



Water Division

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Pacific Southwest Region

75 Hawthorne Street

San Francisco, California 94105-3901

Mail Code: WTR-7

Standard Pretreatment Implementation Requirements for Municipal NPDES Permits

Notes:

- Basic pretreatment language using “City” throughout. May need to be changed to “County,” “Town,” or “District” as appropriate.
- Annual and semiannual report periods may vary according to POTW desire (e.g., to correspond to a fiscal year).
- Sampling frequency is based on judgment of permit writer or pretreatment staff.
- No sludge sampling or analysis mentioned here.

Pretreatment Requirements

1. The _____ shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 CFR Part 403, including any subsequent regulatory revisions to Part 403. Where Part 403 or subsequent revision places mandatory actions upon the City as Control Authority but does not specify a timetable for completion of the actions, the City shall complete the required actions within six months from the issuance date of this permit or the effective date of the Part 403 revisions, whichever comes later. For violations of pretreatment requirements, the City 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 Act. EPA may initiate enforcement action against a nondomestic user for noncompliance with applicable standards and requirements as provided in the Act.
2. The City shall enforce the requirements promulgated under sections 307(b), 307(c), 307(d) and 402(b) of the Act with timely, appropriate and effective enforcement actions. The City shall cause all nondomestic 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 nondomestic user, upon commencement of the discharge.
3. The City shall perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:
 - a. Implement the necessary legal authorities as provided in 40 CFR Part 403.8(f)(1);
 - b. Enforce the pretreatment requirements under 40 CFR Part 403.5 and 403.6;
 - c. Implement the programmatic functions as provided in 40 CFR Part 403.8(f)(2); and
 - d. Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR Part 403.8(f)(3).

4. The City shall submit annually a report to EPA Pacific Southwest Region, and the State describing its pretreatment activities over the previous year. In the event the City is not in compliance with any conditions or requirements of this permit, then the City shall also include the reasons for noncompliance and state how and when the City shall comply with such conditions and requirements. This annual report shall cover operations from January 1 through December 31 and is due on February 28 of each year. The report shall contain, but not be limited to, the following information:
 - a. 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 nondomestic users. This will consist of an annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants detected in the full scan. The City is not required to sample and analyze for asbestos. Sludge sampling and analysis are covered in the sludge section of this permit. The City shall also provide any influent or effluent monitoring data for nonpriority pollutants which the City believes may be causing or contributing to interference or pass through. Sampling and analysis shall be performed with the techniques prescribed in 40 CFR Part 136;
 - b. A discussion of Upset, Interference or Pass Through incidents, if any, at the treatment plant which the City knows or suspects were caused by nondomestic 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 nondomestic 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 or interference;
 - c. An updated list of the City's significant industrial users (SIUs) including their names and addresses, and a list of deletions, additions and SIU name changes keyed to the previously submitted list. The City shall provide a brief explanation for each change. The list shall identify the SIUs subject to federal categorical standards by specifying which set(s) of standards are applicable to each SIU. The list shall also indicate which SIUs are subject to local limitations;
 - d. The City shall characterize the compliance status of each SIU by providing a list or table which includes the following information:
 1. Name of the SIU;
 2. Category, if subject to federal categorical standards;
 3. The type of wastewater treatment or control processes in place;
 4. The number of samples taken by the POTW during the year;
 5. The number of samples taken by the SIU during the year;
 6. For an SIU subject to discharge requirements for total toxic organics, whether all required certifications were provided;

7. A list of the standards violated during the year. Identify whether the violations were for categorical standards or local limits;
 8. Whether the facility is in significant noncompliance (SNC) as defined at 40 CFR 403.12(f)(2)(vii) at any time during the year; and
 9. A summary of enforcement or other actions taken during the year to return the SIU to compliance. Describe the type of action, final compliance date, and the amount of fines and penalties collected, if any. Describe any proposed actions for bringing the SIU into compliance;
- e. A brief description of any programs the POTW implements to reduce pollutants from nondomestic users that are not classified as SIUs;
 - f. A brief description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to, changes concerning the program's administrative structure, local limits, monitoring program or monitoring frequencies, legal authority, enforcement policy, funding levels, or staffing levels;
 - g. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases; and
 - h. A summary of activities to involve and inform the public of the program including a copy of the newspaper notice, if any, required under 40 CFR 403.8(f)(2)(vii).
5. The City shall submit a semiannual SIU noncompliance status report to EPA Pacific Southwest Region, and the State. The report shall cover the period of January 1 through June 30, and shall be submitted by July 31. The report shall contain:
 - a. The name and address of all SIUs which violated any discharge or reporting requirements during the report period;
 - b. A description of the violations including whether any discharge violations were for categorical standards or local limits;
 - c. A description of the enforcement or other actions that were taken to remedy the noncompliance; and
 - d. The status of active enforcement and other actions taken in response to SIU noncompliance identified in previous reports.

(End)