

Henderson, Katie

From: Gilliam, Allen
Sent: Monday, November 30, 2009 9:00 AM
To: 'Colleen Tuggle'
Cc: Leon Ryan; Garner, Cindy; Henderson, Katie
Subject: Southern Aluminum (ARP001059) Baseline Monitoring Report (etc.) for process wastewater discharge to Magnolia (AR0043613)

Colleen,

Thank you for a response.

As previously mentioned in earlier e-mails and phone conversations, your facility, by virtue of your phosphatizing process, is a Federally regulated categorical industry generating wastewater subject to both the National Pretreatment Regulations in 40 CFR 403 and more specifically, the Metal Finishing standards located in 40 CFR 433.17 (pretreatment standards for new sources). You have been e-mailed and USPS mailed attachment copies of both the baseline monitoring and the semi-annual reports due this agency.

40 CFR 403 can be found @ <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div5&view=text&node=40:28.0.1.1.4&idno=40> (cut and paste this url into your search engine if it wraps around on your screen to view). 40 CFR 403.12 also contains other reporting requirements incumbent on your facility.

The Metal Finishing standards in 40 CFR 433 can be found @ http://www.access.gpo.gov/nara/cfr/waisidx_05/40cfr433_05.html. 40 CFR 433.17 contains the rest of the metals (and cyanide) you must sample and monitor for to demonstrate compliance. The Total Toxic Organic (TTO) list of parameters is not the sole list of parameters you must submit to indicate compliance with 40 CFR 433 along with other pertinent information requested in the Baseline Monitoring Report (BMR).

Your facility is currently in significant non-compliance (SNC) for reporting violations. These violations began before your facility connected to the City of Magnolia's publicly owned treatment works (POTW). Per 40 CFR 403.12, "Reporting requirements for...industrial users. (b) *Reporting requirements for industrial users upon effective date of categorical pretreatment standard—baseline report. ...***At least 90 days prior to commencement of discharge, New Sources, and sources that become Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall be required to submit to the Control Authority a report which contains the information listed in paragraphs (b)(1)–(5) of this section.** New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New Sources shall give estimates of the information requested in paragraphs (b) (4) and (5) of this section..."

It would be in your best interest to obtain guidance from a qualified environmental professional to fully understand and complete the initial Baseline Monitoring Report and subsequent semi-annual reports to be mailed to my attention.

Considering the time elapsed and the effort this office has put into supplying you material to bring Southern Aluminum into compliance, your semi-annual reports shall be due during the months of March and September. Please save a blank copy of the semi-annual report to be used for subsequent reports.

If you have any further questions, please feel free to contact this office.

Sincerely,

Allen Gilliam
ADEQ State Pretreatment Coordinator
501.682.0625

Cc: Cindy Garner / NPDES Enforcement Manager
Katie Henderson to E-drive\PreTreatment Reports"

-----Original Message-----

From: Colleen Tuggle [mailto:ctuggle@southernaluminum.com]
Sent: Wednesday, November 18, 2009 2:13 PM
To: Gilliam, Allen
Cc: Leon Ryan

Subject: Baseline Monitoring Report

Mr. Gilliam,

We received a letter in the mail today regarding our Baseline Monitoring Report. I am emailing you to let you know that we have made arrangements for a TTO sampling. If you have any questions please let me know.

Sincerely,

Colleen Tuggle
HR Director

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F: 870-234-7351
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ctuggle@southernaluminum.com