_____	_____
Biomonitoring	_____	_____	_____	_____
TCLP	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____

* As identified at 40 CFR 122, Appendix D, Table III, ** As identified at 40 CFR 122, Appendix D, Table II

Summarize any trends over the last five years regarding pollutant (influent, effluent and sludge) loadings. Have they increased, decreased, or stayed the same. Evaluate for each parameter measured.

_____
_____
_____

YES NO N/A

___ ___ ___ Has the POTW begun tracking the trends in the above samples?

___ ___ ___ Has the POTW violated it's NPDES Permit either for effluent limits or sludge over the last 12 months?

If yes, List the NPDES effluent and sludge limits violated and the suspected cause(s)

Parameters Violated	Cause(s)
_____	_____
_____	_____
_____	_____

YES NO

___ ___ Has the treatment plant sludge violated the TCLP Test?

C. Control Authority Pretreatment Program Modification [403.18]

YES NO

___ ___ Has public comment been solicited during revisions to the Sewer use ordinance and/or local limits since the last program modification? [403.5(c)(3)]

SECTION II: PROGRAM ANALYSIS AND PROFILE

___ ___ Have any substantial modifications been made or requested to any pretreatment program components since the last audit? If yes, identify below.

1. Modifications:

Date Approved by ADEQ	Ordinance Citation/ Nature of Modification	Date Incorporated in NPDES Permit

2. Modifications in Progress:

Date Requested	Nature of Modification

YES NO

___ ___ Have any changes been made to any pretreatment program components (excluding any listed above)? If yes:

___ ___ Has the Control Authority notified the Approval Authority of all program changes? (e.g., Modified forms, procedures, legal authorities). If no, please copy and attach the modified form, etc.

D. Legal Authority [403.8(f)(1)]

Date of original Pretreatment Program approval:_____[WENDB-PTIM]
Date of most recent Ordinance approved by the Control authority: _____
Date of most recent Pretreatment Program modification approval: _____

Does the Control Authority's legal authority enable it to: [403.8(f)(1)(i-vii)]

YES NO

____ ____ Deny or condition pollutant discharges
____ ____ Require compliance with standards
____ ____ Control discharges through permit or similar means
____ ____ Require compliance schedules and IU reports
____ ____ Carry out inspection and monitoring activities
____ ____ Obtain remedies for noncompliance
____ ____ Comply with confidentiality requirements
____ ____ Establish Pollution Prevention
____ ____ Has the city developed and adopted a Pollution Prevention policy?

YES NO

___ ___ Has the Control Authority experienced difficulty in implementing the sewer use ordinance? If yes, identify reason:

_____ No oversight authority
_____ No inspection authority
_____ No remedies for noncompliance
_____ No "equivalent" standard
_____ No clear delineation of responsibility for program implementation
_____ Interjurisdictional agreements not entered into

_____ Other, Specify: _____

___ ___ Are all industrial users located within the jurisdictional boundaries of the Control Authority? If no:

___ ___ Has the Control Authority negotiated all legal agreements necessary to ensure that pretreatment standards will be enforced in contributing jurisdictions?

___ ___ Have provisions been made for the incorporation of Pollution Prevention (P^2) policies by contributing jurisdictions?
List the name of contributing jurisdictions, if any, the number of CIUs, SIUs and type of multijurisdictional agreements in those jurisdictions:

	Name of Jurisdiction	Number of CIUs	Number of Other SIUs	Type of Agreement
1.				
2.				
3.				
4.				

If relying on activities of contributing jurisdictions, indicate which activities are performed by jurisdictions and describe any problems in their implementation.

		Problems
___	Updating industrial waste survey	
___	Notification of IUs	
___	Permit issuance	
___	Receipt and review of IU reports	
___	Inspection and sampling of IUs	
___	Assessment of IUs for P^2 activity	
___	Analysis of samples	
___	Enforcement	
___	Other: _____	

Briefly describe other problems: _____

Identify any IUs that have caused problems of interference, upset, pass through, sludge contamination, problems in the collection system, or worker health and safety in the past 12 months:

IU Name	Problem	NPDES Permit Violation Yes	No

E. Industrial User Characterization [403.8(f)(2)(i)]

YES	NO	
___	___	Has the Control Authority (CA) updated its Industrial Waste Survey (IWS) to identify new Industrial Users (IUs) or changes in wastewater discharges at existing IUs? [403.8(f)(2)(i)]
___	___	If yes, while conducting the IWS, was each potential IU evaluated by the CA for the possibility of incorporating P^2 activity?
___	___	Does the Control Authority have written procedures to update its Industrial Waste Survey (IWS) to identify new Industrial Users (IUs) or changes in wastewater discharges at existing IUs? [403.8(f)(2)(i)]

If yes, do the written procedures include provisions for the assessment of potential new IUs to incorporate P^2 activity and the distribution of P^2

___ ___ reference materials to the IUs which qualify?

What methods are used to update the IWS:

___ Review of newspaper/phone book
___ Review of plumbing/building permits
___ Review of water billing records
___ Permit reapplication requirements
___ Onsite inspections
___ Citizen involvement
___ Other (specify)_____

How often is the survey to be updated? _____

Are there any problems that the Control Authority has in identifying and categorizing SIUs: _____

YES NO

___ ___ Have any new SIUs been identified within the last 12 months? If yes:

Name of IU	Type of Industry	Is the IU Permitted?

How many IUs are currently identified by the Control Authority in each of the following groups:

a. _____ SIUs (As defined by the Control Authority) [WENDB-SIUS]
b. _____ Categorical Industrial Users (CIUs) [WENDB-CIUS]
c. _____ Noncategorical SIUs
d. _____ Other regulated nonsignificant IUs (Describe) _____
_____ TOTAL of a. + d.

YES NO

___ ___ Has the POTW identified any IUs with Pollution Prevention opportunities?
___ ___ Is the Control Authority's definition of "significant industrial user" the same as EPA's? [403.3(v)(1)(i-ii)]

If not, the Control Authority has defined "significant industrial user" to mean:

_____

F. Control Mechanism Evaluation [403.8(f)(1)(iii)]

YES NO
___ ___ Has the Control Authority asked for Best Management Practices (BMPs) or Pollution Prevention assessments as part of the permit application?

Describe the Control Authority's approved control mechanism (e.g., permit, etc.): _____

What is the maximum term of the control mechanism? _____

_____ How many SIUs are not covered by an existing, unexpired permit or other control mechanism? [WENDBs-NOCM] If there are any SIUs without current (unexpired) permits, please complete the information below:

IU NAME	PERMIT EXPIRATION DATE

YES NO

___ ___ Does the Control Authority accept trucked septage wastes?
___ ___ Does the Control Authority accept other trucked wastes?
___ ___ Does the Control Authority have a control mechanism for regulating trucked wastes? If yes, answer the following:

YES NO

___ ___ Does Control Mechanism designate a discharge point? [403.5(b)(8)]
___ ___ Are all applicable categorical standards and local limits applied to trucked wastes ?

List all pollutants and applicable limits, other than local limits and categorical standards applied to waste haulers:

Pollutant	Limit

Describe the discharge point(s) (including security procedures):

___ ___ Does the Control Authority accept Underground Storage Tank (UST) cleanup wastes?

___ ___ Does the Control Authority have a control mechanism for regulating wastes from UST sites?

List all pollutants and applicable limits, other than local limits and categorical standards applied to UST cleanup sites:

Pollutant	Limit

G. Application of Pretreatment Standards and Requirements

YES NO

___ ___ Has the POTW notified the IUs of their potential requirement to report hazardous wastes to EPA, the State, and the POTW?

_____ Date Notified _____ Method of Notification

How does the Control Authority keep abreast of current regulations to ensure proper implementation of standards?

____ Federal Register ____ Journals, Newsletters
____ Meetings, Training ____ Internet
____ Government Agencies ____ Other _____

YES NO

___ ___ Is the Control Authority in the process of making any changes to its local limits or have limits changed since the last PCI, Audit, or Annual Report?

If yes, complete the information below:

SECTION II: PROGRAM ANALYSIS AND PROFILE

Pollutant Changed	Old Limit	New Limit	Reason for Change

YES NO

___ ___ Has the Control Authority technically evaluated the need for local limits for all required pollutants listed below? [WENDB-EVLL] [403.5(c)(1); 403.8(f)(4)]

	Headworks Analysis Completed?		Local Limits Needed?		Local Limits Adopted?		Numerical Limit Adopted (mg/l)
	Yes	No	Yes	No	Yes	No	
Arsenic (As)	___	___	___	___	___	___	_____
Cadmium (Cd)	___	___	___	___	___	___	_____
Chromium-Total	___	___	___	___	___	___	_____
Copper (Cu)	___	___	___	___	___	___	_____
Cyanide (CN)	___	___	___	___	___	___	_____
Lead (Pb)	___	___	___	___	___	___	_____
Mercury (Hg)	___	___	___	___	___	___	_____
Molybdenum (Mo) *	___	___	___	___	___	___	_____
Nickel (Ni)	___	___	___	___	___	___	_____
Selenium (Se) *	___	___	___	___	___	___	_____
Silver (Ag)	___	___	___	___	___	___	_____
Zinc (Zn)	___	___	___	___	___	___	_____

***** - *If necessary for the sludge disposal option chosen.*

SECTION II: PROGRAM ANALYSIS AND PROFILE

YES NO

___ ___ Has the Control Authority identified pollutants of concern other than the required pollutants and technically evaluated the need for local limits for these? If yes, provide the following information:

POLLUTANT	Headworks Analysis Completed? Yes	No	Local Limits Needed? Yes	No	Local Limits Adopted? Yes	No	Numerical Limit Adopted (mg/l)
_____	___	___	___	___	___	___	_____
_____	___	___	___	___	___	___	_____
_____	___	___	___	___	___	___	_____
_____	___	___	___	___	___	___	_____
_____	___	___	___	___	___	___	_____
_____	___	___	___	___	___	___	_____
_____	___	___	___	___	___	___	_____

YES NO

___ ___ Where it has been determined that certain pollutants need to have limits, has the POTW identified the sources of the pollutants?

What method of allocation was used for local limits for each pollutant that has a local limit in-place?

	TYPE OF ALLOCATION		
	Uniform Concentration	Mass	Hybrid
Arsenic (As)	_____	_____	_____
Cadmium (Cd)	_____	_____	_____
Chromium-Total	_____	_____	_____
Copper (Cu)	_____	_____	_____
Cyanide (CN)	_____	_____	_____
Lead (Pb)	_____	_____	_____
Mercury (Hg)	_____	_____	_____
Molybdenum (Mo)	_____	_____	_____
Nickel (Ni)	_____	_____	_____
Selenium (Se)	_____	_____	_____
Silver (Ag)	_____	_____	_____
Zinc (Zn)	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

If there is more than one treatment plant, were the local limits established specifically for each plant or were local limits applied uniformly to all plants?

_____

_____

H. COMPLIANCE MONITORING

Compliance Monitoring and Inspection Requirements:

SECTION II: PROGRAM ANALYSIS AND PROFILE

Program Aspect	Approved Program	Federal Requirement	Explain Difference
Inspections:			
CIUs	_____	1/year	_____
Other SIUs	_____	1/year	_____
Sampling:			
CIUs	_____	1/year	_____
Other SIUs	_____	1/year	_____
Reporting:			
CIUs	_____	2/year	_____
Other SIUs	_____	2/year	_____
Self-Monitoring:			
CIUs	_____	2/year	_____
Other SIUs	_____	2/year	_____

__#__ __%__ How many and what percentage of SIUs were:
(refer to p.1 for Pretreatment year)

_____ _____ Not sampled at least once in the past reporting year?

_____ _____ Not inspected at least once in the past Pretreatment reporting year?

_____ _____ Not inspected or not sampled at least once in the past reporting year ?
[WENDB-NOIN]-[403.8(f)(2)(v)]

* NOIN- *this is a count of SIUs that are either not inspected <u>OR</u> not sampled in the past 12 months. This is <u>NOT</u> a count of SIUs that were both not sampled <u>and</u> not inspected. Do not count repetitive SIU names more than once.*

Attach the names of SIUs that were not sampled and/or not inspected within the last Pretreatment reporting year. Include an explanation next to each name as to why it was not sampled and/or not inspected.

Does the Control Authority routinely split samples with industrial personnel:

YES	NO	
___	___	If requested?
___	___	To verify IU self-monitoring results?

Provide the following information regarding pollutant analyses done by the POTW:

	Analytical Method *	Name of Laboratory
Metals	_____	_____
Cyanide	_____	_____
Organics	_____	_____
Other	_____	_____

Were all wastewater samples analyzed by 40 CFR 136 methods?

* Enter the type of Analytical Method used for each group of pollutants. (eg. AA-flame, AA-furnace, GC, GC/MS, ICP, etc.

YES NO

___ ___ Does the POTW use QA/QC for sampling and analysis? If yes, describe:
_____
_____
_____
_____

SECTION II: PROGRAM ANALYSIS AND PROFILE

How much time normally elapses between sample collection and obtaining analytical results for:

_____ Conventionals
_____ Metals
_____ Organics

___ ___ Is there an established protocol clearly detailing sampling location and procedures?

___ ___ Has the Control Authority had any problems performing compliance monitoring?

If yes, explain: _____
_____
_____

Does the Control Authority use the following methods for compliance monitoring?

YES	NO	
___	___	Scheduled compliance monitoring
___	___	Unscheduled compliance monitoring
___	___	Demand monitoring for IU compliance
___	___	IU self-monitoring
___	___	Other:

YES NO

___ ___ Has the Control Authority identified any violation of the prohibited discharge standards in the last reporting year ? If yes, describe below.

I. ENFORCEMENT

YES NO

___ ___ Is the Control Authority definition of SNC consistent with EPA's? [403.8(f)(2)(viii)]

___ ___ Does the Control Authority have a written enforcement response plan (ERP)? [403.8(f)(5)]. If yes, does the plan:

YES	NO	
___	___	Describe how the Control Authority will investigate instances of noncompliance
___	___	Describe the Control Authority's types of escalating enforcement responses and the periods for each response
___	___	Identify by Title the Official(s) responsible for implementing each type of enforcement response
___	___	Reflect the Control Authority's responsibility to enforce all applicable pretreatment requirements and standards

Check those compliance/enforcement options that are available to the POTW in the event of IU noncompliance: [403.8(f)(1)(vi)]

_____ Notice or letter of violation
_____ Setting of compliance schedule
_____ Injunctive relief
_____ Administrative Order
_____ Revocation of permit
_____ Fines (maximum amount):

civil $ _____/day/violation
criminal $ _____/day/violation
administrative $ _____/day/violation

_____ Imprisonment

SECTION II: PROGRAM ANALYSIS AND PROFILE

_____ Termination of Service
_____ Other: _____

Describe any problems the Control Authority has experienced in implementing or enforcing its pretreatment program: _____

YES NO

___ ___ When violations occur, does the Control Authority routinely notify SIUs and escalate enforcement responses if violations continue? [403.8(f)(5)]

___ ___ Are SIUs required to notify the Control Authority within 24 hours of becoming aware of a violation and to conduct additional monitoring within 30 days after the violation is identified? [403.12(g)(2)].
Comment: _____

___ ___ If no, does the Control Authority conduct all of the monitoring?

YES NO N/A
___ ___ ___ Does the pattern of enforcement conform to the ERP?

Complete the following table for SIUs identified as SNC.

SIU Name	Date First Identified in SNC	Enforcement Action Type	Enforcement Action Date	Return to Compliance? Yes (Date)	Return to Compliance? No

Indicate the number and percent of SIUs that were identified as being in significant noncompliance during the past Pretreatment reporting period:

#	%	
_____	_____	Pretreatment Standards [WENDB-PSNC] (Local Limits/Categorical Standards)
_____	_____	Self-monitoring requirements [WENDB-MSNC]
_____	_____	Reporting requirements [WENDB-PSNC]
_____	_____	Pretreatment compliance schedule [WENDB-SSNC]
_____		How many SIUs that are currently in SNC with self-monitoring and were not inspected or sampled? [WENDB-SNIN]

YES NO

___ ___ Does the ERP provide for any Pollution Prevention activities as corrective actions? If so, give some examples. _____

Has the Control Authority experienced any of the following:

YES	NO		EXPLAIN and ID Industrial User
___	___	Interference [WENDB]	_____
___	___	Pass through [WENDB]	_____
___	___	Fire or explosions? (incl. flash point viol.)	_____
___	___	Corrosive structural damage?	

(incl. pH <5.0). _____
___ ___ Flow obstructions? _____
___ ___ Excessive flow or pollutant concentrations? _____
___ ___ Heat problems? _____
___ ___ Interference due to oil or grease? _____
___ ___ Toxic fumes? _____
___ ___ Illicit dumping of hauled wastes? _____

YES NO

___ ___ Does the Control Authority compare all monitoring data to applicable Pretreatment Standards and requirements contained in the control mechanism? [403.8(f)(2)(iv)]

_____ How many SIUs are currently on compliance schedules?

___ ___ Have any CIUs been allowed more than 3 years from the effective date of a categorical standard to achieve compliance with those standards? [403.6(b)]

Indicate the number of SIUs from which penalties have been collected by the Control Authority during the past Pretreatment reporting period:

	Number	Amount
Civil	_____	$_____
Administrative	_____	$_____
Total	_____	$_____

[WENDB-IUPN]

J. DATA MANAGEMENT/PUBLIC PARTICIPATION

YES NO
___ ___ Are inspection & sampling records well documented, organized and readily retrievable? Are files/records:

YES NO
___ ___ computerized
___ ___ hard copy
___ ___ OTHER: _____

Are the following files computerized:

YES NO
___ ___ Control Mechanism Issuance
___ ___ Inspection and Sampling schedule
___ ___ Monitoring Data
___ ___ IU Compliance Status Tracking
___ ___ Other: _____

SECTION III: INDUSTRIAL USER FILE REVIEW

Can IU monitoring data can be retrieved by:

___ ___ Industry name
___ ___ Pollutant type
___ ___ Industrial category or type
___ ___ SIC Code
___ ___ IU discharge volume
___ ___ Geographic location
___ ___ Receiving treatment plant (i.e.if > one plant in the system)
___ ___ Other (specify) _____

___ ___ Does the POTW have provisions to address claims of confidentiality? [403.8(f)(1)(vii)]

___ ___ Have IUs requested that data be held confidential?
How is confidential information handled by the Control Authority?
_____
_____
_____

___ ___ Are there significant public or community issues impacting the POTW's pretreatment program?

If yes, please explain: _____
_____

___ ___ Are all records maintained for at least 3 years?

K. RESOURCES

What is the current level of resources dedicated to the Pretreatment Program in FTEs and funding amounts? [403.8(f)(3)] * - FTE = Full Time Equivalent Employee

_____

YES NO

___ ___ Have any problems in program implementation been observed which appear to be related to inadequate funding?
If yes, describe and show below the source(s) of funding for the program:
_____
_____

	Percent of Total Funding
_____ POTW general operating fund	_____
_____ IU permit fees	_____
_____ monitoring charges	_____
_____ industry surcharges	_____
_____ other (describe) _____	_____
Total	100%

___ ___ Is funding expected to continue near the current level? If no, will it:

Increase ____ or Decrease _____
If no, describe the nature of the changes:

_____
_____

Are an adequate number of personnel available for the following program areas:

YES	NO		If no, explain
___	___	Legal assistance	_____
___	___	Permitting	_____
___	___	IU inspections	_____
___	___	Sample collection	_____
___	___	Sample analyses	_____
___	___	Data analysis, review and response	_____
___	___	Enforcement	_____
___	___	Administration (inc. record keeping /data management)	_____

Does the Control Authority have access to adequate:

YES	NO		If yes then list and if no, explain
___	___	Sampling equipment	_____
___	___	Safety equipment	_____
___	___	Vehicles	_____
___	___	Analytical equipment	_____

L. POLLUTION PREVENTION

1. Describe any efforts that have been taken to incorporate pollution prevention into the Pretreatment Program (e.g. waste minimization at IUs, household hazardous waste programs, etc.):

_____
_____
_____
_____
_____

2. Has the source of any toxic pollutants been identified?
If yes, what was found?

_____
_____
_____
_____

3. Has the POTW implemented any kind of public education program? If yes, describe:

_____
_____
_____
_____

4. Does the POTW have any pollution prevention success stories for industrial users documented? _____. If yes, please attach.

SECTION III: INDUSTRIAL USER FILE REVIEW

5. Are SIUs required to get a pollution prevention audit or assessment as a part of their permit application or as a requirement of their permit?

_____
_____
_____
_____

6. Has the POTW used any of the various "Guides to Pollution Prevention" as examples to their industrial and commercial users as ways to eliminate or reduce pollutants?
If yes, which of the "Guides to Pollution Prevention" were used?

_____
_____
_____
_____

SECTION III: INDUSTRIAL USER FILE REVIEW

FILE #: 1 Industry Name _____ File/ID No. _____
Industry Address _____
Industry Description _____
Industrial Category _____ 40 CFR _____ SIC Code: _____
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) _____

Industry visited during audit: YES NO

Comments: _____

FILE #: 2 Industry Name _____ File/ID No. _____
Industry Address _____
Industry Description _____
Industrial Category _____ 40 CFR _____ SIC Code: _____
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) _____

Industry visited during audit: YES NO

Comments: _____

FILE #: 3 Industry Name _____ File/ID No. _____
Industry Address _____
Industry Description _____
Industrial Category _____ 40 CFR _____ SIC Code: _____
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) _____

Industry visited during audit: YES NO

Comments: _____

FILE #: 4 Industry Name _____ File/ID No. _____
Industry Address _____
Industry Description _____
Industrial Category _____ 40 CFR _____ SIC Code: _____
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) _____

Industry visited during audit: YES NO

Comments: _____

FILE #: 5 Industry Name _____ File/ID No. _____
Industry Address _____
Industry Description _____
Industrial Category _____ 40 CFR _____ SIC Code: _____
Ave. Total Flow (gpd) _____ Ave. Process Flow (gpd) _____

Industry visited during audit: YES NO

Comments: _____

A. Industrial User Characterization

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
1. Is the IU considered					

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
"significant" by the Control Authority?	_____	_____	_____	_____	_____
2. Is the user subject to categorical pretreatment standards?	_____	_____	_____	_____	_____
a. New source or existing source (NS or ES)?	_____	_____	_____	_____	_____
b. Is this IU one identified as having P^2 potential?	_____	_____	_____	_____	_____

Comments:

B. Control Mechanism

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
1. Does the file contain an application for a control mechanism?	_____	_____	_____	_____	_____
If yes, what is the application date?	_____	_____	_____	_____	_____
Does it ask for Pollution Prevention information?	_____	_____	_____	_____	_____
2. Does the file contain a permit?	_____	_____	_____	_____	_____
Permit Expiration Date?	_____	_____	_____	_____	_____
Is a fact sheet included?	_____	_____	_____	_____	_____
3. Has the SIU been issued a control mechanism containing: [403.8(f)(1)(iii)(A)-(E)]					
a. Legal Authority Cite?	_____	_____	_____	_____	_____
b. Expiration date?	_____	_____	_____	_____	_____
c. Statement of nontransferability?	_____	_____	_____	_____	_____
d. Appropriate discharge limitations?	_____	_____	_____	_____	_____
e. Appropriate self-monitoring requirements?	_____	_____	_____	_____	_____
f. Sampling frequency?	_____	_____	_____	_____	_____

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
g. Sampling locations?	_____	_____	_____	_____	_____
h. Requirement for flow monitoring?	_____	_____	_____	_____	_____
i. Types of samples					

(grab or composite) for self-monitoring?	_____	_____	_____	_____	_____
j. Applicable IU reporting requirements?	_____	_____	_____	_____	_____
k. Standard conditions for:					
Right of Entry?	_____	_____	_____	_____	_____
Records retention?	_____	_____	_____	_____	_____
Civil and Criminal Penalty provisions?	_____	_____	_____	_____	_____
Revocation of permit?	_____	_____	_____	_____	_____
l. Compliance schedules/ progress reports	_____	_____	_____	_____	_____
m. General/Specific Prohibitions?	_____	_____	_____	_____	_____
n. Where technologically and economically achievable, are P^2 aspect included?	_____	_____	_____	_____	_____

Comments:

C. Application of Standards

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
1. Has the IU been properly categorized?	_____	_____	_____	_____	_____
2. Were both Categorical Standards and Local Limits properly applied?	_____	_____	_____	_____	_____
3. Was the IU notified of recent revisions to applicable pretreatment standards? [403.8(f)(2)(iii)]	_____	_____	_____	_____	_____
4. For IUs subject to production-based standards, have the standards been properly applied? [403.8(f)(1)(iii)]	_____	_____	_____	_____	_____

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
5. For IUs with combined wastestreams is the Combined Wastestream Formula or the Flow Weighted Average formula correctly applied? [403.6(d) and (e)]	_____	_____	_____	_____	_____
6. For IUs receiving a "net/ gross" variance, are the alternate standards properly					

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
applied?	_____	_____	_____	_____	_____
7. Is the Control Authority applying a bypass provision to this IU?	_____	_____	_____	_____	_____

Comments:

D. Compliance Monitoring

Sampling

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
1. Does the file contain Control Authority sampling results for the industry?	_____	_____	_____	_____	_____
2. Did the Control Authority sample as frequently as required by its approved program or permit? [403.8(c)]	_____	_____	_____	_____	_____
3. Does the sampling report(s) include: [403.8(f)(2)(vi)]					
a. Name of sampling personnel?					
b. Sample date and time?	_____	_____	_____	_____	_____
c. Sample type?	_____	_____	_____	_____	_____
d. Wastewater flow at the time of sampling?	_____	_____	_____	_____	_____
e. Sample preservation procedures?	_____	_____	_____	_____	_____
f. Chain-of-custody records?	_____	_____	_____	_____	_____
g. Results for all parameters? SIUs & CIUs [403.12(g)(1) - CIUs]	_____	_____	_____	_____	_____
	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
4. Has the Control Authority appropriately implemented all applicable TTO monitoring/ management requirements?	_____	_____	_____	_____	_____
5. Did the Control Authority adequately assess the need for flow-proportion vs. time-proportion vs. grab samples?	_____	_____	_____	_____	_____
6. Were 40 CFR 136 analytical methods used? [403.8(f)(2)(vi)	_____	_____	_____	_____	_____

SECTION III: INDUSTRIAL USER FILE REVIEW

Comments:

Inspections

		FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
7.	Does the IU file contain inspection reports?	_____	_____	_____	_____	_____
8. a.	Has the Control Authority inspected the IU at least as frequently as required by the approved program or permit? [403.8(c)]	_____	_____	_____	_____	_____
b.	Date of last Inspection	_____	_____	_____	_____	_____
9.	Does the inspection report(s) include: [403.8(f)(2)(vi)]					
a.	Inspector Name(s)	_____	_____	_____	_____	_____
b.	Inspection date and time?	_____	_____	_____	_____	_____
c.	Name and title of IU official contacted?	_____	_____	_____	_____	_____
d.	Verification of production rates?	_____	_____	_____	_____	_____
e.	Identification of sources, flow, and types of discharge (regulated, dilution flow, etc.)?	_____	_____	_____	_____	_____
f.	Evaluation of pretreatment facilities?	_____	_____	_____	_____	_____
g.	Evaluation of self-monitoring equipment and techniques?	_____	_____	_____	_____	_____
h.	(Re)-Evaluation of slug discharge control plan & need to develop? [403.8(f)(2)(v)]	_____	_____	_____	_____	_____
i.	Manufacturing facilities?	_____	_____	_____	_____	_____
j.	Chemical handling and storage procedures?	_____	_____	_____	_____	_____
k.	Chemical spill prevention areas?	_____	_____	_____	_____	_____

SECTION III: INDUSTRIAL USER FILE REVIEW

l. Hazardous waste storage areas and handling procedures?	_____	_____	_____	_____	_____
m. Sampling procedures?	_____	_____	_____	_____	_____
n. Laboratory procedures?	_____	_____	_____	_____	_____
o. Monitoring records?	_____	_____	_____	_____	_____
p. Evaluation of Pollution Prevention opportunities?	_____	_____	_____	_____	_____
q. Control Authority inspector signature?	_____	_____	_____	_____	_____

Comments:

IU Self-Monitoring and Reporting	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
10. Does the file contain self-monitoring reports?	_____	_____	_____	_____	_____
11. Does the file include:					
a. BMR?	_____	_____	_____	_____	_____
b. 90-Day Report?	_____	_____	_____	_____	_____
c. All periodic reports?	_____	_____	_____	_____	_____
d. Compliance schedule reports?	_____	_____	_____	_____	_____
12. Did the IU report on all required parameters?	_____	_____	_____	_____	_____
13. Did the IU comply with the required sampling frequency(s)?	_____	_____	_____	_____	_____
14. Did the IU report flow?	_____	_____	_____	_____	_____
15. Did the IU comply with the required reporting frequency(s)?	_____	_____	_____	_____	_____
	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
16. For all SIUs, are self-monitoring reports signed and certified?	_____	_____	_____	_____	_____
17. Did the IU report all changes in its discharge? [403.12(j)]	_____	_____	_____	_____	_____
18. Has the IU developed a Slug Control and Prevention Plan?	_____	_____	_____	_____	_____
19. Has the industry been					

responsible for spills or slug loads discharged to the POTW?	_____	_____	_____	_____	_____
If yes, does the file contain documentation regarding:					
a. Did the spill cause Pass Through or Interference?	_____	_____	_____	_____	_____
b. Did POTW respond to the spill?	_____	_____	_____	_____	_____

Comments:

E. Enforcement

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
1. Were all IU discharge violations identified in: [403.8(f)(2)(vi)]					
a. Control Authority monitoring results?	_____	_____	_____	_____	_____
b. IU self-monitoring results?	_____	_____	_____	_____	_____
c. If NS CIU was it compliant within 90 days from commencement of discharge?	_____	_____	_____	_____	_____
2. How many reports submitted during the past reporting year indicated discharge violations?	_____	_____	_____	_____	_____
3. Did the IU notify the Control Authority within 24 hours of becoming aware of the violation(s)?	_____	_____	_____	_____	_____

Enforcement (continued)

	FILE 1	FILE 2	FILE 3	FILE 4	FILE 5
4. Was additional monitoring conducted within 30 days after each discharge violation occurred?	_____	_____	_____	_____	_____
5. Were all nondischarge violations identified in the file?	_____	_____	_____	_____	_____
6. Was the IU notified of all violations?	_____	_____	_____	_____	_____

SECTION III: INDUSTRIAL USER FILE REVIEW

7. Was follow-up enforcement action taken by the Control Authority?	_____	_____	_____	_____	_____
8. Did the Control Authority follow its approved ERP?	_____	_____	_____	_____	_____
9. Did the Control Authority's enforcement action result in the IU achieving compliance?	_____	_____	_____	_____	_____
10. Is there a compliance schedule? If yes:	_____	_____	_____	_____	_____
11. Were there any compliance schedule violations?	_____	_____	_____	_____	_____
12. Was SNC calculated for the violations on a quarterly basis? [403.8(f)(2)(vii)]	_____	_____	_____	_____	_____
During evaluation for SNC, did the CA consider each of the following criteria?					
a. Chronic violations	_____	_____	_____	_____	_____
b. TRC	_____	_____	_____	_____	_____
c. Pass through/Interference	_____	_____	_____	_____	_____
d. Spill/slug loads	_____	_____	_____	_____	_____
e. Reporting	_____	_____	_____	_____	_____
f. Compliance schedule	_____	_____	_____	_____	_____
g. others (specify)	_____	_____	_____	_____	_____
13. Was the SIU published for SNC?	_____	_____	_____	_____	_____
Date of publication.	_____	_____	_____	_____	_____

Comments:

REPORTABLE NONCOMPLIANCE (RNC)
for the Pretreatment Audit Checklist

(MUNICIPAL POLLUTION PREVENTION ASSESSMENT CHECKLIST)

Control Authority: _____ NPDES #:_____

Date of Audit: _____ Date entered into QNCR:_____
(ASSESSMENT)

			Level
YES	NO	Failure to enforce against pass through and/or interference	I
YES	NO	Failure to submit required reports within 30 days	I
YES	NO	Failure to meet compliance schedule milestone date within 90 days	I
YES	NO	Failure to issue/reissue control mechanisms to 90% of SIUs within 6 months	II
YES	NO	Failure to inspect or sample 80% of SIUs within the last reporting year	II
YES	NO	Failure to enforce pretreatment standards and reporting requirements	II
YES	NO	Other violations of concern	II

SIGNIFICANT NONCOMPLIANCE (SNC)

YES NO Is the Control Authority in SNC for violation of any Level I criterion.

YES NO Is the Control Authority in SNC for violation of 2 or more Level II criterion.

WENDB DATA ENTRY WORKSHEET
AUDIT / (ASSESSMENT)

NAME OF PROGRAM: _____ NPDES #:

DATE OF AUDIT (DTIA): _____ INSPECTION TYPE: __G
(ASSESSMENT)
INSPECTOR CODE (INSP): ___ FACILITY TYPE (FACC): _1

Description	PCS Code	Data__
Date permit originally modified to require Pretreatment implementation	PTIM	_____
Number of SIUs without effective control mechanism unexpired where one is required	NOCM	_____
Number of Significant IUs (based upon the definition of the Control Authority)	SIUS	_____
Number of Categorical IUs	CIUS	_____
Technical evaluation of Local Limits	EVLL	
Adoption of TBLLs	ADLL	_____
Number of SIUs not inspected or sampled during the past year	NOIN *	_____
Number of SIUs in SNC with Pretreatment Standards or Reporting	PSNC	_____
Number of SIUs in SNC with self-monitoring by failing to accurately report noncompliance or failure to provide results within 30 days of due date	MSNC	_____
Number of SIUs in SNC with self-monitoring and not inspected or sampled during the past year	SNIN	_____

Completed by: _____ Date: _____

ENTERED INTO PCS: _____/_____/_____ by: _____

***** NOIN- *this is a count of SIUs that are either not inspected* ***OR not sampled in the past 12 months. This is NOT a count of SIUs that were both not sampled and not inspected. Do not count repetitive SIU names more than once.***

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)

INDUSTRIAL SITE VISIT

Control Authority: _____ NPDES #:_____

Name, address and phone number of industry:

_____

_____

Type of industry:_____ Date/Time of visit:_____
(Include regulatory citation if CIU)

_____

Industry contacts:_____

_____

	Yes	No	N/A
1. Significant industrial user?	___	___	___
2. Classified correctly?	___	___	___
3. Pretreatment equipment or procedures?	___	___	___
4. Pretreatment equipment maintained and operational?	___	___	___
5. Hazardous waste generated or stored?	___	___	___
6. Proper solid waste disposal?	___	___	___
7. Solvent management/TTO control?	___	___	___
8. Suitable sampling location?	___	___	___
9. Appropriate self-monitoring procedures/equipment?	___	___	___
10. Adequate spill prevention and control?	___	___	___
11. Industrial familiar with limits and requirements?	___	___	___
12. Pollution Prevention activity	___	___	___

Additional comments:

Visit conducted by: _____ Date:_____

_____
(signature of auditor conducting visit)

PRETREATMENT AUDIT
(MUNICIPAL POLLUTION PREVENTION ASSESSMENT)

INDUSTRIAL SITE VISIT (CONTINUED)

Control Authority: _____ NPDES #:_____

Industry name: _____

Additional comments:

Visit conducted by: _____ Date:_____

_____

(signature of auditor conducting visit)