



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** June 16, 2022

Staff Contact: Darren Schulz, Public Works Director

Agenda Title: For Possible Action: Discussion and possible action regarding (1) a proposed Administrative Order on Consent (“AOC”) between Carson City and the United States Environmental Protection Agency (“EPA”) wherein Carson City voluntarily agrees to undertake specified measures to remedy alleged violations and prevent future violations within the Wastewater Pretreatment Program (“Program”), and (2) designating the Carson City Public Works Director as the City’s authorized representative for submissions required by the AOC. (Adam Tully, ATully@carson.org and Andy Hummel, AHummel@carson.org)

Staff Summary: In September of 2020, the EPA conducted an audit of the Program. That audit did not identify any environmental harm caused by the City, its permitted users, or the Program; however, the audit did identify improvements the City should make to its Program to improve its ability to document, monitor and enforce Program compliance. The AOC outlines the deficiencies found by the EPA and sets forth timelines to remedy those Program deficiencies.

Agenda Action: Formal Action / Motion **Time Requested:** Consent

Proposed Motion

I move to approve the Administrative Order on Consent, as presented; to authorize the Mayor to sign it; and to designate the City’s Public Works Director as the authorized representative for submissions that the Administrative Order requires.

Board's Strategic Goal

Sustainable Infrastructure

Previous Action

N/A

Background/Issues & Analysis

The Program was approved by the EPA in 1981 to allow the City to regulate and permit wastewater discharged into the Carson City sanitary sewer system by industrial and commercial users in order to protect the Water Resource Recovery Facility. The Program is occasionally audited by the EPA to ensure compliance with Federal Regulations (40 C.F.R. Part 403).

Over several days in September of 2020, the EPA performed a virtual audit of the Program, including reviewing permit language, interlocal agreements, the City’s wastewater pretreatment ordinance (Chapter 12.06 of the Carson City Municipal Code) and the City’s records on compliance monitoring and enforcement. During the audit, the EPA concluded that (1) permits issued through the Program require additional language on the terms

and conditions for the Program's industrial and commercial users; (2) the City needed to update its wastewater pretreatment ordinance language; (3) the City needed to update its interlocal agreement with Douglas County; and (4) the City needed to better document and track the Program's monitoring and enforcement activities.

The AOC, if adopted, would require the City to accomplish the following:

- By May 31, 2022, the City must submit a revised wastewater pretreatment ordinance to the EPA for review. Proposed ordinance revisions were provided by a consultant, reviewed by the District Attorney's Office, and submitted to the EPA on May 31, 2022. Under the AOC, the EPA will provide comments on the ordinance revision, and once the EPA approves the City's ordinance revisions, the City will have 90 days for the Board of Supervisors to adopt those revisions by amending the ordinance.
- The City submitted its interlocal agreement with Douglas County to the EPA on January 26, 2021. The AOC requires the City to amend that interlocal agreement, consistent with EPA guidance, then resubmit to the EPA. That resubmission must be within 60 days of the AOC's effective date. Simultaneously, Douglas County is completing a project to reroute commercial wastewater that is currently created in Douglas County and sent to Carson City for treatment. At the conclusion of that project, Carson City sewer systems will receive no commercial or industrial wastewater from Douglas County, which should make any interlocal agreement with Douglas County concerning the Program much simpler.
- The City's Enforcement Response Plan, which provides guidance on enforcing Program requirements for both the City and its permittees, shall be updated based on comments received from the EPA and resubmitted for review within 60 days of the AOC's effective date.
- By September 22, 2022, the City must procure and implement permitting software to simplify compliance monitoring and documentation. A software solution has been selected and implementation is underway.
- By September 22, 2022, the City must review operations for all significant industrial users ("SIU") to determine which, if any, need a slug discharge control plan. That review is already underway. If such a plan is needed, the City must ensure user permits reflect that by January 1, 2023.
- By September 22, 2022, all SIU permits need to be revised to (1) include the definition of significant non-compliance, (2) state the date of permit issuance and expiration and (3) describe, in greater detail, the specific sampling, monitoring and reporting requirements for each permittee.
- Within 60 days of completion and implementation of the actions required in the AOC, the City must submit a final report to the EPA describing all actions taken to achieve compliance with the AOC's terms.

All submissions must be made through the City's authorized representative, as defined by 40 C.F.R. § 122.22, and must include certification that the submissions were prepared under the direction and supervision of the authorized representative. Staff recommends that the Board of Supervisors designate the Public Works Director as the City's authorized representative for submissions required by the AOC.

Staff recommends acceptance of the Administrative Order on Consent.

Applicable Statute, Code, Policy, Rule or Regulation

33 U.S.C. § 1311, et seq.; 40 C.F.R. Part 403; NRS 244.320

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Do not accept the Administrative Order on Consent and provide alternative direction to staff.

Attachments:

[Carson City AOC w App.pdf](#)

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX**

IN THE MATTER OF:)	Docket No. CWA-309(a)-20-006
)	
Carson City, a consolidated municipality and political subdivision of the State of Nevada.)	ADMINISTRATIVE ORDER ON CONSENT
)	
)	Proceeding under Section 309(a) of the Clean Water Act
Respondent)	
)	

I. STATUTORY AUTHORITY

1. Section 309(a) of the Clean Water Act (“CWA” or “the Act”), 33 U.S.C. § 1319(a), provides that, whenever the U.S. Environmental Protection Agency (“EPA”) finds that any person is in violation of any condition or limitation which implements, inter alia, Sections 301(a) and 307 of the CWA, 33 U.S.C. §§ 1311(a) and 1317, the EPA may issue an order requiring such person to comply with such condition or limitation, and shall specify a time for compliance that the EPA determines to be reasonable.
2. The following Findings of Fact and Determinations of Law are made and this Administrative Compliance Order on Consent (“AOC”) is issued pursuant to the authority vested in the EPA by Section 309(a) of the CWA, 33 U.S.C. § 1319(a), as amended. This authority has been delegated to the Regional Administrator of the EPA, Region IX, and further delegated by the Regional Administrator to the Director of the Enforcement and Compliance Assurance (“ECAD”) Division of the EPA, Region IX.
3. This AOC is entered into voluntarily by the EPA and Carson City, a consolidated municipality and political subdivision of the State of Nevada (“Respondent”). In this AOC, Respondent agrees to undertake specified measures to remedy the current alleged violations and prevent future violations.

II. STATUTORY AND REGULATORY FRAMEWORK

4. CWA Section 301(a), 33 U.S.C. § 1311(a), makes it unlawful for a person to discharge pollutants from a point source into waters of the United States, except as authorized by a National Pollutant Discharge Elimination System (“NPDES”) permit issued pursuant to CWA Section 402, 33 U.S.C. § 1342.
5. CWA Section 402, 33 U.S.C. § 1342, establishes the NPDES program and authorizes the EPA and authorized states to issue permits governing the discharge of pollutants from point sources into waters of the United States.

6. Section 307(b)(1) of the CWA, 33 U.S.C. § 1317(b)(1), requires the development of pretreatment standards for toxic pollutants discharged to publicly owned treatment works (“POTW”).

7. Pursuant to Section 307(b)(1) of the CWA, 33 U.S.C. § 1317(b), the EPA subsequently promulgated regulations codified at 40 C.F.R. Part 403, entitled General Pretreatment Regulations for Existing and New Sources of Pollution (“Pretreatment Regulations”).

8. The Pretreatment Regulations at 40 C.F.R. § 403.8(a) include a requirement to create a pretreatment program for “[a]ny POTW ... with a total design flow greater than 5 million gallons per day (mgd) and receiving from Industrial Users [IUs] pollutants which Pass Through or Interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards will be required to establish a POTW Pretreatment Program....”

9. 40 C.F.R. § 403.5(b) lists out the specific pollutants which are prohibited from being introduced into POTWs.

10. 40 C.F.R. § 403.5(c), specifies, *inter alia*, that each POTW developing a POTW Pretreatment Program pursuant to § 403.8 shall develop and enforce specific limits to implement the prohibitions listed in §403.5(b). A POTW with an approved pretreatment program shall continue to develop these limits as necessary and effectively enforce such limits.

11. 40 C.F.R. § 403.8(f), provides that an approved Pretreatment Program must be based on appropriate legal authority and include procedures that are fully and effectively exercised and implemented to regulate IUs, including:

- a. 40 C.F.R. § 403.8(c)(1)(iii) which requires the POTW to control the contribution to the POTW by Significant Industrial Users (“SIU”);
- b. 40 C.F.R. § 403.8(f)(1) which requires that a POTW’s legal authority be able to apply and enforce the requirements of sections 307(b) and (c) of the Act (be at least as stringent as the federal regulations);
- c. 40 C.F.R. § 403.8(f)(1)(iii)(B)(6), which requires that control mechanisms be enforceable and contain requirements to control Slug Discharges, if determined by the POTW to be necessary;
- d. 40 C.F.R. § 403.8(f)(1)(vi)(A), which requires the Control Authority to obtain remedies for noncompliance by any IU with any Pretreatment Regulation or Standard;
- e. 40 C.F.R. § 403.8(f)(2)(vi), which require the POTW to evaluate whether a SIU needs a plan or other action to control Slug Discharges;
- f. 40 C.F.R. § 403.8(f)(2)(viii), which defines significant noncompliance (“SNC”);

- g. 40 C.F.R. § 403.8(f)(2)(viii) which requires the POTW to develop and implement procedures to ensure compliance with the requirements of a Pretreatment Program and that that SIU control mechanisms must contain any best management practices (“BMP”) required by a Pretreatment Standard, local limits, state, or local law;
- h. 40 C.F.R. § 403.8(f)(5), which requires that the POTW develop and implement an Enforcement Response Plan (“ERP”);
- i. 40 C.F.R. § 403.12(b), (e), (h), which requires that SIU reports include any applicable BMP compliance information;
- j. 40 C.F.R. § 403.12(g)(1), which requires the reporting of all monitoring results by IUs;
- k. 40 C.F.R. § 403.12(g)(2), which requires that the Control Authority that performs sampling for SIUs to perform any required repeat sampling and analysis within 30 days of becoming aware of a violation;
- l. 40 C.F.R. § 403.12(g)(3), which states that the Control Authority shall require the frequency of sampling necessary to ensure compliance by the IUs with the Pretreatment Standards;
- m. 40 C.F.R. § 403.12(o), which contains POTW record-keeping requirements for BMPs; and
- n. 40 C.F.R. § 403.18(c)(1), which requires substantial pretreatment program modifications be submitted to the Approval Authority.

III. FINDINGS OF FACT AND DETERMINATIONS OF LAW

The Director of the Enforcement and Compliance Assurance Division of EPA Region IX finds that Respondent is in violation of Sections 301(a) and 307 of the Act, 33 U.S.C. §§ 1311(a), 1317(d). This Finding is based on the following facts:

- 12. Respondent is a “municipality” within the meaning of Section 502(4) of the Act, 33 U.S.C. § 1362(4) and therefore a “person” within the meaning of Section 502(5) of the Act, 33 U.S.C. § 1362(5).
- 13. Respondent operates the Carson City Wastewater Reclamation Facility (“CCWRF”), located at 3320 East Fifth Street, Carson City, Nevada 89701. The CCWRF is a POTW as defined at 40 C.F.R. §§ 122.2 and 403.3.
- 14. The CCWRF is a “point source” that “discharges pollutants” in wastewater to the Carson River which is a “navigable water,” and therefore a “[w]ater of the U.S.” as defined in Section 502(7) of the Act, 33 U.S.C. § 1362(7).

15. The EPA delegated the authority to administer the NPDES permitting program to the State of Nevada on September 19, 1975. However, that authority has never been extended to the NPDES Pretreatment Program.
16. The State of Nevada issued the CCWRF NPDES Permit No. NV0023591, with an effective date of February 24, 2009 (“NPDES Permit”). This NPDES Permit expired on January 6, 2015 but has been administratively extended.
17. The Carson City Pretreatment Program was originally approved by the EPA on July 23, 1981.
18. Respondent’s Sewer Use Ordinance (“SUO”), found at Chapter 12.06 of the Carson City Municipal Code, applies to the discharge of all wastes into the City’s sewerage system, and shall provide for regulation of wastewater discharge in accordance with 40 C.F.R. Part 403.2 Objectives of General Pretreatment Regulations.
19. On September 9, 16 and 30, 2020, EPA Region 9 conducted a virtual Pretreatment Compliance Audit (“PCA”) of Respondent’s Pretreatment Program implementation activities pursuant to the authority of Section 308(a) of the CWA, 33 U.S.C. § 1318(a). A copy of the PCA report was sent to Respondent by letter dated December 4, 2020 and is attached to this AOC.
20. On January 6, 2021 Respondent responded to the PCA. A copy of the response is attached to this AOC.
21. Based on the PCA and the response, EPA alleges that Respondent has violated and continues to violate Sections 301(a) and 307 of the CWA, 33 U.S.C. §§ 1311(a) and 1317. EPA alleges that Respondent violated the following Pretreatment Regulations:
 - a. 40 C.F.R. § 403.5(c)&(d) and 403.8(f)(1)(ii) - Douglas County permit indicated that flow weighted average concentration would be used but no calculations were in the files. Some raw analytical results exceed local limits for BOD, sulfide, and phenolics.
 - b. 40 C.F.R. § 403.6(d)&(e) - No calculations or details regarding application of the Combined Wastestream Formula were provided in the Dura Bond file.
 - c. 40 C.F.R. § 403.8(c) - Incomplete documentation of inspections of Douglas County.
 - d. 40 C.F.R. § 403.5(c) - Respondent has not documented any enforcement actions since 2010.
 - e. 40 C.F.R. § 403.8(f)(1)(ii) - SIU permits (Douglas Co. and ALSCO) indicate they are categorical but should also indicate that they are SIUs, and the permit for Chromalloy contained local limits for Silver and Zinc which were less stringent than the categorical limits.

- f. 40 C.F.R. § 403.8(f)(1)(ii) - Respondent did not include flashpoint in the specific prohibitions in the SUO. Additionally, the general and specific prohibitions were not applied to all industrial users.
- g. 40 C.F.R. § 403.8(f)(1)(iii) –At the time of the audit, four SIUs did not have current permits.
- h. 40 C.F.R. § 403.8(f)(1)(iii)(B)(1) - Permits did not include effective and expiration dates.
- i. 40 C.F.R. § 403.8(f)(1)(iii)(B)(3) - SIU permits did not contain any BMPs required by Pretreatment Standards, local limits, state, or local law.
- j. 40 C.F.R. § 403.8(f)(1)(iii)(B)(4) - Samples collected for pH, oil & grease, and phenols should be grab. Permits stated that all samples were composited into one sample. For pH, field measurements were composite.
- k. 40 C.F.R. § 403.8(f)(1)(iii)(B)(4) - Permits were not clear on sampling frequency and location.
- l. 40 C.F.R. § 403.8(f)(1)(iii)(B)(6) - Permits did not include slug control requirements.
- m. 40 C.F.R. § 403.8(f)(1)(iii)(B)(6) - Respondent’s SUO does not provide legal authority to include Slug Discharge control plan requirements in SIU permits.
- n. 40 C.F.R. § 403.8(f)(2)(v) - Compliance monitoring analytical results not included in files for Chromalloy and Douglas County, and were incomplete in the ALSCO and Dura Bond files.
- o. 40 C.F.R. § 403.8(f)(2)(vi) - Permits or other procedures do not require SIUs to notify the Control Authority of changes that might affect the potential for a slug discharge.
- p. 40 C.F.R. § 403.8(f)(2)(vi) - Respondent’s SUO definition of “slug load” does not meet the minimum federal requirements, and evaluation of the need to develop a slug discharge control plan was not included in the four facility files reviewed.
- q. 40 C.F.R. § 403.8(f)(2)(vii) - Late self-monitoring reports from an SIU (Dura Bond) were not identified as violations. Violations were identified in analytical reports in all four facility files reviewed, but there was no evidence that the City was making violation determinations or acting on them. No documentation was found that SNC was assessed.
- r. 40 C.F.R. § 403.8(f)(2)(viii) - The SUO did not have correct SNC definition.
- s. 40 C.F.R. § 403.8(f)(3) - Respondent has insufficient POTW resources (supplies, equipment, personnel) which seriously hinders its ability to implement an effective

pretreatment program pursuant to 40 C.F.R. § 403.8(f)(1) and (2). Specifically, Respondent compliance tracking system is insufficient.

- t. 40 C.F.R. § 403.8(f)(5) - The SUO does not provide the legal authority to enforce its ERP and the ERP does not contain the minimum elements.
- u. 40 C.F.R. § 403.12(b), (e), (h) - SIU reports did not include any applicable BMP compliance information.
- v. 40 C.F.R. § 403.12(g) - Sampling requirements were inaccurate and there was no requirement for SIUs to report all monitoring results.
- w. 40 C.F.R. § 403.12(g)(2) - The SUO failed to state that Control Authorities that perform sampling for SIUs must perform any required repeat sampling and analysis within 30 days of becoming aware of a violation.
- x. 40 C.F.R. § 403.12(o) - Permits had no record-keeping requirements for BMPs.
- y. 40 C.F.R. § 403.18 - Respondent did not submit Interlocal Agreements with Douglas County to EPA for review and pre-approval as a pretreatment program modification.

IV. ORDER FOR COMPLIANCE ON CONSENT

22. Based on the foregoing Findings of Fact and Determinations of Law and pursuant to the authority of Section 309(a) of the CWA, 33 U.S.C. § 1319(a), IT IS HEREBY ORDERED and AGREED TO:

23. By May 31, 2022, Respondent shall submit to the EPA for review a revised SUO that is at least as stringent as federal pretreatment regulation and includes all required definitions. EPA shall review for sufficiency and will provide Respondent with any necessary comments

24. No later than ninety (90) days after receipt of EPA’s comments, Respondent shall present amended SUO to its Board of Supervisors (“Board”) for adoption. Once the Board adopts the revised SUO, Respondent will submit the revised SUO to EPA for approval within 24 hours.

25. On January 26, 2021, in response to the PCA findings, Respondent submitted to EPA a copy of the interlocal agreement between Carson City and Douglas County. Respondent shall revise the interlocal agreement to include the minimum elements of a multijurisdictional agreement as defined in the “*Multijurisdictional Pretreatment Programs Guidance Manual* (EPA Office of Water, June 1994)”, and submit to EPA within sixty (60) days of the Effective Date of this AOC, as defined in Paragraph 51. No later than sixty (60) days from the EPA’s determination that the revised interlocal agreement is approvable, Respondent shall present revised interlocal agreement to its Board for approval.

26. On August 31, 2020, Respondent submitted a revised Enforcement Response Plan for review and approval from EPA. EPA sent comments on the ERP on February 25, 2022.

Respondent shall make necessary edits and submit the revised Enforcement Response Plan to EPA within 30 days of the Effective Date of this AOC.

27. No later than sixty (60) days from the EPA's determination that the revised Enforcement Response Plan is approvable, Respondent shall present revised Enforcement Response Plan to its Board for approval. Once the Board approves the revised Enforcement Response Plan, Respondent will submit the revised Enforcement Response Plan to EPA for approval within 24 hours.

28. By September 22, 2022, Respondent shall procure and implement software to ensure reliable tracking of significant industrial user permit status, sampling and reporting violations, compliance actions, and enforcement actions. Implementation of this software includes Respondent training staff to use the software.

29. By September 22, 2022, Respondent shall determine and document whether significant industrial users need slug discharge control plans. For the significant industrial users that need slug discharge control plans, the IU permits shall be revised to include requirements for industry to control slug discharges. Additionally, a copy of the significant industrial user's slug discharge control plan should be included in their file. All significant industrial user permits shall be revised, as necessary, by January 1, 2023 to include language that industry must notify the City immediately of any changes at its facility affecting the potential for a slug discharge.

30. By September 22, 2022, Respondent shall ensure that all significant industrial user permits have been revised, as necessary, to include correct definition of significant non-compliance. Respondent shall document that determination of significant non-compliance for sampling results and reporting have been conducted.

31. By September 22, 2022, Respondent shall ensure that all significant industrial user permits have been revised, as necessary, to include permit issuance and expiration dates, and to accurately and completely describe the precise sampling, monitoring, and reporting that is required to be performed. This information shall include, but not be limited to, sample location, analytic method, frequency of sampling, pollutants monitored, reporting deadlines, and resampling requirements.

V. FINAL REPORT AND TERMINATION OF THE AOC

32. Within 60 days after Respondent has fully completed and implemented the actions required by Section IV of this AOC, Respondent shall submit for the EPA's review and approval a final report (Final Report) that includes a description and timeline of all of actions which have been taken toward achieving compliance with this AOC and the CWA.

33. If the EPA determines, after review of the Final Report, that all the requirements of this AOC have been completed and implemented in accordance with this AOC, the EPA will provide notice to Respondent.

34. If the EPA determines that any requirement has not been completed and implemented in accordance with this AOC, the EPA will notify Respondent, provide a list of deficiencies, and

require Respondent to modify its actions as appropriate to correct such deficiencies. If so required, Respondent shall implement the modified requirement(s) and submit a modified Final Report.

VI. SUBMISSIONS AND RECORD RETENTION

35. Respondent shall submit all written communications, including progress reports, electronically. Respondent shall submit all required reports and plans to the EPA in an electronic format that allows them to be searchable by key word. Respondent shall send all submittals to the following e-mail addresses. Submissions will be deemed made on the date they are sent electronically.

EPA:

Jim Polek, Environmental Engineer
Enforcement and Compliance Assistance Division
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105
Polek.jim@epa.gov

State:

Katrina Pasqual, P.E.
Supervisor
Technical Services, Compliance and Enforcement Branch, Water Pollution Control
Nevada Division of Environmental Protection
Department of Conservation and Natural Resources
901 S. Stewart Street, Suite 4001
Carson City, NV 89701
Kpascual@ndep.nv.gov

36. All reports, notifications, documentation, and submittals required by this AOC shall be signed by a duly authorized representative of Respondent as specified by 40 C.F.R. § 122.22 and shall include the following statement:

“I certify under the penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

37. Respondent shall preserve and retain all records and documents now in its possession or

control, or which come into its possession or control, that relate in any manner to the performance of the tasks in this AOC, until five (5) years after termination of this AOC. Respondent shall also instruct its agents to preserve all documents, records, and information of whatever kind, nature or description relating to the performance of the tasks in this AOC.

VII. MODIFICATION

38. Any request for modification by Respondent shall include the reason(s) for the request and a timeline for completion. Modification of this AOC shall be in writing and shall take effect only upon approval by the EPA. Failure by Respondent to implement any modified requirement(s) shall be a violation of this AOC.

VIII. GENERAL PROVISIONS

39. This AOC is binding on Respondent and its officials, officers, directors, partners, agents, employees, attorneys, successors and assigns, and on all persons, independent contractors, consultants and contractors acting in concert with Respondent.

40. Respondent shall provide a copy of this AOC to any successor in interest to its control, operation, or any other interest in any portion of its POTW at least 30 days prior to the transfer, and shall simultaneously notify the EPA in writing, via e-mail, that such notice has been given. Within 14 days after the effective date of this AOC or the date of contracting, whichever is later, Respondent shall provide a copy of this AOC to all contractors and/or consultants to perform any of the work described in Section IV. Respondent shall condition the transfer of control, operation or any other interest in any portion of its Facility and any contract related to the performance of the work described in Section IV upon successful execution of this AOC.

41. This AOC is not and shall not be construed to be a permit under the CWA, nor shall it in any way relieve or affect Respondent's obligations under the CWA, or any other applicable federal or state laws, regulations, and/or permits. Compliance with this AOC shall be no defense to any actions commenced pursuant to such applicable laws, regulations, or permits, nor does it constitute a release.

42. This AOC shall in no way affect the rights of the EPA or the United States against any person not a party hereto.

43. This AOC shall in no way limit or affect the EPA's authority to obtain information, and to enter, inspect, sample or monitor compliance under any law, permit, court order or agreement.

44. The provisions of this AOC shall be severable. If any provision is declared by a court of competent jurisdiction to be unenforceable, then the remaining provisions shall remain in full force and effect.

45. Respondent neither admits nor denies the factual allegations and legal conclusions set forth in Section III of this Order, except to the extent that those allegations provide the EPA with a jurisdictional basis to enforce this AOC.

46. Respondent consents to and agrees not to contest the EPA's authority or jurisdiction to issue and enforce this Section 309(a) AOC. Respondent waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review under Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

47. Failure to comply with the terms of this AOC may result in liability for statutory civil penalties under CWA Section 309(d), 33 U.S.C. § 1319(d), as modified by 40 C.F.R. Part 19. Upon suit by the EPA, a United States District Court may impose such penalties if the court determines that Respondent has violated the CWA as described above and failed to comply with the terms of this AOC. In determining the amount of any penalty, the court will consider the seriousness of the violations, the economic benefit (if any) resulting from the violations, any history that Respondent may have of such violations, any good faith efforts that Respondent has made to comply with legal requirements, the economic impact a penalty may have upon Respondent, and such other matters as justice may require.

48. Issuance of this AOC is not an election by the EPA to forego any remedies available to it under the law, including without limit any administrative, civil or criminal action to seek penalties, fines, or other appropriate relief under the CWA. The EPA reserves all available legal and equitable rights and remedies to enforce any violations cited in this AOC, and the right to seek recovery of any costs and attorney fees incurred by the EPA in any actions against Respondent for non-compliance with this AOC.

49. In accordance with CWA § 309(a)(4), 33 U.S.C. § 1319(a)(4), the EPA will provide notice and a copy of this AOC to the State of Nevada upon execution.

50. The undersigned signatory for Respondent certifies that he or she is authorized to execute this AOC and legally bind the Respondent.

IX EFFECTIVE DATE

51. This AOC shall become effective on the date it is signed by the EPA.

IT IS SO AGREED AND ORDERED:

FOR RESPONDENT

Lori Bagwell, Mayor
Carson City

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 9

Amy C. Miller-Bowen
Director, Enforcement and Compliance Assurance Division

Date

Appendix 1: September 2020 EPA Region 9 Pretreatment Compliance Audit



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX – PACIFIC SOUTHWEST REGION
75 Hawthorne Street
San Francisco, CA 94105-3901

December 4, 2020

Via E-mail

Ms. Kelly Hale
Environmental Control Authority Foreman
Carson City
3505 Butti Way
Carson City, NV 89701

Re: Clean Water Act Pretreatment Compliance Audit

Dear Ms. Hale:

Enclosed is the *Pretreatment Compliance Audit (PCA) Report for Carson City*. The PCA was conducted virtually on September 9, 2020, September 16, 2020, and September 30, 2020. We ask that the City provide short written responses to each of the requirements and recommendations presented in Section IV – Areas of Concern of the report by **January 15, 2021**.

Please email your letter to Jim Polek at EPA (polek.jim@epa.gov), with a copy to the Nevada Division of Environmental Protection (andrew.dixon@ndep.nv.gov).

We would like to thank you for your cooperation during the audit. If you have any questions, please call Jim Polek at (415) 972-3185 or e-mail him at polek.jim@epa.gov.

Sincerely,

Eric Magnan, P.E.
Manager, Water Section I
Enforcement and Compliance Assurance Division

Enclosure

cc (enclosure by email):

Andrew Dixon, Nevada Division of Environmental Protection

**Region 9 Enforcement Division
 75 Hawthorne Street
 San Francisco, CA 94105**

Inspection Date(s):	September 9, 2020, September 16, 2020, and September 30, 2020		
Media:	Water		
Regulatory Program(s)	Clean Water Act – PRETREATMENT COMPLIANCE AUDIT		
Company Name:	Carson City Public Works Department		
Facility or Site Name:	Pretreatment Program for Carson City Waste Resource Reclamation Facility		
Facility/Site Physical Location:	3320 East Fifth Street Carson City, NV 89701		
Mailing address:	3505 Butti Way Carson City, NV 89701-3498		
Facility/Site Contact:	Kelly Hale	Title: Environmental Control Foreman	
	Phone: 775-283-7376	Email: khale@carson.org	
Facility/Site Identifier:	Nevada Discharge Permit NEV90008 – Carson City Waste Resource Reclamation Facility discharge to Groundwater of Nevada NPDES Discharge Permit NV0023591 – Carson City Public Works can discharge polished effluent from Brunswick Reservoir to Carson River		
Facility/Site Personnel Participating in Inspection:			
	Name	Affiliation	Title
			Email
	Kelly Hale	Carson City Public Works	Environmental Control Authority Foreman khale@carson.org
	Mark Irwin	Carson City Public Works	Environmental Control Authority Senior Officer mirwin@carson.org
	Ken Peck	Carson City Public Works	Environmental Control Authority Senior Officer kpeck@carson.org
	Jen Churchward	Carson City Public Works	Environmental Control Authority Officer jchurchward@carson.org
	Andy Hummel	Carson City Public Works	Wastewater Utility Manager ahummel@carson.org
EPA Inspector(s):			
	Jim Polek	EPA	Enforcement Officer polek.jim@epa.gov
	Amelia Whitson	EPA	Pretreatment Coordinator whitson.amelia@epa.gov

Federal/State/Tribal/Local Representatives:			
Mark Kaminski	NDEP	Professional Engineer Water Pollution Control	mkaminsk@ndep.nv.gov
Peter Lassaline	NDEP	Staff Engineer Water Pollution Control	plassaline@ndep.nv.gov
Elizabeth Kingsland	NDEP	Bureau Chief	ekingsland@ndep.nv.gov
Report Author:			
	James Polek		415-972-3185
			Date:
Supervisor:			
	Eric Magnan		415-947-4179
			Date:

SECTION I – INTRODUCTION

I. Purpose of the Audit

The purpose of the pretreatment compliance audit (PCA) was to evaluate the effectiveness of the pretreatment program implemented by the Carson City Public Works Environmental Control Authority (ECA) for the Carson City Waste Resource Reclamation Facility (CCWRRF) with respect to the General Pretreatment Requirements of 40 CFR Part 403. The PCA included file review, assessment of resources, data management, program implementation, sewer use ordinance review, compliance monitoring, industrial user classification, and compliance with the Nevada Discharge permit. EPA Region 9 has direct implementation authority for oversight of the pretreatment program within the State of Nevada.

The audit included review of selected control mechanisms and a file review of four industrial users. The PCA was conducted virtually because of travel and social distancing restrictions resulting from the Covid-19 pandemic. Therefore, no site visits of permitted significant industrial user (SIU) facilities were conducted. Once restrictions are lifted, in-person site visits of SIUs may be conducted. The PCA reviewed the pretreatment program for the 2019 calendar year and 2020 through the date of this PCA. The last PCA was conducted by an EPA contractor in September 2005 and the last pretreatment compliance inspection was conducted by EPA in October 2016.

SECTION II – FACILITY / SITE DESCRIPTION

II.1 Background

The CCWRRF has two discharge permits. The CCWRRF discharges to the groundwater of the State of Nevada under Discharge Permit No. NEV90008. The existing permit expired on January 6, 2015 and was administratively continued. The Carson City Public Works discharges polished wastewater effluent stored in the Brunswick Reservoir to the Carson River under the National Pollutant Discharge Elimination System (NPDES) permit No. NV0023591 issued by the State of Nevada. The existing permit expired on February 23, 2014 and was administratively continued. The State is in the process of updating these permits and plans to reissue the permits in the near future.

The City's most recent pretreatment annual report covers the period from January 1, 2019 through December 31, 2019. This report was reviewed as part of the audit.

Since the last pretreatment compliance inspection in October 2016, the CCWRRF has undergone major upgrades that were completed in December 2019. The CCWRRF is designed to treat up to 9.5 million gallons per day (MGD) and typically discharges approximately 6.9

MGD. Treatment at the plant consists of preliminary, primary, secondary, and tertiary treatment. Preliminary treatment consists of raw wastewater passing through a fine, mechanical bar screen into two grit chambers for solids and grit removal. Primary treatment is conducted in two 80-foot diameter primary clarifiers; settled solids go to anaerobic digesters and wastewater is pumped to secondary treatment. Secondary treatment utilizes two bioreactors and three secondary clarifiers. The bioreactors are each segregated into three zones: an anaerobic zone to promote phosphorus removal, an anoxic zone to promote nitrogen removal by converting nitrates into nitrogen gas, and an aerobic zone to oxidize any remaining BOD and ammonia. Wastewater from the bioreactors flows to three 80-foot diameter secondary clarifiers. Tertiary treatment consists of sand filtration to decrease turbidity and disinfection in a chlorine contact basin using sodium hypochlorite. The treated wastewater is discharged to the Brunswick Canyon Effluent Storage Reservoir, various re-use sites, or for dust control at construction sites.

II.2 Industrial User Classification

The ECA has identified 19 significant industrial users (SIUs) discharging to the CCWRRF. Six of these SIUs are discharging categorical industrial users (CIUs) and consist of facilities that conduct metal finishing, iron & steel manufacturing, and ferrous casting. Two of the SIUs are non-categorical SIUs and consist of an industrial laundry and Douglas County (see Section II.5). The remaining 11 facilities are zero-discharging CIUs that include metal finishers, aluminum forming facilities, a die cutting facility, and an ink formulating facility. The ECA has issued individual permits to 17 of the 19 SIUs, with two permits pending because of a categorical determination change and a new facility. The aforementioned breakdown of SIUs reflects the situation once the pending permits are finalized. The ECA has also issued individual permits to its 442 non-significant industrial users, which include automotive facilities, food processors, industrial facilities, medical establishments, and facilities with septic systems.

II.3 Control Mechanisms

The ECA's goal is to issue individual permits to all 461 IUs annually. Due to a legacy software system used to create permits, this goal has been difficult to achieve. This PCA focused on Carson City's pretreatment program performance for calendar year 2019 and discussed changes or issues that have occurred since the last pretreatment compliance inspection in October 2016. The last PCA was conducted in September 2005, so the legal authority review conducted as part of this PCA was compared to the results from the 2005 PCA.

II.4 Local Limits

The ECA has not modified its local limits since 1995. The ECA established local limits for arsenic, barium, biochemical oxygen demand (BOD), boron, cadmium, total chromium, chemical oxygen

demand (COD), copper, cyanide, formaldehyde, iron, lead, manganese, mercury, nickel, selenium, silver, sulfides, zinc, oil & grease, phenolic compounds, pH, temperature, and total suspended solids (TSS). The ECA had a contractor review their local limits in October 2018 because the plant underwent major construction and the applicability of the local limits to the new plant needed to be assessed. The contractor determined that the existing local limits are protective of to CCWRRF and no revisions to the local limits are planned. The ECA is aware that if they need to revise their local limits then they need to have EPA's Pretreatment Coordinator review and approve the new limits because revising any local limits is a program modification.

II.5 Legal Authority

The Carson City sewer use ordinance (SUO) located in Chapter 12.06 of the City Code was reviewed during this PCA using the Pretreatment Program Legal Authority Review Checklist (Appendix A). The SUO does not include all the components required under the 2005 amendments to the General Pretreatment Regulations as well as other identified required components. The SUO requirements are detailed in the Areas of Concern section below and in Appendix A. The last time EPA reviewed Carson City's SUO was during the September 2005 PCA, which identified some of the same missing requirements in the SUO. The SUO has not been updated since the September 2005 PCA.

Carson City has an Interlocal Agreement with Douglas County, which has a commercial development and a residential development whose wastewater discharges to the City's collection system. The ECA permits Douglas County as an SIU and has experienced some issues getting permits signed due to management turnover at the County; the situation has improved recently. The ECA has a good working relationship with Douglas County staff and has regularly received self-monitoring results. The City may have an Interlocal Agreement with Lyon County but ECA could not confirm its existence during the PCA. The ECA needs to submit Interlocal Agreements with Douglas and Lyon (if agreement exists) Counties to EPA for review and approval as a pretreatment program modification.

II.6 Inspections and Compliance Monitoring

The ECA's goal is to inspect all industrial users annually and SIUs, including CIUs, semiannually. The ECA's goal is to sample all SIUs, excluding zero-dischargers, annually. It is a pretreatment program requirement to inspect and sample all SIUs annually. In 2019, the ECA had 18 permitted SIUs and two (Ameriken Die Supply and EZE-LAP Diamond) were not inspected and two (Ameriken Die Supply and Dura-Bond Bearing) were not sampled.

II.7 POTW Compliance

From July 2017 to September 2019, the CCWRRF had no discharge monitoring violations according to data reviewed in EPA's ICIS database at the time of the inspection. The ICIS database does identify the following total phosphorus and pH minimum effluent limit violations. Between October and December 2019, the CCWRRF experienced an annual average total phosphorus effluent limit violation of 0.2 mg/l with a permit limit of 0.1 mg/l. Between July and September 2020, the CCWRRF experienced a daily pH minimum effluent limit violation of 6.41 S.U. with a permit limit of 6.5 S.U.

II.8 Enforcement

The ECA has not issued an enforcement action since 2010. In 2010, the ECA used an escalating enforcement method to get a non-cooperative industry to submit a baseline monitoring report and install a sampling manhole. When the ECA had a facility in significant non-compliance (SNC) they published that fact in the local Carson City newspaper.

The ECA submitted an updated Enforcement Response Plan (ERP) for EPA review on August 31, 2020. EPA will review and comment on the ERP before it is finalized.

SIU compliance and the lack of enforcement actions were discussed during the PCA interview. The ECA indicated that they have had some late reports from SIUs and EPA pointed out that late reporting is a violation of an industrial user permit. During the file review portion of the PCA, effluent limit violations were identified in self-monitoring reports from the SIUs, however, no correspondence from the SIU to the ECA regarding these violations or enforcement actions from the ECA were in the files. The Areas of Concern section below discusses the lack of enforcement issue in more detail.

SECTION III – OBSERVATIONS

EPA did not identify significant deficiencies regarding ECA's issuance of control mechanisms, conducting inspections, identifying and defining SIUs, and adequately preventing backups, pass-through and interference. However, EPA identified some deficiencies in program implementation as described below and further detailed in the Pretreatment Program Audit Checklist (Appendix B). Furthermore, EPA identified major deficiencies with Carson City's enforcement of control mechanisms (Appendix B) and legal authority as described below and detailed in the Pretreatment Program Legal Authority Review Checklist (Appendix A).

SECTION IV – AREAS OF CONCERN

The presentation of areas of concern does not constitute a formal compliance determination or violation.

1. Carson City has not updated their legal authority to be at least as stringent as the federal regulations, as described in the Pretreatment Program Legal Authority Review Checklist (Appendix A). [40 CFR 403.8(f)]
2. Of the 15 definitions required by 40 CFR 403.3, 403.8(f)(2)(vi), 403.8(f)(2)(vii), and 403.12(l), Carson City's SUO was missing 12 of them. These definitions included Authorized Representative, Categorical Standards, Indirect Discharge, Industrial User, Interference, Pretreatment Standards, New Source, Pass Through, Pretreatment Requirements, Significant Industrial User, Significant Noncompliance, and Slug Discharge.
3. The ECA has not submitted Interlocal Agreements with Douglas and Lyon (if agreement exists) Counties to EPA for review and approval as a pretreatment program modification, as required by 40 CFR 403.18.
4. Carson City has failed to amend its pretreatment program and SUO to adequately include the following components as required under the 2005 amendments to the General Pretreatment Regulations:
 - a. Slug control requirements in control mechanisms. [40 CFR 403.8(f)(1)(iii)(B)(6)]
 - b. Notification requirements to include changes that might affect the potential for a slug discharge. [40 CFR 403.8(f)(2)(vi)]
 - c. Revised SNC definition. [40 CFR 403.8(f)(2)(viii)]
 - d. Clarification that SIU reports must include any applicable best management practice (BMP) compliance information. [40 CFR 40.12(b), (e), (h)]
 - e. SIU control mechanisms must contain any BMPs required by a Pretreatment Standard, local limits, state, or local law. [40 CFR 403.8(f)(1)(iii)(B)(3)]
 - f. Record-keeping requirements for BMPs. [40 CFR 403.12(o)]
 - g. Clarification that Control Authorities that perform sampling for SIUs must perform any required repeat sampling and analysis within 30 days of becoming aware of a violation. [40 CFR 403.12(g)(2)]
 - h. Modifications to the sampling requirements. [40 CFR 403.12(g)]
 - i. Requirement to report all monitoring results. [40 CFR 403.12(g)]
5. The ECA failed to control through permits the contribution to the CCWRRF by each SIU to ensure compliance with applicable Pretreatment Standards and Requirements [40 CFR 403.8(f)(1)(iii)]. At the time of the audit, four SIUs did not have current permits. Two of the SIU permits were expired because of Covid-19 restrictions and the ECA expected to issue them in the near future.

6. The ECA needs better tracking of non-compliance. Late self-monitoring reports from Dura Bond, and possibly other SIUs, are violations and depending on how late they could trigger SNC. Similarly, violations were identified in analytical reports in all four facility files reviewed but there was no evidence that the City was making violation determinations or acting on them (Appendix B). These violations may trigger SNC, but no documentation was found that SNC was assessed [40 CFR 403.8(f)(2)(vii)].
7. Facility files reviewed appeared to have several deficiencies:
 - a. Permit effective and expiration dates not included; renewal date is included [403.8(f)(1)(iii)(B)(1)].
 - b. Permit states that all samples are to be a composite sample created by collecting four grab samples over an 8-hour period and compositing them into one sample. For pH, field measurements are allowed and so are composite. Samples collected for pH, oil & grease, and phenols should be grab [403.8(f)(1)(iii)(B)(4)].
 - c. Permits need to be clear on sampling frequency and sampling location [403.8(f)(1)(iii)(B)(4)].
 - d. Douglas County permit indicated that flow weighted average concentration would be used but no calculations are in files. Some raw analytical results exceed local limits for BOD, sulfide, and phenolics [403.5(c)&(d) and 403.8(f)(1)(ii)].
 - e. SIU permits (Douglas Co. and ALSCO) indicate they are categorical but should indicate SIU [403.8(f)(1)(ii)].
 - f. Chromalloy needs to use most stringent limits; silver and zinc categorical limits are more stringent than local limits [403.8(f)(1)(ii)].
 - g. Dura Bond appears to apply Combined Wastestream Formula but no calculations or details are provided in files [403.6(d)&(e)].
 - h. Evaluation of the need to develop a slug discharge control plan was not included in the four facility files reviewed [403.8(f)(2)(vi)].
 - i. Compliance monitoring analytical results not included in files for Chromalloy and Douglas County, and was incomplete in the ALSCO and Dura Bond files [403.8(f)(2)(v)].
 - j. No documentation of inspections of Douglas County [403.8(c)].

APPENDICES

Appendix A – Pretreatment Program Legal Authority Review Checklist

Appendix B – Pretreatment Program Audit Checklist.

CHECKLIST – PRETREATMENT PROGRAM LEGAL AUTHORITY REVIEWS

NAME OF POTW: Carson City
 DATE OF REVIEW: 11-4-20 and 11-5-20

Note: Several changes to the National Pretreatment Regulations made as a result of the Streamlining Rule are more stringent than the previous Federal requirements and therefore are considered required modifications for the POTW. Therefore, to the extent that existing POTW legal authorities are inconsistent with these required changes, they must be revised. Where local authorities are already consistent with these required provisions, further changes are not necessary.

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
A. Definitions [403.3 & 403.8(f)(2)]							
1. Act, Clean Water Act	403.3(b)	§ 1.4 A	✓			12.06.010	
2. Authorized or Duly Authorized Representative of the User	403.12(l)	§ 1.4 C		✓			
3. Best Management Practices or BMPs	403.3(e)	§ 1.4 E			✓		See C.2.d
4. Categorical Pretreatment Standard or Categorical Standard		§ 1.4 F		✓			
5. Indirect Discharge or Discharge	403.3(i)	§ 1.4 M		✓			
6. Industrial User (or equivalent)	403.3(j)	§ 1.4 LL		✓			
7. Interference	403.3(k)	§ 1.4 O		✓			
8. National Pretreatment Standard, Pretreatment Standard or Standard	403.3(l)	§ 1.4 BB		✓		12.06.010	Revise to include Local Limits
9. New Source	403.3(m)	§ 1.4 T		✓			
10. Pass Through	403.3(p)	§ 1.4 V		✓			
11. Pretreatment Requirement	403.3(t)	§ 1.4 AA		✓			
12. Publicly Owned Treatment Works or POTW	403.3(q)	§ 1.4 DD	✓			12.06.010	
13. Significant Industrial User <i>[NOTE: §1.4 GG(3) is an optional streamlining provision for Non-Significant Categorical Industrial User classification.]</i>	403.3(v)	§ 1.4 GG		✓			
14. Significant Noncompliance	403.8(f)(2)(vii)	§ 9 (A-H)		✓			

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
15. Slug Load or Slug Discharge	403.8(f)(2)(vi)	§ 1.4 HH		✓			
16. Other definitions based on terms used in the POTW Ordinance							
B. National Pretreatment Standards – Prohibited Discharges							
1. General Prohibitions							
a. Interference	403.5(a)	§ 2.1A		✓			Must apply to all IUs
b. Pass Through	403.5(a)	§ 2.1A		✓			Must apply to all IUs
2. Specific Prohibitions [403.5(b)]							
a. Fire/Explosion Hazard (60° C or 140° F flashpoint)	403.5(b)(1)	§ 2.1B(1)		✓		12.06.060	Must apply to all IUs Include flashpoint
b. pH/Corrosion	403.5(b)(2)	§ 2.1B(2)		✓		12.06.060	Must apply to all IUs
c. Solid or Viscous/Obstruction	403.5(b)(3)	§ 2.1B(3)		✓		12.06.060	Must apply to all IUs
d. Flow Rate/Concentration (BOD, etc.)	403.5(b)(4)	§ 2.1B(4)		✓		12.06.060	Must apply to all IUs
e. Heat; exceeds 40° C (104°F)	403.5(b)(5)	§ 2.1B(5)		✓		12.06.060	Must apply to all IUs
f. Petroleum/Nonbiodegradable Cutting/Mineral Oils	403.5(b)(6)	§ 2.1B(6)		✓		12.06.060	Must apply to all IUs
g. Toxic Gases/Vapor/Fumes	403.5(b)(7)	§ 2.1B(7)		✓		12.06.060	Must apply to all IUs
h. Trucked/Hauled Waste	403.5(b)(8)	§ 2.1B(8)		✓		12.06.060	Must apply to all IUs

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
3. National Categorical Standards	403.8(f)(1)(ii)	§ 2.2		✓			
4. Local Limits Development <i>[NOTE: POTWs may develop Best Management Practices (BMPs) to implement the prohibitions listed in 40 CFR 403.5(a)(1). Such BMPs shall be considered local limits and Pretreatment Standards.]</i>	403.5(c) & (d)	§ 2.4		✓		12.06.410	Include language that Superintendent is authorized to establish Local Limits pursuant to 40 CFR 403.5(c)
5. Prohibition Against Dilution as Treatment	403.6(d)	§ 2.6		✓		12.06.060	Must apply to all IUs
6. Best Management Practices Development <i>[NOTE: Optional streamlining provision.]</i>	403.5(c)(4)	§ 2.4C			✓	12.06.410	Include language that Superintendent is authorized to establish BMPs
C. Control Discharges to POTW System							
1. Deny/Condition New or Increased Contributions	403.8(f)(1)(i)	§§ 4.8 & 5.2	✓			12.06.040	
2. Individual Control Mechanism (e.g., permit) to ensure compliance - <i>Permit Content</i>	403.8(f)(1)(iii)	§ 4.2		✓		12.06.040	Include language that Superintendent may require IU to obtain a permit.
a. Statement of Duration	403.8(f)(1)(B)(1)	§§ 5.1 & 5.2A(1)		✓		12.06.080	Permit needs to include issuance date and effective date.
b. Statement of Nontransferability	403.8(f)(1)(B)(2)	§5.2A(2)	✓			12.06.080	
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2A(3)	✓			12.06.410	

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
d. Best Management Practices <i>[Note: This is a required streamlining provision for CIUs with BMP requirements as part of its Categorical Standards. But if BMPs are being applied to other CIUs or noncategorical SIUs without categorical BMP requirements, then this provision would be optional and is only required if the POTW has incorporated the use of BMPs (§ 2.4 C).]</i>	403.8(f)(1)(B)(3)	§ 5.2A(3)			✓	12.06.410	BMPs are mentioned but not defined that the required BMPs be included in SIU control mechanisms.
e. Self-Monitoring Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	✓			12.06.090	
f. Reporting & Notification Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	✓			12.06.090	
g. Recordkeeping Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	✓			12.06.090	
h. Process for Seeking a Waiver for Pollutants Not Present or Expected to be Present <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B o the Model SUO.]</i>	403.8(f)(1)(B)(4) & 403.12(e)(2)	§ 5.2A(5)	✓				Not in SUO but optional. Need to include in SUO if City plans to use.
i. Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B)(5)	§ 5.2A(6)	✓			12.06.150 12.06.160	
j. Slug Discharge Requirements (if necessary) <i>[NOTE: Required streamlining change. Where the POTW has determined that slug controls are necessary, the ordinance must provide authority for the POTW to include such requirements in IU permits.]</i>	403.8(f)(1)(B)(6)	§ 5.2A(7)		✓			

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
k. Specific waived pollutant <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B of the Model SUO.]</i>	403.8(f)(1)(B)(4)	§ 5.2A(8)	✓				Not in SUO but optional. Need to include in SUO if City plans to use.
l. Permit Application/Reapplication Requirements <i>[Note: Optional permit provision]</i>		§§ 5.3 & 5.7	✓			12.06.080	
m. Permit Modification <i>[Note: Optional permit provision]</i>		§ 5.4	✓			12.06.100	
n. Permit Revocation/Termination <i>[Note: Optional permit provision]</i>		§§ 5.6 & 10.8	✓			12.06.100	
o. Proper Operation and Maintenance <i>[Note: Optional permit provision]</i>		§ 3.1	✓			12.06.070	
p. Duty of Halt/Reduce <i>[Note: Optional permit provision]</i>		§ 10.7			✓	12.06.140	Could elaborate on types of appropriate actions
q. Requirement to submit Chain-of-Custody forms with monitoring data <i>[Note: Optional permit provision]</i>			✓				Not in SUO
3. General Control Mechanism to ensure compliance <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated the use of General Permits (§ 4.6 of the Model SUO).] - Permit Content</i>	403.8(f)(1)(iii)(A)	§ 4.2 & 4.6	✓				N/A - POTW has not incorporated use of General Permits in legal authority.
a. Statement of Duration	403.8(f)(1)(B)(1)	§§ 5.1 & 5.2A(1)	✓				” ”
b. Statement of Nontransferability	403.8(f)(1)(B)(2)	§ 5.2A(2)	✓				” ”

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2A(3)	✓				” ”
d. Best Management Practices <i>[Note: This is a required streamlining provision for CIUs with BMP requirements as part of its Categorical Standards. But if BMPs are being applied to other CIUs or noncategorical SIUs without categorical BMP requirements, then this provision would be optional and is only required if the POTW has incorporated the use of BMPs (§ 2.4C).]</i>	403.8(f)(1)(B)(3)	§ 5.2A(3)	✓				” ”
e. Self-Monitoring Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	✓				” ”
f. Reporting & Notification Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	✓				” ”
g. Recordkeeping Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	✓				” ”
h. Process for Seeking a Waiver for Pollutants Not Present or Expected to be Present <i>[Note: Required only if POTW has incorporated the use of Pollutants Not Present and § 6.4 of the Model SUO.]</i>	403.8(f)(1)(B)(4) & 403.12(e)(2)	§ 5.2A(5)	✓				” ”
i. Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B)(5)	§ 5.2A(7)	✓				” ”

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
j. Slug Discharge Requirements (if necessary) <i>[NOTE: Required streamlining change. The ordinance should indicate that a user is required to develop a slug discharge control plan if determined by the POTW to be necessary.]</i>	403.8(f)(1)(B)(6)	§ 5.2A(8)	✓				” ”
k. Permit Application/Reapplication Requirements <i>[Note: Optional permit provision]</i>		§§ 5.3 & 5.7	✓				” ”
l. Permit Modification <i>[Note: Optional permit provision]</i>		§ 5.4	✓				” ”
m. Permit Revocation/Termination <i>[Note: Optional permit provision]</i>		§§ 5.6 & 10.8	✓				” ”
n. Proper Operation and Maintenance <i>[Note: Optional permit provision]</i>		§ 3.1	✓				” ”
o. Duty of Halt/Reduce <i>[Note: Optional permit provision]</i>		§ 10.7	✓				” ”
p. Requirement to submit Chain-of-Custody forms with monitoring data <i>[Note: Optional permit provision]</i>			✓				” ”
D. Required Reports							
1. Develop compliance schedule for installation of technology	403.8(f)(1)(iv)	§§ 5.2b(2) & 10.4			✓	12.06.090 (A)	This section contains only very general authority to require a permittee to “make reports” or “provide other information related to discharges.” Recommend requiring this more explicitly in the legal authority (since it is

							required of industrial users).
--	--	--	--	--	--	--	--------------------------------

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
2. Reporting Requirements [403.12] <i>Types of Reports</i>							
a. Baseline monitoring report	403.12(b)	§ 6.1			✓	12.06.090 (A)	” ”
(i) Identifying Information	403.12(b)(1)	§ 6.1B(1) & § 4.5A(1)a			✓	12.06.090 (A)	” ”
(ii) Other Environmental Permits Held	403.12(b)(2)	§§ 6.1B(1) & 4.5A(2)			✓	12.06.090 (A)	” ”
(iii) Description of operations	403.12(b)(3)	§§ 6.1B(1) & 4.5A(3)a			✓	12.06.090 (A)	” ”
(iv) Flow measurements	403.12(b)(4)	§§ 6.1(b)(2) & 4.5A(6)			✓	12.06.090 (A)	” ”
(v) Measurement of pollutants	403.12(b)(5)	§ 6.1B(2)			✓	12.06.090 (A)	” ”
(vi) Certification	403.12(b)(6)	§ 6.1B(3)			✓	12.06.090 (A)	” ”
(vii) Compliance schedule	403.12(b)(7)	§ 6.1B(4)			✓	12.06.090 (A)	” ”
b. Compliance schedule progress report	403.12(c)	§ 6.2			✓	12.06.090 (A)	” ”
c. Report on compliance with categorical Pretreatment Standard deadline	403.12(d)	§ 6.3			✓	12.06.090 (A)	” ”
d. Periodic reports on continued compliance							
- From categorical users	403.12(e)	§ 6.4A			✓	12.06.090 (A)	” ”
- From significant non-categorical users	403.12(h)	§ 6.4A			✓	12.06.090 (A)	” ”

e. Notice of potential problems to be reported immediately (including slug loads)	403.12(f)	§ 6.6			✓	12.06.090 (A)	” ”
-----------------------------------------------------------------------------------	-----------	-------	--	--	---	---------------	-----

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
f. Notification of changes affecting potential for a slug discharge <i>[NOTE: Required streamlining revision]</i>	403.8(f)(2)(vi)	§ § 6.5 & 6.6			✓	12.06.090 (A)	” ”
g. Notice of violation/sampling requirement <i>[NOTE: Required streamlining revision.]</i>	403.12(g)(2)	§ 6.8			✓	12.06.090 (A)	” ”
h. Requirement to conduct representative sampling	403.12(g)(3)	§ 6.4E			✓	12.06.090 (A)	” ”
i. Notification of changed discharge	403.12(j)	§ 6.5			✓	12.06.090 (A)	” ”
j. Notification of discharge of hazardous waste	403.12(p)	§ 6.9			✓	12.06.090 (A)	” ”
Other Reporting Requirements							
k. Data accuracy certification & authorized signatory	403.6(a)(2)(ii) & 403.12(l)	§§ 6.4D & 6.14		✓		12.06.050	Does not contain all required certification language under 403.6(a)(2)(ii). Also does not specify required process for IU to duly authorize a representative signatory, per 403.12(l)(3).
l. Recordkeeping Requirement (3 years or longer)	403.12(o)	§ 6.13			✓	12.06.090 (A)	This section contains only very general authority to require a permittee to “establish and maintain records.” Recommend requiring this more explicitly in the legal

							authority (since it is required of industrial users).
- Including documentation associated with Best Management Practices <i>[NOTE: Required streamlining provision.]</i>	403.12(o)	§ 6.13			✓	12.06.090 (A)	” ”
m. Submission of all monitoring data <i>[NOTE: Required streamlining revision]</i>	403.12(g)(6)	§ 6.4F		✓			Could not find.
n. Annual certification by Non-significant categorical Industrial Users <i>[Note: Optional provision, required only if the POTW has incorporated §1.4GG(3) of the Model SUO.]</i>	403.3(v)(2)	§§ 4.7C & 6.14B	✓				N/A - POTW has not incorporated NSCIU definition into legal authority.

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
o. Certification of pollutant not present <i>[NOTE: Optional provision, required only if the POTW has incorporated § 6.4 B of the Model SUO]</i>	403.12(e)(2)(v)	§ 6.14C	✓				N/A - POTW has not authorized waiver of monitoring for pollutant not present in legal authority.
E. Test Procedures [40 CFR Part 136 & 403.12(g)]							
1. Analytical procedures (40 CFR Part 136) <i>[NOTE: Required streamlining provisions]</i>	403.12(g)	§ 6.10		✓		12.06.400	Does not contain requirements specified under 403.12(g).
2. Sample collection procedures <i>[NOTE: Required streamlining provisions]</i>	403.12(g)(3) & (4)	§ 6.11		✓			Could not find (representative samples are discussed under surcharge section, but could not find more general requirements to collect representative samples).
F. Inspection and Monitoring Procedures [403.8(f)]							
1. Right to enter all parts of the facility at reasonable times	403.8(f)(1)(v)	§ 7.1		✓		12.06.070(C)	This section of the legal authority specifies that “the terms and conditions of each issued permit must provide for and insure the following,” but does not give the POTW legal

							authority to do this for any IU (whether or not they're permitted).
2. Right to inspect generally for compliance	403.8(f)(1)(v)	§ 7.1		✓		12.06.070(C)	
3. Right to take independent samples	403.8(f)(1)(v), 403.8(f)(2)(v) & 403.8(f)(2)(vii)	§ 7.1		✓		12.06.070(C)	
4. Right to require installation of monitoring Equipment	403.8(f)(1)(iv)	§ 7.1	✓			12.06.090(A)	
5. Right to inspect and copy records	403.12(o)(2)	§ 7.1		✓		12.06.070(C)	
G. Remedies for Non-compliance (Enforcement) [403.8(f)(1)(vi)]							
1. Non-emergency response							
a. Injunctive relief	403.8(f)(1)(vi)	§ 11.1	✓			12.06.160(A)	
b. Civil/Criminal penalties	403.8(f)(1)(vi)	§§ 11.2 & 11.3	✓			12.06.160, 12.06.170	

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
2. Emergency response							
a. Immediately halt actual/threatened discharged	403.8(f)(1)(vi) (B)	§ 10.7	✓			12.06.140	
3. Legal authority to enforce Enforcement Response Plan	403.8(f)(1)(vi)	§ 11.4		✓			Could not find.
H. Public Participation							
1. Publish list of Industrial Users in Significant Noncompliance <i>[NOTE: Required streamlining revision]</i>	403.8(f)(2)(viii)	§ 9		✓			Could not find.
2. Access to data [403.8(f)(1)(vii) & 403.14]							
a. Government	403.14(a) & (c)	§ 8	✓			12.06.040(D)	
b. Public	403.14(b)	§ 8	✓			12.06.040(D)	
I. Optional Provisions							
1. Net/Gross adjustments <i>[streamlining provision]</i>	403.15	§ 2.2 D	✓				N/A - not incorporated.
2. Equivalent mass limits for concentration Limits <i>[streamlining provision]</i>	403.6(c)	§ 2.2 E	✓				N/A - not incorporated.
3. Equivalent concentration limits for mass limits <i>[streamlining provision]</i>	403.6(c)	§ 2.2 F	✓				N/A - not incorporated.
4. Upset Notification	403.16	§ 13.1	✓				N/A - not incorporated.
5. Waive monitoring for pollutant not present or expected to the present <i>[streamlining provision]</i>	403.12(e)(2)	§ 6.4B	✓				N/A - not incorporated.
6. Reduce periodic compliance reporting <i>[streamlining provision]</i>	403.12(e)(3)	§ 6.4C	✓				N/A - not incorporated.
7. Other special agreement or waivers (excluding waiver of National Categorical Pretreatment Standards and Requirements)			✓				N/A - not incorporated.

NONE = No revision necessary

REQ = Require Revision

REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
8. Hauled Waste Reporting/Requirements		§ 3.4	✓				N/A - not incorporated.
9. Grease Interceptor Reporting/Requirements		§ 3.2 C	✓			12.06.245	
10. Authority to issue Notice of Violations (NOVs)		§ 10.1	✓			12.06.150, 12.06.155	
11. Authority to issue Administrative Orders (AOs)			✓				N/A - not incorporated.
12. Authority to issue Administrative Penalties		§ 10.6	✓			12.06.150(A)(4)	
13. Authority to enforce against falsification or tempering			✓			12.06.170	
14. Any other supplemental enforcement actions as noted in the POTW's enforcement response plan			✓				N/A - not incorporated.
15. Permit Appeals Procedures			✓			12.06.130	
16. Penalty or Enforcement Appeals Procedures			✓			12.06.156(D)	
17. Bypass Notification	403.17	§ 13.3	✓				N/A - not incorporated.

Document(s) submitted for review:

Jim Polek

 Amelia Whitson

Name of Reviewers

CONTROL AUTHORITY PRETREATMENT AUDIT CHECKLIST

AUDIT CHECKLIST CONTENTS

Cover Page and Acronym/Abbreviation List

Section I Data Review

Section II IU File Evaluation

Section III Observations and Concerns

Attachment A Pretreatment Program Status Update

Attachment B Pretreatment Program Profile

Attachment C Legal Authority Review Checklist

Attachment D Worksheets

Site Visit Data Sheet

WENDB Data Entry Worksheet

PCA Required ICIS Data Elements Worksheet

RNC Worksheet

Attachment D Supporting Documentation

Control Authority (CA) name and address			Date(s) of audit	
Carson City Public Works (CCPW), Environmental Control Authority (ECA) 3505 Butti Way Carson City NV 89701			9/9/20 – 9/30/20	
Treatment Plant Name	NPDES Permit Number	Effective Date	Expiration Date	Permit Reviewed?
Carson City Water Resource Reclamation Facility	No NPDES permit, we are 100% reuse. 2 permits from Nevada NDEP are expired, and are under review by NDEP	N/A	N/A	N/A
3320 E. Fifth St	Nv Permit #NEV90008*	1/6/2009	1/6/2015	
Carson City NV 89701	Nv Permit#0023591**	2/23/2008	2/23/2014	

* Permit for Release to Groundwater for reuse. ** Permit for release to river from springs fed by reservoir.

AUDITOR(S)

Name	Title/Affiliation	Telephone Number	Email Address
James Polek	Environmental Engineer/EPA	415-972-3185	polek.jim@epa.gov
Amelia Whitson	Pretreatment Coordinator/EPA	415-972-3216	whitson.amelia@epa.gov

CA REPRESENTATIVE(S)

Name	Title/Affiliation	Telephone Number	Email Address
Andy Hummel	CCPW Wastewater Utility Manager	775-283-7357	ahummel@carson.org
Kelly Hale	*CCPW ECA Foreman	775-283-7376	khale@carson.org
Ken Peck	CCPW ECA Senior ECA Officer	775-283-7390	kpeck@carson.org
Mark Irwin	CCPW ECA Senior ECA Officer	775-283-7380	mirwin@carson.org
Jen Churchward	CCPW ECA Officer	775-283-7409	jchurchward@carsoon.org

*Identified program contact

ACRONYM AND ABBREVIATION LIST

Acronym/Abbreviation	Term
AO	Administrative Order
BMP	Best management practices
BMR	Baseline Monitoring Report
CA	Control Authority
CERCLA	Comprehensive Environmental Remediation, Compensation and Liability Act
CFR	Code of Federal Regulations
CIU	Categorical Industrial User
CSO	Combined sewer overflow
CWA	Clean Water Act
CWF	Combined Wastestream Formula
DMR	Discharge Monitoring Report
DSS	Domestic Sewage Study
EP	Extraction Procedure
EPA	U.S. Environmental Protection Agency
ERP	Enforcement Response Plan
FDF	Fundamentally different factors
FTE	Full-time equivalent
FWA	Flow-Weighted Average
gpd	Gallons per day
ICIS	Integrated Compliance Information System
IU	Industrial User
IWS	Industrial Waste Survey
mgd	Million gallons per day
MSW	Municipal solid waste
N/A	Not applicable
ND	Not determined
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
NSCIU	Nonsignificant Categorical Industrial User
O&G	Oil and grease
PCA	Pretreatment Compliance Audit
PCI	Pretreatment Compliance Inspection
PCS	Permit Compliance System

ACRONYM AND ABBREVIATION LIST (CONTINUED)

Acronym/Abbreviation	Term
PIRT	Pretreatment Implementation Review Task Force
POTW	Publicly owned treatment works
QA/QC	Quality assurance/quality control
RCRA	Resource Conservation and Recovery Act
RIDE	Required ICIS Data Element
RNC	Reportable Noncompliance
SIU	Significant Industrial User
SNC	Significant Noncompliance
SUO	Sewer Use Ordinance
TCLP	Toxicity Characteristic Leachate Procedure
TMDL	Total maximum daily load
TOMP	Toxic Organic Management Plan
TRC	Technical Review Criteria
TRE	Technical Review Evaluation
TRIS	Toxics Release Inventory System
TSDF	Treatment, Storage, and Disposal Facility
TTO	Total toxic organics
UST	Underground Storage Tank
WENDB	Water Enforcement National Data Base
Y/N	Yes or no

GENERAL INSTRUCTIONS

1. As noted in the Introduction, the auditor should review a representative number of SIU files. Section II of this checklist provides space to document five IU files. This should not be construed to mean that five is an adequate representation of files to review. The auditor should make as many copies of Section I as needed to document a representative number of files according to the discussion in the Introduction.
2. The auditor should ensure that during the audit, he or she follows up on any and all violations noted in the previous inspection, annual report, or during the course of the audit.
3. Throughout the course of the evaluation, the auditor should look for areas in which the CA should improve the effectiveness and quality of its program.
4. Audit findings should clearly distinguish between violations, deficiencies, and effectiveness issues.

SECTION I: DATA REVIEW

INSTRUCTIONS: Complete this section on the basis of CA activities to implement its pretreatment program. Answers to these questions could be obtained from a combination of sources including discussions with CA personnel, review of general and specific IU files, IU site visits, review of POTW treatment plants, among others. Attach documentation where appropriate. Specific data might be required in some cases.

- Write ND (Not Determined) beside the questions or items that were not evaluated during the audit.
- Use N/A (Not Applicable) where appropriate.

A. CA PRETREATMENT PROGRAM MODIFICATION [403.18]

1. a. Has the CA made any substantial changes to the pretreatment program that were not reported to the Approval Authority (e.g., legal authority, less stringent limits, multijurisdictional situation)?

Yes	No
X	

If yes, discuss.

City have been receiving wastewater from a nearby section of Douglas County since some time in 2008. An interlocal agreement was signed in 2013. It is currently unknown if EPA was notified at either point. This connection has been under permit since June of 2017 and is now being regulated as a NCSIU.

EPA stated that interlocal agreement (ILA) would need to be submitted to EPA for approval as a pretreatment program modification. Carson City mentioned they might also have ILA with Lyon County, would look for that.

b. Is the CA in the process of making any substantial modifications to any pretreatment program component (including legal authority, less stringent local limits, and required pretreatment provisions from the 2005 revisions to the General Pretreatment Regulations, multijurisdictional situation, and others)?

Yes	No
X	

If yes, describe.

We began reviewing the Carson City Municipal Code sections applicable to the pretreatment program in 2018, however that has since been put off due to management staffing changes. We intend to restart as soon as staffing and directives from management allow.

Auditors reminded City that Code changes would need to be submitted to EPA for approval.

c. Has the CA made any nonsubstantial changes to the pretreatment program (i.e., pH limit modification, reallocation of the maximum allowable headworks loading, and such)?

Yes	No
	X

If yes, describe.

No changes were made however our local limits were reviewed by a consulting firm to see if a review and revision would be needed after the POTW upgrades were completed and on-line. It was determined that no local limits review and adjustment was indicated.

Completed post-construction review. Review of local limits done in October 2019.

SECTION I: DATA REVIEW (CONTINUED)

A. CA PRETREATMENT PROGRAM MODIFICATION (continued) [403.18]

1. d. Has the CA amended its pretreatment program to include the following components required under the 2005 amendments to the General Pretreatment Regulations:

- Slug control requirements in control mechanisms. [40 CFR 403.8(f)(1)(iii)(B)(6)]
- Notification requirements to include changes that might affect the potential for a slug discharge. [40 CFR 403.8(f)(2)(vi)]
- Revised SNC definition. [40 CFR 403.8(f)(2)(viii)]
- Clarification that SIU reports must include any applicable BMP compliance information. [40 CFR 40.12(b), (e), (h)]
- SIU control mechanisms must contain any BMPs required by a Pretreatment Standard, local limits, state, or local law. [40 CFR 403.8(f)(1)(iii)(B)(3)]
- Record-keeping requirements for BMPs. [40 CFR 403.12(o)]
- Clarification that CAs that perform sampling for SIUs must perform any required repeat sampling and analysis within 30 days of becoming aware of a violation. [40 CFR 403.12(g)(2)]
- Modifications to the sampling requirements. [40 CFR 403.12(g)]
- Requirement to report all monitoring results. [40 CFR 403.12(g)]

Yes	No
X	

If not, when?

Compliance with the above requirements are in CCMC 12.06 and each permit and permit addendum where applicable, as well as in the Enforcement Response Plan. City stated that they didn't know if streamlining provisions had been incorporated into SUO.

e. Has the CA adopted or does the CA plan to adopt any of the optional measures provided by the 2005 amendments to the General Pretreatment Regulations?

Yes	No
X	

Once time and workload permit City may consider the changes as below, especially for our zero discharge CIUs, and ones with limited pollutants on site. The City has a fair number of zero-dischargers.

If yes, check which ones.

X	Issuance of monitoring waivers for pollutants that are not present [40 CFR 403.8(f)(2)(v) and 403.12(e)(2)]
	Issuance of general control mechanisms to regulate multiple industrial dischargers with similar wastes [40 CFR 403.8(f)(1)(iii)(A)]
	Using BMPs as an alternative to numeric local limits [40 CFR 403.3(e), 403.5(c)(4), 403.8(f), 403.12(b), (e), and (h)]
X	Authority to implement alternative sampling, reporting, and inspection frequencies for NSCIUs [40 CFR 403.3(v)(2), 403.8(f)(2)(v)(B), 403.8(f)(6), 403.12(e)(1), 403.12(g), (i), and (q)]
	Authority to implement alternative sampling, reporting, and inspection frequencies for middle-tier CIUs [40 CFR 403.8(f)(2)(v)(C), 403.12(e)(3), and 403.12(i)]
	Authority to implement equivalent concentration limits for flow-based standards [40 CFR 403.6(c)(6)]
	Authority to implement equivalent mass limits for concentration-based standards [40 CFR 403.6(c)(5)]

SECTION I: DATA REVIEW (CONTINUED)

A. CA PRETREATMENT PROGRAM MODIFICATION (continued) [403.18]		
2. a. Are there any planned changes to the POTW's treatment plant(s)? <i>Major plant upgrades were done in two phases, Phase 1A, the installation and startup of the Bioreactor was completed in Sept of 2017, and the Phase 2 upgrades of all the other components was completed in December of 2019.</i> If yes, describe.	Yes	No
		X
b. Are these changes to the treatment plant(s) due to pretreatment issues? <i>Upgrades were due to aging facilities, and the wish to improve nitrate and phosphorus removal.</i> If yes, what were the issues?	Yes	No
		X
B. LEGAL AUTHORITY [403.8(f)(1)]		
1. a. Are there any contributing jurisdictions discharging wastewater to the POTW? If yes, complete questions b–e.	Yes	No
	X	
b. List the contributing jurisdictions. <i>Douglas County Public Works</i>		
c. Does the CA have an agreement in place that addresses pretreatment program responsibilities?	Yes	No
	X	
d. Is the CA or the contributing jurisdiction responsible for the following:		
	CA Responsibility	Contributing Jurisdiction Responsibility
Updating the IWS		X
Notifying IUs of requirements		X
Issuance of control mechanisms		X
Receiving and reviewing IU reports		X
Conducting inspections		X
Conducting compliance monitoring		X
Enforcement of Pretreatment Standards and Requirements	X	X

SECTION I: DATA REVIEW (CONTINUED)

B. LEGAL AUTHORITY (continued) [403.8(f)(1)] (continued)

e. Has the CA had any problems with implementation of its pretreatment program within the contributing jurisdictions?

Yes	No
	X

The contributing jurisdiction is using pretreatment program components to regulate restaurants and commercial industrial users. Carson City ECA staff have met with and helped train Douglas County personnel on pretreatment procedures. There has been a large turnover with Douglas County management, which has caused issues renewing permit. It is hopefully better now.

If yes, explain.

2. a. Has the CA updated its legal authority to reflect the 2005 General Pretreatment Regulation changes?

Yes	No
	X

b. Did all contributing jurisdictions update their SUOs to be as stringent as the receiving POTW?

	X
--	----------

c. Did the CA update its procedures and ERP to implement the changes in its SUO?

?	
---	--

ERP was submitted for EPA review on August 31, 2020. It will not be reviewed as part of this PCA.

Explain

3. Does the CA experience difficulty in implementing its legal authority [i.e., SUO, interjurisdictional agreement (e.g., permit challenged, entry refused, penalty appealed)]?

Yes	No
X	

If yes, explain.

While we have not had any difficulties in working with the field personnel for inspection and sampling, in the contributing jurisdiction, we have had some difficulties in keeping the permit up to date, as there have been numerous personnel changes at the contributing jurisdiction at the signatory level.

SECTION I: DATA REVIEW (CONTINUED)

C. IU CHARACTERIZATION [403.8(f)(2)(i)&(ii)]

1. a. How does the CA define SIU? (Is it the same in contributing jurisdictions? Is it different from the federal definition at 40 CFR 403.3(v)?)

SIU is defined in our Enforcement Response Plan as:

Significant Industrial User or SIU: A Significant Industrial User subject to Categorical Pretreatment Standards under 40CFR (Code of Federal Regulations), 403.6 and 40 CFR, Chapter I, subchapter N. Any industry that falls under these categories is considered a SIU whether it has process discharge to the sewer or not. These industries are Categorical Industrial Users (CIUs); •Any industry which discharges an average of 25,000 gallons per day or more of process wastewater to the sewer system (excluding sanitary, contact cooling and boiler blowdown wastewater); •Any Industry which is designated as such by the ECA on the basis that the Industrial User has a reasonable potential for adversely affecting the operation of the collection system or treatment plant, or violating any pretreatment requirement.

SIU definition needs to be included in SUO

b. If the CA has implemented the middle-tier CIU provisions, how does the CA define *middle-tier CIU*?

City does not currently have any middle tier definitions for CIUs. They are not considering adding this definition currently, as they do not anticipate the need for it. They will review this when they are determining the NSCIUs.

c. If the CA has implemented the NSCIU provisions, how does the CA define *NSCIU*?

City does not currently have definitions for NSCIUs, however they are considering adding it for zero discharge CIUs.

2. How are SIUs identified and categorized (including those in contributing jurisdictions)?

Carson City has a program of identifying SIUs through a business license review, and waste survey, which was set up in the original program in 1981. Douglas County, under their permit, is responsible for determining SIUs within their jurisdiction. Carson City receives business licenses from Business Licensing Dept for all commercial/industrial (except certain categories exempted, e.g. barbershops, lawyers, real estate offices), and must sign off before business license can be granted. Recent update to business license software.

City staff also look when out in field for any new businesses (both when doing inspections, also when doing sewer or drinking water fieldwork), review newspapers for news of new businesses, but primarily rely on business license review.

3. a. How and when does the CA update its IWS to identify new IUs (including those in contributing jurisdictions)?

All new business license applications are routed through ECA for review to determine their waste streams and IU status. See answer above.

b. How and when does the CA identify changes in wastewater discharges at existing IUs (including those in contributing jurisdictions)?

Existing IUs are inspected on a regular basis to determine their waste streams and are required under permit to notify ECA of any changes in waste streams. Many larger SIUs know the pretreatment regulations well, but the smaller ones need more assistance and regular check-ins.

SECTION I: DATA REVIEW (CONTINUED)

C. IU CHARACTERIZATION [403.8(f)(2)(i)&(ii)] (continued)

4. How many IUs are identified by the CA in each of the following groups?

a.	19	SIUs (as defined by the CA) [WENDB – SIUS, RIDE – SIUs]
	16	CIUs, excluding middle-tier CIUs and NSCIUs [WENDB – CIUS, RIDE - CIUs]
		Middle-tier CIUs** (specify below)
	3	Noncategorical SIUs
b.	442	Other regulated nonsignificant IUs (specify)
	442	Noncategorical nonsignificant IUs
		NSCIUs**, excluding zero-discharging CIUs [as defined by 40 CFR 403.3(v)(2)] (specify below)
	10	Zero-discharging CIUs** (specify below)
c.	461	TOTAL

City provided a listing of all CAT/SIUs. Ameriken is currently SIU but is expected to become zero-discharge CIU (CIU count will increase to 17, noncategorical SIU count will drop to 2, and zero-discharging CIU will increase to 11).

**** The following section is to be completed only if the POTW has adopted middle-tier permitting [40 CFR 403.3(v), 403.8(f)(2)(v)(C), 403.12(e)(3)], general control mechanisms [40 CFR 403.8(f)(1)(iii)(A)], or NSCIUs [40 CFR 403.3(v)(2), 403.8(f)(2)(v)]. In addition the POTW’s program must be revised and approved for these classifications before they can be used.**

List of NSCIUs and zero-discharging CIUs:

List of Middle-Tier CIUs:

If middle-tier CIU classification is used, what is 0.01% of the POTW’s dry-weather capacity? _____

List of SIUs with general control mechanisms:

SECTION I: DATA REVIEW (CONTINUED)

D. CONTROL MECHANISM EVALUATION [403.8(f)(1)(iii)]

1. a. How many and what percent of the total SIUs are not covered by an existing unexpired permit, or other individual control mechanism? [WENDB – NOCM, RIDE – SIUs without Control Mechanisms] [RNC – II]

4	20	%
---	----	---

Two of the four expired permits are currently due and late because of Covid-19 restrictions, and will be completed soon, so 10% is a better estimate. The City explained that part of the problem re-issuing permits is that they require the permittee to sign the permit. EPA explained that having the permittee sign the permit is not a federal requirement and suggested that the City check their Municipal Code to see if it is a local requirement.

b. Has the CA implemented any general control mechanisms?

No

c. If yes, how many SIUs (as defined by the CA) are covered by a general control mechanism?

--

List the types of SIUs covered under a general control mechanism:

d. How many control mechanisms were not issued within 180 days of the expiration date of the previous control mechanism or extended beyond 5 years? [RNC – II]

2

If any, explain.

One of these is Douglas County, and the City has been unable to reissue permit due to staff and management problems at Douglas County. The other one, Ameriken, is in the process of changes to their procedures which is requiring a review of their status.

2. a. Do any UST), CERCLA, RCRA corrective action sites and/or other contaminated groundwater sites discharge wastewater to the CA?

--

None currently. The City permitted one UST clean-up site, for an alternative to stormwater release of treated water, but it was not needed and the permit was closed.

b. How are control mechanisms (specifically limits) developed for these facilities?

The same limits applied as per City local limits, with the addition of the pollutants of concern at the UST clean-up site, to be sure their treatment was working as intended.

Discuss

There was only the one permit, just as an "in case" they could not go to the storm drain system for any reason, (flooding etc.). They never did discharge to sewer, and the UST site treatment system has been shut down and removed.

3. a. Does the CA accept any waste by truck, rail, or dedicated pipe (including septage)?

Yes	No
X septage	
	X

b. Is any of the waste hazardous as defined by RCRA?

c. Does any waste accepted via truck, rail, or dedicated pipe meet the CA's SIU definition?

	X
--	---

No, the only trucked waste allowed is septage from Carson City residential septic tanks. Septage haulers are issued will serve letters by the POTW. Also have one carpet cleaning company that Carson City accepts wastewater from (after checking the pH).

d. Describe the CA's program to control hauled wastes including a designated discharge point (e.g., number of points, control/security procedures). [403.5(b)(8)]

Septage receiving is at only one location within the POTW and is under the control of POTW staff. Drivers need to check in before entering and dumping, staff check and record pH and do visual check (for oil sheen etc) before discharge. Many years ago (~12 years ago), had brief petroleum odor at headworks (but was very short / small volume of discharge), traced to a septic hauler and talked to source and hauler to prevent from happening again. Also once had chopped up body in septage, called sheriff's dept who came to collect and investigate.

SECTION I: DATA REVIEW (CONTINUED)

E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS

1. What limits (categorical, local, other) does the CA apply to wastes that are hauled to the POTW (directly to the treatment plant or within the collection system, including contributing jurisdictions)? [403.1(b)(1)]

Not Applicable as we only accept residential septage.

2. How does the CA keep abreast of current regulations to ensure proper implementation of standards? [403.8(f)(2)(iii)]

ECA personnel are all Nevada Certified Industrial Waste Inspectors. They participate in many continuing education opportunities, in person and online. ECA personnel are members of WEF and NvWEA.

3. Local limits evaluation: [403.8(f)(4); 122.21(j)(2)(ii)]

a. For what pollutants have local limits been set?

Arsenic, Barium, Boron, Cadmium, Total Chromium, Copper, Cyanide, Formaldehyde, Iron, Lead, Manganese, Mercury, Nickel, Selenium, Silver, Sulfides, Zinc, Oil & Grease, Phenolic Compounds, COD, BOD, and TSS

b. How were these pollutants selected?

These pollutants were selected in the original program, in 1981, by using Prelim 4.0 software.

c. What was the most prevalent/most stringent criteria (e.g., NPDES permit requirements, plant inhibition, and/or sludge disposal requirements) for the limits?

The limits were developed using Prelim 4.0 software and were last modified in 1995. They were reevaluated after the major POTW upgrades, in 2018 by RCI. It was determined that the local limits do not need to be reviewed or modified at this time.

d. Which allocation method(s) were used?

The limits are uniformly allocated to dischargers and most are based on pass-through and sludge criteria for beneficial reuse although the sludge is currently disposed of at the Carson City Landfill.

e. What was the limit basis (i.e., instantaneous maximums, daily maximums, or other) for the local limits?

Local limits are applied and enforced as instantaneous maximums. Only collect grab samples for local limit compliance determination.

f. When was the CA's last local limits evaluation? What was the approval date?

October 13, 2018 review by RCI determined that further evaluation and modification is not needed. Approval date 1995.

g. Has the CA identified any pollutants of concern beyond those in its local limits?

Yes	No
	X

If yes, how has this been addressed?

ECA is conducting a sampling program to determine how the wastewater and POTW are affected by the increase in reverse osmosis. systems under use at the recently opened marijuana grow facilities.

SECTION I: DATA REVIEW (CONTINUED)

E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS (continued)

4. What challenges, if any, were encountered during local limits development and/or implementation?

None, the local limits were developed when the pretreatment program was first developed and have been reviewed several times since then. Most recently in 2018 after the POTW made some significant upgrades.

F. COMPLIANCE MONITORING

1. a. How does the CA determine adequate IU monitoring (sampling, inspecting, and reporting) frequencies?

Monitoring is conducted on the required schedule, and added as need per the ERP, or investigative needs indicate. SIUs are required to self-monitor and report 2x/year (new BMR required to be submitted if change of ownership). City aims to inspect each SIU 2x/year and sample 1x/year but haven't been meeting this frequency for all SIUs.

b. Is the frequency established above more, less, or the same as required?

Explain any difference.

More, see description above.

c. Does the CA perform IU monitoring in lieu of requiring IUs to conduct self-monitoring? If yes, list IUs.

CA monitoring is performed in conjunction with self-monitoring. Sometimes perform CA sampling at the same time as IU self-monitoring (not a split sample but collect separately at the same time).

2. In the past 12 months, how many, and what percentage of, SIUs were: [403.8(f)(2)(v)] [RNC - II]

(Define the 12-month period **_January 1, 2019_ to _December 31, 2019_.**)

a. Not sampled or not inspected at least once [WENDB – NOIN]

3	17	%
----------	-----------	---

b. Not sampled at least once [RIDE – SIUs Not Sampled]

2	11	%
----------	-----------	---

c. Not inspected at least once (all parameters)? [RIDE – SIUs Not Inspected]

2	11	%
----------	-----------	---

If any, explain. Indicate how the percentage was determined (e.g., actual, estimated).

Ameriken, EZE-LAP Diamond, and Dura-Bond Bearing Co. are the three SIUs not sampled or not inspected. 18 permitted SIUs in 2019.

SECTION I: DATA REVIEW (CONTINUED)

F. COMPLIANCE MONITORING (continued)			
3. a. Indicate the number and percent of SIUs that were identified as being in SNC* with the following requirements as listed in the CA's last pretreatment program report: [WENDB, RIDE] [RNC – II]			
SNC Evaluation Period			2019 Calendar Year
0	0	%	Applicable Pretreatment Standards and reporting requirements
0	0	%	Self-monitoring requirements
0	0	%	Pretreatment compliance schedule(s)
			*SNC defined by:
			POTW X
			EPA
b. Are any of the SIUs that were listed as being in SNC in the most recent pretreatment report still in SNC status? If yes, list SIUs.			
NA			
c. Indicate the number of SIUs that have been in 100% compliance with all Pretreatment Standards and Requirements.			
Evaluation Period: <u>January 1, 2019 – December 31, 2019</u>			
Number of SIUs: <u>17</u>			
Names of SIUs: All SIUs except Dura-Bond			
No SIUs were identified as being in SNC, however, Dura-Bond (possibly others) had missing/late reports with no follow-up from City. The City does not have good tracking of noncompliance. They are trying to improve this process with new ERP update.			
4. What does the CA's basic inspection include? (process areas, pretreatment facilities, chemical and hazardous waste storage areas, chemical spill prevention areas, hazardous-waste handling procedures, sampling procedures, laboratory procedures, and monitoring records) [403.8(f)(2)(v)&(vii)]			
It includes all the listed things, each CIU and / or SIU has an industry specific checklist.			
Request a copy of the CA's inspection form, if applicable.			
Each CIU and / or SIU has an industry specific checklist. Each type of Non-Cat / Non-SIU has a different checklist, for food service, or for automotive etc. These are currently being edited in the Lumin program procedures and data collection system. .			
5. Who performs the CA's compliance monitoring analysis?			
		Performed by: CA/Contract Laboratory Name	
• Metals		Western Environmental Testing, Reno NV	
• Cyanide		Western Environmental Testing, Reno NV	
• Organics		Western Environmental Testing, Reno NV	
• Other (specify)			
Sampling for pH done by ECA personnel, some BOD testing done by CCWRRF lab.			

SECTION I: DATA REVIEW (CONTINUED)

F. COMPLIANCE MONITORING (continued)			
6. What QA/QC techniques does the CA use for sampling and analysis (e.g., splits, blanks, spikes), including verification of contract laboratory procedures and appropriate analytical methods? [403.8(f)(2)(vii)] Check all that are applicable.			
QA/QC for Sampling	✓	QA/QC for Analysis	✓
Gloves	X	Sample Splits	X
Chain-of-custody forms	X	Sample Blanks	X
New Sampling Tubes	X	Sample Spikes	X
Field Blanks	X	Other:	
Other:	X		
7. Discuss any problems encountered in identification of sample location, collection, and analysis. None			
8. a. Did any IUs notify the CA of a hazardous waste discharge since the last PCI or PCA? [403.12(j)&(p)] If yes, summarize.		Yes	No
			X
b. How does the CA notify its users of the hazardous-waste reporting requirement? When was the last time the CA notified its IUs? They are reminded during each inspection, sampling event, and permit issuance.			
9. a. How and when does the CA evaluate/reevaluate SIUs for the need for a slug discharge control plan? [403.8(f)(2)(vi)] List SIUs required to have a slug discharge control plan: All SIUs are required per their permit conditions. Not all SIUs are required to have a control plan, but each SIU is evaluated as part of initial inspection whether they require one, and the inspector notes on the inspection checklist.			
b. For all existing SIUs identified as significant before November 14, 2005, or within a year of becoming an SIU (whichever is later), has the POTW performed the evaluation to determine whether each SIU needs a plan or action to control slug discharges?		Yes	No
		X	
If not, which SIUs have not been evaluated?			

SECTION I: DATA REVIEW (CONTINUED)

G. ENFORCEMENT

1. What is the CA's definition of SNC? [403.8(f)(2)(viii)]

Significant Non-Compliance as defined by 40CFR 403.8(f)(2)(viii)(A)-(H)

The City indicated that the SNC definition may also be in City code, which was last updated prior to 2005, so it may not include streamlining updates. Need to check for consistency of SNC definition between City code and newly submitted ERP

2. ERP implementation: [403.8(f)(5)]

a. Has the ERP been adopted by the POTW?

Yes, there was an original ERP, that has since been edited and submitted for approval.

b. Has the ERP been approved by the Approval Authority?

The original ERP was approved, and the newest draft has been submitted for approval

c. Does the ERP describe how the CA will investigate instances of noncompliance?

Not specifically, that will be addressed in subsequent documents that are currently under development.

EPA indicated that how a CA will investigate instances of noncompliance needs to be referenced in ERP because it is required under 40 CFR 403.8(f)(5)(i).

d. Does the ERP describe types of escalating enforcement responses and the time frames for each response?

Yes.

e. Does the ERP identify the title of official(s) responsible for implementing each type of enforcement response?

Yes

f. Does the ERP reflect the CA's responsibility to enforce all applicable Pretreatment Standards and Requirements?

Yes

g. Is the ERP effective, and does it lead to timely compliance? Provide examples if any are available.

In general, the City has not had to go beyond the first tier of the ERP, the corrective action notice, which has resulted in compliance with the notice in a timely manner. For example, the City issued a corrective action notice to a restaurant to replace a grease trap, which was done.

3. a. Does the CA use compliance schedules? [403.8(f)(1)(iv)(A)]

b. If yes, are they appropriate? Provide a list of SIUs on compliance schedules.

Yes	No
X	
X	

The City does not currently have any SIU under compliance schedules. But Carson City has the authority to use them under their ERP.

SECTION I: DATA REVIEW (CONTINUED)

G. ENFORCEMENT (continued)		
<p>b. If yes, did the CA take enforcement action against the IUs causing or contributing to pass through or interference? [RNC - I]</p>	Yes	No
		X
<i>None needed.</i>		
<p>7. a. Did the POTW have any sanitary sewer overflows since the last PCI or PCA?</p>	Yes	No
	X	
<p>b. If yes, how many were due to nondomestic waste issues (O&G blockages)?</p> <p><i>The City had a couple of reported SSOs due to failure of sewage forwarding equipment (bypass pumping) run by a contractor during some construction work. The City put an SOP in place to avoid a similar problem in the future. The City has had no SSOs from restaurants and some grease issues from residence</i></p>		
H. DATA MANAGEMENT/PUBLIC PARTICIPATION		
<p>1. How is confidential information handled by the CA? [403.14]</p> <p><i>IUs may request that information related to proprietary processes and procedures be kept confidential. Confidentiality requests are reviewed on a case by case basis. Any information kept confidential is stored in files separate from the main IU file. This information is not released to anyone outside of the ECA.</i></p>		
<p>2. How are requests by the public to review files handled?</p> <p><i>Files are pulled, and reviewed for confidential info, and the public is requested to review files at the ECA offices. This is a very rare occurrence. Most public inquiries are related to Phase 1 real estate evaluations, where they request that the City review the files, and inform them of any applicable issues.</i></p>		

SECTION I: DATA REVIEW (CONTINUED)

H. DATA MANAGEMENT/PUBLIC PARTICIPATION (continued)	
<p>3. Does the CA accept electronic reporting? If no, does it plan to do so?</p> <p><i>The City accepts e-mail reporting of pump out records for grease interceptors.</i></p>	
<p>4. Describe whether the CA's data management system is effective in supporting pretreatment implementation and enforcement activities.</p> <p><i>During the last PCI, ECA and EPA discussed the problems that the City had been having with their data management programs. The City was able to improve its use of the eR Portal program, for a while, then the company "upgraded" the system. It has been an ongoing struggle since the upgrade to get it back to easy use. In addition, the City departments that ECA regularly interacts with have begun using new programs, (such as business license and building department inspection) which have been very problematic for them, and thus problematic for ECA. ECA is currently working with other City departments to help make the programs more useful, and accurate.</i></p> <p><i>ECA is also in the process of gathering information for GIS mapping of industries, and pretreatment related facilities. These will be able to be sorted by category and by subcategory, such as all automotive industries, for category, and all autobody shops by subcategory, and mapped with sewer collection facilities etc.</i></p>	
<p>5. How does the CA ensure public participation during revisions to the SUO and/or local limits? [403.5(c)(3)]</p> <p><i>Any changes to the SUO and / or local limits would require the participation of the Board of Supervisors, and the public input through that system of public notice and response.</i></p>	
<p>6. Explain any public or community issues affecting the CA's pretreatment program.</p> <p><i>The pretreatment inspection program was shut down from March 2020 until June 2020 due to the recent pandemic. Any contact with the public was cut off, and inspections were not done. ECA stayed in contact with industries by phone and e-mail where needed and possible. Currently, ECA is able to do social distance/masked inspections at most IUs, some IUs not responding to allow inspectors in, but have now been able to inspect all SIUs.</i></p>	
<p>7. How long are records maintained? [403.12(o)]</p> <p><i>So far, permanently, however ECA is beginning to scan the records into e files, and is hoping to streamline paper handling, depending on the data management programs the City makes available.</i></p>	<div style="border: 1px solid black; width: 100%; height: 100%;"></div>

SECTION I: DATA REVIEW (CONTINUED)

I. RESOURCES [403.8(f)(3)]			
1. Estimate the number of personnel (in FTEs) available for implementing the program. <i>As of 2019, ECA has 1.37 FTEs for the pretreatment program that is spread over 4 people. One person was hired to the ECA department in 2019.</i>			
Activity	FTEs	Activity	FTEs
Legal Assistance	<i>As requested</i>	Sample Analysis	
Permitting		Data Analysis: Review and Response	
Inspections		Enforcement	
Sample Collection		Administration	
Total Number of FTEs			1.37
2. Does the CA have adequate access to monitoring equipment? (Consider: sampling, flow measurement, safety, transportation, and analytical equipment.)		Yes	No
<i>ECA purchased a new multi meter in 2020 and is evaluating composite samplers for future purchase.</i>		X	
If not, explain.			
Looking at re-allocating people to increase to 2-2.5 FTE for pretreatment			
3. a. Estimate the annual operating budget for the CA's program.		\$ 131,352 in 2019	
b. Is funding expected to stay the same, increase, decrease (note time frame; e.g., following year, next 3 years)?			
Discuss any changes in funding.			
<i>One person was added to the ECA team in July 2019. New tools and equipment, including safety equipment for that person was added. A new vehicle will be added to our program in 2020. ECA is currently evaluating composite samplers, as they are quite old, and will be looking to purchase a new one.</i>			
4. Discuss any problems in program implementation that appear to be related to inadequate resources.			
<i>More support from management on funding/resources with Andy's joining in ~2018.</i>			

SECTION I: DATA REVIEW (CONTINUED)

I. RESOURCES (continued) [403.8(f)(3)] (continued)

5. a. How does the CA ensure that personnel are qualified and up-to-date with current program requirements?

ECA personnel are all Nevada Certified Industrial Waste Inspectors. They participate in many continuing education opportunities, in person and online. They are members of WEF, and NvWEA and participate in continuing education offered.

b. Does the CA have adequate reference material to implement its program?

Yes	No
X	

J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION

1. a. How many times was the POTW monitored in the past year?

- Metals
- Priority pollutants
- Biomonitoring
- Toxicity Characteristic Leachate Procedure (TCLP)
- Extraction Procedure (EP) toxicity
- Other (specify)

Influent	Effluent	Sludge	Ambient (Receiving Water)
2	2	2	
	1		
	1		
		2	

b. Is this frequency less than, equal to, or more than that required by the NPDES permit?

Less	Equal	More

No NPDES permit. Sampling is performed per NV permits.

Explain any differences.

SECTION I: DATA REVIEW (CONTINUED)

J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION (continued)		
<p>c. Is the CA reporting these results to the Approval Authority? If yes, at what frequency? <i>Annually in reports.</i></p>	Yes	No
	X	
<p>2. a. Has the CA evaluated historical and current data to determine the effectiveness of pretreatment controls on the following:</p> <ul style="list-style-type: none"> • Improvements in POTW operations <i>Consultant evaluation as part of local limit review</i> • Loadings to and from the POTW <i>In annual reports</i> • NPDES permit compliance <i>NA</i> • Sludge quality? <i>Part of annual reporting</i> • Sludge disposal options? <i>Sludge is disposed of at Carson City Landfill</i> <p>b. Has the CA documented these findings? <i>In annual reports</i> Explain. (Attach a copy of the documentation, if appropriate.)</p>	Yes	No
	X	
	X	
	NA	NA
	X	
	NA	NA
	X	
<p>3. If the CA has historical data concerning influent, effluent, and sludge sampling for the POTW, what trends have been seen? (Increases in pollutant loadings over the years? Decreases? No change?) <i>No statistically significant changes per Consultant review.</i> Discuss on a pollutant-by-pollutant basis.</p>		

SECTION I: DATA REVIEW (CONTINUED)

J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION (continued)		
4. Has the CA investigated the sources contributing to current pollutant loadings to the POTW (i.e., the relative contributions of toxics from industrial, commercial, and domestic sources)?	Yes	No
	X	
<p><i>ECA is currently conducting investigation of sampling various areas of the collection system, to determine the effect of the new RO reject water from new marijuana industries, as well as new construction of homes and subdivisions.</i></p> <p>If yes, what was found?</p>		
5. a. Has the CA implemented any kind of public education program?	Yes	No
	X	
b. Are there any plans to initiate such a program to educate users about pollution prevention?	Yes	No
	X	
<p><i>ECA has participated in Carson City Public Works Open House in the past, though this year's was cancelled due to the Covid-19 pandemic. ECA will continue to participate when it is rescheduled.</i></p> <p>Explain.</p> <p><i>ECA also does outreach through the City website, and Household Hazardous Waste (HHW) program.</i></p>		
6. What efforts have been taken to incorporate pollution prevention into the CA's pretreatment program (e.g., waste minimization at IUs, household hazardous waste programs)?		
<p><i>ECA discusses waste streams and minimization during each IU inspection. In addition, ECA has a very popular HHW program that collects waste each week.</i></p>		
7. Does the CA have any documentation concerning successful pollution-prevention programs being implemented by IUs (e.g., case studies, sampling data demonstrating pollutant reductions)?	Yes	No
		X
<p><i>Not yet for any case studies or sampling data. ECA has documentation of HHW program and records of all the waste hauled off by our contracted disposal company.</i></p> <p>Explain.</p>		

SECTION I: DATA REVIEW (CONTINUED)

K. ADDITIONAL EVALUATIONS/INFORMATION

SECTION I COMPLETED BY: **James Polek**

DATE: **9/16/20**

TITLE: **U.S. EPA Enforcement Officer**

TELEPHONE: **415-972-3185**

POTW REPRESENTATIVE **Kelly Hale**

DATE: **9/16/20**

PROVIDING RESPONSES: **Initial information and review with EPA**

TELEPHONE: **775-283-7376**

SECTION II: IU FILE EVALUATION

Instructions: Select a representative number of SIU files to review. Provide relevant details on each file reviewed. Comment on all problems identified and any other areas of interest. Where possible, all CIUs (and SIUs) added since the last PCI or PCA should be evaluated. Make copies of this section to review additional files as necessary.

IU IDENTIFICATION

FILE <u> 1 </u> Industry name and address Chromalloy Nevada 3636 Arrowhead Drive		Type of industry Metal Finisher – platinum plating SIC Code: NAICS Code: 811310	
<input checked="" type="checkbox"/> CIU 40 CFR <u> 433.17 </u> , _____, _____ Category(ies) _____	Average total flow (gpd)	Average process flow	
<input type="checkbox"/> Other SIU <input type="checkbox"/> Non-SIU <input type="checkbox"/> NSCIU	Industry visited during audit Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Comments Permit Number 0112			
FILE <u> 2 </u> Industry name and address Dura-Bond Bearing Co. 3200 Arrowhead Dr. Carson City, NV		Type of industry Iron and Steel Manufacturing SIC Code: NAICS Code: 336310	
<input checked="" type="checkbox"/> CIU 40 CFR <u> 420.96, 420.126 </u> , _____ Category(ies) <u> Iron and Steel </u> Manufacturing _____	Average total flow (gpd)	Average process flow 1300 gpd average 2400 gpd max (from 8/24/18 report)	
<input type="checkbox"/> Other SIU <input type="checkbox"/> Non-SIU <input type="checkbox"/> NSCIU	Industry visited during audit Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Comments Permit Number 0093			

SECTION II: IU FILE EVALUATION (CONTINUED)

IU IDENTIFICATION (continued)		
FILE <u> 3 </u> Industry name and address Douglas County Public Works 1120 Airport Road #F2	Type of industry Commercial and residential sewers in northern Douglas County discharge to Carson City collection system. SIC Code: NAICS Code:999300	
[<input type="checkbox"/>] CIU 40 CFR _____, _____, _____ Category(ies) _____	Average total flow (gpd) 31,000	Average process flow
	[<input checked="" type="checkbox"/>] Other SIU [<input type="checkbox"/>] Non-SIU [<input type="checkbox"/>] NSCIU Industry visited during audit Yes [<input type="checkbox"/>] No [<input checked="" type="checkbox"/>]	
Comments Permit indicates "Firm Type: CAT" should be SIU Permit Number 5262		
FILE <u> 4 </u> Industry name and address ALSCO 1161 Fairview Dr. Carson City, NV	Type of industry Hotel and hospital linen laundering (from 7/16/20 inspection report) SIC Code: NAICS Code: 89701	
[<input type="checkbox"/>] CIU 40 CFR _____, _____, _____ Category(ies) _____	Average total flow (gpd)	Average process flow
	[<input checked="" type="checkbox"/>] Other SIU [<input type="checkbox"/>] Non-SIU [<input type="checkbox"/>] NSCIU Industry visited during audit Yes [<input type="checkbox"/>] No [<input checked="" type="checkbox"/>]	
Comments Permit addendum p.4 indicates "Categorical SIU: Greater than 25,000 gpd," but this appears to actually be a non-categorical SIU Permit number 3009		

SECTION II: IU FILE EVALUATION (CONTINUED)

IU IDENTIFICATION (continued)		
FILE _____ Industry name and address	Type of industry	
	SIC Code:	
	NAICS Code:	
<input type="checkbox"/> CIU 40 CFR _____, _____, _____	Average total flow (gpd)	Average process flow
Category(ies) _____		
<input type="checkbox"/> Other SIU <input type="checkbox"/> Non-SIU <input type="checkbox"/> NSCIU	Industry visited during audit	Yes <input type="checkbox"/> No <input type="checkbox"/>
Comments		
General Comments		

SECTION II: IU EVALUATION (CONTINUED)

Industry Name					<p>INSTRUCTIONS: Evaluate the contents of selected IU files; place an emphasis on SIU files. Use N/A (Not Applicable) where necessary. Use ND (Not Determined) where there is insufficient information to evaluate/determine implementation status. Provide comments in the comment area at the bottom of the page for all violations, deficiencies, and/or other problems as well as for any areas of concern or interest noted. Enter a comment number in box and in the comment area at the bottom of the page, followed by the comment. Comments should delineate the extent of the violation, deficiency, and/or problem. Attach relevant copies of IU file information for documentation. Where no comment is needed, or if the item was found to be satisfactory, enter ✓ (check) to indicate area was reviewed. The evaluation should emphasize any areas where improvements in quality and effectiveness can be made.</p>	Reg. Cite
Chromalloy	Dura-Bond Bearing Co.	Douglas Co Public Works	ALSCO	File		
File <u>1</u> -	File <u>2</u> -	File <u>3</u> -	File <u>4</u> -	File —	IU FILE REVIEW	
					A. ISSUANCE OF IU CONTROL MECHANISM	
X	X	X	X		1. Control mechanism application form	
X	X	X	X		2. Fact sheet	
					3. Issuance or reissuance of control mechanism	403.8(f)(1)(iii)
✓	✓	✓	✓		a. Individual control mechanism	
NA	NA	NA	NA		b. General control mechanism	403.8(f)(1)(iii)(A)
					4. Control mechanism contents	403.8(f)(1)(iii)(B)
✓ ¹	✓ ³	✓ ⁴	✓ ⁵		a. Statement of duration (≤ 5 years)	403.8(f)(1)(iii)(B)(1)
✓ ²	✓ ²	✓ ²	✓ ²		b. Statement of nontransferability w/o prior notification/approval	403.8(f)(1)(iii)(B)(2)
✓	✓	✓	✓		c. Applicable effluent limits (local limits, categorical standards, BMPs)	403.8(f)(1)(iii)(B)(3)
<p>Comments</p> <p>1 – Effective date 7/3/18 and renewal date 7/1/23</p> <p>2 – The top of permit states “Non-Transferable” but no further information is included</p> <p>3 – Signed date 8/31/20 (effective date not specified) and renewal date 7/1/21 (expiration date not specified).</p> <p>4 – Originally permitted in 2018 for one year, so permit expired on January 1, 2019. City is working with Douglas Co to issue a new permit and are being slowed by management changes at the County. However, County staff is still sampling and reporting as required in the expired permit.</p> <p>5 – Signed 7/17/20 (effective date not specified) and renewal date 8/1/24 (expiration date not specified).</p>						

SECTION II: IU EVALUATION (CONTINUED)

File <u>1</u> —	File <u>2</u> —	File <u>3</u> —	File <u>4</u> —	File —	IU FILE REVIEW	Reg. Cite
					A. ISSUANCE OF IU CONTROL MECHANISM (continued)	
					d. Self-monitoring requirements	403.8(f)(1)(iii)(B)(4)
√	√	√	√		• Identification of pollutants to be monitored	
√	NA	NA	NA		• Process for seeking a waiver for pollutant not present or expected to be present (CIUs only)	
N	NA	NA	NA		• Is the monitoring waiver certification language included in the control mechanism? (Y/N)	403.12(e)(2)(v)
N	NA	NA	NA		• Are conditions for reinstating monitoring requirements if pollutants not present are detected in the future included in the permit? (Y/N)	403.12(e)(2)(vi)
√	X ⁸	√	X ⁸		• Sampling frequency	
Y ⁶	N	N	N		- Has the POTW reduced the IU's monitoring requirements for pollutants not present or expected to not to be present? (Y/N)	
√	√	√	√		• Sampling locations/discharge points	
√ ⁷	X ^{7,9}	X	X ⁷		• Sample types (grab or composite)	
√	√	√	√		• Reporting requirements (including all monitoring results)	
√	√	X	√		• Record-keeping requirements	
<p>Comments</p> <p>6 – Correspondence in file documenting removal of cyanide from self-monitoring requirements based on chemical not used at facility and sampling results over time with no detections.</p> <p>7 – Permit states that all samples are to be a composite sample created by collecting 4 grab samples over an 8-hour period and compositing them into one sample. For pH, field measurements are allowed and so are composite. The composite sample duration should be 24-hours. Samples collected for pH, oil&grease, and phenols should be grab.</p> <p>8 – Not found. P.4 of the permit addendum states, "The sample results...shall be submitted to the ECA, semi-annually, by January 1st and July 1st, or as instructed," but sampling frequency itself is not specified.</p> <p>9 – P.4 of the permit addendum lists two monitoring locations, with parameter-specific sampling requirements, but there are some additional conflicting sample collection and analysis requirements below.</p>						

SECTION II: IU EVALUATION (CONTINUED)

File <u>1</u> -	File <u>2</u> -	File <u>3</u> -	File <u>4</u> -	File —	IU FILE REVIEW	Reg. Cite
					A. ISSUANCE OF IU CONTROL MECHANISM (continued)	
√	√	√	√		e. Statement of applicable civil and criminal penalties	403.8(f)(1)(iii)(B)(5)
NA	NA	NA	NA		f. Compliance schedules/progress reports (if applicable)	403.8(f)(1)(iv)
√	√	√	√		g. Notice of slug loadings	403.12(f)
√	√	√	√		h. Notification of spills, bypasses, upsets, etc.	403.16, 403.17
√	√	√	√		i. Notification of significant change in discharge	403.12(j)
√ ¹⁰	X ¹¹	√ ¹⁰	X ¹⁰		j. Notification of change affecting the potential for a slug discharge	403.8(f)(2)(vi)
√	√	√	√		k. 24-hour notification of violation/resample requirement	403.12(g)(2)
X ¹⁰	X ¹¹	X ¹⁰	X ¹⁰		l. Slug discharge control plan conditions, if determined by the POTW to be necessary	403.8(f)(1)(iii)(B)(6), 403.8(f)(2)(vi)
<p>Comments</p> <p>10 – The notification is not specific to slug discharge. Not documented in file that facility was evaluated by Control Authority for slug discharge control plan.</p> <p>11 – Not found. However, the file did contain a slug discharge control plan.</p>						

SECTION II: IU EVALUATION (CONTINUED)

File 1 —	File 2 —	File 3 —	File 4 —	File —	IU FILE REVIEW	Reg. Cite
					A. ISSUANCE OF IU CONTROL MECHANISM (continued)	
NA	NA	NA	NA		5. Issuance of General Control Mechanisms	403.8(f)(1)(iii)(A)
NA	NA	NA	NA		a. Involve the same or similar operations	
NA	NA	NA	NA		b. Discharge the same types of wastes	
NA	NA	NA	NA		c. Require the same effluent limitations	
					d. Written request by the IU for coverage by a general control mechanism including:	
NA	NA	NA	NA		• Contact information	
NA	NA	NA	NA		• Production processes	
NA	NA	NA	NA		• Types of waste generated	
NA	NA	NA	NA		• Location for monitoring all wastes covered by the general permit	
NA	NA	NA	NA		• Any requests for a monitoring waiver for a pollutant neither present nor expected to be present	
NA	NA	NA	NA		e. Documentation to support the POTW's determination	
Comments						

SECTION II: IU EVALUATION (CONTINUED)

File 1 —	File 2 —	File 3 —	File 4 —	File —	IU FILE REVIEW	Reg. Cite
B. CA APPLICATION OF IU PRETREATMENT STANDARDS						
√	√	√ ¹⁴	√ ¹⁶		1. IU categorization	403.8(f)(1)(ii)
		N	NA		2. Calculation and application of categorical standards	403.8(f)(1)(ii)
√	√		NA		a. Classification by category/subcategory	
√	√		NA		b. Classification as new/existing source	
	√		NA		c. Application of limits for all regulated pollutants	
NA	NA		NA		d. Classification as an NSCIU	403.3(v)(2)
NA	NA		NA		e. Documentation for the qualification to be classified as NSCIU	
√	NA		NA		f. Documentation of reasons for supporting sampling wavier for pollutant not present	403.12(2)(iv)
√	X ¹²	√ ¹⁵	X ¹²		3. Application of local limits	403.5(c)&(d)& 403.8(f)(1)(ii)
√	NA	√	NA		4. Application of BMPs	403.8(f)(1)(iii)(B)(3)
NA	√ ¹³	NA	NA		5. Calculation and application of production-based standards	403.6(c)
<p>Comments</p> <p>12– 2005 PCA report states Carson City established local limits for chlorinated phenols, and these limits were not found in the permit.</p> <p>13 – Calculations themselves not found in file, but results included as limits in permit.</p> <p>14 – Industry type is indicated on front page of permit as CAT, should be SIU.</p> <p>15 – Permit states that local limit compliance is based on flow weighted average of Topsy Lane and Clear Creek samples and flows. The file does not include any calculation of flow weighted average concentrations.</p> <p>16 – Permit addendum p.4 indicates “Categorical SIU: Greater than 25,000 gpd,” but should be a non-categorical SIU.</p>						

SECTION II: IU EVALUATION (CONTINUED)

File <u>1</u> -	File <u>2</u> -	File <u>3</u> -	File <u>4</u> -	File —	IU FILE REVIEW	Reg. Cite
B. CA APPLICATION OF IU PRETREATMENT STANDARDS (continued)						
NA	NA	NA	NA		6. Calculation of equivalent mass limits for concentration limits	403.6(c)(5)
	NA				a. IU has demonstrated or will demonstrate substantially reduced water usage	403.6(c)(5)(i)(A)
	NA				b. IU uses control and technologies adequate to achieve compliance	403.6(c)(5)(i)(B)
	NA				c. IU has provided information regarding actual average daily flow	403.6(c)(5)(i)(C)
	NA				d. IU does not have variable flow rates, production levels, or pollutant levels	403.6(c)(5)(i)(D)
	NA				e. IU has consistently complied with applicable categorical requirements	403.6(c)(5)(i)(E)
	NA				f. Did the CA use appropriate flow rates when developing limits? (Y/N)	406.3(c)(5)(iii)(A)
	NA				g. Did the CA use the correct concentration-based limits for the applicable categorical standards? (Y/N)	403.6(c)(5)(iii)(B)
	NA				h. Upon notification of revised production rate, did the CA reassess the mass limits? (Y/N)	
NA	NA	NA	NA		7. Calculation of equivalent concentration limits for flow-based standards	403.6(c)(6)
	NA				a. Is the IU subject to 40 CFR Part 414, 419, or 455? (Y/N)	
	NA				b. Documentation that dilution is not being used as treatment? (Y/N)	
NA	18	18	NA		8. Calculation and application of CWF or FWA	403.6(d)&(e)
17	17	√	√		9. Application of most stringent limit	403.8(f)(1)(ii)
<p>Comments</p> <p>17 – The permit lists categorical limits in one table and local limits in another table indicating that they are end-of-pipe limits. The local limits do not indicate if they are daily maximum. The most stringent limit is not identified. For silver and zinc, the categorical limits are more stringent than local limits.</p> <p>18 – Permit appeared to apply CWF in calculation of end-of-pipe categorical limits, but calculation details were not found in the file so could not confirm.</p>						

SECTION II: IU EVALUATION (CONTINUED)

File 1	File 2	File 3	File 4	File —	IU FILE REVIEW	Reg. Cite
-	-	-	-			
C. CA COMPLIANCE MONITORING						
√	√	X ²³	√		1. Inspection (at least once a year, except as otherwise specified)	403.8(f)(2)(v)
NA	NA	NA	NA		a. If the CA has determined a discharger to be an NSCIU	403.8(f)(2)(v)(B)
					• Evaluation of discharger with the definition of NSCIU once per year	
NA	NA	NA	NA		b. If the CA has reduced an IU's reporting requirements	403.8(f)(2)(v)(C)
					• Inspect at least once every 2 years	
√	√	X ²³	√		2. Inspection at frequency specified in approved program	403.8(c)
√	√	X ²³	√		3. Documentation of inspection activities	403.8(f)(2)(v)
X ¹⁹	X ²¹	X ¹⁹	X ¹⁹		4. Evaluation of need for slug discharge control plan (reevaluation of existing plan)	403.8(f)(2)(vi)
X ²⁰	X ²²	X ²⁰	X ²⁴		5. Sampling (at least once a year, except as otherwise specified)	403.8(f)(2)(v)
√	NA	NA	NA		a. If the CA has waived monitoring for a CIU	403.8(f)(2)(v)(A)
					• Sample waived pollutant(s) at least once during the term of the control mechanism	
NA	NA	NA	NA		b. If the CA has reduced an IU's reporting requirements	403.8(f)(2)(v)(C)
					• Sample and analyze IU discharge at least once every 2 years	
X	X ²²	X	X ²⁴		6. Sampling at the frequency specified in approved program	403.8(c)
X	√	X	X		7. Documentation of sampling activities (chain-of-custody; QA/QC)	403.8(f)(2)(vii)
X	√	X	X ²⁴		8. Analysis for all regulated parameters	403.12(g)(1)
X	√	X	X ²⁵		9. Appropriate analytical methods (40 CFR Part 136)	403.8(f)(2)(vii)
<p>Comments</p> <p>19 – Slug discharge control plan evaluation not included in files</p> <p>20 – Compliance monitoring is not documented in file and city indicated during interview that they sample once per year</p> <p>21 – Not found. However, the file did contain a slug discharge control plan.</p> <p>22 – Most recent compliance monitoring in file was from 2017.</p> <p>23 – No documentation of inspections</p> <p>24 – 2020 and 2019 compliance monitoring did not include oil and grease, TSS, or BOD</p> <p>25 – Not documented which analytical methods used for 2019 compliance monitoring.</p>						

SECTION II: IU EVALUATION (CONTINUED)

File 1 —	File 2 —	File 3 —	File 4 —	File —	IU FILE REVIEW	Reg. Cite
D. CA ENFORCEMENT ACTIVITIES						
X ²⁶	X ²⁷	X ²⁸	X ²⁹		1. Identification of violations a. Discharge violations <ul style="list-style-type: none"> • IU self-monitoring • CA compliance monitoring b. Monitoring/reporting violations <ul style="list-style-type: none"> • IU self-monitoring <ul style="list-style-type: none"> – Reporting (e.g., frequency, content) – Sampling (e.g., frequency, pollutants) – Record-keeping • Notification (e.g., slug, spill, changed discharge, 24-hour notice of violation) • Slug discharge control plan • Compliance schedule/reports c. Compliance schedule violations <ul style="list-style-type: none"> • Start-up/final compliance • Interim dates 	403.8(f)(2)(vii)
	NA		NA			
	NA		NA			
	NA		NA			
NA	X ²⁷	NA	X ²⁹			
	X ²⁷		X ²⁹			
	X ²⁷		X ²⁹			
	X ²⁷		NA			
	NA		NA			
NA	NA	NA	NA			
Comments 26 – Neither Chromalloy nor City identified Ni violations determined during self-monitoring sampling 27 – Did not see any documentation of reporting violations (since most recent periodic self-monitoring report in file was from 2018). 28 – Neither County or City identified sulfide, BOD, or phenolic violations determined during self-monitoring sampling 29 – ALSCO did not comply with appropriate holding times for pH, as noted in all self-monitoring laboratory reports. No documentation in file of this violation, or of enforcement response.						

SECTION II: IU EVALUATION (CONTINUED)

File 1 -	File 2 -	File 3 -	File 4 -	File 5 -	IU FILE REVIEW	Reg. Cite	
D. CA ENFORCEMENT ACTIVITIES (continued)							
NA	X ³⁰	X ³²	NA		2. Determination of SNC (on the basis of rolling quarters)	403.8(f)(2)(viii)	
					a. Chronic		
					b. TRC (Technical Review Criteria)		
					c. Pass through/interference		
					d. Spill/slug reporting load		
	X ³⁰	X ³²			e. Reporting		
					f. Compliance schedule		
					g. Other violations (e.g., BMPs requirements)		
NA	X ³¹	X ³²	X ³³		3. Response to violation		403.8(f)(5)
NA	X ³¹	X ³²	X ³³		4. Adherence to approved ERP		
NA	X	X	X		5. Return to compliance		
					a. Within 90 days		
					b. Within time specified		
					c. Through compliance schedule	403.8(f)(5)(ii)	
NA	X ³¹	X ³²	X ³³		6. Escalation of enforcement		
NA	X ³⁰ , 31	X ³²	NA		7. Publication for SNC	403.8(f)(2)(viii)	
Comments							
30 – Did not see any SNC documentation (since most recent periodic self-monitoring report in file was from 2018).							
31 – Found no documentation in file of enforcement response. Carson City stated during interview that they had not documented late reporting violations as SNC.							
32 – No SNC documentation. Sulfide violations may have triggered SNC but did not see calculation.							
33 – ALSCO did not comply with appropriate holding times for pH, as noted in all self-monitoring laboratory reports. No documentation in file of this violation, or of enforcement response.							

SECTION II: IU EVALUATION (CONTINUED)

File <u>1</u> —	File <u>2</u> —	File <u>3</u> —	File <u>4</u> —	File —	IU FILE REVIEW	Reg. Cite
					E. IU COMPLIANCE STATUS	
√	X	√	X		1. Self-monitoring and reporting	
√	X ³⁶	√	√		a. Sampling at frequency specified in control mechanism/regulation	403.12(e)&(h)
√	X ³⁶	√	√		b. Analysis of all required pollutants	403.12(g)(1)&(h)
√	√	√	√		c. Appropriate analytical methods (40 CFR Part 136)	
√	√	√	√		d. Appropriate sample collection methods	
√	√	√	X ⁴⁰		e. Compliance with sample collection holding times	
√	X ³⁷	NA	NA		f. Submission of BMR/90-day report	403.12(b) &(d)
√	X ³⁸	√	√		g. Periodic self monitoring reports	403.12(e)&(h)
√	X ³⁶	√	√		h. Reporting all required pollutants	403.12(g)(1)&(h)
√	√	√	√		i. Signatory/certification of reports	403.12(l)
NA	NA	NA	NA		j. Annual certification by NSCIUs	403.12(q)
NA	NA	NA	NA		k. Submission of compliance schedule reports by required dates	403.12(c)
34	NA	39	NA		l. Notification within 24 hours of becoming aware of violations	403.12(g)(2)
34	NA	39	NA		• Discharge violation	
NA	NA	NA	NA		• Slug load	
NA	NA	NA	NA		• Accidental spill	
NA	NA	NA	NA		m. Resampling/reporting within 30 days of knowledge of violation	403.12(g)(2)
NA	NA	NA	NA		n. Notification of hazardous waste discharge	403.12(j)&(p)
35	√	35	35		o. Submission/implementation of slug discharge control plan	403.8(f)(2)(vii)
NA	NA	NA	NA		p. Notification of significant changes	403.12(j)
<p>Comments</p> <p>34 – Analytical results from 6/23/20 self-monitoring reported a Ni concentration of 1.4 mg/l, which is above local limit of 1.0 mg/l and below daily max categorical limit of 3.98 mg/l. The Ni concentrations of 1.7 mg/l from 6/4/19, 1.2 mg/l from 6/15/18, and 1.5 mg/l from 5/18/17 sampling also exceeded local limits. Neither Chromalloy or City identified violations</p> <p>35- Not clear in file if slug discharge control plan is required for facility</p> <p>36 – Did not find reporting of pH results, as required to be monitored in the permit.</p> <p>37 – Not found.</p> <p>38 – Most recent self-monitoring report in file was signed 8/24/18.</p> <p>39 – The following exceedances of local limits were found in self-monitoring lab reports, however, neither the County or City identify them or calculate the flow weighted average concentration: Sulfide 1.3 mg/l on 12/5/18, 1.8 mg/l on 5/1/18, 0.7 mg/l on 10/17/18, 0.8 mg/l on 10/22/19, and 2.2 mg/l on 10/22/19 with local limit of 0.1 mg/l; BOD 1,200 mg/l on 5/1/18 and 2,800 mg/l on 10/17/18 with local limit of 1,000 mg/l; and phenolics 2.7 mg/l on 5/29/20 with a local limit of 0.5 mg/l.</p> <p>40 – Holding times not met for pH, as noted in all self-monitoring laboratory reports.</p>						

SECTION II: IU EVALUATION (CONTINUED)

File <u>1</u> -	File <u>2</u> -	File <u>3</u> -	File <u>4</u> -	File —	IU FILE REVIEW	Reg. Cite
					E. IU COMPLIANCE STATUS (continued)	
NA	NA	NA	NA		2. Compliance with all general control mechanism requirements	403.12(e)(3)
NA	NA	NA	NA		3. If the CA has classified the discharger as a middle-tier CIU	
					<ul style="list-style-type: none"> • Categorical flow does not exceed 0.01% of the design dry-weather hydraulic capacity or 5,000 gpd (whichever is smaller) • Categorical flow does not exceed 0.01% of the design dry weather organic treatment capacity of the POTW • Categorical flow does not exceed 0.01% of the maximum allowable headworks loading for any regulated categorical pollutant 	
NA	NA	NA	NA		4. If the CA has granted the discharger a monitoring waiver	403.12(e)(2)
					<ul style="list-style-type: none"> • Certification statements with each compliance report 	
NA	NA	NA	NA		5. Compliance with BMR requirements, if applicable (Y/N)	403.3(v)(2)
NA	NA	NA	NA		6. If the CA has classified the discharger as an NSCIU	
					<ul style="list-style-type: none"> • IU discharges less than 100 gpd of total categorical wastewater • Annual certification statements from the IU 	
Comments						



SECTION II: IU EVALUATION (CONTINUED)

File <u>1</u> -	File <u>2</u> -	File <u>3</u> -	File <u>4</u> -	File ____	IU FILE REVIEW	Reg. Cite
					E. IU COMPLIANCE STATUS (continued)	
NA	NA	NA	NA		7. If the CA has established equivalent mass limits for a CIU <ul style="list-style-type: none"> • IU is effectively operating treatment technologies to achieve compliance • IU is recording the facility's flow rates • IU is recording the facility's production rates • IU has notified the CA whenever production rates vary • IU continues to employ water conservation methods/technologies 	403.6(c)(5)(ii)
Comments						

SECTION III: OBSERVATIONS AND CONCERNS

INSTRUCTIONS: On the basis of the information and data evaluated, summarize the observations and concerns of the audit for each program element shown below. Identify all problems or deficiencies from the evaluation of program components. Clearly distinguish between deficiencies, violations, and effectiveness issues. This is to ensure that the final report will clearly identify required actions versus recommended actions and program modifications.

Description	Regulatory Citation	Checklist Question(s)
A. CA PRETREATMENT PROGRAM MODIFICATION		
<ul style="list-style-type: none"> Status of program modifications 	403.18	I.A.1
<ul style="list-style-type: none"> Modification to the program to accommodate the 2005 General Pretreatment Regulation changes 	403.8(f)(1)(iii)(B)(6), 403.8(f)(2)(vi), 403.12(g)	I.A.1
B. LEGAL AUTHORITY		
<ul style="list-style-type: none"> Minimum legal authority requirements 	403.8(f)(1)	I.B.2&3
<ul style="list-style-type: none"> Adequate multijurisdictional agreements 	403.8(f)(1)	I.B.1&3

SECTION III: OBSERVATIONS AND CONCERNS (CONTINUED)

Description	Regulatory Citation	Checklist Question(s)
C. IU CHARACTERIZATION		
<ul style="list-style-type: none"> Application of <i>significant industrial user</i> definition 	403.3(v)(1)	I.C.1; Attach B.E.2
<ul style="list-style-type: none"> Application of <i>middle-tier CIU</i> definition 		
<ul style="list-style-type: none"> Application of <i>NSCIU</i> definition 		
<ul style="list-style-type: none"> Identify and categorize IUs 	403.8(f)(2)(i)&(ii)	I.C.2&3; II.B
D. CONTROL MECHANISM		
<ul style="list-style-type: none"> Issuance of individual or general control mechanisms to all SIUs 	403.8(f)(1)(iii)	I.D.1
<ul style="list-style-type: none"> Adequate control mechanisms 	403.8(f)(1)(iii)(B)	II.A.4
<ul style="list-style-type: none"> Adequate control of trucked, railed, and dedicated pipe wastes 	403.5(b)(8)	I.D.2&3, E.1

SECTION III: OBSERVATIONS AND CONCERNS (CONTINUED)

Description	Regulatory Citation	Checklist Question(s)
E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS		
<ul style="list-style-type: none"> Appropriately categorize, notify, and apply all applicable pretreatment standards 	403.8(f)(1)(ii)&(iii) 403.5	II.B
<ul style="list-style-type: none"> Basis and adequacy of local limits 	403.8(f)(4); 122.21	I.E.3&4
F. COMPLIANCE MONITORING		
<ul style="list-style-type: none"> Adequate sampling and inspection frequency 	Approved program 403.8(f)(2)(ii)&(v)	I.F.1&2; II.C
<ul style="list-style-type: none"> Adequate inspections 	403.8(f)(2)(v)&(vi)	I.F.2&4; II.C.1-3
<ul style="list-style-type: none"> Adequate sampling protocols and analysis 	403.8(f)(2)(vii)	I.F. 5&6; II.C.5-9

SECTION III: OBSERVATIONS AND CONCERNS (CONTINUED)

Description	Regulatory Citation	Checklist Question(s)
F. COMPLIANCE MONITORING (continued)		
<ul style="list-style-type: none"> Adequate IU self-monitoring 	403.8(f)(2)(iv)	I.F.6,G.5; II.E
<ul style="list-style-type: none"> Notification of changed and hazardous waste discharges 	403.12(j)&(p)	I.F.8; II.D.1.b
<ul style="list-style-type: none"> Evaluate the need for SIUs to develop slug discharge control plans 	403.8(f)(2)(vi)	I.F.9; II.C.4
<ul style="list-style-type: none"> Monitor to demonstrate continued compliance and resampling after violation(s) 	403.12(g)(1)&(2) 403.8(f)(2)(vi)	II.A.4.j & II.C.5
G. ENFORCEMENT		
<ul style="list-style-type: none"> Appropriate application of <i>significant noncompliance</i> definition 	403.8(f)(2)(viii)	I.G.1; II.D.2; Attach B.I.1
<ul style="list-style-type: none"> Develop and implement an ERP 	403.8(f)(5)	I.G.2; II.D.3
<ul style="list-style-type: none"> Annually publish a list of IUs in SNC 	403.8(f)(2)(viii)	I.G.4; II.D.7

SECTION III: OBSERVATIONS AND CONCERNS (CONTINUED)

Description	Regulatory Citation	Checklist Question(s)
G. ENFORCEMENT (continued)		
<ul style="list-style-type: none"> Effective enforcement 	403.8(f)(5)	I.G.2.c, 5&6; II.D.1.c, 4&5
H. DATA MANAGEMENT/PUBLIC PARTICIPATION		
<ul style="list-style-type: none"> Effective data management/public participation 	403.5(c)(3); 403.12(o); 403.14	I.H
I. RESOURCES		
<ul style="list-style-type: none"> Adequate resources 	403.8(f)(3)	I.I

SECTION III: OBSERVATIONS AND CONCERNS (CONTINUED)

Description	Regulatory Citation	Checklist Question(s)
J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION		
<ul style="list-style-type: none"> Understanding of pollutants from all sources 		I.J.1&3
<ul style="list-style-type: none"> Documentation of environmental improvements/effectiveness 		I.J.2
<ul style="list-style-type: none"> Integration of pollution prevention 		I.J.6
K. ADDITIONAL EVALUATIONS/INFORMATION		
SECTION II COMPLETED BY:	DATE:	
TITLE:	TELEPHONE:	

