

Pretreatment Compliance Audit

Summary Report

Discharger: Plattsburgh Water Resource Recovery Facility
(Formerly Plattsburgh Water Pollution Control Plant)
Clinton County, NY
SPDES No. NY0026018

Location: 53 Green Street, Plattsburgh, NY 12901

Contact: Kristofer Gushlaw, Chief Plant Operator, City of Plattsburgh
Jonathan Ruff, Environmental Manager, City of Plattsburgh
Janelle Henry, Lab Director and Water Resource Chemist, City of Plattsburgh
Scott Stoddard, Director, Water and Wastewater Department, Town of Plattsburgh

Audit Dates: August 30-September 2, 2022 (In-Person Audit Interview and Industrial User Site Visits)
September 8 and December 7, 2022 (Virtual Follow-Up Interview)
December 8, 2022 (Virtual Closing Conference)

Audited By: Alexandre Remnek, US EPA Region 2

Attachments

Attachment A Industrial User Site Visit Data Sheets
Attachment B Legal Authority Review Checklist

I. Audit Summary

Alexandre Remnek (US EPA Region 2) (referred to as the Audit Team) and the City of Plattsburgh (City) mutually selected Significant Industrial User (SIU) files for review which the City uploaded to a shared online folder. The follow up interview and closing conference was conducted using the Microsoft Teams video conferencing platform and by phone.

Between August 30 and September 2, the Audit Team conducted an interview, reviewed program files and conducted industrial user inspections with the primary City's contact, Kristofer Gushlaw. Jonathan Ruff and Janelle Henry also participated in portions of the interview. The Audit Team discussed the purpose and format of the audit and interviewed the City representative about the City's pretreatment program. The Audit Team also evaluated the City's procedures and legal authority.

As part of the audit, the Audit Team reviewed the following non-domestic discharger files and on August 31 and September 1, 2022 conducted site visits:

- A. Schonbek Co., Inc. (In Town of Plattsburgh, categorical industrial user [CIU]; subject to Title 40 of the *Code of Federal Regulations* [40 CFR] 433.15 - Metal Finishing, Pretreatment Standards for Existing Source [PSES])
- Georgia-Pacific Consumer Operations, LLC (CIU, subject to 40 CFR 430.126 - Pulp, Paper, and Paperboard Point Source Category, Subpart L – Tissue, Filter, Non-Woven, and Paperboard from Purchased Pulp Subcategory, Pretreatment Standards for Existing Source [PSES])
- Pactiv Corporation, LLC (CIU, subject to 40 CFR 430.106 - Pulp, Paper, and Paperboard Point Source Category, Subpart J – Secondary Fiber Non-Deink Subcategory, Pretreatment Standards for Existing Source [PSES])

In addition, the Audit Team reviewed the limits in two additional Town of Plattsburgh Permits:

- Saranac Power Partners, L.P. (CIU, subject to 40 CFR 423.17 – Steam Electric Power Generating Point Source Category, Pretreatment Standard for New Sources (1982) [1982 PSNS])
- SterRx, LCC (CIU, subject to 40 CFR 439 Pharmaceutical Manufacturing Point Source Category – Subpart D: Mixing/Compounding and Formulation, Pretreatment Standards for Existing Source [PSES])

The last review of the City's pretreatment program was a PCA performed on October 23-24, 2012 (2012 PCA).

II. WWTP Description

The City of Plattsburgh operates a Water Resource Recovery Facility (WRRF) (Formerly Plattsburgh Water Pollution Control Plant (WPCP)); the facility receives wastewater from the City and Town of Plattsburgh (Town) through both combined storm and sanitary sewer mains and sanitary-only sewer mains; combined sewers account for 79% of the wastewater conveyance system in the City¹.

The WWTP provides primary, secondary and tertiary treatment². Primary treatment includes bar screens, aerated grit removal, flotation, primary clarifier (also a co-thickener). Secondary treatment includes an activated sludge process using aeration tanks with 6 surface aerators and final clarifiers. The tertiary treatment consists of alum addition to remove phosphorus. There is not a need to conduct tertiary treatment for nitrogen since there is a fair amount of nitrification through aeration. In addition, only half of the capacity of the WRRF is being used: the design flow is 16 mgd while the actual flow is 4-5 mgd dry weather. Of this, the industrial contribution is 1.5 MGD, which accounts for 30% of dry weather flow. Approximately 72% of the solids are pressed and hauled to Fulton County Department of Solid Waste landfill for disposal and 28% are sent for land application. Wet weather flows typically vary from 18 to 25 MGD; when there are wet weather flows, the unused primary clarifier is opened and diverted wastewater is sent to the wet well. When the flows reach 32 MGD, the aeration tank is opened, and the wastewater is then recirculated to the wet well. These two tanks provide 4.5 million gallons of storage capacity. There are no major problems with inflow and infiltration into sewer lines; the City's Department of Public Works has a program where chemicals are applied at locations prone to grease buildup or root penetration each year.

The only recent change to the WRRF is that a new chemical building with sodium hypochlorite and thiosulfate storage is being moved closer to where it is applied, which eliminates pumping the chemicals across the plant. In addition, the City is currently conducting an evaluation of different disposal options for biosolids.

III. Industrial User (IU) Characterization

IUs currently identified by the Control Authority (CA)	IU Type	
5	Discharging Significant Industrial Users (SIU)	
	0	Discharging Non-Categorical SIUs (as defined by the CA)
	5	Categorical Industrial Users (CIUs)
	Not applicable (N/A)	Middle Tier CIUs
1	Zero-Discharging CIUs: Plattco Corporation	
0	Non-significant CIU (NSCIU)	
0	Other Regulated IUs (e.g., permitted IUs)	
13	Waste Haulers	

¹ <https://www.cityofplattsburgh-ny.gov/departments/public-works/facts-about-public-works>

² <https://www.cityofplattsburgh-ny.gov/departments/environmental-services/water-resource-recovery-facility>

	Describe: The City accepts hauled septage, domestic wastewater, wastewater treatment plant sludge/slurry, industrial wastewater and fats, oils, and grease (FOG) waste at the WRRF. See Section H.1 of this report for more information.
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IV. Findings Summary Table		
Part V Section Reference – Finding	Requirement(s)	Recommendation(s)
A.1.a – The City was unsure of when the local limits were last determined.	1	
A.1.b – The City has not updated its legal authority to incorporate all of the required streamlining changes.	2	
A.1.c – The City and Town’s Enforcement Response Plan (ERP) should be reviewed and revised.		1
A.1.d – The City and Town has incorrectly issued monitoring waivers in some SIU permits.		2
A.1.e – The City and Town had included or continues to include surcharges in the industrial user permits; the implementation of surcharges is not clearly established in the SUO.		3
A.1.f – The Intermunicipal Agreement between the City and Town of Plattsburgh is vague.	3	
B.1.a – The City and Town routinely conducts an industrial waste survey (IWS) of its service area but limits IUs to only CIUs.		4
B.1.b – Wastewater transported from municipal wastewater facilities, landfills and remediation sites are issued hauled waste permits which incorporate many of the elements of an industrial user permit, but are not considered IUs, and the permits monitoring requirements are not based on local or categorical limits.	4	
C.4.a – There were no permit application form or fact sheets included in the permit files or provided electronically to the Audit Team.		5
C.4.b – The permits reviewed did not have a signature date or an issuance date and the Pactiv permit did not include a signature.	5	
C.4.c – The Georgia-Pacific and SterRx permits included a revision date; issuing a new five-year permit instead might be preferable.		6
C.4.d – The SterRx, Saranac Power Partners, and Schonbek permits did not apply appropriate local limits. SterRx and Saranac Power Partners permits did not adequately identify all applicable categorical limits and where the discharge of pollutants must be sampled.	6	
C.4.e – The Saranac Power Partners permits included a surcharge for TSS but did not state the rate or how the amount would be assessed.		7

Part V Section Reference – Finding	Requirement(s)	Recommendation(s)
C.4.f – The permits reviewed did not properly identify the current discharge and sample locations.	7	
C.4.g – The industrial user permits did not state that time-proportional composite samples are permitted only if approved by the Control Authority.	8	
C.4.h – The industrial user permits require cyanide and phenols to be continuous samples rather than grab samples.	9	
C.4.i – The Saranac Power Partners permit requires monthly sampling for pollutants which do not have local limits or categorical standards.	10	
C.4.j – The Georgia-Pacific and Pactiv permits did not require the industry to submit all self-monitoring results.	11	
C.4.k – The Schonbek permit includes somewhat different requirements in different sections for reporting spills and slug discharges to the Town and City.		8
C.4.l – The Schonbek permit did clearly require notification of upsets.	12	
C.4.m – The permits did not include bypass notification requirements.	13	
C.4.n – The permits reviewed did not include the requirement to notify the City and/or the Town of changes that affect the potential for a slug discharge.	14	
C.4.o – The permits reviewed did not require notification of all significant changes.	15	
D.1 – The City has not amended its program to include all of the required streamlining changes.	16	
D.2 – The City’s Sewer Use Ordinance should include all Federal pretreatment regulations.	17	
F.1 – The City and Town sampled each SIU for all parameters included in the permit, but not all of the appropriate limits were included in the permits.	18	
F.2.a – Sampling and analysis procedures are adequate but could be reassessed.		9
F.2.b – The City’s inspection reports were incomplete.		10
F.2.c – Phenols and Cyanides samples are composite rather than grab samples.	19	
F.5.a – All industrial user self-monitoring reports were received on time, but some data was submitted separately.		11, 12, 13
F.5.b – Pactiv is sampling for Pertachlorophenol, 2,4,6-Trichlorophenol and 1,2,4 Trichlorobenzene; this is not required.		14

Part V Section Reference – Finding	Requirement(s)	Recommendation(s)
F.5.c – Sampling excursions were not clearly flagged and often no determination was made by the SIU or laboratory whether the data were acceptable with or without caveats.		15
F.10 – SIUs have been notified of the hazardous waste reporting requirements.		16
G.1.a – The City did not implement its ERP when Georgia-Pacific improperly notified the City of increased flow and loading due to equipment malfunction.	20	
G.1.b – The City should have issued a Notice of Violation to Georgia-Pacific for a poorly maintained flume flowmeter.	21	
Schonbek Site Visit Data Sheet – Incorrect installation and cleaning of filter bags leads to oil and grease exceedances.		17
Georgia-Pacific Site Visit Data Sheet – The Main SaveAll has a dual purpose for both production and wastewater pretreatment and was not operational at the time of the site visit.	22	
Pactiv Site Visit Data Sheet – Some drums were not clearly labelled and seemed to be old.		18
Pactiv Site Visit Data Sheet – The facility was storing totes of PFAS without secondary containment.		19

V. Evaluation

The Audit Team discussed the topics in subsections A-H regarding the City's pretreatment program with the City representative. 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)

According to the City, there have not been any substantial changes that were not reported to the approval authority (e.g., legal authority, less stringent limits, multijurisdictional situation). The Town of Plattsburgh has made a non-substantial change to its pretreatment program; in its SUO the pH range was changed to 6 to 9 from 5.5 to 9 to match the City of Plattsburgh's SUO.

Plattsburgh is not in the process of making any substantial modifications to any pretreatment program components. The City and Town of Plattsburgh last updated their SUOs in 2013 and the City updated its schedule of rates in 2019. The SUO was revised to incorporate new publication requirements for significant noncompliance (SNC), an updated definition of SNC, a new slug and accidental discharges section, and updated reporting requirements for permittees. The City's staff did not know when the current maximum allowable industrial loading (MAIL) was developed or incorporated into the City's SUO; based on EPA's review of the records it was likely last revised in 1997 or 1998. It is unclear when the City or Town's Enforcement Response Plans (ERP) were last modified. In addition, the City was not sure if the Town's ERP was reviewed and approved by the City's staff.

Finding A.1.a – The City was unsure of when the local limits were last determined.

As noted in Part II above, the City is in the process of reassessing its sludge disposal options. The City representative was unsure of the last time the local limits were evaluated.

Requirement 1

The Audit Team requires that the City review its local limits to ensure that they are protective of the current POTW conditions. The local limits should also be reviewed before any plant upgrades are made or slug disposal options are determined. The local limits must include all parameters of concern, including TSS and BOD. As a reminder, revisions to the City's local limits must be submitted to the Approval Authority for review and approval prior to implementation.

Finding A.1.b – The City has not updated its legal authority to incorporate all of the required streamlining changes.

As noted above, the City updated its SUO in 2013. These required changes are outlined in EPA's Pretreatment Streamlining Rule Fact Sheet 2.0: Required Changes, available at http://www.epa.gov/npdes/pubs/pretreatment_streamlining_required_changes.pdf.

Because the City has not adopted the required changes, the City's pretreatment program is less stringent than required by federal regulations.

According to the City's staff, Plattsburgh has amended its pretreatment program to include all of the components required under the 2005 amendments to the General Pretreatment Regulations. However, after reviewing the 2013 SUO, the City and Town did amend some of the components to comply with the required 2005 streamlining rules, such as slug control requirements in control mechanisms, revised SNC definitions, and publication of a list of industrial users in significant noncompliance. The SUO did not include a clarification that SIU reports must include any applicable BMP compliance information or record-keeping requirements for BMPs. However, including BMP requirements in the SUO is optional unless there are CIUs with BMP requirements in the service area. The City and Town did not include the following required streamlining rules in their SUOs:

- Notification requirements to include changes that might affect the potential for a slug discharge.
- Clarification that CAs that perform sampling for SIUs must perform any required repeat sampling and analysis within 30 days of becoming aware of a violation.
- Modification to the sampling requirements.
- Requirement to report all monitoring results.

However, the City did not incorporate the optional streamlining changes because the State of New York has not incorporated the streamlining rule into state law; there will be likely a promulgation of the optional streamlining rules by New York State in the near future.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(1) require the City to have the legal authority to implement its pretreatment program.

Requirement 2

The City is required to modify its current SUO to incorporate the required streamlining changes. The City may not adopt any of the optional streamlining changes until New York has adopted these provisions into state law. New York State is in the final stage of updating its regulations which will include the optional pretreatment streamlining rule at 40 CFR Part 403. The process is expected to be finalized in early 2023. Once the state updated rule becomes effective, all municipalities with EPA-approved pretreatment programs would need to update their SUOs to adopt the provisions of the optional streamlining rules. EPA will be providing guidance and assistance with regards to revising City of Plattsburgh SUO once the updated rules are in place. EPA recommends waiting to revise and update the City's SUO until the state has updated its regulations.

Finding A.1.c – The City and Town's Enforcement Response Plan (ERP) should be reviewed and revised.

According to the City's representative, the ERP does describe how the City of Plattsburgh will investigate instances of noncompliance, the types of escalating enforcement responses and the time frame for each response, and identify the title of official(s) responsible for implementing each type of enforcement response; however, the City Attorney's responsibilities are not included. The City's representative stated that the ERP does reflect the City's responsibility to enforce all applicable Pretreatment Standards and Requirements. The City representative also expressed that the ERP is

effective and does lead to timely compliance; however, there is no recent examples of enforcement action being undertaken by the City or the Town over the last five years.

The Town has an ERP which mirrors the City's ERP which is not signed or dated. In addition, the positions listed on the Town's ERP does not distinguish whether it is the City's or Town's staff which are responsible for enforcement response tasks.

The ERP provided to the Audit Team lacked a date and signature and did not cite the specific sections of the Sewer Use Ordinance on Federal Regulations 40 CFR 403.8(f)(5) that allows for the ERP to be enforceable. In addition, the ERP EPA received includes the word "draft" for the title of Section B.4.

Recommendation 1 – The City and Town should revise their ERPs

The Audit Team recommends the City review the ERP to ensure that it is consistent with current City practices. Additionally, the City should revise its ERP as needed to ensure that it is consistent with the revisions made to the SUO to incorporate the required streamlining changes. The ERP would be improved by including an improved purpose and scope of the ERP, a record of the dates of previous revisions, and a definition of responsibilities for each professional title. In addition, the role of the City Attorney or other legal staff is not included in the ERP.

The following could be added to the ERP:

“The User has ten (10) business days or greater at the discretion of the Director to provide the listed items upon receipt of a notice of violation:

- a. explanation of the violation(s); and
- b. plan for correction and future prevention of the violation, including specific actions and a schedule to be taken and followed by the User.

The User may request additional time to investigate and correct the cause of the violation as described in the Sewer Use Ordinance in Section XX.”

In the ERP, the following enforcement response options should be revised or included:

- Industrial user not having a slug discharge control plan;
- Failure to notify the City or Town of a change in production or discharge volumes and/or manufacturing practices;
- Non-submittal of baseline monitoring reports prior to discharge to the POTW;
- For Nonpermitted Discharge, failure to not submit an application after 10 days of due date; and
- There are enforcement responses given for unintentional improper sampling; however, there are no enforcement responses listed for intentional improper sampling;

In addition:

- The difference between an (a) isolated, (b) not significant and isolated, and (c) significant exceedance is not clear; we can presume that a significant exceedance means SNC while a not significant exceedance is infrequent, isolated, or cause no harm; this should be clearly stated; and
- The City and the Town have the option to include sections pertaining to the permittee's right to a hearing, public notification of violations, and administrative fines.

Furthermore, the Town's ERP should specify whether it is the City and/or Town's Pretreatment Administrator – Director of Water & Wastewater Utilities (PA) and Pretreatment Coordinator –

Director of Water & Wastewater Utilities (PC) which are responsible for enforcement tasks and actions. In addition, both ERPs should be date-stamped and signed by the appropriate staff. The City must review the Town's ERP and approve it. Finally, the City and Town must ensure that their ERP is consistent with their SUOs.

Finding A.1.d – The City and Town has incorrectly issued monitoring waivers in some SIU permits.

The Town of Plattsburgh has incorporated in the SterRx permits some of the optional measures provided by the 2005 amendments to the General Pretreatment Program, which needed to be promulgated by the State of New York prior to incorporation in the SUO and then in the permits. In particular, there was an issuance of monitoring waivers for pollutants that are not present. An authorization to implement alternative sampling, reporting, and inspection frequencies for middle-tier CIUs can only be granted once the optional streamlining rules are promulgated by New York State and incorporated in the City and Town's SUOs.

Recommendation 2

The City and Town can only implement monitoring waivers for its industrial users once the 2005 optional streamlining rules are promulgated by New York State and they are incorporated in their SUOs. For more information on different options available to reduce sampling requirements for CIUs, please refer to the Introduction to the National Streamlining Rule³, page 5-4.

Finding A.1.e – The City and Town had included or continues to include surcharges in the industrial user permits; the implementation of surcharges is not clearly established in the SUO.

For example, in the Georgia-Pacific annual inspection report, there is a 21-page long cost distribution analysis which calculates the billing for flow, BOD, and solids for Georgia-Pacific and Pactiv. The basis for the surcharge assessment is not established in the SUO, but it was determined in a contract agreement between the City and the CIUs. The contract expired in 2020, and the City decided only to bill the industries based on their flow.

One positive is that only charging for flow has allowed the City to consolidate their budget and simplify billing and accounting. However, as discussed later, there has been an increase of TSS and BOD loadings to the POTW due to malfunctioning equipment at Georgia-Pacific. Having a surcharge for BOD and TSS when there is no local limit for either BOD and TSS is a way to discourage CIUs from not doing pretreatment and sending high organic loadings to the POTW.

Recommendation 3

The City and Town should research and consider surcharges for BOD and TSS. The goal is to provide for equitable distribution of treatment and industrial pretreatment costs resulting from pollution introduced into the POTW.

³ https://www.epa.gov/system/files/documents/2021-07/pretreatment_program_intro_2011.pdf

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

The City receives wastewater from the Town of Plattsburgh and there is a Sewer Service Agreement between the City of Plattsburgh and the Town of Plattsburgh that went into effect on January 1, 2007 and expires in 2039. Section 6.g. covers the Monitoring and Reporting SIUs.

According to the City's representative, the Town is responsible for updating the industrial waste survey (IWS), notifying IUs of requirements, issuance of control mechanisms, and conducting compliance monitoring. Inspections are conducted every year by the Town, sometimes these inspections are done jointly. Both the Town and the City receive and review IU reports and are involved in the enforcement of pretreatment standards and requirements. According to the City's representative, the City has not had any problems with the implementation of the pretreatment program within the Town of Plattsburgh.

The Town's representative demonstrated knowledge and command of the pretreatment program and has been in his position for a considerable amount of time. However, one concern is that if there is staff turnover in the Town or City's pretreatment program there might lack a level of understanding and coordination that ensures that the current informal arrangement to function as well in the future.

Finding A.1.f – The Intermunicipal Agreement between the City and Town of Plattsburgh is vague.

The Sewer Service Agreement Section 6(g) states that "The parties will consider whether it is advisable to consolidate services to assure SIU permit compliance." However, the expectation is that the arrangements for managing the pretreatment program are clearly spelled out in the interjurisdictional agreement.

Requirement 3

The intermunicipal agreement must clearly identify which party is to be the lead for implementing the pretreatment program; either the Town or the City acting as an agent of the Town, for the purposes of implementation and enforcement of the SUO in the Town as it pertains to industrial users. The agreement could:

- State that the City may take any action under the Town's SUO that could have been taken by the Town, including the enforcement of the ordinance in courts of law;
- Establish whether the Town reimburses the City for the costs incurred in implementing and enforcing the Town's SUO, or whether the City will be responsible for those costs, or another option; and
- Define the services provided by the City and Town for the following: (1) update the industrial waste survey on an annual basis; (2) issue permits to all industrial users required to obtain a permit; (3) conduct inspections, sampling, and analysis; (4) take all appropriate enforcement action as outlined in the City of Plattsburgh's enforcement response plan and provided for in the Town of Plattsburgh's sewer use ordinance; and (5) perform any other technical or administrative duties the Parties deem appropriate.

Finally, the process by which the City reviews the Town's SUO for approval and a protocol for updating the SUO when new local limits are adopted should be included in the intermunicipal

agreement.

Please refer to EPA's "Multijurisdictional Pretreatment Programs Guidance Manual" (June 1994)⁴ with regards to information that should be included in an IMA which covers pretreatment responsibilities and considerations adequately.

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 City's representative, the City and the Town conducts an industrial waste survey every 5 years. There is follow up with individual industries once the inventory is conducted.

In the interim, the City's staff is proactive in locating new and modified industries; they read the papers and are in contact with the City's Code Enforcement Office and the Planning Board. If there is a development of note, the developer's engineer will likely contact the plant. The WPCF maintains a database of facilities that they have contacted.

The City and Town are able to identify changes in wastewater discharges at existing IUs since all CIUs have flow meters; the City's CIUs report the flow meter results 2 times per year and the Town's 4 times per year. In addition, one pump station receives inflow almost exclusively from Georgia-Pacific and Pactiv. The station has a flow meter and wastewater can be visually inspected.

However, what the City and Town considers as IU is limited to categorical industries. There are breweries, remediation sites and other potential non-categorical dischargers in the service area. That said, some of these potential sources might not be contributing wastewater to the WPCP; for example, the Valcour Brewing Company sends their waste to local farms where it is used as feed for livestock (mainly pigs).

Finding B.1.a – The City and Town routinely conducts an industrial waste survey (IWS) of its service area but limits IUs to only CIUs.

The City and Town conducts IWS every five years and also maintains strong relationships with other municipal staff. However, the interpretation of what constitutes an industrial user should be re-evaluated. The service area includes a number of technology companies, remediation sites, breweries and industrial hauled waste dischargers; some of those might be non-categorical industrial users or significant industrial users.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(2)(i) that require the City and Town to identify and locate all possible industrial users that might be subject to the pretreatment program.

⁴ <https://www.epa.gov/system/files/documents/2021-07/owm0248.pdf>

Recommendation 4

The Audit Team recommends that the City and Town continues to conduct a formal IWS of the service area. However, how the data is examined and how industrial users are determined should be reconsidered as to ensure that all non-domestic users have been located and properly classified. The main suggestion for improving the IWS is to look at the water billing records of already identified SIUs.

Finding B.1.b – Wastewater hauled from municipal wastewater facilities, landfills and remediation sites are issued hauled waste permits, which incorporate many of the elements of an industrial user permit, but are not considered IUs, and the permits monitoring requirements are not based on local or categorical limits.

Industrial hauled waste dischargers are issued hauled waste permits which contain most of the language required in an industrial user control mechanism but are not issued IU permits or are considered IUs by the City. For example, the Enosburg Falls, VT wastewater treatment plant ships to Plattsburgh a sludge/slurry (a slurry which is high in solids) which is accepted at the hauled waste intake point; this could potentially be considered an industrial waste. The City also receives wastes from the NYSEG-Saranac River remediation site. In addition, Plattsburgh AFB has inquired about sending their remediation process wastewater to the Plattsburgh WRRF as well but has not submitted an application to date.

The NYSEG Plattsburgh Saranac River cleanup has been ongoing since 2000. During remediation, rock and dirt from the river are dredged and brought to a facility for treatment at 18 Saranac Street; cleaned rocks are placed back into the Saranac River. The contamination is from an old coal plant that NYSEG acquired; coal tar contains PAHs. The facility is covered under a City of Plattsburgh hauled domestic wastewater/domestic septage permit.

The clean-up operation has received a remediation-specific hauled waste permit to discharge to the WRRF; there is monitoring for all MTBEs using analytical methods SW 8260 503.1 and 503.22. The facility has an application for a discharge permit; trichloroethylene is piped to the POTW.

In order to ensure compliance with its SPDES permit, the WPCP puts NYSEG Saranac River remediation project sampling data into the simulation program to estimate the concentration of the influent and potential effluent concentrations; there is a flag for when there are potential exceedances and the plant can determine whether they are able to take additional loadings or prefer delaying accepting wastewater from NYSEG-Saranac River remediation.

While Plattsburgh AFB has inquired about obtaining a hauled wastewater discharge permit, they have not applied yet. Remediation is ongoing at Plattsburgh AFB; there are 5 test wells which monitor for PFAS and of particular concern are their firefighting training facilities.

Plattsburgh receives municipal wastewater (usually thickened sludge which is high in solids) from the Altona Correctional Facility (Altona, NY), Enosburg Falls WWTP (Enosburg Falls, VT), Akwesasne STP (Akwesasne, QC) and St. Regis Mohawk Tribe WWTP (Akwesasne, NY). The POTW also receives landfill leachate from the NCES Landfill (Bethlehem, NH), Coventry Landfill (Coventry, VT), and Clinton County Landfill (Morrisonville, NY).

The permits include in Attachment A quarterly reporting requirements for 59 parameters and lists the required detection limit and limit (lb/day); the list includes metals, oil and grease, BOD, TSS, total solids, total phosphorus, pH, PCBs, purgeable halocarbons and aromatics, base neutrals, and Benzidine. Attachment B lists the required methodology for analyzing each parameter. The City's representative was not sure how the limits were derived and does not recall any exceedances of the limits from hauled waste in the past three years.

Regulatory Requirement

The discharge prohibitions listed at 40 CFR 403.5 apply to all wastes received at the POTW, including domestic and nondomestic hauled waste, regardless of delivery method. The regulation includes:

- general prohibitions against wastes that can cause pass through or interference if introduced into a POTW (40 CFR 403.5(a));
- specific discharge prohibitions ([40 CFR 403.5\(b\)](#)) ([PDF](#)); and
- a specific prohibition against discharge of trucked or hauled pollutants except at points designated by the POTW (40 CFR 403.5(b)(8)).

In addition to designating a discharge point, many POTWs implement other controls on the discharge of hauled waste, including:

- applying limits to nondomestic hauled waste,
- issuing permits to waste haulers,
- implementing tracking systems,
- sampling loads, and
- refusing all hauled waste.

The federal regulations at 403.8(f)(1)(iii)(B) state that “Both individual and general control mechanisms must be enforceable and contain, at a minimum, the following conditions: ...

(3) Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards in part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law;

(4) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the Discharge in accordance with § 403.12(e)(2), or a specific waived pollutant in the case of an individual control mechanism), sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards in part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law;”

Requirement 4

The City has the option of either issuing a Hauled Leachate Discharge Permit or an Industrial User Permit from wastewater hauled from remediation sites, landfills and municipal wastewater sources. In either case, the control mechanism must be technically based and include local limits and, if applicable, categorical limits and include sampling requirements according to pretreatment regulations.

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))

Yes, the City and Town conducts inspections and compliance monitoring of pollutant parameters listed in the industrial user permit at each SIU at least annually. However, as noted in some of the findings below, the Town has not always included the correct categorical pollutant parameters in the permits.

For some permits, the flow limit is much higher than the actual daily and maximum flow. For example, for the Pactiv permit, the flow limit is 2.27 MGD when the current actual flow is 0.33 to 0.36 MGD and the five-year average is 0.22 MGD. According to the City's representative, the 2.27 MGD flow limit was based on a 30-year contract between the City and Pactiv that elapsed in 2020. During much of the contract duration, the daily flows were about 1.0 MGD.

Updating and having the correct flows in the industrial user permits is important in order to ensure that the local limits are calculated correctly and allocated optimally to all industrial users. In practical terms, since the concentrations for cadmium, copper, cyanide, zinc and mercury are very low from Pactiv, this likely has a de minimus impact overall in terms of compliance and overall impact to the WRRF.

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 a SIU is a NSCIU, as defined in 403.3(v)(2), rather than a SIU? Have modifications to the list been submitted with annual reports?
(40 CFR 403.8(f)(6))

Yes. the City maintains a current list of SIUs, which it submits in the semi-annual reports to EPA Region 2. The City and Town did not have the legal authority to designate SIUs as NSCIUs since the 2005 optional streamlining rules have not been adopted yet by the New York State Department of Environmental Protection.

C. Control Mechanism Evaluation

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

Yes. The City and Town issue individual permits to SIUs and the permits were current at the time of the audit. The City and Town had not issued any general permits at the time of the audit.

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)**

N/A. The City does not issue general control mechanisms.

**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 City does not issue general control mechanisms.

**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 Town and City industrial user permits include much of the same information; however, they are structured somewhat differently and there are some elements in each permit which are unique to each

municipality. All the industrial user permits included appropriate language for:

1. Statement of duration (5 years maximum)
2. Statement of non-transferability
3. Sampling frequency
4. Reporting requirements
5. Record-keeping requirements
6. Statement of applicable civil and criminal penalties
7. Compliance schedules (if applicable)
8. Notice of slug loading or potential problems at POTWs
9. 24-hour notification of effluent violation
10. Submit resampling results within 30-days
11. Slug discharge control plan requirement, if required by POTW
12. Certification statements
13. Sampling/analysis requirements (Part 136 or alternative)
14. Reporting of additional sampling

Findings regarding permit conditions are listed below.

Finding C.4.a – There were no permit application forms or fact sheets included in the permit files or provided electronically to the Audit Team.

The permit application provides pertinent information regarding the facility and informs how the industrial user permit is developed. Fact sheets are useful for documenting information which do not necessarily fit into the permit, industrial user reports, annual inspection reports, and enforcement action documents, etc... The fact sheets could include information on how the categorical limits were determined, any changes to operations and permits, a log and/or description of correspondence or communication between the control authority and the industry, and any other information worth including.

Recommendation 5

The inclusion of a permit fact sheet and permit applications in the City's permit file for each industry is recommended.

Finding C.4.b – The permits reviewed did not have a signature date or an issuance date and the Pactiv permit did not include a signature.

The permits included a permit effective date and expiration date. However, the permits did not include an issuance date. In addition, the Pactiv Corporation permit provided to the Audit Team did not have a signature and none of the permits provided included a signature date or a date stamp. Without an issuance date, it is not clear if the permit was issued to the SIU before or after the effective date, if at all.

Requirement 5

The City and the Town must issue industrial user permits which include a signature, the date of the signature, and/or the issuance date (ideally prior to the effective date).

Finding C.4.c – The Georgia-Pacific and SterRx permits included a revision date.

The Georgia-Pacific and SterRx permits included a revision date. The permits stated that the revisions were highlighted in bold; no bold text was apparent in the permits.

Recommendation 6

The City and the Town could issue new 5-years permits which includes the revised language rather than issue revised permits which has the same expiration date as the previous permit in order to avoid confusion between the original and revised permits and to reduce the frequency of issuing new and/or revised permits.

Finding C.4.d – The SterRx, Saranac Power Partners, and Schonbek permits did not apply appropriate local limits. SterRx and Saranac Power Partners permits did not adequately identify all applicable categorical limits and where the pollutants must be sampled.

Part I.A. of the permits included the final limitations in “Table 1, Specific Pollutant Limitation from the Categorical Standard” which was based on Local Law #1/2013 for the Town of Plattsburgh. The limits are applied inappropriately for all three permits.

The Town of Plattsburgh’s Local Sewer Law Section 5.7 states: “Specific Pollutant Limitations. No person shall discharge wastewater containing in excess of: 1.0 mg/l cyanide, 2.7 mg/l copper, 2.6 mg/l zinc, and 0.7 mg/l cadmium.” In addition, the Town of Plattsburgh’s Local Sewer Law (Law 1 of the Year 2013) Section 5.1(c), General Discharge Prohibitions, had a lower pH limit of 5.5 and no higher limit. There are no numerical limits for oil and grease included in the Local Sewer Law.

A. Deviations from Local Limits

The following limits were found in the industrial user permits that were different than those found in the Sewer User Law:

- In the Saranac Power Partners, SterRx, and Schonbek’s permits, the allowable pH limit is between 6 and 9 (versus a lower limit of 5.5 only).
- In the Saranac Power Partners permit there is a limit of 5.0 mg/l phosphorus and 100 mg/l for TSS; there are no local or applicable categorical limits for phosphorus.
- The Saranac Power Partners and Schonbek’s permits have a limit for oil and grease of 20 mg/l and 100 mg/l, respectively. There is no local limit for oil and grease in the Town’s Sewer Use Law, nor in 40 CFR 433.15 for Metal Finishing, Pretreatment Standards for Existing Source [PSES]⁵ for Schonbek or in 40 CFR 423.17 Steam Electric Power Generating Point Source Category, Pretreatment Standard for New Sources (1982) [1982 PSNS]⁶.
- The SterRx permit does not include any limit for cyanide, copper, zinc or cadmium. Local limits apply to all categorical industrial users.

⁵ However, in 40 CFR 433.16 Metal Finishing, Pretreatment Standards for New Source [PSNS] there are maximum daily and monthly average categorical limits for oil and grease.

⁶ A categorical limit of 20 mg/l for oil and grease and 100 mg/l for TSS are listed in 40 CFR 423.15 for New Source Performance Standards which applies industries with direct discharge to waterbodies and require a NPDES permit and not to industrial pretreatment permits.

- The Saranac Power Partners permitted limits for cyanide (no detectable amount), copper (1.0 mg/l), zinc (1.0 mg/l), and cadmium (no detectable amount) are lower than the local limits but are likely related to categorical limits (see below).
- Mercury Interim Action Level should be separate from the list of limits in the permit; otherwise, if it is included in the Specific Pollutant Limitations table it might be mistaken as either a local limit or categorical limit.

B. Saranac Power Partners Categorical Limits

Neither the Saranac Power Partners permit nor supporting documentation made available to the Audit Team, explains how the categorical limits were determined. 40 CFR 423.17 **1982 PSNS** has limits placed on each different source within the power generation plant: chemical metal cleaning wastes (copper (1.0 mg/l)), cooling tower blowdown (no discharge of priority pollutants except for total chromium (0.2 mg/l) and zinc (1.0 mg/l)), and fly ash transport water (no discharge). It is unclear what sources are included in the discharge.

In 40 CFR 423.17, the limit of 1.0 mg/l copper is applied to chemical metal cleaning wastes and the limit of 1.0 mg/l for zinc is applied to cooling tower blowdown. However, for cooling tower blowdown, the 126 priority pollutants (appendix A) contained in chemicals added for cooling tower maintenance should be at no detectable amount (hence the limits for cyanide and cadmium), except for total chromium (0.2 mg/l) and zinc (1.0 mg/l). The no detectable amount criteria for the 126 priority pollutants⁷ except for total chromium and zinc, is not included in the permit. Also, discharge of PCBs is also not allowed. There are no categorical limits for oil and grease or phosphorus. The industrial user permit did not include the priority pollutant, PCB and total chromium categorical limits. In addition, the categorical limits for cyanide, copper, zinc and cadmium are more stringent than the local limits and should be applied in the permit. However, this was not clearly stated in the permit.

As a side note, there was an update to the categorical standards which are listed as **2015 PSNS**. Except as provided in 40 CFR 403.7, any new source as of June 7, 2013, subject to this, which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and the following pretreatment standards for new sources: the three listed above plus FGD (flue gas desulfurization) wastewater (arsenic, selenium, mercury, TDS), flue gas mercury control wastewater (no discharge), Bottom ash transport water (no discharge), gasification wastewater (arsenic, selenium, mercury, TDS), and combustion residual leachate (arsenic and mercury). The Audit Team's understanding is that the facility came operational after October 14, 1980 and no modifications have been made since June 7, 2013. If there are modification at the facility the 2015 PSNS would then apply rather than the 1982 PSNS.

⁷ The list of 126 priority pollutants are at <https://www.ecfr.gov/current/title-40/part-423/appendix-Appendix%20A%20to%20Part%20423>

C. SterRx Categorical Limits

SterRx is subject to 40 CFR Part 439 – Pharmaceutical Manufacturing Point Source Category - Subpart D - Mixing/Compounding and Formulation⁸. However, SterRx does not include the applicable categorical pretreatment standards as follows:

Regulated parameter	Maximum daily (mg/l)	Maximum monthly average (mg/l)
Acetone	20.7	8.2
n-Amyl acetate	20.7	8.2
Ethyl acetate	20.7	8.2
Isopropyl acetate	20.7	8.2
Methylene chloride	3.0	0.7

There was an issue with the previous categorical determination for SterRx; Plattsburgh originally designated the facility as 40 CFR 439 Subpart D: Pharmaceutical Manufacturing Point Source Category - Mixing/Compounding and Formulation New Source Performance Standards with categorical limits for COD, BOD, and TSS. The facility could not meet these categorical standards; the facility's engineer contacted the City, gave feedback and stated that the facility is not NSPS but PSES. The facility receives medication and produces capsules and batch discharge to the POTW.

Regulatory Requirements

The federal regulations at 403.8(f)(1)(iii)(B) state that “Both individual and general control mechanisms must be enforceable and contain, at a minimum, the following conditions: ...

- (5) Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards in part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law;
- (6) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the Discharge in accordance with § 403.12(e)(2), or a specific waived pollutant in the case of an individual control mechanism), sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards in part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law;”

Requirement 6

The Town's permits must clearly include all appropriate local limits as provided in its Local Sewer Law and the local limits sampling location. For each categorical sampling location, the appropriate categorical limits must be provided, and the sampling location(s) must be clearly identified.

For the Saranac Power Partners, the City and Town of Plattsburgh must include local limits and categorical limits for different processes at the facility. The categorical limit for chemical cleaning wastes (40 CFR 423.17(a)(2)) is 1.0 mg/l maximum for any one day for total copper. The categorical sampling location is likely at the discharge of the oil and water separator, which receives

⁸ 40 CFR 439.46 (Pretreatment Standards for Existing Sources-PSES) and 40 CFR 439.47 (Pretreatment Standards for New Sources) have the same standards.

wastewater from the Containment Areas and Floor Drain; in addition, a combined wastestream formula might need to be calculated to provide the correct categorical standard. The permit should include language that no PCB discharge is allowed (40 CFR 423.17(a)(1)) and that no cooling tower blowdown (40 CFR 423.17(a)(4)) or fly ash transport water discharge is allowed (40 CFR 423.17(a)(5)). Local limits must be included in the permit and the sampling location is at the industrial user discharge sampling point.

Finding C.4.e – The Saranac Power Partners permits included a surcharge for TSS but did not state the rate or how the amount would be assessed.

Part I.B. of the Saranac Power Partner’s permit states:

“Surcharges for excess Total Suspended Solids (TSS):

If the User exceeds the following discharge concentrations for the parameter listed below, a surcharge for excess strength may be assessed in accordance with the Code of the Town of Plattsburgh.

<u>Parameter</u>	<u>Daily Maximum (MG/L)</u>	
TSS	350	”

Section 5.2 of the Town’s Sewer Use Law (“Conditional Discharges”) does establish the concept of surcharges but does not state for what parameters the surcharges are to be established for nor includes or refers to a rate schedule. Neither the permit nor the Sewer Use Law clearly provide the rate or the method to assess the surcharge.

Surcharges are useful in ensuring and providing for the proper and equitable use of the POTW. and is assessed for users discharging wastewater that exceeds the characteristics of normal sewage. Ordinances and permits should clearly distinguish between surcharges and local limits. Surcharges are additional charges to recover the cost to treat wastewater that are typically assessed when discharge concentrations are above defined values, typically above domestic wastewater. The rate and method to assess the surcharge should be stated in both the permit and the sewer use law. Some municipalities refer to a secondary document, such as a sewer district rate schedule, approved by the appropriate entity (for example a sewer board or City/Town board) annually or periodically for the applicable surcharge rate.

Recommendation 7

If the Town wishes to assess a surcharge on its industrial users, it could clarify for which parameters the surcharge applies and how the surcharge is determined within its legal mechanism(s) and include the surcharge requirements in all of its industrial user permits, as appropriate.

Finding C.4.f – The permits reviewed did not properly identify the current discharge and sample locations.

The permits did not include a description of the sampling location or discharge point. The Pactiv permit states:

“Flow monitoring and sampling location for the Mill sewer (P100) is to be maintained in good and safe condition, accessible to City personnel. (See Diagram #1).”

Likewise, the Georgia-Pacific permit uses the same language for the Mill sewer (P100

The Schonbek permit includes the following in Part II – Monitoring Requirements, Section A Note 2:

“001 = Monitoring Point 001; Manhole #1, 002 = Outfall 002; Sanitary and non-process, 003 = Monitoring Point 003; Metallic Pigment Coating Room and 004 = Monitoring Point 004; Stripper Room pH adjustment located on Permittee map of sewer outfall locations (see Figure 1).”

However, the diagrams and figures are not included in the permits provided to the audit team, nor is the narrative provided adequate to determine the location of the monitoring points.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(1)(iii)(B)(4) require permits to contain a description of the sample location.

Requirement 7

The City and Town are required to revise the industrial user permits to include a description of all current local limit and categorical monitoring locations. This could be presented on a map, as a narrative description, and/or as photos or a combination thereof.

Finding C.4.g – The industrial user permits did not state that time-proportional composite samples are permitted only if approved by the Control Authority.

The permits did not state whether the composite samples should be time-proportional or flow-proportional. The City’s representative stated that the City and Town and the industrial users only take flow-proportional samples.

Regulatory Requirement

The federal regulations at 40 CFR 403.12(g) specify requirements for monitoring and analysis to demonstrate continued compliance. These include, in paragraph (3), that “[g]rab 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. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: For cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil & grease the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Control Authority, as appropriate.”

Requirement 8

The City and Town are required to revise any deficient permits to require appropriate sample collection, per 40 CFR 403.12(g)(3). The City and Town need to state that flow-proportional composite sampling is required in the industrial user permits or document the rationale for allowing time-proportional composite sampling or grab sampling rather than flow-proportional composite

sampling and include the rationale in the industrial user file. The industrial users do not have an option to choose sampling protocols unilaterally.

Finding C.4.h – The industrial user permits require cyanide and phenols to be composite samples rather than grab samples.

The industrial user permits require cyanide to be a composite sample rather than a grab sample (except in the SterRx permit where local limits are incorrectly omitted from permit requirements). In the Town's permit, the sampling method is Cyanide is taken as a composite sample (not specified if time- or flow-proportional) and not as a grab sample per the IU permit; after discussion with Janelle Henry, the City of Plattsburgh Laboratory Manager, it was clarified that based on 40 CFR 136, cyanide could be taken as a composite sample if the sample was preserved properly. This should be documented by the City of Plattsburgh to provide justification for taking a (preferably) flow-proportional composite sample of cyanide. 40 CFR 136 states that cyanide samples should be taken as grab samples unless certain conditions are met, and the EPA Pretreatment Program encourages taking cyanide samples as flow-proportional composite samples rather than as grab samples.

Phenols are required as composite samples in the Saranac Power Partners and Schonbek permits; however, there are no applicable categorical standards or local limits for phenols. The City's representative stated that the phenols limits were included as composite samples to be in line with, Plattsburgh's SPDES permit effluent limit for phenols which requires 24-hour composite sampling once per month.

Multiple grab samples collected during 24-hour period may be composited before the analysis; for cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field. According to a 10/01/1992 EPA memo⁹, composite samples are to be taken, except in certain cases. Grab samples are allowed under the following conditions:

1. When the discharge from an IU is a "batch" discharge that occurs for only a short time.
2. When a facility can show a statistical relationship between previous grab samples and composite data over the same long-term period of time.
3. If the IU in its self-monitoring report certifies the a "grab" sample is representative of its daily operations.

The memo states that a series of grab samples may be needed to obtain appropriate composite data for some parameters due to the nature of the pollutant being sampled. Total phenols, ammonia, cyanides, and sulfides are pH-sensitive compounds for which sampling results may be altered by compositing or storage. Additional information can be found at <https://www.epa.gov/cwa-methods/cyanide-measurements-questions-and-answers>.

One reason a composite sample is not supposed to be used for cyanide is because oxidizers must be eliminated prior to preservation. In the case of metal finishers that do not use cyanide, the industry generally does not treat for cyanide and therefore oxidizers will not be present. The presence of oxidizers could be proven or disproven with an oxygen-reduction potential reading (ORP) during the

⁹ https://www.epa.gov/system/files/documents/2021-07/pretreatment_memo_grabsamplesdetectviolations.pdf

sampling event and the sample dosed with excess NaOH. 40 CFR 403.12(g)(4) only requires a minimum of 4 grab samples for cyanide if conducting baseline or 90-day compliance reports. In addition, according to 40 CFR 403.12(b)(5)(iii) the sample(s) must be representative of the discharge. For regulatory monitoring and sampling, one grab for cyanide would suffice if it were representative of their continuous discharge; however, this option could only be implemented once the optional streamlining rules are put into place in the State of New York regulations and the City and Town of Plattsburgh's SUOs.

Regulatory Requirement

The federal regulations at 40 CFR 403.12(g)(3) require that "Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds. For all other pollutants, 24-hours 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 alternative sampling must be documented in the Industrial User file for that facility or facilities."

Requirement 9

The permits should specify appropriate sampling techniques in accordance with 40 CFR 136 and 40 CFR 403.12(g)(3) and according to guidance provided by the National Pretreatment Program.

Finding C.4.i – The Saranac Power Partners permit requires monthly sampling for pollutants which do not have local limits or categorical standards.

The Saranac Power Partners permit requires monthly grab sampling for cadmium, copper, TSS, zinc and oil and grease, and monthly composite sampling for cyanide. While the Town can specify sampling frequency that are more stringent than the categorical requirements or local limits, it is unclear why these parameters are supposed to be sampled monthly. In addition, according to the National Pretreatment Program guidance, flow-proportional composite samples should preferably be collected for most pollutants while oil and grease and cyanide should be grab samples.

Regulatory Requirement

The federal regulations at 40 CFR 403.12(g)(3) require that "Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds. For all other pollutants, 24-hours 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 alternative sampling must be documented in the Industrial User file for that facility or facilities."

In addition, 40 CFR 403.8(f)(1)(iii)(B)(4) require permits to include reporting requirements. Additionally, the federal regulations at 40 CFR 403.12(g)(6) require industrial users that monitor at the designated sampling location more frequently than required, and in accordance with procedures of 40 CFR Part 136, to submit those monitoring results to the City.

Requirement 10

The permit should specify appropriate sampling techniques in accordance with 40 CFR 136 and 40 CFR 403.12(g)(3). Monthly samples should also be collected in accordance and procedures of 40 CFR Part 136 because they are data that can be used for enforcement purposes or judicial actions.

Finding C.4.i – The Georgia-Pacific and Pactiv permits did not require the industry to submit all self-monitoring results.

The permits require the CIUs to submit monitoring data compiled as required in the permit semi-annually in Section III-4. However, the permits do not specify that the CIUs must submit all monitoring results if performing monitoring more frequently than required at the designated sample point using 40 CFR 136-approved procedures.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(1)(iii)(B)(4) require permits to include reporting requirements. Additionally, the federal regulations at 40 CFR 403.12(g)(6) require industrial users that monitor at the designated sampling location more frequently than required, and in accordance with procedures of 40 CFR Part 136, to submit those monitoring results to the City.

Requirement 11

The City is required to revise the Pactiv and Georgia-Pacific permits to require the industrial user to submit all monitoring results in accordance with 40 CFR 403.12(g)(6).

Finding C.4.k – The Schonbek permit includes somewhat different requirements in different sections for reporting spills and slug discharges to the Town and City.

The Schonbek permit states in Section II(C)(4)(a) (Special Requirements): “In the event of a spill and/or slug discharge to the sewer system, the Permittee must, within two hours, telephone and notify the City of Plattsburgh Water Resource Recovery Facility at 518-563-7172 or 518-572-6391 after hours and the Town of Plattsburgh at 518-562-6890 or 518-572-3370 after hours...” In Section III(D)(1) (Reporting Requirements) the permit states: “The Permittee shall notify the Town of Plattsburgh and City of Plattsburgh immediately upon the occurrence of an accidental discharge of substances prohibited by Local Law #1 of 2013 or any slug loads or spills that may enter the public sewer system....” While these two statements have a similar purpose, they are somewhat different.

Recommendation 8

The Town should review its permits to make sure that the requirements for reporting accidental discharge, spills and slug loads are consistent throughout the permit and with the Sewer Use Law.

Finding C.4.l – The Schonbek permit did clearly require notification of upsets.

The City’s permit included language with regards to reporting upsets in Section III-3; the Town’s Schonbek’s permit did not include this language.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(1)(iii)(B)(4) require that permits include notification and other requirements in accordance with the general pretreatment standards in part 403. The federal regulations at 40 CFR 403.16(c)(3) require industrial users to notify the City and Town within 24 hours of becoming aware of an upset.

Requirement 12

While it might be the intention of the Town that accidental or slug discharge is equivalent to spills, bypasses and upsets, the Town's permits should be revised to include upset reporting requirements. Without proper notification to the City and Town, an upset may not be used as an affirmative defense. The Audit Team recommends that the City and Town include upset notification provisions in CIU permits consistent with 40 CFR 403.16(c)(3) if the City and/or Town intends to allow CIUs to use an upset as an affirmative defense.

Finding C.4.m – The permits did not include bypass notification requirements.

Although the permits reviewed included some of the notification requirements, the permits did not include notification procedures in the event of an anticipated or unanticipated bypass.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(1)(iii)(B)(4) require that permits include notification and other requirements in accordance with the general pretreatment standards in 40 CFR Part 403. The regulations at 40 CFR 403.17(c) require industrial users to notify the City at least 10 days in advance of an anticipated bypass and require oral notification within 24 hours and written notification within 5 days of becoming aware of an unanticipated bypass.

Requirement 13

The City and Town are required to revise their permits to include the bypass notification requirements specified at 40 CFR 403.17(c).

Finding C.4.n – The permits reviewed did not include the requirement to notify the City and/or the Town of changes that affect the potential for a slug discharge.

Regulatory Requirements

The federal regulations at 40 CFR 403.8(f)(1)(iii)(B)(4) require that permits include notification and other requirements in accordance with the general pretreatment standards in 40 CFR Part 403. The regulations 40 CFR 403.8(f)(2)(vi) require SIUs to notify the City and/or Town immediately of any changes at the facility affecting the potential for a slug discharge.

Requirement 14

The City and Town are required to revise the SIU permits to include the required notification of change affecting the potential for a slug discharge specified at 40 CFR 403.8(f)(2)(iv).

Finding C.4.o – The permits reviewed did not require notification of all significant changes.

The permits reviewed require the SIUs to notify the City in advance "if a permittee expands facilities, increases production or modifies a process so as to cause new, different or increased discharges of pollutants." However, the permit does not specifically require the SIU to notify the City of all changes, including decreases in production or discharges.

Regulatory Requirement

The federal requirements at 40 CFR 403.8(j) require industrial users to notify the Control Authority "in advance of any substantial change in the volume or character of pollutants in their discharge." This notification requirement includes decreases in volume or pollutants discharged.

Requirement 15

The City is required to revise the permits to require the SIUs to report all significant changes in discharge.

D. Legal Authority**1. Has the CA amended its pretreatment program to include the streamlining provisions?**

No. The City has not incorporated all of the required streamlining provisions into its legal authority as discussed in Section A.1.b. New York State has yet to promulgate the optional streamlining provisions; the City and Town of Plattsburgh SUOs will need to be revised again once those provisions are adopted.

Finding D.1 – The City has not amended its program to include all of the required streamlining changes.

The City revised its SUO in 2013, but the City did not incorporate all of the required streamlining changes. As noted in A.1 above, the ERP was not revised at this time. EPA promulgated changes to the general pretreatment regulations on October 13, 2005, referred to as the “streamlining rule”. New York State has not, as of 2022, adopted the optional streamlining provisions into its regulations. Therefore, the City cannot, at this time, make any changes to its SUO that are less stringent than New York state law, but can make changes to the SUO to adopt the streamlining amendments that are more stringent than New York state law.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(1) requires the City to have a legal authority that allows the City to enforce all Federal regulations.

Requirement 16

The City is required to update its legal authority to incorporate all of the required streamlining changes that are more stringent than New York state law, and the optional streamlining rules once they are approved by New York State. The Town would then update their SUO to be as stringent as the City’s.

2. Does the SUO provide the control authority adequate legal authority, consistent with 40 CFR 403.8(f)(1)?**Finding D.2 – The City’s Sewer Use Ordinance should include all Federal pretreatment regulations.**

As a component of this PCA, the Audit Team compared Chapter 278 Sewers and Sewage Disposal [History: Adopted by the Common Council of the City of Plattsburgh as Ch. 219 of the 1989 Code. Amendments noted where applicable.] (referred to as the SUO) with the provisions of 40 CFR Part 403 (see Attachment B, Legal Authority Review Checklist). The following deficiencies and inconsistencies were observed with the SUO:

1. Definition of:

- Authorized or duly authorized representative of the user;
- Best management practices or BMPs; and

- National pretreatment standard (or pretreatment standard or standard);
 - New source;
 - Pass through;
 - Significant industrial user;
 - Significant noncompliance; and
 - Slug load or slug discharge;
2. General prohibitions for:
 - Interference; and
 - Pass through;
 3. Specific prohibitions for:
 - Fire/Explosion hazard;
 - Petroleum/nonbiodegradable cutting/mineral oils; and
 - Truck/hailed wastes;
 4. National categorical standards;
 5. Local limits development;
 6. Individual control mechanism's permit content for:
 - Statement of duration;
 - Statement of non-transferability;
 - Effluent limits;
 - Best management practices;
 - Self-monitoring requirements;
 - Statement of applicable civil and criminal penalties;
 7. Report to develop compliance schedule for installation of technology;
 8. Baseline monitoring report report's measurement of pollutants, including:
 - Identifying information;
 - Other environmental permits held;
 - Flow measurements;
 - Measurement of pollutants;
 - Certification; and
 - Compliance schedule;
 9. Notification of changes affecting potential for a slug discharge;
 10. Notice of violations/sampling requirement
 11. Requirement to conduct representative sampling;
 12. Notification of changed discharge;
 13. Notification of discharge of hazardous waste;
 14. Data accuracy certification and authorized signatory included in reports;
 15. Recordkeeping requirements (3 years or longer), including documentation associated with best management practices;
 16. Submission of all monitoring data in reports;
 17. Samples collection procedures;
 18. Right to enter all parts of the facility at reasonable times;
 19. Right to take independent samples;
 20. Right to require installation of monitoring equipment;
 21. Non-emergency response remedies for non-compliance:
 - Injunctive relief; and
 - Civil/criminal penalties;

22. Legal authority to enforce Enforcement Response Plan; and
23. Publish list of industrial users in significant noncompliance.

In addition, it is recommended that the City modify the following:

24. Definition of categorical pretreatment standard or categorical standard;
25. Specific prohibitions for:
 - pH/corrosion;
 - Flow rate/concentration (BOD, etc...); and
 - Toxic gases/vapor/fumes;
26. Prohibition against dilution as treatment;
27. Individual control mechanism's permit content for slug discharge requirements;
28. Periodic reports on continued compliance from both categorical users and significant non-categorical users;
29. Notice of potential problems to be reported immediately (including slug loads);
30. Immediately halt actual/threatened discharge as an emergency response remedies for non-compliance;
31. Access to data by the government and the public;
32. Upset notification (optional);
33. Hauled waste reporting/requirements (optional);
34. Grease interceptor reporting/requirements (optional);
35. Authority to issue (all optional):
 - Notice of Violation (NOVs);
 - Administrative Orders (AOs); and
 - Administrative Penalties;
36. Permit appeal procedures (optional);
37. Penalty or enforcement appeals procedures (optional); and
38. Bypass notification (optional).

Please refer to the EPA Final Legal Review Document Checklist (Attachment B) for further details.

Requirement 17

The City must update its Sewer Use Ordinance to be inclusive of all Federal pretreatment requirements. The City should also update the Sewer Use Ordinance to improve the clarity of the document.

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

Yes, the City receives wastewater from the Town of Plattsburgh. The intermunicipal agreement between the City and Town of Plattsburgh was discussed in Section A.2.

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

The definition of significant noncompliance in Section 278-2(A) of the SUO mirrors the federal definition.

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))

Based on the files reviewed, the town did not apply all applicable pretreatment standards to its SIUs. Please refer to Finding C.4.d.

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

Yes, according to the City's representative, all SIUs have been evaluated for the need to develop SDCPs. Schonbek, Georgia-Pacific and Pactiv all have slug discharge control plans which are evaluated annually and updated as needed. Some of the slug discharge control plans are very well done; for example, the Pactiv Slug Discharge Prevention and Control Plan includes a timeframe to report and the location of chemicals in the plant, and also a variety of procedures (e.g., inspection and maintenance of chemical storage areas) for preventing adverse impacts from any accidental spills.

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))

Based on the files reviewed and the responses from the City representative during the interview, all SIUs were sampled and inspected at least once in 2021 for all parameters in the CIU permits. The City and Town also conducts pH, BOD and TSS sampling at the CIUs quarterly. However, as noted above, the Town failed to sample the SIUs for all required parameters per Federal regulations since the permits did not include the appropriate limits. The City had not designated any CIUs as middle-tier CIUs since the optional streamlining rules have not been adopted by New York State. The CIU files reviewed did not contain sampling waivers for pollutants not present.

Finding F.1 – The City and Town sampled each SIU for all parameters included in the permit, but not all of the appropriate limits were included in the permits.

Before 2020, the City of Plattsburgh was going to Pactiv and Georgia-Pacific to sample daily flow, TSS, and BOD. The sampling was conducted to calculate surcharges. The contract between the City and the Cities ended in 2020; the City now bill the industries based on daily flow only. Based on the files reviewed, the City and Town sampled for all SIUs once per year.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(2)(v) require the City to randomly sample and analyze the effluent from each SIU at least once a year. Additionally, the federal regulations at 40 CFR 403.12(e) require CIUs to conduct self-monitoring semi-annually, and 40 CFR 403.12(h) requires non-categorical SIUs to conduct self-monitoring semi-annually.

Requirement 18

The City and Town are conducting annual monitoring according to the permits that have been issued, and the SIUs are conducting self-monitoring according to the permits in place. However, both the Town and SIUs are not sampling for all categorical limits and local limits because the determination of limits to be included in some of the permits were incorrect.

**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))**

The City's contract laboratory is Phoenix for metals, mercury, cyanides and organics and AES for phenols. For the Town, Endyne is the contract laboratory for all analytes except for mercury which is analyzed by Alpha.

Finding F.2.a – Sampling and analysis procedures are adequate but could be reassessed.

The City uses gloves, chain-of-custody forms and new sampling tubes procedures in order to improve QA/QC when sampling; however, the City's staff do not use field blanks. The QA/QC procedures for analysis includes using sample blanks; however, sample splits and sample spikes are not used.

Recommendation 9

The City and Town could consider using field blanks in the field and performing samples splits and sample spikes in the laboratory if they wish to improve the QA/QC of their compliance monitoring.

Finding F.2.b – The City's inspection reports were incomplete.

The City and Town failed to complete all sections of the inspection reports. Some inspection reports some years were more thoroughly filled out than in others (an example is the Georgia-Pacific annual reports in 2020 and 2021). The Audit Team's review of the annual industrial user inspection forms found the following discrepancies:

- For Pactiv, one inspection was conducted on December 2, 2021, but the inspection form had December 3, 2020 as the date of the inspection.
- The 2021 Pactiv inspection report states that with regards to chemical used at the facility the reader should refer to the (industrial use) survey and MSDS at the plant. This exact location of this information should be identified in the inspection report or included as an Appendix.
- The Georgia-Pacific 2021 inspection report were missing a few other elements, including a list of raw materials used, a chemical storage description,
- The inspection reports could have included information about the sampling that was conducted in conjunction with site visits, including summary information about the sample types and laboratory results.
- The inspection reports did not include information on previously scheduled or planned plant shutdowns for maintenance and cleaning.
- The inspection reports did not include information on cleaning or cleaning-in-place procedures at the facilities.

As noted below, the City and Town did not use proper analytical procedures and did not properly document all inspection activities.

Regulatory Requirement

The federal regulations at 40 CFR 403.8(f)(2)(v) require the City to develop and implement procedures to evaluate occasional and continuing noncompliance with pretreatment standards, including inspecting and sampling the effluent from each SIU at least once a year. The regulations at 40 CFR 403.8(4)(2)(vii) state that the collection of information in investigations of noncompliance “shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions.”

Recommendation 10

The Audit Team recommends that the City completely fill out each section of the inspection report for all SIU inspections. If an answer is not available, then writing N/A to inform that the question was considered and not overlooked would suffice. Otherwise, include the relevant information or the specific location where information could be accessed in the report. Additionally, the City should take appropriate actions to ensure that the information documented on the inspection reports is accurate.

Finding F.2.c – Phenols and Cyanides samples are composite rather than grab samples.

As discussed above, Saranac and Schonbek Power Partners industrial user permits require phenol samples to be collected as composite; all permits (except SterRx’s, which erroneously did not include local limits) have cyanide sampling as City and Town was unable to show if the SIU was in compliance with the limits.

Regulatory Requirement

The federal regulations at 40 CFR 403.12(g)(5) require sampling and analysis to be conducted in accordance with the requirements in 40 CFR Part 136.

Requirement 19

The City is required to ensure that all sampling requirements must comply with 40 CFR 136 and sampling be conducted according to the National Pretreatment program regulations.

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 City maintains records for at least three years. The City representative stated that pretreatment files are maintained for much longer than 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 City does not have the legal authority 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))

The City continues to do what was done previously and considers that IU monitoring (sampling, inspecting, and reporting) frequencies are adequate. If there is a higher-risk or categorical requirement, then the IU monitoring frequency is quarterly.

Finding F.5.a – All industrial user self-monitoring reports were received on time, but some data was submitted separately.

All semi-annual reports for industrial users were submitted on time for the past three years. However, there are a few changes that could be made. Pactiv submits pH data separately from the semi-annual report. A summary of pH data should be provided in the semi-annual report. Likewise, Georgia-Pacific's semi-annual reports do not include BOD and TSS data because those parameters are sampled by the WRRF. However, all data, including daily sampling data collected by the City of Plattsburgh, should be included in the semi-annual industrial user reports.

For the Georgia-Pacific semi-annual reports, summary sheets should state what the non-detect value is rather than having an asterix noting that "some parameters were reported at concentrations less than the reporting limit and therefore the reporting limit is used in those circumstances to calculate the daily mass. See the attached sheets." This information can potentially be useful to determine loadings from industries (for example, loading estimates can change based on whether non-detects are considered as zero, the detection limit, or half the detection limit).

For Pactiv, the semi-annual report uses mg/d as units for mercury, while the permit limit is in ng/l.

Recommendation 11

All data should be included and/or summarized in the industrial user semi-annual reports, even if they were submitted previously to the City's pretreatment program.

Recommendation 12

CIUs could include reporting and/or detection limits in the industrial user semi-annual reports.

Recommendation 13

CIUs could opt to present data in the same units as the industrial user permit to avoid any potential confusion in their semi-annual reports.

Finding F.5.b – Pactiv is sampling for Pertachlorophenol, 2,4,6-Trichlorophenol and 1,2,4 Trichlorobenzene; this is not required.

It is unclear why Pactiv is sampling for Pertachlorophenol, 2,4,6-Trichlorophenol and 1,2,4 Trichlorobenzene when the industry has a waiver from sampling these categorical limits. In 40 CFR 430.76(a), Pentachlorophenol and trichlorophenol limitations are only applicable at facilities where chlorophenolic-containing biocides are used. Permittees not using chlorophenolic-containing biocides must certify to the permit-issuing authority that they are not using these biocides. The permit correctly states that no chlorophenolic biocide compounds are used at Pactiv.

Recommendation 14

Pactiv could opt to not sample for Pertachlorophenol, 2,4,6-Trichlorophenol and 1,2,4 Trichlorobenzene.

Finding F.5.c – Sampling excursions were not clearly flagged and often no determination was made by the SIU or laboratory whether the data were acceptable with or without caveats.

For the Georgia-Pacific semi-annual reports, the following issues were identified:

- In the 7/7/21 semi-annual report, samples taken on 5/25 and 5/26 were at 7 C; Adirondack did not flag the samples and state whether they were acceptable or not.
- In the 5/24/2019 semi-annual report, daily flow reading of effluent discharged through the main mill flume recorded by Georgia-Pacific from November 20, 2018 to April 5, 2019 were discovered to be inaccurate. Flume flowmeter was coming loose from the mounting bracket and dropping down several inches.
- In the 5/24/2019 semi-annual report, samples taken on 11/27 to 11/28/2018 were at 8 C on the chain-of-custody form. Adirondack did discuss this excursion with the City and both parties determined it was acceptable. However, there should be a statement that the samples were received outside of the acceptable temperature range of 2-6 C. There was no written information from the laboratory whether using the data was acceptable and this excursion was not noted on the lab sheets.

In addition, Adirondack, the contract laboratory for Georgia-Pacific, did conduct resampling in other cases as noted in the laboratory reports. For example, the 12/7 to 12/8/2019 samples for phenols and semi-volatile organic compounds (SVOGs) samples were improperly preserved in the field and resampling occurred on 12/12 through 12/13/2019.

Finally, no field blanks, duplicate samples or robust QA/QC procedures used with any of the City's or industrial user sampling.

Recommendation 15

QA/QC procedures could be reconsidered by the CIU's contract laboratory and the City and Town when performing sampling at the CIUs; field blanks, duplicate samples and other quality control samples could be periodically performed.

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

From 2020 to 2022, Schonbek did have an exceedance on April 15, 2021; quarterly sampling at Outfall 004 exceeded the permit limit for Oil and Grease (result = 120 mg/L). Outfall 0004 was resampled within 30 days, which resulted in a 28.4 mg/L on May 4, 2021. The SIUs have monitored to demonstrate continued compliance and re-samples after a violation as needed.

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))

The WRRF has ensured that CIUs report on all pollutants included in its permits every 6 months; however, the permits do not include all applicable limits.

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))

N/A. The City does all monitoring in lieu of requiring the SIUs to conduct self-monitoring.

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

Yes, the WRRF requires all 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))

Based on the files reviewed during the audit and discussion with City representatives, no hazardous waste discharge notifications were received, nor was there an indication that such notifications should have been received. No IUs have notified the City of a hazardous waste discharge since the last Pretreatment Compliance Audit.

Finding F.10 – SIUs have been notified of the hazardous waste reporting requirements.

The City representative believed that the hazardous waste is not an issue and has not provided notification of hazardous waste reporting requirements during his tenure. reporting requirements may have been included in the SIU permits. However, upon review, the permits lacked this information.

Regulatory Requirements

The federal regulations at 40 CFR 403.8(f)(2)(iii) require that control authorities “notify Industrial Users identified under paragraph (f)(2)(i) of this section, of applicable Pretreatment Standards and any applicable requirements under sections 204(b) and 405 of the Act and subtitles C and D of the Resource Conservation and Recovery Act. Within 30 days of approval pursuant to 40 CFR 403.8(f)(6), of a list of significant industrial users, notify each significant industrial user of its status as such and of all requirements applicable to it as a result of such status.”

Recommendation 16

It is recommended that the City follow up with its SIUs to ensure that they are aware of the hazardous waste reporting requirements, per 40 CFR 403.8(f)(2)(iii).

11. Does the CA accept electronic reporting?

(40 CFR 403.8(g) and 40 CFR Part 3)

The City accepts weekly pH reporting from industries in the Town electronically. The City receives both an official hard copy, and also a digital copy, of reports from the SIUs.

G. Enforcement**1. Has the CA implemented its enforcement response plan (ERP)?**

(40 CFR 403.8(f)(5))

The City's ERP was last revised in 2005. However, as noted in Finding A.1.b above, the ERP does not use job titles consistent with the City's current organizational structure. Additionally, the City did not take enforcement as outlined in the ERP.

Finding G.1.a – The City did not implement its ERP when Georgia-Pacific improperly notified the City of increased flow and loading due to equipment malfunction.

Georgia-Pacific had a Save-All malfunction which resulted in much greater discharge flows and TSS loadings to the POTW, however Georgia-Pacific did not properly provide the City a Notification of Changed Discharge. Furthermore, Georgia-Pacific is responsible for ensuring the proper operation of its pretreatment equipment and industrial machinery, which also reduce pollutant loadings.

Regulatory Requirement

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

All IUs are required to promptly notify the Control Authority (and the POTW if the POTW is not the Control Authority) in advance of any substantial changes in the volume or character of pollutants in their discharge. As a general rule, changes greater than 20 percent are considered substantial. An IU is also required to notify the POTW immediately of any changes at its facility that affect the potential for a slug discharge [40 CFR 403.8(f)(2)(vi)].

Requirement 20

The City is required to ensure that it is properly implementing its ERP in response to industrial user noncompliance.

Finding G.1.b – The City should have issued a Notice of Violation to Georgia-Pacific for a poorly maintained flume flowmeter.

In the 5/24/2019 semi-annual report, daily flow reading of effluent discharged through the main mill flume recorded by Georgia-Pacific from November 20, 2018 to April 5, 2019 were discovered to be inaccurate. The flume flowmeter was loosening from the mounting bracket and dropping down

several inches.

Regulatory Requirement

The Georgia-Pacific permit in Part II, Section 2 states: “Flow monitoring and sampling location for the Mill sewer (GPM) is to be maintained in good and safe condition, accessible to City personnel. (See Diagram #1). Flow meter shall be calibrated monthly.” This is established in the City of Plattsburgh’s SUO in Section 278-44(B). Furthermore, according to 40 CFR 403.12(b)(5)(v), sampling shall be performed in accordance with the techniques prescribed in 40 CFR part 136 and amendments thereto.

Requirement 21

Georgia-Pacific must maintain all monitoring and sampling equipment in good condition and the flow meter should be calibrated monthly. The City of Plattsburgh should have issued a Notice of Violation to Georgia-Pacific for the poor maintenance and upkeep of the flume flowmeter.

2. Does the Utility’s ERP contain the minimum elements required by 40 CFR 403.8(f)(5)?

Yes, the City’s ERP, last revised in 2005, 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 City publishes industrial users in SNC annually in *Plattsburgh Press Republic*. The City has not had any SIUs in SNC during the past year. Based on the files reviewed, the City evaluates both numeric and narrative criteria for SNC. However, as discussed previously, the City failed to evaluate SNC for all permit limits.

3a. Were any SIUs in SNC in the past year? Include name of industry, type of SNC, and current compliance status.

No SIUs were identified as being in significant noncompliance in 2021 and 2022.

**4. Has the CA developed IU compliance schedules?
(40 CFR 403.8(f)(1)(iv)(A))**

According to the City representative, the City has the authority to issue compliance schedules. The City has issued a compliance schedule for SterRx; however, after further discussion with the industry, the lack of compliance was due to the incorrect categorical pretreatment standards being applied by the City in the industrial user permit. The permit was updated to include the correct categorical standards and the industry was in compliance; the compliance order was rescinded.

**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 monitoring reports or 90-day compliance reports as part of the audit.

H. Additional Evaluations

1. Interference and Pass Through Evaluation

During the past 10 years, the City and the Town have not experienced any problems caused by industrial discharges except for interference. There have been no reported issues with pass through, fire or explosions, corrosive structural damage, flow obstruction, excessive flow rates, excessive pollutant concentrations, heat problems, interference due to oil and grease (O&G), toxic fumes, illicit dumping of hauled wastes, and worker health and safety.

If there is a release of paper pulp from Pactiv or Georgia-Pacific to the sewer mains, the POTW is notified. The pulp can cake and dry up in the primary clarifier. In order to mitigate these impacts, the WWTP opens the primary drain valve and recycles the wastewater back into the clarifier in order to minimize the time the wastewater resides in the tank.

Georgia-Pacific, when their clarifier is undergoing maintenance or must be fixed, will drain wastewater with a high virgin paper pulp content to the WRRF. According to the City's representative, this happens three times per year. Plattsburgh is able to operate their plant, accordingly, and is prepared to undertake mitigation measures.

Plattsburgh did not take enforcement action against Georgia-Pacific when additional pulp loadings caused interference to the WWTP operations. The WWTP was not negatively impacted when operations were modified. In addition, all the virgin paper discharged by Georgia-Pacific can be useful in solidifying wet sludge, which is beneficial (see Finding G.1 and Requirement 21 for additional details).

2. Hauled Waste

There are thirteen hauled waste companies which discharge to the City of Plattsburgh, approximately 80% of the hauled waste is septage. There are no geographic limits on where the hauled waste comes from, however, most domestic hauled waste comes from nearby. There is one designated discharge point at the headworks of the plant, and hauled waste is accepted from 8 am to 3:30 pm seven days

per week.

There has been robust sampling conducted for 10-15 years which is used as a database to operate the PRELIM simulation software program (Pretreatment Limitation Model, 1996:

<https://www3.epa.gov/npdes/pubs/owm0126.pdf>). If there is a new hauler, they take samples and create a database of their results if it is household septage; if it is groundwater remediation wastewater, they conduct the sampling prior to accepting the wastewater. The user enters the code into the program for the hauled types of septage and the program simulates analyte concentrations based on ten years of analytical data. The program will state if the POTW can accept more of the hauled waste or not.

The haulers are charged by the gallon; the rates are 6 cents/gallon for hauled domestic wastewater and 9 cents/gallon for septage from septic systems. Plattsburgh receives municipal wastewater (usually thickened sludge which is high in solids) from the Altona Correctional Facility (Altona, NY), Enosburg Falls WWTP (Enosburg Falls, VT), Akwesasne STP (Akwesasne, QC) and St. Regis Mohawk Tribe WWTP (Akwesasne, NY). Plattsburgh also issues one hauled waste permit for wastewater from remediation sites for the NYSEG Plattsburgh Saranac River cleanup, which has been in progress for the past 20 years. The POTW also receives landfill leachate from the NCES Landfill (Bethlehem, NH), Coventry Landfill (Coventry, VT), and Clinton County Landfill (Morrisonville, NY). The City has only turned down a few sites for hauled waste (sites with underground gas storage tanks). According to the City's staff, none of the hauled waste is hazardous as defined by RCRA regulations.

Plattsburgh used to do much more sampling with septage before the COVID-19 epidemic, and sampling frequency has been reduced from monthly to quarterly. Plattsburgh used to test for pH, TSS, and a sample was analyzed at a laboratory for all analytes listed quarterly. Plattsburgh also sampled for low level mercury on occasion (in particular when the mercury minimization program was started). In addition, there has been some flushable wipes being found in the hauled waste.

3. Sludge Management

The POTW sends 72% (940 dry tons/year) of its sludge to landfill (Casella is the hauler), for which no permit is needed, and 28% (390 dry tons/year) of the sludge is sent to Grasslands, a private beneficial reuse facility which is operated by Casella Organics near Chateaugay, NY. The sludge receives alkaline treatment at high temperature and high pressure and is applied as a Class A soil amendment. Grasslands has a permit for land application, and they send back to Plattsburgh a form stating that land sludge application has been approved.

In the past, the Plattsburgh Organics Recycling Plant (PORP) was in operation (formerly known as the Clinton County New York Compost Facility); it was a biosolids and alkaline reuse facility which accepted food waste, paper waste and FOGs. The facility failed to perform well, and its operation was discontinued in 2005. The City still has a solid waste management permit from DEC and the facility is capable of operating.

4. Dental Mercury Program

The City's representative collects information on dental practices in a spreadsheet. There are 4 dental facilities within the City that have amalgam separators; other dental facilities are exempt (i.e. orthodontic practices). The City and the Town conducted site visits from December 4, 2019 to October 5, 2021 (there was a delay in completing site visits because of the COVID-19 epidemic). The City has identified all dental facilities and has received the necessary one-time certification reports.

Regulatory Requirement

The EPA promulgated pretreatment standards for dental offices on June 14, 2017; those standards can be found at 40 CFR Part 441. The rule became effective on July 14, 2017. The rule specifies that dental facilities are not considered SIUs or CIUs; therefore, POTWs are not required to permit or inspect dental facilities but may choose to do so. However, 40 CFR 403.8(f)(2)(b)(i) requires control authorities to identify and locate all industrial users which includes dental facilities. According to the rule, control authorities must receive the one-time certification report from dental facilities and ensure that dental facilities are implementing BMPs. Information on this rule can be viewed at <https://www.epa.gov/eg/dental-effluent-guidelines>.

5. SPDES Permit and Sampling

The current SPDES permit effective dates are from 11/1/2017 to 10/31/2022; the permit will be administratively renewed. The WRRF discharges to the Saranac River close to its mouth into Lake Champlain, which is on the New York State 303(d) list as an impaired waterbody for phosphorus. The current phosphorus limit for the WRRF is 65.5 lbs/d based on a 12-month rolling average; according to the City's representative this will likely change when the new SPDES permit is issued. The City's representative stated that there will be changes in the SPDES phosphorus limits. Over the last three years there have been no exceedances of SDPES effluent and sludge quality limits (including, for sludge, EP toxicity and TCLP tests). The WRRF is not operating under any pretreatment-related consent decree, Administrative Order, compliance schedule, or other enforcement action.

The WRRF does monthly sampling of its influent and effluent for priority pollutant metals, total cyanide, molybdenum, aluminum (effluent only), mercury and phenols. Sampling for Method 625 base neutrals and low-level mercury is done quarterly. Annually, the influent and effluent are tested using Method 608 for pesticides and PCBs and Method 625 for acid extractables; effluent is tested using Method 624 for purgeables as well.

Janelle Henry, the City's laboratory director, provided POTW monitoring information. Plattsburgh reports these results to NYSDEC by submitting monthly DMR reports.

6. COVID-19 Monitoring

Plattsburgh monitors for coronavirus in the wastewater; their point of contact is Pam Ardelado at NYC; this work is done in coordination with NYWEA.

7. Data Management

Plattsburgh's uses an old Linko program which was purchased in 1993 for data management. The City enters into the software the limits from the new permits. Then sampling data is entered, and compliance is verified. The City also uses spreadsheets, which basically do the same thing as the old Linko system. Data records are kept "forever"; for example, there are permits from 1988 on file.

Data is reviewed to determine some ongoing trends in pollutant loadings. Loadings to and from the POTW for mercury have been evaluated. The City used to evaluate trends with daily industrial wastewater flow. Overall, between 2010 and 2019, TSS, CBOD and BOD have been steady (on a mass basis), daily/frequent sampling of TSS and BOD were suspended because of COVID-19 in 2020. The City and has seen improvements in reducing loadings of BOD and TSS from Georgia-Pacific and Pactiv over time, prior to 2020. The combined wastewater discharge from Georgia-Pacific and Pactiv initially decreased from 1.64 MGD in 2010 to approximately 1 MGD in 2013-14 and has been approximately 1.2 MGD from 2018 to 2021. Georgia-Pacific used to have sulfur in its discharges; they have ended the production practices which led to the sulfur loadings. Historical data has not been used to improve the POTW operation, SPDES permit compliance, or sludge quality; however, this data is being used to evaluating sludge disposal options.

8. Program Resources

The main staff involved with the pretreatment program are the City of Plattsburgh's Environmental Manager, who spends approximately 10% of his time on pretreatment focusing on legal topics (periodic), permits and communication, and the City of Plattsburgh Chief Plant Operator and the Town of Plattsburgh Water and Wastewater Department Director, who both spend approximately 35% of their time on pretreatment – primarily on permit review and inspections. All three are involved with data analysis, including review and response to industries, which takes the most time, and enforcement. The City's Finance Department sends bills to the industrial users currently based on water usage. Sampling is done by 2 City and 1 or 2 Town employees. Sample analysis for TSS and pH are done by trained operators at the WRRF laboratories, and other samples are sent out for analysis, currently to Phoenix Environmental Laboratory. Total phenols are sent to Adirondack Environmental Services (AES). The City's representative estimated 1.3 FTEs (total number of equivalent full-time employees) is required to implement the City and Town's pretreatment program.

The estimated annual budget of the City of Plattsburgh's pretreatment program is \$107,000/year: parts and supplies are \$8,000 per year, lab services are \$7,000 per year, and the estimated cost of labor and professional staff is \$92,000 per year. The funding is expected to stay the same and the City has adequate access to monitoring equipment.

9. Staff Training

The Staff has not been proactive in terms of keeping abreast of current regulations. City employees attended one of two days of the 2018 Albany, NY Pretreatment 101 training and have not been participating in any virtual workshops. Some of the comments with regards to managing the pretreatment program by City of Plattsburgh staff which indicate a lack of understanding of local limits development requirements, along with the deficiencies in the permits issued by the Town of

Plattsburgh, seems to indicate that staff would benefit from attending either virtual, online, or in-person trainings.

10. Pollution Prevention and Public Outreach

The City of Plattsburgh is planning to build an Interpretive Center in front of the wastewater treatment plant <https://www.wamc.org/north-country-news/2021-06-01/state-senator-tours-wastewater-plant-and-learns-about-plans-to-make-it-a-tourist-attraction>

There have been issues with pump stations near nursing homes clogging up, and flushable wipes being found in hauled waste, as well. According to the City's representative, the City has sent out information on flushable wipes to the public. In addition, the City conducts leaf and grass clipping pickups in part so that yard waste does not go into the collection system and the plant. The City also implements an oil and grease program for specific areas. Clinton County Landfill organizes a yearly household hazardous waste collection day.

11. Public Participation

The city has a public participation process, but the WWTP has not had to revise their SUO or local limit within the past 10 years.

12. Freedom of Information Act (FOIA) Requests

FOIAs are sent to the City Clerk, who first contacts Jonathan Ruff, the City's Environmental Manager, and then Kristofer Gushlaw, the Chief Plant Operator. Kris Gushlaw has not received any FOIA requests during his tenure.

Attachment A

Industrial User Site Visit Data Sheet

IU SITE VISIT DATA SHEET

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.					
Name of industry: W. Schonbek LLC					
Address of industry: 61 Industrial Boulevard, Plattsburgh, NY 12901					
Date of visit: September 1, 2022			Time of visit: 9:30 AM		
Name of inspectors: Alexandre Remnek, Pretreatment Coordinator, US EPA Region 2 Kristofer Gushlaw, Chief Plant Operator, City of Plattsburgh Scott Stoddard, Director, Water and Wastewater Department, Town of Plattsburgh					
Provide the name(s) and title(s) of industry representative(s)					
Name		Title			
Adam Myatt		Head of Manufacturing, adam.myatt@schonbek.com			
Kevin Lashway		Production Supervisor, kevin.lashway@schonbek.com			
Andre Guay		Maintenance and Tool Room Management, andre.guay@schonbek.com			
IU Permit Number: SIU96-318063000-08		Exp. Date: 8/31/2026		IU Classification: 40 CFR 433.15	
Inspection Type/Purpose	☒	Scheduled	☐	Unscheduled	☒
	☐	PCI	☐	New Company	☐
PCA Complaint					
Please provide the following documentation:					
1. Nature of operation: Schonbek makes high-end lighting fixtures such as crystal chandeliers. The chandeliers are used mostly for residential interior design projects for both the domestic and export markets. There is a mix of products assembled, from custom high-end pieces and premium lighting and, starting this year, Schonbek will be producing a lower-end segment product as well.					
2. Number of employees:	125 (including office and production)	Number of shifts:	1	Hours of operation:	6:30-3 production 6:30-5 office
3. Water source: Tap water used in the plant for process water is treated before use. The water is treated through a carbon filter, water softener, and reverse osmosis. The water is then stored in 500 gallon holding tanks.					
4. Wastestream flow(s) discharged to the POTW: Wastewater from the degreasing rinse and acid wash rinse is pumped through a bag filter, then the water is recirculated to the tank. The wastewater from the rinses is sent to the neutralization system in the Stripper Room where the water is changed out once per week. Spent degreasing solution (brand name Improclean 2500) and spent acid wash solution (brand name Oakite 31, a phosphoric acid-based product) are used for pH adjustment. Wastewater from stripping rinse water is filtered and discharged to the neutralization tank. Used dyes and the initial rinse wastewater are discharged to the pH adjustment tank in the Stripper Room.					

The powder coating is applied in a water bath. The powder coatings consist mainly of copper-based powders. The rinse water from powder coating is filtered through bag filters, a 50-micron filter, and a 10-micron filter before discharge to the sewer.

Wastewater from the water filtration (carbon filter, softener, and reverse osmosis) is combined with the wastewater from the Stripper Room and the Metallic Pigment Coating Room after treatment. The wastewater is discharged through Manhole #1.

Sanitary:	~4,137 (gpd)	Process:	~6,722 (gpd)	Combined:	~10,860 gpd (2021-22)
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5. Describe any significant changes in process or flow:

The process has remained the same in the past few years. There was a switch from two shift to one shift that resulted in a reduction in wastewater flow volume.

6. Type of pretreatment system (Describe):

- Outfall 001 receives wastewater from the facility as a whole and the Powder Coat and PVD Rooms
- Outfall 003 receives wastewater from the Metallic Room which is treated
- Outfall 004 receives wastewater from the stripper for racks (so they can be reused) which is treated with filtration and neutralization. Outfall 004 also receives wastewater from the reverse osmosis treatment unit.

Outfalls 003 and 004 then are discharged into Outfall 001, which also receives wastewater from the rest of the facility. Outfalls 003 and 004 are tested for categorical limits and Outfall 001 is tested for local limits. The sampling is done by a third party, Atlas.

Outfall 004 pretreatment includes a particulate tank, an oil and water separator which uses a 1-micron particulate bag and a neutralization tank where the pH is neutralized to 6 to 9. There is an oil absorbing one-micron filter bag as well.

Outfall 003 pretreatment includes filtration using a 50-micron hanging bag filter, a 50-micron hanging filter (vessel), a 25-micron filter, and 3 cartridge filters (the smallest one is 5 microns).

According to plant staff, the system works well. Issues only arise when there are operator errors due to not following the SOPs. All of the operators are trained. There have been a couple of elevated oil and grease readings. One elevated reading was because the filter bag broke due to incorrect installation. If an elevated oil and grease value is found the plant managers walk through the process to find the root cause, which is then fixed. Sampling is done quarterly. In addition, plant staff conducts visual inspections of the pretreatment equipment roughly every month to 6 months in conjunction with plant maintenance (this is variable).

X	Continuous flow		Batch		Combined
7. Condition/operation of pretreatment system:	X	Good		Fair	Poor

8. Process area description (identify raw materials and processes used)

The crystals are premade and cut at another facility. The bulbs are purchased. Wiring for the lighting is cut to length and installed.

Raw materials for the lighting fixtures include sheet metal made from steel, stainless steel, and stainless steel with a mirror finish. Bulk tubing that is used in the fixtures is all steel. The process starts with raw steel which is cut into parts and into different shapes using in-house tooling. Schonbek also buys parts which are stored at a warehouse. The parts are placed onto a finishing rack. First, during the pretreat process (term used for the process, not wastewater treatment), the finishing racks with parts go through a tank to remove oils: metal parts are degreased, receive a phosphoric acid wash, and a seal in the De-oiling Room.

Each color has a recipe (black/white, gold/silver); then a multi-layer finishing is done. A part might receive treatments from all three process/rooms. There are 3 primary treatments of the parts. The parts can go to the Powder Coat Room, Particle Vapor Deposition (PVD) Room and/or the Metallic Room. Once the treatments are completed the racks are reused and their finish is removed.

In the Metallic Room (aka the Metallic Pigment Coating Room), water, metallic paint and cork are placed into the tanks. There are 7 production tanks, and 1 extra tank (in reserve) in the room. The steps are (1) air spray extra material off; (2) spray on a water base sealer; and (3) rotate dry. Weekly maintenance includes cleaning the floors in the room; the water from the cleaning process goes to the treatment system.

Rejected parts go through a hot or cold caustic strip. The room where part stripping occurs is referred to as the Stripper Room. In the Stripper Room, parts go into tanks; in one tank there is Oakite Stripper which is a strong base which would cut aluminum. It takes off the powder coats. In the second tank there is Paint Stripper L016002. Some parts are placed in both tanks, some in only one tank. Then everything is pressure washed with regular water.

The rinse water goes through a particulate tank, then to an oil and water separator, then to a neutralization tank, and an oil absorbing one-micron filter.

Some parts are dyed. The dye process is followed by two rinses – an initial rinse and a final rinse. The water from the final rinse is reused in the initial rinse tank. Vacuum metalizing using aluminum is performed to get a certain finish. The vacuum metalizing process does not use contact cooling water. Instead, the vacuum metalizing process uses non-contact cooling water that is used in the degreasing rinse. The equipment is cleaned using no water and is fairly basic, using Windex and other household cleaning supplies.

9. Condition/operation of process area:	X	Good		Fair		Poor
General housekeeping:	X	Good		Fair		Poor

10. Chemical storage area (identify the chemicals that are maintained on site and how they are stored): There is a small chemical building connected to the main building using a breezeway; there are no floor drains in the building. The chemicals include 10-15 drums of hydraulic fluid, paint cans and pretreat chemicals. These chemicals include Gardostrip LO (low-odor stripper), Eurostrip (paint stripper), and Heat Stripper (boosted with AZ). The room has empty drums and hazardous waste drums with stripper sludge, metallic filters, and laser dust. The other waste in the room is either solid waste and/or non-hazardous. There are spill control kits on-site. All barrels are on secondary containment. Chemicals are used in the finishing area as well; no floor drains are present. In particular, in the Stripper Room there are 4 drums holding chemicals and 2 300-gallon base holding tanks (which receives liquid from the hot stripper), a one 300-gallon Acid Holding Tank (containing Enprox 702), and one drum with waste stripper sludge.							
Any floor drains?		No		Any spill control measures?		Yes	
11. Are hazardous wastes drummed and labeled? There are no issues with hazardous waste. Hazardous waste is generated on site and US Ecology picks it up approximately every 2 months. Hazardous waste is drummed and labeled. Schonbek is a small quantity hazardous waste generator.							
12. Does the IU have hazardous waste manifests? Not determined.							
Any problems associated with hazardous waste: No							
13. Solid waste production: Scrap metal and regular trash. Special waste (non-hazardous) for powder and waste powder. In the Stripper room there are drums for trash, dried-out filters, and oil filter bags (all are solid waste).							
Solid waste disposal method(s): Scrap metal is placed in different bins for carbon, stainless and aluminum and is recovered by Globe Metals. Regular trash is placed into a compactor and picked up by Casella.							
14. Description of sample location: The categorical sampling points are labeled and have flow meters and pH meters. At the outfall, there is a pH meter and flow meter; measurements are taken in the manhole. The sampling locations are as follows: • Outfall 001 At outfall of sewer #1 on the north side of the facility by Industrial Boulevard. • Outfall 003 Metallic pigment coating room outfall. • Outfall 004 Stripper room pH adjustment outfall.							
Sampling method/technique:							
15. Evaluation of self-monitoring data:				X	Yes		No
If yes, was self-monitoring adequate: Yes							
16. Who performs the self-monitoring analysis? Schonbek hires Atlas to do their sampling and laboratory work.							
Notes:							

Finding – Incorrect installation and cleaning of filter bags leads to oil and grease exceedances.

Oil and Grease are the primary pollutants of concern. If there is an exceedance, Schonbek normally resamples and provides a write-up. Exceedances are normally due to filter bags not being installed correctly and sometimes due to improper cleaning.

Recommendation 17

One option that Schonbek and the City and Town could explore is having a requirement to sample for oil and grease a few days after a filter bag is installed to make sure the installation is correct.

IU SITE VISIT DATA SHEET

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.					
Name of industry: Georgia-Pacific					
Address of industry: 327 Margaret Street, Plattsburgh, NY 12901					
Date of visit: 8/31/2022			Time of visit: 1:38 PM		
Name of inspectors: Alexandre Remnek, EPA Region 2 Pretreatment Coordinator; Kristofer Gushlaw, Chief Plant Operator, City of Plattsburgh					
Provide the name(s) and title(s) of industry representative(s)					
<u>Name</u>		<u>Title</u>			
James Lafebvre		EHS Manager			
Dan Courneene		Operations Manager			
Matt Bokus		Facility Manager			
IU Permit Number: 2019GP16		Exp. Date: 12/31/2023		IU Classification : 40 CFR 430 Subpart L, PSES	
Inspection Type/Purpose	☒	Scheduled	☐	Unscheduled	☒
	☐	PCI	☐	New Company	☐
☐ Complaint					
Please provide the following documentation:					
1. Nature of operation: Georgia-Pacific's Plattsburgh plant makes Quilted Northern Ultra Plush 3-ply toilet paper. The facility has one paper machine and one converting line. The facility currently produces 5.5 million stack cases per year.					
2. Number of employees:	96 (74 hourly + 22 Salary)	Number of shifts:	2 with 4 crews 12 hr shifts	Hours of operation:	24/7 (6 AM-6PM break)
3. Water source: Water is mostly pumped from Lake Champlain, some water comes from the City. The water filtration plant has a clearwell that has an ultrasonic variable pump. The Lake water is treated using sodium hypochlorite to a level of 0.5 mg/l total residual chlorine. This water goes into the hypochlorate tank and then the settling tank where the pH is neutralized (pH = 7 to 8). The water is filtered and stored in a 150,000-gallon reservoir. Some settling takes places in the reservoir. No biocides are used during water treatment. When the Lake gets warmer, Georgia-Pacific opts to use more City water for cooling for approximately 2 months. In addition, most water in the process gets recycled within the plant.					
4. Wastestream flow(s) discharged to the POTW: Process water from the paper machine goes to a tank known as the "cloudy chest". Floor drains in the process area drain to the sump that also discharges to the cloudy chest. Georgia-Pacific backwashes both scrubbers on a daily basis. The fines go back to the collection system.					
Sanitary:	20,000 (gpd)	Process:	1.09 million gpd	Combined:	1.029 MGD (2021-22)

5. Describe any significant changes in process or flow:

Production has been variable because of issues with the paper machines and due to staffing this summer. The paper production machine operation has been much more stable recently. The SaveAll captures and reuse water and fibers hence removing fines from the wastewater. However, Georgia-Pacific has been using more water recently because the gear box in one of the two SaveAlls is broken. Georgia-Pacific had been trying to get it back to service for 70 days at the time of the visit, but parts availability is an issue and the staff hopes to fix the equipment soon. Wastewater discharged to the POTW is normally between 600,000 gpd and 800,000 gpd; in August 2022 it was 2 million gpd.

6. Type of pretreatment system (Describe):

The wastewater from the cloudy chest goes to a pressure vessel. The wastewater is aerated and the fibers float. Skimmers are used to remove the fibers. The wastewater is either sent to the pulpers or discharged to the sewer. The skimmed fibers are reused at Georgia-Pacific or sent to Pactiv.

SaveAlls are both part of the production process and also have a pretreatment purpose. There are two SaveAll¹⁰ machines at the facility. The processes are designed so that fiber fines and other solids rise to the top or a shallow chest where they can be skimmed off and recovered. Therefore, the SaveAll machine is part of the pretreatment system since it captures waste fibers and diverts the fibers from the facility's wastewater discharge.

The smaller SaveAll has aeration and baffle fingers; fines rise to the top and then the fines are scooped out and goes to a reject tank with content that goes to Pactiv and other fines are disposed of as solid waste.

For the larger rotary Main SaveAll, water and air are added along with a bubond polymer and goes into an air tank with 7 pipes. The wastewater is sprayed onto a rotating drum, the fines stick to the drum until a blade scraps the fines into a trough where an auger moves the material back for reuse. The first chamber has a weir, a layer chamber and a skimmer with rotating paddles. The removed solids either go to Pactiv or to the screw press.

If there is an emergency, the wastewater with fibers goes to the City's screw press where the fibers dry out. Periodically, there needs to be a deep cleaning of the SaveAll machines and associated pipes.

X	Continuous flow		Batch		Combined
7. Condition/operation of pretreatment system:		Good		Fair	X Poor

¹⁰ The most widely used types of SaveAlls use disk screens or drum screens. Some long fiber or broke is added to aid in the filtration of fines. Dissolved air flotation equipment is often used in the SaveAll.

8. Process area description (identify raw materials and processes used)

The process starts by creating pulp, which gets bleached and later processed into a sheet using a paper machine that is larger than a football field. The sheet gets rolled and further processed, eventually becoming large logs of bath tissue; those are then sliced into the rolls seen at stores around the country.

Virgin fiber (Hard wood pulp from Northern Canada and soft wood pulp from Brazil (eucalyptus)) is brought to the site by train or truck and enters the Hard Wood Pulper and Soft Wood Pulper, respectively. In addition, reject paper from the industrial process is put into the Broke Pulper and used in production. The reject paper comes from several outer wraps of the roll that are discarded when a new wrap is put in place or rejected toilet paper.

For the Virgin Pulpers, raw material is forklifted into place and then table cut wires cut the bales. The material then goes onto a conveyor which is an automated batch system (which will inform the operator how many bales are needed) into a big vat where the fiber is mixed with hot water to a consistency of cream of wheat (the vat resembles a margarita maker machine). Drain water goes to the POTW, while seal water is used to lubricate the pump (this is a small amount and will be used in the process). The fiber is pumped to a chest and chemicals are added to the fiber. The fiber then goes to a paper making machine that runs at about 5,000 feet per minute and makes paper that is 138 inches wide. Each roll of tissues is 4,000 pounds. The middle layer for the toilet paper is made on the same paper making machines as the outer layers but using a different fiber mix.

Large rolls are made by spraying pulp from a head box on rotating blue fabric and forming wire. The paper goes through roller to wring out the water. The paper then goes to a Yankee dryer (spinning dryer) where heat is added by pumping in steam and then the water in the paper is evaporated. The three layers are combined by impressing a design in the paper. Large Rolls of toilet paper goes either to the warehouse or to the converting room.

The converting line has 2 wet scrubbers which collect particulate and dust emissions. The water from this process is recycled and reused in the wet scrubbers.

9. Condition/operation of process area:		Good	X	Fair		Poor
General housekeeping:		Good	X	Fair		Poor

10. Chemical storage area (identify the chemicals that are maintained on site and how they are stored):
Chemical storage areas all have secondary containment. The chemicals seen in storage include Fenno Bond, Bubond 2646 (mostly) and 2675, Busperse 2097, mono ammonium phosphate 5%, Infinity PS7939 polymer, Varisoft GPB100. There are also barrels of Swiftak 48503-2N in 5-gallon pails and ProSoft TQ1162 in totes. There are some powder and solid chemicals such as soda ash. There are no floor drains in the room. The spill kits are located in the office (Georgia-Pacific chooses to have supplies in a safe spot and then move in if there is a leak).

Any floor drains?	No	Any spill control measures?	Secondary Containment and spill kits
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11. Are hazardous wastes drummed and labeled? Yes

12. Does the IU have hazardous waste manifests? G-P is a small quantity generator of hazardous waste. Are there manifests? And generate less than 200 gallons per month. Every three months hazardous waste drums and aerosol cans are sent out. Green Harbors is the chemical waste hauler.						
Any problems associated with hazardous waste: None						
13. Solid waste production: Primarily wastepaper sludge.						
Solid waste disposal method(s): Wastepaper sludge goes to the Clinton County landfill, some of the larger solids go to Pactiv and are used as a feed source for paper trays, cup holders, etc...						
14. Description of sample location: The GPM sampling location is at the Parshall flume.						
Sampling method/technique:						
15. Evaluation of self-monitoring data:	X	Yes		No		N/A
If yes, was self-monitoring adequate: Yes. Files are available as both paper and electronic files and are available for a longer period than three years.						
16. Who performs the self-monitoring analysis? KAS performs the industry's self-monitoring analysis and samples sent out to Adirondack Environmental Services Laboratory.						
Notes:						
<u>Historical Notes:</u> The facility had 4 machines in the past, now they are down to one machine and product line. Paper companies are opting to open up smaller mills. Each paper machine had its Save-all, #2 line had a Save-all which was replaced. The Save-alls are old equipment which were built in the 1970s for which parts are not readily available. For the Main Save-all with the drum, the equipment is 50 years old and the gear box malfunctioned. Otherwise, inspections indicate that the equipment is in good shape. In the future Georgia Pacific plans to gather spare parts which are necessary to quickly repair the Save-Alls ahead of time. There is no digester at plant, it was shut down 25 years ago. <u>Additional Notes:</u> • The SPCC updated in 2022 and Slug Discharge Control Plan updated in 2021. • Georgia-Pacific recently replaced its transformer from using oil as the insulating oil to non-oil insulating liquid. • All data is kept on file for three years.						

Categorical Standard Determination:

The current permit issued by Plattsburgh to Georgia-Pacific is correct in stating that the facility is subject to federal regulations at 40 CFR Part 430.120, subpart L which applies to discharges resulting from the production of tissue papers. After the publication of a proposed rule a facility is considered a new source if the facility begins operation, replaces process or production equipment that causes the discharge of pollutants at an existing source. The subpart L regulations were proposed on January 6, 1981; Georgia-Pacific has manufactured tissues at the Plattsburgh location since 1963 and is classified by Plattsburgh as an existing source. In addition, the new source standards for tissue paper manufacturing at 40 CFR 430.127 are identical to the existing source standards at 40 CFR 430.126.

Federal categorical pretreatment standards are developed based on technology designed to meet standards in 99 out of 100 samples. Biocide and slimicide formulations containing trichlorophenol and pentachlorophenol are used in the pulp, paper, and paperboard industry. The pretreatment limits are based on the use of slimicide and biocide chemicals that do not contain chlorophenolics. Chlorinated phenolic compounds include phenols, guaiacols, catechols, and vanillins substituted with from one to five chlorine atoms per molecule. Georgia-Pacific does not use chemicals that contain chlorophenolics as a biocide and Georgia-Pacific includes a certification to that effect in its self-monitoring reports.

Finding – The Main SaveAll has a dual purpose for both production and wastewater pretreatment and was not operational at the time of the site visit.

Part III, Section 3 of the Georgia-Pacific industrial user permit states:

“The Permittee shall continue pretreatment practices currently in use and report any upset experienced or changes in their pretreatment that places it in a temporary state of noncompliance with wastewater discharge limitations contained in this permit or other limitations specified in the City's Sewer Use Local Law or other agreements. The report to the City shall be within 24 hours of first awareness of the commencement of the upset or prior to any substantial change. A detailed report shall be filed within 5 days.”

Georgia Pacific should have sent an email at the time of malfunction, but did not, with regards to the gear box and the increased flow and loading to the Plattsburgh POTW (see Finding G.1 and Requirement 21). Georgia-Pacific is also responsible for keeping their pretreatment equipment operational.

Requirement 22

Georgia-Pacific must ensure that all equipment used for pretreatment of its wastewater discharge is operational.

IU SITE VISIT DATA SHEET

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.						
Name of industry: Pactiv Corporation						
Address of industry: 74 Weed Street, Plattsburgh, NY 12901						
Date of visit: 9/1/2022			Time of visit: 8:30 AM			
Name of inspectors: Alexandre Remnek, USEPA Region 2, Kristofer Gushlaw, City of Plattsburgh						
Provide the name(s) and title(s) of industry representative(s)						
Name			Title			
Brandon Smith			Plant Manager			
IU Permit Number: 2019PCA36		Exp. Date: 12/31/2023		IU Classification: 40 CFR 430, Sub-part J, PSES		
Inspection Type/Purpose	☒	Scheduled	☐	Unscheduled	☒	PCA
	☐	PCI	☐	New Company	☐	Complaint
Please provide the following documentation:						
1. Nature of operation: Pactiv makes molded paper products including paper cupholders, berry baskets, school lunch trays, and paper plates.						
2. Number of employees:	144	Number of shifts:	4 12-hr shifts; 3 8-hr shifts	Hours of operation:	24/7 (Except Christmas and Christmas Eve)	
3. Water source: Town of Plattsburgh						
4. Wastestream flow(s) discharged to the POTW: Wastewater is generated by washing down the floors of the facility. The TSS concentration in the wastewater is minimal. (Note: Plattsburgh knows if there is a problem if they see green pulp in the effluent. Georgia-Pacific and Pactiv effluent goes into one sewer main and pump station that conveys mostly their industrial discharge).						
Sanitary:	Not measured (gpd)	Process:	Not measured (gpd)	Combined:	0.322 million gpd (2021)	

5. Describe any significant changes in process or flow:

Due to California's ban on PFAS in paper-based food packaging which will begin on January 1, 2023, the PFAS is being replaced with a wax (TopScreen MF305-NA). Currently 18 lbs/ton of paper plates of PFAS is being used; this will be replaced with 200 lbs/ton of paper plates of wax. There has been \$500,000 of investment to change the process, which include four 2,500-gallon tanks for the wax and the use of two polymers to bind the wax to the plate. The E-70 PFAS is \$5/lb and is directly applied to the plate. The Mf-305 Wax is \$3/lb and requires two polymers (PC8933 and PK2320). The wax would cost approximately \$600 per ton and add 10% to the weight of the products (200 lb/ton) while the PFAS liner would cost approximately \$90/ton). Pactiv has been conducting test runs of the new liner system.

6. Type of pretreatment system (Describe):

Floor drains go to a tank in the Effluent Building, Wastewater from the sludge tank is used in the pulper or goes to a clarifier where chemical flocculent (polymer) is added. Fibers rise to the top and are skimmed off using a rotating conveyer belt scrapper to a sludge tank and then sent to the main pulp tank then is reused in the facility. Reclaimed water then goes to the #3 Decker Chest and is reused in the production process. When the #3 Decker Chest gets full, outflow will go a pit where the pH is adjusted and then to the flume. The sludge tank may also bypass the clarifier and go directly to the pH production pit. This does not happen frequently, and the volume of wastewater is small.

Plant staff stated that there are no problems with the clarifier; it works well despite its age.

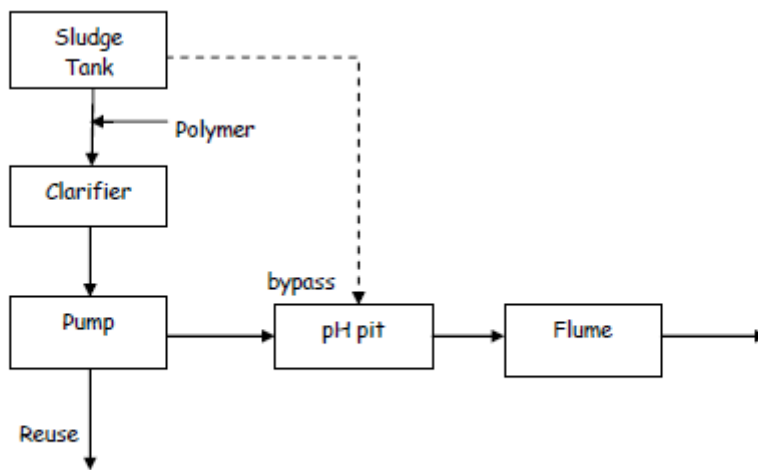


Figure 1: Pactiv Wastewater Treatment Schematic

X	Continuous flow		Batch		Combined
7. Condition/operation of pretreatment system:	X	Good		Fair	Poor

8. Process area description (identify raw materials and processes used)

Pactiv receives recycled newspaper and waste fiber from Georgia-Pacific (located next door); most of the raw product is recycled newspaper. There are three pulpers; the 4,000-gallon recycled newspaper pulper is much larger than the scrap pulper and virgin paper pulpers. Virgin paper is used only for paper plates. In the 4,000-gallon capacity pulper, water is added which comes from the City and from reclaimed water from the production process. Paper is placed on a table, where the wires are cut and then the load is dropped into the pulper. The pulper is heated up with condensate and return water is added. The big rotor at the bottom stirs the water and shreds the paper; it is much like a giant margarita maker. The mixture is pulped for 10 minutes in 2 holding tanks with agitators before going to the paper mold machines.

In the Pulp Room, pulp is cleaned removing styrofoam, plastic and other contaminants. The waste goes into bins which are then sent to landfill. Stock pulp is placed into a rotating drum with holes and the smaller material falls inside; this machine looks like a washing machine. The pulp and sulfite then go to a stock chest. From the stock chest, molded paper products are made dipping the mold into the pulp.

8. Process area description (identify raw materials and processes used) (continued)

A biocide is used in the holding chest and dilution chests. Dilution chests are used for showers which clean the screens used in the mold process. Water in the dilution tanks is reused.

In the Vacuum Room there are three vacuum pumps. Shower pumps are surrounded by a concrete berm. Seal water is used with the pumps (to cool the seal and the shaft, to lubricate the seal and to flush away impurities in the system). They drain to the basement, then go to another floor drain and then to the Effluent Building.

In the paper mold machines, wet pulp is sprayed onto forms with a mesh screen machine onto drums and water is removed via a vacuum. Water drips out and is extracted and goes to an Extraction Tank and pumped to the Dilution Tank and then to the Shower Tank which is then used as shower water to clean the equipment or define the edges of the product. This is a closed system, so all water is recycled. The molded paper product is then sent to the three-story tall Yankee dryer and is dried for 12 minutes, and then goes to the Package Room and is packaged for shipping. In the Package Room is a plastic wrapping machine, and pallets are either packed by hand or using automatic palletizers.

On the top floor of the facility, Hefty plates are produced on four lines. Fluoropolymer emulsion (PFAS) in a tote is used to make the waterproof liner in some of the plates. The tote is not on secondary containment. Only one tote is used per month. Some plates are made using three layers. An oil holdout chemical, AXSize SZ7500 is diluted into the stockloop, is introduced to top liner of the plate. The other two layers are virgin pulp and a backliner duplex. Other plates have no liner and are made with one layer (aka "simplex"). Pulp is placed on a form with vacuum using a 15-horsepower motor located in the basement for each plate machine. Oil goes to the oil bowser, where it gets filtered and placed back into the machine. There are floor drains in this part of the facility.

Below the production line on the ground floor is two Groundwood White Water Concrete Tanks (process water for this department), Sulfite White Water, and Cooling Tower Chemicals ("A202"). According to the facility staff, the barrels are double-drummed and, therefore, there is no need for secondary containment.

Final product goes to a pre-storage room for 2 hours where it is stored while it cools down; because it is hot it is a potential fire hazard. The product then is moved to the main storage room.

In addition, there are no ovens at the facility, instead the facility uses vertical dryer ovens, and it takes products 12 minutes to dry. Steam from Cogen plant is brought in from Georgia-Pacific. There are no air scrubbers at the facility.

9. Condition/operation of process area:	X	Good		Fair		Poor
General housekeeping:	X	Good		Fair		Poor

10. Chemical storage area (identify the chemicals that are maintained on site and how they are stored): In the Pulper Room, oil for the machines is stored in drums. There are no floor drains, and the drums are placed on secondary containment pallets. According to staff, a spill kit is located in a locker close by.

In the Vacuum Room, motor oil barrels are kept on secondary containment. Blue barrels contain cooling tower chemicals, these have no containment. Chemicals include A-202 from Barclay, Brom Max 7.1, and Air Con CXT-626.

In the Pulp Room, tanks contain chemicals in the lower level which are pumped up to the facility. The tanks are surrounded by a concrete berm. The chemicals include Antimicrobial N-20, Axstrength AS7020, and Axsize 527500. There are old drums which have seem to have been abandoned and which are covered in gunk.

There are also elevated containers containing Passaic Malachite Green Liquid dye which is used for berry baskets and water holdout chemical Axsize SZ7500 which helps to improve water resistance.

In the Hefty plate production area on the top floor, Fluoropolymer emulsion (PFAS) in a tote is used to make the waterproof liner in some of the plates. The tote is not on secondary containment. Only one tote is used per month.

In the Hazardous Chemical Storage Room there is a spill kit and secondary containment. Hazardous waste is not picked up on a regular schedule, but as needed; it has been picked up once this year.

Any floor drains?

Only in Hefty Plate Production Area

Any spill control measures?

Yes, but not everywhere.

11. Are hazardous wastes drummed and labeled? Yes. Hazardous waste includes empty aerosol cans, fluorescent lightbulbs, batteries, empty oil cans. Heritage is the carrier and is sent out as needed (only once this year so far).

12. Does the IU have hazardous waste manifests? Yes. Hazardous waste is not picked up on a regular schedule but as needed; it has been picked up once between January 1 and September 1, 2022.

Any problems associated with hazardous waste: No

13. Solid waste production: Cleaning is done in place and using only water and is performed every four days. In addition, there is an annual washdown of the equipment (which takes place on the week of September 11 in 2022). All materials seperated out during cleaning are sent to landfill.

Solid waste disposal method(s): Landfill

14. Description of sample location: Wastewater goes to an effluent “pH Pit” and then to a flume which has an ultrasonic flow meter. The pH meter is calibrated monthly. Monitoring point P100 is located in the channel outside of building #26 in the parshall flume area where the flowmeter is located.						
Sampling method/technique:						
15. Evaluation of self-monitoring data:	X	Yes		No		N/A
If yes, was self-monitoring adequate: Yes						
16. Who performs the self-monitoring analysis? KAS performs the industry’s self-monitoring analysis and samples sent out to Adirondack Environmental Services Laboratory.						
Notes:						
<u>Finding – Some drums were not clearly labelled and seemed to be old.</u> In the Pulp Room, there are old drums that are not clearly labeled and seem to have been abandoned and are partially covered with grease and gunk. <u>Recommendation 18</u> Chemicals should be stored in containers which are clearly labelled and in good condition. <u>Finding – The facility was storing totes of PFAS without secondary containment.</u> In the Hefty plate production area on the top floor, Fluoropolymer emulsion (PFAS) in a tote is used to make the waterproof liner in some of the plates. The tote is not on secondary containment. <u>Recommendation 19</u> Chemicals should be stored with secondary containment, whether it be a retaining berm or a spill pallet.						

Attachment B

Legal Authority Review Checklist

CHECKLIST – PRETREATMENT PROGRAM LEGAL AUTHORITY REVIEWS

NAME OF POTW: City of Plattsburgh Water Resource Recovery Facility

DATE OF REVIEW: October 21, 2022

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			278-2(A)	
2. Authorized or Duly Authorized Representative of the User	403.12(l)	§ 1.4 C			X	278-2(A)	Definition is correct but could be simplified (refer to Model SUO).
3. Best Management Practices or BMPs	403.3(e)	§ 1.4 E		X		N/A	Missing
4. Categorical Pretreatment Standard or Categorical Standard		§ 1.4 F			X	278-2(A)	Can add at the end: “and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.”
5. Indirect Discharge or Discharge	403.3(i)	§ 1.4 M	X			278-2(A)	
6. Industrial User (or equivalent)	403.3(j)	§ 1.4 LL			X	278-2(A)	Current definition in SUO is confusing and the simple definition is: “A source of indirect discharge.”
7. Interference	403.3(k)	§ 1.4 O		X		278-2(A)	
Comment:	The definition does not clearly refer to a discharge of wastewater but implies it. As an alternative, the following could be included: “A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use of disposal...” Please refer to the Model SUO.						

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
8. National Pretreatment Standard, Pretreatment Standard or Standard	403.3(l)	§ 1.4 BB	X			278-2(A)	
9. New Source	403.3(m)	§ 1.4 T		X		278-2(A)	Definition does not include replacement of process or production equipment.
10. Pass Through	403.3(p)	§ 1.4 V	X			278-2(A)	
11. Pretreatment Requirement	403.3(t)	§ 1.4 AA	X			278-2(A)	
12. Publicly Owned Treatment Works or POTW	403.3(q)	§ 1.4 DD	X			278-2(A)	
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		278-2(A)	
Comment:	Missing a comma in “(excluding sanitary noncontact cooling and boiler blowdown wastewater)”. The following is not in the Federal regulations: “or is a manufacturing industry annually using over 10,000 pounds or 1,000 gallons of raw materials containing priority pollutants/substances of concern and discharging a measurable amount of these pollutants to the sewer system....” It is not clear why this is in the SUO. In addition, the SUO includes a citation with regards to the NRDC Consent Decree which should be removed; while there were consent decrees between NRDC and EPA in 1976 and 1982, these were not specific to the City of Plattsburgh.						
14. Significant Noncompliance	403.8(f)(2)(vii)	§ 9 (A-H)	X			278-2(A)	Note, when the optional streamlining rules are adopted by NYS failure to provide any reports will increase from 30 to 45 days.
15. Slug Load or Slug Discharge	403.8(f)(2)(vi)	§ 1.4 HH		X		278-2(A)	The definition is for “Slug” instead of “Slug Load or Slug Discharge”.
16. Other definitions based on terms used in the POTW Ordinance						N/A	

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
B. National Pretreatment Standards – Prohibited Discharges							
1. General Prohibitions							
a. Interference	403.5(a)	§ 2.1A	X			278-25	
b. Pass Through	403.5(a)	§ 2.1A	X			278-25	
2. Specific Prohibitions [403.5(b)]							
a. Fire/Explosion Hazard (60° C or 140° F flashpoint)	403.5(b)(1)	§ 2.1B(1)	X			278-25(P)	
b. pH/Corrosion	403.5(b)(2)	§ 2.1B(2)			X	278-25(C)	Lower limit pH of 5.5 in SUO; could include “or more than 9” as stated in the IU permits (or change the IU permits).
c. Solid or Viscous/Obstruction	403.5(b)(3)	§ 2.1B(3)	X			278-25(B)	
d. Flow Rate/Concentration (BOD, etc.)	403.5(b)(4)	§ 2.1B(4)			X	278-25(J)	
Comment:	The following is in the SUO and not in the Federal regulations and is optional: “In no case shall a slug load have a flow rate or contain a concentration or quantities of pollutants that exceed for any time period longer than 15 minutes more than five times the average 24-hour concentration, quantities or flow during normal operation.” The regulatory language is sufficient enough.						
e. Heat; exceeds 40° C (104°F)	403.5(b)(5)	§ 2.1B(5)	X			278-25(I)	
f. Petroleum/Nonbiodegradable Cutting/Mineral Oils	403.5(b)(6)	§ 2.1B(6)	X			278-25(M)	
g. Toxic Gases/Vapor/Fumes	403.5(b)(7)	§ 2.1B(7)	X			278-25(N)	
h. Trucked/Hauled Waste	403.5(b)(8)	§ 2.1B(8)			X	278-25(O)	Could refer to the Section of the SUO which covers hauled waste.

	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		N/A	
Comment:	Missing; “Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.”						
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		278-31	
Comment:	Must add as a preamble: “The [Superintendent] is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).” After the list of local limits add: “The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. [The Superintendent] may impose mass limitations in addition to the concentration-based limitations above.”						
5. Prohibition Against Dilution as Treatment	403.6(d)	§ 2.6	X			278-34	
6. Best Management Practices Development [NOTE: Optional streamlining provision.]	403.5(c)(4)	§ 2.4C	X			N/A	N/A, optional streamlining provision
C. Control Discharges to POTW System							
1. Deny/Condition New or Increased Contributions	403.8(f)(1)(i)	§§ 4.8 & 5.2		X		278-38(B)	
Comment:	Missing: “Within [_____] (_____) days of receipt of a complete permit application, [the Superintendent] will determine whether to issue an individual wastewater discharge permit. [The Superintendent] may deny any application for an individual wastewater discharge permit.”						

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
2. Individual Control Mechanism (e.g., permit) to ensure compliance - <i>Permit Content</i>	403.8(f)(1)(iii)	§ 4.2		X		278-37	
Comment:	Missing the following language: “A. No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from [the Superintendent], except that a Significant Industrial User that has filed a timely application pursuant to Section 4.3 of this ordinance may continue to discharge for the time period specified therein. B. [The Superintendent] may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this ordinance. C. Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections X through Y of this ordinance. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.”						
a. Statement of Duration	403.8(f)(1)(B)(1)	§§ 5.1 & 5.2A(1)		X		278-40	
Comment:	Section states “may contain the following” instead of “must contain.” This refers to what is included in the permit, not the Duration language in 278-41 or application for special permit language in 278-38.						
b. Statement of Nontransferability	403.8(f)(1)(B)(2)	§5.2A(2)		X		N/A	This refers to what is included in the permit, not the permit transfer language in 278-42.
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2A(3)		X		N/A	
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		N/A	Need to include language specific to BMP requirements as part of Categorical Standards only.

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
e. Self-Monitoring Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)		X		278-40(E)	Missing "...These requirements shall include an identification of pollutants (or best management practice) to be monitored,..."
f. Reporting & Notification Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			278-40(G) & (I)	
g. Recordkeeping Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			278-40(H)	
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)	N/A				N/A
i. Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B)(5)	§ 5.2A(6)		X		N/A	Not included
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(7)		X		278-40(J)	Different than 278-40(J), Requirements for notification of slug discharges. This pertains to requirements to control Slug Discharge, if determined to be necessary.
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)	N/A				N/A

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
l. Permit Application/Reapplication Requirements <i>[Note: Optional permit provision]</i>		§§ 5.3 & 5.7	X			N/A	
m. Permit Modification <i>[Note: Optional permit provision]</i>		§ 5.4	X			N/A	
n. Permit Revocation/Termination <i>[Note: Optional permit provision]</i>		§§ 5.6 & 10.8	X			N/A	
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	N/A; optional streamlining provision
a. Statement of Duration	403.8(f)(1)(B) (1)	§§ 5.1 & 5.2A(1)	X			N/A	N/A; optional streamlining provision
b. Statement of Nontransferability	403.8(f)(1)(B) (2)	§ 5.2A(2)	X			N/A	N/A; optional streamlining provision
c. Effluent Limits	403.8(f)(1)(B) (3)	§ 5.2A(3)	X			N/A	N/A; optional streamlining provision

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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 (§2.4C).]</i>	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			N/A	N/A; optional streamlining provision
e. Self-Monitoring Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			N/A	N/A; optional streamlining provision
f. Reporting & Notification Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			N/A	N/A; optional streamlining provision
g. Recordkeeping Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			N/A	N/A; optional streamlining provision
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	N/A; optional streamlining provision
i. Statement of Applicable Civil and Criminal Penalties	403.8(f)(1)(B)(5)	§ 5.2A(7)	X			N/A	N/A; optional streamlining provision
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	N/A; optional streamlining provision
k. Permit Application/Reapplication Requirements <i>[Note: Optional permit provision]</i>		§§ 5.3 & 5.7	X			N/A	N/A; optional streamlining provision
l. Permit Modification <i>[Note: Optional permit provision]</i>		§ 5.4	X			N/A	N/A; optional streamlining provision

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
m. Permit Revocation/Termination <i>[Note: Optional permit provision]</i>		§§ 5.6 & 10.8	X			N/A	N/A; optional streamlining provision
n. Proper Operation and Maintenance <i>[Note: Optional permit provision]</i>		§ 3.1	X			N/A	N/A; optional streamlining provision
o. Duty of Halt/Reduce <i>[Note: Optional permit provision]</i>		§ 10.7	X			N/A	N/A; optional streamlining provision
p. Requirement to submit Chain-of-Custody forms with monitoring data <i>[Note: Optional permit provision]</i>			X			N/A	N/A; optional streamlining provision
D. Required Reports							
1. Develop compliance schedule for installation of technology	403.8(f)(1)(iv)	§§ 5.2b(2) & 10.4	X			278-55	
2. Reporting Requirements [403.12] <i>Types of Reports</i>							
a. Baseline monitoring report	403.12(b)	§ 6.1		X		N/A	Baseline monitoring report requirements not included (including 180 day provision, etc...).
(i) Identifying Information	403.12(b)(1)	§ 6.1B(1) & § 4.5A(1)a		X		278-38(A)(1)	“Application for special permit” used instead of “Baseline Monitoring Report.”
(ii) Other Environmental Permits Held	403.12(b)(2)	§§ 6.1B(1) & 4.5A(2)		X		N/A	Missing
(iii) Description of operations	403.12(b)(3)	§§ 6.1B(1) & 4.5A(3)a		X		278-38(A)(2), (7), (10), (11) & (12)	Must also include: “This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes...”

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
(iv) Flow measurements	403.12(b)(4)	§§ 6.1(b)(2) & 4.5A(6)	X			278-38(A)(5)	
(v) Measurement of pollutants	403.12(b)(5)	§ 6.1B(2)		X		278-38(A)(3)	
Comment:	Does not specify that samples should be representative and taken downstream of pretreatment facilities, or that both daily maximum and average concentration shall be reported.						
(vi) Certification	403.12(b)(6)	§ 6.1B(3)		X		N/A	
(vii) Compliance schedule	403.12(b)(7)	§ 6.1B(4)		X		N/A	
b. Compliance schedule progress report	403.12(c)	§ 6.2		X		N/A	SUO does not identify the elements included in compliance schedule progress report.
c. Report on compliance with categorical Pretreatment Standard deadline	403.12(d)	§ 6.3	X			278-43(A)	
d. Periodic reports on continued compliance							
- From categorical users	403.12(e)	§ 6.4A		X		278-43(B)	
Comment:	Need to add: “In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by [the Superintendent] or the Pretreatment Standard necessary to determine the compliance status of the User.” And “All wastewater samples must be representative of the User’s discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.”; and “If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by [the Superintendent], using the procedures prescribed in Section 6.11 of this ordinance, the results of this monitoring shall be included in the report.”						
- From significant non-categorical users	403.12(h)	§ 6.4A		X		N/A	Missing

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	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		278-61	
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		N/A	
Comment:	Must include the following: "Significant Industrial Users are required to notify the [Superintendent] immediately of any changes at its facility affecting the potential for a Slug Discharge."						
g. Notice of violation/sampling requirement <i>[NOTE: Required streamlining revision.]</i>	403.12(g)(2)	§ 6.8		X		N/A	Missing
h. Requirement to conduct representative sampling	403.12(g)(3)	§ 6.4E		X		N/A	Missing
i. Notification of changed discharge	403.12(j)	§ 6.5		X		278-46(A)	Does not include option to require submission of a wastewater discharge permit and issuance of permit.
j. Notification of discharge of hazardous waste	403.12(p)	§ 6.9		X		278-46(D)	SUO refers to 403.12(p) but does not include the language in the Federal regulations in the SUO.
<i>Other Reporting Requirements</i>							
k. Data accuracy certification & authorized signatory	403.6(a)(2)(ii) & 403.12(l)	§§ 6.4D & 6.14		X		278-43	Missing the certification statement.
l. Recordkeeping Requirement (3 years or longer)	403.12(o)	§ 6.13		X		278-43(D)	Refers to 403.12(o), should include language in the SUO.
- Including documentation associated with Best Management Practices <i>[NOTE: Required streamlining provision.]</i>	403.12(o)	§ 6.13		X		N/A	Missing
m. Submission of all monitoring data <i>[NOTE: Required streamlining revision]</i>	403.12(g)(6)	§ 6.4F		X		N/A	Missing

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		
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	N/A optional streamlining
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	N/A optional streamlining
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		278-43(B)(2)	SUO does not include: "If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question..."
2. Sample collection procedures <i>[NOTE: Required streamlining provisions]</i>	403.12(g)(3) & (4)	§ 6.11		X		N/A	Missing
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	278-45	
Comment:	Could add: "Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of [the Superintendent] and shall not be replaced. The costs of clearing such access shall be born by the User." And "Unreasonable delays in allowing [the Superintendent] access to the User's premises shall be a violation of this ordinance."						
2. Right to inspect generally for compliance	403.8(f)(1)(v)	§ 7.1	X			278-45	
3. Right to take independent samples	403.8(f)(1)(v), 403.8(f)(2)(v) & 403.8(f)(2)(vii)	§ 7.1	X			278-45	

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
4. Right to require installation of monitoring Equipment	403.8(f)(1)(iv)	§ 7.1		X		N/A	
5. Right to inspect and copy records	403.12(o)(2)	§ 7.1		X		N/A	
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	278-63	Should include name of appropriate court.
b. Civil/Criminal penalties	403.8(f)(1)(vi)	§§ 11.2 & 11.3			X	278-67, 278-68 & 278-69	Could add: "In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation."
2. Emergency response							
a. Immediately halt actual/threatened discharged	403.8(f)(1)(vi) (B)	§ 10.7	X			278-58, 278-59	
3. Legal authority to enforce Enforcement Response Plan	403.8(f)(1)(vi)	§ 11.4		X		N/A	Enforcement Response Plan not identified in SUO.
H. Public Participation							
1. Publish list of Industrial Users in Significant Noncompliance [NOTE: Required streamlining revision]	403.8(f)(2)(viii)	§ 9	X			278-65	
2. Access to data [403.8(f)(1)(vii) & 403.14]							
a. Government	403.14(a) & (c)	§ 8			X	278-50	
Comment:	Could be improved by concluding with: "Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction."						
b. Public	403.14(b)	§ 8	X			278-50	

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		
I. Optional Provisions							
1. Net/Gross adjustments <i>[streamlining provision]</i>	403.15	§ 2.2 D	X			N/A	Optional streamlining provision
2. Equivalent mass limits for concentration Limits <i>[streamlining provision]</i>	403.6(c)	§ 2.2 E	X			N/A	Optional streamlining
3. Equivalent concentration limits for mass limits <i>[streamlining provision]</i>	403.6(c)	§ 2.2 F	X			N/A	Optional streamlining
4. Upset Notification	403.16	§ 13.1	X			278-61	Missing; optional
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 streamlining
6. Reduce periodic compliance reporting <i>[streamlining provision]</i>	403.12(e)(3)	§ 6.4C	X			N/A	Optional streamlining
7. Other special agreement or waivers (excluding waiver of National Categorical Pretreatment Standards and Requirements)			X			N/A	
8. Hauled Waste Reporting/Requirements		§ 3.4			X	N/A	Recommend adding requirements
9. Grease Interceptor Reporting/Requirements		§ 3.2 C			X	278-27	
Comment:	Could add: "Such interceptors shall be inspected, cleaned, and repaired [in accordance with [the City's Oil and Grease Management ordinance (if applicable, cite)] by the User at their expense."						
10. Authority to issue Notice of Violations (NOVs)		§ 10.1			X	278-53	
Comment:	Could add: "Nothing in this Section shall limit the authority of [the Superintendent] to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation."						
11. Authority to issue Administrative Orders (AOs)					X		Could add.
12. Authority to issue Administrative Penalties		§ 10.6			X	278-66	Could add additional information for interest payment and liens.

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		
13. Authority to enforce again falsification or tempering			X			278-69	
14. Any other supplemental enforcement actions as noted in the POTW's enforcement response plan						N/A	
15. Permit Appeals Procedures			X			278-62	Optional
16. Penalty or Enforcement Appeals Procedures			X			278-62	Optional
17. Bypass Notification	403.17	§ 13.3	X			278-61	

Document(s) submitted for review:

Chapter 278 Sewers and Sewage Disposal
[History: Adopted by the Common Council of the
City of Plattsburgh as Ch. 219 of the 1989 Code.
Amendments noted where applicable.]

Name of Reviewers

Alexandre Remnek