REPORT OF PRETREATMENT COMPLIANCE INSPECTION (PCI)

City of North Kansas City
2020 Bedford Avenue
North Kansas City, Missouri 64116

NPDES Permit No.: **MO0107956**

BY
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7
ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION (ECAD)
WATER BRANCH / DRINKING WATER AND INSPECTIONS SECTION (WB/DWIS)

ON
DECEMBER 16 AND 17, 2024

At the request of the Water Branch (WB), Enforcement and Compliance Assurance Division (ECAD), a pretreatment compliance inspection (PCI) was conducted of the city of North Kansas City, Missouri approved Industrial Pretreatment Program (IPP) on December 16 and 17, 2024. To direct the inspection, a checklist was used that evaluates all important elements of the IPP. A copy of the checklist is attached to this report (Attachment 1). The inspection consisted of a discussion and file review with the Pretreatment Program's staff and an onsite visit to two of the program's regulated industries. This narrative report presents the findings of the inspection. Ms. Lynn Nguyen with the Missouri Department of Natural Resources' (MDNR)- Kansas City Regional Office (KCRO) was present for this PCI.

PARTICIPANTS

North Kansas City-Water Pollution Control (WPC), Public Works Department (PWD)
- David R. Weant, WPC Lab Supervisor/IPP Coordinator drweant@nkc.org
- Anthony Sands, Director of PWD asands@NKC.org

KIMHEC
- Katie Bruegge, Environmental Program Manager Katie.Bruegge@kimHEC.com

Missouri Department of Natural Resources
- Lynn Nguyen, KCRO, Associate Engineer Lynn.Nguyen@dnr.mo.gov

U.S. Environmental Protection Agency (EPA), Region 7
- Naji J. Ahmad, Environmental Engineer, ECAD/WB/DWIS Ahmad.Naji@epa.gov

Facilities Description & Industrial Pretreatment Program Overview

The City of North Kansas City (NKC) Industrial Pretreatment Program (IPP) was originally approved on August 13, 1984. NKC is required to implement its approved IPP by the National Pollutant Discharge Elimination System (NPDES) permit number MO0107956 (Attachment 2).

The NPDES permit is for the Water Treatment Plant (WTP) because NKC does not own or operate a Wastewater Treatment Facility (WWTF). NKC directs all their wastewater to the Kansas City, Missouri Blue River WWTF (NPDES MO0024911) under a Jurisdictional Agreement. NKC sends approximately 2.2 million gallons per day (MGD) of industrial and sanitary discharges through a 4-mile force main trunk line via the Buckeye lift station to the Blue River WWTF. Approximately 75-80% (1.65-1.75 MGD) of that wastewater is from industrial sources. NKC has approximately 5,534 (2023 estimate) permanent residents, but with a daily influx of people the population increases to approximately 40,000 people during the day.

According to the MDNR staff, the EPA Region 7 suggested that NKC implement and enforce its approved IPP, in accordance with the requirements of 40 CFR Part 403 and as incorporated by reference in 10 CSR 20-6.100, rather than the City of Kansas City, Missouri. However, since NKC does not have a WWTF and since the implementation of the IPP is required to be implemented under the authority of a NPDES permit, issued to the city for compliance tracking purposes, the decision was made to add this requirement to the WTP NPDES permit.

The permit was issued on July 1, 1988, and amended on March 24, 1989, to include requirements for the implementation of the NKC's approved IPP. The permit has been expired since June 30, 1993. The MDNR has continued to administratively extended the expired permit and the IPP requirements. The re-issuance of the permit is on hold until the MDNR and the EPA resolve the issue of direct discharge of lime sludge to the Missouri River[1]. According to MDNR, the current draft version of the NPDES Permit does not include the IPP requirements in the permit conditions.

NKC originally enforced the requirement of its approved IPP through Sewer Use Ordinance (SUO) No.7153 which was adopted in 1992 under Chapter 25. the SUO was administratively revised (i.e. numbering) in 1999 to Title 13, Chapter 13. Chapter 13 gave the NKC IPP the authority to implement and enforce its Pretreatment Program, such as issuing industrial user permits for a duration not to exceed five years; requiring industrial users to submit permit renewal applications prior to the expiration date; and gave the IPP personnel the right to inspect and sample the regulated industries. It is worth mentioning that Section 13.08.550 of the 1992 SUO allowed the IPP to seek fines in at least the amount of $1,000 for each violation per day as required by the general pretreatment regulations under 40 CFR 403.8(f)(1)(vi).

On February 13, 2019, NKC submitted a revision to the SUO [2], calculation of Local Limits, and a revised Enforcement Response Plan (ERP) (Attachment 3) based on the findings of the EPA's

[1] Note 1 (by MDNR): The draft NPDES permit number MO-0107956 does not have the pretreatment program assigned as a special condition upon last review.

[2] Note 2: https://library.municode.com/mo/north_kansas_city/codes/code_of_ordinances

2016 Pretreatment audit and in response to an Administrative Compliance Order in 2016. The submitted documents were officially approved by the MDNR on May 9, 2019 (Attachment 4).

NKC enacted the new ordinance number 9167 on June 4, 2019, which included the minimum required amendments to the October 14, 2005, Streamlining Rule.

The current Ordinance (Chapter 13) gives NKC the same authority to enforce its IPP, but this revision removed the NKC IPP ability to seek fines in at least the amount of $1,000 as required by the general pretreatment regulations under 40 CFR 403.8(f)(1)(vi). Section 13.08.610 allows the IPP director to seek fines in an amount not to exceed five hundred dollars ($500.00) to comply with the 2011 Missouri Revised Statutes Section 79.470 for Third Class Cities and sets penalties for all ordinance violations to not exceed a fine of five hundred dollars. This provision does not comply with 40 CFR 403.8(f)(1)(vi).

There was no documentation indicating that NKC has formally updated its list of regulated industrial users (IU) since the 1992 update. However, Mr. Weant indicated that the Director of Public Works would notify him of new industries that may potentially come to town when they apply for their business license.

The NKC IPP currently regulates seven industries that make up about eighty percent (80%) of the total flow discharged to Kansas City, Missouri. All of the seven significant industrial users (SIUs) are located within the NKC city limits. Four of the seven SIUs are subject to categorical standards. The three remaining regulated SIUs are Ingredion Incorporated a food processing facility, American Rail Industries, and North Kansas City Hospital.

Holland 1916 Inc. and PAS Technologies are subject to the Metal Finishing Categorical Standard 40 CFR 433 for chemical etching process and metal cleaning process respectively, U.S. Gypsum is subject to the Pulp, Paper, and Paperboard Point Source Category 40 CFR Part 430, Subpart E, and Davis Paint is subject to the Paint Formulation standard 40 CFR, Part 446, Subpart A, Oil-Base Solvent Wash Paint (new source manufacturer of oil based paint where tank cleaning is accomplished using solvent).

All seven regulated SIUs have current unexpired permits. The IPP samples SIU discharges and inspects every regulated industry annually. All regulated industries are required to conduct self-monitoring of their industrial discharges at least semi-annually.

The NKC IPP sent out the One-Time Compliance Report (OTCR) questionnaire to dental offices located within the city limits as required by the Dental Amalgam Rule 40 CFR Part 441. A total of four offices complied with the rule. Mr. Weant continues to send the OTCR to new offices as new offices are identified.

Local limits were originally developed and approved on November 9, 1999. As mentioned above, Local Limits were approved by the MDNR and incorporated into the SUO in 2019.

Section 13.08.180-A includes the maximum allowable industrial loadings (MAIL) that apply at the point where the wastewater is discharged to the city's sanitary sewer collection system, the

MAIL were established as mass limits in pounds per day (lbs/d) and concentration limits, in milligrams per liter (mg/L) as noted below in Table 1. Section 13.08.180-B includes the limits which were established in the current sewer service agreement between KCMO and NKC. Such limits are subject to change by KCMO as the owner of the Blue River WWTF. The listed limits apply at the point where the wastewater is discharged to the KCMO city's collection system (Table 2).

Table 1, MAIL and daily Maximum Section 13.08.180-A

Pollutant	MAIL, Total from all SIU's	Daily Maximum, unless modified by Permit
	Mass	**Concentration**
Arsenic	1.698 lbs/d	0.118 mg/L
Benzene	1.706 lbs/d	0.119 mg/L
Cadmium, Total	4.088 lbs/d	0.285 mg/L
Chromium, Total	8.419 lbs/d	0.587 mg/L
Copper, Total	4.973 lbs/d	0.347 mg/L
Cyanide	13.645 lbs/d	0.951 mg/L
Ethyl Benzene	3.414 lbs/d	0.238 mg/L
Lead, Total	5.083 lbs/d	0.354 mg/L
Mercury, Total	0.067 lbs/d	0.005 mg/L
Nickel, Total	20.421 lbs/d	1.423 mg/L
Phenols	17.077 lbs/d	1.190 mg/L
Silver, Total	8.522 lbs/d	0.594 mg/L
Thallium	6.828 lbs/d	0.476 mg/L
Toluene	3.414 lbs/d	0.238 mg/L
Xylene	3.414 lbs/d	0.238 mg/L
Zinc, Total	13.313 lbs/d	0.928 mg/L
Polychlorinated biphenyls (PCB)	0.034 lbs/d	0.002 mg/L

Table 2, Daily Maximum Concentration limits in Section 13.08.180-B

Pollutant	Daily Maximum	Pollutant	Daily Maximum
Arsenic	0.100 mg/L	Nickel, Total	1.200 mg/L
Benzene	0.100 mg/L	Phenols	1.000 mg/L
Cadmium, Total	0.240 mg/L	Silver, Total	0.500 mg/L
Chromium, Total	0.500 mg/L	Thallium	0.400 mg/L
Copper, Total	0.300 mg/L	Toluene	0.200 mg/L
Cyanide	0.800 mg/L	Xylene	0.200 mg/L
Ethyl Benzene	0.200 mg/L	Zinc, Total	0.800 mg/L
Lead, Total	0.300 mg/L	PCBs	0.002 mg/L
Mercury, Total	0.004 mg/L	Total Toxic Organics (TTO)	1.00 mg/L

<u>Inspection Observations & Preliminary Findings</u>

1. The North Kansas City (NKC) Approved Industrial Pretreatment Program (IPP) continues to have significant challenges with adequate program implementation. Current IPP personnel do not have the comprehensive knowledge to ensure adequate implementation of the program as described below. My observations and findings during this Pretreatment Compliance Inspection (PCI) are similar to those I noted during the last EPA Pretreatment Compliance Audit (PCA) in 2016, and to those noted during the 2021 PCA by the MDNR, and the most recent MDNR PCA in 2023 (Attachment 5).

2. My observations include:, 1) the IPP is not adequately issuing industrial user permits with the correct limits, 2) the IPP Coordinator is not adequately conducting inspections of the regulated industries, and is not adequately documenting inspection reports, 3) The IPP Coordinator is not reviewing semi-annual self-monitoring compliance reports (SMRs) to verify compliance, 4) The IPP Coordinator <u>does not</u> follow the requirements of the Enforcement Response Plan (ERP) to take the proper enforcement when violation of the pretreatment regulations occurs. Therefore, The IPP Coordinator made the wrong compliance determination for some of the regulated industries which resulted in the NKC IPP's failure to identify significant non-compliance (SNC) and reported the incorrect compliance status of the regulated industries during the annual pretreatment reports sent to the MDNR and EPA.

3. Industrial permits issued to categorical industries do not include the most stringent limits of the categorical and local limits. For instance, Holand 1916 Inc. and PAS Technologies permits (Attachments 6 and 10) include categorical limits in Part 433.17(a). Both industries are considered new sources subject to the pretreatment standards for new sources (PSNS) at Title 40 of the Code of Federal Regulations (CFR) Part 433.17(a). The IPP failed to compare categorical limits to Local Limits under Section 13.08.180-A of the SUO to apply the most stringent limits in the permit. Table 3 summarizes the observation comparing the local limits against categorical limits and what was included in the industrial permit.

Table 3, Holand 1916 Inc. industrial permit with the wrong limits

Pollutant	Daily Max (mg/L) 40CFR 433.17 Included in permit	Daily Max (mg/L) Local Limits 13.08.180-A Not included in permit	Monthly Average (mg/L) 40CFR 433.17 Included in permit	Correct limit applied (Y/N)
Cadmium, Total	0.11 mg/L	0.285 mg/L	0.07	YES
Chromium, Total	2.77 mg/L	**0.587 mg/L**	1.71	**NO**
Copper, Total	**3.38 mg/L**	**0.347 mg/L**	2.07	**NO**
Lead, Total	**0.69 mg/L**	**0.354 mg/L**	0.43	**NO**
Nickel, Total	**3.98 mg/L**	**1.423 mg/L**	2.38	**NO**
Silver, Total	0.43 mg/L	0.594 mg/L	0.24	YES
Zinc, Total	**2.61 mg/L**	**0.928 mg/L**	1.48	**NO**
Cyanide Total	**1.20 mg/L**	**0.951 mg/L**	0.65	**NO**
Total Toxic Organics	2.13 mg/L	NA	NA	YES

From the table above, six of the nine categorical parameters do not have the most stringent daily maximum concentration limits from the categorical limits and local limits. The IPP Coordinator was not familiar with such deficiency.

4. The PAS Technologies permit included another list of parameters without limits to be monitored by the industry every six months (hexane, VOC solvent, and fluoride). The IPP Coordinator was unable to explain why such monitoring requirements were included in the permit.

5. During the review of the IPP's inspection reports (Attachment 8), I noticed that the Holand 1916, Inc. inspection report indicates that the industry is subject to the Electroplating Point Source Category standard 40 CFR, Part 413. However, the permit to the industry indicated that the industry is considered a new source subject to the Metal Finishing pretreatment standards for new source under 40 CFR 433-Part 433.17 (a). In addition, some questions in the report were left blank and not answered. Additionally, the IPP did not inspect North Kansas City Hospital in 2022.

6. During the oversight of the NKC IPP Coordinator conducting an industrial user inspection at PAS Technologies, I observed that overall, the IPP Coordinator did an acceptable job of conducting the inspection with the exception to the following:

- **a.** The inspector asked the questions from the checklist and provided the answer from the previous inspection checklist.
- **b.** As mentioned above the industry is subject to 40 CFR 433 for the chemical/mechanical cleaning (etching and milling, and machining). This Part applies to discharges from this process operation and also to discharges from any of other 40 process operations listed in the rule. The inspector did not ask the industry personnel if any of those 40 process take place at the facility, nor the did the inspector look for the processes during the facility walkthrough.

7. During my review of the SMR, I noticed that some of the SMRs are not being reviewed by the IPP Coordinator to determine industry compliance. For instant, Holand 1916 exceeded the chromium daily maximum concentration limits of both the federal categorical and local limits, during the first half of 2024 and second half of 2023 (Attachment 7).

Sample Event	**Sampling Result**	**Type of Violation**
4/22/2024	2.28 mg/L[1&2]	DMX-TRC[3]
4/23/2024	0.567 mg/L	NA
4/24/2024	1.46 mg/L[2]	DMX-TRC[3]
12/12/2023	1.26 mg/L[2]	DMX-TRC[3]
12/13/2023	0.75 mg/L[2]	DMX-TRC[3]
12/14/2023	1.90 mg/L[2]	DMX-TRC[3]

1. Exceeded the 2.77 mg/L categorical limit and exceeded the 0.587 mg/L local limit.

2. Exceeded the 0.587 mg/L local limit.
3. Technical Review Criteria trigger: categorical limit @3.324 mg/L, and of local limit @0.7044.

In addition,

a. The pH was not analyzed, by the industry, within the 15-minute holding time. Hence, this violation led to a significant non-compliance failure to sample for pH (SNC-pH).

b. The SMRs included the Total Toxic Organics (TTO) Certification Statement as required by the industrial permit. However, the SMRs were missing the general compliance certification statement. The permittee is required to sign and submit the following TTO compliance certification statement with all monitoring reports:

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

c. Holand 1916, Inc. samples for additional parameters that are included in the local limits but not in the permit (i.e., benzene, toluene, ethylbenzene, xylenes, PCBs, phenol).

d. Holand 1916, Inc. reported a xylene violation in the first half of 2024, but no action was taken by the IPP.

8. Similarly, PAS Technologies (Attachment 9) exceeded the copper daily maximum concentration limit of 0.34 mg/L during the first half of 2024, and first and second halves of 2023 SMRs.

Sample Event	Sampling Result	Type of Violation
8/13/2024	0.056 mg/L	Compliance
8/14/2024	0.35 mg/L[1]	DMX
8/15/2024	1.50 mg/L[2]	DMX-TRC
2/20/2024	0.52 mg/L[2]	DMX-TRC
2/21/2024	0.68 mg/L[2]	DMX-TRC
2/22/2024	0.38 mg/L[2]	DMX
10/3/2023	0.42 mg/L[2]	DMX-TRC
10/4/2023	0.88 mg/L[2]	DMX-TRC
10/5/2023	0.071 mg/L	compliance
5/1/2023	0.90 mg/L	DMX-TRC[1]
5/2/2023	0.88 mg/L	DMX-TRC[1]
5/3/2023	0.26 mg/L	compliance

1. Exceeded the 0.347 mg/L local limit.
2. Technical Review Criteria trigger of local limit @0.4164

In addition,

a. The SMRs were missing the general compliance certification statement.

b. PAS Technologies samples for additional parameters that are included in the local limits but not in the permit (i.e., aluminum, boron, and arsenic) but with no explanation why.

9. NKC IPP conducts compliance monitoring annually. I pointed out that pH is not being analyzed within 15 minutes as required by 40 CFR 136.

10. Because the SMRs are not being reviewed and evaluated for compliance, the parameters, exceedances, or violations are not being identified by the IPP. Therefore, appropriate enforcement actions, as required by the program's ERP, are not being taken against those industries that violate permit parameters or those industries that do not conduct the required compliance monitoring sampling. Holand 1916, Inc. did not sample for the January-June 2022 semi-annual period and Davis Paint did not sample for all the parameters for the January-June 2022 semi-annual report. These industries should have been determined to be in SNC for failure to report.

In summary the NKC IPP is not following the requirements of the ERP. Mr. Weant mentioned that he only initiated "enforcement" by making a phone call to the industries, but no further action is taken except for publishing industries in the newspaper, that are in SNC (if compliance determination is made correctly). In addition, there are no additional enforcement documents or actions found in the industrial files.

11. The ERP lists available informal actions for IPP staff to utilize, such as an informal notice to industrial users via verbal warning by telephone or in-person, Notice of Violation, and review meetings. The ERP also lists formal actions the IPP should take which includes standards meeting and compliance schedule, administrative order, appearance before the City Council, show cause hearing, revocation of permit, termination of service, civil suit for injunctive relief of civil penalties, and criminal prosecution. The IPP Coordinator indicated that he only made verbal notification to industries that had violation(s) through phone calls.

12. During my review of the 2023 annual report (Attachment 11), I pointed out that the report shows Holand 1916 Inc. as being in compliance during the second half of 2023, which is contradicting the fact that the industry was in SNC-TRC for chromium violations. The report also shows PAS Technologies as being in compliance in 2023, while the industry was in SNC-TRC-copper during both reporting periods in 2023. Other industries such as Davis Paint was reported as being in compliance during the second half of 2023, but it should have been reported as SNC for violating the zinc limits. In addition, US Gypsum was reported being in compliance, however, the industry failed to sample for local limits parameters listed in Table B of their permit during, at least, 2022, 2023, and 2024.

13. Records were inconclusive to determine if industries resampled within thirty days following a violation as required by 40 CFR 403.12(g)(2).

14. The IPP failed to identify that Davis Paint falls under the categorical standard of 40 CFR 446 Paint Formulating. The City of North Kansas City categorizes Davis Paint as a significant industrial user (SIU). This same finding was noted by the MDNR inspector during the 2023 MDNR PCA.

15. As mentioned above, the last documented formal IWS was conducted in 1992.
During the 2021 PCA by the MDNR, the IPP Coordinator stated that the industrial waste survey (IWS) has been updated and will be sent out in 2021. The IWS was not sent out during 2021. In addition, it was also noted by the MDNR inspector during in the 2023 PCA that an IWS has not been mailed. The IPP Coordinator stated again that the city plans on mailing out the industrial waste survey (IWS) before the calendar year is over. As of the date of this PCI, the NKC IPP has not sent out the survey and formally updated the list of its industrial users.

As part of the IPP maintenance, the federal regulations [40 CFR 403.8(f)(2)(i) and 40 CFR 122.44(j)(1)] require the IPP to identify and locate all industrial users' that might be subject to the Pretreatment program. The IPP must also prepare and maintain a list of its SIUs. The list must be 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].

<u>Conclusion</u>

The North Kansas City Approved Industrial Pretreatment Program (IPP) continues to be poorly implemented and current IPP personnel do not have the comprehensive knowledge to ensure adequate implementation of the program. The following is a summary of findings listed above in this report.

NKC IPP failed to follow the guidelines and requirements of the ERP and failed to take formal enforcement against industries that violated pretreatment regulations.

The NKC IPP failed to properly inspect their industrial users as required by 40 CFR 403.8(f)(2)(v).

The NKC IPP failed to inspect North Kansas City Hospital for the 2022 calendar year.

The 2022 and the 2023 annual reports do not accurately reflect the compliance status of regulated industries.

The NKC IPP continues to provide a list of industries each year in the Annual Report, however, failed to conduct an industrial waste survey as they indicated to the MDNR in 2021 and 2023.

The City failed to issue permits to meet the minimum requirements of 40 CFR 403.8(f)(1)(iii)(B). Permits do not impose the most stringent limits (categorical standard vs local limit).

The IPP failed to properly categorized Davis Paint as required by 40 CFE 446. Davis Paint produces oil-based paint where the tank cleaning is performed using solvents.
The IPP Coordinator did not compare local limits against federal Categorical Standards to apply the most stringent limits to Categorical IUs as required by [40 CFR 403.5(d)] "Local limits. *Where specific prohibitions or limits on pollutants or pollutant parameters are developed by a POTW in accordance with paragraph (c) above, such limits shall be deemed Pretreatment Standards for the purposes of section 307(d) of the Act."*

The 1992 NKC SUO No. 7153 allowed the IPP under Section 13.08.550 to seek fines in at least the amount of $1,000 a day for each violation per day as required by the general pretreatment regulations under 40 CFR 403.8(f)(1)(vi). However, the 2019 approved revisions to the SUO under Section 13.08.610 eliminated that to comply with the 2011 Missouri Revised Statutes Section 79.470 for Third Class Cities sets penalties for all ordinance violations to not exceed a fine of five hundred dollars.

NAJI AHMAD Digitally signed by NAJI AHMAD Date: 2025.01.15 10:57:45 -06'00'

Naji J. Ahmad
Environmental Engineer

JOSEPH HEAFNER Digitally signed by JOSEPH HEAFNER Date: 2025.01.16 07:23:37 -06'00'

Joe Heafner
Acting Supervisor, DWIS

ATTACHMENTS

1. North Kansas City 2024 Pretreatment Checklist
2. The 1988 NPDES (expired)
3. 2019 submitted SUO/LL/ERP
4. April 9, 2019, MDNR approval of SUO/Local Limits/ERP
5. 2023 MDNR PCI and LOW
6. Holand 1916, Inc. Permit
7. Holand 1916 SMR
8. Holand 1916, Inc. Inspection report
9. PAS Technologies SMR
10. PAS Technologies Permit
11. 2023 Annual Pretreatment Report

Pretreatment Compliance Inspection

Date(s): **December 16-17, 2024.** **FY 2025**

POTW: Address:	City of North Kansas City 2020 Bedford Avenue Kansas City, MO 64116	Date of last PCI/Audit: EPA: Jan. 21-22, 2016 DNR: Sept. 2, 2021
Contact: Title: Phone: Email:	David Weant Pretreatment Coordinator / NKC WPC Lab Supervisor (816) 274-6021 drweant@nkc.org	NPDES Permit No.: **MO0107956** State Permit No.: SAME Expiration Date: **June 30, 1993**

Participants

POTW: **David Weant, NKC Pretreatment Coordinator** **Anthony Sands, NKC Public Works Director** **Katie Bruegge, KimHEC**	Inspectors: **Naji J. Ahmad, EPA** **Lynn Nguyen, MoDNR**
Period covered by this PCI/Audit: **2022-2024**	

POTW Information: Kansas City treats wastewater for NKC

Total for ALL Treatment Plants (MGD)			
Design Daily Ave. **NA**	Actual Daily Ave. **NA**	Design Peak: **NA**	% Industrial Flow: **NA**
Number of Plants: **NA**	% Combined Sewers: **1%**	Type of Treatment at Principal Plant: Activated Sludge	
Sludge Disposal Method: **NA**	Quantity (dry/tons/Y): **NA**	Receiving Stream: **The Kansas City collection system to the Blue River WWTP**	

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:	**08/13/84**
07/01/1988	Date NPDES Permit originally modified to require implementation **[PTIM]**:	**3/24/1989**

2. Approved Pretreatment Program modifications:

REQUIRED MODIFICATIONS	APPROVAL DATE	OTHER APPROVED MODIFICATIONS	APPROVAL DATE
PIRT SUO Revisions	**1989**		
List of SIUs [403.8(f)(6)]	**3/31/1992**		**5/9/2019**
Enforcement Response Plan	**3/31/1992**		**5/9/2019**
DSS SUO Revisions	**1992**	Streamlining Rule	**5/9/2019**
LOCAL LIMITS	**11/09/1999**	Local Limits	**5/9/2019**

3. Is the POTW presently working on any program modifications?
The city recently hired KimHEC consultant to evaluate its entire IPP program.

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:
Sewer User Ordinances 7153 Title 13- Chapter 25 (1992) then changed to Chapter 13 (1999) original.
SUO #9167- Title 13- Sewer Service System Chapter 13.08 Article III Wastewater Pretreatment and Enforcement

6. Date enacted or adopted: **June 4, 2019**

7. Approved Control Mechanism: **Permits**

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

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

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:

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."*

SUO Section 13.08.610 - Administrative fines.

A. *When the director finds that a user has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the director may fine such user in an amount not to exceed five hundred dollars ($500.00). Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.*

B. *Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed an additional penalty of ten (10) percent of the unpaid balance, and interest shall accrue thereafter at a rate of five percent per month. A lien against the user's property shall be sought for unpaid charges, fines, and penalties.*

C. *Users desiring to dispute such fines must file a written request for the director to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the director may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.*

D. *Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.*

The reason for this is the 2011 Missouri Revised Statutes Section 79.470 for Third Class Cities sets penalties for all ordinance violations to not exceed a fine of five hundred dollars.

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. **None since MDNR February 13, 2023, PCI.**

12. List by name and location any SIUs that discharge to the POTW from outlying jurisdictions.
N
Indicate which of the above are not covered by a contract/agreement requiring them to abide by the POTWs legal authority. **N/A**

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. City can fine up to $500/day/violation.**

14. If the POTW has not yet developed an Enforcement Response Plan when does the POTW feel it will complete this requirement? **Completed and approved in 2019**

15. COMMENTS: **The reason for this is the 2011 Missouri Revised Statutes Section 79.470 for Fourth Class Cities sets penalties for all ordinance violations to not exceed a fine of five hundred dollars.**

II. B. Control Mechanism

16. General Information:

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

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) **NO.**

a. if so describe (include approx. no. of loads per month):
b. How does the POTW ensure that it does not accept hazardous waste?

20. Does the POTW have a control mechanism for regulating waste haulers, and if so describe. **NA**

21. Does the POTW have a designated discharge point (or points) for waste haulers? [DSS: 403.5(b)(8)] Describe:
NA

22. Are all applicable Categorical standards and Local Limits applied to IUs whose wastes are hauled to the POTW?

NA

23. Describe the method used to apply local limits to hauled waste. **NA**
24. COMMENTS: **The city does not own or operate a WWTP. The city discharges to the Kansas City collection system to the Blue River WWTP.**

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? **Through inter departmental communication. When an entity applies for a business license/ application. The IPP Coordinator is notified by the community development department.**

a. When was the last formal update? **1992**

26. What is the POTW's current industrial base?

Current	Industrial User Type	Last Reported
4	Categorical SIUs **{CIUS}**	4
3	Non-Categorical SIUs	3
7	Total all SIUs **{SIUS}**	7

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). Listed under 13.08.180.B. of the SUO. The following limits were established in the current sewer service agreement between the City of Kansas City, Missouri and the City of North Kansas City, Missouri.**

Pollutant	**Daily Maximum**	**Pollutant**	**Daily Maximum**
Arsenic	0.100 mg/L	Nickel, Total	1.200 mg/L
Benzene	0.100 mg/L	Phenols	1.000 mg/L
Cadmium, Total	0.240 mg/L	Silver, Total	0.500 mg/L
Chromium, Total	0.500 mg/L	Thallium	0.400 mg/L
Copper, Total	0.300 mg/L	Toluene	0.200 mg/L
Cyanide	0.800 mg/L	Xylene	0.200 mg/L
Ethyl Benzene	0.200 mg/L	Zinc, Total	0.800 mg/L
Lead, Total	0.300 mg/L	PCBs	0.002 mg/L
Mercury, Total	0.004 mg/L	TTOs (433.11(e)	1.00 mg/L

As the owner of the wastewater treatment plant, these limits are subject to change by KCMO. No person shall discharge wastewater containing more than the following daily maximum limit unless authorized by permit issued by the director.

The above limits apply at the point where the wastewater is discharged to the city's collection system. All concentrations for metallic substances are for the total metal unless indicated otherwise. The director may impose mass limitations in addition to the concentration-based limitations above.

28. Have there been any numerical NPDES permit violations in the last 12 months? **N/A**
a. Were any of the numerical NPDES violations, identified above, a result of interference or pass through?
1. Was the interference traceable to an industrial user?
2. Was action taken that led to elimination within 90 days of the interference or pass through? **{SNC}**
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? **N/A**

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} Listed under 13.08.180.A. of the SOU**

Pollutant	**MAIL, Total from all SIU's**	**Daily Maximum, unless modified by Permit**
	Mass	**Concentration**
Arsenic	1.698 lbs/day	0.118 mg/L
Benzene	1.706 lbs/day	0.119 mg/L
Cadmium, Total	4.088 lbs/day	0.285 mg/L
Chromium, Total	8.419 lbs/day	0.587 mg/L
Copper, Total	4.973 lbs/day	0.347mg/L
Cyanide	13.645 lbs/day	0.945 mg/L
Ethyl Benzene	3.414 lbs/day	0.238 mg/L
Lead, Total	5.083 lbs/day	0.354 mg/L
Mercury, Total	0.067 lbs/day	0.005 mg/L
Nickel, Total	20.421 lbs/day	1.423 mg/L
Phenols	17.077 lbs/day	1.190 mg/L
Silver, Total	8.522 lbs/day	0.594 mg/L
Thallium	6.828 lbs/day	0.476 mg/L
Toluene	3.414 lbs/day	0.238 mg/L
Xylene	3.414 lbs/day	0.238 mg/L
Zinc, Total	13.313 lbs/day	0.928 mg/L
PCB's	0.034 lbs/day	0.002 mg/L

Comments: **The above concentration limits, in milligrams per liter, apply at the point where the wastewater is discharged to the city's sewerage collection system. All limits for metallic substances are for the total metal unless indicated otherwise. The director may impose mass limitations, concentration limitations, or both through permit.**

31. Are the POTW's BOD and TSS limits technically derived (ie. based on plant capacity)?
Surcharge rates

32. Are BOD and TSS violations treated as violations of technically based local limits? **N/A**

33. If there is more than one treatment plant, were the local limits established specifically for each plant? **N/A**

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

36. COMMENTS:

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] **NO. Local limit for copper is more stringent than 433 and the city applies 433 for these categorical industries.**

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.**

II.G. POTW Compliance Monitoring and Inspections

40. What is the current frequency for:

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

41. List exceptions: N/A

42. List those SIUs that were not sampled by the POTW within the last 12 months. [DSS: 403.8(f)(2)(v)] None. **All have been sampled for 2024 but results have not been received by lab yet.**

43. List those SIUs that were not inspected within the last 12 months. [DSS: 403.8(f)(2)(v)] **None. All have been inspected for 2024.**

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)]
See file review portions for Davis Paint and U.S. Gypsum

46. Sample/Analysis Procedures:

Chain-of-Custody always used? **Yes**	Sampling method, metals: **Composite**
Ability to sample on short notice? **Yes**	Sampling method, CN: **Grab**
In-house analysis of toxic pollutants: **No**	Sampling method, O&G: **Grab**
Do in-house analytical methods conform to 40 CFR part 136? NO*	

***pH is not analyzed within 15 minutes of collection time. Samples are collected at the industries but analyzed when staff returns to WPC/lab.**

47. How does the POTW document its industrial user inspections? **Checklist**

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)]
Required for all industries. Plans are reviewed when they are sent in or re-certified.

a. Describe the method used by the POTW to evaluate the need for a slug control plan.
Required for all industries.

II.H. IU Self Monitoring and Reporting

49. 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.**

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.

53. 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? **Files are currently in the process of being scanned in.**

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?).
Federal definition for significant non-compliance

II.J. Program Resources

59. What percent of the Pretreatment Coordinator's time is spent on pretreatment? **75%**
30% of two other employees at WPC time is spent on pretreatment which consists of sampling.

60. What computer programs does the POTW use for:

Wordprocessing:	**Yes, for permits**
Spreadsheet:	**No**
Database:	**No**

61. Does the POTW believe its annual budget adequate for implementation? **YES.**

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?
City is planning on hiring a replacement for pretreatment as Dave is planning on retiring in the next two years.

Exit meeting notes on 12/17/24
Went through checklist
Permits were good except for sampling tables has wrong limits
City should be using the most stringent limits between categorical and local limits.
Inspections – needs to be clearer – Naji is going to send out EPA's 6 page checklist
Sampling monitoring reports need to be reviewed (certifications statements, analyses to ensure no exceedances, when it was discovered, 24-hour notice to city and 30 days re-sample and send out NOVs for these exceedances) Follow ERP

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; "precp/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:

- C In compliance with all standards: no violations.
- I Infrequent noncompliance with discharge standards: the facility had some violations but not severe enough to be considered in significant noncompliance.
- SNC,S In significant noncompliance with discharge standards.
- SNC,R In significant noncompliance with reporting requirements: the industry failed by greater than 30 days to submit reports as required.
- SNC,M In 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 POTW.

ECTION VII: SIGNIFICANT INDUSTRIAL USERS

Industry Name	Cat. Stnd	Reg. Process	TMT	Type	Reg. Flow	Total Flow (gpd)	CWF	Compliance Status for Six Month Period Ending:					Last Inspection
								Dec 22	June 23	Dec 23	June 24	Dec 24	
American Rail Industries	NA	Rail car CLNG	Y	Precep/AE	14K	81K	NA	C	C	**C**	**C**		4/19/2023
Davis Paint Co.	466-A	Paints	Y	STTL	1.09K	3.63K	NA	C	I-S	SNC-Z ~~C~~	**SNC-S**		8/15/2024
Holland 1916 Inc.	433	Etching	Y	pH Adj	5K	7.3K	NA	C	SNC-R	**SNC-Cr**	**SNC-Cr**		12/3/2024
Ingredion	NA	Flour Mill	Y	ACTIVT DSLU	1.5M	1.5M	NA	I-S	I-S	I-S	**?**		6/14/2023
NKC Hospital	NA	Hospital	N	----	150K	150K	NA	SNC-R	C	C	**?**		4/11/2023
PAS Technologies	433	Cleaning	Y	Ag RCLM	4.125K	5.5K	NA	I	**SNC-Cu** ~~C*~~	**SNC-Cu** ~~C*~~	**?**	**SNC-Cu**	2/1/2023
US Gypsum	430-E	Paperboard	Y	ACTIVT DSLU	250k	600K	NA	**SNC-S** ~~I*~~	**SNC-S** ~~C*~~	**SNC-S** ~~C*~~	**SNC-S**		10/16/2024

*INDICTES CITY MADE WRONG COMPLIANCE DETERMNATION

Davis Paint: TRC for zinc exceedance and many monitoring were taken out the correct reporting period
US Gypsum should be SNC-Sampling **Only sampled for Table A and not local limits which is Table B**

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} Davis Paint Co., U.S Gypsum, Holand 1916 Inc., NKC, PAS Technologies**

64. List by name, those industries currently on a compliance schedule. Complete the table below. **NONE**

Industry Name	Date Schedule Issued	Compliance Deadline	How Administered*

eg. Administrative Order, Permit, etc.

65. List those industries last published in the newspaper for noncompliance and provide the date (or attach a copy of the public notice). **Holland 1916 in second week of April 2024.**

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

Unable to do so due to lack of documentation

68. Provide the total number of NOVs, Administrative actions, Judicial referrals, and criminal prosecutions that occurred in the last twelve months. **{FENF} {JUDI}** **NO written NOVs only phone calls.**

69. Were all actions taken by the POTW within 30 days of knowledge of a violation? **{RNC/SNC}** **NO**

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}** **unknow cant determine from records**

III.C. Control Mechanism Evaluation

71. Do the POTWs control mechanisms: Permittee: several

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:	N	Identify TTO alternatives, if applicable:	N
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		

Result of this review from the last PCI/audit: **the permit did not include the most stringent limits (LL Vs CL) an included table he PC was not sure why they are included in the permit.**

III.D. Industrial Inspection Evaluation

72. Do the Industrial Inspection reports contain?

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:	N
Description of manufacturing process:	Y	Description of the chemical storage area:	Y
Description of treatment process, if any:	N	Identification of potential spill conditions:	Y
Evaluation of IU's monitoring methods:	N	Evaluation Of Slug Control Plan	N
Verification of production rates that would affect production based standard:			NA

Result of this review from the last PCI/audit: some questions on the inspection report were left unanswered.

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)]

______ A description of discharge practices including non-routine batch discharges

______ A description of stored chemicals

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

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

______ 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

74. COMMENTS

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: **PAS**
Principal Pollutants: 40 CFR 433
Products: metal name plates

No. of Employees:

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

YES____ Permit application not signed
Yes____ Current Permit
NO____ Correct limits in Permit
N____ Correspondence/meeting notes/phone log
Y____ Most recent inspection report
Y____ Evaluation for need for Slug control
Y*____ Compliance status determination

X____ POTW sampling results
X____ Self-monitoring reports
N___ Enforcement documentation No written NOV
NA___ Solvent Management Plan **6/25/2024**
NA__ Correct application of the CWF
X____ Slug Control Plan **8/3/2022**

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

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

C. In the last complete calendar year how many times did the POTW:
Sample the IU: 1 Inspect the IU: 1

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: Semi-Annual 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: YES

POTW Compliance monitoring: NO

I. Was the IU's compliance status (i.e. SNC, Infrequent noncompliance, Consistent compliance) determined properly? YES

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).

Violation	Date of Violation	Date of POTW Knowledge	Date of POTW Response	ERP Required Response	POTW Response
Cu of LL	**8-14 & 15-2024**	**NONE**	**NONE**	**NOV**	**NONE**
Cu of LL	**10/3-5/2023**	**NONE**	**NONE**	**NOV**	**NONE**
Cu of LL	**5/1-3/2023**	**NONE**	**NONE**	**NOV**	**NONE**

Semi-Annual Reports – no certification statements only TTO statement

Missed resampling, because city missed noticing he violation of stringent local limits that is not inclded in permit.

City's annual sampling:

In 2022 and 2023 city sampled for all regulated pollutants including TTOs but not in 2024.. Why?

Industry Name: **Davis Paint**

Principal Pollutants: 40 CFR 466 Paint Formulating

No. of Employees: 34

Products: Inorganic/Organic solvents, alkyds, pigments, water based emulsions, latex

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	N___ Enforcement documentation
N____ 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	Y____ Slug Control Plan
Y*____ Compliance status determination	

*Compliance determination on Annual Report but was incorrect for Dec 2023

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

_____ 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: Inspect the IU: Once on August 15, 2024

D. Were all regulated pollutants analyzed by the POTW at least once in the most recent calendar year? NO.

12/28/2022: Missing PCBs AND 11/29/2022: Missing PCBs

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? **No discharge of categorical process**

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

G. Did the industry comply with the sampling and reporting frequency requirements of its Control Mechanism? NO

H. Did the POTW identify all IU violations from:

IU Self-monitoring: NO – See notes   POTW Compliance monitoring: Yes; No exceedances

I. Was the IU's compliance status (i.e. SNC, Infrequent noncompliance, Consistent compliance) determined properly? NO

*Compliance determination on Annual Report but was incorrect for Dec 2023

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).

Violation	Date of Violation	Date of POTW Knowledge	Date of POTW Response	ERP Required Response	POTW Response

Semi-Annual Reports -

June 2024: Sampled for all parameters and did not exceed

December 2023: Zinc: TRC exceedance for Day 1 (12/12/23) 1.37 mg/L:

Resampled February 6-8, 2024 for benzene, ethyl benzene, toluene (missing day 2 and 3 from Dec 2023) and zinc for exceedance

June 2023: Permit states 3 day period June 20-22, 2023 – Missing day 2 and 3 for benzene, ethyl benzene, toluene:

Re-sampled benzene, ethyl-benzene, toluene August 2-4, 2024 – Toluene exceeded day 1 at 0.241 mg/L but was not TRC exceedance. Re-sampled of toluene occurred September 19-21, 2023. Resampled of toluene, day 2 exceeded with 0.306 mg/L of 0.238 mg/L limit but was not TRC exceedance

December 2022: did not sample for BOD – no limits because of surcharging

Sample period – December 20-22, 2022 AND BOD was sampled on January 24-26, 2023

June 2022: June 21-23, 2022; Lab did not complete all required analyzes. Re-sampled July 26-28, 2022 for missing parameters

**All re-samples reviewed were not in the correct semi-annual period

City's annual sampling:

2024: Sampled but no results yet AND 2023 December 19, 2023

Missing: BOD, pH, temp, TDS, TSS, manganese – No Chain of Custody attached

12/28/2022: Missing PCBs AND 11/29/2022: Missing PCBs

2023 Annual Report did not list Davis Paint as Categorical Industry but permit has correct categorial standard

Industry Name: **U.S. Gypsum**
Principal Pollutants: **40 CFR 430**
Products: Wallboard paper; waste paper, polymers, sizers, liquid alum, water

No. of Employees: 62

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

Y____ Permit application
Y____ Current Permit
Y____ Correct limits in Permit
N____ Correspondence/meeting notes/phone log
Y____ Most recent inspection report
Y____ Evaluation for need for Slug control
Y*____ Compliance status determination

Y____ POTW sampling results
Y____ Self-monitoring reports
N____ Enforcement documentation
NA___ Solvent Management Plan
NA___ Correct application of the CWF
Y____ Slug Control Plan

*Compliance determination on Annual Report but was incorrect for Dec 2022, 2023, and 2024.

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
_____ POTW response
_____ Follow-up written notification
_____ Effect on the plant

C. In the last complete calendar year how many times did the POTW:
Sample the IU: Inspect the IU: October 16, 2024

D. Were all regulated pollutants analyzed by the POTW at least once in the most recent calendar year? NO

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?
Certification statement for categorical standard

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

G. Did the industry comply with the sampling and reporting frequency requirements of its Control Mechanism?
**Did not sample all parameters

H. Did the POTW identify all IU violations from:

IU Self-monitoring: No

POTW Compliance monitoring: No exceedances

I. Was the IU's compliance status (i.e. SNC, Infrequent noncompliance, Consistent compliance) determined properly? NO. Compliance determination on Annual Report but was incorrect for Dec 2022, 2023, and 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).

Violation	Date of Violation	Date of POTW Knowledge	Date of POTW Response	ERP Required Response	POTW Response

Notes:
Semi Annual Reports: **Only sampled for Table A and not local limits which is Table B**
Has certification statement for Jun 2024, Dec 2023, Jun 2023, Dec 2022, and Jun 2022
15,000,000 gal/mo. Discharge: 12,750,000 gal/mo. Process water Boiler feed: 555,000 gal/mo.
City's annual sampling:12/12/2023 – All local limits parameters 12/15/2022 – Has metals, cyanide, phenols

Industry Name: **Holand 1916 Inc.**
Principal Pollutants: 40 CFR 433 etching
Products: metal name plates

No. of Employees: **35**

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

NO____ Permit application not signed
Yes____ Current Permit
NO____ Correct limits in Permit
N____ Correspondence/meeting notes/phone log
Y____ Most recent inspection report
Y____ Evaluation for need for Slug control
Y*____ Compliance status determination

X____ POTW sampling results
X____ Self-monitoring reports
N___ Enforcement documentation No written NOV
NA___ Solvent Management Plan **6/8/20216**
NA__ Correct application of the CWF
X____ Slug Control Plan

*Compliance determination on Annual Report but was incorrect for Dec 2023

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

_____ Immediate notification by the IU
_____ POTW response

_____ Follow-up written notification
_____ Effect on the plant

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

Sample the IU: 1 Inspect the IU: 1

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: Semi-Annual Reporting : Semi-Annual

G. Did the industry comply with the sampling and reporting frequency requirements of its Control Mechanism? NO
Did not resample within 30 days after exceedances.

H. Did the POTW identify all IU violations from:

IU Self-monitoring: NO

POTW Compliance monitoring: NO

Chrome violation on 8/15/2024, but PC failed to review reports. No NOVE was sent and no resampling

I. Was the IU's compliance status (i.e. SNC, Infrequent noncompliance, Consistent compliance) determined properly? YES

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).

Violation	Date of Violation	Date of POTW Knowledge	Date of POTW Response	ERP Required Response	POTW Response
SNC- Cr	**8/15/2024**	**Failed to review monitoring reports**		**NOVE-SNC**	**NONE**

Semi-Annual Reports – no certification statements only TTO statement

June 2023: missed sampling. SNC

August 2024: Cr violation but PC failed to review reports. No NOVE was sent and no resampling

City's annual sampling:

In 2022 and 2023 city sampled for all regulated pollutants including TTOs but not in 2024