Discharger: City of El Centro
NPDES No. CA0104426
Imperial County

Location: 2255 N. La Brucherie Road
El Centro, CA 92243

Contact: Frank Pacheco, Pretreatment Coordinator, City of El Centro

Inspection Date: April 7, 2011

Inspected By: Jose Figueroa-Acevedo, California Regional Water Quality Board,
Colorado River Basin Region
Lynn Kurth, Tetra Tech, Inc.
Ann Zimmerman, Tetra Tech, Inc.
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1. Executive Summary

The City of El Centro (City) does not currently have an approved pretreatment program. On August 5, 2010, the California Regional Water Quality Board, Colorado River Basin Region (Water Board) issued a letter to the City requiring it to develop and obtain approval for a formal pretreatment program.

This report addresses what components the City must develop or improve upon in its current program to meet the requirements of a formal, approved pretreatment program. The City must update its sewer use ordinance (SUO) and enforcement response plan (ERP) to include all required components and must ensure that the documents are consistent. The City is required to reevaluate its local limits and submit the findings and proposed actions to the Water Board for approval. The City must develop a permit for Taylor Farms (formerly River Fresh) as a significant industrial user (SIU). Under an approved pretreatment program, the City must conduct at least annual compliance monitoring and inspections at its SIU.

2. Introduction

The Water Board, with assistance from Tetra Tech, Inc., conducted a pretreatment compliance inspection (PCI or inspection) of the City’s unofficial pretreatment program on April 7, 2011. As required by the Water Board the City must develop all the components of a pretreatment program and submit a program submission document to the Water Board for approval. Pretreatment programs must comply with the requirements at title 40 of the Code of Federal Regulations, part 403, and the City’s submission document must contain the following:

- Statement from the city solicitor or a city official (40 CFR 403.9(b)(1))
- Copy of statutes, regulations, agreements, or other authorities (40 CFR 403.9(b)(2))
- Publicly owned treatment works (POTW) organization/organization charts (40 CFR 403.9(b)(3))
- Funding levels and manpower 40 CFR 403.9(b)(4) and 403.8(f)(3))
- Legal authority (40 CFR 403.8(f)(1))
- Local limits (40 CFR 403.8(f)(4) and 403.5(c)(1))
- Procedures for identifying nondomestic users (40 CFR 403.8(f)(2)(i)-(ii) and (40 CFR 403.8(f)(6))
- Industrial user notification procedures (40 CFR 403.8(f)(2)(iii))
- Procedures for receipt and analysis of reports (40 CFR 403.8(f)(2)(iv))
- Permitting procedures ((40 CFR 403.8(f)(1)(iii))
- Compliance monitoring procedures (40 CFR 403.8(f)(2)(v) and (40 CFR 403.8(f)(2)(vi))
- Enforcement procedures (40 CFR 403.8(f)(2)(vii) and (40 CFR 403.8(f)(5))
- Public participation and confidentiality procedures (40 CFR 403.8(f)(2)(viii) and 403.14)

Two facilities were visited during the PCI:

- Taylor Farms (nonpermitted domestic discharger, required to be permitted as a noncategorical SIU)
- Temple-Inland (nonpermitted nondomestic user, recommended for permitting as a zero-discharge facility)

This PCI report describes the general improvements that must be made to meet the requirements of a formal pretreatment program. EPA’s Guidance Manual for POTW Pretreatment Program Development is available at http://www.epa.gov/npdes/pubs/owm0003.pdf
3. **Description of the City’s Pretreatment Program**

The wastewater treatment facility (WWTF) has an average daily flow of 4.0 million gallons per day (mgd), with a design capacity of 8.0 mgd. The WWTF’s treatment process includes primary clarification, activated sludge, secondary clarification, and ultraviolet disinfection; chlorination is used only for emergency disinfection needs. Biosolids treatment includes anaerobic digestion and belt press filters, with continued drying on concrete beds to produce a final sludge cake of approximately 94 percent total solids. Biosolids are transported to Arizona and land applied. The City does not accept hauled waste (septage or grease) at its WWTF. The companies that pump grease from restaurant grease traps haul grease waste to either Yuma, Arizona, or San Diego, California. Another hauler, Ashbury Company, collects antifreeze and used oil and hauls them to San Diego.

The City has identified 11 nondomestic users in its service area: El Centro Regional Hospital, five dry cleaners, one photo shop, Wymore Industries, Inc. (repair shop and industrial parts/supply store with no process wastewater discharge), Rogar Manufacturing (assembles wires for the semiconductor industry with no process wastewater), River Fresh (vegetable processing and packaging), and Temple-Inland (produces corrugated packages/boxes). Based on the 2010 assessment, the City is required to permit Taylor Farms as a noncategorical SIU. Because Temple-Inland does not discharge process wastewater and does not meet the definition of an SIU, the City is not required to issue the facility a permit. It is recommended, however, that the City permit Temple-Inland as a zero-discharging facility and require the facility to submit annual certification statements of zero discharge. The City could thereby track Temple-Inland more closely for a year or so and perform random sampling and inspections to verify zero discharge.

3.1 **Pharmaceutical Take-back Efforts**

The City does not have a pharmaceutical take-back program. It is recommended that the City consider implementing one. Pharmaceutical waste in a POTW’s effluent can have a detrimental effect on the environmental health of the receiving waters. Pharmaceutical take-back events have proven to be a simple and effective way of reducing that harmful effect on the environment. Successful take-back programs have been implemented in California’s San Francisco Bay Area by the Bay Area Pollution Group, and they can be considered model systems.

3.2 **Dental Mercury**

According to the 2002 *Mercury Source Control and Pollution Prevention Program Final Report* prepared for the National Association of Clean Water Agencies (NACWA), dental clinics are the main source of mercury discharges to POTWs. Mercury-containing amalgam wastes can find their way into the environment when new fillings are placed or when old mercury-containing fillings are drilled out and waste amalgam materials that are flushed into chair-side drains enter the wastewater stream.

In December 2008, the Office of Water signed a memorandum of understanding (MOU) with the American Dental Association (ADA) and the NACWA to establish and monitor the effectiveness of a Voluntary Dental Amalgam Discharge Reduction Program. The purpose of the MOU is to encourage dental facilities to voluntarily install and properly maintain amalgam separators and then recycle the collected amalgam waste. EPA intends to continue outreach efforts under the MOU during the rulemaking process.

The City does not have a dental mercury amalgam program. The pretreatment coordinator plans to visit the City’s 32 dentists to check to see which ones have amalgam separators and to encourage those that do not to install them. He said that based on what he has learned about
dental facility discharges, he knows it is an important issue and he is waiting to see what regulations EPA may promulgate. He said the City’s WWTF has not experienced problems due to mercury in the influent. It is recommended that the City determine how many of its dentists are aware of the MOU between ADA, NACWA, and EPA and inform those that are not aware about the intent of the MOU.

3.3 Industrial Laundries

The City does not have any industrial laundries. If an industrial laundry facility moves to the City’s jurisdiction, the City should encourage the facility to participate in the EPA Safer Detergents Stewardship Initiative (http://www.epa.gov/dfe/pubs/projects/formlat/sdsi.htm).

3.4 Performance Measures

The City does not have a formal fats, oils, and grease (FOG) program. The pretreatment coordinator did, however, develop a poster describing proper FOG disposal methods and distributed it to all 102 restaurants in the service area. The posters were developed in three languages—Spanish, English, and Vietnamese. The pretreatment coordinator said that he works closely with the collection systems crews, who notify him of any problems in the collection system that might be due to nondomestic users. He also occasionally spot-checks trouble areas in the collection system where several restaurants are co-located. He said he also checks restaurant grease trap maintenance manifests, and the main grease trap pumper in town lets him know when he sees traps that are not cleaned properly or routinely. The pretreatment coordinator also visits approximately 35 auto repair shops and checks their manifests for oil and antifreeze disposal; he also looks for spills at the facilities. He said that the City has not experienced corrosion problems or overflows in the collection system related to FOG.

3.5 Potential Cleanup Sites

The pretreatment coordinator reported that there are no potential cleanup sites within the City’s jurisdiction.

4. Legal Authority

The federal pretreatment regulations at 40 CFR 403.8(f) requires that every POTW subject to the national pretreatment program have the necessary legal authority to apply and enforce section 307(b) and (c) and section 402(b)(8) of the Clean Water Act.

The City’s SUO allows the City to sample, monitor, and permit nondomestic users. The City is in the process of revising its SUO and ERP (see section 9) and is reviewing its local limits (see section 5). The SUO and ERP are under legal review, and no target date for adoption has been set. These documents have not been updated since the 2010 program assessment. The Tetra Tech inspectors provided the City with copies of the EPA Model Pretreatment Ordinance guidance document and the Legal Authority Review checklist to assist in the SUO preparation. The City is required to include all required components of an SUO.

The City’s SUO was reviewed to determine whether it contains the required language specified at 40 CFR 403.5, 403.6, 403.8, and 403.12. The City is reminded that once it has a formal approved pretreatment program, the federal pretreatment regulations at 40 CFR 403.18 require that the City notify the Water Board of any modifications it intends to make to its pretreatment program. Therefore, after the City obtains approval for its program, if changes are made to any of the program components, the City must notify the Water Board of the modifications.

The SUO review revealed the following deficiencies.
4.1 Definitions

The SUO’s definition for authorized representative of the user is not consistent with the definition at 40 CFR 403.12(l). It is recommended that the City update the definition. Also, the SUO refers to two types of nondomestic discharger permits—“waste discharge permits” and “waste discharge authorizations.” It is recommended that the City define these terms in the definitions section.

4.2 Prohibited Discharges

The federal pretreatment regulations at 40 CFR 403.6(d) prohibit industrial users from increasing the use of process water, or in any other way attempting to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or requirement. The SUO does not contain this prohibition, and therefore it must be revised.

4.3 Permit Contents

The regulations at 40 CFR 403.8(f)(1)(B)(6) require that when a POTW has determined that slug controls are necessary, the ordinance must provide the authority for the POTW to include such requirements in nondomestic discharger permits. In section 22-171.2A.2.c, the SUO states that permits may contain “requirements for development and implementation of spill control plans or other special conditions…” and includes the general requirement that “other conditions as deemed appropriate” may be placed in permits. Therefore, because the requirement is partially met, it is recommended that the City revise the SUO to specifically state that permits may contain requirements to develop slug discharge control plans when deemed necessary by the City.

4.4 Notification Requirements

The federal pretreatment regulations at 40 CFR 403.8(f)(2)(vi) require that a POTW have the legal authority to require a nondomestic user to notify the POTW immediately of any changes at its facility affecting the potential for a slug discharge. The City’s SUO does not contain this authority, and therefore the City is required to revise the SUO to include it.

The regulations at 40 CFR 403.12(p) contain notification requirements for nondomestic users in the event of a discharge of hazardous waste. The City’s SUO does not contain the authority to require its nondomestic users to provide notification of such discharges and must be revised.

Section 22.177.5 of the SUO contains requirements for conducting repeat sampling when permit limits are exceeded. The regulations at 40 CFR 403.12(g)(2) require that resamples be collected, analyzed, and reported within 30 days of becoming aware of the violation. The City’s SUO says that repeat sampling and analysis must be conducted within 30 days. The City is required to revise its SUO to state that the results of the analysis must be reported within 30 days, as specified at 40 CFR 403.12(g)(2).

4.5 Recordkeeping Requirements

The regulations at 40 CFR 403.12(o) require that records of all information resulting from any monitoring activities, including documentation associated with best management practices, must be retained for a minimum of 3 years. The City’s SUO does not include the authority to enforce this recordkeeping requirement, and therefore it must be revised.

4.6 Sampling and Analysis Procedures

The federal regulations at 40 CFR 403.12(g)(5) require that all analyses under the pretreatment program must be performed in accordance with the procedures established at 40 CFR part 136.
The regulations also include the sample collection procedures at 40 CFR 403.12(g)(3) and (4). The SUO does not contain the authority to enforce these requirements, and therefore the City is required to revise the SUO to include sampling and analysis procedures.

### 4.7 Publication of Significant Noncompliance

Section 22-139.12 of the SUO contains the requirement that significant noncompliance (SNC) notices be published in the largest daily newspaper. The federal pretreatment regulations now allow for publication in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW. This allows for more flexibility, and therefore it is recommended that the City consider whether it makes sense to change the publication requirements.

### 4.8 Unclear Citations

In section 22-172.4 the SUO refers to Resolution No. XXXX. The City is reminded to revise this reference when the resolution number has been established. Also, throughout the SUO, there are erroneous references or references to sections that the reviewers did not have. For example, section 22-177.1 paragraphs a and c refer to sections 4.6 and 6.11 “of this article,” respectively, but those two sections could not be found. The City should ensure that all citations in the SUO are correct.

### 4.9 Slug Discharge Control Plan Evaluations

Section 22-175.4 of the SUO states that “prior to October 1, 2007 the Director shall evaluate whether each existing significant industrial user needs an accidental discharge/slug control plan.” The regulations at 40 CFR 403.8(f)(2)(vi) require that for industrial users as identified as significant prior to November 14, 2005, a slug discharge control plan evaluation must have been conducted at least once by October 14, 2006, and additional SIUs must be evaluated within 1 year of their being designated as SIUs. At this time, and more relevant to the City, is the requirement that additional SIUs must be evaluated for the need for a slug discharge control plan within one year of being designated as an SIU. The City must revise its SUO to correctly reflect the requirements at 40 CFR 403.8(f)(2)(vi).

### 4.10 Enforcement Response Plan

The City’s SUO does not reference or provide the City the authority to implement its ERP. It is recommended that the City revise its SUO to provide the legal authority to implement its ERP. The results of the ERP review are in section 9 of this report.

### 4.11 Optional Provisions

It is recommended that the City consider whether it might want to incorporate the use of nonsignificant industrial user (NSCIU) and/or middle-tier CIU classifications into its SUO. Doing so would provide the City the authority to implement provisions that allow for reduced monitoring. The definitions for these discharger types can be found at 40 CFR 403.3(v)(ii)(2) and 40 CFR 403.12(e)(3). The City is reminded that if a discharger is classified as an NSCIU, the discharger must submit an annual certification statement as required at 40 CFR 403.12(q).

### 5. Local Limits

The federal pretreatment regulations at 40 CFR 403.5(c) require POTWs to develop and enforce local limits to implement the general and specific prohibitions at 40 CFR 403.5(a) and (b). The pretreatment regulations also require POTWs to continue to develop these local limits as necessary and effectively enforce the limits.
The City has established local limits but has not updated them since 1983. The City has asked a peer/expert in the pretreatment field to review its current local limits. Under an approved pretreatment program, the City must conduct a full reevaluation of its local limits to determine whether they are sufficiently protective of the WWTF, and it must maintain the documentation of the technical basis for its local limits. If the City determines that new or revised local limits are necessary, the federal pretreatment regulations at 40 CFR 403.18 require that the City notify the Water Board of the modifications. For assistance, the City is referred to EPA’s Local Limits Development Guidance, July 2004 (EPA833-R-04-002A) at http://www.epa.gov/npdes/pubs/final_local_limits_guidance.pdf.

6. Nondomestic Discharger Characterization

The federal pretreatment regulations at 40 CFR 403.8(f)(2) require that POTWs develop and implement procedures to identify and locate industrial users that might be subject to the local pretreatment program. Those procedures must also include proper categorization of all SIUs as defined at 40 CFR 403.3(v).

The City reviews business records, building permits, and water connection information to identify potential industrial users subject to the local pretreatment program. The City’s Customer Service office also shares information with the pretreatment coordinator about new businesses license applications.

It is strongly recommended that the City conduct a thorough industrial waste survey (IWS) to ensure that all possible industrial users have been identified and will be monitored to protect the WWTF. The IWS should document all nondomestic dischargers that were identified, the reason for eliminating certain dischargers from the pretreatment program, and those nondomestic dischargers that need to be included in the City’s pretreatment program. For information on how to conduct an IWS, the City should view EPA’s training webinar, “Industrial User Waste Survey Procedures” The webinar is less than 2 hours in length and can be accessed from the "Training Resources - Archived Webcasts" section of http://www.epa.gov/npdes/training.

7. Control Mechanisms

To ensure compliance with applicable pretreatment standards, the federal pretreatment regulations at 40 CFR 403.8(f)(1)(iii) require POTWs to control the discharges from nondomestic dischargers by using control mechanisms (permits or other similar means). Permits for categorical industrial users (CIUs) must also properly use the combined wastestream formula, properly convert mass-based limits to concentration-based limits, and properly apply production-based limits (if applicable) and must include a prohibition on dilution as a substitute for treatment.

The City plans to issue a noncategorical SIU permit to Taylor Farms when the SUO has been adopted. The SUO provides the legal authority to issue waste discharge permits in section 22-168. Under an approved pretreatment program, the City will be required to develop an SIU permit for Taylor Farms that contains the components described at 40 CFR 403.8(f)(1)(iii)(B).

8. Compliance Monitoring

The federal pretreatment regulations at 40 CFR 403.8(f)(2)(v) require that a POTW develop and implement an inspection and monitoring program to determine, independent of information supplied by nondomestic dischargers, compliance or noncompliance with applicable pretreatment standards and requirements. Furthermore, 40 CFR 403.8(f)(2)(vii) requires POTWs to investigate instances of noncompliance and enforce the regulations as necessary.
8.1 Compliance Sampling

The regulations at 40 CFR 403.8(f)(2)(v) require that all SIUs be sampled at least once a year unless the POTW has authorized a CIU to forego sampling of a pollutant regulated by federal pretreatment requirements. In such a case, the POTW must sample for the waived pollutant(s) at least once during the permit term [40 CFR 403.8(f)(2)(v)(A)].

Currently, the City conducts sampling at Taylor Farms for pH and chlorine at least once a week when the facility is operating. No compliance sampling is performed at Temple-Inland because the pretreatment coordinator conducted a dye test and determined that there is no discharge to the City’s sewer system. Under an approved pretreatment program, the City will be required to conduct compliance monitoring at Taylor Farms for all parameters of concern at least once a year, as required at 40 CFR 403.8(f)(2)(v). The compliance monitoring events must be documented with sufficient care so as to produce evidence admissible in an enforcement proceeding or in court, if necessary, and the City must ensure that all sampling and analysis is conducted in accordance with 40 CFR part 136.

8.2 Compliance Inspections

The regulations at 40 CFR 403.8(f)(2)(v) require that all SIUs be inspected at least once a year unless a discharger is subject to the reduced reporting requirements under 40 CFR 403.12(e)(3). In such a case, the POTW must inspect the discharger at least once every 2 years [40 CFR 403.8(f)(2)(v)(C)].

The City has conducted some inspections at the facilities of its nondomestic users. The pretreatment coordinator said that he conducts at least two unannounced visits to Taylor Farms and Temple-Inland a year. The documentation of the inspections, however, is not been adequate because there is no information about the inspections in the files. The inspection team provided an example site inspection form to the City to show the City what to document during inspections. With the classification of Taylor Farms as an SIU, the City is required, per 40 CFR 403.8(f)(2)(v), to inspect the discharger at least once a year. The inspections must be documented with sufficient care so as to produce evidence admissible in an enforcement proceeding or in court, if necessary.

8.3 Nondomestic Discharger Site Inspections Conducted During the PCI

The inspectors and a Water Board inspector, along with the City pretreatment coordinator, visited two facilities during the PCI. The following was noted during the site visits:

- **Taylor Farms** (formerly River Ranch Fresh Foods). The City has not yet issued the facility a permit but intends to permit it as a noncategorical SIU. The facility was not in operation during the site visit. The discharger is a seasonal operation that receives field vegetables (i.e., lettuce, broccoli, cauliflower, cabbage, carrots) from November through March for processing and packaging. Within the past year a new tote wash-down pad has been installed, which has increased the wastewater discharge by 150,000 gallons per day to approximately 650,000 gallons per day when in operation. No deficiencies were noted because the facility was not open.

- **Temple-Inland.** The City has not yet issued the facility a permit but intends to permit it as a zero discharger. Temple-Inland produces corrugated packages and boxes. The process is closed-loop, so no process wastewater is discharged to the City’s sewer system. The City conducted a dye test to verify that the system is closed-loop. To connect the box
layers, the discharger produces glue that contains corn starch, borax, sodium hydroxide, and waterproofing agents on-site. The discharger has a wastewater treatment system that receives all wastewater from the process area floor drains. The treatment system consists of two equalization tanks, a mixing tank for polymer, sodium hydroxide and a coagulant, and a clarifier. Sludge produced from the treatment system is dewatered at two frame filter presses. The sludge is hauled off-site for disposal. The treated wastewater is then reused in the glue mixture or in other areas of the process. No deficiencies were noted during the site visit.

8.4 Requesting, Receiving, and Analyzing Reports
The federal pretreatment regulations at 40 CFR 403.8(f)(2)(iv) require the City to request, receive, and analyze all reports submitted by SIUs. The City is reminded that under an approved pretreatment program, the City must ensure that all reports submitted by SIUs comply with the provisions at 40 CFR 403.12. Furthermore, the City must review all data to confirm that analytical procedures used meet the requirements at 40 CFR part 136. (For example, chain-of-custody forms and other documentation must confirm that proper holding times, preservation methods, and container types were used.)

8.5 Slug Discharge Control Plans
The federal pretreatment regulations at 40 CFR 403.8(f)(2)(vi) require the City to evaluate each SIU by October 14, 2006, or within one year of its becoming an SIU, to determine whether the SIU needs to develop and implement a slug discharge control plan. A slug discharge is any discharge of a nonroutine, episodic nature, including an accidental spill or noncustomary batch discharge [40 CFR 403.8(f)(2)(vi)]. The regulations also require an SIU to notify the POTW immediately of any changes at the SIU’s facility that affect the potential for a slug discharge.

During the 2010 assessment, it was recommended that the City require Taylor Farms and Temple-Inland to develop and implement slug discharge control plans. The City pretreatment coordinator determined that Temple-Inland did not need to develop a slug discharge control plan because it has a closed-loop system and no process wastewater enters the City’s sewer system. The pretreatment coordinator has decided to require Taylor Farms to develop a slug discharge control plan. Therefore, when the City develops an SIU permit for Taylor Farms, it must include requirements for the development and implementation of a slug discharge control plan, as required at 40 CFR 403.8(f)(1)(iii)(B)(6). The slug discharge control plan must contain the components specified at 40 CFR 403.8(f)(2)(vi)(A)–(D).

9. Enforcement
The federal pretreatment regulations at 40 CFR 403.8(f)(5) require the City to develop and implement an ERP. The plan must contain detailed procedures indicating how the City will investigate and respond to instances of discharger noncompliance. The City’s ERP must:

- Describe how the City will investigate instances of noncompliance
- Describe the types of escalating enforcement responses the City will take in response to all anticipated types of industrial user violations and the time periods within which such responses will take place
- Identify (by title) the official(s) responsible for each type of response
- Adequately reflect the City’s primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed at 40 CFR 403.8 (f)(1) and (f)(2).
A cursory review indicated that the City’s ERP has the basic elements listed above. The City must review its ERP closely to ensure that it is updated and applicable to the City’s specific enforcement needs.

The reviewers noted that the City’s SUO (section 22-139) allows 45 days after the due date for reports before an SIU is considered to be in SNC. The City’s ERP, however, still allows only 30 days. The City is required to ensure that its ERP is consistent with its revised SUO. EPA’s document entitled *Guidance for Developing Control Authority Enforcement Response Plans* can be found at [http://www.epa.gov/npdes/pubs/owm0015.pdf](http://www.epa.gov/npdes/pubs/owm0015.pdf).

### 10. Summary of Requirements and Recommendations

Listed below are the primary requirements and recommendations resulting from the assessment of the City’s pretreatment program. For more specific information pertaining to each comment, see the cited sections of the report.

#### 10.1 Requirements

1. The City is required to revise its SUO to ensure that the SUO contains all required components at 40 CFR 403.5, 403.6, 403.8, and 403.12. The City is required to revise its SUO to include or revise the following: prohibition of dilution as treatment (40 CFR 403.6); slug discharge control plan requirements in permits (40 CFR 403.8(f)(1)(B)(6)); notification of POTW immediately of any changes at a facility affecting the potential for a slug discharge. (40 CFR 403.8(f)(2)(vi)); repeat sampling requirements (40 CFR 403.12(g)(2)); recordkeeping requirements (40 CFR 403.12(o)); sampling and analysis requirements (40 CFR 403.12(g)(5) and 40 CFR part 136); and slug discharge control plan evaluation requirements (40 CFR 403.8(f)(2)(vi)). (Section 4, Legal Authority)

2. The City is required to reevaluate its local limits and submit the findings and proposed actions to the Water Board for approval. The City is reminded that it must maintain documentation of the technical basis for the local limits. (Section 5, Local Limits)

3. Under an approved pretreatment program, the City will be required to develop an SIU permit for Taylor Farms. The permit must contain the components described at 40 CFR 403.8(f)(1)(iii)(B). (Section 7, Control Mechanisms)

4. Under an approved pretreatment program, the City will be required to conduct compliance monitoring at Taylor Farms for all parameters of concern at least once a year, as required at 40 CFR 403.8(f)(2)(v). The compliance monitoring events must be documented with sufficient care so as to produce evidence admissible in an enforcement proceeding or in court, if necessary, and the City must ensure that all sampling and analysis is conducted in accordance with 40 CFR part 136. (Section 8.1, Compliance Sampling)

5. With the classification of Taylor Farms as an SIU, the City is required (per 40 CFR 403.8(f)(2)(v)) to inspect the discharger at least once a year. The inspections must be documented with sufficient care so as to produce evidence admissible in an enforcement proceeding or in court, if necessary. (Section 8.2, Compliance Inspections)

6. The City must review its ERP closely to ensure that it is updated and applicable to the City’s specific enforcement needs. The City’s SUO (section 22-139) allows 45 days after the due date for reports before an SIU is considered to be in SNC. The City’s ERP,
however, still allows only 30 days. The City is required to ensure that its ERP is consistent with its revised SUO. (Section 9, Enforcement)

10.2 Recommendations

1. It is recommended that the City permit Temple-Inland as a zero discharger and require the facility to submit annual certification statements of zero discharge. The City could thereby track Temple-Inland more closely for a year or so and perform random sampling and inspections to verify zero discharge. (Section 3, Description of the City’s Pretreatment Program)

2. It is recommended that the City determine how many of its dentists are aware of the MOU between ADA, NACWA, and EPA and inform those that are not aware about the intent of the MOU. (Section 3.2, Dental Mercury)

3. The SUO’s definition for authorized representative of the user is the old definition from before the streamlining rule update. It is recommended that the City update the definition. In addition, the SUO refers to two types of nondomestic discharger permits—“waste discharge permits” and “waste discharge authorizations.” It is recommended that the City define these terms in the definitions section of the SUO. (Section 4.1, Definitions)

4. The SUO has the old requirement for publication of SNC notices. It is recommended that the City consider whether it makes sense to change the publication requirements to a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW. (Section 4.7, Publication of Significant Noncompliance)

5. The SUO refers to Resolution No. XXXX. The City is reminded to revise this reference when the resolution number has been established. Also, throughout the SUO, it refers to sections that the reviewers did not have or are erroneous. Also, throughout the SUO, there are erroneous references or references to sections that the reviewers did not have. For example, section 22-177.1 paragraphs a and c refer to sections 4.6 and 6.11 “of this article,” respectively, but those two sections could not be found. The City should ensure that all citations in the SUO are correct. (Section 4.8, Incorrect Citations)

6. It is strongly recommended that the City conduct a thorough IWS to ensure that all possible industrial users have been identified and will be monitored to protect the WWTF, as required at 40 CFR 403.8(f)(2). The IWS should document all nondomestic dischargers that were identified, the reason for eliminating certain dischargers from the pretreatment program, and those nondomestic dischargers that need to be included in the City’s pretreatment program. (Section 6, Nondomestic Discharger Documentation)

7. The City is reminded that under an approved pretreatment program, the City must ensure that all reports submitted by SIUs comply with the provisions at 40 CFR 403.12. Furthermore, the City must review all data to confirm that analytical procedures used meet the requirements at 40 CFR part 136. (Section 8.4, Requesting, Receiving, and Analyzing Reports)

8. The pretreatment coordinator has decided to require Taylor Farms to develop a slug discharge control plan. Therefore, when the City develops an SIU permit for Taylor Farms, it must include requirements for development and implementation of a slug discharge control plan, as required at 40 CFR 403.8(f)(1)(iii)(B)(6). The slug discharge
control plan must contain the components specified at 40 CFR 403.8(f)(2)(vi)(A)–(D).
(Section 8.5, Slug Discharge Control Plans)