UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Four Penn Center
1600 John F Kennedy Blvd
Philadelphia, Pennsylvania 19103-2852

Mr. Erik Roberts
Environmental Compliance Manager
Charleston Sanitary Board
208 26th St, W
Charleston, West Virginia 25387

Re: Sanitary Board of the City of Charleston, West Virginia Pretreatment Compliance Audit

Dear Mr. Roberts:

Thank you for your cooperation and participation during the Pretreatment Compliance Audit conducted on January 25 and 26, 2023. The compliance audit of the City of Charleston Sanitary Board's (CSB) publicly owned treatment works (POTW) approved pretreatment program was done as part of the Environmental Protection Agency's (EPA) audit of the West Virginia Department of Environmental Protection's (WVDEP) authorized Clean Water Act (CWA) National Pollutant Discharge Elimination System's (NPDES) Pretreatment Program. The audit of Charleston Sanitary Board's pretreatment program revealed a generally well implemented program, but there are areas of the program that need to be addressed.

Please find enclosed a copy of the POTW Pretreatment Program Audit Report and relevant attachments. While the required and recommended changes to CSB's pretreatment program can be found at Section X of the report, a summary of the findings is as follows and follows the report organization and Attachment 5, *Audit Action Items Checklist*. The below summary may not include all findings identified in the audit report and audit action items checklist.

A. **Legal Authority** – The review of CSB's sewer use ordinance (SUO) revealed several differences when compared to the General Pretreatment Regulations. CSB must revise its SUO to align inconsistent or absent definitions, prohibited discharges, permit conditions, reporting requirements, upset and bypass provisions, and remedies for noncompliance. These required corrective actions are located at Section X, Subsection A of the report and Attachment 1, which provides the full POTW Legal Authority Review Checklist. Despite the need to revise and update language, the structure of the existing SUO closely resembles the Model SUO published by EPA.

B. **Application of Standards** – The review of CSB's application of the National Pretreatment Standards suggests that CSB (1) include in its SUO and industrial discharge permits the prohibition of toxic gases, vapors, or fumes, and hazardous waste pharmaceuticals, and (2) pursue the modification of its existing slate of applied local limits to ensure proper procedural approval from WVDEP, CSB's Approval Authority.

Significantly, it does not appear that CSB has requested formal approval from WVDEP for several pollutants that are limited within its SUO, nor is there clear justification or reference to the SUO for several limited parameters within CSB's issued permits. And, while approval from WVDEP is not necessary for the distribution of maximum allowable industrial loadings, it is strongly recommended that CSB modify any industrial user discharge permits where local limits are not minimally allocated. Further, to align CSB's program with the objectives of the General Pretreatment Regulations, CSB must conduct an evaluation of the need for numerical local limits for conventional pollutants that have caused pass-through and/or interference at the POTW.

C. **Control Mechanisms** – The review of CSB's industrial user discharge permit issued to the significant industrial user, United Dairy, Inc., indicates that it is inconsistent with the General Pretreatment Regulations. CSB must revise its industrial user discharge permit template consistent with the regulations. The required corrective actions are located at Section X, Subsection C of the report and Attachment 3, which provides the full Permit Form Review.

D. **Compliance Monitoring** – CSB demonstrates a robust inspection and sampling regime of its permitted industrial users; however, CSB must ensure that sampling is done independently with regards to access to the sampling point(s), and that sampling is done at *all* points where an industrial user is connected to the collection system where possible and appropriate. In addition to minor recommended revisions to CSB's sampling and inspection forms and required bolstering of recordkeeping, EPA recommends CSB *randomly* sample permitted SIUs, specifically United Dairy, Inc. Independent, complete, and random sampling is vital to identify any occasional and continuing noncompliance of SIUs.

E. **Enforcement -** When necessary, CSB properly enforces against violations of industrial discharge permit limitations and conditions. This was evidenced by resolved pass-through and interference issues, and a relatively minor violation of an industrial discharge limit in April 2021. Though, upon inspection of CSB's files, there does not appear to be a complete Enforcement Response Plan (ERP). CSB must create an ERP to ensure consistency across all enforcement actions addressing noncompliance.

F. **Data Management** – As discussed during the audit, CSB has continued to transition its written records and procedures to an electronic format. Within these electronic records, the Audit Team was unable to locate a collection of submitted one-time compliance reports by dental dischargers. CSB will need to clarify if it is compliant with the Dental Effluent Guidelines as it relates to these reports. Further, in evaluation of how CSB receives records from permitted facilities, it is important to refer to the requirements of the Cross-Media Electronic Reporting Rule (CROMERR) and ensure that CSB accept the submittal of reports in paper format until CSB would seek approval under CROMERR. Additionally, as a point of clarification on its procedures, CSB must revise its evaluation process of significant industrial users and categorical industrial users to ensure consistency with the definitions at 40 C.F.R. Part 403.

G. **Resources** – No issues were found relating to the resources devoted to the current implementation of CSB's pretreatment program.

EPA requests that CSB review the corrective actions summarized above and enclosed in the full audit report, and provide a proposed action plan within 60 days of receipt of this report. For those items not immediately addressed, please include a planned completion date. If you have any questions or comments regarding this matter, please contact Aron Possler of my staff at possler.aron@epa.gov or (215) 814-2780.

Sincerely,

JESSICA MARTINSEN

Digitally signed by JESSICA MARTINSEN
Date: 2023.06.13 16:19:50 -04'00'

Jessica Martinsen, Chief
Permits Section
Clean Water Branch

Enclosure

cc: Matthew Sweeney, WVDEP
Netar Wadhwa, WVDEP

CSB POTW PRETREATMENT PROGRAM AUDIT

Audit Date(s)	POTW Name
January 25–26, 2023	Sanitary Board of the City of Charleston, West Virginia

Contact Name	Title	Telephone	
Erik A. Roberts	Environmental Compliance Manager	(304) 552-2414	
Address	208 26th Street, Charleston, WV 25312		
E-Mail Address	eroberts@csb-wv.com		
		Yes	No
Should this be the person on the mailing list?			X

Participants				
Name		Title	Organization	Telephone
1	Aron Possler	Life Scientist	EPA Region 3	(215) 814-2780
2	Natalie Sanchez-Gonzalez	Life Scientist	EPA Region 3	(215) 814-2078
3	Margaret Green	Environmental Engineer	EPA Headquarters	(202) 564-7011
4	Ryan Shuart	Life Scientist	EPA Region 3	(215) 814-2714
5	James Kline	Physical Scientist	EPA Region 3	(304) 234-0263

NOTE: For Sections I through VIII, complete background sections based on information in pretreatment files and all other sections based on discussion with POTW personnel.

<table>
<tr><th colspan="6">SECTION I: GENERAL INFORMATION</th></tr>
<tr><td colspan="6">A. Background - Complete prior to onsite activity</td></tr>
<tr><td rowspan="2">1</td><td colspan="2">Date of last annual report:</td><td colspan="3">2/16/2022</td></tr>
<tr><td colspan="2">List unresolved issues.</td><td colspan="3">N/A</td></tr>
<tr><td rowspan="2">2</td><td colspan="2">Date of last audit:</td><td colspan="3">7/3/2019</td></tr>
<tr><td colspan="2">List unresolved issues.</td><td colspan="3">Hg, Zn, and flow limits missing from the permits for United Dairy and CAMC
Non-domestic wastewater source description missing from the permits for United Dairy (no high BOD milk reject water) and CAMC
Description of pretreatment to non-domestic wastewater prior to POTW and BMPs specific to hospitals missing from the permit for CAMC</td></tr>
<tr><td rowspan="2">3</td><td colspan="2">Date of last Inspection:</td><td colspan="3">1/31/2021 (in the form of a “virtual” inspection)</td></tr>
<tr><td colspan="2">List unresolved issues.</td><td colspan="3">N/A</td></tr>
<tr><td>4</td><td colspan="2">List any other outstanding issues.</td><td colspan="3">N/A</td></tr>
<tr><td>5</td><td colspan="4">Number of treatment plants (verify during onsite activity):</td><td>1</td></tr>
<tr><td colspan="2">NPDES Number</td><td colspan="2">Issuance Date</td><td colspan="2">Expiration Date</td></tr>
<tr><td colspan="2">WV0023205</td><td colspan="2">March 09, 2022</td><td colspan="2">March 08, 2027</td></tr>
<tr><td rowspan="7">6</td><td colspan="5">a. Compliance with NPDES limits</td></tr>
<tr><td>Year</td><td colspan="4">NPDES Limits Exceedances</td></tr>
<tr><td>2016</td><td colspan="4">Fecal Coliform, TSS, BOD</td></tr>
<tr><td>2017</td><td colspan="4">Fecal Coliform, TSS, BOD</td></tr>
<tr><td>2018</td><td colspan="4">TSS, SS % Removal, Fecal Coliform</td></tr>
<tr><td>2019</td><td colspan="4">Fecal Coliform</td></tr>
<tr><td>2020</td><td colspan="4">Fecal Coliform, TSS, BOD</td></tr>
</table>

	b. Compliance with sludge limits (report only, sludge disposed to the SIU Charleston Landfill)	
	Year	Sludge Issues
	2016	None
	2017	None
	2018	None
	2019	None
	2020	None

		Yes	No	
7	Any effluent or sludge violations in the past 12 months?	X		

Parameter violated	Date(s)	Reported Cause(s)
pH, TSS Disinfection	12/2021, 6/2022	
Fecal Coliform	6/30/22, 8/31/22	
BOD, SS % Removal	8/31/2022	
TSS Disinfection, TSS Removal	8/31/2022	

		Yes	No	
8	Does the permit(s) require pretreatment implementation?	X		Discrepancies between West Virginia general NPDES pretreatment implementation language and CSB NPDES permit language
9	Does the permit(s) have a schedule for pretreatment program implementation/modification?		X	N/A (2014 SUO)

Activity	Milestone Date	Completion Date
Submit list of pollutants and sampling plan	N/A	N/A
Submit local limits reevaluation	Y	Permit reissuance
Submit response to comments on reevaluation	N/A	N/A
Adopt local limits	N/A	N/A

10	List any pending program modifications and current status (verify during onsite activity).	LTCP, compliance schedule for implementation of plan (p. 57 of NPDES permit)

SECTION II: LEGAL AUTHORITY						
A. Background - Complete prior to onsite activity						
1	List all municipalities served by the POTW and applicable legal authorities (verify during onsite activity).					
Municipality Name		Ordinance Date	Agreement Date	Any IUs? (X all that apply)		
				SIUs	IUs	None
City of Charleston, West Virginia		9/16/2013	N/A	5		

2	Was a complete legal authority review previously conducted?	Yes	No	Date	Reviewer
		X		2019	Netar Wadhwa
	Describe any inadequacies not yet corrected.	See above			
3	Has the POTW submitted legal authority revisions based on the streamlining amendments?	Yes	No		
		X			
	If no, attach ordinance review. If yes, list status.	N/A			

<table>
<tr><td rowspan="6">4</td><td colspan="2">Does the POTW's ordinance provide for variances and/or special agreements?</td><td>Yes

</td><td>No
X</td></tr>
<tr><td>If yes, does it:</td><td>Yes</td><td>No</td><td>N/A</td></tr>
<tr><td>specifically prohibit changes to both categorical standards and other federal pretreatment requirements (e.g., reporting)?</td><td></td><td></td><td>X</td></tr>
<tr><td>establish a cap based on the current MAIL for revised local limits?</td><td></td><td></td><td>X</td></tr>
<tr><td>require that the revised limit or requirement be granted in writing?</td><td></td><td></td><td>X</td></tr>
</table>

<table>
<tr><td colspan="4">B. Current</td></tr>
<tr><td>1</td><td>Update POTW’s progress on correcting deficiencies, including streamlining.</td><td colspan="2">N/A</td></tr>
<tr><td>2</td><td>Does the POTW intend to adopt any additional optional streamlining provisions?</td><td colspan="2">N/A</td></tr>
<tr><td>3</td><td>When did the POTW last review its ordinance to ensure that it is consistent with the POTW's current program implementation?</td><td colspan="2">2019</td></tr>
<tr><td rowspan="3">4</td><td>Do any outside agencies implement all or part of the pretreatment program within the POTW's service area?</td><td>Yes

</td><td>No
X</td></tr>
<tr><td>If yes, list agency and part of program implemented.</td><td colspan="2">N/A</td></tr>
<tr><td>If yes, how does the POTW ensure the adequacy of implementation in these areas?</td><td colspan="2">N/A</td></tr>
</table>

<table>
<tr><td colspan="5">SECTION III: APPLICATION OF STANDARDS</td></tr>
<tr><td colspan="5">A. Background - Complete prior to onsite activity</td></tr>
<tr><td rowspan="2">1</td><td>Has the POTW stated in any annual reports in the last five years that problems (e.g., inhibition/upset, pass through, sludge contamination, corrosion, toxic fumes, etc.) have been caused by IU discharges?</td><td>Yes
X</td><td>No

</td><td>United Dairy (2021, 2022) violations caused issues of P/I</td></tr>
<tr><td>If yes, describe the incident and actions taken.</td><td colspan="3">See notes from the 2021 and 2022 annual reports. Excursion events during October 2020.</td></tr>
</table>

			Yes	No	N/A
2	a. Date of last local limits submission:	2022			
	b. Date of acceptance:	See below			
	c. Date of approval:	NPDES permit issuance date			
	d. If not accepted and approved, list status:	Limits not needed; only mass limits for Hg and Zn			
3	Are the approved local limits allocated in the submission or left to be allocated in the permits?	Yes; internal spreadsheet used to allocate limits			
4	Does the POTW have any BMPs approved as part of its local limits?		X		
	If yes, describe.	FOG program and United Dairy BMP			
5	Did the POTW include loadings from waste haulers in its local limit development?			X	
6	Has the POTW received approval for removal credits?			X	
	If yes, for what pollutants.	N/A			
7	Has the POTW revised or proposed to revise its approved program to establish the classification of nonsignificant categorical industrial users?			X	
	If yes, list current status of approval.	N/A			
8	Has the POTW revised or proposed to revise its approved program to establish the classification of middle tier categorical industrial users?			X	
	If yes, list current status of approval.	N/A			
9	Has the POTW revised or proposed to revise its approved program to provide for equivalent mass limits in place of concentration based categorical standards?			X	
	If yes, list current status of approval.	N/A			
10	Has the POTW revised or proposed to revise its approved program to provide for equivalent concentration limits in place of mass based categorical standards?			X	
	If yes, list current status of approval.	N/A			
11	List all CIUs subject to production-based standards (with category):	No CIUs			

12	List all CIUs for which concentration-based limits were applied in place of mass-based standards:	Limits evaluation demonstrated no concentration-based limits were needed as the influent load is currently less than 50% of the new MAHL for all pollutants included in the evaluation.			
13	List all CIUs for which mass-based limits were applied in place of concentration-based standards:	N/A			
14	List all CIUs for which a pollutants not present waiver has been granted:	N/A			
15	Does the approved program include procedures for acceptance of hauled waste?		Yes	No	
				X	
	If yes, describe.	N/A			

B. Industrial User Characterization

1	When was the last full IWS completed?	2022		
2	How does the POTW locate new IUs?	• Survey contents ○ IUs on the list include non-domestic IUs that have the potential to negatively impact CSB's treatment system due to the size of the discharge and the nature of the pollutants (whether or not they be a CIU) • SIUs are identified as follows: ○ IUs that cause pass-through or interference of pollutants with the wastewater's treatment process, cause sludge contamination, or pose a safety threat to workers at CSB ○ IUs producing >25,000 gal/day		
3	How does the POTW investigate changes at existing IUs (e.g., non-SIU to SIU, NSIU to CIU)?	SIU annual inspections, grease trap inspections for those NSIUs covered under the FOG program, grit separator inspections for car washes		
4	How are changes discovered in contributing jurisdictions?	N/A – No contributing jurisdictions		
5	Does the POTW maintain a list of non-SIUs?	Yes	No	Update freq.
		X		

C. Local Limits

1	Is the POTW aware of instances of pass through, treatment plant	Yes	No	

	inhibition/upset, sludge contamination, or other problems (excessive corrosion, toxic fumes, sewer blockages, etc.) during the past year, including problems caused by conventional wastes?		X	
	If yes, describe incident and actions taken.	CSB received a plan from United Dairy to correct actions that caused pass-through at the POTW. CSB issued NOVs and published SNC in the newspaper (1/2023) in addition to those publications 2020–2021. Fines were assessed and collected April 1, 2022, totaling an amount of $33,000.		
2	Is the POTW aware of any instances where workers have experienced industrial waste-related injuries or illnesses?	Yes	No	
			X	
	If yes, describe.	N/A		
3	If the POTW allocates local limits through the permits, do they have a mechanism to track the allocations?	Yes	No	N/A
		X		
	If yes, describe.	N/A		
4	Has the POTW encountered any problems implementing applicable BMPs?	Yes	No	N/A
			X	
	If yes, describe.	N/A		
5	What has the POTW done to address exceedances of the influent, effluent, and sludge goals (most recent year)?	N/A		

D. Standards and Requirements for IUs				
1	Does the POTW report any questions/problems in the categorization of IUs?	Yes	No	N/A
			X	
	If yes, describe.	N/A		
2	List all IUs where the combined wastestream formula was applied.	N/A – no CIUs		
3	Does the POTW have a list of new source dates for all categorical industries?	Yes	No	N/A
				X
4	Has the POTW made a specific evaluation of process construction dates in relation to the new source date of any applicable categorical standards?	Yes	No	N/A
				X
5	List all IUs currently regulated under Pretreatment Standards for New Sources.			

6	If present[1], does the POTW regulate CIUs for which a no discharge standard exists?	N/A – no CIUs		
7	Has the POTW applied equivalent concentration limits to any users subject to mass-based standards <u>in place of</u> mass limits, other than those listed in Section A.12?	Yes	No	N/A
			X	
	If yes, describe.	N/A		
8	Has the POTW applied equivalent mass limits to any users subject to concentration-based standards <u>in place of</u> concentration limits, other than those listed in Section A.13?	Yes	No	N/A
			X	
	If yes, describe.	N/A		
9	Has the POTW granted any net/gross variances?	Yes	No	N/A
			X	
	If yes, describe.	N/A		
E. Hauled Wastes				
1	Does the POTW accept wastes by truck, rail, or dedicated pipe (If no, go to Section V)	Yes	No	N/A
			X	
	What types of waste are accepted?			
2	Are any hauled wastes hazardous?	Yes	No	N/A
				X
	If no, how does the POTW confirm this?			
3	Has the POTW designated a specific discharge point(s) for the waste (403.5(b)(8))?	Yes	No	N/A
				X
	If yes, where?			
4	Does the POTW have a control mechanism for regulating the waste (403.8(f)(1)(iii))?	Yes	No	N/A
				X
	If yes, describe the mechanism and to whom it is issued.			

[1] CIUs with standards requiring no discharge include: feedlots, inorganic chemicals manufacturing, fertilizer manufacturing, iron & steel manufacturing, nonferrous metals manufacturing, steam electric power generating, timber products, oil & gas extraction, paint formulating, ink formulating, pesticide chemicals, battery manufacturing, metal molding & casting, porcelain enameling, aluminum forming, and nonferrous metals forming & metal powders.

5	Does the control mechanism include all applicable categorical and local standards (403.8(f)(2)(iii))?	Yes	No	N/A
				X
6	Does the POTW sample/require sampling of hauled waste?	Yes	No	N/A
				X
	If yes, describe the sampling program.			

SECTION IV: CONTROL MECHANISM

A. Background - Complete prior to onsite activity

1	Provide the # of IUs based on the most recent file information:	SNIUs	CIUs	MTCIUs	NSCIUs	Other	Total
		5				2	7

2	a. List all SIUs without control mechanisms or with expired control mechanisms (and the date of expiration).	N/A
	b. Identify which of these users have administratively extended control mechanisms.	N/A
3	According to the approved program, what type of control mechanism was intended to be used to regulate industrial discharges?	Permits
4	What industries does the approved program indicate will be regulated through this control mechanism?	Hospitals, landfill, dairy processing facility
5	What is the maximum control mechanism duration indicated in the approved program?	Three years (p. 27 of SUO)

6	Has the POTW revised or proposed to revise its approved program to allow for general control mechanisms?	Yes	No
			X
	If yes, list current status of approval.	N/A	
7	Does the annual report indicate that any users are covered by a general control mechanism?	Yes	No
			X
	If yes, list the users that are covered by each general control mechanism.	N/A	

B. Control Mechanism

1	Give the current # of IUs:	SNIUs	CIUs	MTCIUs	NSCIUs	Other	Total
		5				2	7

2	Have all expired SIU control mechanisms been re-issued?	Yes	No	N/A
		X		
	If no, explain.	N/A		
3	What type of control mechanism is currently being used?	Permits		
4	Has the POTW issued any general control mechanisms other than those listed in Section A.7?	Yes	No	No intention on adopting the optional streamlining provision for general control mechanisms
			X	
	If yes, list the users that are covered by each additional general control mechanism.	N/A		

SECTION V: COMPLIANCE MONITORING					
A. Background - Complete prior to onsite activity					
1	As required by the approved program, list the frequency for:	SNIU	CIU	MTCIU	NSCIU
	POTW sampling of IUs	1x/yr	N/A	N/A	N/A
	POTW inspection of IUs	1x/yr	N/A	N/A	N/A
	IU self-monitoring	2x/yr[2]	N/A	N/A	N/A
	IU reporting		N/A	N/A	N/A

[2] This frequency of self-monitoring applies to any industry which is permitted, including SIUs and NSIUs; requirement is written into the IU discharge permit.

2	In the last year, indicate frequency of:	SNIU	CIU	MTCIU	NSCIU
	POTW sampling of IUs	1x/yr	N/A	N/A	N/A
	POTW inspection of IUs	1x/yr	N/A	N/A	N/A
	IU self-monitoring	2x/yr	N/A	N/A	N/A
	IU reporting		N/A	N/A	N/A
	If less than required by the approved program or less than 1/yr (403.8(f)(2)(v)), explain.	N/A			
3	List all SIUs that were found to have been not sampled or not inspected in the last annual report.				

Name of IU	NS/NI/B[3]	Reason
CAMC Womens and Childrens CAMC Memorial	NI	COVID-19, offsite inspections in form of survey

4	Has the POTW revised or proposed to revise its approved program to provide for waivers for pollutants not present?	Yes	No	
			X	
	If yes, list current status of approval.	N/A		
5	Has the POTW granted any monitoring waivers for pollutants not present?	Yes	No	
			X	
	If yes, list the user and the pollutants for which the waiver was granted.	N/A		

[3] NS = not sampled, NI = not inspected, B = both not sampled and not inspected.

B. POTW Sampling and Inspection				
1	Update status of users listed in the table in A.3:			
Name of IU		NS/NI/B	Date planned/completed	
All CAMC hospitals		NI (corrected)	Sampled 2022 in-person	
2	Does the POTW conduct all of the sampling for any of its users?	Yes	No	Compliance sampling may be done by CSB or by the IU (p. 36 of SUO); 2021 AR states that questionnaires were sent in lieu of conducting sampling at CAMC sites due to COVID-19
			x	
	If yes, does the POTW re-sample within 30 days of discovering a violation?	Yes	No	Page 37 of SUO states that resampling should be done by the IU within 30 days of violation
		X		
3	Does the POTW monitor for all categorical pollutants at least once per year?	Yes	No	N/A
				X
	If no, why not?	N/A		
	Does the POTW monitor for all local limit pollutants at least once per year?	Yes	No	
		X		
	If no, how does the POTW determine which pollutants to sample?	N/A		
4	For users with a monitoring waiver for pollutants not present, how often does the POTW monitor for the waived pollutants?	N/A		
5	Does the POTW have written standard operating procedures for sampling industrial users?	Yes	No	
		X		

6	Does the POTW collect its own samples, or are they collected by a contractor?	CSB samples for compliance at all the SIUs		
7	Are pH, oil & grease, cyanide, volatile organics, total phenol, sulfide, and hexavalent chromium collected by grab sample?	Yes	No	N/A
		X*		*Not required for hexavalent chromium
8	When collecting grab samples, how many grab samples are used?	Minimum of four (where no historical data exists), lower minimum permitted where historic data exists (pg. 35 of SUO); later on pg. 35, states need number of grab samples to assure compliance with applicable pretreatment standard requirement		
	Has the POTW documented the reasons for the number of grab samples used for each IU?	No		
9	Are composite samples used for all other pollutants to evaluate compliance with:	Yes	No	N/A
	Categorical standards?			X
	Local limits?	X		
	Is any unannounced sampling conducted?	X		
10	Is POTW prepared to take samples on short notice (i.e., vehicles, personnel, preservatives, etc. available)?	X		
11	How much time normally elapses between sample collection and obtaining analytical results?	Depends on parameters – analyzed within the holding time per parameter. Sample results after analysis average: 20 days. If something has sensitive turn-around time, will highlight on lab sheet. Follows part 136 methods.		
12	Has the POTW evaluated all of its users for the need for a slug control plan?	Yes	No	IU permit applications ask about spill prevention measures and slug control plans in section VI. Assume questions at section VI of application counts as evaluation for need of plan.
		X		
13	Has the POTW documented and maintained the documentation of the slug control evaluations?	Yes	No	N/A
		X		

14	What factors does the POTW consider in determining whether a user is required to develop a slug/spill control plan?	Section VI of permit application: presence of drains in chemical storage and manufacturing areas, whether storage areas are diked or self-contained (and volume of tanks or dikes), where spills would discharge into.		
15	Do the POTW's annual inspections include an evaluation of facility changes that might impact the need for a slug control plan?	Yes	No	
		X		
16	Does the POTW have procedures (e.g., identify waste, response personnel, identify key manholes, etc.) and equipment to investigate causes and sources of unknown slugs/spills to the POTW (including collection system)?	Yes	No	
			X	
	If yes, describe.	N/A		

C. IU Self-Monitoring and Reporting				
1	When are user self-monitoring reports due (e.g., 30 days after the monitoring period)?	Depends on the user, different frequencies of sample receipts. Self-monitoring reports are received primarily in electronic format.		
2	How does the POTW verify that IUs report all sample results if they sample more frequently than required?	No current procedures.		
3	Do any IUs discharge hazardous waste?	Yes	No	Hospital wastes from all CAMC hospitals are prohibited per their permits
			X	
	If no, how does POTW verify this?	Such discharge is prohibited per permit language. No drains in the rooms containing hazardous wastes. Permit language includes general list of hazardous wastes not permitted in discharge.		
	If yes, has the IU submitted the proper notifications (403.12(p))?	Yes	No	N/A
				X
4	Does the POTW have procedures to monitor and control IUs when they close?	Yes	No	
		X		
	If yes, describe.	Block and cap off the discharge once industry closes		

SECTION VI: ENFORCEMENT				
A. Background - Complete prior to onsite activity				
1	Has the POTW revised its approved ERP based on the new SNC definition?	Yes	No	N/A
				X
	If yes, does it include all of the changes or only the required changes?	Not all changes at 403.8(f)(2)(viii) were included in the SNC definition at Sec. 118-212 of CSB SUO		
2	Based on the most recent file data, list the SIUs in SNC (indicate period).			

Name of IU	1st quarter of SNC	SNC parameters	Describe enforcement taken with date	Scheduled compliance date
United Dairy, Inc.	February/ March 2022	Inhibition, failure to pretreat, failure to report DMR	NOVs and Fines	Currently in compliance

B. Enforcement				
1	When the POTW receives IU self-monitoring reports, how does it evaluate user compliance, including limits, completeness and timeliness of reports, and submission of resampling data?	Report timeliness, DMR signature and values		
	When does this evaluation occur?	Day of DMR receipt		
2	How often does the POTW evaluate for SNC?	Monthly focus on United Dairy. Not evaluating for SNC for other SIUs.		
3	Does the POTW document its SNC evaluation?	Yes, internal spreadsheet and publication		
	For what period was the last evaluation completed?	December 2022, United Dairy		
4	Is the POTW using the new SNC definition? If yes, describe which parts of the new definition are used.	Yes, but not an exact match to 40 CFR 403.8(f)(2)(vii)		
5	Have there been instances where the POTW found the responses in its ERP to be inappropriate?	Yes	No	N/A
			X	
	If yes, explain.	N/A		

6	Has POTW taken enforcement against all instances of pass through/interference in the last year?	Yes	No	N/A
				X
	If no, why?			
	If yes, describe.			
7	Update based on most recent SNC period (identify period).			

Name of IU	1st quarter of SNC	SNC parameters	Describe enforcement taken with date	Scheduled compliance date

SECTION VII: DATA MANAGEMENT AND PUBLIC PARTICIPATION

A. Data Management

1	Are all records maintained for at least 3 years?	Yes	No
		X	
2	How does the POTW keep up-to-date on regulations and technical guidance for the pretreatment program?	During audits for CSB or upon permit reissuance. WVDEP forwards updates and trainings to CSB occasionally, EPA offered training where interests lie.	

B. Public Participation

1	Are records available to the public (403.14(c))?	Yes	No
		X	
2	Have IUs requested that data be kept confidential?	Yes	No
			X
	If yes, what type of data was it, and how has the POTW handled it?	N/A	

SECTION VIII: PROGRAM RESOURCES

1	Approximately how many person-years does the POTW devote to the pretreatment program?	0.8 FTEs
2	In what areas does the POTW need additional resources?	Generally short-staffed

3	What additional activities (if any) has the POTW undertaken to further the goals of the pretreatment program?	Fats, Oils, and Grease (FOG) Program – effective in reducing maintenance costs, preventative maintenance, public service announcements and media-wide education about “flushable” wipes. Dental amalgam program implemented.
4	What has the POTW done to incorporate P2 (Pollution Prevention) practices into its pretreatment program?	FOG Program, wipes announcements, inspection of car wash grit separators

SECTION IX: INDUSTRIAL USER FILE EVALUATION			
IU Name	United Dairy, Inc.		
Category	N/A	PWF[4]	55,800 GPD avg. est.*
Address	508 Roane St. Charleston, WV 25302		
Comments	(Permit #109) *Flow at this IU is not monitored or recorded. PWF is estimated for manhole where the majority of process wastewater flows. (IU1)		
IU Name	City of Charleston Sanitary Landfill (operated by Waste Management)		
Category	N/A	PWF[6]	68,409 GPD avg.
Address	741 S Park Rd., Charleston, WV 25304		
Comments	(Permit #111) (IU2)		
IU Name	Charleston Area Medical Center General Hospital		
Category	N/A	PWF[6]	100,788 GPD avg.
Address	501 Morris St., Charleston, WV 25336		
Comments	(Permit #107) (IU3)		
IU Name	Charleston Area Medical Center Memorial Hospital		
Category	N/A	PWF[6]	242,600 GPD avg.
Address	3200 MacCorkle Ave, SE, Charleston, WV 25304		
Comments	(Permit #106) (IU4)		

[4] Process waste flow

NOTE: Complete all questions with a "Y" (yes), "N" (no), "N/A" (not applicable), "U" (unable to determine), the appropriate number, or as directed in the question. Note that a copy of a typical permit should be obtained for the complete permit form review which is done separately and included as an attachment to the report.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
A1. Industrial User Characterization				
1. Is the IU categorical (CIU), non-significant categorical (NSCIU), middle-tier categorical (MTCIU), significant non-categorical (SNIU) or other (O)?	SNIU	SNIU	SNIU	SNIU
2. Is the IU properly categorized?	N/A	N/A	N/A	N/A
A2. Non-Significant Categorical Industrial Users (complete past #1 only if the user is designated as an NSCIU)				
1. Has the user been designated as an NSCIU?	N	N/A	N	N
2. If yes, is there documentation in the file that shows that the user:				
➢ never discharges more than 100 gpd of categorical wastewater?	N/A	N/A	N/A	N/A
➢ never discharges any untreated concentrated wastewater?	N/A	N/A	N/A	N/A
➢ consistently complied with all applicable pretreatment standards and requirements prior to and since the designation?	N/A	N/A	N/A	N/A
3. Has the user submitted the annual certification required by 403.12(q)?	NA	N/A	N/A	N/A
4. Are certifications signed by a responsible corporate official or authorized representative?	NA	N/A	Y	Y[5]
5. If applicable, was the authorization made in writing?	NA	N/A	N/A	N/A
A3. Middle-Tier Categorical Industrial Users (complete past #1 only if the user is designated as a MTCIU)				
1. Has the user been designated as a MTCIU?	N/A	N/A	N/A	N/A
2. If yes, is there documentation in the file that shows that: ➢ the user's total categorical wastewater flow does not exceed:	N/A	N/A	N/A	N/A
- 0.01% of the dry weather hydraulic capacity of the POTW or 5000 gpd whichever is smaller?	N/A	N/A	N/A	N/A
❖ if yes, is the flow determination based on a continuous effluent flow monitoring device?	N/A	N/A	N/A	N/A
- 0.01% of the design dry weather organic treatment capacity of the POTW?	N/A	N/A	N/A	N/A
- 0.01% of the MAHL for any categorical pollutant?	N/A	N/A	N/A	N/A

[5] SMR was received electronically.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
➢ the user has not been in SNC since at least two years prior to its designation as a MTCIU?	N/A	N/A	N	N
➢ the user does not have flow rates, production levels, or pollutant levels that vary so significantly that the MTCIU designation is inappropriate?	N/A	N/A	N/A	N
3. Has the documentation been maintained for at least three years after expiration of the control mechanism?	N/A	N/A	Y	Y
B. Application of Standards				
1. Were local limits and/or categorical standards properly applied?	N[6]	N[7]	N[8]	N
2. If applicable, were production-based standards correctly applied?	NA	N/A	N/A	N/A
3. If applicable, was the combined wastestream formula correctly applied?	N/A	N/A	N/A	N/A
4. If applicable, were TTO requirements or alternatives correctly applied?	N/A	N/A	N/A	N/A
5. Does the control mechanism include BMPs in place of local limits?	Y[9]	N	N/A	Y
➢ If yes, is the BMP authorized in the POTW ordinance?	Y[10]	N/A	N/A	Y
C1. Control Mechanism (also obtain a copy of a typical permit for the permit form review)				
1. Does the file contain:				
➢ an updated control mechanism application and/or survey questionnaire?	Y[11]	Y	Y	Y
➢ a current control mechanism?	Y	Y	Y	Y
➢ documentation[12] of how control mechanism limits and requirements were established?	N	N	N	N
2. Is the user regulated through an individual control mechanism (ICM) or general control mechanism (GCM)?	ICM	ICM	ICM	ICM

[6] The limits included on page 2 of the IU permit do not match with the local limits listed on the SUO.
[7] Limits in the SUO are not found in the permit.
[8] The SUO includes oil and grease. The POTW does not sample oil & grease.
[9] In the form of specific prohibitions and other narrative effluent limitations listed in part 1 of the IU permit.
[10] See section 118–203 of SUO, prohibitions and limitations on wastewater discharges.
[11] Permit cover letter should contain any applicable procedures for appealing the permit conditions.
[12] Categorization, new source, combined wastestream formula, production-based standards, monitoring frequency, comparison of local limits to categorical standards, etc.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
3. Does the control mechanism include:				
➢ limits for all categorical and local limit pollutants?	N[13]	N	N	N
➢ all applicable slug control requirements?	N[14]	?[15]	N/A	Y
➢ all applicable BMP requirements?	N/A	N/A	N/A	Y
➢ monitoring requirements for all categorical and local limit pollutants?	N[16]	N	N/A	N
- if no, is there documentation of the reasons for excluding specific pollutants?	N[17]	N	N/A	N
➢ sampling location and frequency?	Y[18]	Y	N/A	Y[19]
➢ sample type, including appropriate use of grab and composite samples?	Y/N[20]	Y	N/A	Y
- if used, is there documentation on the use of time-proportional or grab samples in place of flow-proportional samples?	?	N	N/A	N
➢ if the user is an MTCIU, the requirement for notification of changes causing it to no longer meet the MTCIU criteria?	N/A	N/A	N/A	N/A
➢ a compliance schedule?	N/A	N	N/A	N
- if yes, does it stay applicability of permit requirements?	N/A	N/A	N/A	N/A
4. Is the permit effective for 5 years or less?	Y	Y	N/A	Y

[13] The limits from Charleston's SUO are not in the permit other than oil & grease. Part I, B, tables 1-3 reference part II b for reporting requirements. This seems in error as part b references resampling in the event of a violation and not reporting to the POTW.

[14] 40 CFR 403.8(f)(2)(vi) requirements of a slug control plan. As United Dairy has the potential to send a slug to the POTW, Charleston should require United Dairy in the permit to have a slug control plan.

[15] Immediate notification only.

[16] The Charleston SUO has limits for mercury, benzene, toluene, ethylbenzene, xylene and PAHs, all of which are not required to be monitored in the permit.

[17] No permit background information could be found to justify the reduced/no monitoring for these pollutants.

[18] The application from United Dairy indicates floor drains from chemical storage discharge to "manhole 2". The slug plan addresses chemicals from storage; are these them? Are they plugging this floor drain? Has United Dairy ever had a spill of chemicals down this drain; has the POTW considered different monitoring parameters for this specific sampling location?

[19] Permittee is authorized to discharge to 6 manholes, but limits only apply to two sampling points. Not all discharge points being monitored.

[20] The permit only indicates, "grab samples shall consist of four separate samples during hours of production" and "composite samples shall be collected during hours of production". These sampling instructions are not clear enough and do not indicate whether the grabs/composite are flow or time proportioned. The permit should clearly indicate the intervals of sampling.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
5. In the inspector's opinion, is the sample frequency sufficient to determine compliance?	Y	Y	N/A	Y
C2. General Control Mechanism (complete past #1 only if the user has been issued a general control mechanism)				
1. Is the user covered by a general control mechanism?	N/A	N/A	N/A	N/A
2. If yes, does POTW documentation include:				
➢ copy of general permit?	N/A	N/A	N/A	N/A
➢ user's request for coverage?	N/A	N/A	N/A	N/A
➢ demonstration that user meets eligibility criteria including:				
- similar types of operations as other covered users?	N/A	N/A	N/A	N/A
- same types of waste as other covered users?	N/A	N/A	N/A	N/A
- same effluent limits as other covered users?	N/A	N/A	N/A	N/A
- same or similar monitoring as other covered users?	N/A	N/A	N/A	N/A
- user not subject to production-based standards, mass-based standards, CWF, or net gross variance?	N/A	N/A	N/A	N/A
➢ demonstration that user appropriately covered by general permit?	N/A	N/A	N/A	N/A
3. Has the documentation been maintained for at least 3 years after expiration of the control mechanism?	N/A	N/A	N/A	N/A
4. Did the user file a written request for coverage that identified its:				
➢ contact information?	N/A	N/A	N/A	N/A
➢ production processes?	N/A	N/A	N/A	N/A
➢ types of waste generated?	N/A	N/A	N/A	N/A
➢ monitoring location?	N/A	N/A	N/A	N/A
C3. Equivalent Mass Limits (complete past #1 only if the user has been issued equivalent mass limits in place of concentration based categorical standards)				
1. Has the user been issued equivalent mass limits in place of concentration based categorical standards?	N/A	N/A	N/A	N/A
2. If yes, has the POTW issued mass limits only for pollutants for which mass limits are appropriate (excludes pH, temperature, radiation, and other similar pollutants)?	N/A	N/A	N/A	N/A
3. Did the user submit documentation that establishes:				
➢ that it employs water conservation?	N/A	N/A	N/A	Y

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
➢ that it uses treatment adequate to achieve compliance?	N/A	N/A	N/A	Y
➢ that it does not use dilution?	N/A	N/A	N/A	N
➢ the average daily flow based on monitoring?	N/A	N/A	N/A	Y
➢ the long-term production rate?	N/A	N/A	N/A	N/A
➢ that its flow, production, and pollutant levels do not vary significantly?	N/A	N/A	N/A	N
➢ that it has consistently complied with categorical standards?	N/A	N/A	N/A	N/A
4. Were limits calculated based on actual average daily flow?	N/A	N/A	N/A	N/A
5. Did the POTW reassess the limits based on changes in production?	N/A	N/A	N/A	N/A
6. Were mass limits retained in subsequent control mechanisms?	N/A	N/A	N/A	N/A
➢ If yes, was there a change in average flow from the previous control mechanism?	N/A	N/A	N/A	N/A
- If yes, is there documentation that the flow reduction was solely the result of water conservation?	N/A	N/A	N/A	N/A
7. Is there documentation in the file that demonstrates that the user:				
➢ has maintained and operated its treatment equipment?	N/A	N/A	N/A	Y/N[21]
➢ uses continuous flow monitoring?	N/A	N/A	N/A	N
➢ records and reports production rates?	N/A	N/A	N/A	N
➢ has provided notification where production rates have varied by more than 20% from the production rate used at the time that the mass limits were established?	N/A	N/A	N/A	N/A
➢ continues to employ water conservation?	N/A	N/A	N/A	Y
C4. Equivalent Concentration Limits (complete past #1 only if the user has been issued equivalent concentration limits in place of mass based categorical standards)				
1. Has the user been issued equivalent concentration limits in place of mass based categorical standards?	N/A	N/A	N/A	N
2. If yes, is the user subject to a categorical standard other than 40 CFR 414, 419, or 455?	N/A	N/A	N/A	N/A
3. Does the control mechanism include the concentration limits from the categorical standard?	N/A	N/A	N/A	N
4. Is there documentation that the user does not use dilution?	N/A	N/A	N/A	N/A

[21] IR did not discuss maintenance of pH neutralization pretreatment system.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
C5. Pollutants Not Present (complete past #1 only if the user has been granted a monitoring waiver for pollutants not present)				
1. Has the user has been granted a monitoring waiver for pollutants not present for any pollutants regulated by an applicable categorical standard?	N/A	N/A	N/A	N
2. If yes, has the user demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present?	N/A	N/A	N/A	N/A
3. Does the user's request for the waiver include:				
➢ at least one sample result prior to treatment that is representative of all process wastestreams?	N/A	N/A	N/A	N/A
➢ use of non-detectable results only where the approved test method with the lowest detection level is used?	N/A	N/A	N/A	N/A
➢ appropriate signature and certification?	N/A	N/A	N/A	N/A
4. Is the waiver included in the user's control mechanism?	N/A	N/A	N/A	N/A
5. Is the waiver valid for no longer than the user's current control mechanism?	N/A	N/A	N/A	N/A
6. Does the control mechanism require the user to:				
➢ notify the POTW if the pollutant is found or expected to be present?	N/A	N/A	N/A	Y
➢ begin at least semiannual monitoring if pollutant is found or expected to present?	N/A	N/A	N/A	N
7. Has the user reapplied for the waiver with each subsequent control mechanism application, including new data?	N/A	N/A	N/A	N/A
8. Has documentation of the granting of the waiver been maintained for at least 3 years after expiration of the waiver?	N/A	N/A	N/A	N/A
9. Has the user submitted the required certification with each self-monitoring report?	N/A	N/A	N/A	N/A
D. POTW Inspections of IUs				
1. How many POTW inspections were conducted and documented in the last 12 months?	1	1	N/A	1
2. Does the inspection report include:				
➢ inspector name?	Y	N[22]	N/A	Y

[22] Initials only.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
➢ inspection date/time?	N	N[23]	N/A	N[24]
➢ name of IU official contacted?	Y	Y	N/A	Y
➢ evaluation of manufacturing facilities?	Y	Y	N/A	Y
➢ evaluation of discharge of process baths or other chemicals?	Y	Y	N/A	N/A
➢ verification of production data if needed?	N/A	N/A	N/A	N/A
➢ identification of wastewater sources, flow and types[25] of discharge?	Y	Y	N/A	Y
➢ evaluation of pretreatment facilities?	Y	Y	N/A	Y
➢ evaluation of chemical storage areas?	Y/N[26]	N/A	N/A	Y
➢ evaluation of spill/slug control procedures?	Y[27]	Y	N/A	Y
➢ if applicable, evaluation of compliance with BMPs?	N[28]	N/A	N/A	Y
➢ evaluation of general housekeeping?	Y/N	Y	N/A	N
➢ potential hazardous waste discharge?	N[29]	N	N/A	Y
➢ evaluation of self-monitoring equipment and techniques?	N	Y	N/A	Y
➢ evaluation of lab procedures?	N	N/A	N/A	N/A
➢ evaluation of monitoring records?	N	Y	N/A	Y
E. POTW Sampling of IUs				
1. How many sampling visits were conducted and documented in the last 12 months?	6[30]	1	N/A	1

[23] Only date, no time.
[24] Time is missing.
[25] Continuous, intermittent, batch, etc.
[26] The inspection report mentions it but does not list chemicals stored on site. Inspector should verify this with what United Dairy has previously submitted as part of their slug/spill plan.
[27] CSB made note of the need for slug plan and that the facility has it. The POTW should note, they are required to verify the slug plan contains requirements in 40 CFR 403.8(f)(2)(vi).
[28] No BMPs in the permit. Could be beneficial to have BMPs considering the recent slug to the plant. Eg. https://www.epa.gov/system/files/documents/2021-07/pretreatment_streamlining_7.0.pdf
[29] Chemical storage?
[30] Where they were supposed to have monthly sampling reports, looks like they did not upload the compliance sampling reports from March, Sep, Oct, Nov, Dec; large group of limited pollutants at MH1–4 had sampling frequency of 1x/month.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
2. Do the sampling reports include:				
➢ all analytical results?	Y	Y	N/A	Y[31]
➢ name of sampling personnel?	Y[32]	N[33]	N/A	Y
➢ sample date/time?	Y	Y	N/A	Y
➢ sample type?	Y	Y	N/A	Y
➢ sample location?	?[34]	Y	N/A	Y
➢ wastewater flow during sampling?	?	N	N/A	N
➢ sample preservation?	?	Y	N/A	Y
➢ chain of custody?	Y[35,36]	Y[37]	N/A	Y
➢ analytical methods used?	Y	Y	N/A	Y
➢ analysis date?	Y	Y	N/A	Y
➢ name of analyst?	?[38]	Y	N/A	N
3. Were all regulated parameters monitored?	N/A	Y	N/A	Y
4. Were 40 CFR 136 analytical methods used?	N/A	Y	N/A	Y
5. If POTW does not require self-monitoring, has the POTW resampled within 30 days after a violation?	NA	N/A	N/A	N/A
F. IU Self-Monitoring and Reporting				
1. Has the IU submitted all required self-monitoring reports in the last 12 months?	N[39]	Y	Y	Y
2. Did the report include measured or estimated flow data?	N	Y	N	N

[31] MH1 and MH2 had different limitations. Mercury report only was not required for MH2.
[32] A couple of information points that were missing on the lab sheets.
[33] Initials only.
[34] Indicates which MH was sampled, MH locations on map within the sampling guidance.
[35] Chain of custody could use modification - only signature or initials of sampler. No name.
[36] Chain of custody will only indicate whether samples were preserved or not; does not detail what the preservation method was.
[37] Just signatures, no written names or titles.
[38] Only initials available, not enough information to know who analyst is.
[39] Only received 6 out of 12 analytical reports.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
3. Were all regulated parameters monitored at the required frequency?	?[40]	Y	N[41]	Y
4. If applicable, was information provided to determine compliance with applicable BMPs?	N	N/A	N/A	N/A
5. Is there documentation that the IU notified the POTW within 24 hours of becoming aware of a violation?	N	Y	N/A	N/A
6. Has the IU resampled and reported within 30 days after a violation?	Y	Y	Y	N/A
7. Are reports signed and certified by a responsible corporate official or authorized representative?	Y	Y	Y	Y
8. If applicable, was the authorization made in writing?	Y[42]	N/A	N/A	N/A
G. Slug/Spill Control				
1. Is there documentation in the file that the POTW conducted a slug evaluation?	Y	Y	N/A	Y
2. If yes, does it include an inventory of process baths and other chemicals on site along with an evaluation of the potential for discharge of those baths and chemicals?	Y	Y	N/A	Y
3. Have any slugs/spills been documented in the file?	Y	N	N/A	N
4. If yes, did the user provide 24-hour notification?	?	N/A	N/A	N/A
5. Was there a written report from the user addressing the slug/spill including:	Y	N/A	N/A	N/A
➢ cause of the slug/spill?	Y	N/A	N/A	N/A
➢ steps taken to minimize damage from the slug/spill?	Y	N/A	N/A	N/A
➢ steps taken to ensure that the slug/spill does not recur?	Y	N/A	N/A	N/A
6. Did the POTW require development of a slug/spill control plan?	Y	Y	N/A	Y
7. Has the IU developed a slug/spill control plan?	Y	Y	N/A	Y
8. Does the slug/spill plan contain:				
➢ description of discharge practices?	Y	Y	N/A	N
➢ description of stored chemicals?	Y	Y	N/A	Y

[40] Difficulty understanding lab reports, so unsure if pollutants with monthly monitoring frequency requirements had samples taken at the right frequencies.
[41] SUO states oil and grease will be sampled, this did not transfer over to the control mechanism.
[42] Certification statement and signature by authorized representative on the report.

FILE REVIEW CHECKLIST	IU1	IU2	IU3	IU4
➢ procedures to prevent slugs/spills?	Y	Y	N/A	Y
➢ procedures to notify POTW of slugs/spills?	Y	Y	N/A	N
➢ follow-up practices to minimize damage from slugs/spills?	Y	Y	N/A	N
H. Enforcement				
1. Did the POTW respond to all IU violations in the last 12 months?	Y	N/A	N/A	N/A
2. Was SNC status correctly reported on last AR?	Y	Y	N/A	Y
3. Is the IU currently in SNC?	Y[43]	N	N/A	N
4. Is the IU under a formal enforcement action?	Y[44]	N	N/A	N
5. Did the POTW escalate action in accordance with the ERP?	Y	N/A	N/A	N/A
I. Summary				
1. Is the file well organized and readily accessible?	Y	Y	N/A	Y
2. Does the file indicate that the POTW has implemented only those streamlining options for which it has obtained approval?	Y	Y	N/A	Y

[43] Difficult to tell from the SNC documentation during what period United Dairy fell into SNC. Understood from Audit interview that SIU was no longer in SNC.
[44] Issued NOVs and monetary penalties.

SECTION X: FINDINGS, REQUIREMENTS, AND RECOMMENDATIONS

A. LEGAL AUTHORITY (City of Charleston, West Virginia Code of Ordinances, II.118(III)(6))

Attachment 1 provides the full "POTW Legal Authority Review Checklist". Whether a finding is required or recommended can be differentiated in this attachment. Refer to the following for sewer use ordinance required and recommended language:

- *EPA Model Pretreatment Ordinance*
  - https://www3.epa.gov/npdes/pubs/pretreatment_model_suo.pdf
- 40 CFR 403.8(f)(1)
  - https://www.ecfr.gov/current/title-40/chapter-I/subchapter-N/part-403#p-403.8(f)(1)

Term or Topic	Finding	Corrective Action
A. Definitions		
"Approval Authority"	Inconsistent	Correct "Approved Authority" to "Approval Authority"
"Composite Sample"	Absent	Add "Composite Sample"
"Industrial User"	Inconsistent	Correct to "A source of indirect discharge"
"National Pretreatment Standard, Pretreatment Standard, or Standard"	Inconsistent	Correct to "Prohibited discharge standards, categorical Pretreatment Standards, and Local Limits"
"POTW"	Inconsistent	Correct to "A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the Board. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant."
"Pretreatment"	Inconsistent	Correct to " The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard."

"Pretreatment Requirement"	Absent	Add "*Pretreatment Requirement* means any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard."
"Significant Industrial User"	Inconsistent	Correct to " (1) An Industrial User subject to categorical Pretreatment Standards; or (2) An Industrial User that: (a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); (b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or (c) Is designated as such by the Board on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement."
B. Prohibited Discharges		
Toxic Gases/Vapor/Fumes	Absent	Add "Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;"
Development of BMPs as local limits and Pretreatment Standards	Absent	Add "The Board may develop Best Management Practices (BMPs), by ordinance or in individual wastewater discharge permits, to implement Local Limits and the requirements of Section 118-203." (only if authorized under State law)
C. Permit Conditions		
Individual and General Control Mechanism (e.g., permit) to ensure compliance	Typo	Correct "into the without" to "into the POTW without" at § 118-206(b).

General/Specific Prohibitions	Inconsistent	Add the toxic gases, vapor, fumes specific prohibition (40 CFR 403.5(b)(7)) to both the SUO and the industrial user discharge permit form template.
D. Require Development of Compliance Schedule and Reporting Requirements		
Baseline monitoring report	Absent	Add baseline monitoring report language to the SUO (Model SUO § 6.1 and 40 CFR 403.12).
90-day compliance report for categorical Pretreatment Standards	Inconsistent	Correct to the language of Model SUO § 6.3 where required.
Periodic reports on continue compliance	Absent	Add the language of Model SUO § 6.4 where required.
Notification of discharge of hazardous waste	Absent	Add the language of Model SUO § 6.9.
Recordkeeping Requirement (3 years or longer)	Inconsistent	Correct to the language of Model SUO § 6.13.
Submission of all monitoring data	Absent	Add "If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Board using the procedures prescribed in Section 118-209(c)(1), the results of this monitoring shall be included in the report."
Upset Provisions	Inconsistent	Correct "applicable discharge standard or requirement" to "categorical Pretreatment Standards".
Bypasses and Notification	Inconsistent	Correct "the User" to "it" and remove "one or more of".
G. Remedies for Noncompliance (Enforcement)		
Enforcement Response Plan incorporated into legal authority	Absent	Add "Enforcement of pretreatment violations will generally be in accordance with the Board's enforcement response plan" required to be developed following the finding below.

B. APPLICATION OF STANDARDS

1. 40 CFR 403.18 requires procedures for the approval of substantial and non-substantial program modifications by the Approval Authority (WVDEP).

   FINDING: (1) Local limits in the SUO have not been formally approved by the WVDEP, nor (2) have substantial modification requests been formally approved by the WVDEP; therefore, it is REQUIRED that CSB initiate any and all program modifications, such as those relating to its local limits, pursuant to procedures listed at 40 CFR 403.18.

2. 40 CFR 403.8(f)(1)(iii)(B) requires that control mechanisms must be enforceable and contain, at a minimum the conditions highlighted under that citation. The provisions highlighted in 40 CFR 403.8(f)(1)(iii)(B)(3) specifically highlights the need for inclusion of effluent limits in individual/general control mechanisms.

   FINDING: CSB applies limitations within industrial user discharge permits with no justification or reference to an approved local limit (or other standard) within the SUO; therefore, it is REQUIRED that CSB either (1) pursue modification of its existing local limits to include these limitations that do not have an established technical basis, justification or reference, or (2) remove those limitations that do not have a technical basis, justification or reference.

3. 40 CFR 403.5(c)(2) requires POTWs with approved pretreatment programs to develop specific limits"in cases where pollutants contributed by User(s) result in Interference or Pass-Through, and such violation is likely to recur, develop and enforce specific effluent limits for Industrial User(s), and all other users, as appropriate, which together with appropriate changes in the POTW Treatment Plant's facilities or operation, are necessary to ensure renewed continued compliance with the POTW's NPDES permit or sludge use or disposal activities".

   FINDING: Pollutants that have caused or contributed to pass-through or interference do not maintain specific limits in the appropriate industrial user discharge permits; therefore, it is REQUIRED that CSB pursue modification of its existing local limits to include specific limits for pollutants which have historically caused pass-through or interference at the POTW. CSB should generally conduct an evaluation of the need for numerical local limits for pollutants, such as BOD_5 and TSS, and whether they are necessary.

4. FINDING: The industrial user discharge permits reviewed were found to not include a specific limitation for, or a requirement of "monitor only", for certain local limits with maximum allowable industrial loadings; therefore, it is RECOMMENDED that CSB minimally reallocate its existing local limits maximum allowable industrial loadings where not done so. This should avoid technical violation (above a loading of "0 lbs/day") of limits for those pollutant parameters with loadings of "0 lbs/day".

5. FINDING: CSB does not document the allocation of local limits maximum allowable industrial loadings; therefore, it is RECOMMENDED that CSB maintain a document or spreadsheet outlining how the local limits maximum allowable industrial loadings (MAIL) are allocated to all the significant industrial users permitted by CSB in order to ensure the MAIL is not exceeded.

6. 40 CFR 266.505 prohibits "discharging hazardous waste pharmaceuticals to a sewer system that passes through to a publicly-owned treatment works" by "[a]ll healthcare facilities".

   FINDING: While CSB prohibits the discharge of "medical wastes" in industrial user discharge permits covering respective healthcare facilities, it is RECOMMENDED that CSB revise this condition in these permits to reflect the language of this prohibition. Such as defining "medical wastes" to include "hazardous waste pharmaceuticals".

C. CONTROL MECHANISM

Attachment 3 provides the full "Permit Form Review" for the industrial user discharge permit issued to United Dairy, Inc. Whether a finding is required or recommended will be identified in this attachment. Where applicable, the corrective actions noted above should also be corrected in the United Dairy, Inc. industrial user discharge permit. Refer to the following for individual control mechanism required and recommended language:

- Sample Permit Fact Sheet and Industrial User Permit
  - https://www.epa.gov/system/files/documents/2021-07/appendix_e_samplepermitfactsheetandpermit_2012.pdf
- 40 CFR 403.8(f)(1)(iii)(B)
  - https://www.ecfr.gov/current/title-40/chapter-I/subchapter-N/part-403#p-403.8(f)(1)(iii)(B)

Topic	Finding	Corrective Action
Does the permit identify the specific wastestreams authorized for discharge?	Absent	Add
Notification of appeal rights?	Absent	Add
Effluent limits including all local limits?	Inconsistent	Refer to Section X., Subsection B. Application of Standards.
Slug control requirements?	Absent	Add [Cite: 40 CFR 403.8(f)(1)(iii)(B)(6)]
All prohibitions included?	Inconsistent	Revise "8. TOXIC SUBSTANCES: Any toxic substance in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to Section 307(a) of the Clean Water Act, and chemical elements or compounds, phenols or other taste or odor producing substances, ~~or~~ any other substances which are not susceptible to treatment or which may interfere with the biological process or efficiency of the POTW, or that will pass through the treatment plant, and any substances which may cause acute worker health and safety problems." [Cite: 40 CFR 403.5(b)(7)]
Upset & bypass consistent with ordinance and 40 CFR 403?	Absent	Add [Cite: 40 CFR 403.16 and 40 CFR 403.17]
BMP compliance reports?	Absent	Add, where applicable [Cite: 40 CFR 403.8(f)(2)(viii)(F)]
Notification of facility change affecting slug discharge potential?	Absent	Add [Cite: 40 CFR 403.8(f)(2)(vi)]
BMP compliance information?	Absent	Add, where applicable [Cite: 40 CFR 403.5(c)–(d)]
Hazardous waste notification?	Absent	Add [Cite: 40 CFR 403.12(p)]
Right of entry?	Absent	Add [Cite: 40 CFR 403.8(f)(1)(iv),(v),(vii)]
Non-transferability?	Inconsistent	Add "A copy of the existing permit shall be provided to the new owner or operator." [Cite: 40 CFR 403.8(f)(1)(B)(2)]
Dilution prohibition?	Absent	Add [Cite: 40 CFR 403.6(d)]

Representative sampling?	Absent	<u>Add</u> [Cite: 40 CFR 403.12(g)(3)]

1. <u>FINDING</u>: Based on observations made at the inspection of United Dairy, Inc., it is <u>REQUIRED</u> that CSB incorporate good housekeeping practices in the industrial user discharge permit issued to United Dairy, Inc. Per 40 CFR 403.5(c)(4), a POTW may develop Best Management Practices to implement 40 CFR 403.5(c)(1) and 40 CFR 403.5(c)(2). At the closing conference with United Dairy, Inc., the facility was instructed to implement general housekeeping (such as emptying spill containment pallets, cleaning chemical spills, etc.) by February 9, 2023. CSB should inform EPA of the facility's progress, including (1) the sealing of drains located in chemical storage areas, (2) the posting of notification procedures for spills, (3) the spill prevention plan being made readily available to personnel, (4) monthly pH sampling training being conducted, (5) the installation of a flow meter at MH2, and (6) the installation of a heat exchanger at MH4.

D. COMPLIANCE MONITORING

1. 40 CFR 403.8(f)(2)(v) requires that POTWs with approved pretreatment programs shall develop and implement procedures to ensure compliance with the requirements the federal regulations. At a minimum, these procedures include 40 CFR 403.8(f)(2)(v) "[i]nspect and sample the effluent from each Significant Industrial User at least once a year".

   <u>FINDING</u>: CSB has not been conducting independent monitoring at the City of Charleston Sanitary Landfill and CAMC Memorial Division. CSB does not hold a copy of the key for the lock that secures the gate for the access road leading to the monitoring location at the City of Charleston Sanitary Landfill. Further, the monitoring location at the CAMC Memorial Division is beneath a vehicle parking space, which can be obstructed. By not having access to the monitoring locations at all times, independent monitoring by the POTW cannot be verified as the sampling location as the sampling location should be accessible at all times; therefore, it is <u>REQUIRED</u> that CSB make arrangements with the City of Charleston Sanitary Landfill and CAMC Memorial Division to ensure complete and 24/7 access to the respective monitoring locations.

2. 40 CFR 403.8(f)(2)(v) requires that POTWs shall "[r]andomly sample and analyze the effluent from Industrial Users".

   <u>FINDING</u>: CSB does not conduct sampling at all significant industrial user outfalls; therefore, per 40 CFR 403.8(f)(2)(v), it is <u>REQUIRED</u> that CSB sample and analyze the effluent from all points where the industrial user is connected to the collection system, where possible and where appropriate.

3. 40 CFR 403.12(o)(1) requires that

   Any Industrial User and POTW subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities . . . Such records shall include for all samples:

   (i) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;
   (ii) The dates analyses were performed;
   (iii) Who performed the analyses;
   (iv) The analytical techniques/methods use; and
   (v) The results of such analyses.

   FINDING: The industrial user inspection reports reviewed were found to include (1) the initials only of the inspector, and (2) the date only of the inspection; (3) the initials only of the sampler on the industrial user sampling reports; and (4) the signatures only of the custodians on the chain of custody forms; therefore, it is REQUIRED that CSB revise its procedures and forms to include (1) the name(s) of the inspector(s), (2) the time of the inspection, (3) the name of the sampler, and (4) the name and title of sample custodians. While initials and signatures may be easily identifiable to CSB, adding this information allows for clarity in case of an audit by WVDEP or EPA, or by a request for information from the public.

4. 40 CFR 403.8(f)(2)(v) requires that POTWs shall "[r]andomly sample and analyze the effluent from Industrial Users".

   FINDING: CSB conducts monitoring activities at United Dairy, Inc. on a regular schedule; therefore, it is RECOMMENDED that CSB randomize its schedule for monitoring activities at United Dairy, Inc., and all other significant industrial users. Monitoring activities on a random basis encourage industrial user managers to keep their operations in continual compliance, not only when an inspection or regular sampling event is expected.

5. 40 CFR 403.12(o)(1) requires that POTWs shall "maintain records of all information resulting from any monitoring activities".

   FINDING: CSB does not substantially document monitoring activities not considered as part of the minimum annual inspection for United Dairy, Inc.; therefore, it is REQUIRED that CSB, in addition to its existing log of meeting with United Dairy, Inc., record any and all meetings with this industrial user or any other industrial users.

6. FINDING: The Audit Team noted historical and significant variations in BOD_5 reported on the DMRs for United Dairy, Inc.; therefore, it is RECOMMENDED that CSB continue to monitor for any further significant variations, and if these variations are persistent, determine appropriate limitations. As discussed previously, CSB should conduct an evaluation of the need for numerical local limits for conventional pollutants, such as BOD_5, TSS, Ammonia Nitrogen and whether they are necessary.

E. ENFORCEMENT

1. 40 CFR 403.8(f)(5) requires that POTWs shall "develop and implement an enforcement response plan. This plan shall contain detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance. The plan shall, at a minimum:

   (i) Describe how the POTW will investigate instances of noncompliance;
   (ii) Describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of industrial user violations and the time periods within which responses will take place;
   (iii) Identify (by title) the official(s) responsible for each type of response;
   (iv) Adequately reflect the POTW's primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed in 40 CFR 403.8 (f)(1) and (f)(2)."

   FINDING: CSB does not maintain a formal enforcement response plan; therefore, it is REQUIRED that CSB develop and implement an enforcement response plan in accordance with those minimum components above. This plan should be submitted to the approval authority (WVDEP) for review and approval. The *Guidance for Development Control Authority Enforcement Response Plans* document (https://www.epa.gov/system/files/documents/2021-07/owm0015.pdf) is available as a guide for all POTWs.

2. 40 CFR 403.8(f)(1)(iii)(B)(3) requires that control mechanisms must be enforceable and contain, at a minimum, and among others at this citation, "[e]ffluent limits, including Best Management Practices".

   FINDING: It was noted during the on-site visit of United Dairy, Inc. that CSB accepts prohibited discharge associated with a Best Management Practice ("[t]he discharge of milk or milk products into the POTW is prohibited without prior approval from CSB"), specifically residue from milk solids; therefore, it is REQUIRED that CSB ensure that this permit narrative is enforced, or revise it based on existing conditions at United Dairy, Inc.

F. DATA MANAGEMENT AND PUBLIC PARTICIPATION

1. 40 CFR 403.8(f)(2)(i) requires that POTWs shall "[i]dentify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program." 40 CFR 403.3(v)(1) states that "the term Significant Industrial User means: All Industrial Users subject to Categorical Pretreatment Standards" and "[a]ny other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement".

   FINDING: CSB may not be identifying possible categorical industrial users which might be subject to the POTW pretreatment program standards; therefore, it is REQUIRED that CSB revise its existing industrial waste survey procedures and/or industrial waste inventory to (1) assess and address potential industrial users that are subject to Categorical Pretreatment Standards regardless of if they may discharge an average of 25,000 gallons per day or more of process wastewater to the POTW, and (2) reflect the interpretation of "per day" of the "average of 25,000 gallons per day or more" being those days that the potential industrial user actually discharges—*not* considering those days that it does not. The average discharge from a facility is based on the number of discharge days and not on calendar days or even production days. For example, if a facility discharges 25,000 gallons once a week, it would be considered a significant industrial user pursuant to 40 CFR 403.3(v)(1)(ii).

2. 40 CFR 403.12(l) requires that reports submitted by industrial users "shall be signed". Under current interpretation, a signed report means those with a certified, non-electronic, "wet" ink signature. Pursuant to 40 CFR 3.1000(a), "[a] state, tribe, or local government that receives or plans to begin receiving electronic documents in lieu of paper documents to satisfy requirements under an authorized program must revise or modify such authorized program to ensure that it meets the requirements of [40 CFR Part 3, Subpart D]".

   FINDING: CSB accepts periodic reports from certain industrial users primarily in electronic format without CROMERR approval; therefore, it is REQUIRED that CSB accept the submittal of reports in paper format until such time that CSB is approved under the Cross-Media Electronic Reporting Rule (CROMERR). Note, CSB may receive electronic submissions so long as they are duplicative to an original paper format with "wet" ink signature where necessary. For more information on CROMERR, you may navigate to: https://www.epa.gov/cromerr

3. 40 CFR 441.50(a) requires "[f]or existing [Dental Discharger] sources, a One-Time Compliance Report must be submitted to the Control Authority no later than October 12, 2020, or 90 days after a transfer of ownership. For new sources, a One-Time Compliance Report must be submitted to the Control Authority no later than 90 days following the introduction of wastewater into a POTW".

   FINDING: CSB maintains a list of dental discharges but has not maintained records of one-time compliance reports submitted by dental dischargers subject to 40 CFR part 441; therefore, it is REQUIRED that CSB clarify if it is compliant with those Dental Effluent Guidelines at 40 CFR Part 411.

4. FINDING: The industrial waste survey inventory that CSB maintains does not detail additional information beyond the names of the respective facilities; therefore, it is RECOMMENDED that CSB provide further detail to its existing and future industrial waste survey inventories, such as addresses, simple justification for why CSB determined the facility to not be subject to the POTW pretreatment program, etc.

Attachments

Attachment 1 POTW Legal Authority Review Checklist

Attachment 2 File Review Worksheets
- 2.1 – United Dairy, Inc.
- 2.2 – City of Charleston Sanitary Landfill
- 2.3 – Charleston Area Medical Center General Hospital
- 2.4 – Charleston Area Medical Center Memorial Hospital

Attachment 3 Permit Form Review
- United Dairy, Inc.

Attachment 4 Industrial Inspection Reports
- 4.1 – United Dairy, Inc.
- 4.2 – City of Charleston Sanitary Landfill

Attachment 5 Audit Action Items Checklist

Attachment 1: POTW LEGAL AUTHORITY REVIEW CHECKLIST

NAME OF POTW:	The Sanitary Board of the City of Charleston, West Virginia
NPDES #	WV0023205
DATE OF REVIEW:	1/20/2023
MUNICIPAL ORDINANCE CITATION:	City of Charleston, West Virginia, Code of Ordinances, Part II; Chapter 118 – Utilities; Article III – Sewers and Sewage Disposal; Division 6 – Discharge Restrictions

OK = No revision necessary **REC = Recommend Revision** **REQ = Revision Required**

	Part 403 Cite	OK	Absent or needs mod	POTW Legal Authority Section	REC Mod	REQ Mod	Comments / Notes
Purpose/Objective	403.1	x		118-202			
A. Definitions							
Act, Clean Water Act	403.3(b)	x		118-201			
Approval Authority	403.3(c)			"	x		Inconsistent
Authorized Representative of the IU	403.12(l)	x		"			
BMPs	403.3(e)	x		"			
Categorical Standards – Parts 405-471, 40 CFR chapter I, subchapter N. .	403.6, EPA Model Ordinance	x		"			
Categorical Industrial User	EPA Model Ordinance	x		"			
Composite Sample	403 App E		x	N/A		x	Absent
Control Authority	403.3(f)	x		118-201			
Grab Sample	403 App E	x		"			
Indirect Discharge (b),(c),(d)	403.3(i)	x		"			
Industrial User (or equivalent)	403.3(j)		x	"		x	Inconsistent
Interference	403.3(k)	x		"			

National Pretreatment Standard, Pretreatment Standard or Standard (b),(c)	403.3(l)		x	"		x	Inconsistent
New Source	403.3(m)	x		"			
Pass Through	403.3(p)	x		"			
Person		x		"			
Pollutant		x		"			
POTW	403.3(q)		x	"		x	Inconsistent
Pretreatment	403.3(s)		x	"		x	Inconsistent
Pretreatment Requirement	403.3(t)		x	N/A		x	Absent
Significant Industrial User	403.3(v)		x	118-201		x	Inconsistent Non-Significant CIU Adopted? Yes **No**
Significant Noncompliance	403.8(f)(2)(viii)	x		118-212			45-day reporting deadline Adopted? **Yes** No
Slug Load or Slug Discharge	403.8(f)(2)(vi)	x		118-201			
B – Prohibited Discharges							
1 – General Prohibitions							
Interference	403.5(a)	x		118-203			
Pass Through	403.5(a)	x		"			
2. – Specific Prohibitions							
Fire/Explosion Hazard (60º C or 140º F flashpoint)	403.5(b)(1)	x		118-203			

pH/Corrosion	403.5(b)(2)	x		"			
Solid or Viscous/Obstruction	403.5(b)(3)	x		"			
Flow Rate/Concentration (BOD, etc.)	403.5(b)(4)	x		"			
Heat; exceeds 40º C (104ºF)	403.5(b)(5)	x		"			
Petroleum/Nonbiodegradable Cutting/Mineral Oils	403.5(b)(6)	x		"			
Toxic Gases/Vapor/Fumes	403.5(b)(7)		x	N/A		x	Absent
Trucked/Hauled Waste	403.5(b)(8)	x		118-203			
Local Limits Development	403.5(c) & (d)	x		118-203			
Development of BMPs as local limits and Pretreatment Standards	403.5(c)(4)		x	N/A	x		Absent (only if authorized by state law)
Require compliance with applicable Pretreatment Standards and Requirements by IUs	403.8(f)(1)(ii)	x		118-204			
Prohibition Against Dilution as Treatment	403.6(d)	x		118-203			
C. Permit Conditions							
Deny/Condition New or Increased Contributions	403.8(f)(1)(i)	x		118-207			
Special Agreements		x		118-203			
Contracts		x		118-206			
Establishes owner and tenant are both responsible		x		118-208			
Permit Application Requirements		x		118-207			
Individual Permits required?		Yes					
General Permits allowed?		No					

Individual and General Control Mechanism (e.g., permit) to ensure compliance	403.8(f)(1)(iii)		x	118-206	x		Correct "into the without" to "into the POTW without"
Statement of Duration	403.8(f)(1)(B)(1)	x		118-208			
Statement of Non-transferability	403.8(f)(1)(B)(2)	x		"			
Effluent Limits	403.8(f)(1)(B)(3)	x		"			
General/Specific Prohibitions		x		IUDP form template, pg. 3		x	Inconsistent; Add Toxic Gases/Vapor/Fumes specific prohibition
Best Management Practices	403.8(f)(1)(B)(3)	x		118-208			
Self-Monitoring Requirements	403.8(f)(1)(B)(4)	x		"			
Reporting & Notification Requirements	403.8(f)(1)(B)(4)	x		"			
Recordkeeping Requirements	403.8(f)(1)(B)(4)	x		"			
Process for Seeking a Waiver for Pollutants Not Present or Expected to be Present	403.8(f)(1)(B)(4) and 403.12(e)(2)	x		N/A			N/A
Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B)(5)	x		118-208			
Requirement to Control Slug Discharges (if necessary)	403.8(f)(1)(B)(6)	x		"			
Immediate Notification of changes affecting potential for a slug discharge	403.8(f)(2)(vi)	x		118-209			
Continuation of Expired Permits		x		118-208			
Permit Modification		x		"			
Duty to Halt/Reduce		x		118-213			
Sampling Facilities		x		IUDP form template			
D. Require Development of Compliance Schedule and Reporting Requirements							
Develop compliance schedule for installation of technology	403.8(f)(1)(iv)	x					
Reporting Requirements – 403.12							

Baseline monitoring report	403.12(b)		x	N/A		x	Absent
(i) - Identifying Information	403.12(b)(1)		x	N/A		x	Absent
(ii) - Other Environmental Permits Held	403.12(b)(2)		x	N/A		x	Absent
(iii) - Description of operations	403.12(b)(3)		x	N/A		x	Absent
(iv) - Flow measurements – All wastestreams	403.12(b)(4)		x	N/A		x	Absent
(v) - Measurement of pollutants (Streamlining updated):	403.12(b)(5)		x	N/A		x	Absent
(vi) - Certification	403.12(b)(6)		x	N/A		x	Absent
(vii) - Compliance schedule and progress reports	403.12(b)(7) and 403.12(c)		x	N/A		x	Absent
90-day compliance report for categorical Pretreatment Standards	403.12(d)		x	118-209		x	Inconsistent
Periodic reports on continued compliance							
- From categorical users	403.12(e)		x			x	Absent
- From significant non-categorical users	403.12(h)		x			x	Absent
Notice of potential problems (including slug loads) to be reported immediately	403.12(f)	x		118-209			
24-hour notification of violations	403.12(g)(2)	x		"			
30-day re-sampling requirement	403.12(g)(2)	x		"			
Requirement to conduct representative sampling	403.12(g)(3)	x		"			
Notification of changed discharge	403.12(j)	x		"			
Notification of discharge of hazardous waste	403.12(p)		x	N/A		x	Absent
Other Reporting Requirements							

Reporting certification and authorized signatory	403.6(a)(2)(ii) and 403.12(l)	x		118-207			
Recordkeeping Requirement (3 years or longer)	403.12(o)		x	118-209		x	Inconsistent
- Including documentation associated with Best Management Practice	403.12(o)		x	"		x	Inconsistent BMPs Adopted? Yes **No**
Submission of all monitoring data.	403.12(g)(6)		x	N/A	x		Absent
Annual certification by Non-significant categorical Industrial User	403.3(v)(2)	x		N/A			Adopted? Yes **No**
Certification of pollutant not present	403.12(e)(2)(v)	x		N/A			Adopted? Yes **No**
Reports for Non-Significant IUs		x		N/A			
Accidental Discharge Reporting		x		118-205			
Slug Discharge Control provisions		x		118-204			
Upset Provisions – categorical Pretreatment Standards only	403.16		x	118-217		x	Inconsistent
Bypasses and Notification	403.17		x	118-217		x	Inconsistent
E. Test Procedures [40 CFR Part 136 & 403.12(g)(3)]							
Analytical procedures (40 CFR Part 136)	403.12(g)(5)	x					
Sample collection procedures	403.12(g)(3) and (4)	x					
F. Inspection and Monitoring Procedures [403.8(f)(1)(v)]							

Right of Entry	403.8(f)(1)(v)	x		118-210			
Identify all IUs, flows and pollutants	403.8(f)(2)(i) and (ii)	x		"			
Inspect and take samples independent of IU	403.8(f)(1)(v) and (f)(2)(v) and (f)(2)(vii)	x		"			
Use of digital photos during inspections and monitoring		x		N/A			
Right to require installation of monitoring equipment and facilities	403.8(f)(1)(iv)	x		118-210			
Right to inspect and copy records	403.12(o)(2)	x		"			
G. Remedies for Non-compliance (Enforcement) [403.8(f)(1)(vi)]							
Enforcement Response Plan incorporated into legal authority	403.8(f)(5)	x		118-213–118-216	x		Absent
Injunctive relief	403.8(f)(1)(vi)(A)	x		118-214			
Civil penalties		x		"			
Criminal penalties	403.8(f)(1)(vi)(A)	x		118-216			
Immediately halt actual/threatened discharged	403.8(f)(1)(vi)(B)	x		118-212			
NOVs		x		118-213			
Consent Orders		x		"			
Show Cause Hearing		x		"			
Cease and Desist Order		x		"			
Administrative Orders		x		"			
Administrative Penalty Authority		x		N/A			
Falsification/Tampering		x		118-208			
Permit Termination		x		118-213			
Suspension of Sewer Service		x		"			
H. Public Participation							

Publish list of Industrial Users in Significant Noncompliance	403.8(f)(2)(viii)	x		118-212			
Access to data (confidentiality)	403.8(f)(1)(vii)	x		118-211			
1. Government	403.14(a)and (c)	x		"			
2. Public	403.14(b)	x		"			
I. BMPs and Sector Control Programs							
Oil and Grease/Sand Interceptors		x		N/A			
Silver		x		N/A			
Mercury		x		N/A			
Other – Fats, Oils, and Grease (F.O.G.) Program		x		N/A			
J. Optional Provisions							
Net/Gross adjustments	403.15	x		N/A			Adopted? Yes **No**
Convert concentration limits to mass limits	403.6(c)(5)	x		N/A			Adopted? Yes **No**
Convert mass limits to concentration limits	403.6(c)(6)	x		N/A			Adopted? Yes **No**
Reduce periodic compliance reporting (middle Tier CIU)	403.12(e)(3)	x		N/A			Adopted? Yes **No**
Other special agreement or waivers (excluding wavier of National Categorical Pretreatment Standards)		x					Adopted? Yes **No**

Hauled Waste Reporting/Requirements		x		N/A			
Removal Credit	403.7	x		N/A			
Outside Jurisdictions/IGAs		x		N/A			

Attachment 2.1: CONTROL MECHANISM WORKSHEET

INDUSTRY NAME		**United Dairy, Inc.**					
PERMIT EFFECTIVE DATE		**12/22/2020**		PERMIT EXPIRATION DATE		**12/21/2023**	
PARAMETER	LOCAL LIMITS	CATEGORICAL STANDARD		PERMIT LIMIT		REQUIRED SAMPLE TYPE	REQUIRED SAMPLE FREQUENCY
		MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM		
Copper					Monitor	Composite	Quarterly
Zinc	10.1 lbs/d				Monitor	Composite	Quarterly
Oil & grease					200 mg/L	Grab	Monthly
BOD					Monitor	Composite	Monthly
COD					Monitor	Composite	Monthly
Total Solids					Monitor	Composite	Monthly
pH					5-10 SU	Grab	Monthly
Mercury	0.02 lbs/d						
Benzene	50 ug/L						
Toluene	50 ug/L						
Ethylbenzene	50 ug/L						
Xylene	50 ug/L						
Polynuclear Aromatic Hydrocarbons	50 ug/L						

Sampling Worksheet

INDUSTRY NAME	United Dairy, Inc.				
CONTROL AUTHORITY MONITORING					
DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)	DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
11/01/21 – O&G*[1]		Y	5/25/22 – MH1		O&G - Y
	O&G, metals, BOD,COD, TS[2]		6/20/22 – MH1		O&G - Y
1/30/22 – MH1		Y - pH[3]	7/24/2022 – MH1		O&G – Y
3/27/22 – MH2		Y – O&G	MH2 – 8/29/22		O&G – Y[4]
4/24/22 – MH2		Y – O&G		Sept, Oct, Nov, Dec.[5]	
11/1/2021 – MH1, MH2[6]		Y- O&G	6/17/2021 – MH1, MH2, MH4		Y- pH
1/20/21 – MH1, MH4		Y- pH	10/26/2021 – MH1		Y – O&G
2/16/2021 – MH1		Y - pH	10/26/2021 – MH2		Y- pH
2/16/2021 – MH2, MH4		Y – O&G	11/21/2021 – MH2		Y- O&G

[1] * the control authority sampled through PACE
[2] No samples provided for the Control Authority sampling in 2022. Note on record indicate sampling by Control authority would occur on the 4th quarter of 2022 but didn't see this record.
[3] No resample available post violati0on of pH limits at MH1
[4] No resample provided after violation
[5] No samples submitted for BOD, COD, TS, metals, or pH for the months of September through December of 2022
[6] Sampled by CSB

<table>
<tr><td colspan="2">INDUSTRY NAME</td><td colspan="4">United Dairy, Inc.</td></tr>
<tr><td>4/28/2021 – MH4</td><td></td><td>Y- pH</td><td>12/19/2021 – MH1</td><td></td><td>Y – O&G</td></tr>
<tr><td colspan="6">INDUSTRIAL USER SELF-MONITORING</td></tr>
<tr><td>IS THIS A RESAMPLE?</td><td>REPORT
DUE DATE</td><td>REPORT
RECEIVED</td><td>SAMPLE
DATE(S)</td><td>POLLUTANTS
NOT SAMPLED</td><td>VIOLATIONS?
(Y/N/PARAMETER)</td></tr>
<tr><td>Y</td><td>5/24/22</td><td></td><td>5/22/22</td><td></td><td></td></tr>
<tr><td>Y</td><td>6/25/22</td><td></td><td>6/17/22</td><td></td><td>Y – O&G</td></tr>
<tr><td>Y</td><td>7/20/22</td><td></td><td>9/4/22</td><td></td><td>Y – O&G</td></tr>
<tr><td>Y</td><td>8/24/2022</td><td></td><td>9/1/2022</td><td></td><td></td></tr>
</table>

Enforcement Worksheet

INDUSTRY NAME					
DATE OF VIOLATION	TYPE OF VIOLATION	TYPE OF ACTION AND DATE	ERP REQUIRED RESPONSE	IU RESPONSE DATE	DATE COMPLIANCE ACHIEVED
February 25, 2022	Failure to pretreat water, failure to report potential problems in discharged waters, failure to properly O&M treatment system, failure to halt discharge to maintain compliance with permit.	Notice of violation (NOV-109-1-2022): included action items requiring a corrective action plan, installation of temporary pretreatment system, and pH chart recorder from which UDI will send CSB weekly records of pH levels, and disconnecting the untreated water from pallet and case washers to the pretreatment system; penalty of $31,000 by 4/1/22	NOV, penalties	3/15/2022 and again 3/31/2022: description of temporary pH pretreatment system, periodic pH monitoring sent to CSB, and penalties paid	3/31/2022
January 18, 2021	Discharge of 978 gallons of raw milk into the POTW	Notice of violation (NOV-109-2021): required action items by 2/22/2021 include sending training material along with roster of employees needing training for tankman/ gasket installation	NOV	2/18/2021	2/18/2021

INDUSTRY NAME					
DATE OF VIOLATION	TYPE OF VIOLATION	TYPE OF ACTION AND DATE	ERP REQUIRED RESPONSE	IU RESPONSE DATE	DATE COMPLIANCE ACHIEVED
February 25, 2022	Failure to send DMRs to CSB, or notify/resample after pH and oil&grease violations in DMR reports	Notice of violation (NOV 109-2-2022), response to why DMRs weren’t sent to CSB and why no notification was given of pH and oil&grease violations and paid penalty ($2,000) – on or before 4/1/2022	NOV, penalty	4/7/2022	?

Attachment 2.2: CONTROL MECHANISM WORKSHEET

INDUSTRY NAME		**City of Charleston Sanitary Landfill**					
PERMIT EFFECTIVE DATE		**12/22/2020**		PERMIT EXPIRATION DATE		**12/21/2023**	
PARAMETER	LOCAL LIMITS	CATEGORICAL STANDARD		PERMIT LIMIT		REQUIRED SAMPLE TYPE	REQUIRED SAMPLE FREQUENCY
		MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM		
BOD	N/A	N/A	N/A	380 lbs/day 7-day	400 lbs/day	24-HR COMPOSITE	4/WEEK
pH	N/A	N/A	N/A	N/A	6-10	GRAB	1/WEEK
TOTAL FLOW	N/A	N/A	N/A	N/A	100,000 gpd	METER	CONTINUOUS
CONDENSATION	N/A	N/A	N/A	6,000 gpd Total	4.17 gpm	METER	CONTINUOUS
AMMONIA	N/A	N/A	N/A	275 lbs/day 7-day	300 lbs/day	24-HR COMPOSITE	4/WEEK
TDS	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	1/WEEK
CHLORIDES	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	1/WEEK
STORAGE TANK LEVEL	N/A	N/A	N/A	Monitor Only	Monitor Only	TANK GAUGE	1/DAY
COD	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	1/MONTH
TSS	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	1/MONTH
ARSENIC	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR

INDUSTRY NAME		City of Charleston Sanitary Landfill					
PERMIT EFFECTIVE DATE		**12/22/2020**		PERMIT EXPIRATION DATE		**12/21/2023**	
PARAMETER	LOCAL LIMITS	CATEGORICAL STANDARD		PERMIT LIMIT		REQUIRED SAMPLE TYPE	REQUIRED SAMPLE FREQUENCY
		MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM		
CADMIUM	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR
CHROMIUM	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR
COPPER	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR
CYANIDE	N/A	N/A	N/A	Monitor Only	Monitor Only	GRAB	4/YEAR
LEAD	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR
MERCURY	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR
NICKEL	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR
SILVER	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR
ZINC	N/A	N/A	N/A	Monitor Only	Monitor Only	24-HR COMPOSITE	4/YEAR

Sampling Worksheet

INDUSTRY NAME		**City of Charleston Sanitary Landfill**			
CONTROL AUTHORITY MONITORING					
DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)	DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
9/16/2021	N/A	N	N/A	N/A	N/A
INDUSTRIAL USER SELF-MONITORING					
IS THIS A RESAMPLE?	REPORT DUE DATE	REPORT RECEIVED	SAMPLE DATE(S)	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
N	3/1/2021	2/11/2021	January 2021	N/A	N
N	4/1/2021	3/12/2021	February 2021	N/A	N
N	5/1/2021	4/14/2021	March 2021	N/A	N
N	6/1/2021	5/12/2021	April 2021	N/A	Y (Limit Exceedances)
Y	7/1/2021	6/7/2021	May 2021	N/A	N
N	8/1/2021	7/19/2021	June 2021	N/A	N
N	9/1/2021	8/16/2021	July 2021	N/A	N
N	10/1/2021	9/10/2021	August 2021	N/A	N
N	11/1/2021	10/28/2021	September 2021	N/A	N
N	12/1/2021	11/29/2021	October 2021	N/A	N
N	1/1/2022	1/12/2022	November 2021	N/A	Y (Late Submission, COVID-related)

INDUSTRY NAME		**City of Charleston Sanitary Landfill**			
N	2/1/2022	1/28/2022	December 2021	N/A	N
N	3/1/2022	2/24/2022	January 2022	N/A	N
N	4/1/2022	3/15/2022	February 2022	N/A	N
N	5/1/2022	4/8/2022	March 2022	N/A	N
N	6/1/2022	5/18/2022	April 2022	N/A	N
N	7/1/2022	6/27/2022	May 2022	N/A	N
N	8/1/2022	7/28/2022	June 2022	N/A	N
N	9/1/2022	8/18/2022	July 2022	N/A	N
N	10/1/2022	9/14/2022	August 2022	N/A	N

Enforcement Worksheet

INDUSTRY NAME		**City of Charleston Sanitary Landfill**			
DATE OF VIOLATION	TYPE OF VIOLATION	TYPE OF ACTION AND DATE	ERP REQUIRED RESPONSE	IU RESPONSE DATE	DATE COMPLIANCE ACHIEVED
4/8-14/2021	Exceedances (2) of daily maximum limit for NH_3-N.	No action.	N/A	N/A	Resampled.
4/15-21/2021	Exceedance (1) of daily maximum limit for NH_3-N.	No action.	N/A	N/A	Resampled.

Attachment 2.3: CONTROL MECHANISM WORKSHEET

INDUSTRY NAME		**Charleston Area Medical Center General Hospital**					
PERMIT EFFECTIVE DATE		**12/30/2020**		PERMIT EXPIRATION DATE		**12/29/2023**	
PARAMETER	LOCAL LIMITS	CATEGORICAL STANDARD		PERMIT LIMIT		REQUIRED SAMPLE TYPE	REQUIRED SAMPLE FREQUENCY
		MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM		
Zinc					Monitor-only	Composite	Semi-annually
TSS					Monitor-only	Composite	Semi-annually
BOD					Monitor-only	Composite	Semi-annually
COD					Monitor-only	Composite	Semi-annually

Sampling Worksheet

INDUSTRY NAME	**Charleston Area Medical Center General Hospital**				
CONTROL AUTHORITY MONITORING					
DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)	DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
12/7-8/2021	N	N			
8/9-10/2022	BOD*	N			
8/15-16/2022 BOD Sampled*	N/A	N			
NOTHING FURTHER PROVIDED					
INDUSTRIAL USER SELF-MONITORING					
IS THIS A RESAMPLE?	REPORT DUE DATE	REPORT RECEIVED	SAMPLE DATE(S)	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
N		7/14/2021	6/23-24/2021	-	N
N		1/10/2022	12/20-21/2021	BOD	N
N		7/25/2022	6/28-29/2022	-	N
NOTHING FURTHER PROVIDED					

Enforcement Worksheet

INDUSTRY NAME		**Charleston Area Medical Center General Hospital**			
DATE OF VIOLATION	TYPE OF VIOLATION	TYPE OF ACTION AND DATE	ERP REQUIRED RESPONSE	IU RESPONSE DATE	DATE COMPLIANCE ACHIEVED
N/A	N/A				

Attachment 2.4: CONTROL MECHANISM WORKSHEET

INDUSTRY NAME		**Charleston Area Medical Center Memorial Hospital**					
PERMIT EFFECTIVE DATE		**12/30/2020**		PERMIT EXPIRATION DATE		**12/29/2023**	
PARAMETER	LOCAL LIMITS	CATEGORICAL STANDARD		PERMIT LIMIT		REQUIRED SAMPLE TYPE	REQUIRED SAMPLE FREQUENCY
		MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM		
Zinc					Monitor-only	Composite	Semi-annually
TSS					Monitor-only	Composite	Semi-annually
BOD					Monitor-only	Composite	Semi-annually
COD					Monitor-only	Composite	Semi-annually
Cyanide					Monitor-only	Grab	Semi-annually
Mercury					Monitor-only	Composite	Semi-annually
pH			5-10 SU		Monitor-only	Grab	Weekly

Sampling Worksheet

INDUSTRY NAME	Charleston Area Medical Center Memorial Hospital				
CONTROL AUTHORITY MONITORING					
DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)	DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
12/14/21	Mercury, pH	N			
9/7-9/8/2022	N	N			
INDUSTRIAL USER SELF-MONITORING					
IS THIS A RESAMPLE?	REPORT DUE DATE	REPORT RECEIVED	SAMPLE DATE(S)	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
N	8/1/21	7/22/2021	1/21-6/25/2021	-	N
N	2/1/22	1/24/2022	7/2-12/31/2021	-	N
N	8/1/22	7/22/2022	1/3-6/27/2022	-	N
NOTHING FURTHER PROVIDED					

Enforcement Worksheet

INDUSTRY NAME		**Charleston Area Medical Center Memorial Hospital**			
DATE OF VIOLATION	TYPE OF VIOLATION	TYPE OF ACTION AND DATE	ERP REQUIRED RESPONSE	IU RESPONSE DATE	DATE COMPLIANCE ACHIEVED
N/A	N/A				

Attachment 3: PERMIT FORM REVIEW – United Dairy, Inc.

As part of the audit conducted of the pretreatment program of the Charleston Sanitation Board, a review of a sample permit was conducted. For this review, the permit issued to United Dairy, Inc., effective December 22, 2020, was used. In addition to the key elements of the permit that are evaluated during the file review, a review of the permit was conducted to evaluate consistency with the General Pretreatment Regulations (including the October 14, 2005 amendments) and local ordinances. Even where the permit is not inconsistent with EPA regulations or local ordinances, the provisions of the permit have been reviewed for suggested wording changes to strengthen or clarify the permits. Comments detailed below are intended to clarify the notations on the attached permit. Typographical errors identified during the review are noted on the attached copy of the reviewed permit.

General:

It is unclear whether this specific user is subject to any best management requirements (spill/slug control would often fall within the definition of best management practices) based on the narrative currently included in the permit. Based on the streamlining amendments to EPA's pretreatment regulations, if the user is subject to any best management practice requirements, to implement the pretreatment requirements and local limits, these BMP requirements **must** be included in the permit. In addition, where best management practices apply, the user **must** be required to provide documentation demonstrating compliance with the best management practices.

Missing Provisions:

- While Section III(B.) of the permit application has information regarding the authorized Wastestream discharged from the wastewater treatment plant, the permit does not include language identifying the specific waste stream authorized for discharge. A short description of the authorized Wastestream discharged from this facility should be included in the permit going forward.
- The permit does not include notification of appeal rights. It is strongly recommended that CSB include language specifying the process to appeal a permit in the permit's narrative.
- The permit does not list the local limit pertaining to the United Dairy. Moreover, the effluent limits as they appear on the permit for United Dairy are not consistent with the local limits listed on CSB's SUO. The Industrial user permit should have effluent limits consistent with the local limits on the City's SUO, per 40 cfr 403.8(f)(1)(B)(3). If the CSB wishes for the Dairy to use the effluent limits as they currently appear on their permit, then CSB needs to make amendments to their SUO to include such effluent limits in the place of the local limits currently listed on the SUO or include language to allow for limit variances in their SUO.
- The permit did not include narrative clarifying the requirement for a slug control plan. If CSB has determined that a slug control plan is necessary for this Industrial User (IU), then CSB is required to include such a requirement in the IU permit, per 40 cfr 403.8(f)(1)(B)(6). If this is the case for United Dairy, please amend the permit language to include slug control requirements.
- There was no language concerning upset and bypass provisions on the permit. CSB must add language concerning regarding upset per 40 cfr 403.16 or bypass per 40 cfr 403.17.
- Currently the IU permit doesn't have language requiring the notification of hazardous wastes. Please add language requiring notification of hazardous wastes in the IU discharge consistent with 40 cfr 403.12(p) or incorporate it by reference, in part II of the permit.

- The IU permit does not have language which gives CSB the right to enter all parts of the facility at reasonable times, or inspect for compliance, or take independent samples, or to view and copy records. CSB must include language authorizing the board the right to enter the Industrial user at will at reasonable times for the aforementioned reasons, per 40 cfr parts 403.8(f)(1)(iv-vii) and 403.12(o)(2).
- The permit language did not include a prohibition against dilution as treatment. CSB is required to add language to prohibit using dilution as treatment, per 40 cfr 403.6(d).
- The permit language did not include a requirement to conduct representative sampling, per 403.12(g)(3). CSB is required to update he permit to include such requirement for representative samples in its language.

Language Needing Amendments:

- Please include the following language on page 4 for prohibition #8, to be consistent with 40 cfr 403.5(b)(7): "…may cause acute worker health and safety problems"
- While Part II subpart G of the industrial user permit includes requirements to report slug discharges, the narrative lacks consistency with regulatory language at 403.8(f)(2)(vi). Please amend the permit language at part II subpart G to be consistent with such regulatory language.
- Part II, subpart C of the IU permit does not include a requirement to maintain sample type information from monitoring activities, which is a required streamlining provision. Please added language describing the required sample collection procedures or sample types for monitoring activities, per 403.12(g)(3)&(4).
- The statement of non-transferability on Part III subpart G of the permit is missing the requirement to provide a copy of the control mechanism to new owner/operator before finalizing permit transfers, per 403.8(f)(1)(B)(2). Please amend this language to include such requirement.
- While Page 7 of the permit includes the title of "responsible corp. official" and its definition per CSB's SUP by reference, the permit does not include an adequate definition for "Authorized representative". CSB must add the definition for Authorized representative of the user, consistent with the regulatory language at 40 cfr 403.12(l), to the permit.

Permit Review Checklist – United Dairy, Inc.

Permit Provision	Revision			Section
	None	Rec	Req	
➢ Is the permit signed by the appropriate POTW representative?	Y			
➢ Is the permit inappropriately signed by an IU representative?	Y			
➢ Are the permit pages numbered?	Y			

Permit Provision	Revision			Section
	None	Rec	Req	
➢ Does the permit identify the specific wastestreams authorized for discharge?		N		Section III(B) of permit application has this information, but not on permit.
Does the control mechanism include acceptable language for:				
➢ legal authority cite?	Y			p.1, cover page
➢ issuance, expiration, and effective date?	Y			p.1, cover page
➢ notification of appeal rights?		N		
➢ requirement to reapply before expiration?	Y			p.1, cover page
➢ effluent limits including all local limits?			N	Effluent limits, p.2, part I.A. No local limits listed on the permit. CSB SUO's local limits are inconsistent with the effluent limits in United Dairy, Inc.'s permit.
➢ BMP requirements?	Y			
➢ sampling location?	Y			
➢ sampling frequency?	Y			p.2, part I.B.
➢ sample type?	Y			p.2, part I.B.
- correct use of grab/composite samples?	Y			p.2, part I.B.
➢ slug control requirements?			N	
➢ all prohibitions included?			N	p. 4, toxic substances prohibition

Permit Provision	Revision			Section
	None	Rec	Req	
➢ upset & bypass consistent with ordinance and 40 CFR 403?			N	
➢ industrial user reporting requirements:				
- self-monitoring reports?	Y			
- BMP compliance reports?		N		
- notice of potential problems, incl. slugs?	Y			
- resampling requirement?	Y			
- use of 136 methods?	Y			
- report more frequent monitoring?	Y			
- notification of changed discharge?	Y			
- notification of facility change affecting slug discharge potential?			N	Part II subpart (G.) of permit includes requirement to report slug discharges, but lacks consistency with regulatory language at 403.8(f)(2)(vi)
- record-keeping requirements:				
✓ maintain for 3 years?	Y			
✓ sample date?	Y			
✓ sample time?	Y			
✓ sample location?	Y			
✓ sample type?	Y			
✓ name of sampler(s)?	Y			
✓ sample preservation?	Y			
✓ analyses dates?	Y			
✓ name(s) of analyst?	Y			

Permit Provision	Revision			Section
	None	Rec	Req	
✓ analytical methods?	Y			
✓ analytical results?	Y			
✓ BMP compliance information?		N		Language regarding use of BMP to implement program limits is unclear. Unsure if BMPs used in place of local limits
- signatory requirement?	Y			
- certification statement?	Y			
- hazardous waste notification?			N	
➢ right of entry?			N	
➢ penalty provisions?	Y			
➢ non-transferability?			N	
➢ revocation of permit?	Y			
➢ dilution prohibition?			N	
➢ representative sampling?			N	
➢ correct definition of SNC?	Y			
➢ correct definition of authorized representative?	Y			
➢ other conditions (list)?				
-				

Attachment 4.1: INDUSTRIAL USER VISIT REPORT			
Date:	01/26/2023	Time:	9:21 AM
Industry name:	United Dairy, Inc.		
Address:	508 Roane St, Charleston, WV 25302		

Contact name(s)	Title	Phone
James Ward	Maintenance Manager	N/A
Charlie Edgar	Plant Manager	N/A
Scotty Wallmack	Quality Control	N/A
Persons conducting visit:		
Name	Title	Affiliation
Aron Possler	Life Scientist	U.S. EPA Region 3
Natalie Sanchez-Gonzalez	Life Scientist	U.S. EPA Region 3
Margaret Green	Life Scientist	U.S. EPA Headquarters
Ryan Shuart	Life Scientist	U.S. EPA Region 3
James Kline	Physical Scientist	U.S. EPA Region 3
Netar Wadhwa	Pretreatment Coordinator	WVDEP
Tim Haapala	Operations Manager	CSB
Erik Roberts	Environmental Compliance Manager	CSB
Linda Hammonds	Environmental Compliance Technician	CSB

Purpose for visit:	Observed inspection by the Charleston Sanitary Board.
Brief facility description:	Food processing, milk.
Comments/Findings:	Refer to Section X: Findings, Requirements, and Recommendations of the POTW Pretreatment Program Audit Report.

Attachment 4.2: INDUSTRIAL USER VISIT REPORT			
Date:	01/26/2023	Time:	1:33 PM
Industry name:	City of Charleston Sanitary Landfill		
Address:	741 S Park Rd, Charleston, WV 25304		

Contact name(s)	Title	Phone
Craig Arnold	District Manager	N/A
Persons conducting visit:		
Name	Title	Affiliation
Aron Possler	Life Scientist	U.S. EPA Region 3
Natalie Sanchez-Gonzalez	Life Scientist	U.S. EPA Region 3
Margaret Green	Life Scientist	U.S. EPA Headquarters
Ryan Shuart	Life Scientist	U.S. EPA Region 3
James Kline	Physical Scientist	U.S. EPA Region 3
Netar Wadhwa	Pretreatment Coordinator	WVDEP
Tim Haapala	Operations Manager	CSB
Erik Roberts	Environmental Compliance Manager	CSB
Linda Hammonds	Environmental Compliance Technician	CSB

Purpose for visit:	Observed inspection by the Charleston Sanitary Board.
Brief facility description:	Waste management, landfill.
Comments/Findings:	Refer to Section X: Findings, Requirements, and Recommendations of the POTW Pretreatment Program Audit Report.

Attachment 5: AUDIT ACTION ITEMS — Charleston Sanitary Board (CSB)

Audit Date — January 25–26, 2023

Findings	Status	Completion Date (Estimate)
Legal Authority		
Several required and recommended revisions to CSB's sewer use ordinance. Refer to Section X, Subsection A and Attachment 1 of the audit report.		
Application of Standards		
Local limits in the SUO are not approved by WVDEP.		
CSB applies limits within industrial user discharge permits with no justification or approved local limits.		
Pollutants that have caused or contributed to historic P/I do not maintain local limits.		
CSB allocates a local limits MAIL value of "0 lbs/day" or "monitor only" for several SIUs.		
CSB does not document allocation of local limits MAIL.		

Findings	Status	Completion Date (Estimate)
The term "medical wastes" is inconsistent with the prohibition of sewering "hazardous waste pharmaceuticals".		
Control Mechanism		
Several required and recommended revisions to the industrial user discharge permit template. Refer to Section X, Subsection C and Attachment 3 of the audit report.		
United Dairy: The industrial user discharge permit does not maintain good housekeeping practices.		
Compliance Monitoring		
Several SIU sampling locations are not fully accessible.		
Several outfalls of SIUs are not sampled, with no justification provided.		

Findings	Status	Completion Date (Estimate)
Inspection reports do not include the name of the inspector(s) or the time of the inspection. Sampling report do not include the name of the sampler. Chain of custody forms do not include the name or title of those involved.		
United Dairy: CSB conducts sampling on a regular schedule.		
United Dairy: CSB does not completely record meetings not considered as part of a "full inspection".		
United Dairy: The Audit Team noted historical and significant variations in BOD_5.		
Enforcement		
CSB does not maintain an ERP.		
United Dairy: CSB accepts prohibited discharge of "milk and milk products".		
Data Management & Public Participation		
Potential SIUs/CIUs are not surveyed in accordance with the definitions of SIUs/CIUs.		

Findings	Status	Completion Date (Estimate)
CSB accepts electronic DMRs from SIUs.		
CSB does not maintain a collection of one-time compliance reports for dental dischargers.		
CSB does not detail its Industrial Waste Survey inventory.		