

REPORT OF PRETREATMENT COMPLIANCE INSPECTION (PCI)

City of Topeka, Kansas

1115 Poplar Street
Topeka, Kansas 66616

NPDES Permit No.: KS0042722 and KS0042714

BY

U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION 7

ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION (ECAD)
WATER BRANCH / DRINKING WATER AND INSPECTIONS SECTION (WB/DWIS)

ON

NOVEMBER 18 TO 20, 2024

At the request of the Water Branch (WB), Enforcement and Compliance Assurance Division (ECAD), a pretreatment compliance inspection (PCI) was conducted of the Topeka, Kansas approved Pretreatment Program on November 18, 19, and 20, 2024. To direct the inspection, a checklist was used that evaluates all important elements of the Pretreatment Program. A copy of the checklist is attached to this report (Attachment 1). The inspection consisted of a discussion and file review with the Industrial Pretreatment program's staff and visit to three of the regulated industries. In addition, an evaluation of the city's Biosolids Management Program (Sludge) was conducted to determine the Pretreatment Program's effectiveness in protecting the sludge from metals contamination. This narrative report presents the findings of the PCI. Steve Caspers with the Kansas Department of Health and Environment (KDHE) was present for this PCI.

PARTICIPANTS

City of Topeka- Water Pollution Control Division (WPCD), Utilities Department

- David Murray, Pretreatment Coordinator, WPCD dmurray@Topeka.org
- Sylvan Coles, Section Chief, WPCD – Biosolids scoles@Topeka.org
- Jed Fetterhoof, Biosolids Supervisor III jfetterhoof@topeka.org

KDHE-Bureau of Water-Industrial Program Section

- Steve Caspers, Pretreatment Specialist Steve.Caspers@ks.gov

U.S. Environmental Protection Agency (EPA), Region 7

- Naji J. Ahmad, Environmental Engineer, ECAD/WB/DWIS Ahmad.Naji@epa.gov
- Beckett Nichols, Environmental Engineer, ECAD/WB/DWIS Nichols.Beckett@epa.gov
- Justin Kensinger, Pretreatment Coordinator, WD/PWD Kensinger.Justin.R@epa.gov

Industrial Pretreatment Program Overview and Facilities Description

The City of Topeka owns and operates two Wastewater Treatment Plants (WWTPs). The Oakland WWTP is the city's principal plant. This activated sludge plant is permitted under the Kansas National Pollutant Discharge Elimination System (NPDES) permit number KS0042722 that will expire on January 1, 2027. The North Topeka Municipal WWTP is permitted under NPDES permit number KS0042714 that will expire on December 31, 2024. Mr. Murry indicated, the city had submitted the renewal, and it hadn't been approved at the time of the inspection.

In addition, the city operates the Sherwood WWTP which is owned by Shawnee County Board of Commissioners.

The Topeka Industrial Pretreatment Program (IPP) was originally approved on July 8, 1981, and was enforced under the Topeka's Sewer Use Ordinance (SUO) number 16388 that was approved on July 12, 1991. The current ordinance Title 13, Chapter 13.5 was jointly approved by the EPA and the Kansas Department of Health and Environment (KDHE) along with the Enforcement Response Plan (ERP) (Attachment 2) on June 29, 2018.

Chapter 13.5 establishes the authority to implement and enforce its Pretreatment Program, such as issuing permits for a duration not to exceed five years; requiring the submittal of permit renewal applications prior to the expiration date; the right to inspect industrial users, sample industrial users, enforce the Federal, State, and local pretreatment regulations. The enforcement authority listed in the municipal code allows the city to seek penalties for violations of the pretreatment program up to 1,000 dollars; however, the language in the municipal code does not meet the requirements of 40 CFR 403.8(f)(1)(vi) to require penalties of at least \$1,000 per day per violation.

The last documented formal Industrial Waste Survey (IWS) was conducted in 2014. The Topeka IPP currently regulates twenty industries that make up about eighteen percent (18%) of the two WWTPs actual dry weather flows. Of the twenty industries, ten are categorical industries (CIU) all of which are subject to the Metal Finishing Categorical Standard 40 CFR Part 433. Five of the remaining regulated significant industrial users (SIU) are food processing, three are pet food producers, one is an industrial laundry facility, and one is a railroad maintenance facility. Two of the twenty regulated industries: Harris Fabrication (CIU) and Mainline Printing (CIU) are zero-discharge industries. All industries have a current unexpired 5-year cycle permit, and all were inspected by the city in the past twelve months.

On January 28, 2018, the Topeka IPP sent out the One-Time Compliance Report (OTCR) questionnaire to 108 dental offices located within the city limits as required by the Dental Amalgam Rule 40 CFR Part 441. Of the 108 questionnaires sent out, the city verified a total of 55 actual dental offices, fourteen were exempt from the rule, and 41 complied with the rule. Mr. David Murray continues to send the OTCR to new offices as necessary.

Local limits were approved on November 10, 1990, for two metals: zinc (2.61mg/l) and lead (1.76 mg/l) based on the 1990 evaluation of the Maximum Allowable Headworks Loading (MAHL) and Maximum Allowable Industrial Loading (MAIL) calculations for the Oakland

WWTP only. In 1991 a local limit for silver (0.57mg/l) was added.

On June 20, 2018, EPA and KDHE completed the local limits calculation for the Oakland WWTP and for the North Topeka Municipal WWTP, based on data provided by the city (Attachment 3). These limits were approved by EPA and KDHE on December 6, 2018. However, the city did not need to enforce the more stringent local limits in permits, since the calculated limits were well below the MAHL, since the industrial base has remained stable. In addition, since the construction of the North Topeka Municipal WWTP plant upgrade was delayed, the city decided to hold off on doing any sampling and re-calculating the limits for that plant, until after the plant was upgraded.

The Topeka IPP does not collect permit fees, sampling fees, or inspection fees, to cover some of the cost of implementing the program. However, Mr. Murray mentioned that user surcharges imposed on industries cover the cost of implementing the program which he believes is adequate for proper implementation.

Industrial Inspections/visits

During the PCI we selected and visited three of the city's regulated industries.

Mainline Printing: is a zero-discharge holographic card printing facility that is currently determined to be subject to the Metal Finishing Categorical Standard 40 CFR Part 433. However, KDHE sought clarification from the EPA to assist in making the correct determination of the appropriate categorical standard. On January 2, 2025, Justin Kensinger determined that after discussions with Jan Pickrel and Ahmar Siddiqui from EPA's Office of Water that the most applicable categorical standard for the industry would be 40 CFR Part 433 due to the process of electroforming is similar to electroplating and coating.

Reser's Fine Foods: the facility had issues with submitting their quarterly compliance monitoring reports as required by the permit. Mr. Murray issued a notice of violation in July 2024 and classified the facility to be in significant noncompliance for reporting (SNC-R) for first half of 2024. We decided to perform a site visit of the facility to discuss the reason causing this issue. It was determined, based on our conversation with facility personnel, that personnel turn-over and staff changes are the reason. The facility, as a corrective action to prevent the issue from re-occurring, is establishing automatic calendar reminders for several personnel, to remind them of the required sampling and the due date of the quarterly reports.

Harris Fabrication: is subject to the Metal Finishing Categorical Standard 40 CFR Part 433. The facility was inspected to evaluate the city's Pretreatment Coordinator inspection performance. Mr. Murray conducted a very good inspection that included a records review and facility walkthrough.

Sludge Management

One function of the pretreatment program is to protect the WWTP's sludge from metals contamination. As part of the PCI, the most recent calendar year's annual sludge report and sludge monitoring data (Attachment 5) was reviewed to determine the pretreatment program's effectiveness. Below are the tables that compare the WWTP's peak observed metals levels for 2023 against the statutory ceiling and the WWTPs average level against the exceptional quality

(EQ) sludge level specified by the 40 C.F.R. Part 503 Sludge regulations. Because the city sampled its sludge once every two months, the monthly average is the maximum value observed.

Table 1, 2023 Oakland WWTP Sludge Quality (mg/kg)

Pollutant	503 Ceiling	503 EQ	Max	Mo. Avg.	Max/Ceiling	Avg./EQ
Arsenic (As)	75	41	6.9	6.9	9.20%	16.83%
Cadmium (Cd)	85	39	3.5	3.5	4.12%	8.97%
Copper (Cu)	4,300	1,500	298	298	6.93%	19.87%
Lead (Pb)	840	300	74	74	8.81%	24.67%
Mercury (Hg)	57	17	0.34	0.34	0.60%	2.00%
Molybdenum (Mo)	75	----	18.2		24.27%	
Nickel (Ni)	420	420	34.2	34.2	8.14%	8.14%
Selenium (Se)	100	36	10.4	10.4	10.40%	28.89%
Zinc (Zn)	7,500	2,800	935	935	12.47%	33.39%

Table 2, 2023 North Topeka Municipal WWTP Sludge Quality (mg/kg)

Pollutant	503 Ceiling	503 EQ	Max	Mo. Avg.	Max/Ceiling	Avg./EQ
Arsenic (As)	75	41	14.8	14.8	19.73%	36.10%
Cadmium (Cd)	85	39	7.4	7.4	8.71%	18.97%
Copper (Cu)	4,300	1,500	212	212	4.93%	14.13%
Lead (Pb)	840	300	38.3	38.3	4.56%	12.77%
Mercury (Hg)	57	17	0.69	0.69	1.21%	4.06%
Molybdenum (Mo)	75	----	29.7		39.60%	
Nickel (Ni)	420	420	15.2	15.2	3.62%	3.62%
Selenium (Se)	100	36	22.2	22.2	22.20%	61.67%
Zinc (Zn)	7,500	2,800	536	536	7.15%	19.14%

Table 3, 2023 Sherwood WWTP Sludge Quality (mg/kg)

Pollutant	503 Ceiling	503 EQ	Max	Mo. Avg.	Max/Ceiling	Avg./EQ
Arsenic (As)	75	41	5.9	5.9	7.87%	14.39%
Cadmium (Cd)	85	39	3	3	3.53%	7.69%
Copper (Cu)	4,300	1,500	284	284	6.60%	18.93%
Lead (Pb)	840	300	15.8	15.8	1.88%	5.27%
Mercury (Hg)	57	17	0.25	0.25	0.44%	1.47%
Molybdenum (Mo)	75	----	18.8		25.07%	
Nickel (Ni)	420	420	17.9	17.9	4.26%	4.26%
Selenium (Se)	100	36	8.9	8.9	8.90%	24.72%
Zinc (Zn)	7,500	2,800	869	869	11.59%	31.04%

All sludge generated at the North Topeka Municipal WWTP is trucked to the Oakland WWTP. The majority of the generated biosolids are either land applied or sent to the land fill as cover. Small amounts are kept on storage at the WWTP. The city also generates small amount of Class A sludge at the Oakland WWTP.

In 2023, the Oakland WWTP produced 3,704 dry metric tons (dmt) of Class B sludge and land applied 3,600 dmt (some carry over from previous year), sent off 217 dmt to the landfill, and 19 dmt are kept in storage. In 2023, the North Topeka Municipal WWTP produced 953 dmt of Class B sludge and land applied 677 dmt, sent off 257 dmt to the landfill, and 19 dmt are kept in storage.

Observations

- 1 Prior to the PCI, Mr. Murray and Mr. Steve Caspers were working on correcting the penalty structure included in the Topeka SUO to correspond to the general pretreatment regulation penalty structure under 40 CFR 403.8(f)(1)(vi) that reads, *“Obtain remedies for noncompliance by any Industrial User with any Pretreatment Standard and Requirement. All POTW's shall be able to seek injunctive relief for noncompliance by Industrial Users with Pretreatment Standards and Requirements. All POTWs shall also have authority to seek or assess civil or criminal penalties in at least the amount of \$1,000 a day for each violation by Industrial Users of Pretreatment Standards and Requirements.”*

Sections 13.15.140(b)&(c) of the current Topeka Municipal Code reads,

“(b)The following administrative monetary penalties shall apply to violations of the provisions relating to the introduction of industrial or hazardous waste into the POTW:

(1)One hundred dollars per violation for a first violation.

(2)Five hundred dollars per violation for a second violation within a continuous 12-month period of the first violation.

(3)One thousand dollars per violation for a third or subsequent violation within a continuous 12-month period of the two previous violations.

(c)Notwithstanding the foregoing, the Utilities Director shall have the authority to impose an administrative monetary penalty of up to \$1,000 for a single violation which materially inhibits or disrupts the POTW or causes it to violate a requirement under its NPDES permit. (Ord. 20089 §41, 10-17-17.).”

2. As mentioned above, the last IWS using questionnaires was done in 2014 but after that date the city decided to continuously updated their SIU list using other means. The federal regulation [40 CFR 403.8(f)(2)(i) and 40 CFR 122.44(j)(1)] was met since the city identified and located all industrial users' that might be subject to the Pretreatment program. The SIU list is updated and submitted to the approval authority annually as part of the annual pretreatment report [40 CFR 403.8(f)(2)(i)-(ii) and 40 CFR 403.12(i), respectively] and is sent to KDHE and EPA in a semi-annual report.
3. During the EPA's 2021 PCI , I pointed out that the previous ERP under Section II.2 requires the IPP to send out “Industrial Questionnaires” on a periodic basis to industries that were

surveyed in the past and determine not to be SIUs. The need for a survey shall be evaluated at least every five years and completed questionnaires shall be reviewed by the Industrial Pretreatment Coordinator. At the time of the 2021 PCI there were no records that indicate the IPP followed this requirement.

After the 2021 PCI, the IPP revised the ERP and removed the sentence requiring they had to evaluate the need for an IWS every five years, since they realized they were overly exceeding requirements in Part 403. The city was not required to submit a revised ERP for formal approval, since it was not considered to be a substantial program modification. Refer to the policy on what is considered a “Substantial Program Modification”.

4. Mr. Murray, the Pretreatment Coordinator, continues to show a strong knowledge of the pretreatment regulations, and continues to take adequate enforcement by flowing the ERP. Records are well organized, and Mr. Murray was able to answer questions and provided supporting documentations.
5. The Topeka IPP continues to maintain a good and effective Hauled Waste Program and maintains adequate records of all loads and volume of received waste (Attachment 4).
6. Industrial users permits are well written and permit renewal applications were received in a timely manner. In addition, industrial files are well organized and included the necessary documents.
7. The city has approximately 330 regulated entities under the Fat, Oil & Grease (FOG) ordinance Chapter 13.20. The FOG program is one Mr. Murray responsibilities.
8. The city of Topeka continues to manage and monitor an excellent Biosolids Program.

Conclusion and Recommendation

Overall, the City’s approved Pretreatment Program and Biosolids Management Program are well-established and well implemented. Mr. Murray has the strong technical knowledge that is necessary for implementing the IPP. However, Mr. Murray is responsible for several other programs within the city, and it appeared that not only is he the manager of the IPP, but he is the only staff member with pretreatment responsibilities or duties. Therefore, it is strongly encouraged that the city cross train additional qualified staff on the implementation of the IPP.

The city should ensure that all future modification the IPP should be reviewed and approved by the AA as needed.

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Naji J. Ahmad
Environmental Engineer

JOSEPH HEAFNER Digitally signed by JOSEPH HEAFNER
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Joe Heafner
Acting Supervisor, DWIS

ATTACHMENTS

1. Topeka 2024 Pretreatment Checklist
2. ERP
3. 2018 LL calculations
4. Hauled Waste Data
5. Sludge Annual Reports and Monitoring Data



Pretreatment Compliance Inspection

Date(s): November 18-20, 2024.

FY 2025

POTW:	CITY OF TOPEKA, KANSAS	Date of last PCI/Audit:
Address:	1115 Poplar Street Topeka, Kansas 66616	July 17 & 18, 2021/2018 (EPA)
Contact:	David Murray	NPDES Permit No.:
Title:	Industrial Pretreatment Coordinator	KS0042722 (Oakland) KS0042714 (North Topeka)
Phone:	785-368-4246	State Permit No.:
e-mail:	Dmurray@Topeka.org	M-KS72-I001, M-KS72-IO02
		Expiration Date:
		1/31/2027(O), 12/31/2024 (NT)

Participants

POTW: David Murray, IPC Sylvan Coles M.S., Section Manager Jed Fetterhoof, Bio Solids Supervisor III	Inspectors: Naji J. Ahmad, Environmental Engineer, EPA Justin Kensinger, EPA Pretreatment Coordinator Beckett Nicholas, Environmental Engineer, EPA Steve Caspers, Bureau of Water, KDHE
Period covered by this PCI/Audit: 2022-2024	

POTW Information

Total for ALL Treatment Plants (MGD)			
Design Daily Ave 16(Oak)+ 12 (NTP)	Actual Daily Ave. 12(Oak)+5.4 (NTP)	Design Peak: 32(Oak)+ 24 (NTP) 100WW (Oak)	% Industrial Flow: <18
Number of Plants: 2	% Combined Sewers: 4%	Type of Treatment at Principal Plant: Activated Sludge	
Sludge Disposal Method: Oakland: land App. 715, 554 Landfill, and 232.7 as daily cover for landfill North Topeka: Land app 677, 257 Landfill, and 19 storage <i>North Topeka WWT sludge is trucked to Oak</i>		Quantity (dry metric/tons/Y): 3704 (Oakland) 953 (North Topeka)	Receiving Stream: Kansas River

PART I: PROGRAM BACKGROUND INFORMATION

I.A. Approved Modifications to the Original Program

1.

Date of last NPDES permit modification:	Date of original Program approval:	7/8/1981
2017	Date NPDES Permit originally modified to require implementation [PTIM]:	10/15/1985

2. Approved Pretreatment Program modifications:

REQUIRED MODIFICATIONS	APPROVAL DATE	OTHER APPROVED MODIFICATIONS	APPROVAL DATE
PIRT SUO Revisions	7/12/1991		
List of SIUs [403.8(f)(6)]	3/14/1991	Local Limits	12/6/2018
Enforcement Response Plan	10/23/1991	Enforcement Response Plan	6/29/2018
DSS SUO Revisions	7/12/1991	SUO Revisions	6/29/2018
LOCAL LIMITS	11/10/1990	Ag Local Limit	4/24/1994

3. Is the POTW presently working on any program modifications? Yes . The city is currently working on correcting the SUO to comply with penalty structure with the federal regulations [40 CFR 403.8(f)(1)(vi)(A)].

4. Does the POTW have any program modifications currently being reviewed by the Approval Authority?
NO

I.B. Approved Program Contents

5. Authority to enforce Pretreatment Standards contained in:
SUO 7153 TITLE 13- Chapter 13

6. Date enacted or adopted: 6/29/2018

7. Approved Control Mechanism: PERMITS

Note: Italicized question numbers indicate that the question is data base supported.

8. What is the frequency required by the approved program/modifications for:

Activity	Non-categorical SIUs	Categorical SIUs*
POTW sampling of:	NA	NA
POTW inspection of:	NA	NA
SIU self-monitoring:	NA	NA
SIU reporting:	NA	NA

* For Categorical pollutants

9. What types of enforcement options are available through the approved program:

Y	Notice of Violation (NOV)
Y	Administrative Order (AO)
Y	Show Cause Hearing
Y	Establishment of Compliance Schedules
Y	Revocation of Permit
Y	Injunctive Relief
N	Fines; At least \$1000/day/violation [40 CFR 403.8(f)(1)(vi)(A)]
Y	Criminal Penalties
Y	Termination of Service

10. COMMENTS: Chapter 13.15.140(b)&(c) of the Topeka Municipal Code reads, “

(b)The following administrative monetary penalties shall apply to violations of the provisions relating to the introduction of industrial or hazardous waste into the POTW:

(1)One hundred dollars per violation for a first violation.

(2)Five hundred dollars per violation for a second violation within a continuous 12-month period of the first violation.

(3)One thousand dollars per violation for a third or subsequent violation within a continuous 12-month period of the two previous violations.

(c)Notwithstanding the foregoing, the Utilities Director shall have the authority to impose an administrative monetary penalty of up to \$1,000 for a single violation which materially inhibits or disrupts the POTW or causes it to violate a requirement under its NPDES permit. (Ord. 20089 § 41, 10-17-17.)

40 CFR 403.8(f)(1)(vi)(A) reads, “*Obtain remedies for noncompliance by any Industrial User with any Pretreatment Standard and Requirement. All POTW's shall be able to seek injunctive relief for noncompliance by Industrial Users with Pretreatment Standards and Requirements. All POTWs shall also have authority to seek or assess civil or criminal penalties in at least the amount of \$1,000 a day for each violation by Industrial Users of Pretreatment Standards and Requirements.*”

PART II: INTERVIEW QUESTIONS

II.A. Legal Authority and Jurisdiction

11. Have any Pretreatment modifications been made to the Sewer Use Ordinance since the last PCI/Audit that have not been approved by the Approval Authority. NO
12. List by name and location any SIUs that discharge to the POTW from outlying jurisdictions.
Ernest Spencer Metals (CIU); Adapa Inc. (CIU); Custom Cabinets and Racks (CIU).
 - a. Indicate which of the above are not covered by a contract/agreement requiring them to abide by the POTW's legal authority. NONE
13. Does the POTW have the authority to seek fines in at least the amount of \$1,000 a day for each violation per day? [403.8(f)(1)(vi)] NO.
14. If the POTW has not yet developed an Enforcement Response Plan when does the POTW feel it will complete this requirement? NA.
15. COMMENTS: The city working on the penalty structure.

II. B. Control Mechanism

16.General Information:

Type:	PERMITS	Issued to Noncategorical SIUs? [DSS: 403.8(f)(2)(i)]
Duration:	5 years	YES

- 17.Do all SIUs have current (unexpired) control mechanisms? {NOCM} YES
- 18.List by name those that do not and indicate which ones have not had a current control mechanism for 180 days or more. {RNC/SNC} NA

II.C. Hauled Wastes

19. Does the POTW accept hauled waste? (If "no," go to question 25)
YES. Septic, industrial, leachate, and grease (CITY have FOG Program in place).
 - a. if so describe (include approx. no. of loads per month): 368.6 septic loads and 29.45 grease loads
Septage Total 2,505,828 gallons MPG Ingredients total 2,020,197 gallons
Grease Total 679,045 gallons Seaboard total 398,318 gallons
Leachate Total 10,019,885 gallons
 - b. How does the POTW ensure that it does not accept hazardous waste?
Random sampling and inspection of BOD, TSS, pH, O/G, and grease haulers complete grease intercepts forms and septic haulers provide manifest.
20. Does the POTW have a control mechanism for regulating waste haulers, and if so describe.
Yes: Septic haulers issued a one-year permits. Grease Haulers issued a 3-year permits
21. Does the POTW have a designated discharge point (or points) for waste haulers? [DSS: 403.5(b)(8)]
Describe: YES
22. Are all applicable Categorical standards and Local Limits applied to IUs whose wastes are hauled to the POTW? YES
23. Describe the method used to apply local limits to hauled waste. intercepts forms and Septic Haulers provide manifest.
24. COMMENTS: The city has over 330 food establishments.

II.D. Industrial User Characterization

25. How often does the POTW update its Industrial Waste Survey (IWS) to identify new SIUs or changes to wastewater discharges? On Going.
 a. When was the last formal update: 2014
26. What is the POTW's current industrial base?

Current	Industrial User Type	Last Reported
10	Categorical SIUs {CIUS}	10
10	Non-Categorical SIUs	
20	Total all SIUs {SIUS}	20

II.E. Local Limits

27. Does the POTW have numerical limits for metals in its NPDES permit? If so list the metals and the limits (or attach list). NO.
28. Have there been any numerical NPDES permit violations in the last 12 months? YES
 Oakland- July: TSS and BOD; August: TSS, BOD, and CBOD; October: TSS and BOD.
 North Topeka- February: TSS and BOD; April: BOD; May: TSS, E.Coli, BOD, NH₃, and TRC;
 June: NH₃
- a. Were any of the numerical NPDES violations, identified above, a result of interference or pass through? no
1. Was the interference traceable to an industrial user? No
 2. Was action taken that led to elimination within 90 days of the interference or pass through? {SNC} NA
 3. Was the responsible industry placed on an enforceable compliance schedule within 90 days of discovery? {SNC} If not, why?
29. How many times per year does the POTW regularly sample its PRINCIPAL plant for the following?

Parameter	Influent	Effluent	Sludge
Metals	0	1	6
Toxic Organics	0	1	NA
Biomonitoring		1*	
TCLP			0

*Odd years

30. List below the numerical value for the local limits derived by technical analysis. If a technical analysis was performed but the limit not adopted enter DNA in the block. (Values assumed to be mg/l unless otherwise noted). {EVLL} {ADLL}

POLLUTANT	DAILY MAX	POLLUTANT	DAILY MAX
LEAD	1.76 (1990)	SILVER	0.57 (1991)
ZINC	2.61 (1990)		

31. Are the POTW's BOD and TSS limits technically derived (ie. based on plant capacity)? YES
32. Are BOD and TSS violations treated as violations of technically based local limits? NO
Only surcharges for BOD and TSS, if concentration exceeds 300 mg/l.
33. If there is more than one treatment plant, were the local limits established specifically for each plant? YES. or the Oakland and Sherwood WWTPs.
34. Has the POTW made any changes to its Local Limits which have not been approved, and if so provide details? [403.18] NO.
35. Has the POTW granted any Net/Gross allowances under 403.15? NO

II.F. Standards and Requirements for Industrial Users

37. Does the POTW compare local limits against federal Categorical standards and apply the most stringent standards to Categorical IUs? [403.4] YES
38. Has the POTW notified its IUs of possible RCRA obligations? [40 CFR 403.8(f)(2)] YES
39. Does the POTW allow Categorical users to use Solvent Management Plans/certification or surrogate test procedures to meet TTO requirements? YES
- Comment: All CIUs have current SMP

II.G. POTW Compliance Monitoring and Inspections

40. What is the current frequency for:

Activity	Non-Categorical SIUs	Categorical SIUs
POTW sampling of:	1/year- 3 samples/day	1/year
POTW inspection of:	1	1
SIU self-monitoring:	4/year	4/year
SIU reporting:	4/year	4/year

*Large facilities sampled 3/ year.

42. List those SIUs that were not sampled by the POTW within the last 12 months. [DSS: 403.8(f)(2)(v)]
Except the No discharge industries.
43. List those SIUs that were not inspected within the last 12 months. [DSS: 403.8(f)(2)(v)] NONE.
44. How many industries were neither sampled nor inspected within the last 12 months. [DSS: 403.8(f)(2)(v)]
{NOIN} {RNC/SNC} NONE.
45. Does the POTW sample its SIUs for all regulated pollutants at least once annually? [403.8(f)(2)(v)]
YES.

46. Sample/Analysis Procedures:

Chain-of-Custody always used?: YES	Sampling method, metals: Time/Composite (Grab for batch dischargers)
Ability to sample on short notice? YES	Sampling method, CN: Composite
In-house analysis of toxic pollutants: NO	Sampling method, O&G: Grab
Do in-house analytical methods conform to 40 CFR part 136? YES	

47. How does the POTW document its industrial user inspections? Using a 4-page checklist and inspection reports also included comments, observations, and recommendations made by the inspector.

48. Does the POTW evaluate all SIUs at least every two years to determine the need for a slug discharge/spill control plan? [DSS: 403.8(f)(2)(v)] YES

- a. Describe the method used by the POTW to evaluate the need for a slug control plan.
During inspections.

II.H. IU Self Monitoring and Reporting

Are all Categorical IUs required to self-monitor for all pollutants regulated by the respective Categorical standard at least twice per year? [403.12(e)] YES (4/year).

50. Were any Baseline Monitoring Reports or 90 day Compliance Reports due within the past 12 months? If so, from whom? Were the reports submitted? NO.

51. Are IUs required to report spills, slug discharges, etc. to the POTW? [403.12(f)] YES.

52. Are IUs required to report violations within 24 hours of knowledge of the violation? [403.12(g)(2)] YES.

52. Are IUs required to resample and submit results within 30 days following a violation as per 403.12(g)(2)? YES.

II.I. Data Management

54. Are files/records computerized? Yes, with hardcopy.

55. Are all records maintained for at least 3 years? [403.12(o)] YES

56. Are program records available to the public as required by 40 CFR 403.14(b)? YES

57. Does the POTW have provisions to address confidential business information? [403.14(a)] YES

58. How is compliance status calculated? Describe the procedure used in determining Significant Noncompliance (eg. are mo. avg. violations considered as well as daily max?). Calculations are done manually by following EPA guidelines manually.

II.J. Program Resources

59. What percent of the Pretreatment Coordinator's time is spent on pretreatment? 33%

60. What computer programs does the POTW use for:

Wordprocessing:	MS word
Spreadsheet:	Excel
Database:	Hach

61. Does the POTW believe its annual budget adequate for implementation? YES.
Around \$150,000 counting my salary around \$150,000.

- a. If not, is the level of money available for pretreatment less than that in the approved program or approved modification?

II.K. Special Questions

62. Are there any issues that the POTW would like to discuss?
NONE.

PART III: FILE AND RECORDS REVIEW

Following is a table containing the POTW's Significant Industrial User inventory regulated by its Pretreatment Program. Please verify that all information in the table is correct and current. For those industries no longer regulated draw a line through the entry. Add all new industries and provide the information sought by the table. Below is a guide to the information sought by the table and suggested abbreviations.

INDUSTRY:

Provide the name of each industrial user regulated under the pretreatment program.

CAT STND:

Provide the categorical standard code number. For example, industries subject to the Metal Finishing regulation should be designated "433." For noncategorical industries indicate "NA" in this column.

REG PROCESS:

Indicate what process the industry performs to qualify for inclusion in the pretreatment program. For example, if an industry is subject to Metal Finishing regulations because it performs zinc and chromium plating indicate with "ZnCrPL" or a similar abbreviation.

TMT:

If the facility treats its wastestream(s) indicate "Y." If no treatment is provided indicate "N."

TYPE:

Indicate the type of pretreatment system (if applicable) the industry has. Suggested abbreviations: "precip" for precipitation/clarification; "precip/flt" for precipitation followed by filtration; "DAF" for dissolved air flotation; etc.

REG FLOW:

Provide the industry's average daily flow for its regulated processes in gallons per day. The abbreviation "K" stands for 1000.

TOT FLOW:

Provide the average daily total plant flow in gallons per day.

CWF:

Indicate if the industry uses the Combined Wastestream Formula to determine compliance with categorical standards. "Y" = yes, "N" = no.

COMPLIANCE STATUS FOR THE 6 MO PERIOD ENDING:

For the six month periods listed, indicate if the industry's compliance status. Use the following abbreviations:

CIn compliance with all standards: no violations.

IInfrequent noncompliance with discharge standards: the facility had some violations but not severe enough to be considered in significant noncompliance.

SNC,SIn significant noncompliance with discharge standards.

SNC,RIn significant noncompliance with reporting requirements: the industry failed by greater than 30 days to submit reports as required.

SNC,MIn significant noncompliance with self monitoring requirements: the industry did not properly report its compliance status on its self monitoring report.

SNC,C Failure to meet a compliance schedule milestone by 90 days.

LAST INSPECTION:

Date of the last inspection performed by the city

SECTION VII: SIGNIFICANT INDUSTRIAL USERS

Industry Name	Cat. Snd	Reg. Process	T M T	Type	Reg. Flow	Total Flow (gpd)	C W F	Compliance Status for Six Month Period Ending:					Last Inspection
								Jun-22	Dec-22	Jun-23	Dec-23	Jun-24	
Adapa	433	Fe PHOS	N	none	3	3	N	C	C	C	C	C	1/3/2024
Aramark (formally AmeriPride)	NA	Ind Laundry	y	Precp/flt	53	53	NA	C	C	C	C	I-o&G	10/17/2023
Big Heart Pet Brands (Del Monte)	NA	Pet Food	y	OAF, flt	122	122	NA	C	C	C	C	C	8/29/2023
BNSF Railway	NA	RR Service	y	0/W Sep, pHadj	80	85	NA	C	C	C	C	C	8/29/2023
Crosswind Petfoods Inc.	NA	Pet Food	N	none	69	76	NA	C	C	I-pH,r	C	C	5/3/2023
Custom Cabinets & Racks	433	Fe PHOS	y	pH adj.	3	3	N	C	C	C	C	C	6/5/2023
Delta Designs, Ltd.	433	Fe PHOS	N	none	2.1	4.1	N	C	C	C	C	C	6/12/2023
Ernest Spencer Metals	433	Fe Phos	N	none	2	2.5	N	C	I-pH	I-r	C	C	6/5/2023
Frito-lay, Inc.	NA	Food Procsr	y	Clarfr,biotreat	494	494	NA	I-pH, r	I-pH	I-0&G,r	C	C	4/10/2023
Harris Fabrication	433	passivation	y	Evap	0	0	NA	C	C	C	C	C	12/6/2023
Hill's Pet Nutrition	NA	Pet Food	y	OAF, flt, pHadj	173	900	NA	C	C	C	C	I-R	7/8/2024
Industrial Chrome	433	HCrZnNiCdPL	y	Precp/flt	4.6	4.6	N	C	C	C	C	C	6/6/2023
North Topeka Fabricators	433	Fe PHOS	N	none	0.15	0.2	N	C	C	C	C	C	6/13/2023
Mainline Printing	433	AgNiCrPL	y	Evap	0	0	NA	C	C	C	C	C	12/12/2023
Mar's Chocolate	NA	Food Procsr	y	OAF, pHadj	61	61	NA	C	C	C	C	C	7/29/2024
PTMW	433	Fe PHOS	y	Chem Precip	1.7	2	N	C	C	SNC-Zmc,pH,r	I-pH	C	4/1/2024
Reser's - Burrito Plant	NA	Food Procsr	y	Oil Sep	13.6	13.6	NA	Closed 3/25/2022-6/19/2023		C	C	C	7/17/2023
Reser's Fine Foods - Crossroads	NA	Food Procsr	y	BFP, pHadj, flit	545	545	NA	C	C	C	I-0&G	SNC-R	7/15/2024
Reser's Fine Foods - Trtmt Cmplx	NA	Food Procsr	y	OAF, flt	384	384	NA	C	C	C	C	C	6/4/2024
Steel Fixtures Mfg.	433	Fe Phos	y	pH adj.	0.17	0.5	N	C	C	C	C	C	6/2/2023

III.B. Significant Industrial User Compliance Evaluation

63. From the above list of industries, how many are in Significant Noncompliance (SNC) with either discharge standards or reporting requirements based on the most recent four six-month reporting period? {PSNC} PTMW and Reser's Fine Foods – Crossroads.
64. List by name, those industries currently on a compliance schedule. Complete the table below. NONE
65. List those industries last published in the newspaper for noncompliance and provide the date (or attach a copy of the public notice). **PTMW SNC for the first six months of 2023, Published in the Capitol Journal on January 31st, 2024. Reser's Fine Foods – Crossroads will be published .**
66. If an industry has been deleted from the list of Significant Industrial Users list by name below and provide the reason. NA
67. For those industries in SNC within the last 24 months complete the following table for all written enforcement actions.

IU Name	Violation	Date of POTW knowledge	Date of Action	Enforcement Action	ERP required action
PTMW	Zinc, pH, r	7/3/2024	7/10/2023	NOV- SNC (S)	NOV
Reser's	2nd QTR Reporting	7/11/2024	7/16/2024	NOV- SNC (R)	NOV

68. Provide the total number of NOV's, Administrative actions, Judicial referrals, and criminal prosecutions that occurred in the last twelve months. {FENF} {JUDI} 9 NOV's no penalties were collected.
69. Were all actions taken by the POTW within 30 days of knowledge of a violation? {RNC/SNC} YES
70. Did all industries in SNC either return to compliance within 90 days, receive escalated enforcement action by the POTW within 90 days, or become placed on an enforceable compliance schedule within 90 days (of knowledge by the POTW) of the violation? {RNC/SNC} YES

III.C. Control Mechanism Evaluation

71. Do the POTWs control mechanisms: Permittee: Several CIUs

REQUIRED [DSS: 403.8(f)(1)(iii)]		SUGGESTED PROVISIONS	
Specify duration (no > 5 yrs.):	Y	Cite the POTW's legal authority:	Y
Contain the correct discharge limits:	Y	Identify TTO alternatives, if applicable:	Y
Specify sample type for IU self monitoring:	Y	Require notification within 24 hrs of a violation:	Y
Adequately identify sampling location:	Y	Require resample/report in 30 days of violation:	Y
Specify sampling frequency:	Y	Specify right of entry:	Y
State applicability of civil or criminal penalties:	Y	Reserve right to revoke permit:	Y
Stipulate reporting frequency:	Y	Specify immediate slug load notification:	Y
Properly require records retention:	Y	Require submission of all sampling results:	Y
Specify limited transferability:	Y	Some permits do not include numerical limits of 2.13 for TTOS	

Result of this review from the last PCI/audit: very good.

III.D. Industrial Inspection Evaluation

72. Do the Industrial Inspection reports contain? Several

Name of Company contact:	Y	Evaluation of IU's monitoring procedures:	Y
Date of inspection:	Y	Verification of wastewater flow rates:	Y
Time of inspection:	Y	Determination of applicability of the CWF:	Y
Description of manufacturing process:	Y	Description of the chemical storage area:	Y
Description of treatment process, if any:	Y	Identification of potential spill conditions:	Y
Evaluation of IU's monitoring methods:	Y	Evaluation Of Slug Control Plan	Y
Verification of production rates that would affect production based standard:			NA

III.E. Slug Discharge Control Procedures

73. If the POTW has required the submittal of a Slug Control Plan does it contain: [DSS: 403.8(f)(2)(v)]

☐ Y ☐ A description of discharge practices including non-routine batch discharges

☐ Y ☐ A description of stored chemicals

☐ Y ☐ Procedures for immediate notification of slug discharges with written follow-up notification

☐ Y ☐ Procedures necessary to prevent adverse effects at the POTW's treatment plant:

☐ Y ☐ inspection and maintenance of storage areas

- ☐ handling and transfer of materials
- ☐ loading and unloading operations
- ☐ control of plant site runoff
- ☐ worker training
- ☐ building of containment structures
- ☐ measures for the control of toxic organics
- ☐ measures for emergency response

III.F. Industrial User File Review Checklists

Following are worksheets to aid in the assessment of the nature of the oversight activities and compliance status of the POTW's Significant Industrial Users. When reviewing SIU files priority should be placed on Categorical industries that either have a history of violations or that appear to be in compliance but have not installed that prescribed BAT technology to consistently meet discharge limits. While only three pages are provided the reviewer is encouraged to copy and add additional review pages for larger POTWs.

Industry Name: PTMW 433.17

Principal Pollutants: zinc, pH

Products: Metal Fabricator

No. of Employees:

A. Does the file system for the industrial user contain:

☐ Y Permit application	☐ Y POTW sampling results
☐ Y Current Permit	☐ Y Self-monitoring reports
☐ Y Correct limits in Permit	☐ Y Enforcement documentation
☐ Y Correspondence/meeting notes/phone log	☐ Y Solvent Management Plan
☐ Y Most recent inspection report	☐ NA Correct application of the CWF
☐ Y Evaluation for need for Slug control	☐ NA Slug Control Plan
☐ Y Compliance status determination	

B. Did the industry discharge any slug loads or spills to the POTW in the past 12 months? [403.12(f)] NO

☐ Immediate notification by the IU	☐ Follow-up written notification
☐ POTW response	☐ Effect on the plant

C. In the last complete calendar year how many times did the POTW:

Sample the IU ☐ ONE ☐ Inspect the IU ☐ ONE ☐

D. Were all regulated pollutants analyzed by the POTW at least once in the most recent calendar year? YES

E. If the industry is subject to Categorical Standards did its self-monitoring reports contain analysis for all regulated pollutants at least once during every six month period during the last full calendar year? YES

F. Frequency in the IU's control mechanism for: Self-monitoring: Quarterly Reporting: Quarterly

G. Did the industry comply with the sampling and reporting frequency requirements of its Control Mechanism? YES

H. Did the POTW identify all IU violations from:

IU Self-monitoring NO

POTW Compliance monitoring YES

I. Was the IU's compliance status (i.e. SNC, Infrequent noncompliance, Consistent compliance) determined properly? YES - PTMW SNC for the first six months of 2023, Published in the Capitol Journal on January 31st, 2024

J. Complete the following table for all violations in the last 12 months. (If this information has already been provided in Question 85, please indicate).

<u>Violation</u>	<u>Date of Violation</u>	<u>Date of POTW Knowledge</u>	<u>Date of POTW Response</u>	<u>ERP Required Response</u>	<u>POTW Response</u>
Zn, pH	7/3/2023	7/10/2023		NOV-SNC	NOV-SNC
Zn	7/8/2024	7/24/2024	7/30/2024	NOV	NOV
pH	10/23/2024	10/25/2024	11/1/2024	NOV	NOV

Industry Name: Mainline Printing 433.17 (pending)
Principal Pollutants: Zero Discharge
Products: Holographic Cards

No. of Employees:

A. Does the file system for the industrial user contain:

☐ Y Permit application	☐ Y POTW sampling results
☐ Y Current Permit	☐ Y Self-monitoring reports
☐ Y Correct limits in Permit	☐ Y Enforcement documentation
☐ Y Correspondence/meeting notes/phone log	☐ Y Solvent Management Plan
☐ Y Most recent inspection report	☐ NA Correct application of the CWF
☐ Y Evaluation for need for Slug control	☐ NA Slug Control Plan
☐ Y Compliance status determination	

B. Did the industry discharge any slug loads or spills to the POTW in the past 12 months? [403.12(f)] NO

☐ Immediate notification by the IU	☐ Follow-up written notification
☐ POTW response	☐ Effect on the plant

C. In the last complete calendar year how many times did the POTW:

Sample the IU ☐ ONE ☐ Inspect the IU ☐ ONE ☐

D. Were all regulated pollutants analyzed by the POTW at least once in the most recent calendar year? YES

E. If the industry is subject to Categorical Standards did its self-monitoring reports contain analysis for all regulated pollutants at least once during every six month period during the last full calendar year? YES

F. Frequency in the IU's control mechanism for: Self-monitoring: Quarterly Reporting: Semi-Annual

G. Did the industry comply with the sampling and reporting frequency requirements of its Control Mechanism? YES

H. Did the POTW identify all IU violations from:

IU Self-monitoring NO

POTW Compliance monitoring NO

I. Was the IU's compliance status (i.e. SNC, Infrequent noncompliance, Consistent compliance) determined properly? YES - PTMW SNC for the first six months of 2023, Published in the Capitol Journal on January 31st, 2024

J. Complete the following table for all violations in the last 12 months. (If this information has already been provided in Question 85, please indicate).

<u>Violation</u>	<u>Date of Violation</u>	<u>Date of POTW Knowledge</u>	<u>Date of POTW Response</u>	<u>ERP Required Response</u>	<u>POTW Response</u>
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Industry Name: Reser's Fine Food – Cross road Non-Categorical
Principal Pollutants: Phosphate, pH, O/G, TSS, TKN, BOD, Flow No. of Employees:
Products: Food Products

A. Does the file system for the industrial user contain:

☐ Y Permit application	☐ Y POTW sampling results
☐ Y Current Permit	☐ Y Self-monitoring reports
☐ Y Correct limits in Permit	☐ Y Enforcement documentation
☐ Y Correspondence/meeting notes/phone log	☐ NA Solvent Management Plan
☐ Y Most recent inspection report	☐ NA Correct application of the CWF
☐ Y Evaluation for need for Slug control	☐ NA Slug Control Plan
☐ Y Compliance status determination	

B. Did the industry discharge any slug loads or spills to the POTW in the past 12 months? [403.12(f)] NO

☐ Immediate notification by the IU	☐ Follow-up written notification
☐ POTW response	☐ Effect on the plant

C. In the last complete calendar year how many times did the POTW:

Sample the IU ☐ ONE ☐ Inspect the IU ☐ ONE ☐

D. Were all regulated pollutants analyzed by the POTW at least once in the most recent calendar year? YES

E. If the industry is subject to Categorical Standards did its self-monitoring reports contain analysis for all regulated pollutants at least once during every six month period during the last full calendar year? NA

F. Frequency in the IU's control mechanism for: Self-monitoring: Quarterly Reporting: Quarterly

G. Did the industry comply with the sampling and reporting frequency requirements of its Control Mechanism? YES

H. Did the POTW identify all IU violations from:

IU Self-monitoring YES POTW Compliance monitoring NO

I. Was the IU's compliance status (i.e. SNC, Infrequent noncompliance, Consistent compliance) determined properly? YES - PTMW SNC for the first six months of 2023, Published in the Capitol Journal on January 31st, 2024

J. Complete the following table for all violations in the last 12 months. (If this information has already been provided in Question 85, please indicate).

	Date of	Date of	Date of	ERP	POTW
	Violation	POTW	POTW	Required	POTW
<u>Violation</u>	<u>Violation</u>	<u>Knowledge</u>	<u>Response</u>	<u>Response</u>	<u>Response</u>
2 nd QTR	6/30/2024	7/11/2024	7/16/2024	NOV	SNC-NOV