



REGION 2

NEW YORK, N.Y. 10007

11/22/2023

Via Electronic Mail to: psnyder@jamestownbpu.com

Mr. Paul Snyder
Deputy General Manager – Water Resources
Jamestown Board of Public Utilities
P.O. Box 700
Jamestown, New York 14702

RE: Request for Information, Pursuant to Section 308 of the CWA
Docket No. CWA-IR-24-005
Jamestown Board of Public Utilities
SPDES Permit No. NY0027570
EPA Pretreatment Compliance Inspection – September 14, 2023

Dear Mr. Snyder:

The purpose of this Request for Information (“RFI”) letter is to require you to submit information to the United States Environmental Protection Agency (“EPA”), Region 2 regarding the Jamestown Wastewater Treatment Plant operated by Jamestown Board of Public Utilities (“Jamestown BPU”) (SPDES Permit No. NY0027570).

Section 308(a) of the Clean Water Act (“CWA”), 33 U.S.C. § 1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. § 1311, as well as pretreatment standards under Section 307 of the CWA, 33 U.S.C. § 1317, EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the CWA, EPA may require the submission of information necessary to assess the compliance status of any facility/site and its related appurtenances.

On September 14, 2023, EPA conducted a Pretreatment Compliance Inspection (“PCI”) of Jamestown BPU’s Industrial Pretreatment Program. The purpose of the PCI was to evaluate Jamestown’s compliance with the General Pretreatment Regulations for Existing and New Sources of Pollution at 40 C.F.R. Part 403. Enclosed is a copy of EPA’s PCI report detailing the findings and observations of the PCI, including **Potential Non-Compliance Items** and **Areas of Concern**.

REQUEST FOR INFORMATION

Jamestown BPU is hereby required, pursuant to Section 308(a) of the CWA, 33 U.S.C. § 1318(a), to submit the following no later than **forty-five (45) calendar days** of receipt of this RFI:

1. A written response describing how Jamestown BPU has addressed or will address the **Potential Non-Compliance Items** and **Areas of Concern** in the enclosed PCI report, including a corrective action plan and timeframe for addressing the **Potential Non-Compliance Items**.

CERTIFICATION

Any documents to be submitted by you must be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (*see* 40 C.F.R. § 122.22), and shall include the following certification:

“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 assure that qualified personnel properly gathered and evaluated 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 submitted false information, including the possibility of fine and imprisonment for knowing violations.”

All information required to be submitted by this RFI shall be emailed to the following EPA representatives:

Larry Gaugler, P.E.
Team Leader
Small Clean Water Compliance Programs Team, Water Compliance Branch
Enforcement and Compliance Assurance Division
US EPA Region 2
gaugler.larry@epa.gov
with copy to
ferreira.nicholas.k@epa.gov

If files are too large for e-mail transmittal, please have your staff contact Mr. Nick Ferreira via the e-mail address provided above to discuss alternate means of transmitting the required information.

Failure to provide the required information or provide misleading or false information may result in the issuance of orders requiring compliance, to the imposition of civil/administrative/criminal penalties, and/or civil/administrative/criminal proceedings pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. Failure to comply with the RFI shall also subject the facility to ineligibility for participation in work associated with Federal contracts, grants or loans.

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35 (*see* 5 C.F.R. § 1320.3(c)).

We look forward to Jamestown BPU's cooperation in this matter. If you have questions or comments regarding the PCI, please call me at (212) 637-4244 or contact Nick Ferreira at (212) 637-4248 or at the e-mail address listed above.

Sincerely,



Digitally signed by
JUSTINE MODIGLIANI
Date: 2023.11.22 12:28:20
-05'00'

Justine Modigliani, P.E.
Acting Manager
Water Compliance Branch

ENCLOSURES

1. Jamestown BPU PCI Report & appendices

cc: Damianos Skaros, P.E., NYSDEC Region 9 RWE, damianos.skaros@dep.ny.gov
Larry Gaugler, P.E., EPA Region 2 Team Leader, SCWCPT, gaugler.larry@epa.gov
Keith Vanstrom, Chief Wastewater Treatment Plant Operator, Jamestown BPU,
kvanstrom@jamestownbpu.com