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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
WATER

SEP 22 1983

MEMORANDUM

SUBJECT: Example Language for Modifying NPDES Permits for Pretreatment Program Approval

FROM: Martha G. Prothro, Director
Permits Division (EN-336) MGP

TO: Water Management Division Directors

There are over 1700 POTWs that must develop local pretreatment programs. To date, over 100 POTW programs have been approved and many of the remaining POTWs have submitted or are very close to submitting a final program. Therefore, many programs will be approved in the next several months.

After an industrial pretreatment program is approved, the POTW's discharge permit must be modified or reissued to incorporate the program as an enforceable component as required in 40 CFR §403.8(c). The modification of permits is authorized under 40 CFR §122.62(a)(7) where reopener conditions have been used in the permits. In 40 CFR §122.44(j)(2), permits must include conditions such that, ". . . The local program shall be incorporated into the permit as described in 40 CFR Part 403. The program shall require all indirect dischargers to the POTW to comply with the reporting requirements of 40 CFR Part 403." Reporting requirements for the POTW that are inserted in the modified permit are covered under 40 CFR §122.48(c) which references §122.44.

There have been several requests from Regional and State agency personnel for help with appropriate permit language. We have reviewed example language for modifying permits from several Regions and States (attached) and have developed example language ourselves. While there are a number of differences among the examples, you will notice that a common element among the examples is the requirement that the POTW submit an annual report on pretreatment activities. Such reports usually require information on the POTW pretreatment activities during the past year, a summary of its effectiveness and proposed program modifications.

The reports summarize industrial user monitoring, compliance and enforcement activities conducted over the past year. Regardless of which example modification language your staff chooses to adopt or modify, we strongly recommend and advise you to include an annual reporting element in the modified permit.

I request that you and your pretreatment staff review the attached draft permit modification materials and submit comments to Dr. Gallup of my staff by October 14. Please call me or Jim Gallup at FTS 755-0750 if you have any questions.

Attachments

cc: Pretreatment Coordinators

STANDARDIZED LANGUAGE FOR MODIFYING NPDES PERMITS FOR PRETREATMENT PROGRAM APPROVAL

The goals of the National Pretreatment Program are to improve opportunities to recycle and reclaim wastewaters and sludges, to prevent pass through of pollutants into receiving waters, and to prevent interference with the operation of the publicly owned treatment works (POTWs) when hazardous or toxic industrial wastes are discharged into the sewage system. The primary responsibility for developing pretreatment programs and for enforcing national pretreatment standards for industries rests with the local POTW authorities. EPA estimates that more than 1,700 POTW Authorities must develop programs which will protect over 2,000 permitted municipal treatment facilities.

EPA and State regulatory agencies participate in the pretreatment program by overseeing the development, implementation, and continued effectiveness of local pretreatment programs. In non-NPDES States, EPA issues or modifies permits and retains authority for the pretreatment program, although the States may participate in some activities. In NPDES States without pretreatment authority, EPA reviews and approves POTW submissions, but the State is responsible for permit modification and permit compliance. In these cases, it is important for EPA to develop an agreement with the State to ensure that permits are modified to reflect pretreatment program approval. Program approval and permit modifications are equally important in NPDES States with Pretreatment authority. EPA can obtain some consistency and ease the States' workload by providing standard permit modification language to them.

POTWs have been notified by EPA and State agencies of the requirement to develop a local program. Program development compliance schedules have been inserted into the POTWs' NPDES, or State-issued permits, making development and submission of local pretreatment programs an integral and enforceable component of the permits. Compliance schedules usually require POTWs to develop and document the authorities, information, and procedures necessary to implement the General Pretreatment Regulations. Municipalities develop the local program with technical and financial assistance from EPA and the States.

Generally, a POTW prepares a plan describing how it will implement the pretreatment program in its service area and submits the plan to the EPA or the delegated State regulatory agency for review and approval. EPA or the delegated State must then review the submission to ensure that:

- All necessary legal authorities are in place.
- The technical information presented demonstrates the POTW's understanding of the industrial community that will be controlled (type, size, pollutants, necessary pollutants limits, problems to be addressed, etc.).
- Administrative, technical and legal procedures for implementing the program are consistent with the complexity of the industrial community served.
- The estimated cost of implementing the program (including manpower and equipment), based on the procedures established, is reasonable and revenue sources are available to ensure continued, adequate funding.
- The objectives and requirements of the General Pretreatment Regulations are fulfilled by the planned program.

It should be reiterated that the POTW's submission at this point represents only a plan for operating a program to comply with the regulatory requirements. To date, more than 100 POTW pretreatment programs have been approved nationwide. Most of the remaining POTWs have already submitted portions of their programs for interim comment or review. Accordingly, a large number of programs should soon be ready for approval without substantial additional effort.

After approval, the POTW begins implementing the pretreatment program plan subject to oversight by EPA or the State regulatory agency. At this time, the Approval Authority turns from considering program development problems to considering implementation, verification and compliance issues, such as:

- Documentation of POTWs' Compliance with Approved Programs.

  For the individual case this means that each POTW must demonstrate, through reporting requirements, that the elements of its pretreatment program are actually being carried out. In the general case, the Approval Authority will have to plan oversight and surveillance activities that regularly cover all POTWs within its jurisdiction.

- Documentation of the Effectiveness of POTW Programs.

  A POTW complying with provisions of its approved pretreatment program may still not be adequately protecting site-specific receiving water quality and sludge disposal options, especially as new requirements are developed. Appropriate measures must be developed to ensure that local environmental goals are being met by the POTW and that improvements can be evaluated.

In addition to considering these issues, Section 403.8(c) of the General Pretreatment Regulations specifies that the NPDES permit must be modified or reissued to incorporate the conditions of the approved program as an enforceable component. The language placed in the permit must take into account the issues mentioned above and must ensure that:

- The general requirements of the National Pretreatment Program and the specific requirements of the local program will be implemented in a manner that achieves the objectives of preventing pass through, interference and sludge contamination.
- The Approval Authority will be able to bring about POTW compliance with the responsibilities established in the regulations and the approved local program submission.
- The POTW understands its obligations and the standards and benchmarks against which its performance will be judged.

Permit modification, then, is a very important part of the overall process of implementing the National Pretreatment Program. Because there are so many important issues to be addressed in local programs, and because so many agencies will be responsible for permit modification and oversight activities, we have developed the attached model permit language that can be adapted to most POTWs across the country. The attachment includes standard permit modification language (adapted from actual permit language from ___ Regions and ___ States) that can be used to incorporate into the permit a POTW's approved pretreatment program and other conditions and requirements with which the POTW must comply.

This package also includes examples of special condition clauses. In certain circumstances, additional substantive or notification permit requirements may be appropriate for a particular POTW. Some examples of situations that might indicate the need for special pretreatment permit conditions are listed below.

- Where the industrial flow represents a very large percentage of the total flow of the POTW.
- Where only one or two major industrial user(s) discharge to the POTW.
- Where industrial users have the potential to discharge highly toxic, hazardous, or unusual wastes.
- Where there are a large number or variety or industrial users.
- Where a POTW has a history of NPDES permit violations.
- Where the receiving waters have unusual water quality needs because of sensitive species or intolerance to high or varying pollutants loads.
- Where a POTW's wastewater or sludge is reused on agricultural or recreational land or where treated sludge is sold commercially.
- Where a POTW receives wastes from septage haulers, or other waste haulers that could be handling hazardous wastes that have a potential for adverse impacts on the treatment plant.
- Where the POTW service area is large or made up of numerous political jurisdictions requiring cooperation and coordination between several local agencies.

For these more difficult situations, we have developed five special conditions as part of the following standard permit language. These may be useful when tailored to a POTW with special problems or circumstances that cannot be covered by the more general, standardized language.

SUGGESTED PRETREATMENT LANGUAGE
FOR NPDES PERMITS

The following language should be inserted into the "Other Requirements" section of the POTW's NPDES permit after the local pretreatment program is approved.

Industrial Pretreatment Program

1. The permittee is responsible for enforcing any National Pretreatment Standards [40 CFR 403.5] (e.g., prohibited discharges, Categorical Standards, locally developed effluent limits) in accordance with Section 307(b) and (c) of the Act. The permittee shall establish and enforce specific limits to implement the provisions of 40 CFR 403.5(a) and (b) as required by 40 CFR 403.5(c). These locally established effluent limitations shall be defined as National Pretreatment Standards.

2. The permittee shall implement the Industrial Pretreatment Program in accordance with the legal authorities, policies, procedures, and financial provisions described in the permittee's Pretreatment Program submission (and related documents) entitled, _____ and dated, _____, and the General Pretreatment Regulations (40 CFR 403). The permittee shall also maintain adequate funding levels to accomplish the objectives of the pretreatment program.

3. The permittee shall provide the EPA or State with an annual report that briefly describes the permittee's program activities over the previous twelve months. The permittee must also report on the pretreatment program activities of all participating agencies [name them], if more than one jurisdiction is involved in the local program. This report shall be submitted no later than _____ of each year and shall include:

(a) An updated list of the permittee's industrial users, or a list of deletions and additions keyed to a previously submitted list. A summary of the number of industrial user permits (or equivalent) issued this past year and the total (cumulative) issued;

(b) A summary of the compliance/enforcement activities during the past year including total number of enforcement actions any discharge restrictions or denials against industrial users and the amount of any penalties collected. In addition the summary shall contain the number & percent of industrial users in compliance with:
(1) Baseline Monitoring Report requirements;
(2) Categorical Standards; or
(3) Local limits

(c) A summary of the monitoring activities conducted during the past year to gather data about the industrial users, including inspections to verify baseline monitoring reports;

(d) A narrative description of program activities during the past year including a general summary of the effectiveness of the program in controlling industrial waste. A description and explanation of all proposed substantive changes to the permittee's pretreatment program. Substantive changes include, but are not limited to, any major modification in the program's administrative structure or legal authority, a significant alteration of the scope of the monitoring program, or a change in the level of funding for the program, a major change in the staffing or equipment used to administer the program, change in the sewer use ordinance, regulations, or rules, a proposed change or addition to locally established effluent limits (pursuant to 40 CFR 403.5(c));

(e) A summary of analytical results from flow proportioned, composite sampling for [list priority pollutants] at the POTW influent, effluent, and sludge for the same [number of days] period and bioassay data for (list pollutants) for a (number of days) period; and

(f) For Baseline Monitoring Reports (where applicable), a summary of the industrial users notified during the past year, the total cumulative notifications, the number of reports received/approved during the year and total cumulative.

(g) If EPA (or State) does not object to any proposed modifications described in the annual report within 90 days, the changes shall be considered approved.

4. The EPA (or State) has the right to inspect or copy records or to initiate enforcement actions against an industrial user or the permittee as provided in Sections 308 and 309 of the Act.

5. EPA (or State) retains the right to require the POTW to institute changes to its local pretreatment program:

(a) If the program is not implemented in a way that satisfies the requirements of 40 CFR 403;

(b) If problems such as interference, pass through, or sludge contamination develop or continue;

(c) If other Federal, State, or local requirements (e.g., water quality standards) change.

Special Conditions (Case-by-Case)

The following types of requirements should be inserted into a POTW's NPDES permit when special circumstances, such as continuing noncompliance or significant or unusual industrial discharges, which could cause interference, pass through, or sludge contamination, are encountered.

1. The permittee shall notify EPA (or State) 60 days prior to any major proposed change in sludge disposal method. EPA (or State) may require additional pretreatment measures or controls to prevent or abate an interference incident relating to sludge use or disposal.

2. The permittee shall establish and enforce regulations to control the introduction of septage waste from commercial septage haulers into the POTW. These local regulations shall be subject to approval by EPA (or State).

3. The permittee shall monitor the following major industrial users for the pollutants of concern on a [frequency, e.g., monthly, quarterly] basis and forward a copy of the results to EPA (or State).

List Industrial Users	List Pollutants of Concern
a.	i.
b.	ii.
c.	iii.

4. The permittee shall sample and analyze its influent, effluent, and sludge for [list toxic pollutants] on a [frequency] basis and forward a copy of the results to EPA (or State).

5. The permittee shall monitor the receiving waters for [list toxic pollutants] on a [frequency] at [describe monitoring site location] and forward a copy of the results to EPA (or State).

Implementation of G-J Town Pretreatment Program

After the POTW pretreatment program meets all requirements under §403.9(b) and is approved by the Approval Authority, the G-J town Joint Sewer Board's NPDES permits must be modified to include permit conditions for Industrial pretreatment program implementation.

A set of the special permit requirements has been drafted as follows:

a. The permittee has been delegated primary responsibility for enforcing against discharges prohibited by 40 CFR 403.56 and applying and enforcing any National Pretreatment Standards established by the United States Environmental Protection Agency in accordance with section 307(b) and (c) of the Act.

b. The permittee shall implement the G-J town Industrial Pretreatment Program in accordance with the legal authorities, policies, and procedures described in the permittee's Pretreatment Program document entitled, "Industrial Pretreatment Program, G-J town" (Date to be inserted).

c. The permittee shall provide the State of Department of Environmental Conservation and EPA with a semi-annual report describing the permittee's pretreatment program activities over the previous calendar months in accordance with 40 CFR 403.12.

d. Pretreatment standards (40 CFR 403.5) prohibit the introduction of the following pollutants into the waste treatment system:

   - Pollutants which create a fire or explosion hazard in the POTW,

   - Pollutants which will cause corrosive structural damage to the POTW, but in no case, discharge with a pH lower than 5.0,

   - Solid or viscous pollutants in amounts which will cause destruction to the flow in sewers, or other interference with operation of the POTWs.

   - Any pollutant, including oxygen demanding pollutants (BOD_5, etc.), released in a discharge at such a volume or strength as to cause interference in the POTW, and,

   - Heat in amounts which will inhibit biological activity in the POTW, but in no case, heat in such quantities that the influent to the sewage treatment works exceeds 104°F (40°C).

e. In addition to the general limitations expressed in paragraph d above, applicable National Categorical Pretreatment Standards must be met by all industrial users of the POTW.

f. USEPA and the permit issuing authority (DEC) retains the right to take legal action against the industrial user and/or the permittee for those cases where a permit violation has occurred because of the failure of an industrial user to meet an applicable pretreatment standard.

NATIONAL PRETREATMENT PROGRAM
MEMORANDUM OF AGREEMENT
BETWEEN THE
CITY OF WESTMINSTER, COLORADO
AND THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION VIII

The United States Environmental Protection Agency, Region VIII (hereinafter, the "EPA") hereby approves the City of Westminster's (hereinafter, the "City") Pretreatment Program described in the City's November 15, 1982 submittal document entitled "Industrial Pretreatment Program", as meeting the requirements of Section 307(b) and (c) of the Clean Water Act (hereinafter, the "Act") and regulations promulgated thereunder. Further, to define the responsibilities for the establishment and enforcement of National Pretreatment Standards for existing and new sources under Section 307 (b) and (c) of the Act, the City and EPA hereby enter into the following agreement:

1. The City has primary responsibility for enforcing against discharges prohibited by 40 CFR 403.5, and applying and enforcing any National Pretreatment Standards established by the United States Environmental Protection Agency in accordance with Section 307(b) and (c) of the Act.

2. The City shall implement the Industrial Pretreatment Program in accordance with the legal authorities, policies, and procedures described in the permittee's Pretreatment Program document entitled, "Industrial Pretreatment Program", November 1982. Such program commits the City to do the following:

   a. Carry out inspection, surveillance, and monitoring procedures that will determine, independent of information supplied by the industrial user, whether the industrial user is in compliance with the pretreatment standards;

   b. Require development, as necessary, of compliance schedules by each industrial user for the installation of control technologies to meet applicable pretreatment standards;

   c. Maintain and update, as necessary, records identifying the nature and character of industrial user inputs;

   d. Obtain appropriate remedies for noncompliance by any industrial user with any pretreatment standard and/or requirement; and,

   e. Maintain an adequate revenue structure for continued implementation of the pretreatment program.

3. The City shall provide the United States Environmental Protection Agency and the State of Colorado with an annual report briefly describing the City's pretreatment program activities over the previous calendar year. Such report shall be submitted no later than March 28th of each year and shall include:

a. An updated listing of the City's industrial users.

b. A descriptive summary of the compliance activities including number of major enforcement actions, (i.e., administrative orders, penalties, civil actions, etc.).

c. An assessment of the compliance status of the City's industrial users and the effectiveness of the City's pretreatment program in meeting its needs and objectives.

d. A description of all substantive changes made to the permittee's pretreatment program description referenced in paragraph 2. Substantive changes include, but are not limited to, any change in any ordinance, major modification in the program's administrative structure or operating agreement(s), a significant reduction in monitoring, or a change in the method of funding the program.

4. Pretreatment standards (40 CFR 403.5) prohibit the introduction of the following pollutants into the waste treatment system from <u>any</u> source of nondomestic discharge:

a. Pollutants which create a fire or explosion hazard in the publicly owned treatment works (POTW);

b. Pollutants which will cause corrosive structural damage to the POTW, but in no case, discharges with a pH lower than 5.0;

c. Solid or viscous pollutants in amounts which will cause destruction to the flow in sewers, or other interference with operation of the POTW;

d. Any pollutant, including oxygen demanding pollutants (BOD_5, etc.), released in a discharge at such a volume or strength as to cause interference in the POTW; and,

e. Heat in amounts which will inhibit biological activity in the POTW, but in no case, heat in such quantities that the influent to the sewage treatment works exceeds 104° F (40° C).

5. In addition to the general limitations expressed in paragraph 4. above, applicable National Categorical Pretreatment Standards must be met by all industrial users of the POTW. These standards are published in the Federal Regulations at 40 CFR 405 et. seq.

6. The Agreement contained herein shall be incorporated, as soon as possible, in the City's NPDES permit. Noncompliance with any of these requirements shall be subject to the same enforcement procedures as any permit violation.

Nothing in this Agreement is intended to affect any Pretreatment requirement including any standards or prohibitions, established by state or local law as long as the state and local requirements are not less stringent than any set forth in the National Pretreatment Program Standards, or other requirements or prohibitions established under the Act or regulations promulgated thereunder.

Nothing in this Agreement shall be construed to limit the authority of the U. S. EPA to take action pursuant to Sections 204, 208, 301,304, 306, 307, 308, 309, 311, 402, 404, 405, 501, or other Sections of the Clean Water Act of 1977 (33 USC 1251 et seq).

This Agreement will become effective upon the final date of signature.

City of Westminster, Colorado

By_____

Date_____

U.S. Environmental Protection Agency
Region VIII

By_____

Date_____

State of Colorado Department of Health
Water Quality Control Division

By_____

Date_____

ATTACHMENT 3

OTHER REQUIREMENTS

APPROVED PRETREATMENT PROGRAM CONDITIONS

Under the authority of (Section 307(b) and (c) and 402(b)(8) of the Clean Water Act or applicable State law) and implementing regulations (40 CFR Part 403), the permittee's final pretreatment program application as submitted on _____ is hereby approved. The permittee, hereinafter referred to as the "Control Authority", shall apply and enforce against violations of categorical pretreatment standards promulgated under Section 307(b) and (c) of the Act and prohibitive discharge standards as set forth in 40 CFR Part 403.5. The Control Authority shall implement the conditions of the Approved Pretreatment Program in the following order:

A. APPROVED PRETREATMENT PROGRAM CONDITIONS

1. Apply and enforce the legal authorities and procedures as approved on _____ which shall include, but not be limited to, those specific local effluent limitations established pursuant to 40 CFR 403.5(c) and enforceable on industrial users of the system for the parameters listed in Part III, Section D of this prmit in accordance with the approved program plan industrial allocation scheme.

2. Maintain and update, as necessary, records indentifying the nature, character, and volume of pollutants contributed by industrial users to the publicly owned treatment works (POTW).

3. Enforce and obtain appropriate remedies for non-compliance by any industrial user with any applicable pretreatment standard and requirement as defined by Section 307(b) and (c) of the Act, Section 403.5, and any State or local requirement, whichever is more stringent.

4. Issue (wastewater discharge permits, orders, contracts, agreements, etc.) to all affected industrial users in accordance with the approved pretreatment program procedures and require the development of compliance schedules, as necessary, by each industrial user for the installation of control technologies to meet applicable pretreatment standards and requirements as required by Section _____ of Sewer Use Ordinance _____.

5. Carry out inspection, surveillance, and monitoring requirements which will determine, independent of information supplied by the industrial user, whether the industrial user is in compliance with the applicable pretreatment standards.

6. Comply with all confidentiality requirements set forth in 40 CFR Part 403.14 as well as the procedures established in the approved pretreatment program.

7. Maintain and adjust, as necessary, revenue sources to ensure adequate equitable and continued pretreatment program implementation costs.

B. REPORTING REQUIREMENTS

The Control Authority shall prepare and submit to the (USEPA, Region V, Permits Section or the State) a report on the _____th of_____ and the _____th of _____ which describes the pretreatment program activities for the (previous calendar year or 6-month period or more frequently as required by the Approval Authority). Such report(s) shall include:

1. An updated listing of the Control Authority's industrial users which identifies additions and deletions of any industrial users from the _____ 19 industrial waste inventory. Reasons shall be provided for the aforementioned additions and removals.

2. A descriptive summary of the compliance activities initiated, ongoing and completed against industrial users which shall include the number of major enforcement actions (i.e. administrative orders, show cause hearings, penalties, civil actions, fines, etc.) for the reporting period.

3. A description of all substantive changes proposed for the Control Authority's program as described in Part III, Section A of this permit. All substantive changes must first be approved by (Agency Name) before formal adoption by the Control Authority. Hereinafter, substantive changes shall include, but not be limited to, any change in the enabling legal authority to administer and enforce pretreatment program conditions and requirements, major modification in the program's administrative procedures or operating agreements(s), a significant reduction in monitoring procedures, a significant change in the financial/revenue system, or a significant change in the local limitations for toxicants enforced and applied to all affected industrial users of the sewage treatment works.

4. A listing of the industrial users who significantly violated applicable pretreatment standards and requirements, as defined by section 403.8(f)(2)(vii) of the General Pretreatment Regulations, for the reporting period.

5. The sampling and analytical results for the specified parameters as contained in Part III, Section C of this permit.

6. (optional) The Control Authority shall submit to the (USEPA, Region V, Permits Section and/or State) by December 31 of each year, the names and address of the tanneries receiving the sulfide waiver pursuant to the procedures and conditions established by 40 CFR 425.04(b) and (c). This report must identify any problems resulting from granting the sulfide waiver as well as any new tanneries tributary to the sewerage system for which the sulfide standards may apply or any tannery receiving the sulfide waiver which no longer is applicable.

7. (optional) The Control Authority shall submit to the (USEPA, Region V, Permits Section or State Permit Section) by December 31 of each year, the name and address of each industrial user that has received a revised discharge limit in accordance with Section 403.7 (Removal Allowance Authority). This report must comply with the signatory and certification requirements of Section 403.12 (l) and (m).

C. SAMPLING AND MONITORING REQUIREMENTS

1. The Control Authority shall sample, analyze and monitor its influent, effluent and sludge in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, in accordance with the specified monitoring frequency and schedule for the following parameters:

(1) Parameters	Units	Frequency	Sample Type	(2) Permittee's
Total Arsenic (As)				
Total Cadmium (Cd)				
Total Chromium (Cr,)				
Total Chromium (Cr)				
Total Copper (Cu)				
Total Cyanide (CN)				
Total Iron (Fe)				
Total Lead (Pb)				
Total Mercury (Hg)				
Total Nickel (Ni)				

(1) Parameters	Units	Frequency	Sample Type	(2) Permittees
Total Phenols				
Total Silver (Ag)				
Total Zinc (Zn)				
Total Kjeldahl Nitrogen (TKN)				

(1) Approval Authority should include other parameters as needed.
(2) Note whether sampling apply to permitte's influent, effluent and sludge.

D. SPECIAL CONDITIONS

1. At no time shall the following daily influent values be exceeded by the Control Authority for the specified parameters:

Parameters	Mg/ l	Pounds / Day
Total Cyanide (Cn)		
Total Cadmium (Cd)		
Total Chromium (Cr, T)		
Total Copper (Cu)		
Total Iron (Fe)		
Total Lead (Pb)		
Total Mercury (Hg)		
Total Nickel (Ni)		
Total Silver (Ag)		
Total Zinc (Zn)		
(Others)		

2. If the sampling data results from Part III, Section C of this permit meet the criteria of 40 CFR 403.5(c), then this permit will be modified to include influent values for these parameters.

3. (optional) The Control Authority shall notify (USEPA, Region V, Permits Section or the State) 60 days prior to any major proposed change in existing sludge disposal practices.

4. (optional) The Control Authority shall monitor the following industrial users discharge for the specified parameters in accordance with the following frequency and schedule and submit the results to (Region V or the State) on the _____th of _____ and the _____the of _____.

List Users	Parameter	Units	Frequency	Sample Type	Notes
a.					
b.					
c.					
(Others)					

E. RETAINER

The USEPA, Region V and the State retains the right to take legal action against the industrial user and/or the Control Authority for those cases where a permit violation has occurred because of the failure of an industrial user's compliance with applicable pretreatment standards and requirements.

A. OTHER REQUIREMENTS

1. Contributing Industries and Pretreatment Requirements

a. The permittee shall operate an industrial pretreatment program in accordance with section 402(b)(8) of the Clean Water Act and the General Pretreatment Regulations (40 CFR Part 403). The program shall also be implemented in accordance with the approved POTW pretreatment program submitted by the permittee which is hereby incorporated by reference.

b. The permittee shall establish and enforce specific limits to implement the provisions of 40 CFR §403.5(a) and (b), as required by 40 CFR §403.5(c). All specific prohibitions or limits developed under this requirement are deemed to be conditions of this permit. The specific prohibitions set out in 40 CFR §403.5(b) shall be enforced by the permittee unless modified under this provision.

c. The permittee shall, prepare annually a list of Industrial Users which, during the past twelve months, have significantly violated pretreatment requirements. This list is to be published annually, in the largest newspaper in the municipality, during the month of _____, with the first publication due _____.

d. In addition, at least 14 days prior to publication, the following information is to be submitted to the EPA and the State for each significantly violating Industrial User:

1. Condition(s) violated and reason(s) for violations(s),

2. Compliance action taken by the City, and

3. Current compliance status.

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

A. APPROVED INDUSTRIAL PRETREATMENT PROGRAM FOR PUBLICLY OWNED TREATMENT WORKS (POTW)

1. The terms and conditions of the permittee's approved pretreatment program, approved by the Environmental Protection Division (EPD) on April 8, 1983, (as provided for in Chapter 391-3-6-.09(6b) of the Rules and Regulations for Water Quality Control), shall be enforceable through this permit.

2. Based on the information regarding industrial inputs reported by the permittee pursuant to Part III paragraph B(2), the permittee will be notified by EPD of the availability of industrial effluent guidelines on which to calculate allowable inputs of incompatible pollutants based on best practicable technology for each industry group. Copies of guidelines will be provided as appropriate. Not later than 120 days following receipt of this information, the permittee shall submit to the EPD calculations reflecting allowable inputs from each major contributing industry. The permittee shall also require all such major contributing industries to implement necessary pretreatment requirements, providing EPD with notification of specific actions taken in this regard. At that time, the permit may be amended to reflect the municipal facility's effluent limitations for incompatible pollutants.

3. Starting on April 15, 1984 the permittee shall submit annually to EPD a report to include the following information:

   a. A narrative summary of actions taken by the permittee to insure that all major contributing industries comply with the requirements of the approved pretreatment program.

   b. A list of major contributing industries using the treatment works, divided into SIC categories, which have been issued permits, orders, contracts, or other enforceable documents, and a status of compliance for each Industrial User.

   c. The name and address of each Industrial User that has received a conditionally or provisionally revised discharge limit.

4. The permittee to which reports are submitted by an Industrial User shall retain such reports for a minimum of 3 years and shall make such reports available for inspection and copying by the EPD. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User or the operation of the approved pretreatment program or when requested by the Director.

B. INDUSTRIAL PRETREATMENT STANDARDS

1. The permittee shall require all industrial dischargers into the permitted system to meet State and Federal Pretreatment Regulations promulgated in response to Section 307(b) of the Federal Act. Other information may be needed regarding new industrial discharges and will be requested from the permittee after EPD has received notice of the new industrial discharge.

2. A major contributing industry is one that: (1) has a flow of 50,000 gallons or more per average work day; (2) has a flow greater than five percent of the flow carried by the municipal system receiving the waste; (3) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or (4) has significant impact, either singly or in combination with other contributing industries, on the treatment works or the quality of its effluent, or interferes with disposal of its sewage sludge.

3. Any change in the definition of a major contributing industry as a result of promulgations in response to Section 307 of the Federal Act shall become a part of this permit.

C. REQUIREMENTS FOR EFFLUENT LIMITATIONS ON POLLUTANTS ATTRIBUTABLE TO INDUSTRIAL USERS

1. Effluent limitations for the permittee's discharge are listed in Part I of this permit. Other pollutants attributable to inputs from major contributing industries using the municipal system may also be present in the permittee's discharge. At such time as sufficient information becomes available to establish limitations for such pollutants, this permit may be revised to specify effluent limitations for any or all of such other pollutants in accordance with best practicable technology or water quality standards. Once the specific nature of industrial contributions has been identified, data collection and reporting requirements may be levied for other parameters in addition to those specified in Part I of this permit.

2. With regard to the effluent requirements listed in Part I of this permit, it may be necessary for the permittee to supplement the requirements of the State and Federal Pretreatment Regulations to ensure compliance by the permittee with all applicable effluent limitations. Such actions by the permittee may be necessary regarding some or all of the major contributing industries discharging to the municipal system.