

Pretreatment Compliance Audit

Final Summary Report

Discharger: Town of Cheraw
Chesterfield County
NPDES No. SC0020249

Location: 1 Roddy Street, Cheraw, SC 29520

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Audit Dates: August 28-29, 2023

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Attachments

Attachment A Industrial User Site Visit Data Sheets

Attachment B Legal Authority Review Checklist

I. Audit Summary

Upon arrival on August 28, 2023, the United States Environmental Protection Agency (EPA) contractors, Chuck Durham and Yatasha Moore and South Carolina Department of Health and Environmental Control (SC DHEC) inspector Kasey Jarman (jointly referred to as Audit Team) met with pretreatment program representatives of the Control Authority (CA), the Town of Cheraw (the Town). During the opening conference with Sherry Turner and Doug Stower (jointly referred to as Town representatives), the Audit Team presented credentials and discussed the purpose and format of the inspection. Following the opening conference, the Audit Team interviewed the Town representatives about the Town's pretreatment program and procedures.

As part of the audit, the Audit Team reviewed files for the following significant industrial users (SIUs):

- Schaeffler Group, USA Inc. – Cheraw Plants 1 & 5 (permitted as Schaeffler Plants 1 & 5; categorical industrial user (CIU), subject to Title 40 of the *Code of Federal Regulations* [40 CFR] § 433.15, Metal Finishing, Pretreatment Standards for Existing Sources)
- Crown Beverage Packaging, Inc. (permitted as Crown Beverage; CIU subject to 40 CFR § 465.45, Coil Coating, Canmaking Subcategory, Pretreatment Standards for New Sources)
- Highland Industries, Inc. (permitted as Highland Industries; CIU subject to 40 CFR § 410.54, Textile Mills, Knit Fabric Finishing Subcategory, Pretreatment Standards for Existing Sources)

The Audit Team also conducted inspections of the following SIUs:

- Highland Industries
- Joe Anne Narrow Fabrics (CIU subject to 40 CFR Part 410)

In addition to the interview, file review, and offsite review of documents following the audit, the Audit Team performed a review of the adequacy of the Town's procedures, sewer use ordinance (SUO), and enforcement response plan (ERP).

Preliminary findings were discussed with the Town representatives at a closing conference on August 29, 2023. A summary of these findings is provided in Part IV, Findings Summary Table, of this report.

II. WWTP Description

The Town owns and operates a wastewater treatment plant (WWTP) located within the Town of Cheraw. The WWTP has a design capacity of 4.0 million gallons per day (MGD) and an average flow of 2.5 MGD. The WWTP receives wastewater from both the Town of Chesterfield and the Town of Cheraw, and serves a population of approximately 7,500 within those jurisdictions.

The WWTP provides primary and secondary treatment using an activated sludge process. The treatment train consists of bar screens, a grit chamber, two aeration basins, two secondary clarifiers, disinfection with sodium hypochlorite, and dechlorination with sulfur dioxide to neutralize any chlorine residual. Treated wastewater is discharged to the Great Pee Dee River. Sludge from the clarifiers is pumped to a holding tank. From the sludge holding tank it is pulled into a 2-meter belt press for dewatering. Solids fall into a 20-yard roll-off box. The solids from the treatment process are hauled interstate to the Anson County Landfill in Polkton, North Carolina by a contractor, Waste Connections.

III. Industrial User (IU) Characterization [^]

IUs currently identified by the Control Authority (CA)	IU Type	
8	Discharging Significant Industrial Users	
	4	Discharging Non-Categorical SIUs (as defined by the CA)
	4*	Categorical Industrial Users (CIUs)
	0	Middle Tier CIUs
0	Zero-Discharging CIUs	
0	Non-significant CIU (NSCIU)	
0	Other Regulated IUs (e.g. permitted IUs)	
13	Waste Haulers: The Town accepts hauled waste at the WWTP. Refer to Section H, Additional Evaluations for more information.	

[^] None of the industrial users actively discharging from Chesterfield were permitted at the time of the Audit, so they are not accounted in this section.

* There are no pretreatment standards yet promulgated for 40 CFR Part 410 so EPA accounts such users as SIUs. SCDHEC presently requires Part 410 facilities to be designated as CIUs for State purposes only, so Highland Industries has been permitted by the POTW as a CIU.

IV. Findings Summary Table		
Part V Section / Attachment – Finding	Required Action (#)	Recommended Action (#)
B.1 – The Town does not have procedures for surveying all discharging industrial users in its service area.	1	
B.2 – The Town has not identified the character and volume of industrial dischargers contributing to the collection system.	2	
C.1.A – The Town has not reissued all SIU permits upon expiration.	3	
C.1.B – The Town retroactively extended the expiration date of the Schaeffler Plants 1 & 5 permit to more than five years beyond the issuance date.	4	
C.4.A – The SIU permits reviewed have an incomplete statement of non-transferability.	5	
C.4.B – The permits reviewed do not require reporting of all facility changes.	6	
C.4.C – The Schaeffler Plants 1 & 5 permit contains limits that were not consistent with the categorical standard.	7	
C.4.D – The Schaeffler Plants 1 & 5 permit contains a monthly total toxic organics (TTO) limit.	8	
D.2 /Attachment B – The Town’s SUO is inconsistent with 40 CFR Part 403.	9	
D.3 – The Town does not have an interjurisdictional agreement (IJA) with Chesterfield that extends pretreatment program control and oversight to those industrial users of the POTW.	10	
E.1 – The Town has not required all of its industrial users to comply with applicable Pretreatment Standards and Requirements.	11	
E.2 – The Town has not documented slug discharge control plan (SDCP) evaluations of each SIU.	12	
F.5 – An SIU, Highland Industries, has not been correctly reporting pollutant loadings on self-monitoring reports.	13	
G.1 – The Town has not taken enforcement for all instances of SIU non-compliance.	14	
Attachment A – Highland Industries has been storing chemicals near floor drains without secondary containment.		1
Attachment A – Highland Industries has been collecting time-proportional composite samples instead of flow-proportional.	15	
Attachment A – Joe Anne Narrow Fabrics has been storing chemicals near floor drains without secondary containment.		2

V. Evaluation

The Audit Team discussed the pretreatment program topics below with the Town representatives. The Audit Team also reviewed SIU files to assess the retention and maintenance of required program documents and to generally evaluate overall program implementation. The following sections describe program deficiencies and areas of concern identified during the audit process along with requirements, recommendations, and associated references to 40 CFR Part 403.

A. Control Authority (CA) Pretreatment Program Modification

1. When was the last program modification? Did the CA notify the EPA of program modifications? (40 CFR §403.18)

The Town adopted revisions to the SUO in April 2023. A headworks analysis was conducted in March 2020. As noted in Finding D.3 below, the Town drafted an interjurisdictional agreement in July 2023 with the Town of Chesterfield but at the time of the audit it had not yet been incorporated into its approved pretreatment program through SCDHEC approval, jurisdictional signatures, and local ratifications.

B. IU Characterization

1. Describe the CA's procedure for identifying and locating IUs that might be subject to the pretreatment program. Has the CA identified and located all applicable IUs (non-categorical SIUs, CIUs, NSCIUs, etc.)? (40 CFR §403.8(f)(2)(i))

According to the Town representatives, an organization (Chesterfield County Economic Development) notifies the Town representatives of new industries that are coming into the area. Additionally, the Town updates its industrial waste survey (IWS) every five years. However, as noted in Finding B.1 below, the Town may not have located all SIUs.

B.1 – Finding – The Town does not have procedures for surveying all discharging industrial users in its service area.

According to the Town representatives, although industrial discharges are known to be received from Town of Chesterfield, and the Town has not conducted an IWS there. Additionally, the Town does not send IWS forms to industrial users that were previously excluded from permitting when it conducts updates to its IWS once every five years. Consequently, if an existing industrial user makes changes to its facility that necessitates a change in the industrial user's designation, then the Town may not be aware of the changes.

B.1 – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(2)(i) require that the POTW "identify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program."

B.1 – Required Action #1

The Town is required to take appropriate actions to perform an IWS that includes its entire service area, both intrajurisdictional and interjurisdictional, including those industrial users that were excluded from the previous survey efforts or exempted from consideration based on survey responses.

2. Has the CA identified the character and volume of pollutants contributed to the publicly owned treatment works (POTW) by IUs subject to the pretreatment program?
(40 CFR §403.8(f)(2)(ii))

The Town samples and inspects all permitted SIUs at least once a calendar year. The Town has not identified the character and volume of pollutant contributed by industrial users in Chesterfield due to the absence of an interjurisdictional agreement for the pretreatment program.

B.2 – Finding – The Town has not identified the character and volume of industrial dischargers contributing to the collection system.

The Town has identified two industrial users in Chesterfield that contribute to the Town's collection system. Due to a lack of legal authority, the Town had not performed any sampling or required the industrial users to perform any self-monitoring at the time of the audit.

B.2 – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(2)(ii) and (v) require that the POTW identify the character and volume of pollutants contributed to the POTW and independently conduct surveillance to identify non-compliance with Pretreatment Standards.

B.2 – Required Action #2

The Town must coordinate initial oversight monitoring of the two known users in Chesterfield to determine if they meet the definition of SIU and to assess their compliance with local limits based on their discharge characteristics. Due to the fact these users are actively discharging into the WWTP without any assessment or control, characterizing these discharges is an imperative. This action does not need to wait for the IJA to be in place if Chesterfield is leading the effort and/or grants special access to the Town for that purpose.

3. Has the CA prepared and maintained a list of SIUs, as defined in 403.3(v)(1), along with the applicable SIU criteria? Does the list indicate whether the CA has made a determination that an SIU is a NSCIU, as defined in 403.3(v)(2), rather than an SIU? Have modifications to the list been submitted with annual reports?
(40 CFR §403.8(f)(6))

Apart from the concerns noted in Finding B.1, the Town maintains a current list of SIUs which the Town submits with the annual and semi-annual pretreatment program reports to SCDHEC. The Town is not authorized by SCDHEC to classify SIUs as NSCIUs.

C. Control Mechanism Evaluation

1. Has the CA issued individual or general control mechanisms to all SIUs?
(40 CFR §403.8(f)(1)(iii))

No. The Town had issued individual control mechanisms to all SIUs within their legal jurisdiction; however, they had expired and had been extended beyond the maximum allowable five-year duration. As noted above, the Town also identified two additional industrial users discharging in Chesterfield and had classified them as CIUs subject to 40 CFR Part 410. However, they had not been evaluated for control mechanisms due to the absence of an interjurisdictional agreement for the pretreatment program.

C.1.A – Finding – The Town has not reissued SIU permits upon their expiration.

All of the SIU permits issued by the Town expired in 2018. However, the Town did not reissue permits to the SIUs until March 2020. According to the Town representatives, the Town was waiting for the POTW's NPDES permit to be reissued in order to reissue its SIU permits.

C.1.A – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(1)(iii) require that the POTW control through permit, order, or similar means, the contribution to the POTW by each industrial user to ensure compliance with applicable Pretreatment Standards and Requirements.

C.1.A – Required Action #3

The Town is required to ensure that user permits are reissued as appropriate to ensure that SIUs are not discharging to the POTW without a valid mechanism. The Town must reissue full user permits preceding their expirations regardless of whether or not its NPDES permit package (with anticipated local limit changes) is pending renewal. The user permits can be reissued again by the Town to modify/apply the new local limits once the NPDES renewal is received.

C.1.B – Finding – The Town retroactively extended the expiration date of the Schaeffler Plants 1 & 5 permit to more than five years beyond the issuance date.

The Schaeffler Plants 1 & 5 permit was previously effective August 18, 2014, to June 30, 2018. The current SIU permit was issued on February 15, 2020, and became effective on April 1, 2020. The Town sent Schaeffler a letter on April 18, 2022, attempting to retroactively authorize the discharge under the previous permit from its expiration date of June 30, 2018, to April 1, 2020. However, the permit was originally issued with a five-year effective period and cannot be administratively extended beyond that 5-year duration.

C.1.B – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(1)(iii)(B)(1) require that SIU permits issued by a POTW not exceed five years in duration.

C.1.B – Required Action #4

The Town is required to ensure its user permits are issued with effective durations that do not exceed five years. Additionally, if a permit extension is issued, then it should be issued prior to the expiration of the original permit and not four years later. Extensions, if issued, must not cause a permit to exceed five years from its initial effective date.

**2. Do the applications for general control mechanisms contain all of the following?
(40 CFR §403.8(f)(1)(iii)(A)(2))**

- a. Contact info**
- b. Production processes**
- c. Types of wastes generated**
- d. Location for monitoring**
- e. Any request for waiver for pollutants not present per 40 CFR §403.12(e)(2)**

Not applicable (N/A). The Town is not authorized by SCDHEC to issue general permits.

3. Are general control mechanisms only issued for IUs where all of the following is true?
(40 CFR §403.8(f)(1)(iii)(A)(1))

- a. Involve same/substantially similar types of operations
- b. Discharge the same type of waste
- c. Same effluent limitations
- d. Same or similar monitoring
- e. There are no CIU production-based standards, CIU mass limits, combined wastestream formula, or net/gross calculations

N/A. The Town is not authorized by SCDHEC to issue general permits.

4. Do both individual and general control mechanisms include the following, where applicable?
(40 C.F.R. §403.8(f)(1)(iii)(B))

- a. Statement of duration (5 years max)
- b. Statement of non-transferability
- c. Applicable effluent limits (local limits, categorical standards, best management practices (BMPs))
- d. Self-monitoring requirements
 - Identification of pollutants to be monitored
 - Sampling frequency
 - Sampling locations/discharge points
 - Appropriate sample types
 - Reporting requirements
 - Record-keeping requirements
- e. Statement of applicable civil and criminal penalties
- f. Compliance schedules
- g. Notice of slug loading or potential problems at POTW
- h. Notification of spills, bypasses, upsets, etc.
- i. Notification of significant change in discharge
- j. 24-hour notification of effluent violation
- k. Submit resampling results within 30-days
- l. Slug discharge control plan requirement, if required by POTW
- m. Certification statements
- n. Sampling/analysis requirements (Part 136 or alternative)
- o. Reporting of additional sampling
- p. 90-day compliance report

The user permits reviewed by the Audit Team included most, but not all, of the required elements per 40 CFR § 403.8(f)(1).

C.4.A – Finding – The SIU permits reviewed have an incomplete statement of non-transferability.

Part IV.W. of the reviewed SIU permits contains requirements for a permit transfer. However, this section does not include a requirement for the new owner or operator of the SIU to receive a copy of the current permit.

C.4.A – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(1)(iii)(B)(2) require that permits include a “[s]tatement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator.”

C.4.A – Required Action #5

The Town is required to ensure that the transferability language in the SIU permits includes a provision for the new owner or operator of the SIU to receive a copy of the current permit.

C.4.B – Finding – The permits reviewed do not require reporting of all facility changes.

Part IV.A. of the reviewed SIU permits requires notification of “[a]ny anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants.” However, the SIU permits did not require notification of decreases in discharges or pollutant loadings.

C.4.B – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(1)(iii)(B)(4) require that permits include self-monitoring, sampling, reporting, notification and recordkeeping requirements.

The federal regulations at 40 CFR § 403.12(j) require that industrial users notify the Town in advance “of any substantial change in the volume or character of pollutants in their discharge.” This changed discharged requirement includes both increases and decreases.

C.4.B – Required Action #6

The Town is required to ensure that the permits include notification of changed discharge requirements that are at least as stringent as the federal regulations.

C.4.C – Finding – The Schaeffler Plants 1 & 5 permit contains limits that are not consistent with the categorical standard.

Schaeffler is subject to the metal finishing categorical standards in 40 CFR § 433.15. However, the limits in the SIU permit issued for Plants 1 & 5 were more stringent than both the categorical standards and the Town’s local limits. The Town representatives were not able to explain how the permit limits were derived, and the file did not contain documentation of the rationale for the more stringent limits.

C.4.C – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(1)(iii)(B)(3) require that permits include effluent limits based on applicable pretreatment standards, categorical standards, or local limits.

C.4.C – Required Action #7

The Town is required to ensure that the effluent limits table in the Schaeffler Plants 1 & 5 permit contains the appropriate effluent limits. If, for example, the categorical standards have been adjusted using the combined wastestream formula in 40 CFR 403.6(e) to rectify dilution influences, then the Town is required to maintain the rationale and calculations for the adjusted limits in the file for this SIU. Categorical standards are self-implementing, so Schaeffer should have still complied with the correct standards. The Town must evaluate past monitoring against the correct standards and apply its approved Enforcement Response Plan for any non-compliance that is found.

C.4.D – Finding – The Schaeffler Plants 1 & 5 permit contains a monthly total toxic organics (TTO) limit.

The Schaeffler Plants 1 & 5 permit contained both monthly average and daily maximum TTO limits. However, the Town has not adopted a local limit for TTO limits, and the metal finishing limit in 40 CFR 433.15 is a daily maximum. Therefore, it is unclear how the monthly average value was derived.

C.4.D – Applicable Regulations

The federal regulations at 40 CFR 403.8(f)(1)(iii)(B)(3) require that permits include effluent limits based on applicable pretreatment standards, categorical standards, or local limits.

C.4.D – Required Action #8

The Town is required to ensure that the Schaeffler Plants 1 & 5 permit includes the appropriate TTO limits. If the Town chooses to adopt a monthly average local limit for TTO, then the value should be technically-based, approved by SC DHEC, and adopted by the Town as a local limit prior to implementation.

D. Legal Authority

1. Has the CA amended its pretreatment program to include the streamlining provisions?

Yes, the Town has revised its SUO (April 11, 2023) to include the required streamlining provisions in its SUO, including:

- Slug control requirements in permits
- Notification requirements that might affect the potential for a slug discharge
- Revised SNC definition
- Clarification that SIU reports must include any applicable BMP required by a pretreatment standard, local limits, state, or local law
- Record-keeping requirements for BMPs
- Clarification regarding resampling after discharge exceedances for programs that conduct self-monitoring in lieu of requiring a SIU to self-monitor
- Modifications to the sampling requirements, and
- Requirements to report all monitoring results

2. Does the SUO provide the control authority adequate legal authority, consistent with 40 CFR § 403.8(f)(1)?

No. The Audit Team identified several deficiencies with the Town's legal authority.

D.2 – Finding – The Town's SUO is inconsistent with 40 CFR Part 403.

As a component of the audit, the Audit Team compared the SUO with the provisions of 40 CFR Part 403 (see Attachment B, Legal Authority Review Checklist). The following deficiencies were identified during the review:

1. The following provisions in the SUO were inconsistent with the federal regulations:
 - (a) The definition of "Significant Noncompliance" in Section 19.04EEE(3) does not specifically

include long-term averages, instantaneous limits, and narrative standards. [40 CFR § 403.8(f)(2)(viii)(C)] [Note: The SUO also defines significant noncompliance in Section 19-18.01. This definition is consistent with 40 CFR § 403.8(f)(2)(vii).]

- (b) Section 19-13.03D of the SUO requires reporting violations within 24-hours and submitting a repeat sample within thirty (30) days. This is not consistent with the federal requirements which tie the timeframes to the SIU becoming aware of the violation. [40 CFR §403.12(g)(2)] [Note: Section 19-15.8 of the SUO contains a requirement that is consistent with the federal regulations.]
 - (c) Section 19-13.03E of the SUO requires SIUs to report all tests and analytical results. This is less more stringent than the federal requirement to report test results taken at the appropriate monitoring location and analyzed using approved test methods. [40 CFR § 403.12(g)(6)]
2. The definition of SIU in Section 19-9.04DDD of the SUO refers to “paragraphs (3) and (4) of this Section.” However, that section of the SUO does not contain paragraphs (3) and (4).

D.2 – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(1) require that “the POTW shall operate pursuant to legal authority enforceable in Federal, State, and local courts, which authorizes or enables the POTW to apply and to enforce the requirements of the pretreatment program.”

D.2 – Required Action #9

The Town is required to seek and document SCDHEC approval of a program modification to correct items 1(a), 1(b), and 2, above, in its SUO.

3. Are there any contributing jurisdictions discharging wastewater to the POTW? Does the CA have an agreement in place that addresses pretreatment program responsibilities?

The Town receives industrial wastewater from the Town of Chesterfield.

D.3 - Finding – The Town does not have an interjurisdictional agreement (IJA) with Chesterfield.

The Town reported two industrial users in Chesterfield on its 2022 annual pretreatment report. However, these discharging industries had not yet been issued SIU permits. According to the Town representatives, the Town has drafted an IJA with Chesterfield, but it had not been ratified at the time of this audit.

D.3 – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(1) state, “The POTW shall operate pursuant to legal authority enforceable in Federal, State, and local courts, which authorizes or enables the POTW to apply and to enforce the requirements of sections 40 CFR §§ 307 (b) and (c), and 402(b)(8) of the Act and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint power agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by state law.” Also, 40 CFR § 403.8(f)(2) requires the POTW to “develop and implement procedures to ensure compliance with the requirements of a Pretreatment Program.”

D.3 – Required Action #10

Before accepting or continuing to accept discharges from industrial users outside of its jurisdiction, such as those in Chesterfield, the Town is required to ensure that it has the proper legal authority, procedures, and control mechanisms in place to implement the pretreatment program within that service area. The Town is also required to obtain SCDHEC approval of a program modification adopting a ratified IJA into the Town's pretreatment program. An acceptable IJA would be one that establishes a framework extending Part 403 implementation and oversight provisions into this service area that is enforceable by the Town, which is the approved control authority.

**4. What is the control authority's definition of SNC?
(40 CFR §403.8(f)(2)(viii))**

Except as noted in Finding D.2 above, the Town's definition of SNC is consistent with the federal definition, found at 40 CFR § 403.8(f)(2)(viii).

E. Application of Pretreatment Standards and Requirements**1. Does the CA apply all applicable pretreatment standards?
(40 CFR §§403.8(f)(1)(ii) and 403.8(5))****E.1 – Finding– The Town has not required all of its industrial users to comply with applicable Pretreatment Standards and Requirements.**

The Town listed BoBuck Industries and Joe Anne Narrow Fabrics, which are industries located in Chesterfield, as CIUs subject to 40 CFR Part 410 in the Town's 2022 pretreatment annual report. However, at the time of this audit the Town had not issued permits for the discharges because the Town had still not ratified an IJA with Chesterfield and received SCDHEC approval of a program modification extending Part 403 control and oversight to its users in that jurisdiction.

E.1 – Applicable Regulations

The federal regulations at 40 CFR §§ 403.8(f)(1)(ii) and 403.8(5) require the Town to ensure that all of its industrial users comply with applicable pretreatment standards and requirements and to enforce those standards.

E.1 – Required Action #11

The Town is required to properly classify each industrial user discharging to the POTW and to ensure those users qualifying as SIUs have an enforced control mechanism containing appropriate pretreatment standards and requirements to protect the POTW, whether those be federal categorical limits or derived local limits. In addition to Required Action #10, the Town must ensure its users located in Chesterfield install and have operable the necessary pretreatment to meet standards before allowing a resumption of process discharges to the POTW. Most facility discharges subject to 40 CFR Part 410 necessitate the application of local limits.

**2. Has the CA evaluated the need for SIUs to develop slug discharge control plans?
(40 CFR §403.8(f)(2)(vi))**

E.2 – Finding – The Town has not documented slug discharge control plan (SDCP) evaluations at each SIU.

According to the Town representatives, the Town has conducted SDCP evaluations at each SIU. However, the Town has not documented these evaluations. During the site visit on this audit (Attachment A - Site Visit Data Sheet), the Town representatives informed permittee Highland Industries that they will need to develop a SDCP.

E.2 – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(2)(vi) require the POTW to evaluate whether each SIU needs a plan or other action to control discharges. If a slug discharge is required to be developed it shall contain, at a minimum, the following elements:

- (a) Description of discharge practices, including non-routine batch Discharges;
- (b) Description of stored chemicals;
- (c) Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under 40 CFR §403.5(b) with procedures for follow-up notification within five days; and
- (d) If necessary, procedures to prevent adverse impacts from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plan site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

E.2- Required Action #12

The Town is required to document its SDCP evaluations of each SIU and retain that documentation for inspection. In cases where the Town has required a SDCP from an SIU, the Town must evaluate each plan to ensure it contains the minimum requirements stipulated in 40 CFR § 403.8(f)(2)(vi). The Town must repeat its documented evaluations when necessary to evaluate compliance, and the SDCPs should be retained for reference by both the POTW and the SIU. EPA recommends that SDCPs be dated so it can be confirmed that the version/iteration being employed by the SIU is that which the POTW authorized.

F. Compliance Monitoring

- 1. Has the CA inspected and independently sampled each SIU at least once a year? Middle tier CIUs at least once every two years? Sample once during term of CIU control mechanism if CIU sampling waived for pollutants not present?**
(40 CFR §403.8(f)(2)(v), §403.12(e)(2), §403.12(e)(2))

Notwithstanding the uncontrolled users in Chesterfield, based on the SIU files reviewed, the Town has been conducting inspections and collecting samples at permitted SIUs at least annually.

- 2. Has the CA used proper sampling and analysis procedures (40 CFR Part 136) and inspection procedures? Were the procedures done with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions?**
(40 CFR §403.8(f)(2)(v) and (vii), 40 CFR §403.12(g)(5))

Based on the SIU files reviewed, the Town has used the proper sampling and analysis and inspection procedures.

- 3. Has the CA kept records for three years including the following?**
- a. Period compliance reports and other reports/notices**
 - b. All monitoring records including: sample date, place, method, time, personnel; analysis date, personnel, method; results**
 - c. BMP compliance documentation**
 - d. Other monitoring records**
- (40 CFR §403.12(o))

Based on the files reviewed, the Town maintains records for at least three years.

- 4. Has the CA evaluated, at least once per year, whether NSCIUs continue to meet the criteria of an NSCIU?**
- (40 CFR §403.8(f)(2)(v)(b), §403.3(v)(2))

N/A. The Town has not been authorized by SCDHEC to classify industries as NSCIUs.

- 5. Has the CA required, received, and analyzed reports and other notices from SIUs?**
- a. Self-monitoring reports**
 - b. BMRs and 90-day compliance reports**
 - c. Compliance schedules reports**
 - d. Notice of slug loading or potential problems at POTW**
 - e. Notification of spills, bypasses, upsets, etc.**
 - f. Notification of significant change in discharge**
 - g. 24-hour notification of effluent violation**
 - h. Resampling results within 30-days**
 - i. Other reports/notifications required by the CA**
- (40 CFR §403.8(f)(2)(iv))

Notwithstanding the finding below, the finding in Attachment A (Highland Industries Site Visit Report), and the uncontrolled users in Chesterfield, the Town has been adequately requesting, receiving, and reviewing reports.

F.5 – Finding – Highland Industries has not been correctly reporting pollutant loadings on self-monitoring reports.

Highland Industries is required to conduct and submit self-monitoring reports that contain the loadings discharged of biochemical oxygen demand, chemical oxygen demand, total suspended solids, total petroleum hydrocarbons, oil and grease, and zinc. Based on the file review, the Audit Team determined that Highland Industries has been incorrectly calculating and reporting the loadings of all of these parameters. The permittee has been using monthly average flows to determine loadings rather than the actual daily flow for the date of sample collection. The file review indicated this error has been occurring for the last three quarterly reports. The Town had failed to identify this error when reviewing the reports for compliance.

F.5 – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(2)(iv) and (vii) require that the Town receive and analyze self-monitoring reports and other notices submitted by industrial users in accordance with the self-monitoring requirements at 40 CFR § 403.12, and to investigate any instances of non-compliance.

F.5 – Required Action #13

The Town is required to ensure that the mass loading data self-reported by SIUs is calculated accurately and that reporting violations are identified and addressed pursuant to its approved Enforcement Response Plan. The self-monitoring data previously reported by Highland Industries should be recalculated and those results evaluated for compliance. In addition to the reporting non-compliance by the SIU, prior non-compliance of its discharge with applicable limits should be addressed pursuant to the Enforcement Response Plan, including any instances of significant non-compliance.

6. Have SIUs monitored to demonstrate continued compliance and re-sampled after violation(s)? (40 CFR §403.12(g)(1) & (2))

Based on files reviewed by the Audit Team and responses provided by the Town representatives, the SIUs have self-monitored to demonstrate continued compliance and re-sampled after violations.

7. Has the CA ensured CIUs report on all regulated pollutants at least once every 6 months? (40 CFR §403.12(e)(1) & (g)(1))

Based on the files reviewed by the Audit Team and responses provided by the Town representatives, the Town is requiring CIUs to report on all regulated pollutants at least once every 6 months.

8. Has the CA ensured non-categorical SIUs self-monitor and report at least once every 6 months with a description of the nature, concentration, and flow of the pollutants required to be reported by the Control Authority? (40 CFR §403.12(h) & (g)(1))

Except as noted in Findings F.5 and G.1, the Town is requiring non-categorical SIUs to conduct self-monitoring and report at least once every 6 months.

9. Has the CA required self-monitoring reports from CIUs to be signed and certified? (40 CFR §403.12(b)(6), §403.12(l))

Based on the files reviewed, the Town is requiring self-monitoring reports from CIUs to be signed and certified.

10. Has the CA received notification of hazardous waste discharges? (40 CFR §403.12(j) & (p))

During the interview, the Town representatives stated that no hazardous waste discharge notifications were received from users. The Audit Team did not identify hazardous waste notifications during the file review, nor was there an indication that a notification should have been received. General prohibition #8, found in Section L of the user permits, effectively forbids sending hazardous materials to the POTW, which is protective. Town representatives recalled that SIUs are required to notify the Town of hazardous waste discharges (per Section K, notice is after-the-fact and no timeframe is established).

11. Does the CA accept electronic reporting?
(40 CFR §403.8(g) and 40 CFR Part 3)

According to the Town representatives and the files reviewed by the Audit Team, the Town does not accept electronic reports. The Town has not been authorized by EPA and SCDHEC to accept them in lieu of paper reporting.

G. Enforcement

1. Has the CA implemented its enforcement response plan (ERP)?
(40 CFR §403.8(f)(5))

The Audit Team identified that the Town had been taking appropriate enforcement actions in response to noncompliance with the exception of the deficiencies listed below:

G.1 – Finding – The Town has not taken enforcement for all instances of SIU non-compliance.

The permit for Schaeffler Plants 1 & 5 requires the SIU to monitor for hexachloroethane semi-annually. However, the SIU failed to monitor for this parameter during the last five semi-annual periods. The Town issued a notice of violation (NOV) on July 27, 2023, for the most recent failure to monitor. However, the Town did not take any enforcement actions for the four previous violations. Taking actions at the times of those prior successive violations would have likely resulted in escalated enforcement beyond a NOV for the fourth occurrence, under the terms of the approved ERP.

Additionally, the user permit for Highland Industries requires the SIU to perform self-monitoring using flow-proportional composite samples for some pollutants. However, the SIU was collecting time-proportional composite samples. The Town did not take any enforcement actions for the SIU chronically using the incorrect type of sample collection, which amounted to failures to monitor.

G.1 – Applicable Regulations

The federal regulations at 40 CFR § 403.8(f)(5) require that the POTW develop and implement an ERP. This plan must contain detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance.

The Town's ERP states that the Town is to issue a NOV or administrative order (AO) in the event that the SIU does not monitor for all pollutants required by the permit. Additionally, the ERP states that the Town is to issue an AO with fines or take civil action when a SIU has recurring failure to monitor.

G.1 – Required Action #14

The Town is required to ensure that it is properly implementing its ERP in response to industrial user noncompliance. Specifically, the Town must take enforcement actions in accordance with its approved ERP against Schaeffler and Highland Industries for their failures to monitor for all required parameters, and to publish them in SNC where qualified.

2. Does the Town's ERP contain the minimum elements required by 40 CFR § 403.8(f)(5)?

The Town's ERP includes the minimum elements required by 40 CFR § 403.8(f)(5).

3. Does the CA evaluate both numeric and narrative criteria for significant non-compliance (SNC) and annually publish a list of IUs in SNC? (40 CFR §403.8(f)(2)(viii)) The Town evaluates if SIUs are in SNC for any violations that it has identified. If SIUs are identified to be in SNC, then the Town publishes this information in the <i>State</i> newspaper. 3a. Were any SIUs in SNC in the past year? Include name of industry, type of SNC, and current compliance status. Schaeffler was in SNC for failure to monitor. As noted in Finding G.1 above, the Town issued a NOV for one of the four violations, but the industry had not yet returned to compliance. Also, EZ Products was in SNC in 2022 for failures to monitor for chemical oxygen demand and had returned to compliance by the time of this audit.
4. Has the CA developed IU compliance schedules? (40 CFR §403.8(f)(1)(iv)(A)) The Town has the legal authority to issue compliance schedules. According to the Town representatives, the Town has not issued compliance schedules to any SIUs including those in SNC.
5. Has the CA ensured CIU compliance within 3 years of standards effective date (or less than 3 years where required by standard)? (40 CFR §403.6(b)) N/A. No new CIU regulations have been promulgated in the last three years.
6. Has the CA ensured CIUs submit complete baseline monitoring reports and 90-day compliance reports within the required time frames? (40 CFR §403.12(b) & (d)) The Audit Team did not review baseline reports or 90-day compliance reports as part of this audit.
H. Additional Evaluations
1. Hauled Waste The Town accepts hauled septage and portable toilet wastewater only, and does not accept grease waste. The representatives explained that haulers are issued discharge permits. There were 13 permitted haulers at the time of the audit. WWTP operators perform visual inspections of the hauled waste discharges, but they do not typically collect samples for oversight or to deter non-compliance with local limits. Hauled waste discharges are limited to between 7:00am-4:00pm. 2. Dental Mercury The Town representatives stated that there is one dental facility in Chesterfield and two dental facilities in Cheraw. Dental facilities are required to submit the required one-time certification forms to SC DHEC. The Town does not inspect or permit dental facilities. The one-time certification statements required by 40 CFR Part 441 are sent directly to SCDHEC; verification of reporting receipts from these three dental users was not made as part of this audit.

3. Fats, Oils, and Grease (FOG)

At the time of the audit, the Town did not have a FOG program in place to control accumulative loadings into the POTW and its collection system.

Attachment A

Industrial User Site Visit Data Sheets

SITE VISIT DATA SHEET

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.					
Name of industry: Highland Industries, Inc.					
Address of industry: 650 Chesterfield Highway, Cheraw, SC 29520					
Date of visit: 8/28/2023		Time of visit: 9:40 a.m. – 12:40 p.m.			
Name of inspector(s): Sherry Turner and Doug Stowe, Town of Cheraw Kasey Jarman and Lori Baxley, SC DHEC Chuck Durham and Yatasha Moore, PG Environmental					
Provide the name(s) and title(s) of industry representative(s)					
Name		Title		Phone/Email	
Chuck Emanuelli		EHS Manager		Not provided.	
Matt Sutherd		Plant Manager		Not provided.	
Todd Burton		Human Resources Manager		Not provided.	
Ray Hayes		Finishing Superintendent		Not provided.	
Weldon Stewart		Product Manager (Tex Tech)		Not provided.	
IU Permit Number: 1008-20		Exp. Date: 03/31/2024		IU Classification: 40 CFR 410.54, Subpart E, Knit Fabric Finishing	
Please provide the following documentation:					
1. Nature of operation: The facility makes fabric for various uses including roofing, military (boot liner, Kevlar, backpacks, tents, Air Force jackets, etc.), flags, blood pressure cuffs, headliners for cars, and air bags.					
2. Number of employees	316	Number of shifts:	3	Hours of operation:	24 hours/5 days a week; up to 7 days a week if needed for production
3. Wastestream flow(s) discharged to the POTW: The facility generates and discharges wastewater from the fabric coating processes.					
Sanitary:	Not recorded (N/R)	Process:	600,000 gpd	Combined:	677,000 gpd
4. Describe any current or planned significant changes in process or flow: No significant process changes in the last year. The Tex Tech portion of the facility is planning to move off-site by March 2024.					
5. Type of pretreatment system (Describe treatment processes, condition of systems, and deficiencies observed): The facility does not have a wastewater treatment system.					
X	Continuous flow		Batch		Combined
6. Process area description (identify raw materials and processes used): The facility receives spools of yarn. The yarn is wound on beams to make fabric based on customer specifications. Fabric coatings are applied as needed based on customer specifications. The fabric is inspected, and any defects are removed. The final product is packaged and shipped.					
Tex Tech is a separate legal entity that performs similar operations for the Department of Defense. This portion of the facility does not use water in the production process, and the Audit Team did not observe a discharge from this area. However, there are floor drains from the main production area that run through this portion of the facility.					
7. Chemical storage area (identify the chemicals that are maintained on-site, housekeeping, and storage): The					

Audit Team observed chemical storage throughout the facility. Totes of PVC finish were stored in the finishing department. The facility stored totes of starch without secondary containment (see Finding 1 below).			
Any floor drains?	Yes	Any spill control measures?	Yes
8. Are hazardous wastes drummed and labeled? Yes. Hazardous waste was stored outside under cover.			
9. Does the IU have hazardous waste manifests? Yes. The facility is a small quantity hazardous waste generator. Hazardous waste is hauled off-site by Univar.			
10. Solid waste production and disposal: Not reviewed.			
11. Description of sample location and methods: Samples are collected from the monitoring manhole located in the facility's front lawn. The facility collects time-proportional composite and grab samples (see Finding 2 below). Samples are analyzed by Davis and Brown.			
Notes:			
During the site visit, the Town representatives informed the facility of the need to develop a SDCP. As discussed in Finding E.2 above, the Town will need to follow-up with the facility to ensure that a SDCP is submitted. 1. <u>Finding – The facility was storing chemicals near floor drains without secondary containment.</u> During the site visit, the Audit Team observed chemicals totes of starch stored without secondary containment near a floor drain (see Photograph 1). Additionally, the Audit Team observed 55-gallon drums of starch stored partially on spill containment. <u>Recommended Action #1</u> The Audit Team recommends that the Town follow up with the facility to ensure that the facility properly stores all chemicals with secondary containment as appropriate. 2. <u>Finding – The facility was collecting time-proportional composite samples.</u> The Highland Industries SIU permit requires the facility to collect flow-proportional composite samples. During the site visit, the facility representatives stated that composite samples are collected as time-proportional composite samples. <u>Applicable Regulations</u> The federal regulations at 40 CFR § 403.12(g)(3) state, “Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Control Authority. Where time-proportional composite sampling or grab sampling is authorized by the Control Authority, the samples must be representative of the Discharge and the decision to allow the alternative sampling must be documented in the Industrial User file for that facility or facilities.” <u>Required Action #15</u> The Town is required to follow-up with Highland Industries to ensure that all samples are collected using the appropriate sampling method.			



Photograph 1. Totes of starch stored without secondary containment next to a floor drain.

SITE VISIT DATA SHEET

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.					
Name of industry: Joe Anne Narrow Fabrics					
Address of industry: 212 Martin Luther King Avenue, Chesterfield, SC 29709					
Date of visit: 8/28/2023			Time of visit: 1:40 PM –2:40 PM		
Name of inspector(s): Sherry Turner and Doug Stowe, Town of Cheraw Kasey Jarman and Lori Baxley, SC DHEC Chuck Durham and Yatasha Moore, PG Environmental					
Provide the name(s) and title(s) of industry representative(s)					
Name		Title		Phone/Email	
Tony Newitt		General Manager		(843) 623-2111	
IU Permit Number: N/A		Exp. Date: N/A		IU Classification : CIU subject 40 CFR Part 410	
Please provide the following documentation:					
1. Nature of operation: The facility makes elastic for suspenders and belts for baseball teams.					
2. Number of employees	21	Number of shifts:	1	Hours of operation:	4 am – 2 pm; 4 days a week
3. Wastestream flow(s) discharged to the POTW: The facility generates and discharges wastewater from the fabric coating operation.					
Sanitary:	Not recorded (N/R)	Process:	500 gpd	Combined:	N/R
4. Describe any current or planned significant changes in process or flow: Production at the facility has decreased significantly over the past year.					
5. Type of pretreatment system (Describe treatment processes, condition of systems, and deficiencies observed): The facility does not have a pretreatment system.					
X	Continuous flow		Batch		Combined
6. Process area description (identify raw materials and processes used): The facility knits fabric on 72 looms for suspenders and belts. Fabrics are dyed and surface treated based on customer specifications.					
7. Chemical storage area (identify the chemicals that are maintained on-site, housekeeping, and storage): See Finding 1 below.					
Any floor drains?	Yes	Any spill control measures?	No		
8. Are hazardous wastes drummed and labeled? Hazardous waste drums were not observed during the site visit.					
9. Does the IU have hazardous waste manifests? Hazardous waste drums were not observed during the site visit.					
10. Solid waste production and disposal: N/R.					
11. Description of sample location and methods: Samples are collected from a discharge pit directly upstream of the connection to the POTW.					
Notes:					
1. <u>Finding – The facility was storing chemicals near floor drains without secondary containment.</u> During the site visit, the Audit Team observed 55-gallon drums of organic dyes and pigments stored without secondary containment near the finishing area.					

Recommended Action #2

The Audit Team recommends that the Town follow up with the facility to ensure that the facility properly stores all chemicals with secondary containment as appropriate.

Attachment B

Legal Authority Review Checklist

CHECKLIST – PRETREATMENT PROGRAM LEGAL AUTHORITY REVIEWS

NAME OF POTW: Town of Cheraw

DATE OF REVIEW: September 2023

Note: Several changes to the National Pretreatment Regulations made as a result of the Streamlining Rule are more stringent than the previous Federal requirements and therefore are considered required modifications for the POTW. Therefore, to the extent that existing POTW legal authorities are inconsistent with these required changes, they must be revised. Where local authorities are already consistent with these required provisions, further changes are not necessary.

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			19-9.04A	
2. Authorized or Duly Authorized Representative of the User	403.12(l)	§ 1.4 C	X			19-9.04C	
3. Best Management Practices or BMPs	403.3(e)	§ 1.4 E	X			19-9.04D	
4. Categorical Pretreatment Standard or Categorical Standard		§ 1.4 F	X			19-9.04F	
5. Indirect Discharge or Discharge	403.3(i)	§ 1.4 M	X			19-9.04U	
6. Industrial User (or equivalent)	403.3(j)	§ 1.4 LL	X			19-9.04V	
7. Interference	403.3(k)	§ 1.4 O	X			19-9.04Y	
8. National Pretreatment Standard, Pretreatment Standard or Standard	403.3(l)	§ 1.4 BB	X			19-9.04PP	
9. New Source	403.3(m)	§ 1.4 T	X			19-9.04EE	
10. Pass Through	403.3(p)	§ 1.4 V	X			19-9.04II	
11. Pretreatment Requirement	403.3(t)	§ 1.4 AA	X			19-9.04OO	
12. Publicly Owned Treatment Works or POTW	403.3(q)	§ 1.4 DD	X			19-9.04UU	

13. Significant Industrial User <i>[NOTE: §1.4 GG(3) is an optional streamlining provision for Non-Significant Categorical Industrial User classification.]</i>	403.3(v)	§ 1.4 GG		X		19-9.04DDD	Finding D.2
14. Significant Noncompliance	403.8(f)(2)(viii)	§ 9 (A-H)		X		19-9.04EEE & 19-18.01	Finding D.2

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	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			19-9.04FFF	
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			19-11.01A	
b. Pass Through	403.5(a)	§ 2.1A	X			19-11.01A	
2. Specific Prohibitions [403.5(b)]							
a. Fire/Explosion Hazard (60° C or 140° F flashpoint)	403.5(b)(1)	§ 2.1B(1)	X			19-11.01B(4)	
b. pH/Corrosion	403.5(b)(2)	§ 2.1B(2)	X			19-11.01B(7)	
c. Solid or Viscous/Obstruction	403.5(b)(3)	§ 2.1B(3)	X			19- 11.01B(11)	
d. Flow Rate/Concentration (BOD, etc.)	403.5(b)(4)	§ 2.1B(4)	X			19-11.01B(6)	
e. Heat; exceeds 40° C (104°F)	403.5(b)(5)	§ 2.1B(5)	X			19-11.01B(2)	
f. Petroleum/Nonbiodegradable Cutting/Mineral Oils	403.5(b)(6)	§ 2.1B(6)	X			19- 11.01B(18)	
g. Toxic Gases/Vapor/Fumes	403.5(b)(7)	§ 2.1B(7)	X			19- 11.01B(19)	
h. Trucked/Hauled Waste	403.5(b)(8)	§ 2.1B(8)	X			19- 11.01B(17)	

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
3. National Categorical Standards	403.8(f)(1)(ii)	§ 2.2	X			19-11.04	
4. Local Limits Development <i>[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.]</i>	403.5(c) & (d)	§ 2.4	X			19-11.08	
5. Prohibition Against Dilution as Treatment	403.6(d)	§ 2.6	X			19-11.14	
6. Best Management Practices Development <i>[NOTE: Optional streamlining provision.]</i>	403.5(c)(4)	§ 2.4C	X			N/A	Optional streamlining change not incorporated
C. Control Discharges to POTW System							
1. Deny/Condition New or Increased Contributions	403.8(f)(1)(i)	§§ 4.8 & 5.2	X			19-13.09	
2. Individual Control Mechanism (e.g., permit) to ensure compliance - <i>Permit Content</i>	403.8(f)(1)(iii)	§ 4.2	X			19-13.04	
a. Statement of Duration	403.8(f)(1)(B)(1)	§§ 5.1 & 5.2A(1)	X			19-14.01 & 19-14.02A(1)	
b. Statement of Nontransferability	403.8(f)(1)(B)(2)	§5.2A(2)	X			19-14.02A(2)	
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			19-14.02A(3)	

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
d. Best Management Practices <i>[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).]</i>	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			19-14.02A(3)	
e. Self-Monitoring Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			19-14.02A(4)	
f. Reporting & Notification Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			19-14.02A(4)	
g. Recordkeeping Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			19-14.02A(4)	
h. Process for Seeking a Waiver for Pollutants Not Present or Expected to be Present <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B of the Model SUO.]</i>	403.8(f)(1)(B)(4) & 403.12(e)(2)	§ 5.2A(5)	X			N/A	Optional streamlining change not incorporated
i. Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B)(5)	§ 5.2A(7)	X			19-14.02A(5)	
j. Slug Discharge Requirements (if necessary) <i>[NOTE: Required streamlining change. Where the POTW has determined that slug controls are necessary, the ordinance must provide authority for the POTW to include such requirements in IU permits.]</i>	403.8(f)(1)(B)(6)	§ 5.2A(8)	X			19-14.02A(6)	

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REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
k. Specific waived pollutant <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B of the Model SUO.]</i>	403.8(f)(1)(B) (4)	§ 5.2A(9)	X			N/A	Optional streamlining change not incorporated
l. Permit Application/Reapplication Requirements <i>[Note: Optional permit provision]</i>		§§ 5.3 & 5.7	X			19-13.05, 19-13.06, & 19-14.06	
m. Permit Modification <i>[Note: Optional permit provision]</i>		§ 5.4	X			19-14.03	
n. Permit Revocation/Termination <i>[Note: Optional permit provision]</i>		§§ 5.6 & 10.8	X			19-14.05	
o. Proper Operation and Maintenance <i>[Note: Optional permit provision]</i>		§ 3.1	X			N/A	
p. Duty of Halt/Reduce <i>[Note: Optional permit provision]</i>		§ 10.7	X			N/A	
q. Requirement to submit Chain-of-Custody forms with monitoring data <i>[Note: Optional permit provision]</i>			X			N/A	
3. General Control Mechanism to ensure compliance <i>[NOTE: Optional streamlining provision. Required only if the POTW has incorporated the use of General Permits (§ 4.6 of the Model SUO).]</i> - Permit Content	403.8(f)(1)(iii) (A)	§ 4.2 & 4.6	X			N/A	Optional streamlining change not incorporated
a. Statement of Duration	403.8(f)(1)(B) (1)	§§ 5.1 & 5.2A(1)	X			N/A	Optional streamlining change not incorporated
b. Statement of Non-transferability	403.8(f)(1)(B) (2)	§ 5.2A(2)	X			N/A	Optional streamlining change not incorporated

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			N/A	Optional streamlining change not incorporated
d. Best Management Practices <i>[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 (§ 2.4C).]</i>	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			N/A	Optional streamlining change not incorporated
e. Self-Monitoring Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			N/A	Optional streamlining change not incorporated
f. Reporting & Notification Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			N/A	Optional streamlining change not incorporated
g. Recordkeeping Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			N/A	Optional streamlining change not incorporated
h. Process for Seeking a Waiver for Pollutants Not Present or Expected to be Present <i>[Note: Required only if POTW has incorporated the use of Pollutants Not Present and § 6.4 of the Model SUO.]</i>	403.8(f)(1)(B)(4) & 403.12(e)(2)	§ 5.2A(5)	X			N/A	Optional streamlining change not incorporated
i. Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B)(5)	§ 5.2A(7)	X			N/A	Optional streamlining change not incorporated

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
j. Slug Discharge Requirements (if necessary) <i>[NOTE: Required streamlining change. The ordinance should indicate that a user is required to develop a slug discharge control plan if determined by the POTW to be necessary.]</i>	403.8(f)(1)(B) (6)	§ 5.2A(8)	X			N/A	Optional streamlining change not incorporated
k. Permit Application/Reapplication Requirements <i>[Note: Optional permit provision]</i>		§§ 5.3 & 5.7	X			N/A	Optional streamlining change not incorporated
l. Permit Modification <i>[Note: Optional permit provision]</i>		§ 5.4	X			N/A	Optional streamlining change not incorporated
m. Permit Revocation/Termination <i>[Note: Optional permit provision]</i>		§§ 5.6 & 10.8	X			N/A	Optional streamlining change not incorporated
n. Proper Operation and Maintenance <i>[Note: Optional permit provision]</i>		§ 3.1	X			N/A	Optional streamlining change not incorporated
o. Duty of Halt/Reduce <i>[Note: Optional permit provision]</i>		§ 10.7	X			N/A	Optional streamlining change not incorporated
p. Requirement to submit Chain-of-Custody forms with monitoring data <i>[Note: Optional permit provision]</i>			X			N/A	Optional streamlining change not incorporated
D. Required Reports							
1. Develop compliance schedule for installation of technology	403.8(f)(1)(iv)	§§ 5.2B(2) & 10.4	X			19-14.02B(2) & 19-20.04	

NONE = No revision necessary

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REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
2. Reporting Requirements [403.12] <i>Types of Reports</i>							
a. Baseline monitoring report	403.12(b)	§ 6.1	X			19-15.01	
(i) Identifying Information	403.12(b)(1)	§ 6.1B(1) & § 4.5A(1)a	X			19- 15.01B(1) & 19- 13.07A(1)(a))	
(ii) Other Environmental Permits Held	403.12(b)(2)	§§ 6.1B(1) & 4.5A(2)	X			19- 15.01B(1) & 19- 13.07A(2)	
(iii) Description of operations	403.12(b)(3)	§§ 6.1B(1) & 4.5A(3)a	X			19- 15.01B(1) & 19- 13.07A(3)(a))	
(iv) Flow measurements	403.12(b)(4)	§§ 6.1(b)(2) & 4.5A(6)	X			19- 15.01B(1) & 19- 13.07A(6)	
(v) Measurement of pollutants	403.12(b)(5)	§ 6.1B(2)	X			19- 15.01B(2) & 19- 13.07A(7)	
(vi) Certification	403.12(b)(6)	§ 6.1B(3)	X			19- 15.01B(3)	
(vii) Compliance schedule	403.12(b)(7)	§ 6.1B(4)	X			19- 15.01B(4)	
b. Compliance schedule progress report	403.12(c)	§ 6.2	X			19-15.02	

c. Report on compliance with categorical Pretreatment Standard deadline	403.12(d)	§ 6.3	X			19-15.03	
d. Periodic reports on continued compliance							
- From categorical users	403.12(e)	§ 6.4A	X			19-15.04	
- From significant non-categorical users	403.12(h)	§ 6.4A	X			19-15.04	
e. Notice of potential problems to be reported immediately (including slug loads)	403.12(f)	§ 6.6	X			19-15.06	

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		
f. Notification of changes affecting potential for a slug discharge <i>[NOTE: Required streamlining revision]</i>	403.8(f)(2)(vi)	§ § 6.5 & 6.6	X			19-15.06C	
g. Notice of violation/sampling requirement <i>[NOTE: Required streamlining revision.]</i>	403.12(g)(2)	§ 6.8			X	19-13.03D & 19-15.08	Finding D.2
h. Requirement to conduct representative sampling	403.12(g)(3)	§ 6.4E	X			19-13.03B	
i. Notification of changed discharge	403.12(j)	§ 6.5	X			19-15.05	
j. Notification of discharge of hazardous waste	403.12(p)	§ 6.9	X			19-15.09	
Other Reporting Requirements							
k. Data accuracy certification & authorized signatory	403.6(a)(2)(ii) & 403.12(l)	§§ 6.4D & 6.14	X			19-15.14	
l. Recordkeeping Requirement (3 years or longer)	403.12(o)	§ 6.13	X			19-15.13	
- Including documentation associated with Best Management Practices <i>[NOTE: Required streamlining provision.]</i>	403.12(o)	§ 6.13	X			19-15.13	
m. Submission of all monitoring data <i>[NOTE: Required streamlining revision]</i>	403.12(g)(6)	§ 6.4F			X	19-13.03E	Finding D.2
n. Annual certification by Non-significant categorical Industrial Users <i>[Note: Optional provision, required only if the POTW has incorporated §1.4GG(3) of the Model SUO.]</i>	403.3(v)(2)	§§ 4.7C & 6.14B	X			N/A	Optional streamlining change not incorporated

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		
o. Certification of pollutant not present <i>[NOTE: Optional provision, required only if the POTW has incorporated § 6.4 B of the Model SUO]</i>	403.12(e)(2)(v)	§ 6.14C	X			N/A	Optional streamlining change not incorporated
E. Test Procedures [40 CFR Part 136 & 403.12(g)]							
1. Analytical procedures (40 CFR Part 136) <i>[NOTE: Required streamlining provisions]</i>	403.12(g)	§ 6.10	X			19-13.03 & 19-15.10	
2. Sample collection procedures <i>[NOTE: Required streamlining provisions]</i>	403.12(g)(3) & (4)	§ 6.11	X			19-13.03 & 19-15.11	
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			19-16.01	
2. Right to inspect generally for compliance	403.8(f)(1)(v)	§ 7.1	X			19-16.01	
3. Right to take independent samples	403.8(f)(1)(v), 403.8(f)(2)(v) & 403.8(f)(2)(vii)	§ 7.1	X			19-16.01	
4. Right to require installation of monitoring Equipment	403.8(f)(1)(iv)	§ 7.1	X			19-16.01	
5. Right to inspect and copy records	403.12(o)(2)	§ 7.1	X			19-16.01	
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			19-21.01	
b. Civil/Criminal penalties	403.8(f)(1)(vi)	§§ 11.2 & 11.3	X			19-21.02 & 19-21.03	

NONE = No revision necessary

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
2. Emergency response							
a. Immediately halt actual/threatened discharged	403.8(f)(1)(vi) (B)	§ 10.7	X			19-20.07	
3. Legal authority to enforce Enforcement Response Plan	403.8(f)(1)(vi)	§ 11.4	X			19-21.04	
H. Public Participation							
1. Publish list of Industrial Users in Significant Noncompliance <i>[NOTE: Required streamlining revision]</i>	403.8(f)(2)(viii)	§ 9	X			19-18.01	
2. Access to data [403.8(f)(1)(vii) & 403.14]							
a. Government	403.14(a) & (c)	§ 8	X			19-17.01	
b. Public	403.14(b)	§ 8	X			19-17.01	
I. Optional Provisions							
1. Net/Gross adjustments <i>[streamlining provision]</i>	403.15	§ 2.2 D	X			N/A	Optional change not incorporated
2. Equivalent mass limits for concentration Limits <i>[streamlining provision]</i>	403.6(c)	§ 2.2 E	X			N/A	Optional change not incorporated
3. Equivalent concentration limits for mass limits <i>[streamlining provision]</i>	403.6(c)	§ 2.2 F	X			N/A	Optional change not incorporated
4. Upset Notification	403.16	§ 13.1	X			19-22.01	
5. Waive monitoring for pollutant not present or expected to the present <i>[streamlining provision]</i>	403.12(e)(2)	§ 6.4B	X			N/A	Optional change not incorporated
6. Reduce periodic compliance reporting <i>[streamlining provision]</i>	403.12(e)(3)	§ 6.4C	X			N/A	Optional change not incorporated
7. Other special agreement or waivers (excluding waiver 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			19-12.04	
9. Grease Interceptor Reporting/Requirements		§ 3.2 C	X			19-12.02C	
10. Authority to issue Notice of Violations (NOVs)		§ 10.1	X			19-20.01	
11. Authority to issue Administrative Orders (AOs)			X			19-20.02	
12. Authority to issue Administrative Penalties		§ 10.6	X			19-20.06	
13. Authority to enforce again falsification or tempering							
14. Any other supplemental enforcement actions as noted in the POTW's enforcement response plan							
15. Permit Appeals Procedures							
16. Penalty or Enforcement Appeals Procedures							
17. Bypass Notification	403.17	§ 13.3	X			19-22.03	

Document(s) submitted for review:

Town of Cheraw SUO

v. April 11, 2023

Name of Reviewers

Yatasha Moore

END OF REPORT