

## Gilliam, Allen

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**From:** Gilliam, Allen  
**Sent:** Monday, December 06, 2010 9:19 AM  
**To:** 'Leon Ryan'; 'Colleen Tuggle'; 'Bernie K. Finch'  
**Cc:** Fuller, Kim; Anderson, Alan; Garner, Cindy  
**Subject:** AR0043613\_Southern Aluminum (ARP001059) BMR & "2nd" Semi-Annual Report Review [Corrected]\_20101206

Mr. Ryan,

Your Baseline Monitoring Report (BMR) and the December Semi-Annual Pretreatment Report were received and reviewed.

Both reports have been deemed complete with the federal regulations in 40 CFRs 403 and 433 (metal finishing category).

As you've noted, your wastewater remains non-compliant with the metal finishing daily and monthly average Zinc limitations.

Your correspondence through "Finch Environmental" completes the requirement to notify ADEQ of the Zn excursion further stating "...we have initiated a repeat sampling event for Total Zinc to be completed within 30 days..."

1) Per 40 CFR 403.8(f)(2)(viii), "[...Southern Aluminum]...is in significant noncompliance [SNC] if its violation meets one or more of the following criteria:...:(A) Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement".

Currently being in SNC, Southern Aluminum must submit a corrective action plan with a compliance schedule within 45 days per 40 CFR 403.8(f)(iv), "Require (A) the development of a compliance schedule by [Southern Aluminum] for the installation of technology required to meet applicable Pretreatment Standards and Requirements and (B) the submission of all notices and self-monitoring reports from Industrial Users as are necessary to assess and assure compliance by Industrial Users with Pretreatment Standards and Requirements..."

2) Per 40 CFR 403.12(c), "Compliance schedule for meeting categorical Pretreatment Standards. The following conditions shall apply to the schedule required by paragraph (b) (7) of this section:

(1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for [Southern Aluminum] to meet the applicable categorical Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

(2) No increment referred to in paragraph (c)(1) of this section shall exceed 9 months.

(3) Not later than 14 days following each date in the schedule and the final date for compliance, [Southern Aluminum] shall submit a progress report to [ADEQ and an appropriate City official] including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the Industrial User to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the [ADEQ and an appropriate City official]."

3) Lastly, this office would have to disagree with your statement on the BMR, page 2, (3)"Description of User Operations", C. where it states "No TTOs indicated..." The attached MSDS (Wilsonart 800/801) includes Acetone and Toluene. These are two readily

identifiable Total Toxic Organics per 40 CFR 433.11(e).

And, your regulated discharge flows should be more correctly identified as "1350 gpd batch discharged every 3 months. 15 gpd is confusing although you have stated "Batch\* - \*Four times per year".

If there are questions or comments, please feel free to contact this office.

Sincerely,

Allen Gilliam  
ADEQ State Pretreatment Coordinator  
501.682.0625