

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. 85-61

**WASTE DISCHARGE REQUIREMENTS
INCORPORATING UPDATED LANGUAGE
FOR
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PRETREATMENT PROGRAM FOR PRETREATMENT
OF
INDUSTRIAL WASTEWATERS**

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. The Board has adopted Waste Discharge Requirements (NPDES Permits) for certain publicly owned treatment works (POTW) within the Colorado River Basin Region.
2. Said requirements for Valley Sanitary District and City of El Centro each incorporate a pretreatment program.
3. Said requirements should contain updated National Pollutant Discharge Elimination System (NPDES) language in regard to implementation of a pretreatment program.
4. The Water Quality Control Plan for the Colorado River Basin Region of California was adopted by the Regional Board on November 14, 1984. The Basin Plan contains water quality objectives for surface and ground waters.
5. The Board has notified Valley Sanitary District, the City of El Centro and interested agencies and persons of its intent to amend pretreatment language in the waste discharge requirements.
6. The Board in a public meeting heard and considered all comments pertaining to the proposed incorporation of pretreatment language.
7. The adoption of this Order constitutes an exempt project in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq).

IT IS HEREBY ORDERED,

1. The following pretreatment language is hereby incorporated into existing waste discharge requirements as set forth in:

Order No. 84-24 (NPDES No. CA0104426) City of El Centro - Imperial County.

*reconsidered by
89-077
11/29/89*

Order No. 85-12 (NPDES No. CA 0104477) Valley Sanitary District - Indio, Riverside County.

2. Pretreatment of Industrial Wastewaters

- a. The permittee shall be responsible for the performance of all pretreatment requirements contained in 40 CFR Part 403 and shall be subject to enforcement actions, penalties, fines and other remedies by the U.S. Environmental Protection Agency (EPA), or other appropriate parties, as provided in the Clean Water Act, as amended (33 USC 1351 et. seq.) (hereafter "Act"). The permittee shall implement and enforce its Approved POTW Pretreatment program. The permittee's Approved POTW Pretreatment Program is hereby made an enforceable condition of this permit. EPA may initiate enforcement action against an industrial user for noncompliance with applicable standards and requirements as provided in the Act.
- b. The permittee shall enforce the requirements promulgated under sections 307(b), 307(c), 307(d) and 402(b) of the Act. The permittee shall cause industrial users subject to Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new industrial user, upon commencement of the discharge.
- c. The permittee shall perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:
 - (1) Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
 - (2) Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
 - (3) Implement the programmatic functions as provided in 40 CFR 403.8(f)(2); and,
 - (4) Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).
- d. The permittee shall submit annually a report to EPA Region 9 and the State describing the permittee's pretreatment activities over the previous twelve months. In the event that the permittee is not in compliance with any conditions or requirements of this permit, then the permittee shall also include the reasons for non-compliance and state how and when the permittee shall comply with such conditions and requirements. This annual report is due on January 31 of each year and shall contain, but not be limited to, the below appendix entitled "Requirements for Pretreatment Annual Report".

3. Appendix - Requirements for Pretreatment Annual Report

- (1) A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the POTW's influent and effluent for those pollutants EPA has identified under section 307(a) of the Act which are

known or suspected to be discharged by industrial users. The permittee is not required to sample and analyze for asbestos until EPA promulgates an applicable analytical technique under 40 CFR Part 136. Sludge shall be sampled during the same 24-hour period and analyzed for the same pollutants as the influent and effluent sampling and analysis. The sludge analyzed shall be a composite sample of a minimum of twelve discrete samples taken at equal time intervals over the 24-hour period. Wastewater and sludge sampling and analysis shall be performed a minimum of Annually. The permittee shall also provide any influent, effluent or sludge monitoring data for nonpriority pollutants which the permittee believes may be causing or contributing to Interference, Pass Through or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.

- (2) A discussion of Upset, Interference, or Pass Through incidents, if any, at the POTW treatment plant which the permittee knows or suspects were caused by industrial users of the POTW system. The discussion shall include the reasons why the incidents occurred, the corrective actions taken and, if known, the name and address of the industrial user(s) responsible. The discussion shall also include a review of the applicable pollutant limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent Pass Through, Interference or noncompliance with sludge disposal requirements.
- (3) The cumulative number of industrial users that the permittee has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.
- (4) An updated list of the permittee's industrial users including their names and addresses, or a list of deletions and additions keyed to a previously submitted list. The permittee shall provide a brief explanation for each deletion. The list shall identify the industrial users subject to Federal Categorical Standards by specifying which set(s) of standards are applicable. The list shall indicate which categorical industries, or specific pollutants from each industry, are subject to local limitations that are more stringent than the Federal Categorical Standards. The permittee shall also list the noncategorical industrial users that are subject only to local discharge limitations. The permittee shall characterize the compliance status of each industrial user by employing the following descriptions:
 - (A) In compliance with Baseline Monitoring Report requirements (where applicable);
 - (B) Consistently achieving compliance;
 - (C) Inconsistently achieving compliance;
 - (D) Significantly violated applicable pretreatment requirements as defined by 40 CFR 403.8(F)(2)(vii);
 - (E) On a compliance schedule to achieve compliance (include the date final compliance is required);

(F) Not achieving compliance and not on a compliance schedule:

(G) The permittee does not know the industrial user's compliance status.

A report describing the compliance status of any industrial user characterized by the descriptions in items 4(C) through (G) above shall be submitted quarterly from the annual report date to EPA Region 9 and the State. The report shall identify the specific compliance status of each such industrial user. This quarterly reporting requirement shall commence upon issuance of this permit.

(5) A summary of the inspection and sampling activities conducted by the permittee during the past year to gather information and data regarding industrial users. The summary shall include:

(A) The names and addresses of the industrial users subject to surveillance by the permittee and an explanation of whether they were inspected, sampled, or both and the frequency of these activities at each user; and

(B) The conclusions or results from the inspection or sampling of each industrial user.

(6) A summary of the compliance and enforcement activities during the past year. The summary shall include the names and addresses of the industrial users affected by the following actions:

(A) Warning letters or notices of violation regarding the industrial users' apparent noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the apparent violation concerned the Federal Categorical Standards or local discharge limitations;

(B) Administrative Orders regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;

(C) Civil actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;

(D) Criminal actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;

- .E) Assessment of monetary penalties. For each industrial user identify the amount of the penalties;
- (F) Restriction of flow to the POTW; or
- (G) Disconnection from discharge to the POTW.
- (7) A description of any significant changes in operating the pretreatment program which differ from the information in the permittee's Approved POTW Pretreatment Program including, but not limited to changes concerning: the program's administrative structure; local industrial discharge limitations; monitoring program or monitoring frequencies; legal authority or enforcement policy; funding mechanisms; resource requirements; or staffing levels.
- (8) A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.
- (9) A summary of public participation activities to involve and inform the public.
- (10) A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

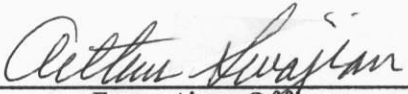
Duplicate signed copies of these reports shall be submitted to the Regional Administrator and the State at the following addresses:

Regional Administrator
U.S. Environmental Protection Agency
Region 9 Attn: W-3
215 Fremont Street
San Francisco, California 94105

California Regional Water Quality Control Board
Colorado River Basin Region
73-271 Highway 111, Suite 21
Palm Desert, CA 92260

- 4. All requirements of Orders No. 84-24 and 85-12 shall remain in full force and effect.

I, Arthur Swajian, Executive Officer, do hereby certify the forgoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on May 22, 1985.



Executive Officer