REGION 3
PHILADELPHIA, PA 19103

VIA ELECTRONIC MAIL
Pat Boyle
City of Baltimore, Maryland
8201 Eastern Avenue
Baltimore, MD 21224
pat.boyle@baltimorecity.gov

Re: City of Baltimore, Maryland Pretreatment Compliance Audit

Dear Pat Boyle:

Thank you for your cooperation and participation during the Pretreatment Compliance Audit (PCA) conducted on May 8 and 9, 2024. The PCA is an essential tool for the U.S. Environmental Protection Agency (EPA) to assist Control Authorities in enhancing their capacity to implement an effective publicly owned treatment works (POTW) pretreatment program. The PCA's purpose is to evaluate compliance with the regulatory requirements of an applicable National Pollutant Discharge Elimination System (NPDES) permit(s). It also identifies areas where program modifications are needed to meet regulatory requirements.

The audit of the City of Baltimore, Maryland's (City) pretreatment program indicates a solid foundation. However, the enclosed audit report outlines specific findings that require your immediate attention and prompt corrective action to align the program with the General Pretreatment Regulations, 40 C.F.R. Part 403.

Enclosed is the POTW Pretreatment Program Audit Report along with relevant attachments. The report includes both required and recommended changes to the City's pretreatment program. Below is a summary of key findings. Please note, this summary does not cover all findings in the report.

A. **Legal Authority** – A review of the City's legal authority, specifically Article 25 of the Baltimore City Code, revealed discrepancies with the General Pretreatment Regulations. The City must revise its code to address inconsistencies with or omissions of definitions, prohibited discharges, discharge controls, required reports, test procedures, and remedies for noncompliance. The City must ensure that its legal authority is enforceable in federal, state, or local courts, covering all industrial users (IUs) in its service area, including those outside its municipal boundaries, but discharging to either of the City's POTWs. Moreover, the review found that existing intermunicipal agreements may not fully implement or delegate all elements of the City's pretreatment program. The City must verify that these agreements are adequate, up-to-date, and clearly assign program responsibilities to maintain consistent enforcement, compliance, and reporting across its entire service area. The necessary

corrective actions regarding the City's legal authority are detailed under Finding A of the report and Attachment 2, Legal Authority Review Checklist.

B. **Application of Standards** – To strengthen its pretreatment program, the City should incorporate its local limits directly into its legal authority. These local limits must be applied with minimum required sampling frequencies based on the reasonable potential for pass through or interference. When evaluating local limits, the City must also ensure that they are reflective of current environmental criteria, including water quality standards and sewage sludge standards.

C. **Control Mechanisms** – A review of the City's waste water discharge permits identified inconsistencies and omissions compared to the General Pretreatment Regulations and the City's legal authority. The City must update its waste water discharge permits and template to reflect federal and local law. In addition to implementing minimum sampling requirements for applicable local limits, the City must specify sample types for such parameters. The necessary corrective actions regarding the City's control mechanisms are detailed under Finding C of the report and Attachment 3, Control Mechanism Review Checklist.

D. **Compliance Monitoring** – During the site visit to "Solvay USA LLC", it was noted that the facility has not developed a required slug control plan. The City must ensure that IUs required to have such a plan do so. During the site visit to "VLS Baltimore LLC", it was noted that the facility discharges in batches. Because of this, the City must ensure that sampling durations are appropriate for the discharge conditions. Furthermore, all IUs, must be accurately classified and categorized, including "Sherwin-Williams Company", which may be a Categorical Industrial User (CIU) subject to the Paint Formulating Point Source Category (40 CFR Part 446).

E. **Data Management and Public Participation** – A review of the City's data management practices indicates that it has not completed a comprehensive industrial waste survey since 1982. To ensure effective management of the pretreatment program, the City must identify all possible IUs that may fall under the program's purview. For each identified IU, the City must assess and document the character and volume of the IU's discharges, if existing. This information is crucial for verifying compliance with applicable pretreatment standards and requirements, and for maintaining an effective and current pretreatment program.

F. **Program Resources** – The audit highlighted the need for City to allocate an adequate level of staffing towards the implementation of the City's pretreatment program.

EPA requests the City review the corrective actions summarized above and enclosed in the full audit report and provide a proposed action plan within 60 days of receipt of this report. For those items not immediately addressed, please include a planned completion date. EPA recommends completing Attachment 6, Audit Action Items Checklist to fulfill this request. If you have any questions or comments regarding this matter, please contact Aron Possler of my staff at possler.aron@epa.gov or (215) 814-2780.

Sincerely,

Elizabeth Ottinger

Digitally signed by Elizabeth Ottinger
Date: 2024.08.14 15:51:00 -04'00'

Elizabeth Ottinger
Acting Chief
Permits Section

Enclosures

cc: Jonathan Rice
Maryland Department of Environmental Protection

Marjorie Mewbourn
Maryland Department of Environmental Protection

City of Baltimore, Maryland

May 8–9, 2024

POTW Pretreatment Program
Pretreatment Compliance Audit Report

Prepared by
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Contents

Introduction

The U.S. Environmental Protection Agency, Region 3 (EPA) and the Maryland Department of Environment (MDE) conducted an audit of the publicly owned treatment works (POTW) pretreatment program administered by the City of Baltimore, Maryland (City). The pretreatment compliance audit (PCA) began on May 8, 2024, at 9:00 AM, with an opening interview wherein EPA and MDE staff introduced themselves, explained the purposes and objectives of the PCA, reviewed relevant pretreatment files, and interviewed City officials as listed below. The PCA continued on May 9, 2024, with site visits of industrial users "Solvay USA LLC" at 9:21 AM and "VLS Baltimore LLC" at 11:45 AM. The closing conference was held virtually on May 21, 2024, at 3:00 PM, during which EPA presented preliminary findings and observations.

The audit was held at:

Back River Wastewater Treatment Plant
Administration Building
8201 Eastern Avenue
Baltimore, MD 21224

Participants in the audit included in alphabetical order:

EPA

Aron Possler ..... *Region 3 Water Division*
Erin Desandro..... *Region 3 Enforcement Compliance & Assurance Division*
Margaret Green ..... *Office of Water*
Martin Robinson ..... *Office of Water*
Natalie Sanchez-Gonzalez..... *Region 3 Water Division*
Ryan Shuart..... *Region 3 Water Division*

MDE

Jonathan Rice ..... *Chief, Industrial & General Permits Division*
Marjorie Mewbourn ..... *Pretreatment Coordinator*

City of Baltimore, MD

Andrea Buie..... *Chief, Environmental Regulatory Compliance & Safety*
Pat Boyle ..... *Pollution Control Program Administrator / Pretreatment Coordinator*
John Hagens ..... *Pollution Control Analyst*
Ken Stewart..... *Supervisor, Pollution Control Program*
Sepideh Payami..... *Pollution Control Analyst*

Purpose

The primary purpose of the PCA was to assess the City's pretreatment program for compliance with applicable regulatory requirements, including the General Pretreatment Regulations (40 Code of Federal Regulations Part 403) of the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.

The PCA consisted of review and evaluation of the following components of the City's pretreatment program:

- Legal authority
    - Intermunicipal agreements
    - Enforcement response plan
- Application of standards
    - Local limits
- Control mechanism
- Compliance monitoring
    - Industrial user inspection reports
    - Industrial user sampling reports
    - Industrial user self-monitoring reports
- Enforcement
- Data management and public participation
- Program resources
- Various related records

The following sections of the report are organized to reflect the corresponding sections of the Pretreatment Compliance Audit Checklist and Audit Action Items Checklist. Each section highlights the findings, corrective actions, and recommended actions of the PCA.

Pretreatment Program Information

The City owns and operates two treatment works: the Back River Wastewater Treatment Plant and the Patapsco Wastewater Treatment Plant. These POTWs administer the City's pretreatment program, which was approved by MDE on July 1, 2005.

- Back River Wastewater Treatment Plant
    - **NPDES Permit No.**: MD0021555
    - **Facility Address**: 8201 Eastern Avenue, Baltimore, MD 21224
    - **Receiving Stream**: Back River and Baltimore Harbor
    - **Service Area**: Baltimore City and Baltimore County
    - **Significant Industrial Users**: 14
    - **Design Flow**: 180 MGD

- Patapsco Wastewater Treatment Plant
    - **NPDES Permit No.**: MD0021601
    - **Facility Address**: 3501 Asiatic Avenue, Baltimore, MD 21226
    - **Receiving Stream**: Patapsco River
    - **Service Area**: Anne Arundel County, Baltimore City, Baltimore County, and Howard County
    - **Significant Industrial Users**: 7
    - **Design Flow**: 73 MGD

A. Legal Authority

40 CFR 403.8(f)(1): "The POTW shall operate pursuant to legal authority enforceable in Federal, State or local courts, which authorizes or enables the POTW to apply and to enforce the requirements of sections 307 (b) and (c), and 402(b)(8) of the [Clean Water] Act and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by State law."

The City's legal authority, specifically Article 25 of the Baltimore City Code, was assessed for compliance with the General Pretreatment Regulations and for consistency with the EPA Model Pretreatment Ordinance (Model SUO). Whereas the General Pretreatment Regulations establish POTW pretreatment requirements, the Model SUO should be used as only a guide for adopting new or revised provisions of local law to implement and enforce a pretreatment program that fulfills these pretreatment requirements. The Model SUO (EPA 833-B-06-002) is available on EPA's website at:

https://www3.epa.gov/npdes/pubs/pretreatment_model_suo.pdf.

The Legal Authority Review Checklist (Attachment 2) provides the full review of the City's legal authority. The checklist details the required elements of a POTW's pretreatment program legal authority. Recommended and required revisions are as indicated on the checklist in addition to relevant citations and comments. The following table summarizes the findings of the legal authority review and lists corrective or recommended actions based on such findings. Corrective actions are indicated for the findings of "absent" or "inconsistent". Terms or topics are organized in a comparable manner as the legal authority review checklist.

Finding A.1.

No.	Term or Topic	Finding	Corrective or Recommended Action
A. Definitions			
1.	"Act, Clean Water Act"	Absent	**Insert** language of Model SUO § 1.4A.
2.	"Authorized or Duly Authorized Representative of the User"	Inconsistent	**Correct** § 1-3(b)(1)(i)(C): "the manager . . ., provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;".
3.	"Best Management Practices or BMPs"	Absent	**Insert** language of Model SUO § 1.4E.
4.	"Indirect Discharge or Discharge"	Absent	**Insert** language of Model SUO § 1.4M.
5.	"Industrial User (or equivalent"	Inconsistent	**Correct** to "A source of indirect discharge."
6.	"Pretreatment Requirement"	Absent	**Insert** language of Model SUO § 1.4AA
7.	"Publicly Owned Treatment Works"	Inconsistent	**Correct to** "A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant."

8.	"Significant Industrial User"	Inconsistent	**Correct to** reflect the language of Model SUO § 1.4GG and 40 CFR 403.3(v). • **Delete** "work day" under § 1-1(t)(1)(i)(B). Current language inconsistently limits the statutory language of "gpd or more" to "gallons or more per average work day", which is less stringent than the General Pretreatment Regulations. • **Correct** "has a flow" under § 1-1(t)(1)(i)(C) **to** "contributes a process wastestream". Current language of "flow" may suggest inclusion of sanitary, noncontact cooling, and boiler blowdown wastewater in the determination, which is less stringent than the General Pretreatment Regulations. • **Correct** "greater than 5%" under § 1-1(t)(1)(i)(C) **to** "5% or more". Current language inconsistently limits the statutory language of "5% or more" to "greater than 5%", but not including 5%, which is less stringent than the General Pretreatment Regulations.

9.	"Significant Noncompliance"	Inconsistent	**Correct to** reflect the language of Model SUO § 9A–H and 40 CFR 403.8(f)(2)(vii). • **Correct** § 5-5(a)(1): ". . . all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits as defined in § 5-2". • **Correct** § 5-5(a)(2): ". . . the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined by § 5-2 multiplied by . . .". • **Correct** § 5-5(a)(3): "any other violation of a pretreatment standard or requirement as defined by § 5-2 (daily maximum, long-term average, instantaneous limit, or narrative standard".
10.	"Slug Load or Slug Discharges"	Inconsistent	**Correct to** "any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions."
B. National Pretreatment Standards – Prohibited Discharges			
1.	Pollutants discharged at flow rates causing interference	Absent	**Insert** language of Model SUO § 2.1B(4).
2.	Heat in amounts inhibiting biological activity resulting in interference (40 °C or 104 °F at POTW)	Inconsistent	**Insert** "which will inhibit biological activity in the POTW resulting in interference."
3.	Dilution as a substitute for treatment prohibition	Inconsistent	**Correct** § 5-4(c)(2): "Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no user shall increase . . .".

C. Control Discharges to POTW System			
1.	Individual control mechanism to ensure compliance	Inconsistent	**Delete** § 3-1(a)(2). The current language inconsistently limits the requirement for IUs to be issued a control mechanism—only for those IUs discharging after June 28, 1984, which is less stringent than the General Pretreatment Regulations. Pursuant to 40 CFR 403.1(b)(1), these regulations are applicable to "pollutants from non-domestic sources", with no "date in effect" defined.
2.	Statement of nontransferability	Inconsistent	**Correct** § 3-10(b)(1): ". . . without prior written approval of the Director and provision of a copy of the existing control mechanism to the new owner or operator."
3.	Slug discharge requirements	Absent	**Insert** "requirements to control slug discharges, if determined by the POTW to be necessary."
4.	Permit modification	Recommend	**Modify** ". . . may be modified or changed by the City during the life of the permit for good cause, including, but not limited to:". Current language may limit the City's ability to modify or change permits for reasons not listed under § 3-5(d).
5.	Permit revocation / termination	Recommend	**Modify** ". . . may be suspended for good cause, including, but not limited to:". Current language may limit the City's ability to suspend permits for reasons not listed under § 3-11(a)(2).
D. Required Reports			
1.	Baseline monitoring report	Inconsistent, Absent	**Insert** the language of Model SUO § 6.1 and 40 CFR 403.12(b). Specify the requirements of the baseline monitoring report, which include the elements as listed under 40 CFR 403.12(b)(1)–(7).
2.	Compliance schedule progress report	Inconsistent, Absent	**Insert** the language of Model SUO § 6.2 and 40 CFR 40 CFR 403.12(c). Specify the requirements of the compliance schedule progress report.
3.	Report on compliance with categorical pretreatment standard deadline	Inconsistent, Absent	**Insert** the language of Model SUO § 6.3 and 40 CFR 403.12(d). Specify the requirements of the report on compliance with categorical pretreatment standard deadline.

4.	Notification of changes affecting potential for a slug discharge	Absent	**Insert** the language of Model SUO § 6.6D.
5.	Requirement to conduct representative sampling	Absent	**Insert** the language of Model SUO § 6.4E. While this requirement appears in issued control mechanisms, it must be in reference to a respective legal authority.
E. Test Procedures			
1.	Sample collection procedures	Absent	**Insert** the language of Model SUO § 6.11 and 40 CFR 403.12(g)(3)–(4).
F. Remedies for Noncompliance (Enforcement)			
1.	Civil or criminal penalties	Inconsistent	**Correct to** ". . . a civil penalty of not less than $1,000 nor more than that allowed under state law per violation, per day". Pursuant to 40 CFR 40 CFR 403.8(f)(1)(vi)(A), the City must have the minimum legal authority to seek civil or criminal penalties in the amount of at least $1,000 per day per violation.

Finding A.2.

The Streamlining Rule (70 FR 60134), promulgated October 28, 2005, revises several provisions of the General Pretreatment Regulations (40 CFR Part 403). The rule was designed to reduce the overall regulatory burden on both IUs and Control Authorities without adversely affecting environmental protection.

Finding: The City has not adopted any streamlining changes.

Corrective Action: The City must amend its legal authority to reflect, at a minimum, all 10 streamlining changes to the General Pretreatment Regulations that were identified as being more stringent than the provisions in 40 CFR Part 403 prior to the promulgation of the rule. The following table summarizes these required changes, which may have been covered in the full legal authority review. Refer to the following guidance for more information on the Streamlining Rule:

- Fact Sheet 1.0: Pretreatment Streamlining Rule Summary of Changes Made Under the Streamlining Rule (EPA 833-F-06-006)
  - https://www.epa.gov/system/files/documents/2021-07/streamline_factsheet_1.0.pdf
- Fact Sheet 2.0: Pretreatment Streamlining Rule Required Changes (EPA-833-F-06-005)
  - https://www.epa.gov/system/files/documents/2021-07/pretreatment_streamlining_required_changes.pdf

No.	Required Change	40 CFR Part 403 Citation	Fact Sheet 2.0 Citation	Finding
A. Streamlining Revisions				
1.	Slug control requirements must be included in SIU control mechanisms.	403.8(f)(1)(iii)(B)(6)	2.	Not adopted
2.	SIUs must be evaluated for the need for a plan or other action to control slug discharges within a year from the final rule's effective date or from becoming an SIU.	403.8(f)(2)(vi)	3.	Not adopted
3.	SIUs are required to notify the POTW immediately of any changes at its facility affecting the potential for a slug discharge.	403.8(f)(2)(vi)	4.	Not adopted
4.	SNC definition is expanded to include additional types of pretreatment standards and requirements.	403.8(f)(2)(viii)(A), 403.8(f)(2)(viii)(B), 403.8(f)(2)(viii)(C)	5.	Not adopted
5.	SIU reports must include BMP compliance information.	403.12(b), 403.12(e), 403.12(h)	6.	Not adopted
6.	SIU control mechanisms must contain any BMPs required by a pretreatment standard, local limits, state, or local law.	403.8(f)(1)(iii)(B)(3)	7.	Not adopted
7.	Documentation of compliance with BMP requirements must be maintained as part of the SIU's and POTW's recordkeeping requirements.	403.12(o)	8.	Not adopted
8.	Control Authorities which perform sampling for SIUs must perform any required repeat sampling and analysis within 30 days of a violation.	403.12(g)(2)	9.	N/A
9.	Require periodic compliance reports to comply with sampling requirements, require Control Authority to specify the number of grab samples necessary in periodic and non-categorical SIU reports and require non-categorical SIUs to report all monitoring reports.	403.12(g)(3), 403.12(g)(4), 403.12(g)(6)	10.	Not adopted
10.	Non-categorical SIUs are required to provide representative samples in their periodic monitoring reports.	403.12(g)(3)	11.	Not adopted

Finding A.3.

The Streamlining Rule allows for, in limited circumstances, the conditional use of equivalent mass limits in lieu of concentration-based limits to facilitate adoption of water-saving technologies.

Finding: In the control mechanism issued to categorical industrial user (CIU) "Solvay USA LLC", the City converts applicable concentration-based categorical pretreatment standards to equivalent mass limits without the proper legal authority to do so. The categorical standards converted are toxic pollutant standards for indirect discharge point sources under the Organic Chemicals, Plastics, and Synthetic Fibers (40 CFR Part 414) effluent limitation guidelines and standards.

Corrective Action: The City must amend its legal authority to reflect this optional streamlining change to the General Pretreatment Regulations. If the City intends to maintain the equivalent mass limits in the stated control mechanism, or if the City has expressed any other required or optional streamlining changes in issued control mechanisms, it must ensure it has the proper legal authority to do so.

Finding A.4.

40 CFR 403.8(f) requires POTW pretreatment programs to be based on legal authorities and procedures that are at all times fully and effectively exercised and implemented. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by state law.

Finding: The City owns and operates two POTWs within a service area encompassing several municipal jurisdictions. Existing intermunicipal agreements may not fully implement and/or delegate all elements of the City's pretreatment program.

Corrective Action: The City must verify that all interjurisdictional agreements or other similar mechanisms with contributing municipalities fully and effectively implement all the elements of the pretreatment program. For example, the City must ensure that all extrajurisdictional industrial users (IU) discharging to either of the City's POTWs are subject to enforceable pretreatment standards and requirements. The City must also ensure that if any contributing municipality is enforcing elements of the City's pretreatment program, such as local limits, that there is proper and updated delegation of authority in place.

Refer to the following guidance for more information on the intermunicipal agreements:

- Multijurisdictional Pretreatment Programs Guidance Manual (EPA 833-B-94-005)
    - https://www.epa.gov/system/files/documents/2021-07/owm0248.pdf

Finding A.5.

40 CFR 403.12(i) requires POTWs to provide the Approval Authority (MDE) with a report that briefly describes the POTWs' program activities, including activities of all participating agencies, if more than one jurisdiction is involved in the local program.

Finding: The City owns and operates two POTWs within a service area encompassing several municipal jurisdictions. The City may not be including extrajurisdictional SIUs in relevant reports.

Corrective Action: Unless stated otherwise by the City's NPDES permit or, in this case, the pretreatment program delegation agreement, the City must be reporting, as part of its annual report and other applicable submissions, all SIUs discharging to the City's two POTWs. As defined under 40 CFR 403.3(j) and 40 CFR 403.3(i), respectively, industrial users are a source of indirect discharge, which is the introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Clean Water Act. Because the definition of 40 CFR 403.3(q) includes sewers, pipes, and other conveyances, the City, owning such conveyances as part of the POTW, must ensure all SIUs discharging to either POTW, including related conveyances, are considered when submitting reports to MDE.

B. Application of Standards

40 CFR 403.8(f)(1): "The POTW shall operate pursuant to legal authority enforceable in Federal, State or local courts . . . [T]his legal authority shall enable the POTW to: . . . Require compliance with applicable Pretreatment Standards and Requirements by Industrial Users". The National Pretreatment Program consists of three types of national pretreatment standards established by regulation that apply to IUs. These include prohibited discharges, categorical standards, and local limits. Prohibited discharges, comprised of general and specific prohibitions, apply to all IUs regardless of the size or type of operation. Categorical standards apply to specific process wastewater discharges from particular industrial categories. Local limits are site-specific limits developed by the POTW to enforce general and specific prohibitions on IUs.

The City's application of pretreatment standards and requirements in procedures and control mechanisms was assessed for compliance with the General Pretreatment Regulations. The File Review Worksheets (Attachment 4) provide the full review of the pretreatment standards and requirements applied in the control mechanism issued to "Solvay USA LLC".

Finding B.1.

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

Finding: The City has not adopted local limits directly into its legal authority.

Recommended Action: The City should amend its legal authority to incorporate all local limits currently applied in issued control mechanisms. Local limits are enforceable if included in a control mechanism. From a notification standpoint, local limits may be more difficult to enforce if the legal authority does not specifically reference them so that IUs know what is expected of them.

Finding B.2.

40 CFR 403.8(f)(1)(iii)(B)(*3*) requires issued control mechanisms to contain effluent limits, based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law. 40 CFR 403.12(g)(3) requires these effluent limits to be monitored at a frequency necessary to assess and assure compliance with pretreatment standards and requirements. 40 CFR 403.8(f)(1) requires POTWs to operate pursuant to a legal authority enforceable in federal, state, or local courts.

Finding: The City does not consistently apply all applicable effluent limits in issued control mechanisms.

Corrective Action: The City must amend and reissue, where necessary, any control mechanisms issued to SIUs where not all local limits adopted by the City are applied. Unless otherwise stated by a POTW's legal authority, a POTW must apply *all* local limits as applicable in *all* control mechanisms issued to SIUs.

- If reasonable potential exists for the SIU to be in noncompliance with the applicable local limit, the POTW must require a frequency of self-monitoring of at least 2x/year as necessary to assess and assure compliance, consistent with 40 CFR 403.12(h).
- If the POTW finds there to be *no* reasonable potential for the SIU to be noncompliant with an applicable local limit, the frequency of self-monitoring for this local limit may be decreased to zero upon the POTW's discretion.

The permit writer must include applicable local limits established by the POTW's legal authority even if the SIU is not required to monitor for all the pollutants with local limits. Doing so ensures that the SIU is aware of all applicable discharge requirements.

Finding B.3.

40 CFR 403.8(f)(4) requires POTWs to develop and enforce specific limits on prohibited discharges, such as causing pass through or interference, or demonstrate that the limits are not necessary. 40 CFR 403.5(c)(1) requires POTWs to continue to develop and revise local limits as necessary.

Finding: In the most recent local limits reevaluation, conducted in December 2015, the City based calculations on outdated water quality standard values and sewage sludge standards.

Corrective Action: The City must ensure, when next reevaluating its local limits, that all

environmental criteria are suitable and valid for basis on respective allowable headworks loading calculations. Refer to Table 5-2 of the Local Limits Development Guidance (EPA 833-R-04-002A) for the suggested criteria or standards to be considered for each pollutant of concern in the development of allowable headworks loadings:

https://www3.epa.gov/npdes/pubs/final_local_limits_guidance.pdf

The submitted local limits reevaluation workbooks, both dated May 25, 2017, indicate a revision date of "January 8, 2003".

- **Water Quality Standards**: According to the administrative history of the Maryland Code of Regulations, Chapter 26.08.02.03-2G, which concerns water quality standards, was successively amended since the last revision date of the local limits reevaluation workbook: on July 19, 2004 (31:14 Md. R. 1080), November 29, 2010 (37:24 Md. R. 1660), April 28, 2014 (41:8 Md. R. 474), and October 31, 2022 (49:22 Md. R. 980). Since the local limits reevaluation workbook utilized by the City was last revised, as indicated, several water quality standard values have been made more stringent. This may suggest more stringent local limits values than those that have been calculated in the past. Refer to the state standards in effect for Clean Water Act purposes: https://www.epa.gov/wqs-tech/water-quality-standards-regulations-maryland
- **Sewage Sludge Standards**: Effective May 26, 2014, Maryland's Sewage Sludge Management Regulations incorporated elements of EPA's regulations relating to federal standards for the treatment and land application of sewage sludge (40 CFR Part 503). Since the local limits reevaluation workbook utilized by the City was last revised, several sewage sludge standard values have been made more stringent or less stringent. This may suggest more stringent or less stringent local limits values than those that have been calculated in the past. Refer to Maryland Code of Regulations 26.04.06.05 and 40 CFR Part 503 for the most stringent concentration value of the respective sewage sludge standards. EPA recommends that POTWs consider the attainment of EPA "clean sludge" standards. These are spelled out in Table 3 of 40 CFR 503.13 and provide the broadest choice of beneficial use options for sludge disposal. Further, achievement of these standards is consistent with the objectives of the National Pretreatment Program, which are listed at 40 CFR 403.2.

Recommended Action: Because of the findings associated with the City's procedures on local limits reevaluation, it may be necessary for the City to revise its local limits. Based on available documentation, the local limits values appear (aside from the addition of a local limit for total petroleum hydrocarbons in 1994) to be those that were adopted several decades ago, in 1989. EPA Region 3 recommends that local limits be reevaluated one year after each reissuance of an NPDES permit. If the reevaluation suggests a local limit that is more stringent than the existing value, adoption of the technically based, calculated value is recommended. Refer to Exhibit 7-2 of the Local Limits Development Guidance (EPA 833-R-04-002A) for scenarios recommending the reevaluation of local limits, such as "Have the State water quality standards changed . . . ?".

C. Control Mechanism

40 CFR 403.8(f)(1): "The POTW shall operate pursuant to legal authority enforceable in Federal, State or local courts . . . [T]his legal authority shall enable the POTW to: . . . [c]ontrol through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements."

The most recent control mechanism, or, in this case, the waste water discharge permit, issued to "Solvay USA LLC" was assessed for compliance with the General Pretreatment Regulations and for consistency with the Industrial User Permitting Guidance Manual (EPA 833-R-12-001A) sample permit fact sheet and industrial user permit. Whereas the General Pretreatment Regulations establish POTW pretreatment requirements, the sample permit fact sheet and industrial user permit should be used as only a guide for developing control mechanisms in the permitting process. This guidance manual is available on EPA's website at:

https://www.epa.gov/sites/default/files/2015-10/documents/industrial_user_permitting_manual_full.pdf

The Control Mechanism Review Checklist (Attachment 3) provides the full review of the permit issued to "Solvay USA LLC". The checklist details the required elements of a control mechanism. Recommended and required revisions are indicated on the checklist in addition to relevant citations and comments. The following table summarizes the findings of the control mechanism review and lists corrective or recommended actions based on such findings. Corrective actions are indicated for the findings of "absent" or "inconsistent". Provisions are organized in a comparable manner as the control mechanism review checklist. All other permits were similarly assessed for compliance and consistency, but not to the same extent as the permit issued to "Solvay USA LLC".

Finding C.1.

No.	Provision	Finding	Corrective Action
A. Control Mechanism			
1.	Statement of appeal rights	Inconsistent	**Correct** "20 days" **to** "15 days". Current language is inconsistent with § 3-9(b)(1) of the City's legal authority.
2.	Statement of nontransferability without prior notification or approval	Absent	**Insert** a requirement to provide a copy of the existing control mechanism to the new owner or operator.
3.	Local limits	Absent	**Insert** all applicable local limits.
4.	Categorical standards	Recommend	**Modify** "ANTHTRACENE" **to** "ANTHRACENE".
5.	Bypass	Absent	**Insert** the language of § 8-4 of the City's legal authority, referencing 40 CFR § 403.17.

6.	Statement of applicable civil or criminal penalties	Inconsistent	**Correct to** ". . . penalties or fines of a minimum of $1,000 per violation per day".
7.	Notification of change affecting the potential for a slug discharge	Absent	**Insert** the language of Model SUO § 6.6D.
8.	Discharge of hazardous waste notification	Absent	**Insert** the language of Subtitle 6 of the City's legal authority, referencing 40 CFR 403.12(p).

The File Review Worksheets (Attachment 4) provide the full review of the pretreatment standards and requirements applied in the control mechanism issued most recently to "Solvay USA LLC".

Finding C.2.

40 CFR 403.8(f)(1)(iii)(B)(*1*) requires POTWs to issue control mechanisms that contain a statement of duration in no case more than five years.

Finding: The City includes a clause in issued permits allowing for the continuation of the terms and conditions of the permit based on stated application requirements.

Corrective Action: The City must ensure that any permits are not "automatically continued" past the statutory duration limit of five years.

Finding C.3.

40 CFR 403.8(f)(1)(iii)(B)(*1*) requires POTWs to issue control mechanisms that contain a statement of duration in no case more than five years.

Finding: The permit issued to "Emergent BioSolutions, Inc. – Camden Campus" has a duration of five years and seven months.

Corrective Action: The City must reduce the duration of the permit issued to "Emergent BioSolutions, Inc. – Camden Campus" and ensure that any other permits are not issued with a duration greater than five years.

Finding C.4.

40 CFR 403.8(f)(1)(iii)(B)(*4*) requires POTWs to issue control mechanisms containing sample types based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law.

Finding: Sample types are not indicated for several applied local limits, such as for mercury and

for silver, in issued permits.

Corrective Action: The City must list, notably for all applied local limits, sample types in issued permits regardless of sampling frequency.

D. Compliance Monitoring

40 CFR 403.8(f)(1): "The POTW shall operate pursuant to legal authority enforceable in Federal, State or local courts . . . [T]his legal authority shall enable the POTW to: . . . [c]arry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Pretreatment Standards and Requirements by Industrial Users."

The City's compliance monitoring activities and procedures were assessed for compliance with the General Pretreatment Regulations. The Sampling Worksheet of the File Review Worksheets (Attachment 4) provides the full review of recent compliance monitoring activities conducted involving "Solvay USA LLC". The permits issued to "Aalberts Surface Treatment Corp.", "Cintas Corporation", "Darling Ingredients, Inc.", and "Sherwin-Williams Company" were similarly assessed for compliance and consistency.

Finding D.1.

40 CFR 403.8(f)(2)(vi) requires POTWs to evaluate whether each SIU needs a plan or other action to control slug discharges. If the POTW decides that a slug control plan is needed, the minimum required elements of the plan are listed under the referenced section.

Finding: "Solvay USA LLC", while required by the City to do so, does not maintain a slug control plan.

Corrective Action: The City must, if deciding "Solvay USA LLC" needs a slug control plan, differentiate between a slug control plan as described under 40 CFR 403.8(f)(2)(vi) versus a spill prevention, control, and countermeasure (SPCC) plan as defined under 40 CFR Part 112, which is unrelated to the National Pretreatment Program. On the most recent inspection report of "Solvay USA LLC", dated March 27, 2024, the City indicates a "Slug/Spill Plan available on site"; however, only a SPCC plan was provided which did not incorporate the required elements of a slug control plan. The City must ensure that, when deciding a slug control plan is necessary for a SIU, the SIU develop such a plan, similar in scope to the one developed by "VLS Baltimore LLC". "Solvay USA LLC" can also incorporate the required elements in 40 CFR 403.8(f)(2)(vi) into its SPCC plan.

Finding D.2.

40 CFR 403.8(f)(1)(iii)(B)(*4*) requires POTWs to issue control mechanisms that contain sampling frequency and sample types based on applicable general pretreatment standards, categorical

pretreatment standards, local limits, and state and local law. 40 CFR 403.12(g)(3) requires monitoring reports submitted by IUs to be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are representative of conditions occurring during the reporting period.

Finding: The City requires “VLS Baltimore LLC” to conduct 24-hour composite sampling. but the IU discharges in batches of a duration less than 24 hours.

Recommended Action: The City should modify and reissue the permit issued to “VLS Baltimore LLC” to require sampling that accurately represents the IU’s discharge duration. Additionally, the City should gear the sampling frequency to the frequency of batch discharges, and where no discharge may occur during a quarter (or other specified duration), allow for the SIU to submit a report indicating no sampling done due to no measurable discharge.

Finding D.3.

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

Finding: The “Sherwin-Williams Company” may not be correctly classified as a CIU. The “Sherwin-Williams Company”, on the most recent waste water discharge permit application, dated July 24, 2023, indicates "solvents" under "characteristics of discharge". The City, on the most recent inspection report of the “Sherwin-Williams Company”, dated April 1, 2024, indicates the production of alkyd paints by the SIU.

Corrective Action: Should the “Sherwin-Williams Company” produce oil-based alkyd paint and generate process wastewater from the washing of production tanks using solvents, the City must categorize this SIU as a CIU under 40 CFR Part 446. The Paint Formulating Point Source Category (40 CFR Part 446) applies to discharges resulting from the production of oil-based paint where tank cleaning is performed using solvents. This point source category contains a pretreatment standard for new sources: "There shall be no discharge of process water pollutants to a publicly owned treatment works". If the City determines this SIU to be categorized under 40 CFR Part 446, then the City must modify and reissue the control mechanism to the “Sherwin-Williams Company” to include this categorical pretreatment standard and any other pretreatment standards and requirements applicable to CIUs.

E. Data Management and Public Participation

40 CFR 403.8(f)(2): “The POTW shall develop and implement procedures to ensure compliance with the requirements of a Pretreatment Program.”

The City’s data management and public participation activities and procedures were assessed for compliance with the General Pretreatment Regulations.

Finding E.1.

40 CFR 403.8(f)(2)(i) requires POTWs to identify and locate all possible IUs which might be subject to the pretreatment program. 40 CFR 403.8(f)(2)(ii) requires POTWs to identify the character and volume of pollutants contributed to the POTW by IUs identified and located.

Finding: The City may not be identifying all potential industrial users which might be subject to the City's pretreatment program. The City reported that 1982 was the last time a full and independent industrial waste survey was conducted.

Corrective Action: The City must update its index of possible IUs which might be subject to its pretreatment program and ensure that its procedures and data sources allow for accurate characterization of all IUs under the definition of significant industrial user. Identification of the character and volume of pollutants contributed to the POTWs by IUs is necessary to evaluate whether identified IUs are subject to the pretreatment program. Doing so ensures compliance with the requirements of a pretreatment program. Because the character and volume of discharge from an IU may change from time to time, continual identification of new or changed sources of indirect discharges which might be subject to the pretreatment program is necessary.

F. Program Resources

40 CFR 403.8(f)(3): "The POTW shall have sufficient resources and qualified personnel to carry out the authorities and procedures [of the POTW pretreatment program]".

The City's program resources, including funding and staffing, were assessed for adequacy.

Finding F.1.

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

Finding: Current staffing levels and/or delegation of responsibilities are insufficient to meet operational demands of the City's pretreatment program.

Recommended Action: The City should pursue further allocation of dedicated staffing towards the implementation of the pretreatment program. Table 7.2 of the Guidance Manual for POTW Pretreatment Program Development (1983), states that for programs covering POTWs with a combined flow range of 100 MGD [or more], the recommended range of personnel requirements for implementation of a pretreatment program should be more than 15 individuals, but fewer than 50. Refer to § 7.2.1 of the referenced guidance manual for further information. Please note, individual program personnel requirements may vary significantly from the ranges illustrated in the referenced guidance manual and may not entirely reflect present day conditions due to the age of the document. This guidance manual is available on

EPA's website at:

https://www3.epa.gov/npdes/pubs/owm0003.pdf

Attachment 1: PRETREATMENT COMPLIANCE AUDIT CHECKLIST

Audit Date(s)	Control Authority Name
May 8–9, 2024	City of Baltimore, Maryland

Contact Name	Title	Telephone
Pat Boyle	Pollution Control Program Administrator	(410) 396-9695
Address	8201 Eastern Avenue Baltimore, MD 21224	
Email Address	pat.boyle@baltimorecity.gov	

	Yes	No
Should this be the person on the mailing list?		X

Participants				
Name		Title	Organization	Telephone
1	Aron Possler	Life Scientist	EPA Region 3	(215) 814-2780
2	Erin Desandro	Life Scientist	EPA Region 3	(215) 814-2125
3	Margaret Green	Environmental Engineer	EPA Office of Water	(202) 564-7011
4	Martin Robinson	Biologist	EPA Office of Water	(202) 564-3029
5	Ryan Shuart	Life Scientist	EPA Region 3	(215) 814-2714
6	Natalie Sanchez-Gonzalez	Life Scientist	EPA Region 3	(215) 814-2078

7	Jonathan Rice	Chief, Industrial & General Permits Division	MDE	(410) 537-3859
8	Marjorie Mewbourn	Pretreatment Coordinator	MDE	(410) 537-3651
9	Andrea Buie	Chief, Environmental Regulatory Compliance & Safety	Baltimore City	N/A
10	Pat Boyle	Pollution Control Program Administrator / Pretreatment Coordinator	Baltimore City	(410) 396-9695
11	John Hagens	Pollution Control Analyst	Baltimore City	(410) 396-9695
12	Ken Stewart	Supervisor, Pollution Control Program	Baltimore City	N/A
13	Sepideh Payami	Pollution Control Analyst	Baltimore City	(410) 396-9695

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

SECTION I: GENERAL INFORMATION			
A. Background - Complete prior to onsite activity			
1	Date of last annual report:	January 2024	
	List unresolved issues.	• N/A	
2	Date of last field audit:	5/17/2023–6/1/2023	
	List unresolved issues.	• Modifications required by the 2005 Streamlining Rule are unconfirmed. This is supported by the legal authority review done by MDE.	
3	List any other outstanding issues.	• N/A	
4	Number of treatment plants (verify during onsite activity):		2

NPDES Number	Issuance Date	Expiration Date
MD0021555 (Back River)	4/11/2018	4/30/2023
MD0021601 (Patapsco)	8/23/2017	9/30/2022

6	a. Compliance with NPDES limits	
	Year	NPDES Effluent Violations
	2023 Back River	Total Phosphorus[1]
	2023 Patapsco	No numeric violations[2]
	2022 Back River	BOD_5, pH, Total Phosphorus, TSS
	2022 Patapsco	Ammonia Nitrogen, BOD_5, *Enterococci*, Total Nitrogen, Total Phosphorus, TSS
	2021 Back River	BOD_5, Chronic Toxicity, *E. coli*, Nitrogen Ammonia, Total Nitrogen, Total Phosphorus, TSS,
	2021 Patapsco	Ammonia Nitrogen, BOD_5, DO, *Enterococci*, Total Nitrogen, Total Phosphorus, TSS
	2020 Back River	Total Nitrogen, Total Phosphorus, TSS
	2020 Patapsco	*Enterococci*, Total Nitrogen, Total Phosphorus, TSS
	2019 Back River	BOD_5, *E. coli*, Total Nitrogen, Total Phosphorus
	2019 Patapsco	*Enterococci*, Total Phosphorus

[1] Baltimore City reports one (1) monthly average violation of the NPDES permit limit for Total Phosphorus at the Back River WWTP.

[2] Baltimore City reports no numeric violations of any NPDES permit limit at the Patapsco WWTP.

b. Compliance with sludge limits

Year	Sludge Issues
2023 Back River	N/A[3]
2023 Patapsco	N/A[3]
2022 Back River	N/A[3]
2022 Patapsco	N/A[3]
2021 Back River	N/A[3]
2021 Patapsco	N/A[3]
2020 Back River	N/A[3]
2020 Patapsco	N/A[3]
2019 Back River	N/A[3]
2019 Patapsco	N/A[3]

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

Parameter violated	Date(s)	Reported Cause(s)
Total Phosphorus	4/2023	Rainfall

		Yes	No	
8	Does the permit(s) require pretreatment implementation?	X		
9	Does the permit(s) have a schedule for pretreatment program implementation/modification?		X	

[3] Baltimore City reports no issues or violations associated with sludges or biosolids "in the past few years". Land application is privatized.

Activity		Milestone Date	Completion Date
Submit list of pollutants and sampling plan			
Submit local limits reevaluation			
Submit response to comments on reevaluation			
Adopt local limits			
10	List any pending program modifications and current status (verify during onsite activity).	N/A	

SECTION II: LEGAL AUTHORITY

A. Background - Complete prior to onsite activity

1 List all municipalities served by the POTW and applicable legal authorities (verify during onsite activity).

POTW	Municipality Name	Ordinance Date	Agreement Date	Any IUs? (X all that apply)		
				SIUs	IUs	None
Back River (MD0021555)	Baltimore City	1984, rev. 1991, rev. 2000, rev. 2022	5/2/1986, rev. 12/1992, rev. 3/1994, rev. 3/18/2002	X	X	
	Baltimore County	8/1985, rev. 7/1/1996, rev. 7/1/2004, rev. 4/19/2019, rev. 5/3/2021	2/24/1986, rev. 11/4/1992, rev. 7/8/1993, rev. 7/23/2001	X	X	
Patapsco (MD0021601)	Anne Arundel County	1985	2001	X	X	
	Baltimore City	1984, rev. 1991, rev. 2000, rev. 2022	5/2/1986, rev. 12/1992, rev. 3/1994, rev. 3/18/2002	X	X	
	Baltimore County	8/1985, rev. 7/1/1996, rev. 7/1/2004, rev. 4/19/2019, rev. 5/3/2021	2/24/1986, rev. 11/4/1992, rev. 7/8/1993, rev. 7/23/2001	X	X	
	Howard County	1994	7/9/2001	X	X	

2	Was a complete legal authority review previously conducted?	Yes	No	Date	Reviewer
		X		6/1/2023	Marjorie Mewbourn
	Describe any inadequacies not yet corrected.	Modifications required by the 2005 Streamlining Rule			

3	Has the POTW submitted legal authority revisions based on the streamlining amendments?		Yes	No
				X
	If no, attach ordinance review. If yes, list status.	Modifications required by the 2005 Streamlining Rule are absent from the governing legal authority.		
4	Does the POTW's ordinance provide for variances and/or special agreements?		Yes	No
				X
	If yes, does it:	Yes	No	N/A
	specifically prohibit changes to both categorical standards and other federal pretreatment requirements (e.g., reporting)?			X
	establish a cap based on the current MAIL for revised local limits?			X
	require that the revised limit or requirement be granted in writing?			X

B. Current				
1	Update POTW's progress on correcting deficiencies, including streamlining.	Modifications required by the 2005 Streamlining Rule are absent from the governing legal authority.		
2	Does the POTW intend to adopt any additional optional streamlining provisions?	No.		
3	When did the POTW last review its ordinance to ensure that it is consistent with the POTW's current program implementation?	There have been no major program modifications impacting current program implementation.		
4	Do any outside agencies implement all or part of the pretreatment program within the POTW's service area?		Yes	No
			X	
	If yes, list agency and part of program implemented.	The contributing municipalities of Anne Arundel County, Baltimore County, and Howard County.		
	If yes, how does the POTW ensure the adequacy of implementation in these areas?	Regular calls and emails with these contributing municipalities.		

SECTION III: APPLICATION OF STANDARDS				
A. Background - Complete prior to onsite activity				
1	Has the POTW stated in any annual reports in the last five years that problems (e.g., inhibition/upset, pass through, sludge contamination, corrosion, toxic fumes, etc.) have been caused by IU discharges?	Yes	No	
			X	
	If yes, describe the incident and actions taken.			

2	a. Date of last local limits submission:	6/8/2017			
	b. Date of approval:	N/A			
	c. If not approved, list status:	Maintained existing values.			
3	Are the approved local limits allocated in the submission or left to be allocated in the permits?	Local limits have been adopted in the form of uniform concentrations.			
4	Does the POTW have any BMPs approved as part of its local limits?	Yes	No		
			X		
	If yes, describe.				
5	Did the POTW include loadings from waste haulers in its local limit development?	Yes	No	N/A	
			X		
6	Has the POTW received approval for removal credits?	Yes	No		
			X		
	If yes, for what pollutants.				
7	Has the POTW revised or proposed to revise its approved program to establish the classification of nonsignificant categorical industrial users?	Yes	No		
			X		
	If yes, list current status of approval.				
8	Has the POTW revised or proposed to revise its approved program to establish the classification of middle tier categorical industrial users?	Yes	No		
			X		
	If yes, list current status of approval.				
9	Has the POTW revised or proposed to revise its approved program to provide for equivalent mass limits <u>in place of</u> concentration based categorical standards?	Yes	No		
			X		
	If yes, list current status of approval.				
10	Has the POTW revised or proposed to revise its approved program to provide for equivalent concentration limits <u>in place of</u> mass based categorical standards?	Yes	No		
			X		
	If yes, list current status of approval.				
11	List all CIUs subject to production-based standards (with category):	N/A			
12	List all CIUs for which concentration-based limits were applied <u>in place of</u> mass-based standards:	N/A			

13	List all CIUs for which mass-based limits were applied in place of concentration-based standards:	N/A			
14	List all CIUs for which a pollutants not present waiver has been granted:	N/A			
15	Does the approved program include procedures for acceptance of hauled waste?		Yes	No	
			X		
	If yes, describe.	"Scavenger Vehicle Permitting & Notification Process (WWF-PCS-0017)" SOP			

B. Industrial User Characterization				
1	When was the last full IWS completed?	1982		
2	How does the POTW locate new IUs?	1. Outreach by the proposed discharger 2. Baltimore Development Corporation 3. Outreach by the City 4. Media attention		
3	How does the POTW investigate changes at existing IUs (e.g.,non-SIU to SIU, NSIU to CIU)?	1. Permit requires IU to notify the City of significant changes that may prompt a meeting with the City 2. Updates on baseline monitoring reports 3. On-site visits, such as inspections		
4	How are changes discovered in contributing jurisdictions?	Each contributing municipality/jurisdiction maintains an independent MDE-approved pretreatment program.		
5	Does the POTW maintain a list of non-SIUs?	Yes	No	Update freq.
		X		Continuously

C. Local Limits				
1	Is the POTW aware of instances of pass through, treatment plant inhibition/upset, sludge contamination, or other problems (excessive corrosion, toxic fumes, sewer blockages, etc.) during the past year, including problems caused by conventional wastes?	Yes	No	
			X	
	If yes, describe incident and actions taken.			
2	Is the POTW aware of any instances where workers have experienced industrial waste-related injuries or illnesses?	Yes	No	
			X	
	If yes, describe.			

3	If the POTW allocates local limits through the permits, do they have a mechanism to track the allocations?	Yes	No	N/A
				X
	If yes, describe.			
4	Has the POTW encountered any problems implementing applicable BMPs?	Yes	No	N/A
			X	
	If yes, describe.			
D. Standards and Requirements for IUs				
1	Does the POTW report any questions/problems in the categorization of IUs?	Yes	No	
			X	
	If yes, describe.			
2	List all IUs where the combined wastestream formula was applied.	Solvay USA LLC		
3	Does the POTW have a list of new source dates for all categorical industries?	Yes	No	
		X		
4	Has the POTW made a specific evaluation of process construction dates in relation to the new source date of any applicable categorical standards?	Yes	No	N/A
				X
5	List all IUs currently regulated under Pretreatment Standards for New Sources.	Clendenin Brothers, Inc.; Turnbull, LLC		
6	If present[4], does the POTW regulate CIUs for which a no discharge standard exists?	No.		
7	Has the POTW applied equivalent concentration limits to any users subject to mass-based standards in place of mass limits, other than those listed in Section A.12?	Yes	No	N/A
				X
	If yes, describe.			
8	Has the POTW applied equivalent mass limits to any users subject to concentration-based standards in place of concentration limits, other than those listed in Section A.13?	Yes	No	N/A
				X
	If yes, describe.			

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

9	Has the POTW granted any net/gross variances?	Yes	No	
			X	
	If yes, describe.			

E. Hauled Wastes				
1	Does the POTW accept wastes by truck, rail or dedicated pipe (If no, go to Section V)	Yes	No	
		X		
	What types of waste are accepted?	Septage, grease control device pump-outs, and on a case-by-case basis so long as the discharge meets local limits.		
2	Are any hauled wastes hazardous?	Yes	No	
			X	
	If no, how does the POTW confirm this?	Pre-screening with provided description and analysis, manifests.		
3	Has the POTW designated a specific discharge point(s) for the waste (403.5(b)(8))?	Yes	No	
		X		
	If yes, where?	Septage receiving station at the Back River WWTP.		
4	Does the POTW have a control mechanism for regulating the waste (403.8(f)(1)(iii))?	Yes	No	
		X		
	If yes, describe the mechanism and to whom it is issued.	Scavenger vehicle permitting application issued to entity owner for each vehicle.		
5	Does the control mechanism include all applicable categorical and local standards (403.8(f)(2)(iii))?	Yes	No	N/A
				X
6	Does the POTW sample/require sampling of hauled waste?	Yes	No	
		X		
	If yes, describe the sampling program.	Sampling required only for anomalous waste loads on a case-by-case basis.		

SECTION IV: CONTROL MECHANISM

A. Background - Complete prior to onsite activity

		SNIUs	CIUs	MTCIUs	NSCIUs	Other	Total
1	Provide the # of IUs based on the most recent file information:	8	11	0	0	2	21

2	a. List all SIUs without control mechanisms or with expired control mechanisms (and the date of expiration).	N/A					
	b. Identify which of these users have administratively extended control mechanisms.	N/A					
3	According to the approved program, what type of control mechanism was intended to be used to regulate industrial discharges?	Permits					
4	What industries does the approved program indicate will be regulated through this control mechanism?	All					
5	What is the maximum control mechanism duration indicated in the approved program?	Five years					
6	Has the POTW revised or proposed to revise its approved program to allow for general control mechanisms?	Yes	No				
			X				
	If yes, list current status of approval.						
7	Does the annual report indicate that any users are covered by a general control mechanism?	Yes	No				
			X				
	If yes, list the users that are covered by each general control mechanism.						

B. Control Mechanism							
1	Give the current # of IUs:	SNIUs	CIUs	MTCIUs	NSCIUs	Other	Total
		8	11	0	0	2	21
2	Have all expired SIU control mechanisms been re-issued?	Yes	No	N/A			
		X					
	If no, explain.	Letters informing them that their permit is expiring					
3	What type of control mechanism is currently being used?	Permits					
4	Has the POTW issued any general control mechanisms other than those listed in Section A.7?	Yes	No				
			X				
	If yes, list the users that are covered by each additional general control mechanism.						

SECTION V: COMPLIANCE MONITORING

A. Background - Complete prior to onsite activity

1	As required by the approved program, list the frequency for:	SNIU	CIU	MTCIU	NSCIU
	POTW sampling of IUs	1x/yr	1x/yr	N/A	N/A
	POTW inspection of IUs	1x/yr	1x/yr	N/A	N/A
	IU self-monitoring	2–4x/yr	2–4x/yr	N/A	N/A
	IU reporting	2–4x/yr	2–4x/yr	N/A	N/A
2	In the last year, indicate frequency of:	SNIU	CIU	MTCIU	NSCIU
	POTW sampling of IUs	1x/yr	1x/yr	N/A	N/A
	POTW inspection of IUs	1x/yr	1x/yr	N/A	N/A
	IU self-monitoring	min. 2x/yr	min. 2x/yr	N/A	N/A
	IU reporting	min. 2x/yr	min. 2x/yr	N/A	N/A
	If less than required by the approved program or less than 1/yr (403.8(f)(2)(v)), explain.				
3	List all SIUs that were found to have been not sampled or not inspected in the last annual report.				

Name of IU	NS/NI/B[5]	Reason
N/A		

4	Has the POTW revised or proposed to revise its approved program to provide for waivers for pollutants not present?	Yes	No	
			X	
	If yes, list current status of approval.			
5	Has the POTW granted any monitoring waivers for pollutants not present?	Yes	No	
			X	
	If yes, list the user and the pollutants for which the waiver was granted.			

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

B. POTW Sampling and Inspection				
1	Update status of users listed in the table in A.3:			
Name of IU		NS/NI/B	Date planned/completed	
N/A				
2	Does the POTW conduct all of the sampling for any of its users?	Yes	No	
			X	
	If yes, does the POTW re-sample within 30 days of discovering a violation?	Yes	No	N/A
				X
3	Does the POTW monitor for all categorical pollutants at least once per year?	Yes	No	
		X		
	If no, why not?			
	Does the POTW monitor for all local limit pollutants at least once per year?	Yes	No	
			X	
	If no, how does the POTW determine which pollutants to sample?	The City samples for those pollutants limited in the permit issued to the IU.		
4	For users with a monitoring waiver for pollutants not present, how often does the POTW monitor for the waived pollutants?	N/A		
5	Does the POTW have written standard operating procedures for sampling industrial users?	Yes	No	
		X		
6	Does the POTW collect its own samples, or are they collected by a contractor?	The City collects its own samples.		
7	Are pH, oil & grease, cyanide, volatile organics, total phenol, sulfide, and hexavalent chromium collected by grab sample?	Yes	No	N/A
		X		
8	When collecting grab samples, how many grab samples are used?	1–4 samples over 24 hours		
	Has the POTW documented the reasons for the number of grab samples used for each IU?	EPA memorandum, *The Use of Grab Samples to Detect Violations of Pretreatment Standards* (1992)		

9	Are composite samples used for all other pollutants to evaluate compliance with:	Yes	No	N/A
	Categorical standards?	X		
	Local limits?	X		
	Is any unannounced sampling conducted?	X		
10	Is POTW prepared to take samples on short notice (i.e., vehicles, personnel, preservatives, etc. available)?	X		
11	How much time normally elapses between sample collection and obtaining analytical results?	2–3 weeks		
12	Has the POTW evaluated all of its users for the need for a slug control plan?	Yes	No	
		X		
13	Has the POTW documented and maintained the documentation of the slug control evaluations?	Yes	No	N/A
		X		
14	What factors does the POTW consider in determining whether a user is required to develop a slug/spill control plan?	Quantities, types, potential for discharge, potential damage to sewer system or wastewater treatment plants, potential harm to workers, impact on public health, impact on environment, if existing measures to contain stored materials are adequate.		
15	Do the POTW's annual inspections include an evaluation of facility changes that might impact the need for a slug control plan?	Yes	No	
		X		
16	Does the POTW have procedures (e.g., identify waste, response personnel, identify key manholes, etc.) and equipment to investigate causes and sources of unknown slugs/spills to the POTW (including collection system)?	Yes	No	
		X		
	If yes, describe.	"Sanitary Sewer and Storm Drain Discharge Investigations (ES-PCS-0001)" SOP		

C. IU Self-Monitoring and Reporting		
1	When are user self-monitoring reports due (e.g., 30 days after the monitoring period)?	28 days after the end of each standard quarter
2	How does the POTW verify that IUs report all sample results if they sample more frequently than required?	The permit issued to the IU requires that all samples collected using methods listed at 40 CFR 136 be reported to the City.

3	Do any IUs discharge hazardous waste?	Yes	No	
			X	
	If no, how does POTW verify this?	The City reviews manifests during annual inspections.		
	If yes, has the IU submitted the proper notifications (403.12(p))?	Yes	No	N/A
				X
4	Does the POTW have procedures to monitor and control IUs when they close?	Yes	No	
		X		
	If yes, describe.	The City conducts closing verification inspections.		

SECTION VI: ENFORCEMENT			
A. Background - Complete prior to onsite activity			
1	Has the POTW revised its approved ERP based on the new SNC definition?	Yes	No	N/A
		X		
	If yes, does it include all of the changes or only the required changes?	The City has revised its approved ERP to include all of the changes.		
2	Based on the most recent file data, list the SIUs in SNC (indicate period).			

Name of IU	1st quarter of SNC	SNC parameters	Describe enforcement taken with date	Scheduled compliance date
Clean Harbors of Baltimore, Inc.		Pretreatment Standards	NOV, Penalty	In Compliance
Dietz & Watson Corporation	X	Failure to sample, Pretreatment Standards	NOV, Penalty	Pending
Solvay USA LLC	X	Pretreatment Standards	NOV, Penalty	In Compliance
The Sherwin-Williams Company		Pretreatment Standards	NOV, Penalty, Additional Monitoring	In Compliance
VLS Baltimore LLC		Pretreatment Standards	NOV, Penalty	In Compliance

B. Enforcement				
1	When the POTW receives IU self-monitoring reports, how does it evaluate user compliance, including limits, completeness and timeliness of reports, and submission of resampling data?	The Pretreatment Compliance Supervisor reviews IU self-monitoring reports to assess completeness. The data is then entered into a compliance monitoring and enforcement software program (LINKO). The program evaluates the entered data for noncompliance.		
	When does this evaluation occur?	Evaluation occurs prior to the MDE-established reporting deadlines of February 15, August 15, and November 15 of each year.		
2	How often does the POTW evaluate for SNC?	SNC is evaluated on a rolling quarter basis.		
3	Does the POTW document its SNC evaluation?	Yes.		
	For what period was the last evaluation completed?	The last evaluation was complete during the last six months of 2023.		
4	Is the POTW using the new SNC definition? If yes, describe which parts of the new definition are used.	Yes. As previously reported, the City has revised its approved ERP to include all of the changes to the definition of SNC. (On further review of the City's legal authority, it was determined that the City has not adopted into its legal authority any of the required streamlining revisions, which includes a revised definition of SNC.)		
5	Have there been instances where the POTW found the responses in its ERP to be inappropriate?	Yes	No	N/A
			X	
	If yes, explain.			
6	Has POTW taken enforcement against all instances of pass through/interference in the last year?	Yes	No	N/A
				X
	If no, why?			
	If yes, describe.			

7	Update based on most recent SNC period (identify period).

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

SECTION VII: DATA MANAGEMENT AND PUBLIC PARTICIPATION				
A. Data Management				
1	Are all records maintained for at least 3 years?	Yes	No	
		X		
2	How does the POTW keep up-to-date on regulations and technical guidance for the pretreatment program?	The City regularly attends workshops and webinars hosted by EPA and MDE. The City subscribes to communications from EPA and MDE and is a member of professional organizations such as CWEF, CWWA, AWWA, WEF, and NACWA.		
B. Public Participation				
1	Are records available to the public (403.14(c))?	Yes	No	
		X		
2	Have IUs requested that data be kept confidential?	Yes	No	
		X		
	If yes, what type of data was it, and how has the POTW handled it?	The City's Department of Public Work's legal staff handle all FOIA requests. Most documents are considered public records.		

SECTION VIII: PROGRAM RESOURCES		
1	Approximately how many person-years does the POTW devote to the pretreatment program?	3 FTE

2	In what areas does the POTW need additional resources?	Personnel, including recruitment and hiring.
3	What additional activities (if any) has the POTW undertaken to further the goals of the pretreatment program?	FOG Program, PFAS surveys, training, etc.
4	What has the POTW done to incorporate P2 practices into its pretreatment program?	The City has not incorporated P2 practices in recent years.

SECTION IX: INDUSTRIAL USER FILE EVALUATION			
IU Name	Solvay USA LLC (CIU)		
Category	OCPSF [414] PSES	PWF[6]	60,360 gpd
Address	3440 Fairfield Rd., Baltimore, MD 21226		
Comments	Permit #1-00528, IU1		
IU Name	Cintas Corporation (SNIU)		
Category	N/A	PWF[6]	Unknown
Address	6300 Seaforth St., Baltimore, MD 21224		
Comments	Permit #4-08838, IU2		
IU Name	Aalberts Surface Treatment Corp. (CIU)		
Category	Electroplating [413] PSES	PWF[6]	2,034 gpd
Address	2915 Wilmarco Ave., Baltimore, MD 21223		
Comments	Permit #2-00247, IU3		
IU Name	The Sherwin-Williams Company (SNIU)		
Category	N/A	PWF[6]	6,292 gpd
Address	2325 Hollins Ferry Rd., Baltimore, MD 21230		
Comments	Permit #1-00540, IU4 The evaluation revealed that the Sherwin-Williams Company may need to be classified as a CIU under the Paint Formulating Point Source Category [446]. Further discussion is provided in the audit report.		
IU Name	Darling Ingredients, Inc. (SNIU)		
Category	N/A	PWF[6]	33,400 gpd
Address	1515 Open St., Baltimore, MD 21231		
Comments	Permit #1-00114, IU5		

[6] Process waste flow

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

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
A1. Industrial User Characterization					
1. Is the IU categorical (CIU), non-significant categorical (NSCIU), middle-tier categorical (MTCIU), significant non-categorical (SNI U) or other (O)?	CIU	SNIU	CIU	SNIU	SNIU
2. Is the IU properly categorized?	Y	Y	Y	N	Y
A2. Non-Significant Categorical Industrial Users (complete past #1 only if the user is designated as an NSCIU)					
1. Has the user been designated as an NSCIU?	N	N	N	N	N
2. If yes, is there documentation in the file that shows that the user:					
➢ never discharges more than 100 gpd of categorical wastewater?					
➢ never discharges any untreated concentrated wastewater?					
➢ consistently complied with all applicable pretreatment standards and requirements prior to and since the designation?					
3. Has the user submitted the annual certification required by 403.12(q)?					
4. Are certifications signed by a responsible corporate official or authorized representative?					
5. If applicable, was the authorization made in writing?					
A3. Middle-Tier Categorical Industrial Users (complete past #1 only if the user is designated as a MTCIU)					
1. Has the user been designated as a MTCIU?	N	N	N	N	N

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
2. If yes, is there documentation in the file that shows that:					
➢ the user's total categorical wastewater flow does not exceed:					
- 0.01% of the dry weather hydraulic capacity of the POTW or 5000 gpd whichever is smaller?					
❖ if yes, is the flow determination based on a continuous effluent flow monitoring device?					
- 0.01% of the design dry weather organic treatment capacity of the POTW?					
- 0.01% of the MAHL for any categorical pollutant?					
➢ the user has not been in SNC since at least two years prior to its designation as a MTCIU?					
➢ the user does not have flow rates, production levels, or pollutant levels that vary so significantly that the MTCIU designation is inappropriate?					
3. Has the documentation been maintained for at least three years after expiration of the control mechanism?					
B. Application of Standards					
1. Were local limits and/or categorical standards properly applied?	N	N	N.A.	N	N
2. If applicable, were production-based standards correctly applied?	N/A	N/A	N/A	N/A	N/A
3. If applicable, was the combined wastestream formula correctly applied?	N/A	N/A	N/A	N/A	N/A
4. If applicable, were TTO requirements or alternatives correctly applied?	N	N	N.A.	N/A	Y

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
5. Does the control mechanism include BMPs in place of local limits?	N	N	N	N	N
➢ If yes, is the BMP authorized in the POTW ordinance?					
C1. Control Mechanism (also obtain a copy of a typical permit for the permit form review)					
1. Does the file contain:					
➢ an updated control mechanism application and/or survey questionnaire?	Y	Y	Y	Y	N
➢ a current control mechanism?	Y	Y	Y	Y	Y
➢ documentation[7] of how control mechanism limits and requirements were established?	Y	Y	Y	Y	Y
2. Is the user regulated through an individual control mechanism (ICM) or general control mechanism (GCM)?	ICM	ICM	ICM	ICM	ICM
3. Does the control mechanism include:					
➢ limits for all categorical and local limit pollutants?	N	Y	Y	N	N
➢ all applicable slug control requirements?	Y	Y	Y	Y	Y
➢ all applicable BMP requirements?	N/A	N/A	NA	N/A	N/A
➢ monitoring requirements for all categorical and local limit pollutants?	N	N	N.A.	N	N
- if no, is there documentation of the reasons for excluding specific pollutants?	N	N	N.A.	N	N
➢ sampling location and frequency?	N	N	Y	Y	N
➢ sample type, including appropriate use of grab and composite samples?	N	N	Y	Y	N

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

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
- if used, is there documentation on the use of time-proportional or grab samples in place of flow-proportional samples?	N/A	N/A	N/A	N/A	N/A
➢ if the user is an MTCIU, the requirement for notification of changes causing it to no longer meet the MTCIU criteria?					
➢ a compliance schedule?	N	N	N	N	N
- if yes, does it stay applicability of permit requirements?					
4. Is the permit effective for 5 years or less?	Y	Y	Y	Y	y
5. In the inspector's opinion, is the sample frequency sufficient to determine compliance?	Y	Y	Y	Y	Y
C2. General Control Mechanism (complete past #1 only if the user has been issued a general control mechanism)					
1. Is the user covered by a general control mechanism?	N	N	N	N	N
2. If yes, does POTW documentation include:					
➢ copy of general permit?					
➢ user's request for coverage?					
➢ demonstration that user meets eligibility criteria including:					
- similar types of operations as other covered users?					
- same types of waste as other covered users?					
- same effluent limits as other covered users?					
- same or similar monitoring as other covered users?					

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
- user not subject to production-based standards, mass-based standards, CWF, or net gross variance?					
➢ demonstration that user appropriately covered by general permit?					
3. Has the documentation been maintained for at least 3 years after expiration of the control mechanism?					
4. Did the user file a written request for coverage that identified its:					
➢ contact information?					
➢ production processes?					
➢ types of waste generated?					
➢ monitoring location?					
C3. Equivalent Mass Limits (complete past #1 only if the user has been issued equivalent mass limits in place of concentration based categorical standards)					
1. Has the user been issued equivalent mass limits in place of concentration based categorical standards?	N	N	N	N	N
2. If yes, has the POTW issued mass limits only for pollutants for which mass limits are appropriate (excludes pH, temperature, radiation, and other similar pollutants)?					
3. Did the user submit documentation that establishes:					
➢ that it employs water conservation?					
➢ that it uses treatment adequate to achieve compliance?					
➢ that it does not use dilution?					
➢ the average daily flow based on monitoring?					
➢ the long-term production rate?					

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
➢ that its flow, production, and pollutant levels do not vary significantly?					
➢ that it has consistently complied with categorical standards?					
4. Were limits calculated based on actual average daily flow?					
5. Did the POTW reassess the limits based on changes in production?					
6. Were mass limits retained in subsequent control mechanisms?					
➢ If yes, was there a change in average flow from the previous control mechanism?					
- If yes, is there documentation that the flow reduction was solely the result of water conservation?					
7. Is there documentation in the file that demonstrates that the user:					
➢ has maintained and operated its treatment equipment?					
➢ uses continuous flow monitoring?					
➢ records and reports production rates?					
➢ has provided notification where production rates have varied by more than 20% from the production rate used at the time that the mass limits were established?					
➢ continues to employ water conservation?					

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
C4. Equivalent Concentration Limits (complete past #1 only if the user has been issued equivalent concentration limits in place of mass based categorical standards)					
1. Has the user been issued equivalent concentration limits in place of mass based categorical standards?	N	N	N	N	N
2. If yes, is the user subject to a categorical standard other than 40 CFR 414, 419, or 455?					
3. Does the control mechanism include the concentration limits from the categorical standard?					
4. Is there documentation that the user does not use dilution?					
C5. Pollutants Not Present (complete past #1 only if the user has been granted a monitoring waiver for pollutants not present)					
1. Has the user has been granted a monitoring waiver for pollutants not present for any pollutants regulated by an applicable categorical standard?	N	N	N	N	N
2. If yes, has the user demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present?					
3. Does the user's request for the waiver include:					
➢ at least one sample result prior to treatment that is representative of all process wastestreams?					
➢ use of non-detectable results only where the approved test method with the lowest detection level is used?					
➢ appropriate signature and certification?					
4. Is the waiver included in the user's control mechanism?					

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
5. Is the waiver valid for no longer than the user's current control mechanism?					
6. Does the control mechanism require the user to:					
➢ notify the POTW if the pollutant is found or expected to be present?					
➢ begin at least semiannual monitoring if pollutant is found or expected to present?					
7. Has the user reapplied for the waiver with each subsequent control mechanism application, including new data?					
8. Has documentation of the granting of the waiver been maintained for at least 3 years after expiration of the waiver?					
9. Has the user submitted the required certification with each self-monitoring report?					
D. POTW Inspections of IUs					
1. How many POTW inspections were conducted and documented in the last 12 months?	0	1	1	1	1
2. Does the inspection report include:					
➢ inspector name?	Y	Y	Y	Y	Y
➢ inspection date/time?	Y	Y	Y	Y	Y
➢ name of IU official contacted?	Y	Y	Y	Y	Y
➢ evaluation of manufacturing facilities?	Y	Y	Y	Y	Y
➢ evaluation of discharge of process baths or other chemicals?	Y	N	Y	Y	N
➢ verification of production data if needed?	N/A	N/A	N/A	N/A	N/A

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
➢ identification of wastewater sources, flow and types[8] of discharge?	Y	N	Y	N.A.	Y
➢ evaluation of pretreatment facilities?	Y	Y	Y	N/A	Y
➢ evaluation of chemical storage areas?	Y	Y	Y	Y	Y
➢ evaluation of spill/slug control procedures?	Y	Y	Y	Y	N
➢ if applicable, evaluation of compliance with BMPs?	N/A	N/A	N/A	N/A	N/A
➢ evaluation of general housekeeping?	Y	Y	Y	Y	Y
➢ potential hazardous waste discharge?	Y	Y	Y	Y	N/A
➢ evaluation of self-monitoring equipment and techniques?	Y	Y	Y	Y	Y
➢ evaluation of lab procedures?	Y	Y	Y	Y	Y
➢ evaluation of monitoring records?	N	N	N	N	N
E. POTW Sampling of IUs					
1. How many sampling visits were conducted and documented in the last 12 months?	1	1	1	1	1
2. Do the sampling reports include:					
➢ all analytical results?	Y	N	Y	Y	Y
➢ name of sampling personnel?	Y	Y	Y	Y	Y
➢ sample date/time?	Y	Y	Y	Y	Y
➢ sample type?	N	Y	Y	Y	Y
➢ sample location?	Y	Y	Y	Y	N
➢ wastewater flow during sampling?	Y	N	Y	Y	N
➢ sample preservation?	N	Y	Y	N	Y

[8] continuous, intermittent, batch, etc.

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
➢ chain of custody?	N	Y	Y	Y	Y
➢ analytical methods used?	Y	Y	Y	Y	Y
➢ analysis date?	Y	Y	Y	Y	Y
➢ name of analyst?	Y	Y	Y	Y	Y
3. Were all regulated parameters monitored?	N	N	N	N	N
4. Were 40 CFR 136 analytical methods used?	Y	Y	Y	Y	Y
5. If POTW does not require self-monitoring, has the POTW resampled within 30 days after a violation?	N/A	N/A	N/A	N/A	N/A
F. IU Self-Monitoring and Reporting					
1. Has the IU submitted all required self-monitoring reports in the last 12 months?	Y	Y	Y	Y	N
2. Did the report include measured or estimated flow data?	Y	N	Y	Y	N
3. Were all regulated parameters monitored at the required frequency?	N	Y	Y	Y	N
4. If applicable, was information provided to determine compliance with applicable BMPs?	N/A	N/A	N/A	N/A	N/A
5. Is there documentation that the IU notified the POTW within 24 hours of becoming aware of a violation?	Y	N/A	N/A	Y	N
6. Has the IU resampled and reported within 30 days after a violation?	Y	N/A	N/A	Y	N
7. Are reports signed and certified by a responsible corporate official or authorized representative?	Y	Y	Y	Y	Y
8. If applicable, was the authorization made in writing?	Y	Y	Y	Y	Y
G. Slug/Spill Control					

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
1. Is there documentation in the file that the POTW conducted a slug evaluation?	Y	Y	Y	Y	N
2. If yes, does it include an inventory of process baths and other chemicals on site along with an evaluation of the potential for discharge of those baths and chemicals?	Y	Y	Y	Y	N/A
3. Have any slugs/spills been documented in the file?	Y	N	N	N	N/A
4. If yes, did the user provide 24-hour notification?	Y	N/A	N/A	N/A	N/A
5. Was there a written report from the user addressing the slug/spill including:	Y				
➢ cause of the slug/spill?	Y				
➢ steps taken to minimize damage from the slug/spill?	Y				
➢ steps taken to ensure that the slug/spill does not recur?	Y				
6. Did the POTW require development of a slug/spill control plan?	N	N	N	N	N.A.
7. Has the IU developed a slug/spill control plan?	N	N	Y	N	N.A.
8. Does the slug/spill plan contain:					
➢ description of discharge practices?			N		
➢ description of stored chemicals?			N		
➢ procedures to prevent slugs/spills?			N		
➢ procedures to notify POTW of slugs/spills?			Y		
➢ follow-up practices to minimize damage from slugs/spills?			N		
H. Enforcement					
1. Did the POTW respond to all IU violations in the last 12 months?	Y	N/A	N/A	Y	N/A

FILE REVIEW CHECKLIST	IU1 (Solvay)	IU2 (Cintas)	IU3 (Aalberts)	IU4 (Sherwin)	IU5 (Darling)
2. Was SNC status correctly reported on last AR?	Y	N.A.	N.A.	Y	N.A.
3. Is the IU currently in SNC?	U	N.A.	N.A.	U	N.A.
4. Is the IU under a formal enforcement action?	U	N.A.	N.A.	Y	N.A.
5. Did the POTW escalate action in accordance with the ERP?	Y	N.A.	N.A.	Y	N.A.
I. Summary					
1. Is the file well organized and readily accessible?	Y	Y	Y	Y	Y
2. Does the file indicate that the POTW has implemented only those streamlining options for which is has obtained approval?	N	N	N	N	N

Attachment 2: LEGAL AUTHORITY REVIEW CHECKLIST

NAME OF CONTROL AUTHORITY:	City of Baltimore, Maryland
NPDES #s:	MD0021555 (Back River) MD0021601 (Patapsco)
DATE OF REVIEW:	03/27/2024
MUNICIPAL ORDINANCE CITATION:	Article 25 of the Baltimore City Code

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			Absent
2. Authorized or Duly Authorized Representative of the User	403.12(l)	§ 1.4 C		X		§ 1-3	Inconsistent
3. Best Management Practices or BMPs	403.3(e)	§ 1.4 E		X			Absent
4. Categorical Pretreatment Standard or Categorical Standard		§ 1.4 F	X			5-2(2)	
5. Indirect Discharge or Discharge	403.3(i)	§ 1.4 M		X			Absent
6. Industrial User (or equivalent)	403.3(j)	§ 1.4 LL		X		3-1(b)	Inconsistent
7. Interference	403.3(k)	§ 1.4 O	X			1-1(i)	
8. National Pretreatment Standard, Pretreatment Standard or Standard	403.3(l)	§ 1.4 BB	X			§ 5-2	
9. New Source	403.3(m)	§ 1.4 T	X			3-6(a)	
10. Pass Through	403.3(p)	§ 1.4 V	X			1-1(k)	
11. Pretreatment Requirement	403.3(t)	§ 1.4 AA		X			Absent
12. Publicly Owned Treatment Works or POTW	403.3(q)	§ 1.4 DD		X		1-1(p)	Inconsistent
13. Significant Industrial User ***[NOTE: §1.4 GG(3) is an optional streamlining provision for Non-Significant Categorical Industrial User classification.]***	403.3(v)	§ 1.4 GG		X		1-1(t)	Inconsistent

14. Significant Noncompliance	403.8(f)(2)(vii)	§ 9 (A-H)		X		5-5(a)	Inconsistent

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

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

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		
3. National Categorical Standards	403.8(f)(1)(ii)	§ 2.2	X			§ 5-2	
4. Local Limits Development ***[NOTE: POTWs may develop Best Management Practices (BMPs) to implement the prohibitions listed in 40 CFR 403.5(a)(1). Such BMPs shall be considered local limits and Pretreatment Standards.]***	403.5(c) & (d)	§ 2.4					
5. Prohibition Against Dilution as Treatment	403.6(d)	§ 2.6		X		5-4(c)(2)	Inconsistent
6. Best Management Practices Development ***[NOTE: Optional streamlining provision.]***	403.5(c)(4)	§ 2.4C	X			N/A	
C. Control Discharges to POTW System							
1. Deny/Condition New or Increased Contributions	403.8(f)(1)(i)	§§ 4.8 & 5.2	X			§§ 3-1, 11-10	
2. Individual Control Mechanism (e.g., permit) to ensure compliance - *Permit Content*	403.8(f)(1)(iii)	§ 4.2		X		3-1(b)	Inconsistent
a. Statement of Duration	403.8(f)(1)(B)(1)	§§ 5.1 & 5.2A(1)	X			3-9(a)	
b. Statement of Nontransferability	403.8(f)(1)(B)(2)	§5.2A(2)		X		3-6(b)(7), § 3-10	Inconsistent
c. Effluent Limits	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			3-6(b)(1)	

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

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
d. Best Management Practices ***[Note: This is a required streamlining provision for CIUs with BMP requirements as part of its Categorical Standards. But if BMPs are being applied to other CIUs or noncategorical SIUs without categorical BMP requirements, then this provision would be optional and is only required if the POTW has incorporated the use of BMPs (§ 2.4 C).]***	403.8(f)(1)(B)(3)	§ 5.2A(3)	X			N/A	
e. Self-Monitoring Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			3-6(b)(2)	
f. Reporting & Notification Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			3-6(b)(2)	
g. Recordkeeping Requirements	403.8(f)(1)(B)(4)	§ 5.2A(4)	X			3-6(b)(2)	
h. Process for Seeking a Waiver for Pollutants Not Present or Expected to be Present ***[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B o the Model SUO.]***	403.8(f)(1)(B)(4) & 403.12(e)(2)	§ 5.2A(5)	X			N/A	
i. Statement of Applicable Civil OR Criminal Penalties	403.8(f)(1)(B)(5)	§ 5.2A(7)	X			3-6(b)(8)	
j. Slug Discharge Requirements (if necessary) ***[NOTE: Required streamlining change. Where the POTW has determined that slug controls are necessary, the ordinance must provide authority for the POTW to include such requirements in IU permits.]***	403.8(f)(1)(B)(6)	§ 5.2A(8)		X		§ 2-8, 3-6(b)(9)	Absent

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
k. Specific waived pollutant ***[NOTE: Optional streamlining provision. Required only if the POTW has incorporated § 6.4B of the Model SUO.]***	403.8(f)(1)(B)(4)	§ 5.2A(8)	X			N/A	
l. Permit Application/Reapplication Requirements ***[Note: Optional permit provision]***		§§ 5.3 & 5.7	X			§ 3-2, 3-9(c)	
m. Permit Modification ***[Note: Optional permit provision]***		§ 5.4			X	3-5(d)	Recommend
n. Permit Revocation/Termination ***[Note: Optional permit provision]***		§§ 5.6 & 10.8			X	§ 3-11	Recommend
o. Proper Operation and Maintenance ***[Note: Optional permit provision]***		§ 3.1	X			§ 5-4	
p. Duty of Halt/Reduce ***[Note: Optional permit provision]***		§ 10.7	X			§ 22-7	
q. Requirement to submit Chain-of-Custody forms with monitoring data ***[Note: Optional permit provision]***			X			N/A	In permit
3. General Control Mechanism to ensure compliance ***[NOTE: Optional streamlining provision. Required only if the POTW has incorporated the use of General Permits (§ 4.6 of the Model SUO).]*** - *Permit Content*	403.8(f)(1)(iii)(A)	§ 4.2 & 4.6	X			N/A	

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	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
D. Required Reports			**None**	**REQ**	**REC**		
1. Develop compliance schedule for installation of technology	403.8(f)(1)(iv)	§§ 5.2b(2) & 10.4	X			5-4(b)	
2. Reporting Requirements [403.12] *Types of Reports*							
a. Baseline monitoring report	403.12(b)	§ 6.1		X		2-10(d)	Inconsistent
(i) Identifying Information	403.12(b)(1)	§ 6.1B(1) & § 4.5A(1)a		X			Absent
(ii) Other Environmental Permits Held	403.12(b)(2)	§§ 6.1B(1) & 4.5A(2)		X			Absent
(iii) Description of operations	403.12(b)(3)	§§ 6.1B(1) & 4.5A(3)a		X			Absent
(iv) Flow measurements	403.12(b)(4)	§§ 6.1(b)(2) & 4.5A(6)		X			Absent
(v) Measurement of pollutants	403.12(b)(5)	§ 6.1B(2)		X			Absent
(vi) Certification	403.12(b)(6)	§ 6.1B(3)		X			Absent
(vii) Compliance schedule	403.12(b)(7)	§ 6.1B(4)		X			Absent
b. Compliance schedule progress report	403.12(c)	§ 6.2		X		2-10(d)	Inconsistent, Absent
c. Report on compliance with categorical Pretreatment Standard deadline	403.12(d)	§ 6.3		X		2-10(d)	Inconsistent, Absent
d. Periodic reports on continued compliance							
- From categorical users	403.12(e)	§ 6.4A	X			§ 4-2	
- From significant non-categorical users	403.12(h)	§ 6.4A	X			§ 4-2	

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

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
e. Notice of potential problems to be reported immediately (including slug loads)	403.12(f)	§ 6.6	X			§ 2-9	
f. Notification of changes affecting potential for a slug discharge ***[NOTE: Required streamlining revision]***	403.8(f)(2)(vi)	§ § 6.5 & 6.6		X		2-9(b)	Absent
g. Notice of violation/sampling requirement ***[NOTE: Required streamlining revision.]***	403.12(g)(2)	§ 6.8	X			§ 4-4	
h. Requirement to conduct representative sampling	403.12(g)(3)	§ 6.4E		X			Absent
i. Notification of changed discharge	403.12(j)	§ 6.5	X			2-9(b)	
j. Notification of discharge of hazardous waste	403.12(p)	§ 6.9	X			§ 6-3	
Other Reporting Requirements							
k. Data accuracy certification & authorized signatory	403.6(a)(2)(ii) & 403.12(l)	§§ 6.4D & 6.14	X			§ 1-3	
l. Recordkeeping Requirement (3 years or longer)	403.12(o)	§ 6.13	X			§ 21-1, 4-8(b)(2)	
- Including documentation associated with Best Management Practices ***[NOTE: Required streamlining provision.]***	403.12(o)	§ 6.13	X			N/A	
m. Submission of all monitoring data ***[NOTE: Required streamlining revision]***	403.12(g)(6)	§ 6.4F	X			§ 4-5	
n. Annual certification by Non-significant categorical Industrial Users ***[Note: Optional provision, required only if the POTW has incorporated §1.4GG(3) of the Model SUO.]***	403.3(v)(2)	§§ 4.7C & 6.14B	X			N/A	

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

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
o. Certification of pollutant not present ***[NOTE: Optional provision, required only if the POTW has incorporated § 6.4 B of the Model SUO]***	403.12(e)(2)(v)	§ 6.14C	X			N/A	
E. Test Procedures [40 CFR Part 136 & 403.12(g)]							
1. Analytical procedures (40 CFR Part 136) ***[NOTE: Required streamlining provisions]***	403.12(g)	§ 6.10	X			§ 4-3	
2. Sample collection procedures ***[NOTE: Required streamlining provisions]***	403.12(g)(3) & (4)	§ 6.11		X			Absent
F. Inspection and Monitoring Procedures [403.8(f)]							
1. Right to enter all parts of the facility at reasonable times	403.8(f)(1)(v)	§ 7.1	X			§ 4-8	
2. Right to inspect generally for compliance	403.8(f)(1)(v)	§ 7.1	X			§ 4-8	
3. Right to take independent samples	403.8(f)(1)(v), 403.8(f)(2)(v) & 403.8(f)(2)(vii)	§ 7.1	X			§ 4-8	
4. Right to require installation of monitoring Equipment	403.8(f)(1)(iv)	§ 7.1	X			§ 4-7	
5. Right to inspect and copy records	403.12(o)(2)	§ 7.1	X			§ 4-8	
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			§ 23-1	
b. Civil OR Criminal penalties	403.8(f)(1)(vi)	§§ 11.2 & 11.3		X		23	Inconsistent

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		
2. Emergency response							
a. Immediately halt actual/threatened discharged	403.8(f)(1)(vi)(B)	§ 10.7	X			§ 22-7(a)	
3. Legal authority to enforce Enforcement Response Plan	403.8(f)(1)(vi)	§ 11.4	X			22, 23	
H. Public Participation							
1. Publish list of Industrial Users in Significant Noncompliance ***[NOTE: Required streamlining revision]***	403.8(f)(2)(viii)	§ 9	X			5-5(b)	
2. Access to data [403.8(f)(1)(vii) & 403.14]							
a. Government	403.14(a) & (c)	§ 8	X			§ 21-2	
b. Public	403.14(b)	§ 8	X			§ 21-2	
I. Optional Provisions							
1. Net/Gross adjustments ***[streamlining provision]***	403.15	§ 2.2 D	X			N/A	
2. Equivalent mass limits for concentration Limits ***[streamlining provision]***	403.6(c)	§ 2.2 E	X			N/A	
3. Equivalent concentration limits for mass limits ***[streamlining provision]***	403.6(c)	§ 2.2 F	X			N/A	
4. Upset Notification	403.16	§ 13.1	X			7	
5. Waive monitoring for pollutant not present or expected to the present ***[streamlining provision]***	403.12(e)(2)	§ 6.4B	X			N/A	
6. Reduce periodic compliance reporting ***[streamlining provision]***	403.12(e)(3)	§ 6.4C	X			N/A	
7. Other special agreement or waivers (excluding wavier of National Categorical Pretreatment Standards and Requirements)			X			§ 21-3	

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

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
8. Hauled Waste Reporting/Requirements		§ 3.4	X			11	
9. Grease Interceptor Reporting/Requirements		§ 3.2 C	X			N/A	
10. Authority to issue Notice of Violations (NOVs)		§ 10.1	X			22-1(a)	
11. Authority to issue Administrative Orders (Aos)			X			22	
12. Authority to issue Administrative Penalties		§ 10.6	X			§ 22-6	
13. Authority to enforce again falsification or tempering			X			§ 1-4	
14. Any other supplemental enforcement actions as noted in the POTW's enforcement response plan			X			22	
15. Permit Appeals Procedures			X			3-9(b)	
16. Penalty or Enforcement Appeals Procedures			X			§ 21-7	
17. Bypass Notification	403.17	§ 13.3	X			8	

Document(s) submitted for review:

Article 25 of the Baltimore City Code

Name of Reviewers

Aron Possler

Attachment 3: CONTROL MECHANISM REVIEW CHECKLIST

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

17	• Trucked or hauled pollutants, except as designated	403.5(b)(8)	X			N/A
18	Applicable effluent limits					
19	• Local limits	403.8(f)(1)(iii)(B)(3)			X	Attach. D
20	• Categorical standards	403.8(f)(1)(iii)(B)(3)		X		Attach. D
21	• Best management practices	403.8(f)(1)(iii)(B)(3)	X			N/A
22	Upset	403.16	X			B.7, B.11
23	Bypass	403.17			X	B.10
24	Identification of pollutants to be monitored	403.8(f)(1)(iii)(B)(4)	X			Attach. D
25	Sampling frequency	403.8(f)(1)(iii)(B)(4)	X			Attach. C
26	Sampling location	403.8(f)(1)(iii)(B)(4)	X			Attach. C
27	Sample types (grab or composite)	403.8(f)(1)(iii)(B)(4)	X			Attach. C
28	Use of 40 CFR 136 analytical methods	403.12(b)(5)(v) & 403.12(h)	X			A.1(c)
29	Representative sampling	403.12(g)(3)	X			A.1(a)
30	Reporting requirements	403.8(f)(1)(iii)(B)(4)	X			Attach. B
31	Best management practice compliance reports	403.12(b)(5)(ii) & 403.12(h)	X			N/A
32	Requirement to submit more frequent than required monitoring	403.12(g)(6)	X			A.1(e)
33	Record-keeping requirements (e.g., retain monitoring for 3 years)	403.8(f)(1)(iii)(B)(4) & 403.12(o)	X			B.12
34	Monitoring activity records					
35	• Sample date	403.12(o)(1)(i)	X			Attach. B, 1
36	• Sample place	403.12(o)(1)(i)	X			Attach. B, 2
37	• Sample method	403.12(o)(1)(i)	X			Attach. B, 7
38	• Sample time	403.12(o)(1)(i)	X			Attach. B, 1
39	• Name of sample collector	403.12(o)(1)(i)	X			Attach. B, 11
40	• Analysis date	403.12(o)(1)(ii)	X			Attach. B, 8

41	• Name of sample analyst	403.12(o)(1)(iii)	X			Attach. B, 9
42	• Analytical results	403.12(o)(1)(v)	X			Attach. B, 10
43	Statement of applicable civil or criminal penalties	403.8(f)(1)(iii)(B)(5)			X	C.8
44	Compliance schedules or progress reports (if applicable)	403.8(f)(1)(iv)	X			N/A
45	Notice of potential problems, including slug loading	403.12(f)	X			B.11
46	Notification of spills, bypasses, upsets, etc.	403.16 & 403.17	X			B.11
47	Notification of significant change in discharge	403.12(j)	X			Attach. A, 2
48	Notification of change affecting the potential for a slug discharge	403.8(f)(2)(vi)			X	*Absent*
49	24-hour notification of violation and resample requirement	403.12(g)(2)	X			A.1(d)
50	Discharge of hazardous waste notification	403.12(p)(1)			X	*Absent*
51	Requirements to control slug discharges, if determined by the POTW to be necessary	403.8(f)(1)(iii)(B)(6) & 403.8(f)(2)(vi)	X			N/A
52	Right of entry	403.8(f)(1)(v)	X			Attach. A, 3
53	Dilution as a substitute for treatment prohibition	403.6(d)	X			Attach. A, 5
54	*Other provisions*					

Attachment 4: FILE REVIEW WORKSHEETS
Control Mechanism Worksheet

Name of Industrial User		Solvay USA LLC					
Permit Effective Date		10/01/2023		**Permit Expiration Date**		09/30/2028	
Parameter	**Local Limits**	**Categorical Standard**		**Permit Limit**		**Required Sample Type**	**Required Sample Frequency**
		Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**		
Acenaphthene		0.01 lbs/d	0.02 lbs/d	0.01 lbs/d	0.02 lbs/d	Unknown	Unknown
Benzene		0.03 lbs/d	0.07 lbs/d	0.03 lbs/d	0.07 lbs/d	Unknown	Unknown
Carbon Tetrachloride		0.07 lbs/d	0.19 lbs/d	0.07 lbs/d	0.19 lbs/d	Unknown	Unknown
Chlorobenzene		0.07 lbs/d	0.19 lbs/d	0.07 lbs/d	0.19 lbs/d	Unknown	Unknown
1,2,4-Trichlorobenzene		0.10 lbs/d	0.40 lbs/d	0.10 lbs/d	0.40 lbs/d	Unknown	Unknown
Hexachlorobenzene		0.10 lbs/d	0.40 lbs/d	0.10 lbs/d	0.40 lbs/d	Unknown	Unknown
1,2-Dichloroethane		0.09 lbs/d	0.29 lbs/d	0.09 lbs/d	0.29 lbs/d	Unknown	Unknown
1,1,1-Trichloroethane		0.01 lbs/d	0.03 lbs/d	0.01 lbs/d	0.03 lbs/d	Unknown	Unknown
Hexachloroethane		0.10 lbs/d	0.40 lbs/d	0.10 lbs/d	0.40 lbs/d	Unknown	Unknown
1,1-Dichloroethane		0.01 lbs/d	0.03 lbs/d	0.01 lbs/d	0.03 lbs/d	Unknown	Unknown

Name of Industrial User		Solvay USA LLC					
Permit Effective Date		10/01/2023		Permit Expiration Date		09/30/2028	
Parameter	Local Limits	Categorical Standard		Permit Limit		Required Sample Type	Required Sample Frequency
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
1,1,2-Trichloroethane		0.02 lbs/d	0.06 lbs/d	0.02 lbs/d	0.06 lbs/d	Unknown	Unknown
Chloroethane		0.06 lbs/d	0.15 lbs/d	0.06 lbs/d	0.15 lbs/d	Unknown	Unknown
Chloroform		0.06 lbs/d	0.16 lbs/d	0.06 lbs/d	0.16 lbs/d	Unknown	Unknown
1,2-Dichlorobenzene		0.10 lbs/d	0.40 lbs/d	0.10 lbs/d	0.40 lbs/d	Unknown	Unknown
1,3-Dichlorobenzene		0.07 lbs/d	0.19 lbs/d	0.07 lbs/d	0.19 lbs/d	Unknown	Unknown
1,4-Dichlorobenzene		0.07 lbs/d	0.19 lbs/d	0.07 lbs/d	0.19 lbs/d	Unknown	Unknown
1,1-Dichloroethylene		0.01 lbs/d	0.03 lbs/d	0.01 lbs/d	0.03 lbs/d	Unknown	Unknown
1,2-trans-Dichloroethylene		0.01 lbs/d	0.03 lbs/d	0.01 lbs/d	0.03 lbs/d	Unknown	Unknown
1,2-Dichloropropane		0.10 lbs/d	0.40 lbs/d	0.10 lbs/d	0.40 lbs/d	Unknown	Unknown

Name of Industrial User		Solvay USA LLC					
Permit Effective Date		10/01/2023		Permit Expiration Date		09/30/2028	
Parameter	Local Limits	Categorical Standard		Permit Limit		Required Sample Type	Required Sample Frequency
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
1,3-Dichloropropylene		0.10 lbs/d	0.40 lbs/d	0.10 lbs/d	0.40 lbs/d	Unknown	Unknown
Ethylbenzene		0.07 lbs/d	0.19 lbs/d	0.07 lbs/d	0.19 lbs/d	Unknown	Unknown
Fluoranthene		0.01 lbs/d	0.03 lbs/d	0.01 lbs/d	0.03 lbs/d	Unknown	Unknown
Methylene Chloride		0.02 lbs/d	0.09 lbs/d	0.02 lbs/d	0.09 lbs/d	Unknown	Unknown
Methyl Chloride		0.06 lbs/d	0.15 lbs/d	0.06 lbs/d	0.15 lbs/d	Unknown	Unknown
Hexachlorobutadiene		0.07 lbs/d	0.19 lbs/d	0.07 lbs/d	0.19 lbs/d	Unknown	Unknown
Naphthalene		0.01 lbs/d	0.02 lbs/d	0.01 lbs/d	0.02 lbs/d	Unknown	Unknown
Nitrobenzene		1.13 lbs/d	3.22 lbs/d	1.13 lbs/d	3.22 lbs/d	Unknown	Unknown
2-Nitrophenol		0.03 lbs/d	0.12 lbs/d	0.03 lbs/d	0.12 lbs/d	Unknown	Unknown
4-Nitrophenol		0.08 lbs/d	0.29 lbs/d	0.08 lbs/d	0.29 lbs/d	Unknown	Unknown
4,6-Dinitro-o-cresol		0.04 lbs/d	0.14 lbs/d	0.04 lbs/d	0.14 lbs/d	Unknown	Unknown
Bis(2-ethylhexyl) phthalate		0.05 lbs/d	0.13 lbs/d	0.05 lbs/d	0.13 lbs/d	Unknown	Unknown

Name of Industrial User		Solvay USA LLC					
Permit Effective Date		10/01/2023		**Permit Expiration Date**		09/30/2028	
Parameter	**Local Limits**	**Categorical Standard**		**Permit Limit**		**Required Sample Type**	**Required Sample Frequency**
		Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**		
Di-n-butyl phthalate		0.01 lbs/d	0.02 lbs/d	0.01 lbs/d	0.02 lbs/d	Unknown	Unknown
Diethyl phthalate		0.02 lbs/d	0.06 lbs/d	0.02 lbs/d	0.06 lbs/d	Unknown	Unknown
Dimethyl phthalate		0.01 lbs/d	0.02 lbs/d	0.01 lbs/d	0.02 lbs/d	Unknown	Unknown
Anthracene		0.01 lbs/d	0.02 lbs/d	0.01 lbs/d	0.02 lbs/d	Unknown	Unknown
Fluorene		0.01 lbs/d	0.02 lbs/d	0.01 lbs/d	0.02 lbs/d	Unknown	Unknown
Phenanthrene		0.01 lbs/d	0.02 lbs/d	0.01 lbs/d	0.02 lbs/d	Unknown	Unknown
Pyrene		0.01 lbs/d	0.02 lbs/d	0.01 lbs/d	0.02 lbs/d	Unknown	Unknown
Tetrachloroethylene		0.03 lbs/d	0.08 lbs/d	0.03 lbs/d	0.08 lbs/d	Unknown	Unknown
Toluene		0.01 lbs/d	0.04 lbs/d	0.01 lbs/d	0.04 lbs/d	Unknown	Unknown
Trichloroethylene		0.01 lbs/d	0.03 lbs/d	0.01 lbs/d	0.03 lbs/d	Unknown	Unknown
Vinyl Chloride		0.05 lbs/d	0.09 lbs/d	0.05 lbs/d	0.09 lbs/d	Unknown	Unknown
Total Cyanide	1.9 mg/L	0.21 lbs/d	0.60 lbs/d	0.21 lbs/d	0.60 lbs/d	Grab	2x/yr
Total Lead	6.81 mg/L	0.16 lbs/d	0.35 lbs/d	0.16 lbs/d	0.35 lbs/d	Composite	2x/yr
Total Zinc	17.85 mg/L	0.53 lbs/d	1.31 lbs/d	0.53 lbs/d	1.31 lbs/d	Composite	2x/yr
Mercury	0.01 mg/L				0.01 mg/L	**Absent**	**Absent**

Name of Industrial User		Solvay USA LLC					
Permit Effective Date		10/01/2023		**Permit Expiration Date**		09/30/2028	
Parameter	**Local Limits**	**Categorical Standard**		**Permit Limit**		**Required Sample Type**	**Required Sample Frequency**
		Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**		
Silver	1.2 mg/L				1.2 mg/L	**Absent**	**Absent**
Total Petroleum Hydrocarbons	100 mg/L				100 mg/L	Grab	2x/yr
pH (Standard Units)	5.0–12.5				5.0–12.5	**Absent**	Continuous
Cadmium	17.85 mg/L				**Absent**	**Absent**	**Absent**
Copper	6.59 mg/L				**Absent**	**Absent**	**Absent**
Chromium	6.89 mg/L				**Absent**	**Absent**	**Absent**
Nickel	2.82 mg/L				**Absent**	**Absent**	**Absent**
TTO	2.13 mg/L				**Absent**	Unknown	Unknown

Sampling Worksheet

Name of Industrial User		Solvay USA LLC			
CONTROL AUTHORITY MONITORING					
Date Sample Collected	**Pollutants Not Sampled**	**Violations? (Y/N/Parameter)**	**Date Sample Collected**	**Pollutants Not Sampled**	**Violations? (Y/N/Parameter)**
INDUSTRIAL USER SELF-MONITORING					
Is this a resample?	**Report Due Date**	**Report Received**	**Sample Date(s)**	**Pollutants Not Sampled**	**Violations? (Y/N/Parameter)**
No	7/28/2023	7/19/2023	4/4/2023		Toluene, Daily Maximum
No	7/28/2022	7/25/2022	4/6/2022		pH, Instantaneous Maximum
				Mercury	
				Silver	

Enforcement Worksheet

Name of Industrial User		Solvay USA LLC			
Date of Violation	**Type of Violation**	**Type of Action and Date**	**ERP Required Response**	**IU Response Date**	**Date Compliance Achieved**
4/6/2023 (reported 7/19/2023)	Exceedance of standard	Notice of Violation (8/14/2023)	Notice of Violation	8/15/2023	4/22/2023
4/6/2023	Technical Review Criteria	Administrative Penalty (8/14/2023)	Administrative Penalty	6/14/2023	10/19/2023
4/6/2023	Exceedance of standard	**None**	Notice of Violation	4/6/2023	4/7/2023

Attachment 5.1: INDUSTRIAL USER SITE VISIT REPORT			
Date:	5/9/2024	**Time:**	9:21 AM
Industry name:	Solvay USA LLC		
Mailing address:	3440 Fairfield Rd, Baltimore, MD 21226		

Contact name(s)	**Title**	**Phone number**
Victoria Egan	Regional Health & Safety Manager	(410) 355-2600 x8353
Alex Nowodazkij	Plant Manager	(410) 353-4339

Persons conducting visit:

Name	**Title**	**Affiliation**
Aron Possler	Life Scientist	EPA R3 WD
Erin Desandro	Life Scientist	EPA R3 ECAD
Margaret Green	Environmental Engineer	EPA OW
Martin Robinson	Biologist	EPA OW
Natalie Sanchez-Gonzalez	Life Scientist	EPA R3 WD
Ryan Shuart	Life Scientist	EPA R3 WD
Marjorie Mewbourn	Pretreatment Coordinator	MDE
Pat Boyle	Pollution Control Program Administrator / Pretreatment Coordinator	City of Baltimore, MD
John Hagens	Pollution Control Analyst	City of Baltimore, MD
Sepideh Payami	Pollution Control Analyst	City of Baltimore, MD
Scott Moffitt	N/A	City of Baltimore, MD

Purpose for visit:	Observed inspection by City of Baltimore, MD.
Brief facility description:	Surfactant manufacturing for personal care products and paints.
Comments/Findings:	Refer to the audit report for any pertinent comments or findings regarding this IU.

Attachment 5.2: INDUSTRIAL USER SITE VISIT REPORT			
Date:	5/9/2024	**Time:**	11:45 AM
Industry name:	VLS Baltimore LLC		
Mailing address:	3300 Childs St, Baltimore, MD 21226		

Contact name(s)	**Title**	**Phone number**
Rachel Smith	Facilities Manager	N/A
Scott Reisinger	General Manager, VLS Lancaster	(717) 874-2157
Tom McGrath	N/A	N/A

Persons conducting visit:		
Name	**Title**	**Affiliation**
Aron Possler	Life Scientist	EPA R3 WD
Erin Desandro	Life Scientist	EPA R3 ECAD
Natalie Sanchez-Gonzalez	Life Scientist	EPA R3 WD
Ryan Shuart	Life Scientist	EPA R3 WD
Marjorie Mewbourn	Pretreatment Coordinator	MDE
Pat Boyle	Pollution Control Program Administrator / Pretreatment Coordinator	City of Baltimore, MD
John Hagens	Pollution Control Analyst	City of Baltimore, MD
Sepideh Payami	Pollution Control Analyst	City of Baltimore, MD
Scott Moffitt	N/A	City of Baltimore, MD

Purpose for visit:	Observed inspection by City of Baltimore, MD.
Brief facility description:	Treatment of non-hazardous, non-domestic wastewater.
Comments/Findings:	Refer to the audit report for any pertinent comments or findings regarding this IU.

Attachment 6: AUDIT ACTION ITEMS CHECKLIST

City of Baltimore, Maryland PCA Report

May 8–9, 2024

Finding No.	Finding	Status	Estimated Completion Date
A. Legal Authority			
A.1.A.1.–A.1.F.1.	Several required and recommended revisions to the City's legal authority. Refer to Finding A.1. and Attachment 2 of the audit report.		
A.2.A.1.–A.2.A.10.	Required streamlining changes are not adopted.		
A.3.	Equivalent mass limits for concentration limits optional streamlining revision is being implemented but is not adopted.		
A.4.	Existing intermunicipal agreements may not fully implement and/or delegate all elements of the City's pretreatment program.		
A.5.	Extrajurisdictional SIUs are not included in relevant reports.		

Finding No.	Finding	Status	Estimated Completion Date
B. Application of Standards			
B.1.	Local limits are not adopted directly into the City's legal authority.		
B.2.	All applicable effluent limits are not consistently applied in permits.		
B.3.	Local limits reevaluations utilize outdated criteria.		
C. Control Mechanism			
C.1.A.1.–C.1.A.8.	Several required and recommended revisions to waste water discharge permits and template. Refer to Finding C.1. and Attachment 3 of the audit report.		
C.2.	Permits are allowed to be continued past the statutory duration limit.		
C.3.	The permit for "Emergent BioSolutions, Inc. – Camden Campus" has a duration greater than the statutory duration limit.		

Finding No.	Finding	Status	Estimated Completion Date
C.4.	Sample types are not indicated for several applicable local limits.		
D. Compliance Monitoring			
D.1.	"Solvay USA LLC" is required to have, but does not have, a slug control plan.		
D.2.	"VLS Baltimore LLC" sampling duration may not be reflective of discharge conditions.		
D.3.	"Sherwin-Williams Company" may be a CIU.		
E. Data Management and Public Participation			
E.1.	Not all potential industrial users may be identified.		
F. Program Resources			
F.1.	Staffing levels and/or delegation of responsibilities is insufficient.		