

# PRETREATMENT PROGRAM SUBMISSION PACKAGE OUTLINE

The written description of the pretreatment program shall consist of the following chapters. Three hard copies of the Pretreatment Program Submission (Submission) and 1 digital file shall be submitted for review.

## **Introduction**

The introduction should include the request for review of the Submission for full program or conditional POTW program approval under 40 Code of Federal Regulations (CFR) Part 403.

Also, the introduction should include, but not limited to:

- A statement from the City's or POTW's legal counsel that the POTW has authority adequate to carry out pretreatment program requirements and that identifies (1) the legal authority that provides the basis for the procedures required to be implemented, (2) the manner in which the POTW will implement the program requirements, and (3) how the POTW intends to ensure compliance with the requirements and enforce them (§ 403.9(b)(1)).

## **Chapter 1 – Organization and Multi-jurisdictional Implementation**

This chapter would describe the overall program structure as well as contain descriptions of the treatment plants, collection systems, reclaim systems and the service area including political boundaries. (This chapter also should describe the changes in the treatment plant configurations expected in order to comply with the Cease and Desist Order, if applicable.)

Information in this chapter should include:

- A brief description and organizational chart of the organization administering the program [40 CFR 403.9(b)(3)];
- A brief description of the treatment plant, collection system, reclaim systems and the service areas including political boundaries.
- A brief description of activities to meet and comply with existing enforcement orders, if applicable.

## **Chapter 2 – Legal Authority**

This chapter would contain a revised sewer use ordinance and all multi-jurisdictional agreements. The sewer use ordinance would necessarily be submitted as a final draft ready for adoption and implementation pending approval of the local limits by the Regional Water Board.

The POTW must operate pursuant to legal authority enforcement in Federal, State or local courts, which authorizes or enables the POTW to apply and enforce any pretreatment regulations developed pursuant to the CWA. At a minimum, the legal authority must enable the POTW to:

- a. Deny or condition discharges to the POTW;
- b. Require compliance with pretreatment standards and requirements;
- c. Control IU discharges through permits, orders, or similar means;
- d. Require IU compliance schedules when necessary to meet applicable pretreatment standards and/or requirements and the submission of reports to demonstrate compliance;
- e. Inspect and monitor IUs;
- f. Obtain remedies for IU noncompliance; and
- g. Comply with confidentiality requirements.

Information in this chapter should include, but not limited to:

- Copies of statutes, ordinances, regulations, agreements, or other authorities the POTW relies upon to administer the pretreatment program, including a statement reflecting the endorsement or approval of the bodies responsible for supervising and/or funding the POTW's pretreatment program if approved (§ 403.9(b)(2)); and
- If conditional approval is sought, provide information that POTW has adequate legal authority and procedures to carry out those aspects of the Program that will not be implemented immediately [40 CFR 403.9(c)].

## **Chapter 3 – Local Limits**

This chapter would contain the technical basis for the local limits. This would include the analyses necessary to determine the maximum headworks loadings for both wastewater treatment plants and the maximum pollutant levels protective of the collection system, as well as the method of allocating allowable loadings to the users, a schedule of public hearings and outreach, and the ordinance adoption procedures. (This chapter must contain a survey quantifying the copper sources, both domestic and non-domestic, and an

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overall control strategy for minimizing copper loadings into the wastewater treatment plants.) The local limits can be numerical concentrations, loading limits, prohibitions or control strategies.

Information in this chapter should include, but not limited to:

- Development of local limits or demonstrate why these limits are not necessary [40 CFR 403.8(f)(4) and 403.5 (c)(1)].

### **Chapter 4 – Identification of Non-domestic Users**

This chapter would contain the procedures used in the initial industrial user survey as well as the procedures to be used for on-going updates. This chapter would also include the current inventory of industrial users, by non-domestic sewer connection, and of the zero-discharging categorical industrial users who comply with their Federal standards by not discharging process wastewaters.

The inventory must indicate the following for each industrial user and zero- discharging categorical industrial user:

- a. Whether it qualifies as a significant industrial user;
- b. The average and peak flow rates;
- c. The SIC code;
- d. The pretreatment-in-place; and
- e. The local permit status.

Information in this chapter should include, but not limited to:

- Procedures for Identifying Nondomestic Users [40 CFR 403.8(f)(2)(i)-(ii) and 403.8(f)(6)]; and
- Industrial User Notification Procedures [40 CFR 403.8(f)(2)(iii)].

### **Chapter 5 – Permits and Fact Sheets**

This chapter would describe the permitting procedures and include a fact sheet and final draft permit for each significant industrial user to be issued upon approval of the local limits and revised ordinance by the Regional Water Board. The fact sheets must indicate the following for each significant industrial user and zero-discharging categorical industrial user:

- a. The industry name, address, owner or plant manager;
- b. The permit expiration date (not to exceed five years in duration);
- c. A description of the facility including the products made or services provided, building names, the process in each building, and when current operations began;
- d. The identification of each sewer connection;
- e. A description of the contributing waste streams that comprise each identified non-domestic discharge into the sewers;
- f. The pretreatment-in-place for each identified non-domestic discharge to the sewers;
- g. The classification by Federal point source category and the reasons justifying this classification;
- h. The applicable Federal categorical pretreatment standards (adjusted if necessary to account for dilution), supporting production data (if necessary), and the compliance sampling point(s) where the standards apply;
- i. The pollutants of concern and the compliance sampling point(s) where the local limits apply;
- j. A site map indicating the locations of all compliance sampling point(s), sewer connections, and sewer laterals;
- k. The sampling frequency by regulated pollutant for each compliance sampling point, and the supporting statistical rationale, to ensure that the sampling is representative of the wastewater discharge variability over the reporting period; and
- l. The sampling protocol by regulated pollutant for each compliance sampling point to ensure that the samples collected to determine compliance with Federal standards are representative of the sampling day's discharge.

Information in this chapter should include, but not limited to:

- Permitting Procedures [40 CFR 403.8(f)(1)(iii)].

### **Chapter 6 – Compliance Monitoring**

This chapter would describe the industrial user self-monitoring program and municipality's oversight monitoring program. The compliance monitoring program must ensure that all sampling is representative over the reporting period and that each sample collected to determine compliance with Federal standards is

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representative of the sampling day's discharge. The compliance monitoring program must also set analytical detection limits that are sufficiently below Federal standards and local limits to allow the determination of non-compliance.

Information in this chapter should include, but not limited to:

- Procedures for Receipt and Analysis of Reports [40 CFR 403.8(f)(2)(iv); and
- Compliance Monitoring Procedures [40 CFR 403.8(f)(2)(v), 403.8(f)(2)(vi) and 403.12].

### **Chapter 7 – Enforcement**

This chapter would establish the Enforcement Response Plan that contains detailed procedures to be used to investigate and respond to each of the following types of violations:

- a. Isolated and chronic violations of permit effluent limits;
- b. Violations of permit effluent limits that result in any adverse impacts upon the treatment works such as pass-through, interference, sludge contamination, sewer line degradation, explosive or inflammability risks, or worker health and safety risks;
- c. Failure to self-monitor or report;
- d. The bypassing of pretreatment necessary to comply with permit effluent limits;
- e. Dilution as a substitute for treatment necessary to comply with Federal categorical pretreatment standards;
- f. The bypassing of compliance sampling or the tampering with sampling equipment; and
- g. Willful or negligent violations.

Information in this chapter should include, but not limited to:

- Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under 40 CFR 403.12, or indicated by analysis, inspection, and surveillance activities as described in 40 CFR 403.8(f)(2)(v); and
- Enforcement Procedures [40 CFR 403.8(f)(2)(vii) and 403.8(f)(5)].

### **Chapter 8 – Resources**

This chapter would cover the budget, staffing and equipment needs of the pretreatment program.

The chapter should include, but not limited to, the following:

- a. Description of the budget for the program costs;
- b. An organizational chart of the POTW organization(s) and brief description of the qualified staffing necessary to implement and administer the pretreatment program (§ 403.9(b)(3));
- c. Description of funding levels and full- and part-time manpower available to implement the program [40 CFR 403.9(b)(4) and 403.8(f)(3)];
- d. If conditional POTW program approval is requested for funding and personnel to be implemented at a later date describe the mechanism by which funding will be acquired and provide a fixed date for the acquisition of the needed funding and personnel [40 CFR 403.9(c)]; and
- e. A statement reflecting the endorsement or approval of the bodies responsible for supervising and/or funding the program [40 CFR 403.9(b)(2)].

### **Chapter 9 – Public Participation and Confidentiality**

This chapter would describe the administrative procedures required under 40 CFR 403.8(f)(1)(vii) and 403.8(f)(2)(viii).

The chapter should include, but not limited to, the following:

- Description of action to be taken to comply with confidentiality requirements set forth in 40 CFR 403.8(f)(2)(viii) and 403.14;

## **REFERENCES**

Guidance Manual for POTW Pretreatment Development - <http://www.epa.gov/npdes/pubs/owm0003.pdf>  
40 CFR 403.1-.4 - [http://edocket.access.gpo.gov/cfr\\_2008/julqtr/pdf/40cfr403.3.pdf](http://edocket.access.gpo.gov/cfr_2008/julqtr/pdf/40cfr403.3.pdf)  
40 CFR 403.5 - [http://edocket.access.gpo.gov/cfr\\_2009/julqtr/pdf/40cfr403.5.pdf](http://edocket.access.gpo.gov/cfr_2009/julqtr/pdf/40cfr403.5.pdf)  
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40 CFR 403.11 – [http://edocket.access.gpo.gov/cfr\\_2009/julqtr/pdf/40cfr403.11.pdf](http://edocket.access.gpo.gov/cfr_2009/julqtr/pdf/40cfr403.11.pdf)  
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40 CFR 403.14 - [http://edocket.access.gpo.gov/cfr\\_2008/julqtr/pdf/40cfr403.15.pdf](http://edocket.access.gpo.gov/cfr_2008/julqtr/pdf/40cfr403.15.pdf)