REGION 3
PHILADELPHIA, PA 19103

November 30, 2023

Rachel Stasik
Industrial Pretreatment Program Coordinator
Bucks County Water & Sewer Authority
1275 Almshouse Rd
Warrington, PA 18976

Re: Bucks County Water & Sewer Authority Pretreatment Compliance Audit

Dear Rachel Stasik:

Thank you for your cooperation and participation during the Pretreatment Compliance Audit (PCA) conducted on September 13 and 14, 2023. PCAs provide EPA the opportunity to assist a Control Authority in building its capacity to implement a high-quality pretreatment program. The purpose of a PCA is to assess a program's compliance with the regulatory requirements of an applicable National Pollutant Discharge Elimination System (NPDES) permit(s). Additionally, the audit identifies areas where the Control Authority's program require modification to ensure compliance with regulations. The audit of the Bucks County Water & Sewer Authority (BCWSA) publicly owned treatment works (POTW) pretreatment program revealed a well-established foundation. However, the enclosed audit report outlines specific findings that require your immediate attention and prompt corrective action to align the program with the General Pretreatment Regulations, 40 C.F.R. Part 403.

Please find attached a copy of the POTW Pretreatment Program Audit Report and relevant attachments. While the required and recommended changes to BCWSA's pretreatment program can be found at Section X of the report, a summary of the findings is as follows, which reflects the report's organization. The summary may not include all findings identified in the audit report.

A. **Legal Authority** – Review of BCWSA's legal authority, *Industrial Wastewater Discharge and Pretreatment Rules*, revealed several discrepancies with the General Pretreatment Regulations. The Authority must revise this document to align inconsistencies or omissions of definitions, required reports, test procedures, remedies for non-compliance, and bypass provisions. In conjunction with these revisions, the Authority must ensure that the legal authority under which it operates is enforceable in federal, state, or local courts. This means maintenance of legally binding procedures enabling BCWSA to apply and enforce its program's pretreatment standards and requirements with respect to its entire service area. This includes those extra-jurisdictional industrial users (IUs) discharging to one of the seven POTWs owned and operated by the Authority. The necessary corrective actions regarding BCWSA's legal authority are located under Section X, Subsection A of the report and

Attachment 1, *POTW Legal Authority Review Checklist*. Despite the need to revise and update language, the structure of BCWSA's existing legal authority closely resembles the *EPA Model Pretreatment Ordinance* (2007).

Notably as well, review of the legal authority highlighted BCWSA's need to reevaluate its characterization of industrial users to meet the definition of "non-significant categorical industrial user" and "middle tier categorical industrial user".

B. Application of Standards – Review of BCWSA's application of Pretreatment Standards showed multiple deficiencies, particularly the exclusion of local limits in addition to the application of categorical pretreatment standards. Of these categorical pretreatment standards, the Authority needs to reevaluate its categorization process when applying "Pretreatment Standards for New Sources" versus "Pretreatment Standards for Existing Sources" in the control mechanism issued to the industrial user PH Tool, LLC.

As required by the National Pollutant Discharge Elimination System permit issued to the Harvey Avenue POTW owned and operated by BCWSA, the Authority needs to submit to EPA a reevaluation of its local limits based on a headworks analysis of the treatment plant as soon as reasonably available. The list of pollutants to be evaluated, as well as a sampling plan for collection of necessary data, also needs to be submitted to EPA. Routine reevaluation of local limits is not only statutorily required, but necessary to adequately protect the treatment works, its workers, and the environment.

C. Control Mechanisms – Upon reviewing the wastewater discharge permits issued by BCWSA, it became evident that there were several inconsistencies and omissions in language when compared to the requirements of the General Pretreatment Regulations and BCWSA's legal authority, and other permits issued by the Authority. To align with these regulations, the Authority must revise its wastewater discharge permit template and ensure its issued permits reflect these changes. These corrective actions to BCWSA's legal authority are located under Section X, Subsection C of the report and Attachment 3, *Control Mechanism Checklist*. Crucially, the Authority needs to require and verify sampling from industrial users for all applicable effluent limitations.

D. Compliance Monitoring – Industrial user sampling and inspections are the cornerstone of a program's pretreatment compliance and enforcement program. BCWSA must sample and inspect all significant industrial users (SIUs) at least once per year, with sampling being conducted for all pollutants with established effluent limitations. This includes any remaining SIUs not yet sampled or inspected by the Authority since its acquisition of the Bristol Borough POTW. Reports, as another means of ensuring compliance with pretreatment standards and requirements, must be received, and accepted primarily in hardcopy format.

E. Enforcement – There being no discernable violations by industrial users, review of BCWSA's enforcement procedures could not be completed. Significantly, though, EPA noted that the Authority may not have an existing Enforcement Response Plan (ERP). As required by the General Pretreatment Regulations, and as an ERP is an effective enforcement program to address IU noncompliance, the Authority will need to demonstrate the existence of an ERP. If an ERP is not found, the Authority must promptly develop one and submit the ERP to EPA.

F. **Data Management** – Review of BCWSA's data management procedures demonstrated a well-kept records system. To maintain this system, the Authority's industrial user inventory must be kept up to date. The Authority needs to continue to determine if any facilities previously contacted meet the definition of an SIU, and, if they do, permit those facilities accordingly.

G. **Program Resources** – The audit highlighted the need for BCWSA to allocate an adequate level of staffing towards the implementation of the Authority's pretreatment program. With a service area comprising seven POTWs, it is imperative the Authority continue to pursue your transition and training to a full-time pretreatment coordinator. Recorded training webinars and pretreatment publications may be found at https://www.epa.gov/npdes/national-pretreatment-program.

EPA requests BCWSA review the corrective actions summarized above and enclosed in the full audit report and provide a proposed action plan within 60 days of receipt of this report. For those items not immediately addressed, please include a planned completion date. EPA recommends completing Attachment 5, *Audit Action Items* to fulfill this request. If you have any questions or comments regarding this matter, please contact Aron Possler of my staff at possler.aron@epa.gov or (215) 814-2780.

Sincerely,

JESSICA MARTINSEN

Digitally signed by JESSICA MARTINSEN
Date: 2023.11.30 14:43:42 -05'00'

Jessica Martinsen
Chief
Permits Section

PRETREATMENT COMPLIANCE AUDIT

Audit Date(s)	Program Name
9/13/2023–9/14/2023	Bucks County Water & Sewer Authority

Contact Name	Title		Telephone
Rachel Stasik	Engineering Technician, Industrial Pretreatment Program Coordinator		(215) 343-2538 x134
Address	1275 Almshouse Rd., Warrington, PA 18976		
E-Mail Address	s.rachel@bcwsa.net		
		Yes	No
Should this be the person on the mailing list?		X	

Participants				
Name		Title	Organization	Telephone
1	Aron Possler	Life Scientist	U.S. EPA Region 3	(215) 814-2780
2	Ryan Shuart	Life Scientist	U.S. EPA Region 3	(215) 814-2714
3	Natalie Sanchez-Gonzalez	Life Scientist	U.S. EPA Region 3	(215) 814-2078
4	Sarah Maurer	Life Scientist	U.S. EPA Region 3	(215) 814-2715
5	Patrick Woolford	Attorney-Adviser	U.S. EPA Region 3	(215) 814-2679
6	Erin Schulberger	Director, Environmental Compliance	BCWSA	(215) 343-2538 ext. 112
7	Rachel Stasik	Engineering Technician	BCWSA	(215) 343-2538 ext. 134

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

SECTION I: GENERAL INFORMATION		
A. Background - Complete prior to onsite activity		
1	Date of last annual report:	3/23/2023, reviewed 5/30/2023
	List unresolved issues.	• Sampling Plan submission late (due 7/28/2022) • Local Limits reevaluation submission late (due 4/28/2023)
2	Date of last audit:	8/5/2009
	List unresolved issues.	• N/A
3	Date of last inspection:	5/17/2017
	List unresolved issues.	• N/A
4	List any other outstanding issues.	N/A
5	Number of treatment plants (verify during onsite activity):	(7) Harvey Avenue (PA0021172) Green Street (PA0021181) Bristol (PA0027294) Upper Dublin (PA0029441) Kings Plaza (PA0051250) Birmingham (PA0053449) Tradesville (PA0056758)

NPDES Number	Issuance Date	Expiration Date
PA0021172 (Harvey Avenue)	4/28/2022	4/30/2027
PA0021181 (Green Street)	7/16/2020	7/31/2025
PA0027294 (Bristol)	8/12/2019	8/31/2024
PA0029441 (Upper Dublin)	3/10/2022	3/31/2027
PA0051250 (Kings Plaza)	10/24/2018	10/31/2023
PA0053449 (Birmingham)	11/1/2022	11/30/2027
PA0056758 (Tradesville)	5/5/2020	5/31/2025

6	a. Measures of Success - Compliance with NPDES limits (measure 5) **Note**: No evaluation done for Bristol, Birmingham, or Tradesville POTWs		
Year	Category 1	Category 2	Category 3
2022 Harvey Avenue			
2022 Green Street			
2022 Upper Dublin		NH_3-N (1)[1], Fecal Coliform (1)[2]	
2022 Kings Plaza		Fecal Coliform (3)[3], Nitrite + Nitrate (2)[4]	
2021 Harvey Avenue			
2021 Green Street		Cu (1)[5]	
2021 Upper Dublin			
2021 Kings Plaza		Fecal Coliform (1)[6]	
2020 Harvey Avenue			
2020 Green Street		Cu (4)[7], TSS (2)[8]	
2020 Upper Dublin			
2020 Kings Plaza		Nitrite + Nitrate (1)[9]	
2019 Harvey Avenue		TDS (1)[10]	
2019 Green Street		TSS (1)[11], *Ceriodaphnia dubia* (1)[12], Cu (1)[13]	
2019 Upper Dublin		NH_3-N (1)[14]	
2019 Kings Plaza		Nitrite + Nitrate (1)[15]	
2018 Harvey Avenue		Al (4)[16]	
2018 Green Street		*Pimephales promelas* (1)[17], TSS (1)[18], Cu (1)[19]	

	2018 Upper Dublin		NH_3-N (2)[20], TSS (1)[21], Fecal Coliform (1)[22]	
	2018 Kings Plaza		TP (2)[23], Fecal Coliform (1)[24], Nitrite + Nitrate (2)[25]	
	b. Measures of Success - Compliance with sludge limits (measure 7) **Note**: No evaluation done for Bristol, Birmingham, or Tradesville POTWs			
	Year	Category 1	Category 2	Category 3
	2022	No violations		
	2021	No violations		
	2020	No violations		
	2019	No violations		
	2018	No violations		

[1] June 2022
[2] October 2022
[3] April, August, September 2022
[4] August, October 2022
[5] February 2021
[6] October 2021
[7] February, March, August, December 2020
[8] January, August 2020
[9] September 2020
[10] March 2019
[11] May 2019
[12] September 2019
[13] November 2019
[14] May 2019
[15] July 2019
[16] January, February, March, May 2018
[17] June 2018
[18] November 2018
[19] November 2018
[20] May, June 2018
[21] November 2018
[22] December 2018
[23] January, February 2018
[24] May 2018
[25] July, October 2018

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

Parameter violated	Date(s)	Reported Cause(s)
Aluminum	5/2018, 3/2018, 2/2018, 1/2018	Unrelated to industrial discharge.
Ammonia Nitrogen	6/2022, 5/2019, 6/2018, 5/2018	Unrelated to industrial discharge.
Ceriodaphnia dubia	9/2019	Unrelated to industrial discharge.
Copper	12/2021, 8/2021, 3/2021, 2/2021, 2/2021, 11/2019, 11/2018	Unrelated to industrial discharge.
Dissolved Oxygen	4/2023	Unrelated to industrial discharge.
Total Dissolved Solids	3/2019	Unrelated to industrial discharge.
Fecal Coliform	1/2023, 10/2022, 9/2022, 8/2022, 4/2022, 10/2021, 12/2018, 5/2018	Unrelated to industrial discharge.
Nitrite + Nitrate	10/2022, 8/2022, 9/2020, 7/2019, 10/2018, 7/2018	Unrelated to industrial discharge.
Total Phosphorus	2/2018, 1/2018	Unrelated to industrial discharge.
Pimephales promelas	6/2018	Unrelated to industrial discharge.

Total Suspended Solids	8/2021, 1/2021, 5/2019, 11/2018, 11/2018	Unrelated to industrial discharge.

8	Does the permit(s) require pretreatment implementation?	Yes	No	
		X	Kings Plaza, Bristol, Birmingham, Tradesville	
9	Does the permit(s) have a schedule for pretreatment program implementation/modification?	Yes	No	
			X	

Activity	Milestone Date	Completion Date
Submit list of pollutants and sampling plan	7/28/2022	Late
Submit local limits reevaluation	4/28/2023	Late
Submit response to comments on reevaluation		
Adopt local limits		

10	List any pending program modifications and current status (verify during onsite activity).	
11	Measures of Success - Overall Rating (measure 19)	

Year	Category 1	Category 2	Category 3
2022			74.1%
2021		79.6%	
2020		79.6%	
2019		77.8%	
2018		85.2%	

SECTION II: LEGAL AUTHORITY					
A. Background - Complete prior to onsite activity					
1 List all municipalities served by the POTW(s) and applicable legal authorities (verify during onsite activity).					
Municipality Name[26]	Ordinance Date	Agreement Date	Any IUs? (X all that apply)		
			SIUs	IUs	None
Bedminster Township					X
Bensalem Township					X
Bristol (City)					X
Buckingham Township					X
Doylestown Borough	4/19/1993?				X
Doylestown Township					X
Falls Township					X
Hulmeville Borough					X
Langhorne Manor Borough					X
Langhorne Borough					X
Lower Makefield Township					X
Middletown Township					X
New Britain Borough					X
New Hope (Town)					X
Newtown Joint Authority					X
Northhampton Township					X
Penndel Borough					X
Plumstead Township			1		
Richlandtown Borough					X
Richlandtown Township					X
Solebury Township					X
Upper Dublin Township	2/2/2000?				X

2 Was a complete legal authority review previously conducted?	Yes	No	Date	Reviewer
	X		4/25 2007	Stephen Copeland

	Describe any inadequacies not yet corrected.	Copies of all intermunicipal agreements.			
3	Has the POTW(s) submitted legal authority revisions based on the streamlining amendments?			Yes	No
				X	
	If no, attach ordinance review. If yes, list status.	Approved (6/22/2021).			
4	Does the POTW(s)' ordinance provide for variances and/or special agreements?			Yes	No
					X
	If yes, does it:		Yes	No	N/A
	specifically prohibit changes to both categorical standards and other federal pretreatment requirements (e.g., reporting)?				X
	establish a cap based on the current MAIL for revised local limits?				X
	require that the revised limit or requirement be granted in writing?				X

B.	Current			
1	Update POTW(s)' progress on correcting deficiencies, including streamlining.	Required streamlining provisions approved (10/29/2015), with optional streamlining provisions approved (6/22/2021).		
2	Does the POTW(s) intend to adopt any additional optional streamlining provisions?	BCWSA has adopted all required and some optional streamlining provisions, aside from the optional sampling waiver for pollutants not present language and the general control mechanism language. There are no plans to adopt any additional optional streamlining provisions in the future.		
3	When did the POTW(s) last review its ordinance to ensure that it is consistent with the POTW(s)' current program implementation?	Early 2023.		
4	Do any outside agencies implement all or part of the pretreatment program within the POTW(s)' service area?		Yes	No
			X	
	If yes, list agency and part of program implemented.	Philadelphia Water Department.		
	If yes, how does the POTW(s) ensure the adequacy of implementation in these areas?	Annual coordination meetings.		

[26] https://www.bcwsa.net/about-us/

SECTION III: APPLICATION OF STANDARDS				
A. Background - Complete prior to onsite activity				
1	Has the POTW(s) stated in any annual reports in the last five years that problems (e.g., inhibition/upset, pass through, sludge contamination, corrosion, toxic fumes, etc.) have been caused by IU discharges?	Yes	No	
			X	
	If yes, describe the incident and actions taken.			
2	a. Date of last local limits submission:	1/15/2018		
	b. Date of acceptance:	8/2/2018		
	c. Date of approval:	BCWSA requested to maintain previous local limits.		
	d. If not accepted and approved, list status:			
3	Are the approved local limits allocated in the submission or left to be allocated in the permits?	Local limits are allocated in the submission.		
4	Does the POTW(s) have any BMPs approved as part of its local limits?	Yes	No	
			X	
	If yes, describe.			
5	Did the POTW(s) include loadings from waste haulers in its local limit development?	Yes	No	N/A
				X
6	Has the POTW(s) received approval for removal credits?	Yes	No	
			X	
	If yes, for what pollutants.			
7	Has the POTW(s) revised or proposed to revise its approved program to establish the classification of nonsignificant categorical industrial users?	Yes	No	
		X		
	If yes, list current status of approval.	Approved (6/22/2021).		
8	Has the POTW(s) revised or proposed to revise its approved program to establish the classification of middle tier categorical industrial users?	Yes	No	
		X		
	If yes, list current status of approval.	Approved (6/22/2021).		
9	Has the POTW(s) revised or proposed to revise its approved program to provide for equivalent mass limits in place of concentration based categorical standards?	Yes	No	
		X		
	If yes, list current status of approval.	Approved (10/29/2015).		

10	Has the POTW(s) revised or proposed to revise its approved program to provide for equivalent concentration limits <u>in place of</u> mass based categorical standards?	Yes	No	
		X		
	If yes, list current status of approval.	Approved (10/29/2015).		
11	List all CIUs subject to production-based standards (with category):	• PH Tool, LLC [Metal Finishing – 433] • Down-Union Carbide [Plastics Molding and Forming — 463?]		
12	List all CIUs for which concentration-based limits were applied <u>in place of</u> mass-based standards:	N/A		
13	List all CIUs for which mass-based limits were applied <u>in place of</u> concentration-based standards:	N/A		
14	List all CIUs for which a pollutants not present waiver has been granted:	N/A		
15	Does the approved program include procedures for acceptance of hauled waste?	Yes	No	
			X	
	If yes, describe.			

16 a. Measures of Success - Influent (measure 1)

Year	Category 1	Category 2	Category 3
2022 Harvey Avenue		Hg	
2021 Harvey Avenue		Hg	
2020 Harvey Avenue		Hg	
2019 Harvey Avenue		Hg	
2018 Harvey Avenue		Hg	

	b. Measures of Success - Effluent (measure 2)			
	Year	Category 1	Category 2	Category 3
	2022 Harvey Avenue		CN	
	2021 Harvey Avenue		CN	
	2020 Harvey Avenue		As	
	2019 Harvey Avenue		CN	
	2018 Harvey Avenue			

	c. Measures of Success - Sludge (measure 3)			
	Year	Category 1	Category 2	Category 3
	2022 Harvey Avenue	No exceedances		
	2021 Harvey Avenue	No exceedances		
	2020 Harvey Avenue	No exceedances		
	2019 Harvey Avenue	No exceedances		
	2018 Harvey Avenue	No exceedances		

	d. Measures of Success - Data/Local Limits (measure 4)			
	Year	Category 1	Category 2	Category 3
	2022 Harvey Avenue		Hg	CN
	2021 Harvey Avenue		Hg	CN
	2020 Harvey Avenue		Hg	As
	2019 Harvey Avenue		Hg	CN
	2018 Harvey Avenue		Hg	

B.	Industrial User Characterization	
1	When was the last full IWS completed?	5 years ago, in Upper Dublin Township.
2	How does the POTW(s) locate new IUs?	IUs request a questionnaire.

3	How does the POTW(s) investigate changes at existing IUs (e.g., non-SIU to SIU, NSIU to CIU)?	Interviews.		
4	How are changes discovered in contributing jurisdictions?	The contributing jurisdictions inform the POTW.		
5	Does the POTW(s) maintain a list of non-SIUs?	Yes	No	Update freq.
		X		
C.	Local Limits			
1	Is the POTW(s) aware of instances of pass through, treatment plant inhibition/upset, sludge contamination, or other problems (excessive corrosion, toxic fumes, sewer blockages, etc.) during the past year, including problems caused by conventional wastes?	Yes	No	
			X	
	If yes, describe incident and actions taken.			
2	Is the POTW(s) aware of any instances where workers have experienced industrial waste-related injuries or illnesses?	Yes	No	
			X	
	If yes, describe.			
3	If the POTW(s) allocates local limits through the permits, do they have a mechanism to track the allocations?	Yes	No	N/A
				X
	If yes, describe.			
4	Has the POTW(s) encountered any problems implementing applicable BMPs?	Yes	No	N/A
				X
	If yes, describe.			
5	What has the POTW(s) done to address category 2 or 3 ratings (most recent year) for influent, effluent, and sludge?	Exceedances were due to plant optimization with nitrates.		
D.	Standards and Requirements for IUs			
1	Does the POTW(s) report any questions/problems in the categorization of IUs?	Yes	No	
			X	
	If yes, describe.			
2	List all IUs where the combined wastestream formula was applied.	N/A		
3	Does the POTW(s) have a list of new source dates for all categorical industries?	Yes	No	
		X		

			Yes	No	N/A
4	Has the POTW(s) made a specific evaluation of process construction dates in relation to the new source date of any applicable categorical standards?				X
5	List all IUs currently regulated under Pretreatment Standards for New Sources.	N/A			
6	If present[27], does the POTW(s) regulate CIUs for which a no discharge standard exists?	No.			
7	Has the POTW(s) applied equivalent concentration limits to any users subject to mass-based standards <u>in place of</u> mass limits, other than those listed in Section A.12?			X	
	If yes, describe.				
8	Has the POTW(s) applied equivalent mass limits to any users subject to concentration-based standards <u>in place of</u> concentration limits, other than those listed in Section A.13?			X	
	If yes, describe.				
9	Has the POTW(s) granted any net/gross variances?			X	
	If yes, describe.				
E.	Hauled Wastes				
1	Does the POTW(s) accept wastes by truck, rail, or dedicated pipe (If no, go to Section V)			X	
	What types of waste are accepted?				
2	Are any hauled wastes hazardous?			X	
	If no, how does the POTW(s) confirm this?				
3	Has the POTW(s) designated a specific discharge point(s) for the waste (403.5(b)(8))?			X	
	If yes, where?				

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

4	Does the POTW(s) have a control mechanism for regulating the waste (403.8(f)(1)(iii))?	Yes	No	
			X	
	If yes, describe the mechanism and to whom it is issued.			
5	Does the control mechanism include all applicable categorical and local standards (403.8(f)(2)(iii))?	Yes	No	N/A
				X
6	Does the POTW(s) sample/require sampling of hauled waste?	Yes	No	
			X	
	If yes, describe the sampling program.			

SECTION IV: CONTROL MECHANISM

A. Background - Complete prior to onsite activity

1	Provide the # of IUs based on the most recent file information:	SNIUs	CIUs	MTCIUs	NSCIUs	Other	Total
		0	0	1	0	0	1

2	a. List all SIUs without control mechanisms or with expired control mechanisms (and the date of expiration).			
	b. Identify which of these users have administratively extended control mechanisms.			
3	According to the approved program, what type of control mechanism was intended to be used to regulate industrial discharges?	Wastewater Discharge Permit		
4	What industries does the approved program indicate will be regulated through this control mechanism?	All SIUs		
5	What is the maximum control mechanism duration indicated in the approved program?	Not to exceed 5 years		
6	Has the POTW(s) revised or proposed to revise its approved program to allow for general control mechanisms?	Yes	No	
			X	
	If yes, list current status of approval.			
7	Does the annual report indicate that any users are covered by a general control mechanism?	Yes	No	
			X	
	If yes, list the users that are covered by each general control mechanism.			

8	Measures of Success - Permit issuance rate (measure 13 - see attachment)						
B.	Control Mechanism						
1	Give the current # of IUs:	SNIUs	CIUs	MTCIUs	NSCIUs	Other	Total
		2	0	1	1	0	4
2	Have all expired SIU control mechanisms been re-issued?				Yes	No	N/A
							X
	If no, explain.						
3	What type of control mechanism is currently being used?			Individual Permits			
4	Has the POTW(s) issued any general control mechanisms other than those listed in Section A.7?				Yes	No	
						X	
	If yes, list the users that are covered by each additional general control mechanism.						

SECTION V: COMPLIANCE MONITORING					
A.	Background - Complete prior to onsite activity				
1	As required by the approved program, list the frequency for:	SNIU	CIU	MTCIU	NSCIU
	POTW(s) sampling of IUs	1x/yr	1x/yr	1x/2 yr	0x/yr
	POTW(s) inspection of IUs	1x/yr	1x/yr	1x/2 yr	0x/yr
	IU self-monitoring (e.g., periodic compliance reports)	2x/yr	2x/yr	1x/yr	0x/yr
	IU reporting	U	U	U	U
2	In the last year, indicate frequency of:	SNIU	CIU	MTCIU	NSCIU
	POTW(s) sampling of IUs	1x/yr	1x/yr	1x/yr	N/A
	POTW(s) inspection of IUs	1x/yr	1x/yr	1x/yr	N/A
	IU self-monitoring	4x/yr	4x/yr	1x/yr	N/A
	IU reporting	4x/yr	4x/yr	1x/yr	N/A
	If less than required by the approved program or less than 1/yr (403.8(f)(2)(v)), explain.	N/A			

3	List all SIUs that were found to have been not sampled or not inspected in the last annual report.			

Name of IU	NS/NI/B[28]	Reason

4	Has the POTW(s) revised or proposed to revise its approved program to provide for waivers for pollutants not present?	Yes	No	
			X	
	If yes, list current status of approval.			
5	Has the POTW(s) granted any monitoring waivers for pollutants not present?	Yes	No	
			X	
	If yes, list the user and the pollutants for which the waiver was granted.			
6	Measures of Success - Sampling and Inspection Coverage (measures 11 and 12 - see attachment)			

B.	POTW(s) Sampling and Inspection
1	Update status of users listed in the table in A.3:

Name of IU	NS/NI/B	Date planned/completed
PH Tool, LLC	Sampled	11/14/2022
PH Tool, LLC	Inspected	11/22/2022

2	Does the POTW(s) conduct all of the sampling for any of its users?	Yes	No	
			X	
	If yes, does the POTW(s) re-sample within 30 days of discovering a violation?	Yes	No	N/A
				X

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

3	Does the POTW(s) monitor for all categorical pollutants at least once per year?	Yes	No	
		X		
	If no, why not?			
	Does the POTW(s) monitor for all local limit pollutants at least once per year?	Yes	No	
		X		
	If no, how does the POTW(s) determine which pollutants to sample?			
4	For users with a monitoring waiver for pollutants not present, how often does the POTW(s) monitor for the waived pollutants?	N/A		
5	Does the POTW(s) have written standard operating procedures for sampling industrial users?	Yes	No	
			X	
6	Does the POTW(s) collect its own samples, or are they collected by a contractor?	A contractor, M.J. Reider Associates, Inc. collects samples.		
7	Are pH, oil & grease, cyanide, volatile organics, total phenol, sulfide, and hexavalent chromium collected by grab sample?	Yes	No	N/A
		X		
8	When collecting grab samples, how many grab samples are used?			
	Has the POTW(s) documented the reasons for the number of grab samples used for each IU?			
9	Are composite samples used for all other pollutants to evaluate compliance with:	Yes	No	N/A
	Categorical standards?			
	Local limits?			
	Is any unannounced sampling conducted?			
10	Is POTW(s) prepared to take samples on short notice (i.e., vehicles, personnel, preservatives, etc. available)?	X		
11	How much time normally elapses between sample collection and obtaining analytical results?	7–10 days.		
12	Has the POTW(s) evaluated all of its users for the need for a slug control plan?	Yes	No	
		X		
13	Has the POTW(s) documented and maintained the documentation of the slug control evaluations?	Yes	No	N/A
		X		

14	What factors does the POTW(s) consider in determining whether a user is required to develop a slug/spill control plan?	Chemical storage, floor drainage, chemical containment, washing of floors and equipment, previous slug discharges and/or spills.		
15	Do the POTW(s)' annual inspections include an evaluation of facility changes that might impact the need for a slug control plan?	Yes	No	
		X		
16	Does the POTW(s) have procedures (e.g., identify waste, response personnel, identify key manholes, etc.) and equipment to investigate causes and sources of unknown slugs/spills to the POTW(s) (including collection system)?	Yes	No	
		X		
	If yes, describe.	Identification via process of elimination manhole testing.		

C.	IU Self-Monitoring and Reporting			
1	When are user self-monitoring reports due (e.g., 30 days after the monitoring period)?	45 days after the monitoring period; due on the 28^{th} of the month when the quarter ends.		
2	How does the POTW(s) verify that IUs report all sample results if they sample more frequently than required?	No mechanism currently in place.		
3	Do any IUs discharge hazardous waste?	Yes	No	
			X	
	If no, how does POTW(s) verify this?	Annual inspections.		
	If yes, has the IU submitted the proper notifications (403.12(p))?	Yes	No	N/A
				X
4	Does the POTW(s) have procedures to monitor and control IUs when they close?	Yes	No	
		X		
	If yes, describe.	Monitored through billing; closure conference.		

SECTION VI: ENFORCEMENT				
A.	Background - Complete prior to onsite activity			
1	Has the POTW(s) revised its approved ERP based on the new SNC definition?	Yes	No	N/A
	If yes, does it include all of the changes or only the required changes?			

2	Based on the most recent file data, list the SIUs in SNC (indicate period).

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

3	Measures of Success - SNC rates (measures 7, 8, 9, and 10 - see attachment)

B.	Enforcement	
1	When the POTW(s) receives IU self-monitoring reports, how does it evaluate user compliance, including limits, completeness and timeliness of reports, and submission of resampling data?	The POTW manually compares the IU self-monitoring report data to applied limits within the IU permit
	When does this evaluation occur?	Quarterly or annual based on the reporting requirements per IU
2	How often does the POTW(s) evaluate for SNC?	Unrelated to industrial discharge.
3	Does the POTW(s) document its SNC evaluation?	Yes
	For what period was the last evaluation completed?	The most recent quarterly or annual period based on reporting requirements per IU
4	Is the POTW(s) using the new SNC definition? If yes, describe which parts of the new definition are used.	Yes, all parts of the new definition are used

		Yes	No	N/A
5	Have there been instances where the POTW(s) found the responses in its ERP to be inappropriate?			X
	If yes, explain.	POTW was unable to provide the most recent ERP		

		Yes	No	N/A
6	Has POTW(s) taken enforcement against all instances of pass through/interference in the last year?			X
	If no, why?			
	If yes, describe.			

7	Update based on most recent SNC period (identify period).			
Name of IU	1st quarter of SNC	SNC parameters	Describe enforcement taken with date	Scheduled compliance date

SECTION VII: DATA MANAGEMENT AND PUBLIC PARTICIPATION

A. Data Management

1	Are all records maintained for at least 3 years?	Yes: X	No:
2	How does the POTW(s) keep up to date on regulations and technical guidance for the pretreatment program?	Email announcements from EPA Region 3	

B. Public Participation

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

SECTION VIII: PROGRAM RESOURCES

1	Approximately how many full-time employees does the POTW(s) devote to the pretreatment program?	0 FTE
2	In what areas does the POTW(s) need additional resources?	Staffing necessary for program implementation

3	What additional activities (if any) has the POTW(s) undertaken to further the goals of the pretreatment program?	School visits and tours
4	What has the POTW(s) done to incorporate P2 practices into its pretreatment program?	Bill stuffers, Fats, Oils, and Grease (FOG) program, school visits

SECTION IX: INDUSTRIAL USER FILE EVALUATION			
IU Name	PH Tool, LLC (MTCIU)		
Category	Metal Finishing [433] PSES	PWF[29]	16.55 gpd
Address	6021 N Easton Rd., Pipersville, PA 18947		
Comments	(Permit #2021-01) (IU1)		
IU Name	Acme Uniforms (SNIU)		
Category	N/A	PWF[29]	12,000 gpd
Address	420 Howell St., Bristol, PA 19007		
Comments	(Permit #BB-2022-03) (IU2)		
IU Name	Dow-Union Carbide (NSCIU)		
Category	Unknown, potentially Plastics Molding and Forming [463] PSXS	PWF[29]	270 gpd
Address	310 George Patterson Blvd., Suite 102, Bridge Business Center, Bristol, PA 19007		
Comments	(Permit #BB-2022-02) (IU3)		
IU Name	Urban Outfitters, Inc. (SNIU)		
Category	N/A	PWF[29]	5,000 gpd
Address	2401 Green Ln., Levittown, PA 19057		
Comments	(Permit #BB-2023-04) (IU4)		

[29] Process waste flow

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

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

FILE REVIEW CHECKLIST	IU1 PH	IU2 A	IU3 DUC	IU4 UO
➢ the user does not have flow rates, production levels, or pollutant levels that vary so significantly that the MTCIU designation is inappropriate?	Y	N/A	N/A	N/A
3. Has the documentation been maintained for at least three years after expiration of the control mechanism?	Y	N/A	N/A	N/A
B. Application of Standards				
1. Were local limits and/or categorical standards properly applied?	N	N	N	N
2. If applicable, were production-based standards correctly applied?	N/A	N/A	N/A	N/A
3. If applicable, was the combined wastestream formula correctly applied?	U	N/A	U	N/A
4. If applicable, were TTO requirements or alternatives correctly applied?	Y	U	N/A	N/A
5. Does the control mechanism include BMPs in place of local limits?	N	N	N	N
➢ If yes, is the BMP authorized in the POTW(s) ordinance?	N/A	N/A	N/A	N/A
C1. Control Mechanism (also obtain a copy of a typical permit for the permit form review)				
1. Does the file contain:				
➢ an updated control mechanism application and/or survey questionnaire?	Y	Y	Y	Y
➢ a current control mechanism?	Y	Y	Y	Y
➢ documentation[30] of how control mechanism limits and requirements were established?	N	N	N	N
2. Is the user regulated through an individual control mechanism (ICM) or general control mechanism (GCM)?	ICM	ICM	ICM	ICM
3. Does the control mechanism include:				
➢ limits for all categorical and local limit pollutants?	N	N	N	N
➢ all applicable slug control requirements?	Y	Y	U	Y
➢ all applicable BMP requirements?	N/A	N/A	N/A	N/A
➢ monitoring requirements for all categorical and local limit pollutants?	N	N	N	N
- if no, is there documentation of the reasons for excluding specific pollutants?	N	N	N	N

[30] Categorization, new source, combined wastestream formula, production based standards, monitoring frequency, comparison of local limits to categorical standards, etc.

FILE REVIEW CHECKLIST	IU1 PH	IU2 A	IU3 DUC	IU4 UO
➢ sampling location and frequency?	Y	Y	Y	Y
➢ sample type, including appropriate use of grab and composite samples?	N	Y	N	N
- if used, is there documentation on the use of time-proportional or grab samples in place of flow-proportional samples?	N/A	N	N/A	N
➢ if the user is an MTCIU, the requirement for notification of changes causing it to no longer meet the MTCIU criteria?	N	N/A	N/A	N/A
➢ a compliance schedule?	N	Y	N	N
- if yes, does it stay applicability of permit requirements?	N/A	N/A	N/A	N/A
4. Is the permit effective for 5 years or less?	Y	Y	Y	Y
5. In the inspector's opinion, is the sample frequency sufficient to determine compliance?	Y	Y	N	Y
C2. General Control Mechanism (complete past #1 only if the user has been issued a general control mechanism)				
1. Is the user covered by a general control mechanism?	N	N	N	N
2. If yes, does POTW(s) documentation include:				
➢ copy of general permit?	N/A	N/A	N/A	N/A
➢ user's request for coverage?	N/A	N/A	N/A	N/A
➢ demonstration that user meets eligibility criteria including:				
- similar types of operations as other covered users?	N/A	N/A	N/A	N/A
- same types of waste as other covered users?	N/A	N/A	N/A	N/A
- same effluent limits as other covered users?	N/A	N/A	N/A	N/A
- same or similar monitoring as other covered users?	N/A	N/A	N/A	N/A
- user not subject to production-based standards, mass-based standards, CWF, or net gross variance?	N/A	N/A	N/A	N/A
➢ demonstration that user appropriately covered by general permit?	N/A	N/A	N/A	N/A
3. Has the documentation been maintained for at least 3 years after expiration of the control mechanism?	N/A	N/A	N/A	N/A
4. Did the user file a written request for coverage that identified its:				
➢ contact information?	N/A	N/A	N/A	N/A
➢ production processes?	N/A	N/A	N/A	N/A

FILE REVIEW CHECKLIST	IU1 PH	IU2 A	IU3 DUC	IU4 UO
➢ types of waste generated?	N/A	N/A	N/A	N/A
➢ monitoring location?	N/A	N/A	N/A	N/A
C3. Equivalent Mass Limits (complete past #1 only if the user has been issued equivalent mass limits in place of concentration based categorical standards)				
1. Has the user been issued equivalent mass limits in place of concentration based categorical standards?	N	N	N	N
2. If yes, has the POTW(s) issued mass limits only for pollutants for which mass limits are appropriate (excludes pH, temperature, radiation, and other similar pollutants)?	N/A	N/A	N/A	N/A
3. Did the user submit documentation that establishes:				
➢ that it employs water conservation?	N/A	N/A	N/A	N/A
➢ that it uses treatment adequate to achieve compliance?	N/A	N/A	N/A	N/A
➢ that it does not use dilution?	N/A	N/A	N/A	N/A
➢ the average daily flow based on monitoring?	N/A	N/A	N/A	N/A
➢ the long-term production rate?	N/A	N/A	N/A	N/A
➢ that its flow, production, and pollutant levels do not vary significantly?	N/A	N/A	N/A	N/A
➢ that it has consistently complied with categorical standards?	N/A	N/A	N/A	N/A
4. Were limits calculated based on actual average daily flow?	N/A	N/A	N/A	N/A
5. Did the POTW(s) reassess the limits based on changes in production?	N/A	N/A	N/A	N/A
6. Were mass limits retained in subsequent control mechanisms?	N/A	N/A	N/A	N/A
➢ If yes, was there a change in average flow from the previous control mechanism?	N/A	N/A	N/A	N/A
- If yes, is there documentation that the flow reduction was solely the result of water conservation?	N/A	N/A	N/A	N/A
7. Is there documentation in the file that demonstrates that the user:				
➢ has maintained and operated its treatment equipment?	N/A	N/A	N/A	N/A
➢ uses continuous flow monitoring?	N/A	N/A	N/A	N/A
➢ records and reports production rates?	N/A	N/A	N/A	N/A
➢ has provided notification where production rates have varied by more than 20% from the production rate used at the time that the mass limits were established?	N/A	N/A	N/A	N/A

FILE REVIEW CHECKLIST	IU1 PH	IU2 A	IU3 DUC	IU4 UO
➢ continues to employ water conservation?	N/A	N/A	N/A	N/A
C4. Equivalent Concentration Limits (complete past #1 only if the user has been issued equivalent concentration limits in place of mass based categorical standards)				
1. Has the user been issued equivalent concentration limits in place of mass based categorical standards?	N	N	N	N
2. If yes, is the user subject to a categorical standard other than 40 CFR 414, 419, or 455?	N/A	N/A	N/A	N/A
3. Does the control mechanism include the concentration limits from the categorical standard?	N/A	N/A	N/A	N/A
4. Is there documentation that the user does not use dilution?	N/A	N/A	N/A	N/A
C5. Pollutants Not Present (complete past #1 only if the user has been granted a monitoring waiver for pollutants not present)				
1. Has the user been granted a monitoring waiver for pollutants not present for any pollutants regulated by an applicable categorical standard?	N	N	N	N
2. If yes, has the user demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present?	N/A	N/A	N/A	N/A
3. Does the user's request for the waiver include:				
➢ at least one sample result prior to treatment that is representative of all process wastestreams?	N/A	N/A	N/A	N/A
➢ use of non-detectable results only where the approved test method with the lowest detection level is used?	N/A	N/A	N/A	N/A
➢ appropriate signature and certification?	N/A	N/A	N/A	N/A
4. Is the waiver included in the user's control mechanism?	N/A	N/A	N/A	N/A
5. Is the waiver valid for no longer than the user's current control mechanism?	N/A	N/A	N/A	N/A
6. Does the control mechanism require the user to:				
➢ notify the POTW(s) if the pollutant is found or expected to be present?	N/A	N/A	N/A	N/A
➢ begin at least semiannual monitoring if pollutant is found or expected to present?	N/A	N/A	N/A	N/A
7. Has the user reapplied for the waiver with each subsequent control mechanism application, including new data?	N/A	N/A	N/A	N/A

FILE REVIEW CHECKLIST	IU1 PH	IU2 A	IU3 DUC	IU4 UO
8. Has documentation of the granting of the waiver been maintained for at least 3 years after expiration of the waiver?	N/A	N/A	N/A	N/A
9. Has the user submitted the required certification with each self-monitoring report?	N/A	N/A	N/A	N/A
D. POTW(s) Inspections of IUs				
1. How many POTW(s) inspections were conducted and documented in the last 12 months?	1	1	1	0
2. Does the inspection report include:				
➢ inspector name?	Y	Y	U	N/A
➢ inspection date/time?	Y	N	U	N/A
➢ name of IU official contacted?	Y	Y	U	N/A
➢ evaluation of manufacturing facilities?	Y	Y	U	N/A
➢ evaluation of discharge of process baths or other chemicals?	Y	Y	U	N/A
➢ verification of production data if needed?	Y	N	U	N/A
➢ identification of wastewater sources, flow, and types[31] of discharge?	Y	Y	U	N/A
➢ evaluation of pretreatment facilities?	Y	Y	U	N/A
➢ evaluation of chemical storage areas?	Y	Y	U	N/A
➢ evaluation of spill/slug control procedures?	Y	N/A	U	N/A
➢ if applicable, evaluation of compliance with BMPs?	N/A	N	U	N/A
➢ evaluation of general housekeeping?	Y	Y	U	N/A
➢ potential hazardous waste discharge?	Y	N	U	N/A
➢ evaluation of self-monitoring equipment and techniques?	Y	Y	U	N/A
➢ evaluation of lab procedures?	Y	Y	U	N/A
➢ evaluation of monitoring records?	Y	Y	U	N/A
E. POTW(s) Sampling of IUs				
1. How many sampling visits were conducted and documented in the last 12 months?	1	0	0	0

[31] continuous, intermittent, batch, etc.

FILE REVIEW CHECKLIST	IU1 PH	IU2 A	IU3 DUC	IU4 UO
2. Do the sampling reports include:				
➢ all analytical results?	N	N/A	N/A	N/A
➢ name of sampling personnel?	Y	N/A	N/A	N/A
➢ sample date/time?	Y	N/A	N/A	N/A
➢ sample type?	Y	N/A	N/A	N/A
➢ sample location?	Y	N/A	N/A	N/A
➢ wastewater flow during sampling?	N	N/A	N/A	N/A
➢ sample preservation?	Y	N/A	N/A	N/A
➢ chain of custody?	Y	N/A	N/A	N/A
➢ analytical methods used?	Y	N/A	N/A	N/A
➢ analysis date?	Y	N/A	N/A	N/A
➢ name of analyst?	Y	N/A	N/A	N/A
3. Were all regulated parameters monitored?	N	N/A	N/A	N/A
4. Were 40 CFR 136 analytical methods used?	Y	N/A	N/A	N/A
5. If POTW(s) does not require self-monitoring, has the POTW(s) resampled within 30 days after a violation?	N/A	N/A	N/A	N/A
F. IU Self-Monitoring and Reporting				
1. Has the IU submitted all required self-monitoring reports in the last 12 months?	Y	U	Y	U
2. Did the report include measured or estimated flow data?	Y	U	Y	Y
3. Were all regulated parameters monitored at the required frequency?	Y	U	N	U
4. If applicable, was information provided to determine compliance with applicable BMPs?	N/A	N/A	N/A	N/A
5. Is there documentation that the IU notified the POTW(s) within 24 hours of becoming aware of a violation?	N/A	U	U	U
6. Has the IU resampled and reported within 30 days after a violation?	N/A	U	U	U
7. Are reports signed and certified by a responsible corporate official or authorized representative?	Y	U	U	Y
8. If applicable, was the authorization made in writing?	N/A	U	U	N/A
G. Slug/Spill Control				

FILE REVIEW CHECKLIST	IU1 PH	IU2 A	IU3 DUC	IU4 UO
1. Is there documentation in the file that the POTW(s) conducted a slug evaluation?	Y	Y	Y	N
2. If yes, does it include an inventory of process baths and other chemicals on site along with an evaluation of the potential for discharge of those baths and chemicals?	N	N/A	N/A	N/A
3. Have any slugs/spills been documented in the file?	N	U	U	N/A
4. If yes, did the user provide 24-hour notification?	N/A	U	U	N/A
5. Was there a written report from the user addressing the slug/spill including:	N/A	U	U	N/A
➢ cause of the slug/spill?	N/A	U	U	N/A
➢ steps taken to minimize damage from the slug/spill?	N/A	U	U	N/A
➢ steps taken to ensure that the slug/spill does not recur?	N/A	U	U	N/A
6. Did the POTW(s) require development of a slug/spill control plan?	Y	Y	Y	Y
7. Has the IU developed a slug/spill control plan?	Y	U	U	U
8. Does the slug/spill plan contain:				
➢ description of discharge practices?	N	U	U	U
➢ description of stored chemicals?	N	U	U	U
➢ procedures to prevent slugs/spills?	Y	U	U	U
➢ procedures to notify POTW(s) of slugs/spills?	N	U	U	U
➢ follow-up practices to minimize damage from slugs/spills?	N	U	U	U
H. Enforcement				
1. Did the POTW(s) respond to all IU violations in the last 12 months?	N/A	U	U	U
2. Was SNC status correctly reported on last AR?	No SNC	N/A	N/A	N/A
3. Is the IU currently in SNC?	N	U	U	U
4. Is the IU under a formal enforcement action?	N	U	U	U
5. Did the POTW(s) escalate action in accordance with the ERP?	N/A	N/A	N/A	N/A
I. Summary				
1. Is the file well organized and readily accessible?	Y	U	U	U

FILE REVIEW CHECKLIST	IU1 PH	IU2 A	IU3 DUC	IU4 UO
2. Does the file indicate that the POTW(s) has implemented only those streamlining options for which it has obtained approval?	Y	Y	Y	Y

SECTION X: FINDINGS, REQUIREMENTS, AND RECOMMENDATIONS

A. LEGAL AUTHORITY (Bucks County Water & Sewer Authority, Industrial Wastewater Discharge and Pretreatment Rules, "BCWSA Rules")

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

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

Term or Topic	Finding	Corrective Action
A. Definitions		
"Pretreatment Requirement"	Typo	Correct "substance" to "substantiative"
"Significant Industrial User"	Inconsistent	Move BCWSA Rules 1.4(GG)(3) to 1.1(U).
D. Required Reports		
Develop compliance schedule for installation of technology	Inconsistent	Correct ". . . any provision of this Part, a wastewater discharge directing that the User come into compliance within a specific time" to ". . . any provision of this Part, a wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may issue an order to the User responsible for the discharge directing that the User come into compliance within a specific time".
Reporting Requirements, Baseline monitoring report, Measurement of pollutants	Inconsistent	Add language of Model SUO § 6.1(B)(2)(b)–(c),(e)–(f). The language of Model SUO § 6.1(B)(2)(a) is already captured.
Reporting Requirements, Notification of changes affecting potential for a slug discharge	Absent	Add language of Model SUO § 6.6(D).
Other Reporting Requirements, Recordkeeping Requirement, Including documentation associated with Best Management Practices	Inconsistent	Correct "This includes BMP compliance records" to "This includes documentation associated with Best Management Practices".
E. Test Procedures		

Sample collection procedures	Absent	Add Model SUO § 6.11(C).
G. Remedies for Non-compliance (Enforcement)		
Non-emergency response, Injunctive relief	Typo	Correct to reflect the language of Model SUO § 11.1. Several typos and mismatches of text in comparison are noted.
Non-emergency response, Civil/Criminal penalties	Inconsistent	Correct ". . . for a maximum civil penalty of per violation, per day" to ". . . for a maximum civil penalty of [INSERT maximum civil penalty allowed under State law but not less than $1,000] per violation, per day".
I. Optional Provisions		
Equivalent mass limit for concentration limits	Inconsistent	Replace BCWSA Rules 2.2(E)(a) with Model SUO § 2.2(E)(3)(a). Model SUO § 2.2(E)(3)(c) is erroneously duplicated to BCWSA Rules 2.2(E)(a).
Bypass Notification	Inconsistent	Correct "which could not reasonably be expected to occur in the absence of a bypass" to "which can be reasonably expected to occur in the absence of a bypass"

1. 40 CFR 403.8(c) outlines the process of incorporation of an approved pretreatment program in an NPDES permit.

   FINDING: BCWSA owns and operates seven POTWs. Of these, the NPDES permits issued to the POTWs of Bristol (PA0027294), Kings Plaza (PA0051250), Birmingham (PA0053449), and Tradesville (PA0056758) do not include approved program pretreatment program language; therefore, it is RECOMMENDED that the Authority request minor modification, pursuant to 40 CFR 122.63(g), from PADEP to ensure these conditions are incorporated into the referenced POTW NPDES permits appropriately.

2. FINDING: BCWSA owns and operates seven POTWs within a service area encompassing several municipal jurisdictions; therefore, it is REQUIRED that the Authority demonstrate or demonstrate development towards legally binding procedures ensuring all extrajurisdictional industrial users are subject to enforceable pretreatment standards and requirements. Refer to *Multijurisdictional Pretreatment Programs* (https://www.epa.gov/system/files/documents/2021-07/owm0248.pdf) for guidance regarding intermunicipal agreements.

3. 40 CFR 403.12(e)(3) allows POTWs to reduce the submission frequency of required periodic monitoring reports of a CIU and the POTW's obligation to inspect and sample the CIU. This is allowable so long as the criteria of the cited section are met.

   A CIU may be designated by the Control Authority as a Middle Tier CIU if its discharge of categorical wastewater does not exceed the following:
   - 0.01 percent of the design dry weather hydraulic capacity of the POTW, or 5,000 gpd, whichever is smaller;

- 0.01 percent of the design dry weather organic treatment capacity of the POTW; and
- 0.01 percent of the maximum allowable headworks loading for any pollutant for which approved local limits were developed by a POTW.

In order to classify a CIU as a Middle Tier CIU, the Control Authority must also demonstrate that the CIU has not been in significant noncompliance for any time in the past 2 years and that the reduced reporting requirements would still result in data that is representative of conditions occurring at the facility and in the discharge during the reporting period.

<u>FINDING</u>: BCWSA improperly classifies PH Tool, LLC as a MTCIU; therefore, it is <u>REQUIRED</u> that the Authority reclassify PH Tool, LLC as a CIU, revise reporting requirements to reflect this change, and reissue the permit to the CIU. The applicable categorical pretreatment standards for this CIU will still apply.

- Based on DMR daily water discharge monitoring logs submitted to the Authority by PH Tool, LLC on April 21, 2021, April 26, 2022, and April 27, 2023, the IU is noted to have discharged categorical wastewater in an amount greater than 0.01% of the Harvey Avenue POTW design dry weather hydraulic capacity (1.6 MGD) above the calculated 160 gpd threshold.
- The local limit for BOD is not properly applied in the permit issued to PH Tool, LLC. Because of this, no sampling has been done for BOD, and the percentage of design dry weather organic treatment capacity of the POTW discharged by the IU cannot be determined.
- Based on self-monitoring reports submitted to the Authority by PH Tool, LLC on April 21, 2021, April 26, 2022, and April 27, 2023, all sampled parameters for which local limits exist are greater than 0.01% of the maximum allowable headworks loading (and calculated maximum allowable headworks concentration). Because the Authority has not properly applied all local limits within the permit issued to PH Tool, LLC, whether the IU exceeded these respective thresholds cannot not be determined.

4. 40 CFR 403.3(v)(2) allows POTWs to reduce the sampling and reporting requirements of a CIU. This is allowable as long as the criteria of the cited section are met.

   An NSCIU is a CIU designated by the Control Authority as “non-significant.” To qualify as an NSCIU, the CIU must never discharge more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling, and boiler blowdown wastewater, unless specifically included in the categorical pretreatment standard). The CIU must also:
   - Have consistently complied with all applicable Pretreatment Standards;
   - Annually submit a certification statement (40 CFR 403.12(q)); and
   - Never discharge any untreated concentrated wastewater.

   <u>FINDING</u>: BCWSA improperly classifies Dow-Union Carbide as an NSCIU; therefore, it is <u>REQUIRED</u> that the Authority reclassify Dow-Union Carbide as a CIU, revise reporting

requirements to reflect this change, and reissue the permit to the CIU. The applicable categorical pretreatment standards for this CIU will still apply, as well as, sampling to ensure compliance with these standards.

Based on DMR reports submitted to the Authority by Dow-Union Carbide on January 5, 2023, the IU is noted to have discharged categorical wastewater at a rate greater than 100 gpd on November 16, 2022, and discharges an average greater than 100 gpd on all but one reported weekly reading. Weekly was interpreted as being five days.

5. 40 CFR 403.3(v) defines the term "Significant Industrial User" as "[a]ny other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW".

   FINDING: On September 13, 2023, BCWSA stated that the Bucks County Jail may meet the definition of significant industrial user, potentially discharging over an average of 25,000 gallons per day or more of process wastewater to the POTW; therefore, it is RECOMMENDED that the Authority continue to determine if this facility meets the definition of a significant industrial user, and, if so, permit the facility accordingly.

B. APPLICATION OF STANDARDS

1. 40 CFR 403.8(f)(4) and 40 CFR 403.5(c)(1) requires POTWs with approved pretreatment programs to develop and continue to develop local limits as necessary.

   FINDING: BCWSA was reissued an NPDES permit on April 28, 2022; therefore, it is REQUIRED that the Authority, in accordance with C.II(E) of its NPDES permit, "submit to EPA a reevaluation of its local limits based on a headworks analysis of its treatment plant within one (1) year of permit issuance, and . . . a sampling plan for collection of necessary data . . . within three (3) months of permit issuance. As the local limits reevaluation and sampling plan were to be submitted by April 28, 2023, and July 28, 2022, respectively, please submit these documents as soon as they are reasonably available.

2. 40 CFR 403.8(f)(1)(iii)(B)(*3*) requires issued control mechanisms to contain effluent limits, based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law. 40 CFR 403.8(f)(1) requires POTWs to operate pursuant to legal authority enforceable in Federal, State, or local courts.

   FINDING: BCWSA does not consistently apply applicable effluent limits; therefore, it is REQUIRED that the Authority apply all existing local limits within its issued permits.

   - The Authority will need to revise and reissue permits where not all adopted local limits are currently applied. For example, the local limits for arsenic, beryllium, BOD, cyanide, mercury, selenium, total phenols, and total suspended solids are not applied in the permit issued to PH Tool, LLC. Section 2.4 of the BCWSA Industrial Wastewater Discharge and Pretreatment Rules states "[n]o person shall discharge wastewater containing in excess of the following instantaneous maximum allowable discharge limits".

- The Authority will need to revise and reissue permits where effluent limits are less stringent than applicable existing local limits. For example, the permits for Acme Uniforms, Dow-Union Carbide, and Urban Outfitters, Inc. apply a limit for 5-day biochemical oxygen demand greater than the value of "300 mg/L" at Section 2.4 of the BCWSA Industrial Wastewater Discharge and Pretreatment Rules.
    - Overall, the Authority appears to be generally applying effluent limits that were previously applied in permits issued by the Borough of Bristol before acquisition of the POTW by the Authority. While it is allowable to apply limits which are more stringent than those currently adopted by the Authority, the Authority should not be enforcing the legal authority of a municipality unless there exists contracts or joint power agreements between the Authority and the Borough.
    - The table below compares the effluent limits applied in the permits issued by the Authority to the local limits listed at § 2.4 of the *BCWSA Industrial Wastewater Discharge and Pretreatment Rules* and § 18-202.4 of the *Borough of Bristol, PA Rules and Regulations for the Introduction of Pollutants into the Sewer System*. BCWSA effluent limits are shown in green, Bristol Borough in blue. Where effluent limits applied are less stringent than those adopted by the Authority, the values are indicated in bold red.

Pollutant	BCWSA	Acme Uniforms	Dow-Union Carbide	PH Tool, LLC	Urban Outfitters, Inc.	Bristol Borough
Ammonia Nitrogen		4.23			4.23	4.23
Arsenic	0.1	**Absent**	**Absent**	**Absent**	**Absent**	
Beryllium	2	**Absent**	**Absent**	**Absent**	**Absent**	
5-day Biochemical Oxygen Demand	300	**600**	**600**	**Absent**	**1200**	600
Cadmium	0.5	0.5	**1**	0.5	**1**	1
Chemical Oxygen Demand		1200	1200		2400	1200
Chromium	2	2	**Absent**	1	**4**	
Chromium, Hexavalent			4			4
Cobalt			0.11			
Copper	2	2	**3**	1	**3**	3
Cumene		0.84			0.84	
Cyanide	0.5	0.5	0.42	0.5	**1**	1
Dichloromethane			0.005			
Lead	0.2	0.2	**0.32**	0.2	**0.4**	0.4
Mercury	0.01	0.01	**0.1**	**Absent**	**0.1**	0.1
Nickel	1	1	**2.5**	1	**2.5**	2.5
Oil and Grease	50	**100**	**Absent**	50	50	100
pH	5 to 9	6 to 9		6 to 9	6 to 9	6 to 9
Phenols	1	1	**Absent**	**Absent**	1	
Selenium	0.01					
Silver	0.3	**Absent**	**Absent**	0.3	**Absent**	

Sulfate			600			
Temperature	<150°F	<150°F		<150°F		
Toluene			0.028			
Total Phosphorus		15			15	
Total Residual Chlorine		2			2	
Total Suspended Solids	300	300	**600**	**Absent**	**1200**	600
Total Toxic Organics		2.13		2.13		
1,2,4-trimethylbenzene		0.015			0.015	
1,3,5-trimethylbenzene		0.013			0.013	
Zinc	2	2	1.05	1	**2.5**	2.5

3. FINDING: BCWSA has improperly categorized the permitted SIU, PH Tool, LLC, therefore; it is REQUIRED that the Authority revise and reissue the control mechanism for PH Tool, LLC to reflect effluent limits per 40 CFR 433.17 "Pretreatment standards for new sources (PSNS)" "Metal Finishing Point Source Category", not "Pretreatment standards for existing sources (PSES)" under the same category.

   During the IU site visit of PH Tool, LLC on September 14, 2023, representatives of the SIU stated that the facility has been in operation for approximately nine years. Pursuant to 40 CFR 403.3(m)(1), the term "new source" means any "building, structure, facility or installation from which there is or may be Discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards . . . which will be applicable to such source". With Subpart A of 40 CFR 433 having been published as proposed on July 15, 1983, the PSNS applies.

4. 40 CFR 403.8(f)(1)(iii)(B)(*3*) requires issued control mechanisms to contain effluent limits, based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law.

   FINDING: BCWSA improperly applies categorical pretreatment standards in permits issued to categorical industrial users; therefore, it is REQUIRED that the Authority, in addition to applying existing local limits, include daily maximum and monthly average categorical pretreatment standards where applicable.

   For example, the Authority will need to revise and reissue the permit for PH Tool, LLC to reflect application of all local limits *and* categorical PSNS for the metal finishing category as both types of effluent limits apply to the discharge of the CIU.

5. 40 CFR 403.6(e) allows POTWs (or IUs with concurrence of the POTW) to derive fixed alternative discharge limits when process effluent is mixed prior to treatment with wastewaters other than those generated by the regulated process.

   FINDING: Representatives of PH Tool, LLC indicated, during the IU site visit on September 14, 2023, that the SIU may be mixing reverse osmosis water with process water prior to discharge to the POTW; therefore, the combined wastestream formula may—if it is not already—be utilized in application of the categorical pretreatment standards (required to be revised to "PSNS for Metal Finishing"). Refer to 40 CFR 403.6(e) for guidance on utilizing the combined wastestream formula.
   40 CFR 403.8(f)(2)(iii) requires POTWs to develop and implement procedures for notifying IUs of applicable pretreatment standards, such as categorical pretreatment standards. 40 CFR 403.8(f)(1)(iii)(B)(*3*) requires these standards to be applied in the form of effluent limits in issued control mechanisms.

C. CONTROL MECHANISM

Attachment 3 provides the full "Control Mechanism Checklist" for the wastewater discharge permit issued to PH Tool, LLC. Whether a finding is required or recommended will be identified in this attachment. Where applicable, the corrective actions noted above should also be corrected in the PH Tool, LLC. industrial user discharge permit. Refer to the following for individual control mechanism required and recommended language:

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

Provision	Finding	Corrective Action
Inappropriate signature by IU representative	Inconsistent	Remove; refer to Section X., Subsection C. Control Mechanism.
Statement of appeal rights	Absent	Add; refer to section 5.3(B) of the Model SUO.
Nontransferability	Inconsistent	Add a requirement to provide a copy of the existing control mechanism to the new owner or operator. Additionally, the statement of "[t]his permit is not transferrable" is inconsistent with Section K of the permit issued to PH Tool, LLC.
Pollutants creating a fire or explosion hazard (140 °F or 60 °C)	Absent	Add; cite 40 CFR 403.5(b)(1).
Heat in amounts inhibiting biological activity resulting in interference (40 °C or 104 °F at POTW)	Absent	Add; cite 40 CFR 403.5(b)(5).
Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts causing interference or pass through	Absent	Add; cite 40 CFR 403.5(b)(6).
Pollutants resulting in the presence of toxic gases, vapors, or fumes causing acute worker health and safety problems	Absent	Add; cite 40 CFR 403.5(b)(7).
Trucked or hauled pollutants, except as designated	Absent	Add; cite BCWSA Rules § 2.1(B)(8).
Medical wastes	Absent	Add; cite BCWSA Rules § 2.1(B)(14).
Failure of a toxicity test	Absent	Add; cite BCWSA Rules § 2.1(B)(15).
Surfactants	Absent	Add; cite BCWSA Rules § 2.1(B)(16).
Applicable effluent limits	Absent	Add; refer to Section X., Subsection B. Application of Standards.
Upset	Absent	Add; cite 40 CFR 403.16.
Bypass	Absent	Add; cite 40 CFR 403.17.

Sampling frequency	Inconsistent	Add; sampling frequency should be listed in line with respective pollutant and effluent limitation. Additionally, the sampling frequency for pH is not indicated.
Sampling location	Vague	Sampling location should be described sufficiently to be identifiable by any individual.
Sample types (grab or composite)	Vague	Sample type should be listed in line with respective pollutant and effluent limitation.
Representative sampling	Absent	Add; cite 40 CFR 403.12(b)(5)(ii).
Reporting requirements	Absent	Add; cite 40 CFR 403.12.
Requirement to submit more frequent than required monitoring	Absent	Add; cite 40 CFR 403.12(g)(6).
Statement of applicable civil and criminal penalties	Inconsistent	Refer to Section X., Subsection A. BCWSA Rules § 11.2(A) erroneously omits a maximum civil penalty value.
Notice of potential problems, including slugs	Inconsistent	Add; cite 40 CFR 403.12(f).
Notification of change affecting the potential for a slug discharge	Absent	Add; cite 40 CFR 403.8(f)(2)(vi).
24-hour notification of violation and resample requirement	Absent	Add; cite 40 CFR 403.12(g)(2).
Discharge of hazardous waste notification	Absent	Add; cite 40 CFR 403.12(p)(1).

1. 40 CFR 403.8(f)(1)(iii)(B) requires issued control mechanisms to be enforceable in accordance with federal, state, and local law.

   FINDING: BCWSA does not maintain consistent issued permits; therefore, it is REQUIRED that the Authority ensure all permits issued are consistent with and are as stringent as the General Pretreatment Regulations, its Industrial Wastewater Discharge and Pretreatment Rules, and applicable state law. The permits issued to the IUs discharging to the Bristol POTW differ significantly from those issued to the IU discharging to the Harvey Avenue POTW. It is recommended that the Authority utilize a single template permit document in issuance of permits in the future.

2. FINDING: BCWSA requires applicants to sign issued wastewater discharge permits;

therefore, it is REQUIRED that the Authority remove this requirement or state clearly that a signature is merely an acknowledgement of having received the permit and in no way indicates that, by signing, the permittee agrees to comply with the terms and conditions of the permit. As referenced from the *Industrial User Permitting Guidance Manual*, such a statement could, depending on the circumstances, be misconstrued as changing the legal nature of the document from a permit to a contractual agreement; thereby affecting the interpretations and enforceability of the terms and conditions of the permit. The use of contracts or contractual agreements as a control mechanism does not provide a POTW with the requisite penalty authority for an approved program and are not an adequate control mechanism for POTWs with an approved program. A control mechanism signed by the permittee may be deemed a contract and thus lose its effectiveness as a control mechanism.

3. FINDING: BCWSA requires an obligation of the Authority within its issued permits; therefore, it is REQUIRED that the Authority revise and reissue the permits issued to Acme Uniforms and Urban Outfitters, Inc. to remove this language. The "Facility Inspection" section of each permit states that "[a] facility inspection shall be conducted annually by BCWSA or its consulting engineer". An obligation of the Authority within a permit could, depending on the depending on the circumstances, be misconstrued as changing the legal nature of the document from a permit to a contractual agreement; thereby affecting the interpretations and enforceability of the terms and conditions of the permit.

4. Pursuant to 40 CFR 403.12(h), the POTW must require appropriate reporting from those industrial users with discharges not subject to categorical pretreatment standards. Significant non-categorical industrial users must submit to the POTW at least once every six months (or dates specified by the POTW) a description of the nature, concentration, and flow of pollutants required to be reported by the POTW.

   FINDING: BCWSA requires sampling inconsistently within its issued permits; therefore, it is REQUIRED that the Authority revise and reissue the permits issued to Acme Uniforms and Urban Outfitters, Inc. to reflect required sampling.
   a. Effluent limits for 1,3,5-trimethylbenzene, phenols, and temperature are applied in each permit, but no accompanying requirement to sample and report for these pollutants is indicated.
   b. An effluent limit for total toxic organics is applied in the permit issued to Acme Uniforms, Inc., but no accompanying requirement to sample and report for this pollutant is indicated.

   Additionally, the Authority should ensure that all issued permits incorporate required sampling and reporting for pollutants with applied limits.

5. 40 CFR 403.12(g)(3) requires the measurement of pollutants to be taken via grab sampling for pH, cyanide, total phenols, oil and grease, sulfide, and volatile compounds. For all other pollutants, 24-hour composite samples must be obtained.

   FINDING: BCWSA improperly designates sample types within its issued permits; therefore, it is REQUIRED that the Authority revise and reissue the permits issued to

Acme Uniforms and Urban Outfitters, Inc. to reflect appropriate sample types.
- Composite samples are required for cyanide. The sample type must be grab.
- Grab samples are required for total phosphorus. The sample type should be 24-hour composite unless authorized by the Authority.

Additionally, the Authority should ensure that all issued permits apply appropriate sample types.

6. FINDING: BCWSA incorporates inconsistent slug control plan development requirements within its issued permits; therefore, it is RECOMMENDED that the Authority revise and reissue the permits issued to Acme Uniforms and Urban Outfitters, Inc. to modify this language. Section G of the permits states "[t]he Permittee shall maintain and implement a spill/slug control plan", but Section E states "[t]he permittee may be required to develop a plan to control slug discharges". The first statement is mandatory, the second is permissive. The Authority should incorporate appropriate language dependent on the permitted IU being evaluated to develop a slug control plan.

7. 40 CFR 403.12(b)(7) defines the term compliance schedule as a schedule of additional pretreatment and/or operation and maintenance required to meet pretreatment standards. 40 CFR 403.3(e) defines the term best management practice as a schedule of activities, prohibitions or practices, maintenance procedures, and other management practices to implement the general and specific prohibitions. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

   FINDING: BCWSA improperly applies the definition of a compliance schedule in its issued permits; therefore, it is RECOMMENDED that the Authority revise and reissue the permit issued to Acme Uniforms to incorporate a best management practice. Section F of the permit includes a "compliance schedule" requiring the "[p]ermittee . . . not leave manholes associated with the onsite oil-water seperator open and unattended". This condition as a best management practice would be better suited for the intended effects.

D. COMPLIANCE MONITORING

1. 40 CFR 403.8(f)(2)(v) requires POTWs to inspect and sample the effluent from each significant industrial user at least once a year.

   FINDING: As of September 13, 2023, BCWSA indicates one out of three significant industrial users have been sampling and two out of three SIUs have been inspected during the 2023 reporting year; therefore, it is REQUIRED that the Authority sample (Acme Uniforms and Urban Outfitters, Inc.) and inspect (Urban Outfitters, Inc.) the remaining SIUs prior to the end of the reporting year.

2. 40 CFR 403.8(f)(2)(v) requires POTWs to randomly sample and analyze the effluent from industrial users and conduct surveillance activities in order to identify, independent of information supplied by industrial users, occasional and continuing noncompliance with

pretreatment standards (e.g., local limits).

FINDING: Sampling of IUs conducted by the BCWSA's contractor is incomplete; therefore, it is REQUIRED that the Authority ensure sampling done on its behalf includes all pollutant parameters with applicable pretreatment standards. For example, the monitoring report indicating sampling done on PH Tool, LLC does not include samples or analysis for silver or pesticides as part of TTO:

- Dieldrin
- Chlordane (technical mixture and metabolites)
- 4,4-DDT
- 4,4-DDE (p,p-DDX)
- 4,4-DDD (p,p-TDE)
- Alpha-endosulfan
- Beta-endosulfan
- Endosulfan sulfate
- Endrin
- Endrin aldehyde
- Heptachlor
- Heptachlor epoxide
- (BHC-hexachloro-
- cyclohexane)
- Alpha-BHC
- Beta-BHC
- Gamma-BHC
- Delta-BHC
- (PCB-polychlorinated biphenyls)
- PCB-1242 (Arochlor 1242)
- PCB-1254 (Arochlor 1254)
- PCB-1221 (Arochlor 1221)
- PCB-1232 (Arochlor 1232)
- PCB-1248 (Arochlor 1248)
- PCB-1260 (Arochlor 1260)
- PCB-1016 (Arochlor 1016)
- Toxaphene
- 2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)

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

   FINDING: BCWSA accepts reports and certifications of non-significant categorical industrial user status from certain industrial users primarily in electronic format without

CROMERR approval; therefore, it is <u>REQUIRED</u> that the Authority accept the submittal of reports in paper format until such time that CSB is approved under the Cross-Media Electronic Reporting Rule (CROMERR). Note, the Authority may receive electronic submissions so long as they are duplicative to an original paper format with "wet" ink signature where necessary. For more information on CROMERR, you may navigate to: https://www.epa.gov/cromerr

4. <u>FINDING</u>: Based on observations made during the IU site visit of PH Tool, LLC on September 14, 2023, it is <u>RECOMMENDED</u> that the Authority ensure the IU is using unexpired pH buffer solutions or is relabeling containers with transferred solution to reflect the expiration date of the solution.

E. ENFORCEMENT

1. 40 CFR 403.8(f)(5) requires POTWs with approved pretreatment programs to develop and implement an enforcement response plan. This plan must contain detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance. At a minimum, this plan must:
   (i) Describe how the POTW will investigate instances of noncompliance;
   (ii) Describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of industrial user violations and the time periods within which responses will take place;
   (iii) Identify (by title) the official(s) responsible for each type of response;
   (iv) Adequately reflect the POTW's primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed in 40 CFR 403.8 (f)(1) and (f)(2)."

   <u>FINDING</u>: BCWSA does not maintain a formal enforcement response plan; therefore, it is <u>REQUIRED</u> that the Authority develop and implement an enforcement response plan in accordance with those minimum components above. This plan should be submitted to EPA for review and approval. Refer to *Guidance for Development Control Authority Enforcement Response Plans* (https://www.epa.gov/system/files/documents/2021-07/owm0015.pdf).

2. <u>FINDING</u>: Several exceedances of the mercury influent goal at the Harvey Avenue POTW (maximum allowable headworks concentration) are noted during 2018–2022; therefore, it is <u>RECOMMENDED</u> that BCWSA investigate the cause(s) of these exceedances. On September 13, 2023, BCWSA stated during the audit interview that these exceedances may be due to a jewelry business in the service area of Harvey Avenue POTW.

F. DATA MANAGEMENT

1. 40 CFR 403.8(f)(2)(i) requires POTWs to identify and locate of all IUs that might be subject to the pretreatment program. 40 CFR 403.8(f)(6) requires this list to be maintained and any modifications made to it to be submitted to EPA.

   FINDING: BCWSA indicates on the document titled "Central Bucks IUs" that the most recent industrial waste survey was completed in 2018; therefore, it is REQUIRED that the Authority implement a system to ensure this IU inventory is updated as needed and independent of submitted questionnaires from IUs. Further, it is REQUIRED that BCWSA determine whether any IU marked as "TDB" is considered a significant industrial user pursuant to 40 CFR 403.3(v)(2).

2. 40 CFR 403.12(b)(5)(ii) requires IUs to submit the results of sampling and analysis identifying the nature and concentration of regulated pollutants in the discharge from each regulated process.

   FINDING: BCWSA does not implement a mechanism to verify that reports submitted by IUs include all sample results if the IU elects to sample more frequently than required; therefore, it is REQUIRED that the Authority verify and continue to verify IUs submit all sample results if or when additional sampling is done.

G. PROGRAM RESOURCES

1. 40 CFR 403.8(f)(3) requires POTWs to have sufficient resources and qualified personnel to carry out the legal authority and procedures of the pretreatment program.

   FINDING: BCWSA allocates zero full-time employees to the implementation of its pretreatment program; therefore, it is RECOMMENDED that the Authority pursue allocation of dedicated staffing towards the implementation of the pretreatment program or contractor support.

Attachments

Attachment 1 POTW Legal Authority Review Checklist
Attachment 2 File Review Worksheets
- 2.1 – Control Mechanism Worksheet
- 2.2 – Sampling Worksheet
- 2.3 – Enforcement Worksheet

Attachment 3 Control Mechanism Checklist
- PH Tool, LLC

Attachment 4 IU Site Visit Report
- 4.1 – PH Tool, LLC
- 4.2 – Dow-Union Carbide

Attachment 5 Audit Action Items Checklist

Attachment 1: POTW LEGAL AUTHORITY REVIEW CHECKLIST

NAME OF CONTROL AUTHORITY:	Bucks County Water & Sewer Authority
NPDES #s:	PA0021172 (Harvey Avenue) PA0021181 (Green Street) PA0027294 (Bristol) PA0029441 (Upper Dublin) PA0051250 (Kings Plaza) PA0053449 (Birmingham) PA0056758 (Tradesville)
DATE OF REVIEW:	07/17/2023
MUNICIPAL ORDINANCE CITATION:	Industrial Wastewater Discharge and Pretreatment Rules, revised February 2021

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
A. Definitions [403.3 & 403.8(f)(2)]							
1. Act, Clean Water Act	403.3(b)	§ 1.4 A	X			1.4	
2. Authorized or Duly Authorized Representative of the User	403.12(l)	§ 1.4 C	X			1.4	
3. Best Management Practices or BMPs	403.3(e)	§ 1.4 E	X			1.4	
4. Categorical Pretreatment Standard or Categorical Standard		§ 1.4 F	X			1.4	
5. Indirect Discharge or Discharge	403.3(i)	§ 1.4 M	X			1.4	
6. Industrial User (or equivalent)	403.3(j)	§ 1.4 LL	X			1.4	
7. Interference	403.3(k)	§ 1.4 O	X			1.4	
8. National Pretreatment Standard, Pretreatment Standard or Standard	403.3(l)	§ 1.4 BB	X			1.4	
9. New Source	403.3(m)	§ 1.4 T	X			1.4	
10. Pass Through	403.3(p)	§ 1.4 V	X			1.4	

11. Pretreatment Requirement	403.3(t)	§ 1.4 AA			X	1.4	Typo: “substance” instead of “substantive”
12. Publicly Owned Treatment Works or POTW	403.3(q)	§ 1.4 DD	X			1.4	
13. Significant Industrial User ***[NOTE: §1.4 GG(3) is an optional streamlining provision for Non-Significant Categorical Industrial User classification.]***	403.3(v)	§ 1.4 GG		X		1.4	40 CFR 403.8(f)(6) referenced applies only to categorical industrial users
14. Significant Noncompliance	403.8(f)(2)(vii)	§ 9 (A-H)	X			1.4	

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

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

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS NONE	REQ	REC	POTW Ordinance Section	Comments / Notes
3. National Categorical Standards	403.8(f)(1)(ii)	§ 2.2	X			2.2	
4. Local Limits Development ***[NOTE: POTWs may develop Best Management Practices (BMPs) to implement the prohibitions listed in 40 CFR 403.5(a)(1). Such BMPs shall be considered local limits and Pretreatment Standards.]***	403.5(c) & (d)	§ 2.4	X			2.4	
5. Prohibition Against Dilution as Treatment	403.6(d)	§ 2.6	X			2.6	
6. Best Management Practices Development ***[NOTE: Optional streamlining provision.]***	403.5(c)(4)	§ 2.4C	X			N/A	
C. Control Discharges to POTW System							
1. Deny/Condition New or Increased Contributions	403.8(f)(1)(i)	§§ 4.8 & 5.2	X			4.7, 5.2	
2. Individual Control Mechanism (e.g., permit) to ensure compliance - *Permit Content*	403.8(f)(1)(iii)	§ 4.2	X			4.2	
a. Statement of Duration	403.8(f)(1)(B)(1)	§§ 5.1 & 5.2A(1)	X			5.2	
b. Statement of Nontransferability	403.8(f)(1)(B)(2)	§5.2A(2)	X			5.2	
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			5.2	

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

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

for the POTW to include such requirements in IU permits.]							

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
k. Specific waived pollutant ***[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B of the Model SUO.]***	403.8(f)(1)(B)(4)	§ 5.2A(8)	X			N/A	
l. Permit Application/Reapplication Requirements ***[NOTE: Optional permit provision]***		§§ 5.3 & 5.7	X			5.3	
m. Permit Modification ***[NOTE: Optional permit provision]***		§ 5.4	X			5.4	
n. Permit Revocation/Termination ***[NOTE: Optional permit provision]***		§§ 5.6 & 10.8	X			5.6	
o. Proper Operation and Maintenance ***[NOTE: Optional permit provision]***		§ 3.1	X			3.1	
p. Duty of Halt/Reduce ***[NOTE: Optional permit provision]***		§ 10.7	X			10.7	
q. Requirement to submit Chain-of-Custody forms with monitoring data ***[NOTE: Optional permit provision]***			X			N/A	
3. General Control Mechanism to ensure compliance ***[NOTE: Optional streamlining provision. Required only if the POTW has incorporated the use of General Permits (§ 4.6 of the Model SUO).]*** - *Permit Content*	403.8(f)(1)(iii)(A)	§ 4.2 & 4.6	X			N/A	

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
D. Required Reports			None	REQ	REC		
1. Develop compliance schedule for installation of technology	403.8(f)(1)(iv)	§§ 5.2b(2) & 10.4		X		5.2, 10.4	Partially absent
2. Reporting Requirements [403.12] *Types of Reports*							
a. Baseline monitoring report	403.12(b)	§ 6.1	X			6.1	
(i) Identifying Information	403.12(b)(1)	§ 6.1B(1) & § 4.5A(1)a	X			6.1	
(ii) Other Environmental Permits Held	403.12(b)(2)	§§ 6.1B(1) & 4.5A(2)	X			6.1	
(iii) Description of operations	403.12(b)(3)	§§ 6.1B(1) & 4.5A(3)a	X			6.1	
(iv) Flow measurements	403.12(b)(4)	§§ 6.1(b)(2) & 4.5A(6)	X			6.1	
(v) Measurement of pollutants	403.12(b)(5)	§ 6.1B(2)		X		6.1	Partially absent
(vi) Certification	403.12(b)(6)	§ 6.1B(3)	X			6.1	
(vii) Compliance schedule	403.12(b)(7)	§ 6.1B(4)	X			6.1	
b. Compliance schedule progress report	403.12(c)	§ 6.2	X			6.2	
c. Report on compliance with categorical Pretreatment Standard deadline	403.12(d)	§ 6.3	X			6.3	
d. Periodic reports on continued compliance							
- From categorical users	403.12(e)	§ 6.4A	X			6.4	
- From significant non-categorical users	403.12(h)	§ 6.4A	X			6.4	

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
e. Notice of potential problems to be reported immediately (including slug loads)	403.12(f)	§ 6.6	X			6.7	
f. Notification of changes affecting potential for a slug discharge ***[NOTE: Required streamlining revision]***	403.8(f)(2)(vi)	§ § 6.5 & 6.6		X		6.7	Absent
g. Notice of violation/sampling requirement ***[NOTE: Required streamlining revision.]***	403.12(g)(2)	§ 6.8	X			6.8	
h. Requirement to conduct representative sampling	403.12(g)(3)	§ 6.4E	X			6.5	
i. Notification of changed discharge	403.12(j)	§ 6.5	X			6.6	
j. Notification of discharge of hazardous waste	403.12(p)	§ 6.9	X			N/A	
Other Reporting Requirements							
k. Data accuracy certification & authorized signatory	403.6(a)(2)(ii) & 403.12(l)	§§ 6.4D & 6.14	X			4.7, 6.4	
l. Recordkeeping Requirement (3 years or longer)	403.12(o)	§ 6.13	X			6.12	
- Including documentation associated with Best Management Practices ***[NOTE: Required streamlining provision.]***	403.12(o)	§ 6.13		X		6.12	Not only compliance records
m. Submission of all monitoring data ***[NOTE: Required streamlining revision]***	403.12(g)(6)	§ 6.4F	X			6.4	
n. Annual certification by Non-significant categorical Industrial Users ***[NOTE: Optional provision, required only if the POTW has incorporated §1.4GG(3) of the Model SUO.]***	403.3(v)(2)	§§ 4.7C & 6.14B	X			1.4	

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS NONE	REQ	REC	POTW Ordinance Section	Comments / Notes
o. Certification of pollutant not present ***[NOTE: Optional provision, required only if the POTW has incorporated § 6.4 B of the Model SUO]***	403.12(e)(2)(v)	§ 6.14C	X			N/A	
E. Test Procedures [40 CFR Part 136 & 403.12(g)]							
1. Analytical procedures (40 CFR Part 136) ***[NOTE: Required streamlining provisions]***	403.12(g)	§ 6.10	X			6.9	
2. Sample collection procedures ***[NOTE: Required streamlining provisions]***	403.12(g)(3) & (4)	§ 6.11		X		6.10	Partially absent
F. Inspection and Monitoring Procedures [403.8(f)]							
1. Right to enter all parts of the facility at reasonable times	403.8(f)(1)(v)	§ 7.1	X			7.1	
2. Right to inspect generally for compliance	403.8(f)(1)(v)	§ 7.1	X			7.1	
3. Right to take independent samples	403.8(f)(1)(v), 403.8(f)(2)(v) & 403.8(f)(2)(vii)	§ 7.1	X			7.1	
4. Right to require installation of monitoring Equipment	403.8(f)(1)(iv)	§ 7.1	X			7.1	
5. Right to inspect and copy records	403.12(o)(2)	§ 7.1	X			7.1	
G. Remedies for Non-compliance (Enforcement) [403.8(f)(1)(vi)]							
1. Non-emergency response							
a. Injunctive relief	403.8(f)(1)(vi)	§ 11.1			X	11.1	Typos
b. Civil/Criminal penalties	403.8(f)(1)(vi)	§§ 11.2 & 11.3		X		11.2, 11.3	Civil penalty amount is omitted

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS NONE	REQ	REC	POTW Ordinance Section	Comments / Notes
2. Emergency response							
a. Immediately halt actual/threatened discharged	403.8(f)(1)(vi)(B)	§ 10.7	X			10.7	
3. Legal authority to enforce Enforcement Response Plan	403.8(f)(1)(vi)	§ 11.4	X			11.4	
H. Public Participation							
1. Publish list of Industrial Users in Significant Noncompliance ***[NOTE: Required streamlining revision]***	403.8(f)(2)(viii)	§ 9	X			9	
2. Access to data [403.8(f)(1)(vii) & 403.14]							
a. Government	403.14(a) & (c)	§ 8	X			8	
b. Public	403.14(b)	§ 8	X			8	
I. Optional Provisions							
1. Net/Gross adjustments ***[streamlining provision]***	403.15	§ 2.2 D	X			2.2	
2. Equivalent mass limits for concentration limits ***[streamlining provision]***	403.6(c)	§ 2.2 E		X		2.2	Model SUO § 2.2(E)(3)(c) is erroneously duplicated to BCWSA Rules 2.2(E)(a)
3. Equivalent concentration limits for mass limits ***[streamlining provision]***	403.6(c)	§ 2.2 F	X			2.2	
4. Upset Notification	403.16	§ 13.1	X			12.1	
5. Waive monitoring for pollutant not present or expected to the present ***[streamlining provision]***	403.12(e)(2)	§ 6.4B	X			N/A	
6. Reduce periodic compliance	403.12(e)(3)	§ 6.4C	X			N/A	

reporting ***[streamlining provision]***							
7. Other special agreement or waivers (excluding wavier of National Categorical Pretreatment Standards and Requirements)							

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
8. Hauled Waste Reporting/Requirements		§ 3.4	X			N/A	Prohibited
9. Grease Interceptor Reporting/Requirements		§ 3.2 C	X			3.2	
10. Authority to issue Notice of Violations (NOVs)		§ 10.1	X			10.1	
11. Authority to issue Administrative Orders (AOs)			X			10.4, 10.5	
12. Authority to issue Administrative Penalties		§ 10.6	X			10.6	
13. Authority to enforce again falsification or tempering			X			11.3	
14. Any other supplemental enforcement actions as noted in the POTW's enforcement response plan							
15. Permit Appeals Procedures			X			5.3	
16. Penalty or Enforcement Appeals Procedures			X			10.6	
17. Bypass Notification	403.17	§ 13.3		X		12.3	Typo: "could not reasonably be expected to occur" to "can be"

Document(s) submitted for review:
Industrial Wastewater Discharge and
Pretreatment Rules, revised February 2021

Name of Reviewer:
Aron Possler

Attachment 2: CONTROL MECHANISM WORKSHEET

INDUSTRY NAME		**PH Tool, LLC**					
PERMIT EFFECTIVE DATE		**02/28/2021**		PERMIT EXPIRATION DATE		**2/28/2024**	
PARAMETER	LOCAL LIMITS	CATEGORICAL STANDARD		PERMIT LIMIT		REQUIRED SAMPLE TYPE	REQUIRED SAMPLE FREQUENCY
		MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM		
Arsenic	**(0.1 mg/L)**						
Beryllium	**(2.0 mg/L)**						
BOD	**(300 mg/L)**						
Cadmium	0.5 mg/L	**0.07 mg/L**	**0.11 mg/L**	None	0.5 mg/L	Grab	1x/yr
Chromium	(2.0 mg/L)	**1.71 mg/L**	**2.77 mg/L**	None	1.0 mg/L	Grab	1x/yr
Copper	(2.0 mg/L)	**2.07 mg/L**	**3.38 mg/L**	None	1.0 mg/L	Grab	1x/yr
Cyanide	0.5 mg/L	**0.65 mg/L**	**1.20 mg/L**	None	0.5 mg/L	Grab	1x/yr
Lead	0.2 mg/L	**0.43 mg/L**	**0.69 mg/L**	None	0.2 mg/L	Grab	1x/yr
Mercury	**(0.01 mg/L)**						
Nickel	1.0 mg/L	**2.38 mg/L**	**3.98 mg/L**	None	1.0 mg/L	Grab	1x/yr
Oil and Grease	50.0 mg/L			None	50 mg/L	Grab	1x/yr
Selenium	**(0.01 mg/L)**						
Silver	0.3 mg/L	**0.24 mg/L**	**0.43 mg/L**	None	0.3 mg/L	Grab	1x/yr
Phenols, Total	**(1.0 mg/L)**						
TSS	**(300 mg/L)**						
Zinc	(2.0 mg/L)	**1.48 mg/L**	**2.61 mg/L**	None	1.0 mg/L	Grab	1x/yr

INDUSTRY NAME	PH Tool, LLC						
PERMIT EFFECTIVE DATE		**02/28/2021**		PERMIT EXPIRATION DATE		**2/28/2024**	
PARAMETER	LOCAL LIMITS	CATEGORICAL STANDARD		PERMIT LIMIT		REQUIRED SAMPLE TYPE	REQUIRED SAMPLE FREQUENCY
		MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM		
Total Toxic Organics			2.13 mg/L	None	2.13 mg/L	Grab	1x/yr
pH				None	6.0–9.0	Grab	**Not specified**
Temperature				None	150°F	Grab	1x/yr

Attachment 2.2: SAMPLING WORKSHEET

INDUSTRY NAME			**PH Tool, LLC**		
CONTROL AUTHORITY MONITORING					
DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)	DATE SAMPLE COLLECTED	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
11/14/2022	Silver	N			
11/14/2022	TTO Pesticides	N			
INDUSTRIAL USER SELF-MONITORING					
IS THIS A RESAMPLE?	REPORT DUE DATE	REPORT RECEIVED	SAMPLE DATE(S)	POLLUTANTS NOT SAMPLED	VIOLATIONS? (Y/N/PARAMETER)
N		4/21/2021	3/9/2021	N/A	N
N		4/26/2022	3/21/2022	N/A	N
N		4/27/2023	4/11/2023	N/A	N

Attachment 2.3: ENFORCEMENT WORKSHEET

INDUSTRY NAME		**PH Tool, LLC**			
DATE OF VIOLATION	TYPE OF VIOLATION	TYPE OF ACTION AND DATE	ERP REQUIRED RESPONSE	IU RESPONSE DATE	DATE COMPLIANCE ACHIEVED
N/A					

Attachment 3: CONTROL MECHANISM CHECKLIST

PH Tool, LLC					
Control Mechanism Provision	**40 CFR Citation**	**Corrective Action**			**Reference**
		None	**Rec.**	**Req.**	
Appropriate signature by POTW representative		X			pg. 1
Inappropriate signature by IU representative				X	pg. 1
POTW legal authority citation		X			pg. 1
Identification of discharge authorized		X			pg. 1
Statement of appeal rights			X		
Requirement to reapply prior to expiration		X			pg. 6
Statement of duration (≤5 years)	403.8(f)(1)(iii)(B)(1)	X			pg. 1
Statement of nontransferability without prior notification or approval	403.8(f)(1)(iii)(B)(2)			X	pg. 5
Specific prohibitions					
• Pollutants creating a fire or explosion hazard (140 °F or 60 °C)	403.5(b)(1)			X	
• Pollutants causing corrosive structural damage (pH <5.0)	403.5(b)(2)	X			pg. 2
• Solids or viscous pollutants causing interference	403.5(b)(3)	X			pg. 2
• Pollutants discharged at flow rates causing interference	403.5(b)(4)	X			pg. 3
• Heat in amounts inhibiting biological activity resulting in interference (40 °C or 104 °F at POTW)	403.5(b)(5)			X	
• Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts causing interference or pass through	403.5(b)(6)			X	
• Pollutants resulting in the presence of toxic gases, vapors, or fumes causing acute worker health and safety problems	403.5(b)(7)			X	
• Trucked or hauled pollutants, except as designated	403.5(b)(8)			X	

• Medical wastes			X		
• Failure of a toxicity test			X		
• Surfactants			X		
Applicable effluent limits					
• Local limits	403.8(f)(1)(iii)(B)(3)			X	Exhibit A
• Categorical standards	403.8(f)(1)(iii)(B)(3)			X	Exhibit A
• Best management practices	403.8(f)(1)(iii)(B)(3)	X			
Upset	403.16			X	
Bypass	403.17			X	
Identification of pollutants to be monitored	403.8(f)(1)(iii)(B)(4)			X	Exhibit A
Sampling frequency	403.8(f)(1)(iii)(B)(4)			X	pg. 7
Sampling location	403.8(f)(1)(iii)(B)(4)		X		pg. 7
Sample types (grab or composite)	403.8(f)(1)(iii)(B)(4)			X	pg. 7
Use of 40 CFR 136 analytical methods	403.12(b)(5)(v) & 403.12(h)	X			pg. 7
Representative sampling	403.12(g)(3)			X	
Reporting requirements	403.8(f)(1)(iii)(B)(4)			X	
Best management practice compliance reports	403.12(b)(5)(ii) & 403.12(h)	X			
Requirement to submit more frequent than required monitoring	403.12(g)(6)			X	
Record-keeping requirements (e.g., retain monitoring for 3 years)	403.8(f)(1)(iii)(B)(4) & 403.12(o)	X			pg. 4
Analytical reports					
• Sample date	403.12(o)(1)(i)	X			IDMR
• Sample place	403.12(o)(1)(i)	X			IDMR
• Sample method	403.12(o)(1)(i)	X			IDMR
• Sample time	403.12(o)(1)(i)	X			IDMR

• Name of sample collector	403.12(o)(1)(i)	X			IDMR
• Analysis date	403.12(o)(1)(ii)	X			IDMR
• Name of sample analyst	403.12(o)(1)(iii)	X			IDMR
• Analytical results	403.12(o)(1)(v)	X			IDMR
Statement of applicable civil and criminal penalties	403.8(f)(1)(iii)(B)(5)	X			pg. 5
Compliance schedules or progress reports (if applicable)	403.8(f)(1)(iv)	X			
Notice of potential problems, including slug loading	403.12(f)			X	
Notification of significant change in discharge	403.12(j)	X			pg. 4
Notification of change affecting the potential for a slug discharge	403.8(f)(2)(vi)			X	
24-hour notification of violation and resample requirement	403.12(g)(2)			X	
Discharge of hazardous waste notification	403.12(p)(1)			X	
Requirements to control slug discharges, if determined by the POTW to be necessary	403.8(f)(1)(iii)(B)(6) & 403.8(f)(2)(vi)	X			pg. 4
Right of entry	403.8(f)(1)(v)	X			pg. 4
Dilution as a substitute for treatment prohibition	403.6(d)	X			pg. 4

Attachment 4.1: IU SITE VISIT REPORT			
Date:	9/14/2023	Time:	9:15 AM
Industry name:	PH Tool, LLC		
Address:	6021 Easton Road, Pipersville, PA 18947		

Contact name(s)	Title	Phone
Jeff Malosiecki	Manufacturing, Director	(267) 203-1600
Chris Senf	Facilities/Shipping, Manager	(267) 203-1600
Jeffrey Barndt	Foreman (CNC Department)	(267) 203-1600
Persons conducting visit:		
Name	Title	Affiliation
Aron Possler	Life Scientist	U.S. EPA Region 3
Natalie Sanchez-Gonzalez	Life Scientist	U.S. EPA Region 3
Ryan Shuart	Life Scientist	U.S. EPA Region 3
Sarah Maurer	Life Scientist	U.S. EPA Region 3
Patrick Woolford	Attorney-Adviser	U.S. EPA Region 3
Rachel Stasik	Engineering Technician	BCWSA

Purpose for visit:	Observed inspection by Bucks County Water & Sewer Authority.
Brief facility description:	Electroless nickel plating for steel parts.
Comments/Findings:	Refer to Section X: Findings, Requirements, and Recommendations of the POTW Pretreatment Program Audit Report.

Attachment 4.2: IU SITE VISIT REPORT			
Date:	9/14/2023	Time:	1:11 PM
Industry name:	Dow-Union Carbide		
Address:	310 George Patterson Boulevard, Bristol, PA 19007		

Contact name(s)	Title	Phone
Ron Mazzoni	N/A	N/A
Javier Rosado	N/A	N/A
Peter Flook	N/A	N/A
Persons conducting visit:		
Name	Title	Affiliation
Aron Possler	Life Scientist	U.S. EPA Region 3
Natalie Sanchez-Gonzalez	Life Scientist	U.S. EPA Region 3
Ryan Shuart	Life Scientist	U.S. EPA Region 3
Sarah Maurer	Life Scientist	U.S. EPA Region 3
Rachel Stasik	Engineering Technician	BCWSA

Purpose for visit:	Observed inspection by Bucks County Water & Sewer Authority.
Brief facility description:	Research and development of the production of resins and plastic coatings.
Comments/Findings:	Refer to Section X: Findings, Requirements, and Recommendations of the POTW Pretreatment Program Audit Report.

Attachment 5: AUDIT ACTION ITEMS — Bucks County Water & Sewer Authority (BCWSA)

Audit Date — 9/13/2023–9/14/2023

Findings	Status	Completion Date (Estimate)
Legal Authority		
Several required and recommended revisions to CSB's sewer use ordinance. Refer to Section X, Subsection A and Attachment 1 of the audit report.		
Standard pretreatment conditions are not in all NPDES permits issued to POTWs owned and operated by BCWSA.		
Not all intermunicipal agreements may be in place.		
PH Tool, LLC is improperly classified as a MTCIU.		
Dow-Union Carbide is improperly classified as a NSCIU.		
Bucks County Jail may meet the definition of an SIU, and, accordingly, may need permitted.		
Application of Standards		
Sampling plan has not been received.		

Findings	Status	Completion Date (Estimate)
Local limits reevaluation has not been received.		
Not all local limits are applied in issued permits.		
PH Tool, LLC is improperly categorized under the PSES Metal Finishing Point Source Category.		
Categorical pretreatment standards are not applied in addition to local limits in issued permits.		
Combined wastestream formula may be utilized in application of categorical pretreatment standards for PH Tool, LLC.		
Control Mechanism		
Several required and recommended revisions to the wastewater discharge permit template. Refer to Section X, Subsection C and Attachment 3 of the audit report.		
Wastewater discharge permits are not consistent across permitted IUs.		
Wastewater discharge permits are required to be signed by the applicant.		

Findings	Status	Completion Date (Estimate)
An obligation of BCWSA is included in issued permits.		
Required sampling is inconsistent with applied effluent limits.		
Sample types are improperly designated.		
Slug control plan development requirements are inconsistent.		
Acme Uniforms: Definition of compliance schedule is improperly applied.		
Compliance Monitoring		
Not all SIUs have been inspected or sampled.		
Sampling by BCWSA is not conducted for all pollutants limited in issued permits.		
Reports are accepted primarily in electronic format.		
PH Tool, LLC: Expired buffer solutions may have been used.		
Enforcement		
A formal ERP is not maintained.		

Findings	Status	Completion Date (Estimate)
Repeated exceedances of the mercury influent goal at the Harvey Avenue POTW are noted.		
Data Management		
Existing IU inventory may not be up to date.		
Potential sampling more frequent than required may not have been verified.		
Program Resources		
BCWSA does not have adequate staffing numbers to implement a pretreatment program.		