

CLACKAMAS

WATER ENVIRONMENT SERVICES

Industrial Pretreatment Procedures Manual

July 2025

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Revision	Summary of Changes	Date Effective
0	Original Procedures Manual	March 1, 1999
1	Incorporate Rules Revision	December 28, 2001
2	Incorporate Rules Revision	March 1, 2002
3	Incorporate New Procedures	June 7, 2004
4	Incorporate adopted Streamlining provisions	December 15, 2011
5	Incorporate Rules Consolidation and OAR 190 WES partnership. Update several templates. Add details around permit termination, etc. Separate Enforcement Response Plan Section into its own document	January 31, 2024

Revision History

Acronyms and Definitions

Approval Authority—The director of a National Pollutant Discharge Elimination System (NPDES) state with an approved state Pretreatment Program and the appropriate EPA Regional Administrator in a non-NPDES state or NPDES state without an approved state pretreatment program [40 CFR 403.3(c)].

Baseline Monitoring Report (BMR)—A report submitted by categorical Industrial Users within 180 days after the effective date of an applicable categorical Standard, which indicates the compliance status of the user with the categorical Standard [40 CFR 403.12(b)].

Best Management Practices (BMPs)—Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage [40 CFR 403.3(e)].

Best Professional Judgment (BPJ)—The highest-quality technical opinion of a permit writer, after consideration of all reasonable available and pertinent data or information, forming the basis for the terms and conditions of a permit.

Categorical Pretreatment Standards—Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Clean Water Act, that apply to specified process wastewaters of industrial categories [40 CFR 403.6 and Parts 405-471].

Categorical Industrial User (CIU)—An Industrial User subject to categorical Pretreatment Standards or categorical Standards.

Combined Wastestream Formula (CWF)—Procedure for calculating alternative discharge limits at industrial facilities in which a regulated wastestream from a categorical Industrial User is combined with other wastestreams before treatment [40 CFR 403.6(e)].

Concentration Limit—A limit based on the mass of pollutant per unit volume, usually expressed in milligrams per liter (mg/L).

Control Authority—A POTW with an approved pretreatment program or the Approval Authority in the absence of an approved POTW pretreatment program [40 CFR 403.3(f)]. For purposes of this document, the Control Authority is Clackamas Water Environment Services.

Conventional Pollutants—Pollutants typical of municipal sewage, and for which municipal secondary treatment plants are typically designed; defined by federal regulation [40 CFR 401.16] as biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform bacteria, oil and grease, and pH.

Daily Maximum Limit—The maximum allowable discharge of a pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Development Document—Detailed report of studies conducted by EPA for the purpose of developing categorical Pretreatment Standards.

Dilute Wastestream—For purposes of the combined wastestream formula, the average daily flow (at least a 30day average) from (a) boiler blowdown streams, noncontact cooling streams, stormwater streams, and demineralizer backwash streams (provided, however, that where such streams contain a significant amount of a pollutant, and the combination of such streams, before treatment with an Industrial User's regulated process wastestream(s) will result in a substantial reduction of that pollutant, the Control Authority upon application of the Industrial User, may exercise its discretion to determine whether such stream(s) should be classified as dilute or unregulated. In its application to the Control Authority, the Industrial User must provide engineering, production, sampling and analysis, and such other information so that the Control Authority can make its determination); or (b) sanitary wastestreams where such streams are not regulated by a categorical Pretreatment Standard; or (c) from any process wastestreams that were, or could have been, entirely exempted from categorical Pretreatment Standards pursuant to paragraph 8 of the NRDC v. Costle Consent Decree (12 ERC 1833) for one or more of the following reasons (see Appendix D of 40 CFR 403):

a. The pollutants of concern are not detectable in the effluent from the Industrial User [paragraph (8)(a)(iii)]

b. The pollutants of concern are present only in trace amounts and are neither causing nor likely to cause toxic effects [paragraph(8)(a)(iii)]

c. The pollutants of concern are present in amounts too small to be effectively deduced by technologies known to the Administrator [paragraph(8)(a)(iii)]; or

d. The wastestream contains only pollutants which are compatible with the POTW [paragraph (8)(b)(i)] [40 CFR 403.6(e)].

Director—The chief administrative officer of a state or interstate water pollutant control agency with an NPDES permit program and state pretreatment program approved pursuant to section 402(b) of the Clean Water Act [40 CFR 403.3(g)].

Flow Proportional Composite Sample—A sampling method that combines discrete aliquots of a sample collected over time, based on the flow of the wastestream being sampled. Two methods are used to collect such a sample. One method collects a constant sample volume at time intervals that vary by stream flow (e.g., 200 milliliters (mL) sample collected for every 5,000 gallon discharged). The other method collects aliquots of varying volume, by stream flow, at constant time intervals.

Flow-Weighted Averaging Formula (FWA)—A procedure used to calculate alternative limits where wastestreams regulated by a categorical Pretreatment Standard and nonregulated wastestreams combine after treatment but before the monitoring point.

Grab Sample—A sample that is taken from a wastestream on a one-time basis with no regard to the flow of the wastestream and over a period of time not to exceed fifteen (15) minutes.

Indirect Discharge — The introduction of pollutants into a POTW from any nondomestic source regulated under section 307(b), (c), or (d) of the Clean Water Act [40 CFR 403.3(i)].

Industrial User (IU) or User—A source of nondomestic waste. Any nondomestic source discharging pollutants to a POTW.

Instantaneous Maximum Limit—The maximum limit allowable concentration of a pollutant determined from the analysis of any discrete or composited sample collected independent of the industrial flow rate and the duration of the sampling event.

Interference—A discharge that, alone or in conjunction with a discharge or discharges from other sources, both: a. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

b. Therefore is a cause of a violation of any requirement of the POTW'S NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act [40 CFR 403.3(k)].

Monthly Average Limit—The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

National Pretreatment Standard, Pretreatment Standard, or Standard—Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Clean Water Act that applies to Industrial Users. Such terms include prohibitive discharge limits established pursuant to 40 CFR 403.5 [40 CFR 403.3(I)].

National Prohibited Discharges—Prohibitions applicable to all nondomestic dischargers regarding the introduction of pollutants into POTWs set forth at 40 CFR 403.5.

Ninety (90)-day Compliance Report—A report submitted by a categorical Industrial User, within 90 days following the date for final compliance with applicable categorical Standards, or in the case of a New Source, following commencement of the introduction of wastewater into the POTW, that documents and certifies the compliance status of the user [40 CFR 403.12(d)].

Nonconventional Pollutants—All pollutants that are not included in the list of conventional or toxic pollutants in 40 CFR Part 401.

Nondomestic User—Any person or entity that discharges wastewater from any facility other than a residential unit.

North American Industry Classification System ("NAICS") Code—The standard code used by federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

Pass Through—A discharge that exits the POTW into waters of the United States in quantities or concentration that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit including an increase in the magnitude or duration of a violation [40 CFR 403.3(p)].

Periodic Compliance Report—A report on compliance status submitted by categorical Industrial Users to the Control Authority [40 CFR 403.12(e)].

Pretreatment—Reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties in wastewater before or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR 403.6(e) [40 CFR 403.3(s)].

Pretreatment Standards for Existing Sources ("PSES")—Defined at section 307(b) of the CWA. PSES are national, uniform, technology-based standards that apply to dischargers to POTWs from specific industrial categories (i.e., indirect dischargers). Dischargers subject to PSES are required to comply with those standards by a specified date, typically no more than 3 years after the effective date of the categorical standard. EPA promulgates categorical pretreatment standards for existing sources based principally on Best Available Technology Economically Achievable technology for existing sources.

Pretreatment Standards for New Sources ("PSNS")—Defined at section 307(c) of the CWA. PSNS are national, uniform, technology-based standards that apply to dischargers to POTWs from specific industrial categories (i.e., indirect dischargers). The definition of new source is set out in 40 CFR 403.3(m) of the General Pretreatment Regulations. New indirect dischargers have the opportunity to incorporate into their plants the best available demonstrated technologies. Users subject to PSNS are required to achieve compliance within the shortest feasible time, not to exceed 90 days after beginning discharge.

Process Wastewater—Any water that, during manufacturing or processing, comes into direct contact with or results from producing or using any raw material, intermediate product, finished product, by-product, or waste product.

Production-based Standards—A discharge limitation expressed in terms of allowable pollutant mass discharge per unit of production.

Publicly Owned Treatment Works ("POTW")—A treatment works as defined by section 212 of the Clean Water Act that is owned by a state or municipality (as defined by section 502(4) of the Clean Water Act). This includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the municipality, as defined in section 502(4) of the Clean Water Act, that has jurisdiction over indirect discharges to and the discharges from such a treatment works [40 CFR 403.3(q)]. Regulated Wastestream—An industrial process wastestream regulated by a national categorical Pretreatment Standard.

Reasonable Times. During normal operating or business hours.

Resource Conservation and Recovery Act ("RCRA")—A federal statute regulating the management of hazardous waste from its generation through ultimate disposal. The act contains requirements for waste generators, transporters, and owners and operators of treatment, storage, and disposal facilities (43 U.S.C. 6901 et seq.). Self-monitoring—Sampling and analyses performed by the Industrial User to ensure compliance with a permit or other regulatory requirements.

Significant Industrial User ("SIU")—(a) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and (b) any other that (i) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); or (ii) contributes a process wastestream that makes up 5 percent or more of the average dry-

weather hydraulic or organic (BOD, TSS, and such) capacity of the POTW treatment plant; or (iii) is designated as such by the Control Authority because the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)) [40 CFR 403.3(v)].

Significant Noncompliance—An Industrial User is in significant noncompliance if its violation meets one or more of the following criteria:

a. Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all the measurements taken during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits as defined by 403.3(I)

b. Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all the measurements for each pollutant parameter taken during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement, including instantaneous limits as defined by 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH c. Any other violation of a pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public)

d. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment or has resulted in the POTW's exercise of its emergency authority under paragraph 40 CFR 403.8(f)(1)(vi)(B) halt or prevent such a discharge

e. Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance

f. Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules g. Failure to accurately report noncompliance

h. Any other violation or group of violations, that could include a violation of best management practices, that the POTW determines would adversely affect the operation or implementation of the local pretreatment program **Slug Discharge**—Any discharge of a nonroutine, episodic nature, including an accidental spill or a noncustomary 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 [40 CFR 403.8(f)(2)(vi)].

Slug Discharge Control Plan—A plan prepared by an Industrial User that describes the discharge practices, including nonroutine batch discharges. The plan contains a description of stored chemicals, procedures for immediately notifying the POTW of slug discharges, and, if necessary, procedures to prevent adverse effects from accidental spills.

Slug Load—Any pollutant (including BOD) released in a discharge at a flow rate or concentration which will cause a violation of the specific discharge prohibitions in 40 CFR 403.5(b).

Spill Prevention and Control Plan—A plan prepared by an Industrial User to minimize the likelihood of a spill and to expedite control and cleanup activities if a spill occurs.

Split Sample—A portion of a collected sample given to the industry or to another agency to verify or compare laboratory results.

Standard Industrial Classification ("SIC") Code—A classification scheme based on the type of manufacturing or commercial activity at a facility; some facilities have several activities that cause them to have more than one code. **Time Proportional Composite Sample**—A sampling method that combines discrete sample aliquots of constant volume collected at constant time intervals (e.g., 200 milliliter samples collected every half hour for a 24-hour period). This method provides representative sample only where the sampled stream flow is constant, or where the volume is manually adjusted according to stream flow variation before being added to the composite sample container.

Total Toxic Organics ("TTO")—The sum of the masses or concentrations of the specific toxic organic compounds regulated by specific categorical pretreatment regulations that is found in the discharge at specific quantifiable concentrations. (To identify which compounds are regulated, what numeric value is considered quantifiable, and what sampling or certification alternatives might be available, refer to the specific categorical regulations.)

Toxic Organics Management Plan—A written plan submitted by Industrial Users in accordance with some categorical Pretreatment Standards as an alternative to TTO monitoring that specifies the toxic organic compounds used, the method of disposal used, and procedures for assuring ensuring that toxic organics do not routinely spill or leak into wastewater discharged to the POTW.

Toxic Pollutant—Pollutants or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the Administrator of EPA, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring. Toxic pollutants also include those pollutants listed by the Administrator under CWA Section 307(a)(1) or any pollutant listed under Section 405(d) which relates to sludge management.

Section 1 – INTRODUCTION

1.0 Purpose

The Industrial Pretreatment Program establishes the authorities and procedures under which Clackamas Water Environment Services ("WES"), an ORS 190 partnership of Clackamas County Service District No. 1 ("CCSD #1") and Tri-City Service District ("TCSD"), regulate and work with industries that discharge industrial wastewater into WES' sewage system to ensure compliance with pretreatment requirements and to minimize the impact of their discharges on the POTW. The ORS 190 partnership was formed in November 2016 via adoption of Ordinance No. 05-2016 (Appendix 1-A) and grouped the permits, infrastructure, and pretreatment programs of WES' two former service districts under one entity. These consolidated Procedures are now used to implement WES' pretreatment program. The geographic coverage is shown in Figure 1 below but may also include areas identified in appropriate intergovernmental or interjurisdictional agreements made with contributory cities.



FIGURE 1. WES' SERVICE AREAS 1 AND 2, EFFECTIVE JANUARY 1, 2024.

The Industrial Pretreatment Program has six general objectives:

- 1. To prevent the introduction of pollutants into the POTW which will interfere with the operation of the POTW.
- 2. To prevent the introduction of pollutants which will pass through the POTW or otherwise be incompatible with the POTW.
- 3. To ensure that an industrial user's discharge complies with all applicable federal, state and local pretreatment standards and requirements.
- 4. To prevent the discharge of pollutants that may reasonably cause the POTW to violate its NPDES permit.
- 5. To improve opportunities to recycle and reclaim municipal and industrial wastewater and biosolids.
- 6. To prevent any discharge of pollutants to the POTW which reasonably appear to present an imminent endangerment to the health or welfare of POTW workers.

This procedures manual provides detailed instructions for implementing and administering the main activities associated with WES' industrial pretreatment program.

1.1 Background

The Industrial Pretreatment Program is required by the U.S. Environmental Protection Agency ("EPA") and the Oregon State Department of Environmental Quality ("DEQ"). Federal program requirements are contained in EPA Regulations 40 CFR Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution." State program requirements are contained in both Oregon Administrative Rules 340-045-0063 and WES' two National Pollution Discharge Elimination system ("NPDES") permits: Kellogg #100983 and Tri City #101168.

WES implements the Industrial Pretreatment Program pursuant to the District's Rules and Regulations, as amended. The Board of County Commissioners (the governing body of WES) initially adopted the Rules and Regulations by Ordinance (No. 83-1152) on June 23, 1983, and the District has and continues to amend those Rules and Regulations pursuant to 40 CFR Part 403. The latest Rules and Regulations adoption occurred under the Board's authority by Ordinance (No. 02-2023, Appendix 1-B) on May 4, 2023.

The federal regulations (40 CFR 403.8(f) (2-6), require that WES have and implement procedures to:

- Identify and locate all possible industries that might be subject to the POTW Pretreatment Program.
- Identify the character and volume of the pollutants contributed to the POTW by industrial users.
- Notify industrial users of applicable Pretreatment standards and requirements.
- Receive and analyze self-monitoring reports and other notices submitted by industrial users, in accordance with the self-monitoring requirements in 40 CFR 403.12.
- Randomly sample and analyze the effluent from Industrial Users and conduct surveillance activities in order to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with Pretreatment Standards.
- Evaluate whether each such Significant Industrial Users need a plan to control slug discharges.
- Inspect and sample the effluent from each Significant Industrial User to ensure compliance with Pretreatment standards and requirements.
- Investigate instances of noncompliance with pretreatment standards and requirements, in required notices and reports.
- Notify the public of an industrial user who was in significant non-compliance in the past 12 months.

This Procedures Manual documents the actions that are to be taken to meet the requirements listed above.

1.2 Description and format

Each of the federal requirements and procedures are described in the following sections of this manual. Some of the requirements have been combined into a single section. In addition, WES' Industrial Pretreatment Program includes several special procedures that are more stringent than or not specifically required by the federal regulations in 40 CFR Part 403. The following lists the sections contained within this procedures manual which implement the federal requirements:

Section 2 - Location and Identification of all possible Industrial Users of the POTW

Section 3 - Drafting and Issuance of Industrial User Permits

Section 4 - Receipt and Evaluation of Industrial User Reports and Notifications

Section 5 - Inspection of Industrial User's by the POTW to Ensure Compliance

Section 6 - Sampling and Inspection of Industrial Users by the POTW to Ensure Compliance

Section 7 - Public Participation in Program Development and Implementation (including SNC)

Section 8 - Statement of Resources and Staffing

Pretreatment program requirements include a provision to develop and implement an Enforcement Response Plan, or ERP. This document was previously incorporated into the Procedures Manual of WES' two districts but is now a separate, standalone document. This document comprehensively describes enforcement procedures and responses for WES staff to follow for not only violations of WES Pretreatment-specific Rules but any violation of a WES Rules and Regulation provision.

An additional, but separate, implementation document for WES' Pretreatment program is a Hauled Waste Plan, which describes procedures for WES to control and accept domestic-only septage at its Tri City WRRF. This document was approved by Oregon DEQ on September 25, 2019. While this document does not cover specifics of WES accepting Hauled Waste, elements such as random sampling or receiving reports may apply when implementing the Hauled Waste Program.

Table 1 below identifies the structure of this Manual and associated Enforcement Response Plan and which corresponding Sections fulfill the program development and implementation requirements found in federal regulations (40 CFR § 403.8.(2-5)).

Manual Section or ERP	Brief Description	CFR Citation
Section 1	Local Limits	40 CFR 403.8.(4)
Section 2	Identify and Locate all possible IUs	40 CFR 403.8.(2)(i)
Sections 3 and 4	Evaluate SIUs to control Slug discharges.	40 CFR 403.8.(2)(vi)
Section 4	Receive and Analyze self-monitoring reports	40 CFR 403.8.(2)(iv)
Sections 4 and 5	Notify IUs of applicable standards	40 CFR 403.8.(2)(iii)
Sections 4 and 5 and the ERP	Investigate instances of noncompliance	40 CFR 403.8.(2)(vii)
Section 6	Randomly Sample and Analyze IU effluent	40 CFR 403.8.(2)(v)
Section 6	Identify pollutants contributed to POTW	40 CFR 403.8.(2)(ii)
Section 7	Comply with public participation requirements	40 CFR 403.8.(2)(viii)
Section 8	Program funding	40 CFR 403.8.(3)
ERP	Develop and implement ERP	40 CFR 403.8.(5)

TABLE 1. MANUAL STRUCTURE AND ALIGNMENT WITH 40 CFR 403.8.

This procedures manual has been prepared based upon the procedures approved by DEQ as part of the Industrial Pretreatment Program approval process. Changes to these procedures constitute a significant program change and must be done in accordance with the procedures outlined in 40 CFR 403.18. Failure to implement the department-approved Industrial Pretreatment Program could constitute a violation of WES' NPDES permits (for example, Schedule E conditions) or the law and be subject to enforcement action(s).

Section 2 – LOCATION AND IDENTIFICATION OF ALL POSSIBLE INDUSTRIAL USERS OF THE POTW

2.0 History

To fulfill its requirement to institute an industrial pretreatment program, WES (then separately CCSD #1 and TCSD) entered into an agreement with the consulting firm of CH2M Hill on May 7, 1981, to develop an industrial pretreatment program. This program was completed by CH2M Hill in July 1983, and is documented in the report entitled "Industrial Pretreatment Program Development - Clackamas County Service District No. 1, Clackamas County, Oregon" and "Industrial Pretreatment Program Development – Tri City Service District , Clackamas County, Oregon". These programs, along with the procedures contained herein and WES' Rules and Regulations Ordinance (collectively, Industrial Pretreatment Program), was submitted to DEQ on June 29, 1983, and subsequently approved by the DEQ on December 21, 1983. WES has amended their Industrial Pretreatment Programs and obtained approval from the DEQ to implement the program as amended.

As part of initial program development, Non-Residential Questionnaires (NRQs) were sent to all businesses within WES' boundaries at the time by CH2M Hill. Returned NRQ's were reviewed by CH2M Hill and classified as significant, non-significant, or minor industries. From this list CH2M Hill made a list of IU's that it recommended be permitted by WES based on the requirements of federal and Oregon law.

In 1986, CCSD #1 initiated the Industrial User permit application, initial inspection and permit issuance process, and issued two permits in December. In 1987, CCSD #1 issued nine additional permits. In 1987, TCSD initiated the Industrial User permit application, initial inspection and permit issuance process, and issued one permits in April, 1988 and three additional permits in 1989

2.1 WES' Industrial User Classification Process

Section 1.1 of WES' Rules and Regulations defines Significant Industrial User (SIU) as:

A. Are subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter 1, subchapter N.

B. Discharge an average of 25,000 gallons per day (gpd) or more of Process Wastewater to the public sewerage system (excluding sanitary, non-contact cooling and boiler blowdown wastewater); contributes a process waste stream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the District's treatment plant; or is designated as such by the District on the basis that the Industrial User has a reasonable potential for adversely affecting the treatment plant's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

This definition is consistent with the definition of Significant Industrial User as found in 40 CFR 403.3(v). WES categorizes industrial users that discharge to the District's system as either Significant Industrial Users (SIUs), Non-SIU's that require a permit, and industrial users that are not required to obtain a permit. All SIUs, except non-discharging SIU's, are required to obtain and comply with a wastewater discharge permit. An SIU has one or more characteristics that are listed in the definition quoted above.

The second category is the Non-SIU still requiring a permit. Industrial users in this group do not meet the criteria of an SIU but must still obtain and comply with a wastewater discharge permit issued by WES because they meet WES' permitting requirements set forth in Section 6.5.4. of the Rules and Regulations, as amended and detailed in Section 3.2 below.

The third category are industrial users who are not SIU's and do not meet any permitting requirements in WES's Rules and Regulations, 6.5.4., as amended. All documents accumulated (e.g. NRQ's, site visit reports, letters) on users in this category are filed separately, in alphabetical order, as physical copies or in WES' electronic tracking system

2.2 Non-significant Categorical Industrial Users ("NSCIU")

WES has the authority to regulate Categorical Industrial Users as Non-significant Industrial Users through it's Rules (Section 6.5.4.H.b) and federal regulations under the Streamlining Rule (70 FR 60134). For this category of Industrial Users, WES implements a simplified control mechanism process contingent on:

- The facility meeting the definition of a NSCIU in WES Rules
- Never discharge more than 100 gpd of categorical wastewater
- The Industrial User has consistently complied with all applicable Categorical Pretreatment Standards and all applicable permit requirements.
- The Industrial User annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement
- The Industrial User never discharges any untreated concentrated wastewater.

An initial site inspection and annual site inspections are conducted and annual reports are submitted by the NSCIU to confirm that the conditions above are met, including compliance with categorical standards. Upon receipt of an application, WES will then issue a control mechanism (i.e., a Permit) to the facility outlining the Categorical standards, annual reporting requirements, and other pertinent information. Data from sampling an industry intending to be categorized as an NSCIU will be evaluated after a minimum of 2 years has elapsed that the industry was under the permit's coverage. Upon evalution, if the conditions above are consistently achieved, the permit will be modified to an NSCIU with no monitoring, annual reporting requirements, and other pertinent information. At anytime the conditions above are not met, the NSCIU will revert back to a full CIU permit with the associated monitoring required of such permittees.

The District maintains a separate list of these Non-Significant Categorical IUs.

2.3 Non-discharging Categorical Industrial Users ("NDCIU")

WES also regulates Non-Discharging Categorical Industrial Users. For this category of Industrial Users, WES implements procedures to ensure that permitting requirements are reviewed by WES. These industries are not required to obtain a discharge permit because they do not discharge any regulated process wastewater from covered categorical processes at their facility. However, an initial site inspection and periodic site inspections are conducted to confirm that a discharge is <u>not</u> occurring from any categorical processes and that there are no other sidestreams (i.e., ancillary processes) with characteristics that would require permitting. Examples of documentation collected at an inspection to verify no process wastewater discharge might be: 3rd party manifests showing the removal of process wastewater or sludge, logs of evaporation of the process wastewater, or other data showing exclusive sanitary waste discharge.

If no permit is required then an authorization letter will be sent to the industry notifying them that no permit is required, but that certain responsibilities still exist: a) continued compliance with WES Rules and Regulations, b) Annual reporting (see example form in Appendix 2-A), c) inspection of the facility during Reasonable Times, d) potential enforcement, e) standard conditions, and f) RCRA notification requirements. Industries who dispute WES' interpretation of their classification (i.e., their facility processes) as being an applicable categorical process may appeal the decision in accordance with WES' Rules and Regulations Section 3.7 or request a category determination request to DEQ per 40 CFR 403.6(a).

The District maintains a separate list of these Non-Discharging Categorical IUs.

2.4 Ongoing Surveys and Required Updates to the Industrial User Inventory

2.4.1 Ongoing NRQ and Survey Receipt

Maintaining an accurate, comprehensive Industrial User Inventory is a challenging but critical piece of any successful Industrial Pretreatment program. An inventory allows WES to effectively prioritize resources to best implement a program that protects the POTW with inspections, permitting, and sampling efforts. Businesses open and close throughout a year, building uses change, and industrial processes can evolve with existing users. These facts require WES to manage oversight of its IU inventory adaptively and diligently. Additionally, WES receives wastewater from several contributing cities (i.e., Milwaukie, Oregon City, Gladstone, West Linn, and Johnson City). To maintain a quality inventory, WES collects data and surveys from many different sources:

- 1. Internal to WES
 - a. As part of the building permit process, the County building department or WES development division requires all new and existing businesses to complete and submit a Non-Residential Questionnaire ("NRQ", see Appendix 2-B). This process includes but is not limited to, new construction, permit-required building modifications, and changes of use. These NRQs are received throughout the year.
 - b. Pretreatment staff reviews the NRQ following procedures in Appendix 2-C and determines if the user is an industry, as defined in Section 3 below. Generally, at a minimum, if an NRQ is incomplete or lacks enough specificity to determine the facility doesn't meet permitting criteria, follow-up action is warranted.
- 2. External to WES
 - a. From contributing cities, business license lists are either solicited annually or periodically sent to WES staff for review that might meet permitting criteria. Those potential facilities are sent NRQs and reviewed following procedures in Appendix 2-C. Further information is in Section 2.4 below.
- 3. Ad hoc reviews
 - a. Other sources of data can be collected by querying WES sewer billing records (which are created from water-use records), conducting drive-bys of industrial or commercial parks, or accessing various state or federal databases (e.g., EPA Envirofacts or the Enforcement History and Compliance Online ("ECHO") database).
- 4. Mobile Users
 - a. Mobile food service establishments are routinely surveyed through solicitation of Clackamas County food licensing databases maintained by the Clackamas County Public Health Department. Periodically throughout the year, mobile IUs are inventoried and tracked through WES' compliance tracking database system.
 - b. Other Mobile IUs are surveyed through ad hoc reviews of business websites, complaints received through the service area, or solicitations for discharge authorization or access to the POTW by such businesses.
- 2.4.2. Required (i.e., NPDES) updates to the Inventory

Upon NPDES permit renewal, WES' facilities are occasionally required to complete a survey of potential industrial users, particularly for facilities without existing required programs. In these case, a one-time, mass mailing approach is typically made where NRQs are sent out to a subset of WES sewer account holders. The complete list is typically filtered by Equivalent dwelling unit amounts (to assess the account-holder's water usage against permit criteria) and account type. WES has various account types, also called "Classes of Service" which are defined in WES Rules and Regulations Section 5.4, Table 2.

The Source Control Coordinator has the responsibility to maintain the overall inventory and to track the name of each business, the date when the NRQ was mailed, when it was returned and any follow-up activities. Source Control Specialists assist in conducting the follow-up activities and consulting with the Source Control group on

permit criteria applicability. Should it be discovered through any of these processes that a permit will need to be issued, then the permitting procedures as found in Section 3 will be followed. If it is determined that a wastewater discharge permit is not required, then the NRQ is filed as a hard copy or stored in WES' digital electronic tracking system.

2.5 Locating IUs in other Jurisdictions

Located within WES Service Areas are cities that own, operate, and maintain their own collection systems. WES' sanitary Service Area 1 is coterminous with the city boundaries of Oregon City, West Linn, and Gladstone. Therefore, WES pretreatment rules apply and no distinct agreement exists between WES and these three cities. In contrast, WES' Service Area 2 does not include the Cities of Milwaukie or Johnson City's jurisdictions. To define respective responsibilities between WES and each City, a Memorandum of Understanding ("MOU") has been executed by WES and each city. Among other things, each MOU defines WES' role in the administration and enforcement of the industrial pretreatment program.

To reiterate, WES provides wastewater treatment services for the city of Milwaukie. Milwaukie, in turn, owns, operates and maintains its own collection system. An MOU between Milwaukie and the District is found in Appendix 2-D. In summary, for this MOU and those with cities in Service Area 1, WES administers the Pretreatment program, including conducting sampling, inspection, and enforcement. Each city issues NRQs and forwards them to WES staff or provides WES current business license lists.

Specific areas in Service Area 2 serve non-residential customers whose wastewater ultimately flows to the City of Portland's system. That area which is located near Johnson Creek Blvd., approximately around SE 82nd Avenue and SE Flavel, has wastewater collection and treatment provided by the City of Portland. A copy of the Wholesale Sewage Agreement and the MOU between the City of Portland and WES is found in Appendix 2-E. Also included is the DEQ approval letter issued November 13, 2007. In summary, the City administers the program in the MOU area and WES is responsible for IU survey activities.

The lists of new businesses submitted by each city are maintained by Source Control Specialists. They are reviewed by both the Specialist and Coordinator to determine whether or not a permit is required for any new or modified facility.

2.6 Locating IU's on leased property

As part of WES' ongoing IU survey process, industrial pretreatment staff periodically inspect the various industrial and commercial parks throughout the Service Areas and record the names and addresses of new businesses and note those businesses that appear to require a wastewater discharge permit.

The names of businesses on this list are then compared with the NRQ's on file in the office. If an NRQ is not on file, then one is mailed to the business to begin the survey process.

2.7 Interties and wastewater transfers between WES' WRRFs and their Service Areas.

Wastewater generated in Service Area 1 exclusively flows to the Tri City WRRF. On the other hand, wastewater in Service Area 2 partially flows to the Kellogg WRRF, and the balance is diverted to the Tri City WRRF for treatment capacity and operational reasons. This diversion primarily at two interties, Intertie #1 and Intertie #2 (the larger of which came online in 2013 and was built to handle growth in Happy Valley). The images below diagram the connections upstream of Intertie #1 alone and #2 cumulatively (Figure 2 and Figure 3, respectively).

Section 2 – LOCATION AND IDENTIFICATION OF ALL POSSIBLE INDUSTRIAL USERS OF THE POTW

Revised July 2025

Figure 4 of the Willamette Facilities Master Plan, published in November 2022, displays the connectedness in relation to various Pump Stations, WRRFs, and Service Areas.



FIGURE 2. EXTENT OF CONTRIBUTING CONNECTIONS ABOVE INTERTIE #1.



FIGURE 3. EXTENT OF CONTRIBUTING CONNECTIONS ABOVE INTERTIE #1 AND #2.



FIGURE 4. MAP OF WES SERVICE AREAS 1 AND 2 (TRI CITY AND KELLOGG, RESPECTIVELY) SHOWING THE TREATMENT PLANTS AND INTERTIE #1 ("CAMP WITHYCOMBE") AND #2.

2.8 Update notification to DEQ

By February 28 of every year, or as otherwise required in WES' applicable NPDES permit, an annual report is submitted to DEQ. Results of annual industrial user surveys are listed on Form 6a of the annual report for each WRRF. An annual report is also sent to the City of Portland Pretreatment Manager consisting of the IU survey conducted in the MOU area.

Section 3 - DRAFTING AND ISSUANCE OF IU PERMITS

3.0 Purpose and background

Section 6.5.4 of WES' Rules and Regulations requires each industrial user discharging waste into WES's sewage system meeting certain criteria in this section to obtain and comply with an Industrial Wastewater Discharge Permit. This section of the Procedures Manual describes the steps for issuing these permits.

This section also describes the steps taken to renew, modify, and revoke/terminate an existing permit. Fees relating to industrial discharges to WES's sewage system are discussed in Section 5 of WES' Rules and Regulations.

3.1 Description and format

WES's Permit Application Form, an Industrial Wastewater Discharge Permit template, and a Fact Sheet template are included in the Appendices (Appendix 3-A, Appendix 3-B, and Appendix 3-C, respectively). The application form contains instructions on the back of each page. WES issues several different types of control mechanisms to address different classes of industrial users (Figure 5):

- Non-significant Industrial User Permit
- Significant Industrial User Permit
- Categorical Industrial User Permit. Every categorical industrial user is a significant industrial user, but not every significant industrial user is a categorical industrial user.
- Non-significant categorical Industrial User (WES Rules and Regulations Section 6.5.4.h.b
- Non-discharging Categorical Industrial User (Appendix 3-D)
- Batch Discharge Authorizations.



FIGURE 5. WES INDUSTRIAL USER CLASSIFICATION SCHEME

3.1.1 New Permits

A NRQ is issued by the County's or City's building department when a business applies for a building permit or sewer connection. The permit issuance process begins with the submission of a completed NRQ by an industrial user. Each NRQ includes notification of applicable requirements under sections 204(b] and 405 of the Act and Subtitles C and D of RCRA.

Pretreatment staff reviews the questionnaire and determines if the user is an Industrial User and if it meets the criteria for an Industrial Wastewater Discharge Permit (discussed below). NRQ review procedures are detailed in Appendix 2-C and may require additional follow-up by staff. This follow-up may include desktop research of the business, review of other public databases (e.g., to determine SIC or NAICS codes), or a facility inspection. In general, if the answer to question number six (6) of the NRQ indicates that the business is manufacturing and the answer to question number seven (7) of the NRQ indicates a use other than sanitary or domestic, the user is classified as an industry.

If WES determines that the user is a non-domestic discharger which may be subject to WES's pretreatment program, WES shall issue to such users, a notification packet. Details of this packet are listed below but at a minimum will include any applicable pretreatment standards and a Wastewater Discharge Permit Application in which the industry will be required to complete Parts A through F and Part G or H, depending on whether or not the industry is categorical industrial user. Categorical Industrial Users are those with NSPS or ESPS as identified in 40 CFR §§ 405-451, as amended from time to time.

The "Notification Packet" should include:

- Permit Application
- Copies of Section 6 and 10 of WES Rules & Regulations, which discuss WES's Sanitary Rules and Enforcement regulations;
- A listing of WES's current local limits and;

- A summary of WES's sewer charges, including industrial sewer charges and extra-strength sewer charges, as amended by Orders of the Board,
- the IU's reporting obligation regarding the discharge of hazardous wastes to the sanitary sewer. An example of the Notification Packet is found in Appendix 3-.

The Notification Packet will be issued to the IU such that delivery of the packet is documented and could include delivery by Certified Mail, Return Receipt Requested or hand delivered and signed by an authorized representative of the user upon receipt. The date that the application is to be returned to WES is written on the cover page of the application in the space provided. According to WES' Rules and Regulations Section 6.5.4.1.a., "...Completed applications shall be submitted within thirty (30) days from the date specified by the District or, for New Sources, at least ninety (90) days prior to the date that discharge to the sewerage system is to begin."

Upon return of the application, the industrial pretreatment staff reviews the application for the following items:

- Is the application complete?
- What Federal standards apply?
- If none, is their reasonable potential for the user to discharge harmful pollutants?
- If categorical standards apply, are Parts G and H completely filled out?
- Is the application appropriately signed and certified?
- Is there a pretreatment system? If not, why?
- If so, does the proposed pretreatment system look adequate (i.e., to meet applicable federal, state, and local requirements)?

In order to verify information obtained on the NRQ's and permit application, WES shall conduct a site visit. As part of the permit development process, an initial inspection is conducted.

If a) a review of the permit application indicates that only domestic waste is discharged, b) that any possible discharge is not likely to upset the treatment process, c) a site visit indicates no potential for adversely affecting the POTW, and d) the industry is not otherwise required to obtain a permit under the Rules and Regulations, then no permit is required. All information gathered up to this point is filed alphabetically and stored on file in the Industrial Pretreatment office or in WES' electronic tracking system.

If review of the application, the NRQ, or other appropriate facility or process-related facts indicate that an industrial user meets one or more of the following criteria, then a wastewater discharge permit is required:

- If the industry meets the definition of Significant Industrial User.
- If the industry is subject or will be subject to a Federal Categorical Pretreatment Standard
- If the industry discharge, as determined by the District under 40 CFR Part 403, contains pollutants in
 concentrations or quantities that interfere or have the potential to interfere with the operation of the
 public sewerage system; has a significant impact or potential for a significant adverse impact on the public
 sewerage system, either singly or in combination with other contributing industries; or increases the cost
 of operation of the public sewerage system.
- If the industry discharge requires pretreatment in order to comply with the discharge limitations described in WES' Rules and Regulations.
- If the industry discharge contains either suspended solids or biochemical oxygen demanding pollutants in excess of 350 mg/L, or in excess of 30 pounds in any single day.
- If the industry discharge contains wastes requiring unusual quantities of chlorine (more than 20 mg/L) for treatment at the treatment plant.
- Contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW.
- If the industry discharge exceeds an average flow of 10,000 gallons or more in any single day, excluding sanitary, non-contact cooling water and boiler blowdown wastewater, or contributes a maximum

instantaneous flow which exceeds 10 percent of the capacity of the available lateral or appropriate trunk sewer.

- The discharge is a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR, Part 261.
- If the user could discharge a slugload that could upset the POTW.
- If the discharge could contain any of the prohibited substances in Section 6.4 WES' Rules and Regulations.

Simplified flow charts summarize these criteria for classifying an industrial user requiring a permit as either a Nonsignificant Industrial User or Significant Industrial User are shown in the Appendices (Appendix 3-F) and can be used as guides. Industrial pretreatment staff will prepare a draft of the permit and fact sheet in accordance with the permit development procedures found in the Appendices (Appendix 3-G). Fact sheets are important documents that set forth legal, procedural, and policy questions considered in preparing the permit. Fact sheets are not required, binding parts of a permit but provide a supportive record that summarize the findings from review of the application, inspections, and other materials necessary to describe the rationale for the permit conditions. A fact sheet template showing components that should be included is included in Appendix 3-C.

Section 6.5.4.L of WES's Rules and Regulations lists the conditions that are placed in a permit. These conditions include:

- 1. Fees and charges to be paid upon initial permit issuance.
- 2. Effluent limits based on applicable Pretreatment Standards, local limits, and state and local law.
- 3. Requirements for installation and maintenance of inspection and sampling facilities compatible with facilities of the District at the permittee's expense.
- 4. Special conditions as the District may reasonably require under particular circumstances of a given discharge, including, but not limited to, self-monitoring requirements, access to sampling locations, frequency of sampling, identification of pollutants to be monitored, sample types, standards for testing, and a reporting schedule based on federal, state and local laws. Reporting requirements shall include the provisions in 40 CFR 403.12(g) to demonstrate continued compliance through monitoring and analysis.
- 5. Requirements for installation and maintenance of BMPs.
- 6. Compliance schedules, as necessary, for installation of additional pretreatment and or operations and maintenance to meet a Pretreatment Standard. The shortest possible schedule for achieving compliance with Standard is required.
- 7. Requirements for submission of special technical reports or discharge reports that differ from those prescribed by these Rules and Regulations.
- 8. An effective date and expiration date of the permit (in no case more than five (5) years).
- 9. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the District, DEQ, and EPA, and affording District access for purposes of inspection and copying.
- 10. Requirements for inspection and surveillance by District personnel and access to the Industrial User's parcel.
- 11. Requirements for immediate notification to the District of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents, including listed or characteristic hazardous wastes, being introduced into the public sewerage system or any significant change in the production where the permit incorporates equivalent mass or concentration limits calculated from a production-based standard.
- 12. Requirements to develop a written plan for slug control and notification to the District of slug discharges and changes at the Industrial User's facility affecting the potential for a slug discharge.
- 13. Other conditions as deemed appropriate by the District to ensure compliance with these Rules and Regulations and federal and state statutes, and Administrative Rules.
- 14. Statement of applicable civil and criminal penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by federal, state, or local law.

Duty to reapply and obtain a new permit should the permittee wish to continue the activity regulated by the discharge permit following the expiration date of the discharge permit.

- 15. Requirements that samples and measurements taken for purposes of monitoring be representative of the monitored activity, including, but not limited to, the volume and nature of the discharge.
- 16. Statement of non-transferability without prior notification to the District in accordance with Section 6.5.4 of these Rules and Regulations and provision of a copy of the existing permit to the new owner or operator.
- 17. Requirements that all sampling data reported to the District include complete and accurate chain-of-custody forms.

Following the permit development process, internal review of the draft permit by Pretreatment staff and management occurs. Subsequently, the draft permit is provided to the industrial user for a 30-day comment period. If no comments are received, the draft permit is sent to WES' Director for signature and issuance pending all payment of fees required by the permittee. If comments are received, Pretreatment staff should endeavor to incorporate comments, where appropriate. Appeals to permits can be made following the appeal requirements and procedures found in Section 3.7 of WES Rules and Regulations. Details of the appeals process are not presented here but are summarized below:

Step 1) Appeal:

Within fourteen (14) days after the permit is issued, the industrial user submits to WES' Director a written appeal.

Step 2) Decision by WES:

Within thirty (30) days from receipt of the written appeal, WES will issue written decision and notify the Industrial User.

Step 3) Appeal WES decision to Hearings Officer:

If the appellant is still unsatisfied, they may apply for an independent review by a Boarddelegated Hearings Officer within thirty (30) days of WES' Director's written decision. The Hearings Officer will issue a final decision within thirty (30) days from the receipt of the appeal by the appellant.

Step 4) Circuit Court Review:

If the appellant is still unsatisfied, they may apply for review by the Circuit Court of the State of Oregon for Clackamas County under the provisions of ORS 34.010 to 34.100 or any successor statutes.

3.2 Permit modification and renewal

Permit modifications and renewals are required to keep the permit current. A permit modification is required to address changes in Pretreatment standards, industrial process, pollutant loading, industrial ownership, and/or other changes in the industry. This section of the Manual outlines how a permit is modified or renewed under four conditions. Legal authority for permit modifications are covered in section 6.5.4.M of WES' Rules and Regulations. These conditions are:

- 1) Changes requested by the industry,
- 2) Changes in pretreatment standards,
- 3) Changes at the discretion of WES,
- 4) Expiration of the permit.

Permits have a maximum duration of five (5) years as stated in section 6.5.4.L.h. of WES's Rules and Regulations. The industrial user is required to apply for the renewal of its permit at least ninety (90) days prior to the permit expiration date on forms provided by WES.

3.2.1 Industry Requested Modification

Permit conditions are changed via a permit modification process. The industrial user submits a letter requesting modification to it's existing wastewater discharge permit, providing a detailed description of the requested change. WES sends a permit application (either a complete application or the pertinent pages to describe the requested changes) to the IU which is filled out, signed/certified, and returned by the date specified on the cover page of the application.

Permit modifications are required when the industry wishes to change any condition on the permit. This includes, but is not limited to:

- Change in ownership of the industry (e.g., new primary contacts or business names)
- Changes in the volume or character of the waste being discharged (e.g., a change in permitted discharge (WES Rules 6.5.4.J.))
- Expansion of the industry (e.g., a new process brought online)
- Modifications to the pretreatment facilities.
- Desire to change any permit condition (e.g., monitoring or reporting requirements)

3.2.2 New Pretreatment Standards

Whenever pretreatment standards are changed, permit modifications are issued. This includes any applicable change in the WES's Rules and Regulations Ordinance (e.g., prohibited discharges), or whenever the EPA issues new Categorical Pretreatment Standards. When new Federal Pretreatment Standards are promulgated:

- WES will research its permit and application files for affected industries. If no existing industries are affected, the standard is filed for future reference.
- If existing permitted or non-permitted industries are affected, WES sends a notification package (with a permit application) to the affected industrial user(s). The permit development procedures are then followed to reissue a revised permit to the affected industrial users or issue a new permit to previously non-permitted Industrial Users.

The cover letter accompanying the notification package asks the industry to review the proposed modification and assess what action will be needed to bring the discharge into compliance. If the industry can comply with the new standard immediately, then the permit modification is finalized, and signed and copies filed with the industry and WES. If the industry is unable to comply with the new standards at this time, then the industry is required to submit a schedule that shows what will be done to bring the discharge into compliance with the new Standards. The schedule is put into the permit modification as a "Special Condition" as long as it meets the requirements of the new Standard.

3.2.3 Discretionary Modifications by WES

WES may, with good and valid cause, need to modify an industrial user's permit. Reasons for modification may include, but are not limited to:

- Change sampling requirements.
- Change reporting frequency requirements.
- Change mailing and contact address or information.
- Add, delete, or modify permit conditions based on requirements of WES' Rules and Regulations
- Add, delete, or modify permit conditions based on Oregon or federal law, requirements, or guidance.

For all modifications, the industry is notified of the proposed modification by WES at least 30 days prior to its effective date. The notification shall include reasons for the proposed change(s), a date which comments are due, and, if different, the effective date of the change. If no comments are received, the changes become effective automatically on the effective date. Two methods may be used to inform the Industrial User of the changes affecting the permit.

- 1) Provide the permit pages affected by the proposed changes. This approach may be used for example, with simple changes such as changes in mailing or contact addresses.
- 2) Provide a summary identifying the specific conditions affected, the existing language and the proposed new language. An example of this type of summary is in Appendix 3-H. Finally, the notice will include a date by which comments are due.

The associated permit fact sheet shall be updated to reflect the changes in a permit modification for all substantial permit modifications. Examples of non-substantial modifications include changes in industry contacts or mailing addresses. Examples of substantial modifications include, but are not limited to, changes in process, discharge flow or characteristics, re-calculations of permit limits, or changes in the location of the Point of Compliance.

3.2.4 Permit Renewals

Permit renewals are granted when an existing permit expires. WES sends a permit application to the industrial user one hundred and twenty (120) days prior to the permit expiration date with notice that a completed application and the analytical results of a discharge sample for all pollutants in which WES has developed local limits must be returned to WES within ninety (90) days prior to the permit expiration date. Based upon the application and using the existing permit as a model, the industrial pretreatment staff prepares a draft permit and sends one copy (stamped "DRAFT" on each page) to the industry for their review and comments. The permit's fact sheet should also be updated at this time. An internal review of the draft permit and fact sheet is conducted to solicit feedback from within the Pretreatment group and pertinent management to ensure consistency between permits and with WES Rules and Regulations, in addition to capturing possible typographical or stylistic errors.

Next, the industry reviews the permit and is required to return the permit with any comments within two weeks (14 calendar days). If no changes are necessary, the Director signs the permit. Industrial pretreatment staff file one copy of the final, issued permit in the IU's binder and sends a second copy to the industry via e-mail and/or Certified mail. If changes are later requested, then WES follows the procedures outlined in section 3.2.1 of this manual for industry requested modifications.

An industry that has submitted a complete application in a timely manner shall be deemed to have an effective wastewater discharge permit until WES renews or denies a new wastewater discharge permit, in accordance with Section 6.5.4.Q. of the WES Rules and Regulations. In other words, if a permitted industrial user applies for a permit renewal within ninety (90) of the permit's expiration date, and WES fails to act by renewing or denying the permit, then the existing permit remains in effect until such time that WES makes a decision on the renewal application.

3.3 Permit revocation and terminations

Industrial wastewater discharge permits may be revoked for any of the reasons listed in Section 6.5.4.P. of WES' Rules and Regulations. Permits shall be voidable upon nonuse, cessation of operations, or transfer of business ownership. All previous Industrial Wastewater Discharge Permits are void upon the issuance of a new Industrial Wastewater Discharge Permit. Revocations are typically associated with violations and are an example of an escalated response. Effort should be made to assist, through technical or administrative means, the industrial user to return to compliance with its permit or applicable ordinance or law prior to revocation.

Permit termination occurs when a permitted industry ceases the operations permitted to occur under the permit. Examples of this are the business closing permanently, the business moving locations out of WES' service area, or the business permanently ceasing the operation or process which met the criteria for them to apply for permit coverage. Termination could be at the request of the industry or WES. To avoid inappropriate or premature permit termination; the following steps shall be followed:

- 1) The permittee makes a written request to WES for permit termination. This request must include a justification and plan detailing the necessary actions and timeline to cease the operation or process if the business will not be moving out of the service area or closing permanently.
- 2) WES reviews the request and, at its sole discretion, approves or requires modifications to the plan.
- 3) Upon completion of the permittee's actions, WES staff schedule an on-site visit to verify cessation of applicable operations or processes.
- 4) WES issues a written permit termination letter notifying the industry their permit is terminated. The letter shall identify who requested the termination, steps taken, if any, any findings made by WES staff, and a date in which the permit is terminated.

3.4 Batch discharges

At times, an individual user may request a one-time or limited-duration batch discharge of non-domestic wastewater. In some circumstances, these discharges occur as single or a short series of discrete volume "batch" discharges over a limited period of time. These discharges could be associated with clean-up activities, dewatering operations, or temporary treatment installations. A unique feature separating these discharges from process wastewater discharges from permitted Industrial Users is that they are typically limited in duration (for example, <6 months), related to a specific site and/or operation, and are better controlled via a batch discharge authorization than an Industrial Wastewater Permit.

3.4.1 Goal of issuing Batch Discharge Operations

When non-domestic, batch discharges have the potential to a) violate the districts Rules and Regulations, b) require pretreatment to meet the District's local limits, or c) potentially adversely affect the POTW, WES must control the discharge and authorize the activity. In particular, when a batch discharge is a one-time event or a series of batch discharges over a short period of time, in lieu of issuing an Industrial Wastewater Permit, the District shall follow these procedures with the goals of:

- Ensure adherence to WES Rules and Regulations, including discharge prohibitions and limitations,
- Appropriately protect the district's POTW, including but not limited to requiring pretreatment to meet the District's Local Limits, limiting the rate and hours of discharge to prevent surcharging of the collection system, preventing pass-through or interference, etc.,
- Minimize the potential for illicit releases, and
- Recover the costs of administering the program and accepting the additional flow.

3.4.2. Batch Discharge Procedures

The first step is for the industry or company representative (usually an engineering consultant) to complete an application for One-time Batch Discharge Application (Appendix 3-J) and submit to WES. The application requests the following information:

- 1. Name and address of business or company responsible for accumulated wastewater.
- 2. Estimated volume to be discharged.
- 3. Proposed methods and manhole/location of discharge to sanitary sewer system.
- 4. Reason for the source and accumulation of wastewater and reason for need to discharge to the sewer system.
- 5. Estimated date(s) of the discharge(s).
- 6. Laboratory results (compliant with methods in 40 CFR 136) for parameters that can reasonably be expected to be present in the wastewater such as: TTO, closed cup flashpoint, metals, oil & grease, and pH.
- 7. Any proposed treatment steps (e.g. dechlorination) to be conducted before final release to sanitary sewer system.

Following receipt of the application, industrial pretreatment staff will follow up with a phone interview to obtain more detailed information regarding the batch discharge and to set up a site visit if warranted. Based on the site visit and a review of the application and laboratory results, the Source Control Coordinator makes a determination

whether or not to allow the batch discharge. If it is allowed, the Coordinator sends a letter authorizing the discharge and requiring submittal of the following information:

- 1. Seventy-two (72) hour notification prior to discharge.
- 2. If a single discharge will occur, a report within thirty (30) days following discharge containing the following information:
 - a. What was discharged,
 - b. An explanation of the circumstances necessitating the discharge,
 - c. The location, date, and volume of discharge,
 - d. A copy of the analytical results of discharged wastewater samples.
 - e. A summary of the circumstances necessitating the discharge and final outcome of the project.
 - f. If multiple discharges will occur, a report within thirty (30 days) following each discharge containing the information in 2.a.-d. above. Upon conclusion of the final discharge covered under the authorization, a report within (30) days following it containing information in 5.b.e. above.

In addition, the Coordinator will notify the treatment plant by telephone as to the nature, amount and date of the proposed batch discharge.

If it appears that the discharge may violate any of the discharge standards found in WES's Rules and Regulations, the Coordinator will not allow the discharge and may attach conditions to be met (e.g. installation of a pretreatment system) prior to discharge approval. The batch discharge authorization letter shall identify the legal party responsible for compliance with the permitted activities, an on-site contact responsible for day-to-day operations, if different, a map identifying the approved point(s) of discharge into the POTW, and any applicable conditions limiting the volume, rate, or character of the discharge. An example of a batch discharge authorization letter is found in Appendix 3-J.

Section 4 – RECEIPT AND EVALUATION OF IU REPORTS AND NOTIFICATIONS

4.0 Background

Federal regulations and WES Rules and Regulations require that reports and notifications be submitted to WES by industrial users within certain conditions and within certain time frames. This Section includes a nonexhaustive listing of these reports and notifications, with a short description and WES's procedure for tracking, receiving, and reviewing these documents. Unless otherwise specified, these reports and notifications are checked for completeness and necessary signatures and followed up on by the pretreatment staff person handling the call, or by the Permit Manager responsible for the permit which is either the Coordinator or a Specialist. Failure to submit any of these reports or notifications within the timelines specified is a violation of the permit and WES's Rules and Regulations and cause for enforcement action. Procedures for the types of enforcement to be taken in these cases are found in the Enforcement Response Plan associated with this Manual.

4.1 Types of Reports

Baseline Monitoring Report ("BMR")

A BMR is due within the earlier of one hundred eighty (180) days after the effective date of an EPA categorical pretreatment standard, or within ninety (90) days after notification from WES, or ninety (90) days prior to initial discharge into the sewer system. This information is provided to WES as part of the wastewater discharge permit and contains the following information (see WES Rules and Regulations 6.5.6.A.):

- a) The name and address of the facility and the name of the owner and operator.
- b) A list of any environmental control permits on the facility.
- c) A description of the operation(s);
- d) The measured average and maximum daily flow from regulated process streams and other streams as necessary to allow use of the combined wastestream formula.
- e) Measurement of the particular pollutants that are regulated in the applicable pretreatment standard and results of sampling as required in the permit.
- f) A statement reviewed by an authorized representative and certified by a qualified professional as to whether the applicable standards are being consistently met and, if not, what additional measures are necessary to meet them; and
- g) If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, a report on the shortest schedule by which the needed pretreatment and/or operation and maintenance can be provided. The compliance date for users covered by categorical pretreatment standards should not be later than the compliance date established for the particular standard. The report shall be reviewed and signed by an authorized representative of the Discharger and certified to by a qualified professional engineer.

If the information required by these reports has already been provided to WES and that information is still accurate, the Discharger may reference this information instead of submitting it again.

90-Day Compliance Report

Also known as the Report on Compliance or the Final Compliance Report, this report, submitted ninety (90) days after permit issuance or after initial discharge, contains the following information (See WES Rules and Regulations 6.5.6.B.):

Section 4 - RECEIPT AND EVALUATION OF IU REPORTS AND NOTIFICATIONS

- a) The measured average and maximum daily flow from regulated process streams and other streams as necessary to allow use of the combined wastestream formula.
- b) Measurement of the particular pollutants that are regulated in the applicable pretreatment standard and results of sampling as required in the permit.
- c) A statement reviewed by an authorized representative and certified by a qualified professional as to whether the applicable standards are being consistently met and, if not, what additional measures are necessary to meet them; and
- d) If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, a report on the shortest schedule by which the needed pretreatment and/or operation and maintenance can be provided.

If this report is required in an IU's wastewater discharge permit, the industrial pretreatment staff responsible for the permit shall note the 90th day on the industrial pretreatment tracking board. In addition, the staff person will also mail a reminder letter and a 90-Day Compliance Report form to the IU thirty days prior to the report due date. A copy of the reminder letter and 90-Day Compliance Report form are included in

Appendix 4-A.

Periodic Reports on Compliance

Wastewater Discharge Permits issued to industrial users identify the frequency in which required periodic compliance reports are due to WES. The periodic compliance report is also known as the self-monitoring report ("SMR") or Discharge Certification and Self Report (see Appendix 4-B) and includes information regarding the nature and concentrations for all parameters measured as a condition of the wastewater discharge permit. (See WES Rules and Regulations 6.5.6.C.).

The reporting frequency for each industrial user is listed on the industrial pretreatment tracking board. When an SMR is received, the pretreatment staff reviewing the SMR writes down the date the report is received on the industrial tracking board. The date that the SMR is received by the office is also stamped on the SMR. The report is reviewed, and the data entered into WES electronic tracking system. An SMR may initially be submitted electronically to the permit manager but a "wet" signed copy of the SMR certifying the validity of the report shall be submitted to WES subsequently. If the IU elects to use this option, the date WES receives the complete report electronically shall be considered the date the report was received.

Compliance Schedule Report

A compliance schedule report is required when an IU needs time to install additional pretreatment equipment in order to meet pretreatment standards. The compliance schedule must follow a required format in terms of increments of progress and reporting due dates (See WES Rules and Regulations 6.5.4.L.f. and 40 CFR 403.12(c)(1-3)).

The compliance schedule due dates are noted on the industrial pretreatment tracking board by the industrial pretreatment coordinator. The compliance schedule is kept with the IU discharge permit, which is kept in the IU file.

24 - Hour Notification of Noncompliance and 30 Day Resample Report

Federal regulations, WES Rules and Regulations, and discharge permit conditions require that an industrial user must notify WES within twenty-four (24) hours after first possessing or becoming aware of a self-monitoring violation. An IU becomes aware of a self-monitoring violation at the time it receives the sample analysis data. The industrial user must submit the results of a resample to WES within thirty (30) days of first becoming aware of the violation.

When an industrial user calls to notify WES of a violation, the pretreatment staff taking the call documents the call in a phone memo detailing the violation being reported. This memo is kept in the IU's correspondence folder. Alternatively, WES may direct the IU to re-submit the notice to WES via e-mail and retain the e-mail as the IU notice. During the course of the call, the pretreatment staff person will instruct the industrial user to take another sample (following correction of the problem) and submit the results to WES within thirty (30) days. A resample conducted in response to a permit condition violation shall be a separate sample collection and not used to fulfill the IU's monitoring requirements. Also, the thirty (30) day time period shall begin when the IU notifies WES of the violation. For tracking purposes, the date due for the resample result is specified in the enforcement notice sent to the industrial user.

Notice of Accidental or Slug Discharges

An accidental or slug discharge is defined in WES Rules and Regulations Section 6.4.2 and 1.1 and in 40 CFR 403.8(f)(2)(vi) as:

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"Any discharge of a nonroutine, episodic nature, including an accidental spill or a noncustomary 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."

Each industrial wastewater discharge permit (Appendix 2-B) outlines procedures to be undertaken by the permittee in the case of an accidental spill (or slug discharge):

- a) Immediately take action to stop, contain and clean up the unauthorized discharge, and correct the problem.
- b) Immediately notify Water Environment Services Office at 503-742-4567, the Kellogg Creek Treatment Plant at 503-794-8050 and the Tri City Treatment Plant at 503-557-2801.
- c) Within five (5) days following an accidental discharge, the Permittee shall submit to WES a detailed written report describing the cause of the discharge, the actual quantity and quality of resultant waste discharged, any corrective actions taken, the measures to be taken by the Permittee to prevent similar future occurrences, and any other pertinent information.

The pretreatment staff person makes a determination if a violation has occurred and notifies the industry in accordance with the enforcement procedures outlined in the ERP associated with this Manual. The industry is also notified of its responsibilities as defined in the their Industrial Wastewater Permit (Appendix 2-B), including the requirement to submit a report within five (5) working days.

Notice of Changes in Production Rates, Authorized Signatory and Ownership.

Industrial Users with an industrial wastewater discharge permit are required, by conditions contained within the discharge permit, to notify WES whenever the industry experiences a change in production rate (§ 6.5.4.J.), a change in personnel authorized to sign pretreatment documents (6.5.6.F.), and changes in ownership of the industry. If the notification is made by telephone, the pretreatment staff person taking the call will instruct the industry to put the notification in writing and submit it to WES. The staff person will then document the call on a phone memo or written record maintained in the IU's Correspondence subfolder.

When the notification is made in writing, the pretreatment staff will make a determination if a permit modification is required (e.g. changes in the company name, limits, or primary contact person). If a modification is required, then the permit modification procedures set forth in Section 2, subsection 2.2 are followed. If no permit modification is required, the letter from the industry and the phone memo is inserted in the industrial file.

An Industrial User has the option to designate a duly authorized representative as a signatory or designee when submitting Reports for the IU. This individual is assigned responsibility for environmental matters and compliance with the IU's permit. In order for this designee to sign and submit reports to WES, a Signatory Authorization form (see Appendix 4-C) must be submitted prior to or together with any reports signed by the authorized representative.

Notice of Bypass or Upset

Permit conditions and WES Rules and Regulations, Sections 6.5.5.C. and 6.5.5.D., contain information regarding upset and bypass notifications, respectively. Notification requirements and procedures dealing with an industrial upset are discussed in this section under <u>Notice of Accidental or Slug Discharges</u>.

Section 1.1. define a bypass as the intentional diversion of waste streams from any portion of an industrial user's treatment facility. If the industrial user knows in advance of the need for a bypass, the industrial user needs to follow the provisions in Section 6.5.5.D. of WES Rules and Regulations. A bypass is prohibited by WES unless three conditions are met:

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- a) The bypass was unavoidable to prevent loss of life, personal injury or severe property damage. the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage as defined in 40 CFR 403.17(A)(2), as may be amended from time to time.
- b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime (this condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of down time or preventative maintenance); and
- c) The industrial User submitted notices as set forth above in the previous paragraph.

The IU must submit a written notification ten days (10) before the date of the bypass which shall contain: (a) a description of the bypass and its cause; (b) the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and (c) steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. A After consideration of the adverse effects of the bypass and whether the conditions listed above are satisfied, WES may approve the bypass. The approval will be verbally and in writing, however WES may waive the written report on a case-by-case basis if the oral report has been received.

If an unanticipated bypass occurs, the notification requirements and procedures dealing with the unanticipated bypass shall be the same as for an Upset and accidental or slug discharge. If the bypass results in a violation of permit conditions and/or District Rules and Regulations, then enforcement procedures as outlined in the ERP associated with this Manual are followed.

Section 6.5.5.D. also states that "an Industrial User may allow any bypass to occur that does not cause a violation of Pretreatment Standards or requirements, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of the paragraphs of this section."

Section 5 – INDUSTRIAL INSPECTIONS

5.0 Importance of Industrial Inspections

Inspections of industrial facilities are important in the overall implementation of WES's pretreatment program and provides:

- a) A mechanism for maintaining a current, updated industrial user inventory, independent of information supplied by Industrial Users or neighboring jurisdictions (403.8 (f)(6)),
- b) A means for determining the industrial users' compliance status,
- c) A basis for deciding on and conducting sampling activities at the industry,
- d) A means for communicating and developing a good working relationship with the industrial user,
- e) A means to assess the adequacy of the user's self-monitoring and reporting program and the industrial discharge permit,
- f) A means to assess the potential for spills, and
- g) A means to evaluate the industrial user's operation and maintenance activities of its pretreatment system.

Current data on industrial discharges is necessary in a pretreatment program to identify sources of problems and to provide a foundation for developing or amending local discharge limits for industrial users. Industrial inspections will help WES maintain current data on all its industrial users. These inspections are carried out by Specialists, Coordinators, or Supervisors, depending on the complexity of the inspection.

Properly implemented on-site industrial inspections set the groundwork for sampling activities associated with the pretreatment program. Industrial inspections can furnish WES with information needed to plan future sampling activities, (e.g., operating data, sampling considerations and locations, safety considerations, laboratory considerations, etc.). In addition to this type of logistical information, the inspection can provide information about needed changes in existing procedures at the industrial facility. For example, if an industry changes its processes to discharge less pollutants, the inspector might recommend WES's sampling and analyses efforts also be reduced to match the new wastewater discharge. Similarly, a series of inspections can show a trend or a change that necessitates a modification of sampling schedules or frequency, or even the industry's wastewater permit. In this way, inspections can be a useful tool for adjusting and refining WES's pretreatment program to allocate resources and undertake activities efficiently.

Industrial inspections also serve to establish and maintain a good rapport between WES and industrial users. The inspection is a good time for exchanging ideas and concerns. During industrial inspections, WES staff can inform the industrial user of any new or updated pretreatment regulations or other regulatory issues of concern related to other pollution prevention activities undertaken by WES.

5.1 Types and frequency of inspections

5.1.1 Types

Industrial inspections fall into three (3) categories: initial, periodic, and demand. They may be scheduled in advance with the industry, unscheduled with little or no prior notice to the industry, or demanded, usually in response to a problem or emergency such as a spill at an industry or an upset at WES's treatment facility. Each of these types of industrial inspections are described in the following paragraphs.

Scheduled Inspections:

Initial and Periodic inspections are planned in advance by WES with prior notice to the industry.
<u>Initial</u> inspections are triggered by a Non-Residential Questionnaire or permit application. These Non-Residential Questionnaires and permit applications are part of WES's permit process. The Non-Residential Questionnaire is filled out by a business as to the nature of the proposed business and water usage. Pretreatment staff use this form as a means to determine whether or not an inspection is required.

<u>Periodic</u> inspections are performed (at a minimum) annually on industries with Industrial Wastewater Discharge Permits. The date and time of the planned visit should be mutually agreed upon. The purpose of scheduled inspections are to:

- Collect information to evaluate industry compliance with WES, State, and Federal pretreatment standards and requirements.
- Identify changes in industrial processes that may affect the quality of the industrial wastewater discharges and subsequent permit limitations.
- Maintain a cooperative as well as a regulatory presence with the industrial community.
- Verify self-monitoring reports submitted to WES by the industrial user.

Unscheduled Inspections:

Unscheduled inspections represent a random spot check to evaluate industry compliance. These unscheduled inspections have the same purpose as scheduled inspections; however, no advance notice is provided to the industry. The unscheduled inspection is effectively conducted simultaneously with sampling activities of the industry's effluent. Most cases of noncompliance are identified during unscheduled inspections. Unscheduled inspections usually occur when an industrial user is suspected of having difficulties meeting or maintaining compliance.

Demand inspections:

Demand inspections are usually performed in response to a complaint or an emergency situation. WES may receive complaints from the public or reports from other agencies concerning discharges to WES's sewage system by an industrial user. Demand inspections may also be initiated if WESstaff or personnel at the treatment facilities notice changes to the influent characteristics or an upset or interference of treatment plant processes. Inspections of this type should:

- Determine the nature, duration, and hazard of the discharge.
- Obtain samples to verify the source and constituents of the discharge.
- Determine the necessary corrective action to be taken to contain or halt the discharge.
- Document information needed for follow-up compliance or enforcement activities.

When emergency situations arise in the treatment facilities or collection system (upsets, blockages, fires, explosion, etc.), industrial inspections should be initiated immediately. Similarly, laboratory staff should be notified to aid in determining the source and constituents of the discharge. Inspections and sampling of suspected industrial users will generally determine the source(s) of the problem. Remedial actions to be taken by the responsible industrial user can also be determined during the industrial inspection. In addition to the information stated above, District staff performing demand inspections in response to an emergency should:

- Notify other agencies (local, state, or federal) as appropriate.
- Make all information on the industry available to the person or agency in charge of the response effort.
- Stay in direct contact with WES managers in case:
 - special equipment or remedial action is needed.
 - injunctions or legal opinions are needed.
 - high level decisions are needed.

• Collect and adequately document all information should enforcement or litigation procedures be pursued at a later date.

5.1.2 Frequency

WES's industrial pretreatment staff will determine the frequency with which industrial inspections will occur. All permitted industrial users shall be inspected at a minimum, once per year as stated in Schedule E part 4 of the Kellogg Creek NPDES permit and Schedule E part 1 (d) of the Tri-City permit. However, other factors will be considered in determining the frequency of inspections. These factors include:

- Past performance and compliance record of an industrial user.
- Extent and number of problems in the collection system and at the treatment facility which are the result of industrial waste discharges.
- Number and significance of industrial users in WES's service area.
- New or additional pretreatment standards and requirements.
- Seasonal production schedules at an industry.

5.2 Conducting on-site industrial inspections

5.2.1 Content of an Industrial Inspection

The industrial inspection provides an excellent opportunity for WES to collect information about an industry and evaluate its compliance with pretreatment standards and requirements. Presented below is a description of the kinds of information which will be collected and documented during an on-site inspection.

- Industry name.
- Site address.
- Correspondence address.
- Contact name, title, and telephone number.
- Year the industry was established on site.
- Number of employees per shift.
- Applicable Standard Industrial Classification (SIC) codes.
- A schematic of the water flow through the industry and location of all wastewater discharge lines that flow to WES's sewage system; the schematic should also include the layout of major plant features.
- A description of each discharge (including any batch discharges), including the amount, chemical nature, frequency and destination of each discharge.
- A description and process flow diagram of each major product line and process utilized within the plant, particularly processes which may be subject to Federal Categorical Pretreatment Standards.
- A detailed description and appropriate sketches of existing pretreatment facilities, including operating data, if available.
- A list of pollutants of interest at the plant. The list should be divided into two categories: (1) pollutants that come in direct contact with the water that is discharged to WES and, (2) pollutants that do not come in direct contact, but have a potential to enter the wastewater due to spills, machinery malfunctions, etc.
- Identification of appropriate sampling location(s).
- Availability of sampling results performed by the industry.
- Proximity of chemical storage to floor drains and whether floor drains discharge to sanitary sewers.
- A description of spill control practices the industry uses. Information about past spills, unusual discharges to temporary problems with any of the process units that may affect the wastewater discharge should be included.
- A description of air pollution control equipment that may generate a waste stream, pollutants which are likely to be found in the waste stream and the discharge or disposal method and location.

- A description of how waste residuals (solids) are handled, stored and/or disposed.
- A description of proposed or recent changes to the industry's processes that would affect the discharge characteristics or sampling locations.
- A description of any operational problems or shutdowns of pretreatment facilities.
- Identification of specific hazards and establishment of procedures to ensure safety of District personnel while at the industrial facility.
- Other information as may be necessary.

5.2.2 Procedures For Conducting On-Site Inspections

Adequate preparation and training of inspection personnel is essential for utilizing the industrial inspection to its fullest. In order to ensure that adequate steps are taken to prepare for detailed inspections (e.g., scheduled annual inspections) and that all necessary information is collected during the on-site inspection, an Industrial User Inspection Form has been prepared as a guide for inspection personnel. This Form, found in Appendix 5-A covers several areas. Much of the form can be filled out in advance, such as the historical analytical data. Other parts of the inspection must be addressed on site, either through visual observation, testing, or records review.

For less complex inspections, such as on demand inspections following up on an NRQ or complaint, a Site Visit Form is sufficient to capture enough details of who was involved and what is observed. A copy of this form is found in Appendix 5-B.

5.3 Authority for Entry

This section outlines the procedures District personnel should utilize when entering an industrial user's premises for the purpose of inspection of the industrial user's facility and/or the sampling of the industrial user's wastewater discharges to determine compliance with applicable Federal, State, and District pretreatment discharge requirements.

5.3.1 Authority to enter an Industrial User Facility

Section 403.8(f)(1)(v) of the Federal General Pretreatment Regulations require that POTWs have the authority to carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance with applicable standards and requirements independent of information supplied by the industrial user. Authority to enter an industrial user's facility is secured in Section 10.4 of WES's Rules and Regulations. Paragraph 10.4 of WES's Rules and Regulations states:

Authorized District representatives may inspect the property and facilities of any person, property, or facility to determine compliance with the requirements of these Rules and Regulations. The person shall allow the District or its authorized representatives to enter upon the premises at all reasonable hours for the purpose of inspection, sampling, or records examination. The District shall also have the right to set up on the person's property such devices as are necessary to conduct sampling, inspection, compliance, monitoring and/or metering operations. The right of entry includes but is not limited to access to those portions of the premises that contain facilities for sampling, measuring, treating, transporting, or otherwise handling surface water, wastewater, and storing records, reports, or other documents related thereto.

The following conditions for entry shall apply:

• The authorized District representative shall present appropriate credentials at the time of entry.

- The purpose of the entry shall be for inspection, observation, measurement, sampling, testing or record examination in accordance with the provisions of WES Rules and Regulations.
- The entry shall be made at Reasonable Times during normal operating or business hours unless an emergency situation exists as determined by WES; and
- All regular safety and sanitary requirements of the facility to be inspected shall be complied with by WES representatives(s) entering the premises.

The permittee or person having charge or control of the premises shall allow the Director or the Director's authorized representatives, agents, and contractors to:

- Enter upon the property where any regulated facility or activity is located or conducted, or where records must be kept under the conditions of a permit.
- Have access to and copy, at Reasonable Times, any records that must be kept under the conditions of a permit.
- Inspect at Reasonable Times the property, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required by these Rules and Regulations or under a permit.
- Sample or monitor at Reasonable Times, for the purpose of assuring permit compliance with these Rules and Regulations or as otherwise authorized by local or state law, any substances or parameters at any location.

It is recommended WES inspection and monitoring personnel become familiar with these legal authorities for entering an industrial user's premises, so that appropriate reference can be made during any inspection or monitoring visit. If necessary, copies of pertinent WES Rules and Regulations sections should be brought on-site for review by IU representatives.

5.4 Entry procedures for WES personnel

5.4.1 Arrival at Industrial User Facility

Arrival at the facility should be during normal working hours unless circumstances require otherwise. The facility owner or agent in charge should be located as soon as WES personnel arrive on the premises and notified of WES's intent (inspections and/or sampling). Certain industrial users may notify WES that its staff are welcome to enter the industrial user's property at any time without contacting industrial user personnel. It is strongly recommended, however, that District personnel always notify the industrial user management of their presence and objectives.

5.4.2 Presentation of Credentials

When the proper industrial user officials have been located, inspection and/or sampling personnel should introduce themselves as inspectors and/or samplers for WES and present the proper credentials. These credentials should indicate the holder is a lawful representative of WES and is authorized to perform pretreatment monitoring. The credentials should be presented whether or not identification is requested.

Credentials are Clackamas County-issued photo identification cards with employee name and associated department they are employed by (i.e., WES). These will be issued upon employment. After industrial user officials have acknowledged the credentials, they may, if they wish, telephone WES for verification of personnel identification. It is important that these credentials never leave the sight of WES personnel.

5.4.3 Consent to Monitor

Consent to inspect and sample on the premises must be given by the owner or operator at the time of the inspection or sampling, unless a search warrant has been obtained. As long as WES personnel are allowed to enter, entry is considered voluntary and consensual, unless the personnel are expressly told to leave the industrial user's premises. Express consent is not necessary; absence of an express denial constitutes consent. Additional considerations are discussed in the following paragraphs.

Reluctance To Give Consent

The receptiveness of industrial user officials toward WES personnel is likely to vary from facility to facility. Apprehension and reluctance are more likely, for example, when WES-IU relationships are new, trust has not been established, or intentions or authority are not communicated effectively. Most compliance monitoring will proceed without difficulty. If consent to enter is flatly denied, personnel should follow Denial of Entry procedures. In other cases, officials may be reluctant to give entry consent because of misunderstandings of responsibilities, inconvenience to a firm's schedule, or other reasons that may be overcome by diplomacy and discussion.

Whenever there is difficulty in gaining consent to enter, WES personnel should tactfully try and ascertain the reasons for hesitancy to allow consent to enter to see if any obstacles or misunderstandings can be overcome. If the situation is beyond the authority or ability of the inspector and/or sampling personnel, the appropriate WES representative should be contacted for guidance.

Uncredentialed Persons Accompanying WES Personnel.

The consent of the owner or agent in charge must be obtained for the entry of persons accompanying inspection and/or sampling personnel to a site if they do not have specific authorization. If consent is not given voluntarily, these persons may not enter the premises. If consent is given, these persons may not view confidential business information unless officially authorized for access.

Waivers, Releases, and Sign-In Logs.

When the facility provides a blank sign-in sheet, log, or visitor register, it is acceptable for District personnel to sign it. Note however that inspection and/or sampling personnel should not sign any type of "waiver" or "visitor release" (specifically, WES personnel should <u>never</u> sign Non-disclosure Agreements ("NDA") when entering a facility) that would relieve the industrial user of responsibility for injury, or which would limit the rights of WES to use data obtained from the industrial user. Inspection and/or sampling personnel should not agree to any such unwarranted restrictive conditions.

If such waiver of release is presented, WES personnel should politely explain they cannot sign and request a blank sign-in sheet. If District personnel are refused entry because they do not sign such a release, they should leave and immediately report all pertinent facts to the appropriate supervisory and/or legal staff. All events surrounding the refused entry should be fully documented. Problems should be discussed cordially and professionally. Facility officials <u>must not</u> be subjected to intimidation by WES's right to inspect.

Problems with Entry or Consent.

Because monitoring may be considered "adversarial" by some industrial users, WES personnel may be challenged as to their legal authority, techniques, and competency. Facility officials may also display antagonism toward WES personnel. In all cases, WES personnel must cordially explain their authority and objectives and the reasons for the protocols followed. If explanations are not satisfactory or disagreements are irreconcilable, WES personnel should leave and obtain further direction from WES's Industrial Pretreatment Program manager. Professionalism and politeness must prevail at all times.

5.4.4 Denial of Entry

If District personnel are refused entry into a facility for the purpose of authorized monitoring, the procedural steps noted below should be followed:

- 1. Make certain that all credentials and notices have been properly presented to the facility owner or agent in charge.
- 2. If entry is not granted, ask why. Tactfully seek the reason for the denial to see if obstacles (such as misunderstandings) can be cleared up.
- 3. If entry is still denied, WES personnel should withdraw from the premises and contact their manager. The manager will confer with appropriate WES staff to discuss further actions and/or the desirability of obtaining an administrative warrant.
- 4. All observations pertaining to the denial are to be carefully noted by WES personnel on appropriate forms as soon as possible. Include facility name and exact address, name and title of person(s) approached, authority of person(s) who refused entry, date and time of denial, detailed reasons for denial, facility appearance, any reasonable suspicions that refusal was based on a desire to cover up regulatory violations, etc. All such information will be important should a warrant be sought.
- 5. Under no circumstances should WES personnel discuss potential penalties or do anything that may be construed as coercive or threatening.
- 6. WES personnel should use discretion and avoid any situations that may be potentially threatening or inflammatory. In the event of a threatening confrontation, WES personnel should document the event and report it immediately to their manager. If feasible, statements from witnesses should be obtained and included in the documentation.

5.4.5 Other Situations

The following are some additional situations that WES inspection and/or sampling personnel may be subject to:

Withdrawal of Consent During Monitoring.

If the agent-in-charge asks WES personnel to leave the premises after monitoring has begun, personnel should leave as soon as possible, following the procedures above for denial of entry. All activities and evidence obtained prior to the withdrawal of consent are valid. WES personnel should ensure that all WES equipment is removed from the facility at this time, including portable autosamplers.

Denial of Access to Some Areas of the Industrial User's Facility.

If, during the course of the inspection or sampling, access to some parts of the industrial user's facility is denied, WES personnel should make a notation of the circumstances surrounding the denial of access and of the portion of the inspection or sampling that could not be completed. WES personnel should then proceed with the rest of the monitoring. After leaving the facility, WES personnel should contact their manager to determine whether a warrant should be obtained to complete the monitoring.

5.5 Obtaining warrants

District personnel may be instructed by WES's attorneys, under certain circumstances, to conduct compliance monitoring under a search warrant. A warrant is a judicial authorization for appropriate persons to enter specifically described locations and to perform specific monitoring functions. It is possible that a preinspection warrant could be obtained where there is reason to believe that entry will be denied when WES personnel arrive at the facility or when WES personnel anticipate violations that could be hidden during the time required to obtain a search warrant. Appropriate WES staff should discuss various reasons and procedures for obtaining warrants with WES's attorneys. This prior knowledge of when and how to obtain a warrant will save a great deal of time should such an event ever become necessary.

5.6 Follow-up activities

When all the information has been evaluated, the final conclusion in the inspection report should indicate whether or not any further action is required by WES at this time. Recommendations with regard to permit modifications and report requirements can be made in the form of a follow-up letter to the industrial user. If the industrial inspection or sampling results identify problems or violations, then enforcement activities will begin. Industrial pretreatment staff will follow through with the problem/violation until it is satisfactorily resolved. WES may:

- Notify the industrial user of a problem/violation (i.e., issuance of a Citation for Violation).
- Conduct additional sampling or inspection to verify violations.
- Establish or require the development of a compliance schedule.
- Ensure that remedial actions have been taken by the industrial user.
- Order the shutdown of process(es) generating an illegal wastestream.

While the above actions are being conducted, the Source Control Coordinator will keep WES management informed of the status of the compliance/enforcement action.

Upon completion of a facility inspection, the staff person conducting the inspection will complete an inspection report (either Appendix 5-A, Appendix 5-B, or a customized report), using either an Inspection Report Form or a Site Visit Form. A hard copy of the inspection form, whichever one is used, is filed in the Industrial User's file. If a file (or binder) does not exist, then a file folder will be created and stored in the file cabinet under "Miscellaneous IU's." or digitally filed in WES' electronic tracking system.

If an initial inspection reveals that an industrial user has processes which are subject to Federal Categorical Pretreatment Standards, then WES will notify the industrial user of its responsibilities and require submission of a wastewater discharge application. Upon submission of the application, WES will begin permit development procedures as outlined in Appendix 3- of this Procedure Manual.

Section 6 – SAMPLING OF IU'S BY THE POTW TO ENSURE COMPLIANCE

6.0 Background

The foundation of WES's industrial pretreatment program is an industry's compliance with applicable pollutant discharge limitations. Therefore, an effective industrial pretreatment program must have the ability to take industrial user wastewater samples and produce meaningful and defensible analytical results. Sampling and analysis of an industrial user's wastewater discharge is conducted to accomplish one or more of the following objectives:

- Verify industrial user compliance with wastewater discharge limitations.
- Verify industrial user self-monitoring data.
- Verify that parameters specified in the industrial user's wastewater discharge permit are consistent with wastewater characteristics.
- Support re-issuance and revision of industrial user's wastewater discharge permits.
- Support enforcement action.

WES's sampling program consists of both in-house sampling and analysis, as well as some contracted services. Therefore, WES must ensure that the following elements are a part of Industrial Pretreatment Sampling Program: properly trained personnel, accepted sampling procedures, accurate and traceable recordkeeping, and defensible protocols.

Since data collected by WES will be the basis for determining compliance by industrial users, extreme care must be taken during all phases of sampling and analysis. Section 403.8(f)(2)(vii) of the Federal General Pretreatment Regulations states: "Sample taking, and analysis and the collecting of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions." All analysis performed in conjunction with industrial pretreatment will conform to 40 CFR Part 136, including use of approved analytical methods, adherence to hold times and preservation requirements, and adherence to quality control and quality assurance protocols.

This section of WES's Procedure Manual presents procedures for sampling and analysis of industrial user wastewater discharges.

6.1 Types of Monitoring Activities

Industrial sampling may be scheduled as part of WESs sampling schedule or on-demand, usually in response to a problem or emergency such as a spill at an industry or an upset at WES's sewage treatment facilities.

Scheduled Monitoring and Frequency:

Scheduled monitoring is defined as WES's requirement in its NPDES permits (schedule E), requiring all SIU's (Significant Industrial User) to be sampled for all regulated pollutants twice per year. The results from this monitoring are entered into WES's industrial pretreatment data files. This schedule monitoring achieves multiple objectives:

- Collect information and obtain samples to evaluate industry compliance with WES, State, and Federal pretreatment standards and requirements.
- Maintain a cooperative as well as regulatory presence with the industrial community.
- Verify self-monitoring reports submitted to WES by the industrial user.

While sampling an IU to verify their results, WES may want to conduct a split sampling event with the IU to verify results between different analytical analysis systems used post-collection. Section 5.6 provides a set of procedures for conducting a split sampling event with an IU.

On-demand:

On-demand monitoring activities are usually performed in response to a known or suspected violation (either as a result of the IU's or WES's sampling), complaint, or an emergency situation. WES may receive a complaint from the public or a report from other contributing jurisdictions/agencies concerning discharges to WES's sewage system by an industrial user. On-demand monitoring should also be initiated if field operations staff or treatment plant staff notice changes to the wastewater characteristics or an upset or interference of the POTW. The objectives of this type of monitoring activities are:

- Determine the nature, duration, and hazard of the discharge.
- Verify the source and constituents of the discharge.
- Determine the necessary corrective action to be taken to contain or halt the discharge.
- Initiate corrective actions, if necessary.
- Document information needed for follow-up compliance or enforcement activities.

When emergency situations arise in the POTW facilities or collection system (upsets, blockages, fires, explosions, etc.), industrial inspections should be initiated immediately. Similarly, sampling and laboratory staff should be notified to aid in determining the constituents of the discharge. Inspections and sampling of suspected industrial users will generally determine the source(s) of the problem. Remedial actions to be taken by the responsible industrial user can also be determined during the industrial inspection.

In addition to the information stated above, and as with all samples being collected, WES staff performing on-demand monitoring activities in response to an emergency should collect and adequately document all information should enforcement or litigation procedures be pursued at a later date. These collection and documentation activities should focus on collecting defensible evidence (e.g., photographs, sampling following written procedures, results generated with approved methods) in an organized way (i.e., to the extent possible, maintaining a timeline of events with all materials potentially used consolidated in a single location).

Self-Monitoring:

It's not feasible for WES to perform all monitoring desired to ensure that each industrial user is complying with pretreatment requirements. More importantly, requiring the Industrial User to routinely self-monitor and to report the results of such monitoring enables the Control Authority to keep informed of characteristics of the user's discharge and compliance status so that any necessary permit modifications or enforcement actions can be initiated. Periodic self-monitoring also serves as a reminder to the Industrial User that compliance with the effluent limits is its responsibility. If an Industrial User is not monitoring, it does not know how well the pretreatment controls are working.

The Control Authority should be aware of and concerned with the potential problems of self-monitoring, such as improper sample collection or preservation, poor analytical techniques, and falsification of records. To prevent or minimize such problems, the permit writer should clearly detail monitoring and reporting requirements in the permit. Therefore, as part of their wastewater discharge permit, WES will require industrial users to perform their own sampling and analysis and subsequently submit those results to WES.

6.2 Pre-sampling considerations

6.2.1 Selection of Representative Sampling Sites

The goal of choosing a representative sampling site, particularly when identifying a Point of Compliance in Industrial Wastewater Discharge Permits, is to reflect the volume and nature of the monitored discharge. The volume should reflect the flow characteristics of the discharge; for example, whether the flow rate is constant throughout a day, or highly variable. The nature of a discharge reflects its frequency (for example, continuous versus batch), its location in the context of its surroundings, and other important factors. The following should be considered in the selection of a representative sampling site(s) at an industrial user facility:

- Samples should be taken at points of high turbulent flow to ensure good mixing and prevent the deposition of any solids discharged.
- Sampling sites should be easily accessible and free of any major safety hazards. Accessibility shall mean the site shall be accessible at all Reasonable Times for the purposes of ensuring compliance with local, state, and federal law. The most accessible site is one that is available for WES staff to sample at any time without notice or permission from an industrial user.
- Normally, local discharge limitations, for example, local limits, apply where the industrial user's discharge enters WES's sewage system (i.e., at "end-of-pipe"). National Categorical Pretreatment Standards, however, regulate the discharge only from an industrial process (i.e., at "end-of-process"). Therefore, to verify compliance with categorical standards, WES may need to sample at the end of the regulated industrial process. If it is not feasible to segregate a regulated process wastestream from unregulated and dilution wastestreams, then the combined wastestream formula (as outlined in Section 403.6 (e) of the Federal General Pretreatment Regulations), must be used to adjust the categorical standard. Formulas that account for dilution flows to generate adjusted limits always *lower* the discharge limit.
- All regulatory sampling sites of IUs with an Industrial Wastewater Discharge Permit are identified in the Permit (Appendix 2-B) and are referred to as "Points of Compliance".

6.2.2 Sample Collection Techniques

Samples can be collected either manually or with automatic samplers, dependent upon what is dictated in the wastewater discharge permit (Appendix 2-B). The following general guidelines apply when taking samples:

- Exclude large nonhomogeneous particles and objects. For example, inclusion of FOG adhered to pipe walls in Oil and Grease samples are not homogenous with the wastestream flowing through the pipe.
- Collect the sample facing upstream to avoid contamination.
- Collect sufficient volume to allow for the method and quality assurance testing. Consult with WES lab personnel or contract lab project managers to determine if additional or different volumes are required.

6.2.3 Types of Samples

There are two types of samples, and both can be collected either manually or with automatic samplers. These two types of samples are grab and composite (discussed in 40 CFR 403.8(g) and Appendix E to Part 403 – *Sampling Procedures*), and each is described below.

Grab Samples:

Grab samples are individual samples collected over a period of time not exceeding 15 minutes. They are usually collected manually. The collection of a grab sample is appropriate when a sample is needed to:

- Provide information about instantaneous concentrations of pollutants at specific times,
- Allow collection of a variable sample volume,
- Corroborate results from composite samplers,
- For batch-type discharges from industries,
- Comply with state or federal sample collection procedures (e.g., NPDES permits or CFR standards), or

• Maintain its integrity that could be jeopardized through the use of composite sampling techniques (e.g., pH, cyanide, oil and grease, and volatile organics).

Composite Samples:

Composite samples may be either time-proportional or flow-proportionally paced. Examples of these types of composite samples are: 1) grab sub-samples of variable sample volume collected and combined proportionally to flow, or 2) grab sub-samples of a constant sample volume collected proportionally to flow (i.e., a predetermined volume at a set flow rate, such as 100 ml for every 500 gallons flow), or 3) grab sub-samples of a constant sample volume collected are sub-samples of a constant sample volume to a set flow rate, such as 100 ml for every 500 gallons flow), or 3) grab sub-samples of a constant sample volume collected at set time intervals, (e.g., 100 mLs every 20 minutes). Composite sampling is appropriate when:

- Determining average pollutant concentration during the compositing period.
- Calculating mass/unit-time loadings.
- Wastewater characteristics (flow or pollutant concentrations) are highly variable.

To determine the pollutant loading rate into WES's sewage system or to flow proportion a sample, it is important for WES to make an accurate flow measurement for each regulated discharge. Therefore, sampling personnel should also be prepared to measure flow in case the industrial user does not regularly monitor the amount of wastewater discharged. 24-hour composite samples must be obtained through flow-proportional composite sampling techniques when industrial users need to demonstrate compliance and composite samples are appropriate, unless time-proportional composite sampling or grab sampling is authorized by WES.

6.2.4 Sample Volume

The volume of a sample collected depends on the type and number of analyses that are needed. The volume of the sample obtained should be sufficient to perform all the required analyses plus additional amounts to provide for any QA or QC analyses. The laboratory performing the analysis should be consulted for any specific volume required. A breakdown of the recommended minimum sample volumes for different pollutant parameters can be found in EPA Guidance, Handbooks, and other publications; the latest edition of Standard Methods for the Examination of Water and Wastewater, and in the Sample Preservation Matrix table (40 CFR 136.3(e), Table II), see Appendix 6-A)

6.2.5 Selection and Preparation of Sample Containers

The selection and preparation of sample containers is based on the parameters to be measured. Wastewater samples for chemical analysis are generally collected in plastic (polyethylene) containers, particularly inorganic pollutants. Exceptions to this general rule are oil and grease samples, pesticides, PCB's, and other organic pollutant samples. These are typically collected in clear/amber glass jars or bottles. Refer to Appendix 6-A for approved sample container types for various pollutants that would be sampled for at an industrial user.

Sample containers are obtained from the Water Quality Laboratory or contract lab. These containers are all specially prepared for the individual parameters to be analyzed. Shipment and receipt of contract-lab provided containers may take time so careful planning is critical. Some containers have preservatives inside that expire on a certain date. Therefore, care and attention must be given when managing container stocks; expiration dates of pre-preserved containers must be checked before collecting a sample in the field. Each lot # of prepared bottles has a series of Quality Assurance testing performed to ensure cleanliness and eliminate contamination. Records of such activities are kept in the Laboratory preparing the sample bottles.

6.2.6 Sample Preservation and Holding Time

In most cases, wastewater samples contain one or more unstable pollutants that require immediate (I.e., in less than 15 minutes) analysis or preservation. Prompt analysis is the most positive assurance against error from sample deterioration. Procedures used to preserve samples include refrigeration, pH adjustment, and chemical treatment. Blue, re-usable ice and/or "wet" ice are available in the industrial pretreatment garage. These shall be used to appropriately chill grab or composite sampler carboys inside samplers that are in the field collecting sample. Plan to use additional ice during summer sampling months when high ambient temperatures impede proper temperature preservation.

Proper preservation and holding time for samples is essential to the integrity of the monitoring program. Appendix 6-A provides the recommended preservatives holding times and storage considerations that should be used for specific sampling parameters.

6.2.7 Other Sampling References

Several additional documents are available in WES's library which address sample collection, preservation and flow measurement. These references should be reviewed and utilized whenever there is a doubt as to the proper sampling and flow measurement techniques. Some of these may be found in this Manual's References Section.

6.3 Preparation for industrial sampling

Several considerations should be addressed by the sampling staff in preparation for an industrial user sampling visit. The following general points assume that the sampling staff will have either direct access to the industrial user inspection reports and files, or work directly in conjunction with the industrial pretreatment staff. Table 2 below provides checklist of the types of information WES staff should know and references for where to find the information.

Information	References
The exact location to be samples. For example, a manhole, Point of Compliance, etc.	Industrial User Points of Compliance are the regulatory location their permit limits apply. Maps and diagrams illustrating the location of a Point of Compliance can be found in the current Industrial Wastewater Discharge Permit or the associated Fact Sheet.
The parameters to be sampled	This will depend on whether the monitoring/sampling is scheduled or on- demand. Parameters for an IU can be found in their permit and are monitored during scheduled monitoring. Local Limits also list appropriate parameters to monitor for certain industries. On-demand or extra-strength sampling can vary.
Types of containers and preservatives needed	Consult industrial pretreatment or Water Quality Lab staff
Industrial User's process/flow variations, recent shutdowns, seasonal events, etc.	Consult with industrial pretreatment Permit Manager and permit Fact Sheet.
IU on-site contacts, sampling site safety and confined space equipment requirements	Refer to Permit Fact Sheet's sampling fact sheet for phone numbers of IU staff. Consult with industrial pretreatment Permit Manager and permit Fact Sheet for special site safety requirements. Sampling Staff should be certified and familiar with WES confined space entry procedures (see Appendix 6-B) if an entry needs to be made.
Background sampling paperwork such as pre-	Refer to sources above.

TABLE 2. PRE-SAMPLING CHECKLIST

labeled bottles with IU	
sampled	
If necessary, courier and lab	Consult with Water Quality Lab supervisor to schedule a courier pick-up, if
capacity is available for the	necessary.
samples to be shipped and	Consult with Water Quality Lab supervisor to ensure sufficient lab capacity is
analyzed	available to analyze samples within hold times.

In summary, by the time the sampling team reaches an industrial user, they should already know what parameters they will collect samples for, where and how they will sample, and have all the appropriate equipment (including safety equipment, sample bottles, chain-of-custody forms, etc.) readily available.

6.4 Analytical guide

Accurate analysis of industrial user and POTW samples is a critical component of the pretreatment program. The determination of the compliance status of an industrial user with the applicable Federal, State, and District standards is dependent on accurate, reproducible field and laboratory analysis of the wastewater samples. Techniques for the precise analysis of conventional and non-conventional (e.g., heavy metals) parameters in wastewaters are well recognized. All analysis of regulated parameter must follow 40 CFR 136.

Although not as great as the error associated with poor sampling techniques, the potential for error occurring during analysis of wastewater samples can have a great impact on the acceptability of monitoring information. Quality control guidance from EPA is available. Specific information is provided that can guide the laboratory technician or chemist toward sound and reliable techniques and procedures. Providing even greater level of quality assurance, the Water Quality Lab retains an active accreditation (TNI lab code: TNI00209) with TNI, an international consensus analytical quality standard, administered through the local Oregon Laboratory Assessment Program ("ORLAP") body. Either external or internal labs with ORLAP accreditation, while not required for analysis, are highly recommended because of the additional QC and QA controls required and their routine auditing mechanism. One requirement of the ORLAP accreditation is implementation of a Laboratory QA/QC Manual which outlines mandatory QA/QC procedures.

All of these resources and accreditations build to address the laboratory considerations applicable to large wastewater treatment facilities, such as the Water Quality Laboratory, where in-house capabilities exist to handle most of the industrial wastewater analysis. However, if the Water Quality Laboratory is not capable of performing needed approved methods, through lack of training, capacity, accreditation, or funding, analysis of some industrial user pollutants will have to be performed by commercial laboratories. To ensure the quality of the commercial service, WES staff must assess whether or not the laboratory is accredited or meets other minimum QA criteria recommended by the State or EPA. Examples of these criteria might be development of a QA Manual, analysis of standard blind samples (samples provided by an independent body, spiked with pollutants to a known concentration, used to check a laboratory's accuracy. The consistency (reproducibility) of a lab's accuracy for analysis of a particular parameter can be determined by checking the analytical results of several different standard samples for the same pollutant. Periodically, the contract laboratory should be subjected to a blind sample analysis to ensure that analysis accuracy is maintained. These QC/QA study results from the commercial lab should be produced for WES review, upon request by WES staff.

6.5 Chain of custody procedures

Once the appropriate sample is obtained and stabilized, it is essential that sampling personnel properly document the methods used to collect the sample, as well as the chain-of-custody of the sample from collection to

analysis. Chain-of-custody procedures are a critical aspect in monitoring industrial users. The chain-of-custody record allows an accurate step-by-step recreation of the sample path, from its origin through its final analysis in the laboratory. Since it is impossible to predict which violations will require legal action, it should be assumed that all data generated from sampling will be used in court. If a case ultimately goes to trial, the integrity of the data must be established. The sampling results will only be admissible in court if POTW personnel can prove that a sample has been properly collected, preserved, and analyzed, and has not been tampered with or mishandled (40 CFR 403.12(o)).

To adequately address chain-of-custody concerns, the following items, at a minimum, must be documented:

- Name of person(s) collecting the sample.
- Sample Identification Numbers as generated by the Water Quality Laboratory's Laboratory Information Management System.
- Date and time of sample collection.
- Location of sample collection.
- Type of sample collected (i.e., grab, composite, etc.).
- Names and signatures of any persons handling the samples in the field and laboratory, including date and times.

The Chain-of-Custody record is typically generated during sample login, when samples collected in the field are "logged-in" to the Water Quality Lab's LIMS system and a Sample Identification Number is created. This record must accompany the sample at all times. Chain of Custody procedures detailed in Section 6.6

Standard procedures below should be followed for documenting adequate possession of samples from collection to relinquishment to Water Quality Lab or commercial lab staff. The procedures are not meant to limit steps necessary to secure samples for transport. Custody procedures following relinquishment for Water Quality Lab staff are discussed in their QA Manual. A hard copy of the Chain-of-Custody form to use with WES' Water Quality Lab in Appendix 6-C.

6.6 Standard procedures

The following general steps and principles must be applied when implementing WES' chain-of-custody and quality control procedures for industrial sampling. When documents or records are created, they're identified in **bold** font. When acceptable alternative methods are available for documentation or record-keeping, they're identified in *italic* font.

1. <u>Pre-sampling bottle and equipment preparation</u>

Prior to deploying for sample collection, adequate bottles and equipment should be prepared. Bottles should be appropriately labeled prior to leaving the office. Each sample must be accurately and completely identified. It is important that any label used to identify the sample be moisture resistant and able to withstand field conditions. This labeling serves two purposes: to ensure enough of the needed bottles are brought into the field for sampling and to prevent mistakes when labeling bottles later. If the bottles have blank labels on them already, they can be used to help differentiate which bottles will be filled and where. Sample date, times, and collector should remain blank. Any preservatives added to containers should be labeled and checked to ensure they're not expired.

A bound **Field Notebook** is used by Sampling staff in the field as a permanent record when collecting samples. This notebook should be completed contemporaneously (I.e., at close to the same time as possible that the collections occur). This notebook also serves to record field measurements made in the field from field probes/meters. *In some cases, Field sheets* are customized and used for specific sampling projects (e.g., priority

pollutant screens, local limits studies, etc.). If these are used in lieu of **Field Notebooks**, they should be prepared prior to deployment and completed in the same manner.

All field meters/probes to be used in collecting measurements for compliance purposes in the field must be calibrated or prepared according to methods at 40 CFR 136 for generating results. A **calibration logbook**, typically kept in the industrial pretreatment office, shall be used to record calibrations, verifications, or other accuracy or reproducibility checks done on field meters/probes. The validity of field results often relies on these checks. Failing to document this work can cause the dismissal of data generated in the field later.

2. <u>Collection of the sample or measurements</u>

Sample collection occurs in the field, typically at an industrial user's facility. Documentation of grab samples should occur as soon as possible after collection in the **Field Notebook**. Documentation of composite samples should occur as soon as the composite time-period or program ends. Field measurements should be documented as soon as possible. At a minimum, the **Field Notebook** should include the following for each sample or measurement:

- Date and time the sample was collected
- Indication of grab or composite sample
- Sample location or facility
- Name of person(s) taking sample
- Identification of parameter(s) to be analyzed, if known.
- Comments of any unusual conditions at the sampling location and/or in the appearance of the wastewater. For example, wastewater odor/sheen/color or IU activities observed on-site.
- Notation of field measurements such as pH, temperature, dissolved oxygen, and appearance that may
 change before the laboratory analysis, including the identification of instruments used to measure
 parameters in the field.
- Any unusual sampling techniques used or needed to collect the sample.

In summary, sufficient detail should be documented for an unambiguous identification of each bottle's contents. This critical step begins the custody of the sample.

3. <u>Transport from the field to the Lab</u>

The following steps must be followed for ensuring the ensure the validity of the compliance sampling data in court, there must be accurate written records tracing the custody of each sample through all phases of the monitoring program. The primary objective of this chain-of-custody is to create an accurate written record that can be used to trace the possession and handling of the sample from the moment of its collection though analysis and introduction as evidence. Samples are considered to be in your "possession, 3) they are in your physical possession, 2) they are in your view, after being in your physical possession, 3) they are in your physical possession and then locked up so that tampering cannot occur, and 4) they are kept in a secured area, with access restricted to authorized personnel only. Possession of samples is critical to maintaining an unbroken chain-of-custody. If Sampling Staff intend to leave samples out-of-sight after collection, they should remain appropriately preserved and locked in a WES vehicle only the Sampling Staff have access to.

4. <u>Relinquishment and post-possession actions</u>

Once the samples are brought to the Water Quality Laboratory, the **Field Notebook** is referred to when logging in samples via the LIMS system. This process generates a unique alphanumeric sample ID for each sample. The LIMS system is also used to generate **bottle labels** and a **Chain of Custody record**. Alternatively, if the LIMS database is down, the label maker doesn't work, or other malfunctions occur, the Lab can offer blank **bottle labels** and **Chain of Custody records** to be hand-completed for sample relinquishment to the lab. When this occurs, the

samples are logged into the LIMS system subsequent to receipt to generate Sample ID numbers and later generate reports for the sample results.

When transferring possession of samples, the transferee must sign and record the date and time on the appropriate form. Every person who takes custody must fill in the appropriate section of the **Chain of Custody Record**. The number of transfers should be kept at a minimum, however, all individuals documented as collecting a sample must relinquish possession on the record. The person(s) taking the sample are responsible for properly preserving the samples and transporting them to the Water Quality Lab for analysis or subcontracting to a commercial lab for analysis. This responsibility includes filling out, dating, and signing the appropriate portion of the **Chain of Custody record**.

Often, when subcontracting analysis, a second, separate **Chain of Custody record** is required by the commercial lab. This should be filled out by Sampling Staff, ensuring identifying information is duplicated error-free. If Water Quality Lab staff are needed to fill-in this second record, Sampling Staff should verify the data is correct and properly relinquish samples on this document. of All packages sent to the laboratory must be accompanied by appropriate copies of the **Chain of Custody record(s)**. A copy of these forms should be retained by the originating office. Shipped samples should be properly packed to prevent breakage, and the package sealed or locked so that any evidence of tampering may be readily detected. The chain-of-custody form must be included with samples. The use of a "custody seal" (I.e., a seal which is clearly damaged when the package is opened) is recommended when using commercial couriers or commercial lab couriers.

Section 7 – PUBLIC PARTICIPATION IN PROGRAM DEVELOPMENT AND IMPLEMENTATION

7.0 Background

Federal Industrial Pretreatment regulations require that WES notify the public when certain events occur. When a modification is made to the Industrial Pretreatment Program, 40 CFR 403.18 provides direction on the required steps to make modifications and includes, under certain conditions, notification to the public.

Another condition requiring public notification occurs when an industrial user repeatedly violates their permit discharge limits, violates specific conditions of their discharge permit, or otherwise violates specific federal regulations. Under these conditions, an industrial user is said to be in Significant Noncompliance ("SNC") and the industrial user and the circumstances of their violations must be published in a newspaper of general circulation within the jurisdiction of the industrial user. Finally, Oregon Administrative Rules ("OAR") require disclosure of public records upon request and at a reasonable time and place.

7.1 Public disclosure of pretreatment program records

Most documents and files pertaining to WES's Industrial Pretreatment Program are stored and maintained in the industrial pretreatment office located at WES's Water Quality Laboratory or:

ATTN: Source Control Tri City Water Resource Recovery Facility 15941 S. Agnes Ave., Building B Oregon City, OR 97045

Archived files have been microfilmed and are stored within Clackamas County's Record Managements Division. Since WES is a public entity, industrial pretreatment records stored in the office are public records and therefore, must be made available to the public upon request. While it requires disclosure of public records, the public disclosure law does not say WES must immediately open its files to anyone who requests them. The law does allow for a set of procedures to be followed in obtaining access to public records. A copy of WES's Public Records Request Policy can be found Appendix 7-A. In essence, WES Document Management Analyst is informed of the request who then coordinates the completion of the records request.

With regard to information submitted to WES as part of industrial program requirements, Schedule E of WES' NPDES permits requires WES to "retain all records relating to pretreatment program activities for a minimum of three years". However, Federal Law (40 CFR 403.12(o)(2-3)) also requires "...that this period of retention shall be extended during the course of any unresolved litigation..." Oregon State Law and Clackamas County policy have set forth additional requirements. Specifically, "Other" Industrial Pretreatment permits are to be retained for 5 years after permit expiration. "Permits, addenda, and modifications" are to be retained permanently. A copy of Clackamas County's Records Retention Policy that pertains to Industrial Pretreatment is contained in Appendix 7-B.

7.2 Confidential Business Information

At times, an industrial user may request that information it submits to WES be kept confidential. Section 6.5.9.B. of WES's Rules and Regulations provide WES's procedure for receipt, review and storage of confidential business information ("CBI"). WES retains substantial discretion of determining what ultimately is designated as CBI for an industry. At no times can effluent discharge data from an industry be designated CBI.

7.3 Identification of Industrial Users in Significant Non-compliance ("SNC")

Section 7 – PUBLIC PARTICIPATION IN PROGRAM DEVELOPMENT AND IMPLEMENTATION

Revised July 2025

7.3.1 Procedures to Identify IUs in SNC

During WES review of industrial user data (as described in Section 3) pretreatment staff enter the data on it's IU data file and notes the violations, especially those meeting the criteria for significant non-compliance as defined in WES's Rules and Regulations, Section 6.5.8:

- A. Chronic violations of wastewater discharge limits, defined as those in which 66 percent or more of all the measurements taken during a 6-month period exceeded (by any magnitude) a numeric Pretreatment Standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(I), or any successor statutes.
- B. Technical Review Criteria (TRC) violations, defined as those in which 33 percent or more of all of the measurements for each pollutant parameter taken during a 6-month period equal or exceed the numeric Pretreatment Standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(l), multiplied by the applicable TRC (TRC = 1.4 for BOD, total suspended solids [TSS], fats, oils, and grease [FOG], and 1.2 for all other pollutants except pH).
- C. Any other violation of a pretreatment effluent limit (daily maximum or longer-termed average) that WES determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of District or city personnel or the general public).
- D. Any discharge of a pollutant that has caused imminent endangerment to human health or welfare or to the environment or has resulted in WES' exercise of its emergency authority to halt or prevent such a discharge.
- E. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a permit or order for starting construction, completing construction, or attaining final compliance.
- F. Failure to provide within forty-five (45) days after the due date, required reports, initial compliance reports, periodic compliance reports, and reports on compliance with compliance schedules.
- G. Failure to accurately report noncompliance.
- H. Any other violation or group of violations, including violation of BMPs, which the District determines will adversely affect the operation or implementation of the pretreatment program.

Should any of the above conditions occur with any permitted significant industrial user, that industry is classified as being in significant non-compliance. For non-significant industrial users, only Conditions C, D, and H apply in accordance with 40 CFR 403.8(f)(2)(viii). Conditions above that require evaluation over a 6-month period shall be conducted on a rolling quarterly basis. For example, an evaluation of potential IUs in SNC for the 2nd quarter should occur after the 2nd quarter is complete and cover the range of January-June. In addition to the evaluation period, all monitoring data (I.e., POTW and IU-generated) shall be used for assessing SNC. See EPA's memos on Determining SNC for Industrial Users in Appendix 7-C.

7.3.2 Publishing of SIU's in SNC

Once a significant industrial user or industrial user has been identified as being in SNC a notice is sent to the industry notifying them that they are in SNC and that federal regulations require that WES must publish this information on an annual basis in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by WES.

Acknowledging many media companies in Oregon transitioning from print media (I.e., newspapers) to digital or electronic media forms, Oregon DEQ issued a memorandum on January 30, 2023 regarding compliance with public notification requirements for pretreatment modifications and significant noncompliance. This issue arose to address NPDES permit conditions that require certain pretreatment notices to be published in *"newspaper(s)* [emphasis added] of general circulation". This memo's recommendations to proceed with publication in alternative media allows greater flexibility to meet the public notice requirements. While it is

Section 7 – PUBLIC PARTICIPATION IN PROGRAM DEVELOPMENT AND IMPLEMENTATION

unlikely print media will become unavailable in WES' jurisdiction, this provides an alternative should that unlikely event occur (see Appendix 7-D).

As part of assembling the annual report, the pretreatment staff puts together a list of SIU's in SNC and enters this information on Form 7 of the annual report. During the month of January, an ad is placed in the public notices section of the classified ads of the Oregonian or a Pamplin Media company publication. It includes the industry, the violation, the quarter(s) in which the violation(s) occurred, and whether or not the industry has returned to compliance.

The Public Notices Desk of the Oregonian can be contacted at 503-221-8431 (or noticesdesk@oregonian.com) to make arrangements for publication of the ad listing the industries in SNC and to obtain an Affidavit of Publication following publication of the ad. The desk will provide instructions on how to provide information to craft the public notice. When the ad is published, the newspaper page is collected and filed under the Enforcement subfolder for each the applicable industries.

7.4 Involvement of the public and interested parties in development and modification of WES' Pretreatment Program

40 CFR 403.18 requires that WES notify the public when it is proposing to change some aspect of the industrial pretreatment program. The approval authority (DEQ) must determine if the proposed modification is *substantial* or *non-substantial*. If the modification is determined to be *substantial* (403.18(b)), a public notice (as required under 40 CFR 403.11 and 403.18) shall be made that provides the public at least thirty (30) days to submit their written views to the Approval Authority. In lieu of the Approval Authority public noticing the change, WES may public notice the substantial modification provided that the Approval Authority finds the public notice process satisfies 403.11 requirements (40 CFR 403.18(c)(4)).

If the modification is determined to be non-substantial, then no public notification is required. However, WES shall notify the Approval Authority of any non-substantial modification at least forty-five (45) days prior to implementation (40 CFR 403.18(d)). If the approval authority does not respond, disapprove of the modification, or find the modification substantial within forty-five (45) days, WES may implement the modification and it is deemed approved. For further information on Pretreatment Program modifications, refer to DEQ's "Substantial and Non-substantial Pretreatment Program Modifications" draft Internal Management Directive.

Notification to the public of WES' plan to change or modify its Industrial Pretreatment Program follows the same procedures outlined for publication of industrial users in SNC. The difference is that the notice would include a description of the change being proposed, the present stage of the modification process, the time period for submission of comments and the name, address and phone number of the person to submit comments to and/or to receive further information. Since Industrial Pretreatment Program modifications directly affect industrial users with wastewater discharge permits, they should be sent a letter from WES notifying them of the proposed modifications and the time period allotted for comments.

It cannot be emphasized enough that advance planning and scheduling should occur for any type of program modification to meet important regulatory public notice requirements, involve appropriate internal and external affected parties, and to improve communication among Pretreatment staff of the changes and how they will affect implementation of the Program.

Section 8– STATEMENT OF RESOURCES AND STAFFING COMMITMENTS

8.0 Staff and positions

WES' approved Industrial Pretreatment Program is vested in the Environmental Monitoring Division of the Department. The Division provides other functions for WES such as analytical services and stormwater pollution prevention. The Program is located at the Water Quality Laboratory adjacent to the Tri City Water Resource Recovery Facility at 15941 S. Agnes Avenue in Oregon City, Oregon. The Laboratory Supervisor, laboratory and industrial pretreatment shop and offices are housed in the Water Quality Laboratory.

Resources are shared for overall program implementation across all of WES' service areas and non-WES jurisdictions covered by IGAs. At this time, four (4) FTE's are assigned to the Program. This group is directly supervised by the Environmental Services Manager, who reports to the Department Director. The group is responsible for direct functions of the Pretreatment program such as industrial user surveying, monitoring, inspecting, permitting (i.e., issuing control mechanisms), and enforcement. A central Water Quality Laboratory is used for in-house laboratory analysis of certain pollutant parameters. Other pollutants are measured by commercial laboratories on contract with WES for their analytical services. For a diagram of WES' current organizational structure, see the chart in Appendix 8-A.

8.1 Sampling and equipment

Through the Industrial Pretreatment Program, the group has the equipment necessary to implement its program. This equipment includes, but is not limited to:

- Automatic composite samplers capable of time- and flow-proportional sampling
- Flow meters and sensors capable of triggering sampling with the automatic samplers
- PH sensors capable of connecting to flow meters or automatic samplers for alarm-triggered sampling
- Distributors and bottle sets for special sampling programs into differently-preserved bottles.
- Field meters and associated standards for measuring pollutants with short hold times
- Miscellaneous consumable chemicals needed for sample preservation and equipment decontamination
- Miscellaneous consumable materials associated with sampling functions including
 - Tubing
 - Sampler jugs and bottles
 - o Manhole hangers
 - Extension poles
 - Sewer bands
 - "Blue," reusable ice and wet ice for cooling of samples.

8.1.1 Analytical Equipment

All analysis performed in support of Industrial Pretreatment program monitoring needs adhere to 40 CFR part 136 methodologies. All analytical equipment complies with those standards and the analyses themselves adhere to method-specific QC and QA requirements. All contract laboratories must also adhere to 40 CFR part 136 and maintain the analytical equipment and systems to do so.

8.1.2 Vehicles

Industrial Pretreatment currently has one full size van equipped for sampling and inspection purposes. Additional vehicles provided by separate WES divisions are available for fulfilling Program needs on an as-needed basis.

8.1.3 Safety

Section 8– STATEMENT OF RESOURCES AND STAFFING COMMITMENTS

Safety equipment includes fall-arresting tripod and winches, gas detectors for confined space entry, hard hats, gloves, eye protection, face masks, and WES-subsidized safety-boot allowances.

8.2 Budget

Budgets are reviewed each year and adjusted accordingly to assure adequate resources and equipment are available. Budgetary needs for the 2021-2022 fiscal year for the whole program was \$257,500.00.

8.3 Revenue and sources

Sources of revenue for the program include: permit fees, fines, and rate payer connection and service fees. In the calendar year 2022, permit fees from Industrial Wastewater Discharge permits alone covered approximately 18.5% of program costs.

References

Guidance Developing Control Authority Enforcement Response Plan. EPA, 1989.

Guidance Manual for POTW Pretreatment Program Development. EPA, 1983.

Handbook for Analytical Quality Control in Water and Wastewater Laboratories. EPA, March 1979 EPA-600/4-79-019 (PB213884).

Handbook for Sampling and Sample Preservation of Water and Wastewater. EPA, 1982.

Handbook for Sampling and Sample Preservation of Water and Wastewater, PA, Environmental Monitoring and Support Laboratory, September 1982. Report No. EPA-600/4-82-029.

Industrial User Sampling and Inspection Manual for POTWs. EPA, January 2017. EPA-831B17001.

- Methods for Chemical Analysis of Water and Wastes, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Report No. EPA-600/4-79-020
- NPDES Compliance Sampling Inspection Manual MCD 5, USEPA Enforcement Division, Office of Water Enforcement, Compliance Branch.
- Standard Methods for the Examination of Water and Wastewater, American Public Health Association, Latest Approved Edition.
- Substantial and Non-substantial Pretreatment Program Modifications. DEQ draft Internal Management Directive. April 26, 2005.

ORDINANCE NO. 05-2016

OF CLACKAMAS COUNTY SERVICE DISTRICT NO. 1

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL PARTNERSHIP AGREEMENT BETWEEN CLACKAMAS COUNTY SERVICE DISTRICT NO. 1 AND TRI-CITY SERVICE DISTRICT CREATING THE WATER ENVIRONMENT SERVICES PARTNERSHIP and Declaring an Emergency

WHEREAS, the Board of County Commissioners as the governing body of Clackamas County Service District No. 1 (the "District") is desirous of entering into partnership with Tri-City Service District for the purposes of providing more efficient and cost-effective wastewater and surface water services on a more regionalized basis; and

WHEREAS, the attached Intergovernmental Partnership Agreement creates a new municipal entity to be known as "Water Environment Services," to accomplish the above purpose as more fully stated in the Agreement pursuant to Oregon Revised Statutes Chapter 190;

NOW THEREFORE, CLACKAMAS COUNTY SERVICE DISTRICT NO. 1 BOARD ORDAINS AS FOLLOWS:

Section 1. The Intergovernmental Partnership Agreement between Clackamas County Service District No. 1 and the Tri-City Service District creating a new municipal entity known as "Water Environment Services" as attached hereto as Exhibit A and incorporated herein, is hereby adopted and ratified.

Read first time at a regular meeting of the District Board held on the 3rd day of November, 2016, and the foregoing ordinance was finally enacted by the District Board this 3rd day of November, 2016.

ADOPTED this 3rd day of November, 2016.

BOARD OF COUNTY COMMISSIONERS

as the governing body of **CLACKAMAS COUNTY SERVIGE DISTRICT NO. 1**

Chair

Recording(Secretary

Clackamas County Official Records Sherry Hall, County Clerk Commissioners' Journals Agreements & Contracts

2016-1616

ORDINANCE NO. 05-2016 Effective Date: November 3, 2016

11/15/2016 2:03:01 PM

Ordinance No. _02-2023___

An Ordinance Adopting Rules and Regulations for Water Environment Services

WHEREAS, this matter comes before the Board of County Commissioners of Clackamas County, Oregon, acting as the governing body of Water Environment Services ("Board"), an intergovernmental entity formed pursuant to Oregon Revised Statutes Chapter 190 ("District"); and

WHEREAS, the current District rules and regulations consist of a consolidated set of previously existing rules from Clackamas County Service District No. 1, Tri-City Service District, and the Surface Water Management Agency of Clackamas County;

WHEREAS, an updated set of rules and regulations is necessary to create a consistent and comprehensive set of requirements for the entire District service area, streamline the development review process, improve regional alignment with cities and Clackamas County, address new regulatory requirements, and update policies to reflect new technologies;

WHEREAS, notice of this ordinance has been included in the published agenda of the adopting meeting and published in a newspaper of general circulation within Clackamas County on April 4, 2023, and on April 25, 2023 in compliance with ORS 198.540;

WHEREAS, pursuant to Oregon Revised Statutes, Chapter 198, this ordinance was read at two regular meetings of the District's Board on April 13th, 2023 and May 4th, 2023 prior to adoption by a majority of members of the District Board;

Now, therefore, the Board of Commissioners of Clackamas County, acting as the governing body of Water Environment Services, ordains as follows:

- 1. The District Rules and Regulations as shown in <u>Exhibit A</u> ("Rules and Regulations"), attached hereto and incorporated by reference, are hereby approved and adopted as an ordinance of the District, and shall go into effect on July 1, 2023.
- 2. Any existing rules and regulations previously adopted by the District or its predecessor agencies are hereby repealed, and any portion of any previous resolutions or orders are hereby repealed to the extent that such portion is inconsistent with these Rules and Regulations and any subsequent regulation or order.
- 3. The Rules and Regulations are on file at the District's offices where they may be examined and will be published online promptly after adoption.
- 4. The Recording Secretary of the District is instructed to cause this ordinance to be filed in the records of the District and a certified copy filed with the Clackamas County Clerk.

ADOPTED this <u>4th</u> day of <u>May</u>, 2023.

WATER ENVIRONMENT SERVICES

mit

Chair

Recording Secretary

CLACKAMAS



Water Quality Protection Surface Water Management Wastewater Collection & Treatment



NO DISCHARGE CERTIFICATION REPORT

Industrial Users subject to "No Discharge" requirements for processed regulated under Federal and Local standards must submit a periodic "No Discharge Certification Report" to comply with conditions of the No Discharge Authorization Letter.

Report Due:		
Submit To:	Source Control Water Environment Services 15941 S. Agnes Rd., Bldg. B Oregon City, OR 97045	
Facility Name:		
Address:		
Reporting Period (From) (To)	
I certify under penalty of la direction or supervision in properly gather and evalua persons who manage the information, the informatic and complete. I am aware including the possibility of	aw that this document and all attachments were prepared under my accordance with a system designed to assure that qualified person ate the information submitted. Based on my inquiry of the person o system, or those persons directly responsible for gathering the on submitted is, to the best of my knowledge and belief, true, accura e that there are significant penalties for submitting false information, fine and imprisonment for knowing violations.	nel r te,
Name:	Title:	
Signature:	Date:	

Serving Clackamas County, Gladstone, Happy Valley, Johnson City, Milwaukie, Oregon City, Rivergrove and West Linn

	NON-RESIDENTIAL QUESTION Water Environment Services Industrial Pr 150 Beavercreek Road Oregon City, OR 97045 503-742-4615	INAIR etreatm	RE lient
1.	Company Name:		
2.	a) Facility Address		
	City State Zin		
	b) Is this facility located in a tenant building or industrial park?	Yes	No
3.	Mailing Address: Street Address:		
	City State	_ Zip	
4.	Provide name of person to contact regarding information contained in this q Name: Telephone: Title: Email:	uestionna	aire:
5.	a) Provide a brief description of manufacturing or service activities performed	d at this fa	acility:
6.	Enter number of shifts daily: Enter total number of end Circle the days of operation: S M T W T F S	mployees	 :
7	Is this facility connected to the District's sanitary sewer?	Ves	No
	If "No", are there plans to connect?	Yes	No
	If "Yes", indicate when:		
Q	Does this facility receive hilling statements from Water Environment Service	ac?	
0.		Yes	No
	If "yes", please list your account number(s). If you have more than three acc which have the highest water usage:	counts, lis	t those
9.	Quantity of wastewater discharged in gallons per day? An estimate may be monthly water bill: 400 units per month = 10,000 gpd.	obtained	l from your
	Less than 10,000 10,000 to 25,000 25,000 to 100,000 More th	an 100,00	
10.			00
	Do you use or store liquid chemicals in quantities of 55 gallons or more?	Yes	JU No
	Do you use or store liquid chemicals in quantities of 55 gallons or more? Do you use or store dry chemicals in quantities of 500 pounds or more?	Yes Yes	JU No No
	Do you use or store liquid chemicals in quantities of 55 gallons or more? Do you use or store dry chemicals in quantities of 500 pounds or more? Are you required to report under Oregon State Fire Marshall requirements?	Yes Yes Yes	JU No No No

11.	Does your facility have an oil and grease/water separator? If "Yes", what is its flow capacity?	Yes	No	
12.	Waste removed from premises: Are there any solids, liquids, or other wastes removed by a septic servic or other chemical hauler?	e Yes	No	
	If "Yes", identify the materials, quantities and frequency of service:			-
	Name, address and telephone number of hauler(s):			-
13.	Does your facility generate process wastewater, not including domestic wastewater?	Yes	No	-
	a) Is this wastewater discharged to the District's system?b) Does this process wastewater undergo any pretreatment? If so, pleater	Yes Ise descril	No be:	
	c) Describe process wastewater:			-
	Volume estimate	Unit	S	-
14.	Does your facility discharge any substance, which, if otherwise disposed hazardous waste as defined under 40 CFR part 261? [<i>If discharge is more than 15 kg (33 lbs.) per month of RCRA hazardous waste c waste, please complete form on the back of the attached Hazardous Waste Notice attached Hazardous waste of the attached Hazardous Waste Notice attached Hazardous Waste Attached Hazardous Waste Notice attached Hazardous Waste Attached Hazardous</i>	of would k Yes _ or a dischai ification No	be a No rge of <u>any</u> quantity of acutely I tice.]	nazardous
15.	Does stormwater come into contact with any process(es) at your facility?	? Yes	No	
16.	Do you clean equipment or vehicles at your facility? If "Yes", is the wash water or wastewater: Discharged to the Sanitary Sewer Discharge to the Storm Sewer Removed Off-Site Other	Yes	No 100% Recycled	
17.	Where does your stormwater drain? Creek River Wetlands Undergrowth	ound Injec	tions	
	a) If stormwater drains to a creek or river, what is the name?			
18.	Does your facility have a 1200-Z NPDES Stormwater Discharge Permit?	? Yes	No N/A	
19.	Instead of a 1200-Z Permit, does your facility have a "No Exposure" wait	ver from D	DEQ? Yes No	
20.	I certify under penalty of law that this document and all attachments were accordance with a system designed to ensure that qualified personnel p submitted. Based on my inquiry of the persons directly responsible for g is, to the best of my knowledge and belief, true, accurate and complete. submitting false information, including the possibility of fine and imprison 403.6(a)(2)(ii)]	e prepare roperly ga gathering t I am awa ment for l	d under my direction or sup other and evaluate the infor the information, the informa ore that there are significant knowing violations. [40 CFF	bervision in mation tion submitted t penalties for ₹
	Name (please print) Tit	le		_

Signature	Date	

RCRA HAZARDOUS WASTE NOTIFICATION REQUIREMENTS

On July 24, 1990, the US Environmental Protection Agency (EPA) promulgated in the *Federal Register* changes to the general pretreatment regulations (cf., 55 *FR* 30082). The changes affected both publicly owned treatment works (POTWs) and industrial users (IUs) of POTWs. "Industrial users" or "IUs" includes non-domestic users such as commercial users and businesses. One of the changes requires IUs to submit a notification of hazardous wastes discharged to POTW sewerage collection systems. It is a pretreatment program Resource Conservation and Recovery Act (RCRA) reporting requirement. This pretreatment program requirement is codified in the Code of Federal Regulations at 40 CFR 403.12(p).

The Oregon Department of Environmental Quality (DEQ) is the pretreatment program Approval Authority for Oregon. The DEQ and federal regulations (cf., 40 CFR 403.8(f)(2)(iii)), require us to notify you of this RCRA reporting requirement. It is one of the requirements of our approved pretreatment program. Pretreatment program RCRA reporting requirements are incorporated into the District's Rules and Regulations Section 3.2.7. Following is a brief description of this requirement.

Who Must Notify:

All non-domestic users whose wastewater is treated at the District's treatment facilities and that discharge listed or characteristic RCRA hazardous waste to the POTW (except as described below) must notify the District and other regulatory agencies. RCRA listed and characteristic wastes are described in 40 CFR Part 261.

Notification Must be Sent to:

- The District
- The EPA Regional Waste Management Division Director, and
- State of Oregon Hazardous Waste Authority

This notification must be submitted in writing for any discharge into the District's POTW of any substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261.

Wastes Covered by the Notification:

- Any discharge to the POTW of more than 15 kilograms (kg) (33 lb.) per calendar month of a RCRA hazardous waste, or a discharge of <u>any</u> quantity of an acutely hazardous waste identified in 40 CFR 261.30(d) and 261.33(e), must be reported as a <u>one-time</u> notification.
- A discharge to the POTW of 15 kg (33 lb.) or less per calendar month of a RCRA hazardous waste need <u>not</u> be reported, <u>except</u> for acutely hazardous waste identified in 40 CFR 261.30(d) and 261.33(e).
- A subsequent discharge of more than 15 kg (33 lb.) per calendar month, or of any quantity of an acutely hazardous waste, must be reported as a <u>one-time</u> notification.
- Pollutants already reported under reporting requirements for categorical industrial users in base line monitoring, final and periodic compliance reports are not subject to this notification requirement.

Notification Must Include:

- Name of the hazardous waste as set forth in 40 CFR Part 261.
- EPA hazardous waste number.
- Type of discharge to the sewer (continuous, batch, or other).
- A certification that you have in place a program to reduce the volume and toxicity of hazardous wastes generated to the degree you have determined to be economically practical.

If you discharge more than 100 kilograms (220 lb.) of hazardous waste per calendar month to the POTW, the one-time notification shall also contain the following information to the extent such information is known or readily available:

- An identification of the hazardous constituents contained in the wastes.
- An estimation of the mass and concentration of such constituents in the waste stream discharged during the calendar month in which the one-time report is made.
- An estimation of the mass of constituents in the waste stream expected to be discharged during the twelve months following the notification.

When the Notification Must be Submitted

- If you commenced discharging such wastes before August 23, 1990, you were required to have submitted this notification by **no** later than February 23, 1991. If you fall into that category and have not yet submitted the notification, do so right away.
- If you commence discharging after August 23, 1990, you must submit the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste.
- In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing
 any additional substance as a hazardous waste, you must notify the District, EPA and the State of Oregon of the discharge of
 such substance within 90 days of the effective date of such regulations.
- The notification need be submitted only once for each hazardous waste discharged, except when there will be a substantial change in the volume or character of the hazardous waste discharged (generally because of a planned change in your facility operations). In this case, you must notify the District in advance.

How to Count the Volume of Hazardous Waste Discharged

If a hazardous waste is mixed with a non-hazardous process or non-process waste stream and the entire mixture is then discharged to the sewer, the volume of the entire waste stream containing hazardous waste is considered hazardous according to the RCRA "mixture rule" in 40 CFR 261.3(a)(2)(iii). The effect of this rule is summarized as follows:

- Characteristic Wastes: These wastes are classified as hazardous because they exhibit one of the hazardous characteristics identified in 40 CFR 261.20 40 CFR 261.24 (i.e., they are ignitable, corrosive, reactive, or toxic). If these wastes are mixed with non-hazardous materials and the mixture is then discharged to the sewer, the notification must be submitted only if the entire mixture actually discharged is more than 15 kg (33 lb.) per calendar month and if the entire mixture discharged still exhibits the characteristic(s).
- Listed Wastes: These are wastes that are classified as hazardous pursuant to being listed in 40 CFR 261.30 40 CFR 261.33. If these listed wastes are mixed with non-hazardous materials and then discharged to the sewer, the entire waste stream is considered hazardous and a notification must be submitted. Thus, only if the entire waste stream containing the hazardous waste amounted to 15 kg (33 lb.) or less per calendar month, would the above exemption apply.
- Questionable Wastes: If you have any doubt about whether a mixture discharged to the sewer is hazardous, or if you do not wish to perform any calculations which may be necessary under the mixture rule (cf., 40 CFR 261.3(a)(2)(iii)) you should submit the one-time notification.

If you have any questions, please call the District's Industrial Pretreatment office at (503) 742-4615.

HAZARDOUS WASTE INFORMATION (use additional sheets if necessary)

Batch

Name of Waste:

EPA Hazardous Waste Number:

TYPE OF DISCHARGE:

Continuous

____ Other ___

I certify that I have a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree I have determined to be economically practical.

Signature of Company Representative

Date

If more than 100 Kilograms (220 lbs) of any hazardous waste per calendar month is discharged to the sewer, please include the following items of information for each hazardous waste, to the extent such information is known and readily available:

Norse of Constituent	Mass in Wastestream	Concentration in Wastestream
Name of Constituent	(inis monin)	(inis monin)

NRQ REVIEW STEPS

When reviewing Non-Residential Questionnaires, the suggestions listed below must be considered when determining whether to schedule an inspection and/or providing an Industrial Wastewater Discharge Permit Application.

NRQ QUESTION #	SUBJECT	RESPONSE	INSPECT?	έλΗΜ
1 - 4	General	Questions 1 through 4 are general questions providing information about the name and location of the business. In addition, Question 4 provides contact information in the event that the business needs to be contacted.		
		Questions 5 through 14 provide information about what the nature of the business, what the	iey produce or	what services they provide. In addition,
Sa	Business Description	If the word "manufacture" or "manufacturing" appears, then look at Question 13 to see if process wastewater is discharged to the sewer.		
Sb	SIC Code	The SIC code not only describes what the business is doing but may also give a clue whether the business is a categorical industry. In addition, evaluate the number to determine if SIC code is on the list of 1200Z candidates.		
7	Connected To Sewer	<i>If connected to the District's sewer, the additional information provided in this survey is especially applicable when considering whether to inspect the business and/or provide an Industrial Wastewater Discharge Permit Application.</i>		
ర త 8	Volume of Discharge	<i>If the IU receives billing statements from WES the information is useful for cross-checking discharge volume and determine facility location. How much water do they discharge? If more than 10,000 gpd they may need a permit. Review to see how it matches with the volume listed in Question 13.</i>	Yes	If the business is a manufacturer (Question 5) and discharges more than 10,000 gpd, conduct an inspection. Otherwise, contact to determine reason for the large discharge.
10 & 12	Liquid Chemical Storage	<i>If chemicals are stored in quantities of 55 gal or 500 lbs or more, review Question 12 for the amount of waste hauled away and by whom. If waste chemicals are not being hauled away, where are the chemicals going?</i>	Yes	If the business checks 'Yes' to all four questions then an inspection is warranted.
11	Oil & Grease Separator	If the IU has an Oil & Grease Separator, forward a copy of the NRQ to the staff responsible for the District's FOG Program.		

R:\TC\Wastewater Operations\IPT\PROCEDURES MANUAL\2011 PROCEDURE REVISIONS\NRQ Review Spreadsheet

13a, b, & c	Process Wastewater Description	If process wastewater is discharged to the District sewer, then review Questions 13b and 13c. If pretreatment is going on, a permit may be required, depending on what the reason for the treatment is for. Remember, that the potential to adversely affect the POTW is a valid reason to consider issuing a permit. If the volume is greater than 10,000 gpd, a permit would be required. If less than that amount, a permit may be required depending on what would be required. If less than that amount, a permit may be required depending on what constituents are present and amount.	Yes	If process wastewater is discharged, follow up to determine the volume and characteristics of the discharge. Combining this information with additional information on this NRQ, an inspection may be warranted (e.g. If there are large quantities of chemicals stored on site and process wastewater is discharged to the District sewer).	200000000000000000000000000000000000000
14	Haz Waste Disposal	Hazardous waste can be discharged to the sanitary sewer, but the POTW must be notified so that it can be ensured that appropriate treatment is performed on the waste prior to discharge. This would most likely entail a discharge permit. If 'Yes' is checked, review Hazardous Waste Notification form on the second page of the NRQ for additional information.	Yes	Schedule an inspection if hazardous waste is discharged to the District's sewer.	
		Questions 15 through 19 are geared toward the possibility that a business may be required t questions provide additional information on the handling of stormwater by the business and questionnaire must be passed on to the District's Surface Water Division.	o obtain a 1. if answers c	2002 Stormwater Permit from DEQ. The re provided in this section, a hard copy of the	
5	SIC Code	DEQ requires that businesses operating under specific SIC codes may be required to obtain a 1200Z Stormwater permit. DEQ further requires that the POTW operating under an MS4 Permit must identify these businesses and if applicable notify the business and DEQ of their 1200Z obligations.			
15	SW Contact w/ Processes	If stormwater comes into contact with processes, it is possible that follow-up is warranted to determine the type of materials that may end up in the runoff.			
16	SW Contact w/ Equipment & Vehicles	It is important to know that if equipment and/or vehicles are being washed, where the wastewater is being discharged. If it goes into the storm system, there is a set rules defining what can and cannot be discharged. In that case it is important to notify the Surface Water Division. If the wastewater goes into the sanitary system, determine the volume (see Question 13c) and if it is part of the process wastewater discharge.			
17	SW Destination	This information is for evaluation to understand sources to different watersheds as well as underground injection systems.			
18	1200Z	lf a business has a 1200Z permit then issues about stormwater are the responsibility of DEQ. However, the Stormwater Division needs to be aware of the business' status.			

19	No Exposure Waiver	The comment is the same as for Question 18 except that instead of a 1200Z with its requirements, the business with its "No Exposure" waiver still has requirements.	-	
	Other Considerations	Other considerations when reviewing the NRQ; - If the IU was previously permitted by the District, is the current status of the IU's processes known? - Is there a concern that the process description by the IU is minimized? - Is there a possibility that an inspection should have been conducted from a previous survey? - Previous knowledge of the IU by staff and/or pretreatment staff from other POTWs.	Yes If there IU, then	is uncertainty about the status of the conduct an inspection.
		Following this initial review, the NRQ is to be passed to at least one one other Source Control Staff for a second review of the NRQ to ensure that any questions about the business and follow-up steps are discussed and planned.		
		After the second review, the reviewer stamps the NRQ with the "COMPLETED" stamp and dates and initial the form.		
		The reviewer files the NRQ and completes the master spreadsheet noting the final outcome of the review, whether an inspection will be scheduled, or a permit application is increaded or the review for no further action. A link to the master curvadehoot is arouided in	\\NRC Non Res	Q Survey\2015 Survey\2015 s. Questionnaire Follow-Up.xlsm

issued, or the reason for no further action. A link to the master spreadsheet is provided in the next cell.

ORDINANCE NO. 1948

RECEIVED MAR 07 2005 AN ORDINANCE AMENDING CHAPTER 13.12 OF THE MILWAUKIE MUNICIPAL CODE TO CREATE AN INDUSTRIAL PRETREATMENT PROGRAM FOR NON-DOMESTIC USERS OF THE CITY'S SEWAGE SYSTEM AND AUTHORIZING COLLECTION OF FEES TO IMPLEMENT THE PROGRAM.

WHEREAS, sewage collected by the City's sewage system is delivered to Clackamas County Service District # 1 (CCSD1) for treatment; and

WHEREAS, CCSD1 requires industrial sewage to meet CCSD1 pretreatment standards; and

WHEREAS, the City wishes to impose industrial sewage pretreatment standards to meet CCSD1 standards, to prolong the life of and reduce the maintenance on the City's sewage collection system and to reduce water pollution; and

WHEREAS, CCSD1 Sanitary Rules and Regulations, a copy of which is attached as Exhibit 1, provides appropriate standards for the City's industrial sewage pretreatment program; and

WHEREAS, the ability to inspect to assure compliance is needed to provide a successful industrial sewage pretreatment program; and

WHEREAS, the costs of the City and District of administering and monitoring industrial sewage pretreatment should be paid by generators of industrial sewage;

NOW THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Municipal Code Chapter 13.12 is amended by adding a new section Section 1. 13.12.065 to read:

13.12.065 Industrial Pretreatment

A. The Sanitary Rules and Regulations of Clackamas County District # 1 in effect as of the date of passage of this ordinance is adopted as the City's Industrial Pretreatment Program. All non-domestic users of the City sewer system shall comply with the Industrial Pretreatment Program.

B. Whenever it may be necessary to inspect a building or premises to determine compliance with the Industrial Pretreatment Program, City and District officials may enter the building or premises at reasonable times to

ORDINANCE NO. 1948 Page 1

inspect, sample and undertake any other activity relating to the Industrial Pretreatment Program.

C. The City Council may establish by resolution the amount to be charged for permit fees, user fees, and cost of service fees necessary for implementing the Industrial Pretreatment Program. The amount of the fees shall fully compensate both the City and the District for their services provided under the Industrial Pretreatment Program.

Read the first time on March 1 , 2005.

Read the second time and adopted by the Council on <u>March 1</u>, 2005.

Signed by the Mayor on <u>March 1</u>, 2005. Mayor

ATTEST:

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Pat Suval

Pat DuVal, City Recorder

APPROVED AS TO FORM: RAMIS, CREW, CORRIGAN & BACHRACH, LLP

betore

ORDINANCE NO. <u>1948</u> Page 2

Department of Environmental Quality





811 SW Sixth Avenue Portland, OR 97204-1390 503-229-5696 TTY: 503-229-6993

November 13, 2007

Mr. Curtis Barton, Pretreatment Coordinator Clackamas County Water Environment Services Clackamas County Service District #1 15941 South Agnes Avenue, Building B Oregon City, Oregon 97045

Re: WQ - CCSD #1

Industrial Pretreatment Program Final Approval for Clackamas County/Portland IGA Non-Substantial Program Modification File No.: 16590 Clackamas County

Dear Mr. Barton:

The DEQ is very pleased to approve the "Pretreatment Only" intergovernmental agreement between and Clackamas County Service District # 1 (CCSD#1) and the City of Portland as a non-substantial pretreatment program modification. DEQ received the finalized signed document on October 25, 2007. This document is approved as a non-substantial pretreatment program modification because it dramatically strengthens, improves and clarifies the previous wholesale sewage agreement. This pretreatment program modification will be incorporated into your NPDES permit by permit action letter.

If you have questions please do not hesitate to call me at 503-229-5034

Sincerely,

Jouere M. Heat

Denise M. Healy Pretreatment Program Coordinator Water Quality Division

C: Annette Liebe, Manager, Surface Water Sect., WQ Div., DEQ HQ, Portland Beth Moore, Water Quality Program, Northwest Region DEQ, Portland Michael Le, Pretreatment Program Coordinator, USEPA Seattle WA
COPY

CITY OF PORTLAND AND CLACKAMAS COUNTY SERVICE DISTRICT #1 PRETREATMENT PROGRAM IMPLEMENTATION AGREEMENT

This Pretreatment Program Implementation Agreement (this "Agreement") is pursuant to Oregon Revised Statutes ("ORS") Chapters 190.010 and 454.165 between the City of Portland, hereinafter called Portland, a corporation of the State of Oregon, and Clackamas County Service District No. 1, hereinafter called CCSD#1, under the authority of the charters and laws applicable to Portland and CCSD#1 for the purposes set forth below. This Agreement is effective from the date of execution by all parties. This Agreement supersedes all previous agreements between Portland and CCSD#1 relating to pretreatment program administration.

I. PURPOSE AND INTENT OF AGREEMENT

Each of Portland and CCSD#1 owns and operates a wastewater collection and treatment system. Pursuant to requirements set forth in Portland's National Pollutant Discharge Elimination System ("NPDES") permit and the General Pretreatment Regulations (40 CFR Part 403), Portland must implement and enforce a pretreatment program to control discharges from Industrial Users (as defined in Section II below) of its wastewater treatment system including those located in contributing jurisdictions. Industrial users are located in CCSD#1 that discharge industrial waste to Portland's wastewater treatment system. Therefore the purpose and intent of this Agreement is to:

- A. Provide authority for Portland to administer the pretreatment program for Industrial Users located within CCSD#1 that drain to Portland's system as more fully described on Exhibit A attached hereto;
- B. Ensure that Portland and CCSD#1 comply with existing and future federal and state pretreatment program requirements as well as with Portland's industrial waste code requirements, which are applicable to and binding on Portland and the Industrial Users within CCSD#1 that drain into Portland's system; and
- C. Provide authority for Portland to recover industrial waste program administrative costs from said Industrial Users.
- II. DEFINITIONS
- A. Director

For Portland, Director means the Director of the Bureau of Environmental Services or designee. For CCSD#1, Director means the Director of CCSD#1 or designee.

B. Code

Code means Chapters 17.34 of the Code of the City of Portland, as amended from time to time. The original is on file with the Auditor's Office of the City of Portland.

C. Industrial User

Industrial User means any user that discharges industrial waste to Portland's wastewater treatment system.

D. Industrial Waste

Industrial waste means any liquid, solid, or gaseous substance, or combination thereof, resulting from or used in connection with any process of industry, manufacturing, commercial food processing, business, agriculture, trade or research, including but not limited to the development, recovering or processing of natural resources and leachate from landfills or other disposal sites.

III. PRETREATMENT PROGRAM RESPONSIBLITIES

Portland and CCSD#1 shall perform the following activities to ensure that Portland's approved pretreatment program is implemented in accordance with Portland's NPDES permit.

A. Industrial User Survey Administration

Industrial Users are located in CCSD#1 and contribute industrial waste to Portland's wastewater treatment system. To ensure appropriate identification of all Industrial Users, CCSD#1 agrees to the following:

- 1. CCSD#1 shall perform Industrial User surveying in those areas of CCSD#1 that drain to Portland's wastewater treatment system. Specifically, CCSD#1 shall:
 - a. Implement Industrial User surveying procedures consistent with Portland's approved pretreatment program procedures.
 - b. Notify Portland prior to connection of any potential Industrial Users, as defined by Portland's Code, which are required to have an Industrial Wastewater Discharge Permit. CCSD#1 shall not allow connection for such users without specific written authorization by Portland's Director; provided, however, that if Portland's Director fails to provide such authorization within ten (10) business days of CCSD#1's request for such, CCSD#1 may allow connection by such user.
 - c. Provide, as requested by Portland, a copy of CCSD#1's Industrial User Survey of those areas of CCSD#1 that drain to Portland. At a minimum, CCSD#1 will provide to Portland an annual update on or before February 15th of each year for that portion of CCSD#1 discharging into Portland's sewer system.
 - d. Pay for all costs incurred in implementing the requirements of this section.
- 2. CCSD#1 may also authorize Portland to survey Industrial Users that are located or propose to locate in CCSD#1 that discharge or propose to discharge to Portland's

wastewater treatment system. In so doing, Portland shall survey Industrial Users in a manner consistent with its approved pretreatment program procedures.

B. Pretreatment Program Administration

Portland agrees to serve as CCSD#1's agent to implement Portland's industrial pretreatment program in CCSD#1's service area that drains to Portland's wastewater treatment system. Portland agrees to perform technical and administrative duties necessary to enforce Portland's Code for the Industrial Users located in CCSD#1 that discharge to Portland. Therefore, Portland shall:

- 1. Issue and administer permits or other discharge control mechanisms to all Industrial Users that are required by Portland to obtain a permit or discharge control mechanism.
- 2. Conduct compliance monitoring including inspections, sampling, analyses and other appropriate surveillance to determine Industrial User compliance.
- 3. Respond to all industrial user violations and take appropriate enforcement actions as outlined in Portland's enforcement response plan.
- 4. Perform any other technical or administrative duties as needed to ensure compliance with Portland's NPDES permit requirements.
- 5. Be responsible for all costs it incurs in implementing and enforcing this section.
- 6. Notify CCSD#1 of any enforcement actions to be undertaken in CCSD#1's service area.
- IV. Code Authorization

CCSD#1 authorizes Portland to implement and enforce Portland's Code and discharge standards contained in the Code for the industrial users located in CCSD#1 that discharge to the City's wastewater treatment system. CSD#1 authorizes Portland to take any action under Portland's Code that could have been taken by CCSD#1, including the enforcement of the Code in courts of law.

V. Permit Fees and Other Charges

CCSD#1 authorizes Portland to recover pretreatment program administrative costs through permit fees or other charges from Industrial Users located in CCSD#1 which discharge to the City's wastewater treatment system. Permit fees shall be the same as those charged by CCSD#1 for industrial users located in CCSD#1.

VI. Revisions and Amendments

A. The parties agree to periodically review and revise this Agreement to ensure compliance with the federal Clean Water Act (42 U.S.C. 1251 et seq.) and the rules and regulations

issued thereunder, as necessary. At a minimum, the parties will review this Agreement annually on or before February 1st.

- B. If the authority of Portland to act as agent for CCSD#1 under this Agreement is questioned by an Industrial User, court of law, or otherwise, CCSD#1 will take whatever action is reasonably necessary to ensure the implementation and enforcement of Portland's Code on behalf of Portland and/or by amending this agreement to clarify Portland's authority. This Agreement is in accord with provisions of ORS 190.010.
- C. The Directors for Portland and CCSD#1 may amend this Agreement to facilitate any changes to pretreatment program requirements or to clarify any authority issues under this Agreement. The Directors for Portland and CCSD#1 may agree to update the exhibits in Section I.A of this Agreement to reflect changing conditions in each party's sewer collection system. Supplements, clarifications and updates authorized by this section shall be in writing, and do not require formal approval by the Portland City Council and the governing body of CCSD#1.

VII. TERM OF AGREEMENT

This Agreement shall be in effect upon the signature of both parties and be in effect in perpetuity or until terminated by either party. Either party may terminate this Agreement by giving the other party six (6) months prior written notice. After such notice is given, the Agreement shall automatically terminate at the end of the six-month period. Either party may reopen negotiations of any or all terms of the Agreement by giving the other party six months written notice of its desire to renegotiate this Agreement.

VIII. SEVERABILITY

In the event any of the provisions of this Agreement shall be held to be impossible, invalid, or unenforceable, the remaining provisions shall be valid and binding upon the parties hereto.

IX. WAIVER

One or more waivers by either party of any provision, condition, or covenant shall not be construed by the other party as a waiver or subsequent breach of same by the other party. This waiver provision shall not be construed to allow waiver of any obligation by any industrial user regulated by this Agreement.

X. INTERPRETATION

This agreement was drafted as a joint effort of Portland and CCSD#1. It, therefore, shall not be construed against any party preparing it, but shall be construed as if both parties had prepared it.

XI. INDEMNIFICATION

A. Indemnification by the City of Portland

To the maximum extent permitted by law, Portland shall hold harmless CCSD#1, its Board, officers, agents and employees and shall indemnify CCSD#1, its Board, officers, agents and employees for any claims or damages to property or injury to persons or for any penalties or fines which may be occasioned in whole or in part by Portland's failure to fully perform the obligations undertaken by Portland in this Agreement.

B. Indemnification by Clackamas County Water Environment Services

To the maximum extent permitted by law, CCSD#1 shall hold harmless Portland, its officers, agents and employees and shall indemnify Portland, its officers, agents and employees, for any claims or damages to property or injury to persons or for any penalties or fines which may be occasioned, in whole or in part, by CCSD#1's failure to fully perform the obligations undertaken by CCSD#1 in this Agreement.

IN WITNESS WHEREOF Portland and CCSD#1 have caused this Agreement to be executed each by its duly authorized representative as of the date hereinabove first written.

Approved as to form:

APPROVED AS TO FORM CITY ATTORNE

Approved as to form:

Assistant County Counsel

CITY OF PORTLAND Director, Bureau of Environmental Services

CLACKMAS COUNTY BOARD OF COUNTY COMMISSIONERS, acting as the governing body of Clackamas County Service District No. 1

Martha Schrader, Chain

EXHIBIT A PORTLAND MOU AREA WITH CCSD#1

The Clackamas County Service District #1 MOU Area comprises the Crosswhite Industrial Park, bounded by Johnson Creek Blvd. on the South, SE Flavel on the West, SE Alberta on the North, and SE Bell on the East.



ORDINANCE No. 181214

Authorize an agreement between the Bureau of Environmental Services and Clackamas County Service District No. 1 for pretreatment program implementation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

- 1. Both the City of Portland and Clackamas County Service District #1 (CCSD #1) own and operate wastewater collection and treatment systems. Pursuant to requirements set forth in Portland's National Pollutant Discharge Elimination System (NPDES) permit and the General Pretreatment Regulations (40 CFR Part 403), Portland must implement and enforce a pretreatment program to control discharges from industrial users of its wastewater treatment system, including those located in contributing jurisdictions. Industrial users are located in CCSD #1 that discharge industrial waste to Portland's wastewater treatment system, therefore, Portland is required to regulate those discharges through an agreement with CCSD #1.
- 2. Per this agreement, the City of Portland Bureau of Environmental Services will regulate Clackamas County industrial users who discharge wastewater to the Portland's sanitary sewer system.
- 3. The City of Portland will provide sampling and laboratory services, and permit administration to oversee implementation of this agreement.

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Environmental Services is authorized to execute an agreement with Clackamas County Service District #1, in a form substantially in accordance with Exhibit A, for the purpose described in Section 1.
- b. The Director of the Bureau of Environmental Services is authorized to execute amendments to this agreement that do not increase the agreement amount.

Passed by the Council, AUG 1 5 2007 Sam Adams Commissioner of Public Utilities **Gary Blackmer**

Auditor of the City of Portland Deputy

Jerry Baumgartner June 19, 2007

APPLICATION AND BASELINE MONITORING REPORT FOR INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Please submit the following information by ______, or at least 90 days prior to discharge of wastewater to the public sanitary sewer system.

New sources must complete Parts A - F and Part G (if non categorical) or Part H (if categorical). New sources may provide estimates of the information requested in the application so long as calculations and methodologies are provided. Existing sources * must submit all information required by Parts A - F and either Part G or Part H.

Please refer to Clackamas Water Environment Services' ("WES") current Rules and Regulations for local limits, standards, and definitions governing the discharge of industrial and process wastewater to the public sewer system.

If assistance is needed in completing the application, please contact WES at (503) 557-2834. Send the completed application to:

Source Control Water Environment Services 15941 S. Agnes Ave., Bldg. B Oregon City, OR 97045

* A "New Source" is Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced according to the deadlines and conditions of 40 CFR 403.3. An "Existing Source" is any source discharge that is not a New Source.

Part A - Application

Return the completed application	n by:		
(for further instructions; see reve	rse side)		
A1. Applicant Business Name			
A2. Address of Premises Disc Street	harging Wastewater:		
City	State	Zip	
Standard Identification C	Classification Code (SIC)		
Assessor's Map and Tax	Lot Number:		
A3. Mailing Address (if differe Street	nt from above):		
Mailing	Chata	7:-	
City	State		
A4. Chief Business Official (see <i>Note</i> on reverse side)		
Name	Title		
Mailing Address Phone	City		Zip
A5. Designated "Duly Authoriz	zed Representative" (see	<i>Note</i> on reverse side)	
Name	Title	- -	
Mailing Address	City		Zip
Phone			
A6. Person to be contacted ab	oout this application		
Name	Title		Phone
A7. Type of Application: Wastewater dischar Wastewater dischar Both of the above	rge is other than domestic or rge is greater than 10,000 ga	sanitary Illons per day	
A8. Certification: I certify tha the best of	t the information above an my knowledge.	d on the following pages	are true and correct to
Print Name	Title	Signature	Date

Type or print the information requested.

- A1. Applicant Business Name--Enter the name or title of your business.
- A2a. Address of Premise Discharging Wastewater--Enter the full street address of the building or premise which is producing the wastewater pertinent to this Application.
- A2b. Standard Identification Classification code number--include all numbers that apply to business.
- A2c. Include the Assessor's Tax Map Number and Tax Lot Numbers that apply.
- A3. Mailing Address--Enter the business street address and the full mailing address.
- A4. Chief Business Official--Enter the name, title, and full mailing address of the Applicant's Chief Business Official in the home office. (See Note 1 through 3 below.)
- A5. Person designated as a Duly Authorized Representative--Give the name of the person who has the responsibility for the overall operation of the facility which generates the wastewater discharge or having overall responsibility for environmental matters for the company. (See Note 4 below.)
- A6. Person to be contacted about this Application--Give the name of the person who is thoroughly familiar with the facts reported on these forms and who can be contacted by the staff of WES.
- A7. Type of Application:
 - A. Indicated if Wastewater discharged contains anything other than domestic or sanitary wastes (i.e. floor drains, wash down drains, batch drains, process drains, etc.).
 - B. Indicate if wastewater discharge is going to be more than 10,000 gallons per day on a regular basis.
 - C. Indicate here if both of the above characteristics and flows apply.
- A8. Certification--The Application must be signed and dated by an officer, employee, or other agent of the business who has legal authority to bind the Applicant business. Also print or type the name and title of the person signing the Application.

NOTE: Federal Regulation 40 CFR 403.12(I) states that the official signing this application must be:

- 1. A **responsible corporate officer**: president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, **or**
- 2. The **manager** of one or more manufacturing, production, or operation facilities employing more than 250 persons or having a gross annual sales or expenditures exceeding \$25 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures, **or**
- 3. A general partner or proprietor of a partnership or sole proprietorship respectively, or
- 4. A duly authorized representative of an individual designated in paragraph 1 or 2 above, so long as a written authorization is submitted to WES, which specifies that the authorized individual has a) a position of responsibility for the overall operation of the facility which generates the wastewater discharge (such as the position of plant manager or equivalent responsibility), or b) having overall responsibility for environmental matters for the company.

Part B - Business Description INDUSTRIAL WASTEWATER DISCHARGE PERMIT

BUSINESS NAME

PURPOSE - The business description is prim	narily used to det	ermine the	he	WES Use:						
business activity.	the waste water .			1 crime 130						
B1. BUSINESS ACTIVITY (Compl	lete a separate Pa	rt B for each ma	ajor business act	ivity on premise	s).					
Activity:			SIC Nos.			-				
(a) PRODUCT:										
		QUANTTITIES								
TYPE OF PRODUCTS	PAST	CALENDAR Dor Dov	YEAR	EST. TH	IS CALENI	DAR YR.				
(Brand Ivanies)	Anno.	Max.	Units	Anna. I Avg.	Max.	Units				
	8			8						
(c) SUBSTANCES DISCHARGED - Give that may be discharged to the sewer. I and product.	e common and te Briefly describe t	chnical names of the physical and	of each major ray chemical proper	w material and p rties of each sub	roduct stance					
NAME			D	ESCRIPTIO	N					
		Į								
B2. DISCHARGE PERIOD		ļ.								
(a) Hours/Day Operated:										
M T	W	Th	F	Sat	Sun					
(b) Time Duration of Discharge:	XX 7	ጥኬ	T.	C.t	G					
M 1	w	1 n	F	Sat	Sun					
B3. VARIATION OF OPERATION	N 									
Indicate whether the busines ac	tivity is:									
Seasonal - Circle the n	e year, or ponths of the	vear during v	which dischar	ge occurs:						
J F M	A M J	JAS (D N D	ge occars.						
COMMENTS:						_				
						-				
PA OTHER LIOUID WASTES - I	ist and types a	nd volume of l	iouid waste or	aludaes remov	red from					
the premises by means othe	er than public s	ewers.	Iquiu waste or	sludges remov	eu nom					
DESCRIPTION	VOLUME	(Gals./Mo.)	REM	OVED BY (1	Name and A	ddress)				
			ļ							

INSTRUCTIONS FOR COMPLETING PART B:

General Instructions - Type or print the information. A separate Part B is to be completed for each major business activity. Examples of major business activities are: Paint manufacturing, metal plating, food canning, etc.

B1. Business Activity-Describe the principal activity on the premise. For the purpose of completing this Part, an activity is a major business class of manufacture (see examples above). Enter the Standard Industrial Classification ("SIC") Code Number, as found in the Standard Industrial Classification Manual prepared by the Executive Office of the President, Office of Management and Budget, which is available from the Government Printing Office at Washington, D.C., or San Francisco, California. Copies are also available for examination at most public libraries.

- a) Product List the types of products, giving the common or brand name and the proper or scientific name. Enter from your records the average and maximum amounts produced daily for the activity for the previous calendar year, and the estimated daily production for this calendar year. Attach additional pages if necessary.
- b) Description Describe the wastewater generating process occurring on the premises, including any seasonal variation in wastewater discharge volumes, plant operations, raw materials, and chemicals used in process and/or production.
- c) SUBSTANCE DISCHARGED Give common (brand names) and technical names (chemical, scientific, or proper names) of each raw material and product that may be discharged to the sewer. Briefly describe the physical, (e.g. color) and chemical, (e.g. reacts with water) properties of each substance.
- B2. Discharge Period:
 - A. Enter the hours of the day for each day, during which waste from this Business Activity will be discharged to the sewer: e.g. from 0600 to 1700 hours (not 6 a.m. to 5 p.m.).
 - B. Enter the time and duration of discharge other than continuous flows. (15 minutes every hour).
- B3. Variation in Operation:

Indicate whether the business activity is continuous throughout the year or if it is seasonal. If the activity is seasonal, circle the months of the year during which discharge occurs. Make any comments you feel are required to describe the variation in operation of your business activity.

B4. Other Liquid Wastes:

List the type and volume of liquid wastes removed from the premises other than by the community sewer. Under description, indicate the types of materials (scientific and common names) in the waste. Also, in the column headed "REMOVED BY," write the name and address of the company who hauls this material. If you do your own removal and disposal, indicate by writing your "Business Name."

PART C - Schematic Flow Diagram INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Business Name	
Purpose - The Schematic Flow Diagram shows the flow pattern of products through the facility and the various sources of wastewater.	WES Use: Permit No
Schematic Flow Diagram - For each major activity in which wastewater in general of materials and water from start to completed project, showing all unit process having wastewater. Number each unit process having wastewater discharges t these numbers when showing this unit process in the building layout in F	ated, draw a diagram of the flow processes generating to the community sewer. Use Part D.

INSTRUCTIONS FOR COMPLETING PART C

General Instructions - Type or print the information. A separate Part C should be completed for each major business activity described Part B.

A line drawing (schematic flow diagram) of each major business activity described in Part B is to be completed in the space below or drawn in on an attached sheet of paper (all sheets should be letter size). Number each process which generates wastewater using the same numbering as in the building layout or plant site plan shown in Part D. An example of drawing required is shown below in Figure 1.

To determine your average daily volume and maximum daily volume of wastewater flow you may have to read water meters, sewer meters, or make estimates of volumes that are not directly measurable.



Business Name

PART D - Building Layout INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Purpose - The building layout shows the wastewater generating operations	WES Use:
which contribute to each side sewer.	Permit No

Building Layout - Draw to scale the location of each building on the premises. Show location of all water meters, storm drains, numbered unit processes (from Part C), community sewers and each side sewer connected to the community sewers. Number each side sewer and show possible sampling locations.

An attached blueprint or drawing of the facilities showing the above items may be substituted for a drawing on this sheet.

INSTRUCTIONS FOR COMPLETING PART D

General Instructions - Type or print the information.

Building Layout - A building layout or plant site plan of the premise is required to complete Part D. Approved building plans may be substituted for Part D. An arrow showing North as well as the map scale must be shown. The location of each existing and proposed sampling manhole and side sewer must be clearly identified as well as all sanitary wastewater drainage plumbing. Number each unit process discharging wastewater to the community sewer. Use the same numbering system shown in Part C (Schematic Flow Diagram). An example of the drawing required is shown below in Figure 2.



PART E - WATER SOURCE & USE INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Business Name

PURPOSE – The Water Source and Use Information will enable WES to determine the volumes and sources of wastewater discharged to the WES' WES Use: Permit No. sewer. Permit No.															
E1. Water us discharge	e anc ed dai	l disti ly.	ribution - Est	timate	the ave	erage qu	antity c	of w	ater rec	eived a	nd	wast	ewater		
SUPPLY FROM DISCHARGE TO															
		Wate	er District		Other		Comn	n. S	Sewer		Ot	her			
Water Used	For:	(gal/day	gal/d	ay s	source	g	al/c	day	gal/da	ay	dis	sch. to		
Sanitary				<u> </u>	, i		Ť			<u> </u>					
Processes															
Boiler												1			
Cooling															
Washing															
Irrigation															
Other (Descr	ibe)											†			
												<u> </u>			
TOTAL															
DESCRIBE:															
E2. Number	of Em	ploye	es		7	TOTAL .									
	Na		Llaura	Nia	Day	Shift	NI		Swing S	Shift	_	No	Night S	Shift	
Week Dav	INO.		to	110.		to		J.		to	-	INO.		to	
Saturday			to			to			to		-	to			
Sunday			to			to			to		to		to		
Seasonal			to			to			to		to				
E3. Source o	f Was	stewa	ter Dischard	bed											
Water N	/leter		Use	T	Perce	ent (%) [Dischar	ae	d to:	Т	otal	% D	ischarg	ed	1
Num	ber		Code		lo. 1	Ń	o. 2	Ĭ	No. 3	to	o all	l side	sewers	6	
															1
															1
															1
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COMMENTS:															_
															-
															-
															-
															-
						Page	e 9								

INSTRUCTIONS FOR COMPLETING PART E

General Instructions - Type or print the information. Part E is to be completed by all dischargers who require a permit. (Wastewater Strength and Flow Estimations).

PROVIDE CALCULATIONS TO SUPPORT ALL FIGURES IN TABLES E1 AND E3.

- E1. Water Use and Disposition Estimate the water received and wastewater discharged in gallons per day for the preceding year. For the water that is received from Water District services or discharged to other than community sanitary sewers, enter the appropriate letter in the column headed "Source" or "Discharge To."
- E2. Number of Employees Enter the average number of office and production employees at the premises daily during the preceding year. If there is more than one shift per day, enter the average number of employees per shift and the duration. A row is provided for seasonal periods, if applicable.
- E3. Source of Wastewater Discharged Item E3 shows the percentage of source water on each water meter used for computing the sewage disposal service charge.
- Step 1. Enter the number of each meter serving the premise.
- Step 2. For each meter enter the percentage of metered water discharged to each side sewer. If you have more than one side sewer, SHOW ON A SEPARATE PAGE THE METHOD AND CALCULATIONS USED TO DETERMINE THE PROPORTIONING to the side sewers.
- Step 3. Enter the total percentage discharged to all side sewers for each water meter by adding the figures in each side sewer column.
- Step 4. Enter the appropriate use code as described below in the use code column.

METER USE CODES

- I Irrigation
- S Sanitary Sewage Flow
- W Well
- C Cooling Tower
- B Boiler
- X Product
- T Time Elapse

Part F - Side Sewer Discharge INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Business Name

Purpo for ea	se - The side sewe flow rate and t ch sewer.	r discharge informat he type of constituer	ion will identify for WES nts and characteristics of	the variation in the discharge	WES Use: Permit No:							
F1.	Side Sewer No	(From Pa	art D)									
F2	2. Wastewater Flow Rate											
12.	IF OPERATIONS ARE SEASONAL											
	PEAK HOURLY MAXIMUM DAILY ANNUAL DAILY AVG. AVERAGE DAILY (GALLONS/DAY)											
	GALLONS/MIN	GALLONS/DAY	GALLONS/DAY	Seasonal Min.	Seasonal Max.							
F3. F4.	 F3. IF BATCH DISCHARGE INDICATE: a. Number of batch discharges: per month. b. Time of batch discharges: at (days of week) at (hours of day) c. Average quantity per batch: gallons d. Flow rate: F4. WASTEWATER CONSTITUENTS - If any of the following constituents, characteristics or substances 											
	is or can be prese	nt in your wastewate	er discharge as a result o	f your operations,	ndicate by placing							
			CONSTITUENTS									
	Aluminum		Cvanide		olvents							
	Antimony		Flouride		ulfate							
	Arsenic		Formaldehvde	S	ulfide							
	Barium	\neg	Lead		ulfite							
	Beryllium		Mercury	Τ	itanium							
	Boron		Molybdenum	Т	in							
	Bromide		Nickel	V	anadium							
	Cadmium		Phenols	Z	inc							
	Chromium		Radioactivity	C	r any of those items							
	Cobalt		Selenium	O	n the EPA Priority							
	Copper		Silver	Р	ollutant List as shown							
				O	n the reverse side.							
At th subr Iden reve	ne discretion of WE mitted with the appl tify the constituent prse side:	S, it may require tha ication. chemical compound	t an Engineer be obtaine	ed to perform a trea	nt List on the							

Other constituents, chemicals or compounds:

INSTRUCTIONS FOR COMPLETING PART F

General Instructions - Part F is to be completed by all busineses who require Wastewater Strength Determination. Use a separate sheet for each side sewer that discharges wastewater to a community sewer. (NOTE: A side sewer is a sewer conveying the wastewater of a discharger from a building or structure to a community sewer).

- F1. Side Sewer No. Enter the side sewer number for which this sheet of Part F has been completed. Use the same number as shown on Part D.
- F2. Wastewater Flow Rate Estimate the peak hourly discharge rates from the premise (i.e. the quantity which might be discharged during any one hour). The maximum daily discharge rate is the greatest flow which might be discharged in any one work day. The annual daily average is the flow for an average workday taken over one year of operation. A season is defined as a period of one month or longer. Hourly and daily water supply meter readings may be used, provided the filling and discharge of storage tanks, process vats, etc., are taken into consideration.
- F3. Batch Discharge -A batch discharge is one which results from the draining of storage tanks or process tanks; intermittent boiler blowdown, etc., to the side sewer.
 - A. Enter the number of batch discharges per month during the operating season of maximum flow.
 - B. Enter the days of the week the discharge occurs and the times of the day the discharge usually occurs.
 - C. Enter the average gallons discharged during each batch discharge operation.
 - D. Enter the rate of flow in the side sewer from the batch discharges.
 - (i.e. Rate of flow from the batch discharge = $\frac{\text{number of gallons in batch discharge}}{\text{duration for a single discharge}}$)
- F4. Wastewater Constituents Indicate those items that you use that are included in the Environmental Protection Agency's 130 priority pollutants.

Ammonia	Chlordane	Ethylbenzene
Asbestos (fibrous)	4-Chloro-3-Methylphenol	Flouranthene
Cyanide (total)	Chlorobenzene	Flourene
Antimony (total)	Chloroethane	Heptachlor
Arsenic (total)	2-Chloroethylvinyl Ether	Heptachlor epoxide
Beryllium (total)	Chloroform	Hexachlorobenzene
Cadmium (total)	Chloromethane	Hexachlorobutadiene
Chromium (total)	2-Chloronapthalene	Hexachlorocyclopentadiene
Copper (total)	2-Chlorophenol	Hexachloroethane
Lead (total)	4-Chlorophenylphenyl Ether	Indeno (1,,3,-cd) Pyrene
Mercury (total)	Chrysene	Isophorone
Nickel (total)	4,4-DDD	Methylene Chloride
Selenium (total)	4,4-DDE	Napthalene
Silver (total)	4,4-DDT	Nitrobenzene
Thallium (total)	Dibenzo (a,h) anthracene	2-Nitrophenol
Zinc (total)	Dibromochloromethane	4-Nitrophenol
Acenapthene	1,2-Dichlorobenzene	n-Nitrosodiemethlamine
Acenapthylene	1,3-Dichlorobenzene	n-Nitrosodiproplamine
Acrolein	1,4-Dichlorobenzidine	n-Nitrosodiphenylamine
Acrylonitrile	3.3-Dichlorobenzidine	PCB - 1016
Aldrin	Dichlorodiflouromethane	PCB - 1221
Anthracene	1,1-Dichloroethane	PCB - 1232
Benzene	1,2-Dichloroethane	PCB - 1242
Benzidine	1,1-Dichloroethene	PCB - 1248
Benzo(a)anthracene*	Trans-1,2-Dichloroethene	PCB - 1254
Benzo(a)pyrene*	2,4-Dichlorophenol	PCB - 1260
Benzo(b)fluoranthene	1,2 - Dichloropropane	Pentachlorophenol
Benzo(g,h,l)perylene	(cis&trans)1,3-dichloropropene	
Benzo(k)flouranthene	Dieldrin	Phenol
a-BHC(alpha)	Diethyl Pthalate	Pyrene
b-BHC(beta)	2,4 - Dimethylphenol	Phenanathrene
d-BHC(delta)	Dimethyl Pthalate	Tetrachloroethene
g-BHC(gamma)	Di-n-Butyl Pthalate	Toluene
Bis(2-chloroethyl)ether	Di-n-Octyl Pthalate	Toxaphene
Bis(2-chloroethoxy)methane	4,6-Dinitro-2-Methylphenol	1,2,4-Trichlorobenzene
Bis(2-chloroisopropyl)ether	2,4-Dinitrophenol	1,1,1-Trichloroethane
Bis(chloromethyl)ether	2,4-Dinitrotoluene	1,1,2-Trichloroethante
Bis(2-ethylhexyl)pthalate	1,6-dinitrotoluene	Trichloroethene
Bromodichloromethane	1,2-Diphenylhydrazine	Trichlorofluoromethane
Bromoform	Endosulfan I	2,4,6-Trichlorophenol
Bromomethane	Endosulfan II	Vinyl Chloride
4-Bromophenyllphenyl ether	Endosulfan Sulfate	
Butylbenzyl Pthalate	Enrin	
Carbon Tetrachloride	Endrin Aldehyde	
2,3,7,8-Tetrachlorodibenzo-p-	Dioxin	
	D 10	

Business Name

Side Sewer No. _____ (From Part D of this Application)

F5. WASTEWATER STRENGTH ESTIMATES - Enter the average annual and maximum wastewater strength for the side sewer for each of the following elements of wastewater strength for the period covered by the permit.

ELEMENTS OF WASTEWATER STRENGTH	UNIT	AVERAGE	MAXIMUM
pH (Range to be placed in Maximum Column)	S.U.		
Suspended Solids	mg/L		
Total Chemical Oxygen Demand	mg/L		
Oil and Grease	mg/L		

If data from a laboratory was used to determine the values, please give the name and address of the laboratory.

Ν	а	m	e	

Street Address ____

City/State____

_ Zip __

F6. FOR CATEGORICAL FACILITIES - Provide the following flows for each of your regulated processes or proposed regulated process (i.e. manufacturing process line covered by categorical pretreatment standards).

(a) Total Plant Flow in Gallons Per Day (gpd) discharged to the sewer system:

_____ Maximum _

Average _

.

(b) Individual Process Flows in Gallons Per Day (gpd).

NO.	REGULATED PROCESS	AVG. GPD	MAX. GPD	DISCHARGE TYPE*

*DISCHARGE TYPE - List as either Continuous, Batch, or None.

F7. Is an inspection and sampling manhole structure available onsite? Yes () No ()

If Yes, provide location description below and include as part of the building layout. (see Part D of this Application):

If No, is one planned? Yes () No ()

INSTRUCTIONS FOR COMPLETING PART F

General Instructions - Part F is to be completed by all businesses who require Wastewater Strength Determination. Use a separate sheet for each side sewer that discharges wastewater to a community sewer. (NOTE: A side sewer is a sewer conveying the wastewater of a discharger from a building or structure to a community sewer).

F5. Wastewater Strength Estimates - Enter the average and maximum concentration of each of the indicated elements of wastewater strength for this side sewer.

			Part F - Side	Sewer Discharge (Cont	:' d)						
	Business Name	_									
F8.	Do you currently use or plan to install automatic sampling equipment or continuous wastewater flow metering equipment? <i>Current:</i> Flow Metering Yes () No () N/A () Sampling Equipment Yes () No () N/A () Planned: Flow Metering Yes () No () N/A ()										
	Planned: Flow Metering Yes () N	lo () N/A () Sampling Equi	pment Yes () No () N/A ()							
	If Yes, please indicate the present (See Part C of this Application) and	or future loca d describe the	tion of this equipme equipment below.	nt on the Schematic Flow Diagram							
F9.	POLLUTION ABATEMENT PRAC	TICES									
	 (a) Wastewater Pretreatment - discharged to the public set 	• Check the ty wer:	vpe of treatment, if a	ny, given this side sewer before it is	\$						
	none	☐oil and w	ater separator								
	holding tank	Sedimen	tation	biological treatment							
	grease trap	□pH adjus	tment	Other:							
	grinding	Screenin	g								
De:	cribe the loading rates, design capa	acity, physica	size, etc. of each p	retreatment facility checked above.							
(t) Planned Wastewater Pretreatmen methods planned or under constru- estimated completion dates.	t Improveme uction for the	nts - Describe any c wastewater carried	hanges in treatment or disposal by this side sewer. Please include							
·											

- F9. Pollution Abatement Practices.
 - (a) Wastewater Pretreatment.

Check the type of treatment, if any, given the wastewater from this side sewer <u>before</u> it is discharged to the community sewer.

Description of the treatment facility should be described in sufficient detail to enable an estimation of the facility's effectiveness. This will require a description of the physical characteristics and size of the facility. (Use additional sheets as necessary.)

(b) Planned Wastewater Treatment Improvements.

Describe any additional treatment or changes in wastewater disposal methods planned or under construction.

Part G - Wastewater Characterization

NOTE:	Samples should be taken of the process wastewater to the sew	final effluen er lines, mał	t prior to di ke a copy o	scharge to f this page	the commu and supply	nity sewer. the analytic	If there are r al results for	more than on multiple disc	e discharge of harges.
G1. Fo	r existing Non-Categorical Facili	y * report re	sults in con	centrations	(mg/L) or r	nass (lbs).			
(a)	Each non-categorical facility will specified by WES. Wher mass limit basis (concent	sample, ana e mass limit ration x reg	alyze, and r s apply, the gulated proc	report on all a facility mu cess flow x	pollutants a st report res (8.34).	as sults on a			
	Pollutant								
	Monthly Average Limit								
	Reported Average								
	Daily Maximum Limit								
	Reported Maximum								
Samplir	ng Protocols:								
1. Spe	cify units used (mg/l or lbs)								
2. Sam	nple type (grab, composite)								
3. Num	ber of samples collected								
4. Date	es and times samples collected _								
5. Sam	ple collection location								
6. Whe	ere samples analyzed								
7. Meth	nods of analyses (must be appro	ved in 40 CF	R 136)						
8. Prov	vide name and address of labs w	ho are perfo	rming analy	/SiS:					
Name_		_ Address							
Name_		_ Address							
l									
l									
l									
	* New Sources may provide e methodologies are included.	stimates of t	he informa	tion reques	ted in this s	ection as lo	ng as calcula	ations and	

Business Name

Instructions for Completing Form G

G1(a) Compare the sample results against local pretreatment standards provided by WES (contained in WES' Rules and Regulations).

Describe any additional O&M or pretreatment and provide compliance schedule. Specify the major events needed to achieve compliance as well as the dates for completion of each event (i.e., hiring an engineer, completing preliminary plans, completing final plans, executing contracts, commencing construction, completing construction, etc.). The shortest possible schedule should be provided.

Sampling protocols:

- A. Pollutants List across the top specific pollutants (use chemical abbreviations) regulated WES Rules and Regulations. (Ex: Copper = Cu)
- B. Monthly Average and Daily Maximum Refer to WES Rules and Regulations for pretreatment standards for the specific pollutant. Most municipalities have daily maximum pretreatment standards (limits, not monthly averages) known as "Local Limits".
- C. Reported Maximum Report the maximum concentration for the samples collected and analyzed.
- D. Reported Average If more than one sample was taken, average all the individual results and report the average in the spaces provided for each of the appropriate pollutants listed.
- E. Indicate type of samples (e.g. grab, flow proportioned composite, etc.), analytical methods, and number of samples taken. Indicate whether samples were taken of combined wastestreams. The industrial user must ascertain whether it can meet the pollutant standards. The type of discharge (e.g., batch, continuous, routine historical information (i.e., existing data of pollutants discharges)), is a factor that should guide the industrial user regarding the number of samples to be taken to ascertain compliance.

Where feasible, samples should be flow-proportional composites. In the case of pH, cyanide, total phenols, oil and grease, sulfides, and volatile organics, a minimum of four grab samples must be collected over a production day. Analysis must be performed on each sample and the four values averaged to provide a representative sample of effluent being discharged.

Additionally, the time and date of sampling, and methods of analysis must be reported. Analytical methods must be performed in accordance with 40 CFR Part 136 and any amendments thereto. It is important that the samples be representative and taken during full production. Each daily composite shall be analyzed separately.

	Business Name			
(b)	Compliance Certification:			
	Are all applicable pretreatment stand	ards being met on a consistent ba	sis? Yes()No()	
	If not, what additional operations and compliance?	maintenance procedures are bein	g considered for	
	Also, list additional pretreatment bein	g considered to meet standards.		
(c)	Provide a compliance schedule for st corresponding dates. Note that this s subject to changes.	andards to be met. Specify the matchedule will require comment by N	ajor events along with VES and will be	
2.	QUALIFIED PROFESSIONAL CERT I hereby certify under penalty of law t requirements as specified in the Gen I am aware that there is significant pe	IFICATION hat this information was obtained i eral Pretreatment Regulations and malties for submitting false information	n accordance with the applicable amendments thereto and WES' F ation, including the possibility of fir	procedures and Rules and Regulatior ne and imprisonment
2.	QUALIFIED PROFESSIONAL CERT I hereby certify under penalty of law t requirements as specified in the Gen I am aware that there is significant per Name (print)	IFICATION hat this information was obtained i eral Pretreatment Regulations and enalties for submitting false informa	n accordance with the applicable amendments thereto and WES' F ation, including the possibility of fir	procedures and Rules and Regulatior te and imprisonment
2.	QUALIFIED PROFESSIONAL CERT I hereby certify under penalty of law t requirements as specified in the Gen I am aware that there is significant per Name (print) Signature	IFICATION hat this information was obtained i eral Pretreatment Regulations and analties for submitting false information 	n accordance with the applicable amendments thereto and WES' F ation, including the possibility of fir Date	procedures and Rules and Regulation e and imprisonment
2.	QUALIFIED PROFESSIONAL CERT I hereby certify under penalty of law t requirements as specified in the Gen I am aware that there is significant per Name (print) Signature AUTHORIZED REPRESENTATIVE S	IFICATION hat this information was obtained i eral Pretreatment Regulations and malties for submitting false informa 	n accordance with the applicable amendments thereto and WES' F ation, including the possibility of fir	procedures and Rules and Regulation te and imprisonment Phone
2.	QUALIFIED PROFESSIONAL CERT I hereby certify under penalty of law t requirements as specified in the Gen I am aware that there is significant per Name (print) Signature AUTHORIZED REPRESENTATIVE S I certify under penalty of law that this accordance with a system designed t submitted. Based on my inquiry of th responsible for gathering the informa and complete. I am aware that there of fine and imprisonment for knowing	IFICATION hat this information was obtained i eral Pretreatment Regulations and analties for submitting false information Title STATEMENT document and all attachments we o assure that qualified personnel p re person or persons who manage tion, the information is, to the best are significant penalties for submi violations.	n accordance with the applicable amendments thereto and WES' F ation, including the possibility of fir Date Date ere prepared under my direction or properly gather and evaluate the in a the system, or those persons dire of my knowledge and belief, true, tting false information, including th	procedures and Rules and Regulation he and imprisonment Phone supervision in formation ectly , accurate, he possibility
2.	QUALIFIED PROFESSIONAL CERT I hereby certify under penalty of law t requirements as specified in the Gen I am aware that there is significant per Name (print) Signature AUTHORIZED REPRESENTATIVE S I certify under penalty of law that this accordance with a system designed t submitted. Based on my inquiry of tt responsible for gathering the informa and complete. I am aware that there of fine and imprisonment for knowing Name (Print)	IFICATION hat this information was obtained i eral Pretreatment Regulations and enalties for submitting false information Title Title STATEMENT document and all attachments we o assure that qualified personnel p ne person or persons who manage tion, the information is, to the best are significant penalties for submi violations.	n accordance with the applicable amendments thereto and WES' F ation, including the possibility of fir Date Date ere prepared under my direction or properly gather and evaluate the in the system, or those persons dire of my knowledge and belief, true, tting false information, including th	procedures and Rules and Regulation he and imprisonment Phone Supervision in formation actly accurate, he possibility

I

Instructions for Completing Form G (continued)

G2. The certification pertains to the actual preparer of the report, if different from the authorized representative. The authorized representative may be either a corporate official, a partner, a fiduciary, or other duly authorized representative if this person is responsible for the overall operation of the facility from which the discharge originates (as defined in 40 CFR 403.12 (I)).

Business Name

(a)) A Baseline Monitoring Report (BMR) () was () was not submitted. If not submitted, complete parts H2 thru H6.					
(b)) The BMR was submitted to:					
	Local Municipality on					
	State Agency on					
	USEPA, Region X on					
	Most recent updated BMR is attached.					
(c)) Compliance Progress Reports (CPR) () was () was not submitted. If not submitted, complete parts (d), (e), (f), and (g) as appropriate.					
(d)) The reports were submitted to:					
	Local Municipality on					
	State Agency on					
	USEPA, Region X on					
	Most recent updated CPR is attached.					
(e)) Compliance Schedule:					
	Action Items Completion Dates					
(f)	I have not complied with each action item described in my compliance schedule or have not achieved final compliance. My reasons for delay as well as the necessary steps being taken to return to schedule are sh below.					
	My revised schedule for achieving compliance is as follows: Action Items Completion Dates					
(g)	Action items					
(g)						
(g)						

To be completed by new * and existing categorical users.

- H1(a) If a BMR has already been submitted, please indicate.
 - (b) If more than one report was submitted, specify how many, a well as the submittal dates of each and to what agency. Attach the most recent updated report submitted if not submitted to the EPA Region Office or the state.
 - (c) Facilities who submitted an original BMR and were out of compliance with the pretreatment standards are required to submit periodic compliance reports. The discharger should complete Item (d) if reports were submitted to one agency. If a schedule was not developed, but construction has occurred, complete Item (e) and indicate completion dates. If the facility submitted a BMR, but not the necessary compliance schedule of progress report, complete Items (f) and (g).

* New sources may provide estimates of the information requested in this section as long as calculations and methodology are included.

H2.	Summarize Each	Regulated F	Process:								
						ł	Pretreatmer	nt			
	Process Desc	cription		Produ	ction Rate		Category		Subpart	SIC	
Н3.	List All Environme	ntal Control	Permits:								
				_			lss	uing			
	Title of Pe	rmit		Per	mit No.		Age	ency		Exp. Da	ate
H4.	Nature and Conce	ntration of F	Pollutants - (report conce	ntrations in mg	g/l or mas	s in lbs.)				
a)	Analysis of regula	ted flows - T	The industria	l user must p	perform sampli	ing and a	nalysis of the	effluent fi	rom all regu	lated proce	esses (after
	treatment, if applic if necessary (simp	cable). Provolution Provolution Provolution Provident Comparison Provident Comparison Provides Provide	/ide the anal table and qu	ytical data fo lestions belo	r the regulated w). Only those	d process e pollutan	es in the spac ts specifically	e provide regulated	ed below. A	Attach additi	ional sheets egory need
	be reported. Refe	er to the bac	kside for fur	ther instruction the indicate a	ons on where to	to take sa	mples and hor	w many s	samples to	take. If the	effluent
	point.			it, indicate a		-guiatea p				e connigier	at this
	Regulated Pr	rocess Line((s):								
	Process Flow	v(s) (Daily A	vg. in MGD)	:							
Pol	lutant										7
Mo	nthly Avg. Limit										
Re	oorted Average										
Dai	ly Max. Limit										
Re	oorted Maximum										
b)	Sample type (grab	o, composite	e):								
c)	Number of samples collected (explain):										
d)	Dates and times samples collected:										
e)	Sample collection location:										
f)	Where samples analyzed:										
g)	Methods of analysis (must be approved by 40 CFR 136):										
h)) Provide name and address of commercial lab performing analysis										
	Name			Addres	6						
	Name			Addres	Address						

- H2. List each regulated process, the production rate (i.e., 10,000 lbs. of product name/unit, time-week, month, year), the category, and subpart of the applicable Categorical Pretreatment Standard as well as the SIC code for each process.
- H3. List all environmental control permits held by or for the facility including the title of the permit, the type of environmental permit, the agency issuing the permit and the expiration date of the permit.
- H4. Each industrial user will sample, analyze, and report on all pollutants regulated specific to each process (refer to appropriate subcategory in regulations for regulated pollutants). Where mass limits exist, the facility will have to report results in mass limits (concentration x regulated process flow in million gallons per day x 8.34.)

The BAT pretreatment standards are process related. That is, a facility must comply with the standard at the end of the regulated process. However, EPA recognizes that some facilities combine their wastewater process lines, cooling water, and sanitary discharge prior to treatment and discharge to municipal sewers. Hence, a facility can sample at a combined point, but will need to adjust the categorical limit it must meet by (i.e., calculate adjusted limits) employing the Combined Wastestream Formula that is contained in Section 403.6 (e) of the General Pretreatment Regulations (Federal Register January 28, 1981). If this is the case with your facility, you must employ the formula and provide additional data for calculations. Contact WES for more guidance.

Insert in the table the regulated pollutants (use abbreviations), the published average and maximum numerical limit for the particular pollutant found in the regulation, or adjusted limits as calculated by use of the Combined Wastestream Formula, and the results of the sampling (average and maximum values).

Indicate type of samples (i.e. grab, flow proportioned composite, etc.), analytical methods, and number of samples taken. Indicate whether samples were taken of combined wastestreams. The industrial user must ascertain whether it can meet the 30 - day average, calculated average, daily maximum, or calculated maximum limit. The type of discharge (i.e., batch, continuous, routine historical information) is a factor that should guide the industrial user regarding the number of samples to be taken to ascertain compliance.

Where feasible, samples should be flow-proportional composites. In the case of pH, cyanide, total phenols, oil and grease, sulfides, and volatile organics, a minimum of four grab samples must be collected over a production day. Analysis must be performed on each sample and the four values (except for pH) averaged to provide a representative sample of effluent being discharged.

Additionally, the time and date of sampling, and methods of analysis must be reported. Analytical methods must be performed in accordance with 40 CFR Part 136 and any amendments thereto. It is important that the samples be representative and taken during full production. Each daily composite shall be analyzed separately.

Business	Name
Dusiliess	name

H5.TOTAL TO	OXIC ORGANICS						
Facilities who pretreatment	use toxic organics listed standards and must initial	by the EPA in its published on the EPA in its published on the sample for TTO and determine the sample for TTO and determine the same same same same same same same sam	categorical pretreatment standards are r rmine compliance.	equired to meet TTO			
(a)	We presently do not or pl categorical pretreatment	an to use any of the toxic or standards published by the	ganics that are listed under the TTO sta EPA.	ndard located in the applicable			
(b)	We presently use or plan	to use organic toxicants list	ed in the categorical pretreatment stand	ards.			
(c)	A BMR has previously b	een submitted which contair	ns TTO information.				
H6. COMPLI	ANCE CERTIFICATION						
(a)	Is the facility meeting app	blicable categorical pretreatr	nent standards on a consistent basis?	Yes () No ()			
(b)	If no, do you require: 1) Additional opera 2) New or addition	ation and maintenance (O&I al pretreatment facilities to a	<i>I</i>) to achieve compliance? achieve compliance?	Yes()No() Yes()No()			
(c)	If additional O&M or new consistent basis, attach a dates for the commencer	additional pretreatment will description of it and a sche nent and completion of majo	be required to meet categorical pretreat dule on separate sheets. Include incren or events leading to compliance with the	ment standards on a nents of progress indicating standard.			
	NOTE:	The final compliance date applicable pretreatment sta of the compliance dates sp	in this schedule shall not be later than th andard. Written progress reports are rec becified in the compliance schedule.	e compliance date for the quired within 14 days of each			
(d)	I have provided a complia	ance schedule.					
 H7. QUALIFIED PROFESSIONAL CERTIFICATION I hereby certify under penalty of law that this information was obtained in accordance with the applicable procedures and requirements as specified in the General Pretreatment Regulations and amendments thereto and WES' Rules and Regulations. I am aware that there is significant penalties for submitting false information, including the possibility of fine and imprisonment. 							
Name (print)							
Signature		Title	Date	Phone			
H8. AUTHOF I certify under system desig knowledge ar including the	RIZED REPRESENTATIV penalty of law that this do ned to assure that qualifie d belief, true, accurate, a possibility of fine and impl	E STATEMENT ocument and all attachments d personnel properly gather nd complete. I am aware th isonment for knowing violati	s were prepared under my direction or su and evaluate the information, the inform at there are significant penalties for subr ions.	upervision in accordance with a lation is, to the beset of my nitting false information,			
Name (print)							
Signature		Title	Date	Phone			
- H5. Facilities covered by a TTO pretreatment standard must initially sample for TTO and determine compliance with applicable pretreatment standards. Analysis have to be performed on toxic organics listed in the applicable pretreatment standards. Contact WES for the list of toxics applicable to your operation.
- H6.(a) In order to determine compliance with published or calculated mass based categorical standards, a facility will need to compare its allowable mass limit against the actual mass loading derived from sampling (concentration x process flow in million gallons per day x 8.34). If the categorical standards are published in concentration, then a facility need only to compare the concentration of its effluent against the regulated standards for that particular pollutant.
- H6.(c) Describe any additional O&M or pretreatment and attach a compliance schedule. Specify the major events needed to achieve compliance, as well as the dates for completion of each event (i.e., hiring an engineer, completing preliminary plans, completing final plans, executing contracts, commencing construction, etc.). The shortest possible schedule should be provided.
- H7. The certification pertains to the actual preparer of the report if different from the authorized representative.
- H8. The authorized representative may either be a corporate official, a partner, a fiduciary, or other duly authorized representative if this person is responsible for the overall operation of the facility from which the discharge originates.

Water Environment Services 15941 S. Agnes, Bldg. B Oregon City, OR 97045



Industrial Wastewater Discharge Permit - Section 1

1. Applicant Business Name: <u>Enter Name of Ir</u>	ndustrial User	For EPA Ca include CF	ategory R woll as	. <u>Enter Permit No here</u>
2. Address of Premises Discharging Wastewater Street:	: —	category ti if applicabl subpart.	tle and, e, the	Non-SIU
City:	_ State: Zip:		EPA Cate	gory 433 – Metal Finishing
3. Assessor's Map and Tax Lot Number:				<u>Category</u>
4. Mailing Address (if different from above):			City	sponsibility
Street:	_		or WES]
City:	_ State: Zip:		Treatment	t Plant
5. Persons to be Contacted About This Permit:				
(Primary) Name	Title		Ph	one
(Alternate) Name	Title		Ph	one
Metered Water Consumption Volume of Wastewater Discharge 7. Authorization and Fees: The above named applicant is hereby authorized applicant's compliance with Clackamas Water E amended, appropriate City Ordinances, any applicance with the discharge limitations, monit the payment of all fees and charges as set forth	ed to discharge was Environment Servic plicable provisions o itoring requirements n below.	Wastewate Other es' ("WES") Ru of Federal or S s, and other co	public sev les and R tate law o nditions se	wer subject to said tegulations, or as r regulation, and in et forth herein, including
ANNUAL PERM	IT FEE		<mark>\$</mark>	
This permit is granted in accordance with the ap conformity with plans, specifications, and other filed with and considered as part of this permit:	oplication filed on _ data submitted in s	upport of the a	in the off bove appl	ice of WES, and in ication, all of which are
8. Effective Date	E	Expiration Date		
9. WES's Representative				
Signaturo			Dato	
hroughout this permit template, there are see ignifies that the section is optional, based on idustry, use or delete the section and be sure	ctions where the l the type of indus e to delete the hig	anguage is fil try being perr hlight.	led in one nitted. D	e of two colors. Orange epending on the type of
the section is highlighted in yellow, select be ompleted, delete the highlight. <i>(When finishe</i>	etween options or ed with permit dev	fill in the app /elopment, de	licable cit elete this	tation or requirement. O <i>text box)</i>



Wastewater Discharge	Limitations						
The Industrial User sl	hall comply with the disc	charge limitations a	nd sampling i	requireme	ents specified belo		
by the effective date of	of this permit.						
For categorical IUS W	development delete ob	S USE THIS SECTION			and anotiona		
when hhished with permit (development, delete ab	ove and this senten	ice, as well a	s unneces	ssary sections.		
A. Point of Compliance	e [#1] If more than one	POC, add additiona	al tables, othe	erwise, de	elete"[#1]"		
Below is a listing of all applicable federal and local discharge limits. Federal discharge limits are derived from the [<i>Metal Finishing</i>] Pretreatment Standards for New Sources as found in 40 Code of Federal Regulations ("CFR") [433.17] and include limits for daily maximums and monthly averages. Those limits that have an asterisk (*) next to them are the more restrictive Daily Maximum limit for every pollutant when comparing the Categorical Limit and the Local Limit and are applicable at the Point of Compliance as shown on the sampling map in Section 2. Part 10(D.).							
The Daily Maximum Limits must be met at all times. The Monthly Average Limits must be met at the end of the calendar month. If a result exceeds the Monthly Average Limit, additional samples can be collected within the same month to calculate the monthly average. All sample results collected by the permittee only for the same month will be used to calculate the monthly average.							
	Local Limit	Catego	rical Limits				
	Deile Merinerun						
	Dally Maximum	Daily Maximum	Monthly A	Average			
Parameter	(mg/L)	Daily Maximum (mg/L)	Monthly A (mg	Average /L)	Sample Type		
Parameter Average Flow	(mg/L)	Daily Maximum (mg/L)	Monthly / (mg	Average /L)	Sample Type Meter		
Parameter Average Flow pH	5.5 – 11.5 S.U.	Daily Maximum (mg/L)	Monthly / (mg	Average /L)	Sample Type Meter Meter		
Parameter Average Flow pH Total Oil & Grease ^①	5.5 – 11.5 S.U. 100	Daily Maximum (mg/L)	Monthly / (mg	Average / <u>L)</u>	Sample Type Meter Meter Grab		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease	5.5 – 11.5 S.U. 100 100	Daily Maximum (mg/L)	Monthly / (mg	Average / <u>L)</u>	Sample Type Meter Meter Grab Grab		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease	Daily Maximum (mg/L) 5.5 – 11.5 S.U. 100 e 100 300	Daily Maximum (mg/L)	Monthly / (mg	Average / <u>L)</u>	Sample Type Meter Meter Grab Grab Grab Grab		
Parameter Average Flow pH Total Oil & Grease [®] Non Polar Oil & Grease Polar Oil & Grease	5.5 – 11.5 S.U. 100 300	Daily Maximum (mg/L)	Monthly / (mg	Average / <u>L)</u>	Sample Type Meter Meter Grab Grab Grab		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease	Daily Maximum (mg/L)	Daily Maximum (mg/L)	Monthly / (mg	Average /L)	Sample Type Meter Meter Grab Grab Grab Grab		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium	Daily Maximum (mg/L) 5.5 – 11.5 S.U. 100 100 300 0.16 0.24 2.77	Daily Maximum (mg/L) *0.11 *2.77	Monthly / (mg 0.0	Average / <u>L)</u>)7	Sample Type Meter Meter Grab Grab Grab Grab		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium Chromium Copper	Daily Maximum (mg/L)	Daily Maximum (mg/L) *0.11 *2.77 *3.38	Monthly / (mg 0.0 1.7 2.0	Average / <u>L)</u>)7 71	Sample Type Meter Meter Grab Grab Grab Composite Composite Composite		
Parameter Average Flow pH Total Oil & Grease [®] Non Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium Chromium Copper Lead	5.5 – 11.5 S.U. 100 5.6 – 11.5 S.U. 100 300 0.16 0.24 2.77 3.38 0.81	Daily Maximum (mg/L) *0.11 *2.77 *3.38 *0.69	Monthly / (mg 0.0 1.7 2.0 0 4	Average / <u>L)</u> /7 /1)7	Sample Type Meter Meter Grab Grab Grab Composite Composite Composite Composite Composite		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium Chromium Copper Lead Mercury	Daily Maximum (mg/L) 5.5 – 11.5 S.U. 100 300 0.16 0.24 2.77 3.38 0.81 0.0035	Daily Maximum (mg/L) *0.11 *2.77 *3.38 *0.69	Monthly / (mg 0.0 1.7 2.0 0.4	Average / <u>L)</u>)7 (1)7 13	Sample Type Meter Meter Grab Grab Grab Composite Composite Composite Composite Composite Composite Composite		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium Chromium Copper Lead Mercury Nickel	Daily Maximum (mg/L) 5.5 – 11.5 S.U. 100 100 300 0.16 0.24 2.77 3.38 0.81 0.0035 *2.45	Daily Maximum (mg/L) *0.11 *2.77 *3.38 *0.69 3.98	Monthly / (mg 0.0 1.7 2.0 0.4 2.3	Average / <u>L)</u>)7 (1)7 3 3	Sample Type Meter Meter Grab Grab Grab Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium Chromium Copper Lead Mercury Nickel Silver	Daily Maximum (mg/L) 5.5 – 11.5 S.U. 100 300 0.16 0.24 2.77 3.38 0.81 0.0035 *2.45 0.43	Daily Maximum (mg/L) *0.11 *2.77 *3.38 *0.69 3.98 *0.43	Monthly / (mg 0.0 1.7 2.0 0.4 2.3 0.2	Average / <u>L)</u> /7 /1 /7 /3 88 24	Sample Type Meter Meter Grab Grab Grab Composite Composite Composite Composite Composite Composite Composite Composite Composite		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium Chromium Copper Lead Mercury Nickel Silver Zinc	Daily Maximum (mg/L) 5.5 – 11.5 S.U. 100 300 0.16 0.24 2.77 3.38 0.81 0.0035 *2.45 0.43 2.61	Daily Maximum (mg/L) *0.11 *2.77 *3.38 *0.69 3.98 *0.43 *2.61	Monthly / (mg 0.0 1.7 2.0 0.4 2.3 0.2 1.4	Average / <u>L)</u> /7 /1)7 3 88 24 8	Sample Type Meter Meter Grab Grab Grab Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite		
Parameter Average Flow pH Total Oil & Grease [®] Non Polar Oil & Grease Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium Chromium Copper Lead Mercury Nickel Silver Zinc Cyanide	Daily Maximum (mg/L) 5.5 – 11.5 S.U. 100 100 300 0.16 0.24 2.77 3.38 0.81 0.0035 *2.45 0.43 2.61 1.20	Daily Maximum (mg/L) *0.11 *2.77 *3.38 *0.69 3.98 *0.43 *2.61 *1.20	Monthly / (mg 0.0 1.7 2.0 0.4 2.3 0.2 1.4 0.6	Average / <u>L)</u> /7 /1)7 3 88 24 8	Sample Type Meter Meter Grab Grab Grab Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite		
Parameter Average Flow pH Total Oil & Grease ^① Non Polar Oil & Grease Polar Oil & Grease Polar Oil & Grease Arsenic Cadmium Chromium Copper Lead Mercury Nickel Silver Zinc Cyanide Total Toxic Organics	Daily Maximum (mg/L) 5.5 – 11.5 S.U. 100 300 0.16 0.24 2.77 3.38 0.81 0.0035 *2.45 0.43 2.61 1.20 2.13	Daily Maximum (mg/L) *0.11 *2.77 *3.38 *0.69 3.98 *0.43 *2.61 *1.20 *2.13	Monthly / (mg 0.0 1.7 2.0 0.4 2.3 0.2 1.4 0.6	Average / <u>L)</u> 7 7 7 1 97 13 88 24 18 55	Sample Type Meter Meter Grab Grab Grab Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite Composite		

² Grab-Composite sampling for Cyanide shall mean at le operating day and composited into a larger container w grab sample shall not be less than 100 mL.

over the Edit footer to insert the month and xide. Each date the permit is issued or revised.

Busin	ness Name <u>Enter Name of</u>	Industrial User	Permit No.	Enter Permit No here				
10.	Wastewater Discharge Limitation	s						
The Industrial User shall comply with the discharge limitations and sampling requirements specified below by the effective date of this permit.								
{For non-categorical IUs with local limits use this section}								
В	B. Point of Compliance [#1] If m	ore than one POC add addi	tional tables, oth	erwise delete"[#1]"				
	Below is a listing of local dis for daily maximums. The lir the sampling location map i	charge limits derived from \ nit for every pollutant is app n Section 2, Part 10(D.).	VES' Rules and icable at the Poi	Regulations and include limits nt of Compliance as shown on				
		Local Lim	it					
	Parameter	Daily Maxim (mg/L)	um	Sample Type				
	Average Flow			Meter				
	рН	5.5 – 11.5 S	S.U.	Meter				
	Total Oil & Grease $^{\mathbb{O}}$	100		Grab				
	Non Polar Oil & Grease	100		Grab				
	Polar Oil & Grease	300		Grab				
	Arsenic	0.16						
	Cadmium	0.24		Composite				
	Chromium	2.77		Composite				
	Copper	3.38		Composite				
	Lead	0.81		Composite				
	Mercury	0.0035		Composite				
	Nickel	2.45		Composite				
	Zinc	2.61		Composite				
		2.01						
	Cyanide	1.20		Grab-Composite				
	Total Toxic Organics	2.13		Grab				

[®] If Total Oil & Grease is greater than 100 mg/L, then have the laboratory fractionate the sample to determine Polar and Non-Polar concentrations.



Business Name Enter Name of Industrial User

Permit No. <u>Enter Permit No here</u>

10. Wastewater Discharge Limitations (continued)

C. General Discharge Prohibitions:

No persons shall discharge or cause to be discharged, directly or indirectly, into the public sewerage system any pollutant, substances, or wastewater that will interfere with the operation or performance of the public sewerage system, cause a pass through, have an adverse effect on the receiving stream, endanger life, limb or public property, or constitute a nuisance. Prohibited substances, shall include, but not be restricted to, the following:

- (a) Any liquids, solids, or gases, which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances to cause fire or explosion or be injurious in any way to persons, property or the public sewerage system. Pollutants that create a fire or explosion hazard in the publicly owned treatment works ("POTW"), including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test methods of 40 CFR 261.21, as it may be subsequently amended. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, fuel oils, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.
- (b) Any sewage containing pollutants in sufficient quantity either at a flow rate or pollutant concentration, singularly or by interaction with other pollutants, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters, or exceed the limitations set forth in federal categorical pretreatment standards.
- (c) Any sewage having a pH lower than 5.5 Standard Unit (S.U.) or higher than 11.5 S.U., or having any corrosive property capable of causing damage or hazard to structures, equipment or persons. Facilities with continuous monitoring of pH shall not exceed the pH range of 5.5 S.U. to 11.5 S.U. more than a total of 15 minutes on any single day (cumulative duration of all excursions) provided that, at no time shall any discharge be lower than 5.0 S.U. or greater than or equal to 12.5 S.U.
- (d) Any solid or viscous substances in quantities or size capable of causing obstruction to the flow of sewers or other interference with the proper operation of the POTW such as, but not limited to, ashes, cinders, sand, mud, straw, insoluble shavings, metal, glass, rags, feathers, tar, creosote, plastics, wood, animal paunch contents, offal, blood, bones, meat trimmings and wastes, fish or fowl heads, entrails, trimmings and wastes, lard, tallow, baking dough, chemical residues, paint residues, cannery waste, bulk solids, hair and fleshing, or plastic or paper dishes, cups, or food or beverage containers, whether whole or ground.
- (e) Any pollutant having a temperature higher than 140 degrees Fahrenheit (60 degrees Celsius) or having temperatures sufficient to cause the influent to the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius). If, in the opinion of the WES, lower temperatures of such wastes could harm the sewers, sewage treatment process, or equipment, or could have an adverse effect on the receiving streams or otherwise endanger life, health or property, or constitute a nuisance, WES may prohibit such discharges.
- (f) Any sewage containing garbage that has not been properly shredded to one-half inch (½") or less in any dimension.
- (g) Any sewage containing unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate), which may interfere with the operation of the POTW.
- (h) Fats, wax, grease, or oils (whether emulsified or not), in excess of 100 milligrams per liter (mg/L) for sources of petroleum origin ("non-polar"), or in excess of 300 mg/L for sources composed of fatty matter from animal and vegetable sources ("polar") or containing substances that may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65°C). If a sample is not fractionated to determine non-polar and polar concentrations, then fats, wax, grease, or oils (whether emulsified or not) in excess of 100 mg/L are prohibited as determined by methods in 40 CFR 136.



Industrial Wastewater Discharge Permit - Section 2

Bu	siness Name	Enter Name of Industrial User	Permit No
10.	Wastewater Disc	charge Limitations (continued)	
C	C. General Discharge	e Prohibitions (continued):	
(i)	Any sewage with objec and vegetable tanning	tionable color not removed in the treatment p solutions).	process (such as, but not limited to, dye and printing wastes
(j)	Any slug discharge, wh discharge episode of su	ich means any pollutant, including biochemic uch volume or strength as to cause interferen	cal oxygen demanding pollutants, released in a single nee to the public sewerage system.
(j)	Any noxious or malodo a public nuisance, haza	rous liquids, gases, or solids that either singly ard to life, or are sufficient to prevent entry int	y or by interaction with other wastes are sufficient to create to sewers for maintenance and repair.
(k)	Any hauled wastes or p a WES approved dump	oollutants, except such wastes received at WI o station.	ES' designated Disposal Station under a WES permit or at
(I)	Any substance that ma quality standards or an	y cause any of WES' sewage treatment plant y other permit issued to WES or city.	ts to violate its NPDES Permit or the receiving water
(n)	Any wastewater that ca	auses or may cause a hazard to human life or	r creates a public nuisance.
(0)	Any wastewater contair by State or Federal reg	ning any radioactive wastes or isotopes of suc Julations.	ch half-life or concentration as to exceed limits established
(p)	Any substance that ma residues, biosolids, scu case, shall a substance disposal criteria, guidel affecting biosolids use Substances Control Ac amendments.	y cause any of WES' POTW effluent or any o ums, etc.) to be unsuitable for reclamation and e discharged to WES' sewerage system cause ines, or regulations developed under Section or disposal developed pursuant to the Solid V et, or state criteria applicable to the sludge ma	other product of WES' sewage treatment process (e.g., d reuse or to interfere with the reclamation process. In no e WES to be in noncompliance with biosolids use or 405 of the CWA; any criteria, guidelines, or regulations Naste Disposal Act, the Clean Air Act, the Toxic anagement method being used, or any related
(q)	Petroleum oil, non-biod through.	legradable cutting oil or products of mineral o	il origin in amounts that will cause interference or pass
(r)	Pollutants that result in problems.	presence of toxic gases, vapors, or fumes in	the POTW that may cause acute worker health and safety
(s)	Storm water, surface w condensate, deionized	rater, groundwater, artesian well water, roof ruwater, non-contact cooling water, and unpoll	unoff, subsurface drainage, swimming pool drainage, uted wastewater, unless specifically authorized by WES.

(t) Persistent pesticides and/or pesticides regulated by the Federal Insecticide Fungicide Rodenticide Act.



Business Name Enter Name of Industrial User

Permit No. <u>Enter Permit No here</u>

10. Wastewater Discharge Limitations (continued)

The Industrial User shall comply with the discharge limitations and sampling requirements specified below by the effective date of this permit.

D. NOTES:

- a) Until this permit expires or is modified or revoked, the permittee is authorized to construct, modify, or operate a wastewater collection and disposal system and discharge to WES' sewerage system adequately treated wastewaters only from the authorized point established in Section 2, Part 10(D.) and only in conformance with all the requirements, limitations, and conditions set forth in this permit.
- b) No discharge of potentially toxic or harmful materials other than those listed above is permitted unless specifically approved by WES.
- c) The permittee shall have or construct monitoring facilities approved by WES to be used for the monitoring of wastewater discharges.
- d) For Continuous pH (choose one): Once during each calendar month, the pH probe and meter shall be calibrated according to manufacturer's instructions. At a minimum, the calibration procedure must include the use of three buffers at pH 4, 7, and 10 S.U. in accordance with pH measurement methods in 40 CFR 136.
 For Grab pH (choose one): Prior to measuring pH, the pH probe and meter shall be calibrated according to manufacturer's instructions. At a minimum, the calibration procedure must include the use of three buffers at pH 4, 7, and 10 S.U. in accordance with pH measurement methods in 40 CFR 136.
- e) Total Toxic Organics shall be determined by EPA Method 624.1, or as amended.







Busine	ss Name	•	Enter Name	of Industrial User		Permit No.	Enter Permit No h	nere
11.	Special	I Conditi	ons					
A.	A. In lieu of periodic monitoring for Total Toxic Organics (TTO) pursuant to 40 CFR 433.12(a), the perind may make the following certification statement: "Based on my inquiry of the person or persons direct responsible for managing compliance with the pretreatment standards for total toxic organics (TTO), certify that, to the best of my knowledge and belief, no dumping of concentrated organics into the wastewater has occurred since filing the last discharge monitoring report. I further certify that this fact implementing the toxic organic management plan submitted to the permitting authority." This statement shall be signed and certified on the form provided by WES and submitted as part of the Periodic Compliance Report (Section 4, Part 12(F)) when TTO monitoring is required.							permittee directly TO), I ne is facility is t of the
В.	If the a WES, s reclam routine	bove op specifyin ation, cc ly spill o	tion is exercise g the toxic org ontract hauling r lead into the	ed, the permittee sha anic compounds use or incineration; and wastewater.	all submit a toxic ed; the method o procedures for	c organic ma of disposal, assuring tha	anagement plan sa other than dumping at toxic organics do	tisfactory to g, such as o not
C.	lf requi sewer :	red by V system i	VES, all proces n order to mee	ss wastewater shall r t local and federal d	receive pretreat ischarge standa	ment before ards.	discharge to the p	ublic
D.	The pe training operati reques	rmittee s g to ensu on of po t.	shall establish ire the proper a llution control	and comply with writ and safe handling of equipment. Such do	tten standards, all chemicals u ocumentation sh	operating in sed on the p all be made	structions, and emporemises and the period available to WES	ployee roper upon
E.	E. The permittee shall operate and maintain all pollution control facilities. A log detailing all maintenance, including preventive maintenance, performed on the pollution control and monitoring equipment shall be kept (<i>in accordance with Section 5, Part 13(C</i>)) and made available to WES upon request.						nance, shall be	
F.	² . Unless otherwise specified, the permittee shall provide monitoring of all industrial wastewater discharged to the public sewer using a flow-proportional or time-based sampling device and closed sample container used for this purpose. If flow-proportional sampling is required, the permittee shall provide to WES at the Point of Compliance, materials and fittings that will enable WES to conduct flow-proportional sampling with their equipment. Sampled effluent shall be collected and analyzed in accordance with this permit and 40 CER 136						scharged container /ES at the mpling permit	
G.	Any oth reques	ner envir t and inc	onmental cont cluded by refer	rol permits issued to ence as part of this p	the permittee s permit.	shall be mad	le available to WES	S upon
H.	H. A notice shall be permanently posted on the Discharger's bulletin board or other prominent place advising employees whom to call in the event of an accidental discharge. Employers shall insure that all employees who may cause or discover such a discharge are advised of the emergency notification procedure.							e advising tion
I.	In the c episodi potenti	case of a ic nature al proble	an Accidental [e, a non-custor ems for WES o	Discharge, including, nary batch discharge r spills that might en	but not limited e, slug loads or ter the public se	to, spills, dis slug dischar ewer, the pe	scharges of a non-r ges that might cau rmittee shall:	outine, se
	a)	Immed Treatm	iately notify W ent Plant at 50	ater Environment Se)3-794-8050 and the	ervices Office at Tri City Treatm	503-742-45 ient Plant at	667, the Kellogg Cr 503-557-2801.	eek
	b)	Within detaile resulta Permiti	five (5) days fo d written repor nt waste disch tee to prevent	ollowing an accidenta t describing the caus arged, any corrective similar future occurre	al discharge, the se of the discha e actions taken, ences, and any	e Permittee rge, the actu the measur other pertine	shall submit to WE ual quantity and qu res to be taken by t ent information.	S a ality of he

Water Environment Services

15941 S. Agnes, Bldg. B Oregon City, OR 97045

J. Compliance with (I.) above shall not relieve the Permittee of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, harm to aquatic life, or any other damage to person or property; nor shall compliance relieve the discharger of any fines, civil penalties, or other liability which may be imposed by WES or other applicable law for its failure to comply.

Additional Special Conditions such as BMPs should be added here under their own subsection. BMPs should be clear, measurable, and reportable.

K. Pursuant to 40 CFR 403.5(c)(4) and WES' Rules and Regulations Section 6.5.3.C.d., (enter text here)



Business Name	Enter Name of Industrial User		Permit No.	Enter Permit No here
12. Sampling an	d Reporting Requirements	Custor style "	nize this table as necessa #/time-period" (ex. 1/mont	ry. For frequency, use h or 4/vear) for clarity. If

A. Sampling Requirements:

style "#/time-period" (ex. 1/month or 4/year) for clarity. If ambiguity is possible, add a comment below the table. For example, a 4/year or quarterly pollutant should be sampled in Jan-Mar, Apr-Jun, Jul-Sep, and Oct-Dec.

Samples are to be taken from the Point of Compliance by the permittee prior to discharge into the sanitary sewer. The permittee shall have the samples analyzed for the pollutants listed below and report the results to WES by the date required under Reporting Requirements.

Point of Compliance If more than one POC, add additional tables

Pollutant or Parameter	Sample Type	Frequency	Reporting Requirements
Flow	Meter	Continuous	Report due by the last
рН	Meter	Continuous	day of the following month being sampled
Total Oil & Grease	Grab	1/Month	"
Arsenic	Composite	1/Month	"
Cadmium	Composite	1/Month	"
Chromium	Composite	1/Month	"
Copper	Composite	1/Month	"
Lead	Composite	1/Month	"
Mercury	Composite	1/Month	"
Nickel	Composite	1/Month	"
Silver	Composite	1/Month	"
Zinc	Composite	1/Month	"
Cyanide	Grab-Composite	4/year	"
Total Toxic Organics	Grab	4/year	"

- B. If the permittee monitors any pollutant more frequently than required by this permit at the Point of Compliance, the results of such monitoring shall be submitted to WES.
- C. The permittee is required to sign and submit the following certification statement with all monitoring reports:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

D. Monitoring reports and other forms required by this permit shall be signed and sworn to by a principal executive officer or his/her designee.

Water Environment Services 15941 S. Agnes, Bldg. B Oregon City, OR 97045



Industrial Wastewater Discharge Permit - Section 4

Business Name Enter Name of Industrial User

Permit No. <u>Enter Permit No here</u>

12. Reporting Requirements

E. [For CIUs only] In accordance with 40 CFR Part 403.12(b), Within 180 days [enter actual date] after the effective date of a categorical Pretreatment Standard, or 180 days [enter actual date] after the final administrative decision made upon a category determination submission under Part 403.6(a)(4), whichever is later, existing Industrial Users subject to such categorical Pretreatment Standards and currently discharging to or scheduled to discharge WES shall submit to WES a report which contains the information listed in Sections 403.12(b)(1)-(7).

[If a "New Source" as defined in 403.3.(m), then add this paragraph] At least 90 days [enter actual date] prior to commencement of discharge, the permittee shall submit to WES a report which contains the information listed in Sections 403.12(b)(1)-(5). The permittee shall also include in this report information on the method of pretreatment they intend to use to meet applicable pretreatment standards. The permittee shall give estimates of the information requested in Sections 403.12(b) (4) and (5).

- F. [For CIUs only] In accordance with 40 CFR Part 403.12(d), the permittee shall submit to WES, 90 days [enter actual date] following commencement of the introduction of wastewater to WES, a report indicating the nature and concentration of all pollutants in the wastewater discharges which are regulated discharges. This report shall also state whether the standards set forth in this permit are being met consistently, and if not, what additional operation and maintenance and/or pretreatment is planned to bring the permittee into compliance with the applicable standards.
- G. The permittee shall notify WES 30 days prior to any planned changes to these wastewater discharges, including, but not limited to, facility expansions, addition or deletion of waste streams contributory to any sampling point, long-term changes in the relative flow of the component waste streams, a change in production volume or rate, or a change in process or materials that may cause a change in the category of the industry or a change in applicable categorical production-based
- H. The Periodic Compliance Report shall consist of the following:
 - i. A signed WES Discharge Certification Report Form.
 - ii. A signed TTO Certification Form

Customize elements in (H.) as appropriate. At a minimum, The Discharge Certification Report should be submitted (even if no flow occurs, permittee should submit and certify zero flow).

- iii. Copies of all laboratory results, including the analytical methods used, the date sampled, date analyzed, and a copy of the Chain-of-Custody Form.
- iv. Discharge [flow or pump or hour] meter readings.
- v. Calculations, in gallons, of total monthly flow and daily flow averages.
- I. All reports shall be submitted to the following:

Source Control Water Environment Services 15941 S. Agnes, Bldg. B Oregon City, OR 97045

J. Reports may be sent electronically to the WES Source Control permit manager. Original signed forms must be mailed to the above address subsequent to electronic delivery.



Business Name Enter Name of Industrial User

Permit No. <u>Enter Permit No here</u>

13. Standard Conditions:

- A. **General.** The permittee must comply with all conditions of this permit. Compliance with this permit does not relieve the permittee from its obligation regarding compliance with any and all applicable federal, state, and local law, rule, standard, ordinance, order, judgement, decree or federal Pretreatment Standards and requirements including any such standards or requirements that might become effective during the term of this permit. The Industrial User shall comply with all other applicable regulations and standards contained in WES' Rules & Regulations, including general prohibitive discharge standards contained in Section 6.4. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.
- B. **Right of Entry.** The Industrial User shall allow WES or its representatives, exhibiting proper credentials and identification, to enter upon the premises of the User, at all reasonable hours, for the purposes of inspection, sampling, or records inspection and copying. The right of entry is to the Industrial User's entire premises and includes, but is not limited to, access to those portions of the premises that co ntain facilities for sampling, measuring, treating, transporting or otherwise handling wastes, for storing records, reports or documents relating to pretreatment, sampling, and discharging wastes.
- C. **Records Retention.** The Industrial User shall retain and preserve for no less than three (3) years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analysis made by or in behalf of the user in connection with its discharge.

This period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User or WES or when requested by DEQ or the EPA.

- D. **Confidential Information.** Except for data determined to be confidential under 6.5.9.B. of WES' Rules and Regulations, all reports required by this permit shall be available for public inspection at the offices of WES. Under no circumstances can wastewater effluent data be claimed or held to be confidential information.
- E. **Recording of Results.** For each measurement or sample taken pursuant to the requirements of this permit, the user shall record the following information:
 - The exact place, date, and time of sampling;
 - The name of the person who collected the sample;
 - The type of sample(s) collected and method used to collect it;
 - The dates the analyses were performed;
 - The person(s) who performed the analysis;
 - The analytical techniques or methods used;
 - The results of all required analysis;
 - The quality assurance and quality control laboratory procedures followed.

All sampling and analytical methods used to meet the monitoring requirements specified in this permit shall, unless otherwise approved in writing by WES, conform to the Guidelines Establishing Test Procedures for the Analysis of Pollutants as specified in 40 CFR, Part 136.

- F. **Resampling Requirement.** If the results of the permittee's wastewater analysis indicate that a violation has occurred, the permittee must notify the Source Control permit manager or Source Control Coordinator within 24 hours of first possessing or being made aware of such results indicating a violation. The permittee must also repeat the sampling and submit the analysis to WES within 30 days after becoming aware of the violation.
- G. Dilution. No Industrial User shall increase the use of potable or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.
- H. **Proper disposal of Pretreatment Sludges and Spent Chemicals.** The disposal of sludges and spent chemicals generated shall be done in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.
- I. Imposition of Civil and Criminal Penalties. In accordance with Section 10.2 of WES' Rules and Regulations, WES may impose civil penalties including, but not limited to fines, damages, modification or revocation of permit and/or cessation of services when any Industrial User (1) fails to factually report the wastewater constituents or characteristics; (2) refuses reasonable access to the user's premises by representatives of WES for the purpose inspection or monitoring; and (3) violates any condition or provision of its permit, with WES' Rules and Regulations Ordinance, any rule adopted pursuant hereto, or any final judicial order entered with respect thereto. In enforcing any of the requirements of this Permit, WES is authorized to refer violations of this Permit to the proper authorities for investigation and enforcement as criminal matters.



Business Name Enter Name of Industrial User

Permit No. <u>Enter Permit No here</u>

- 13. Standard Conditions (continued):
- J. Certification and Signatory Requirements. In accordance with 40 CFR 403.12, all reports required by this permit shall be signed and certified by a principal executive officer of the industrial user or his designee. If the responsible corporate official changes, the WES is to be notified as required in 40 CFR 403.12 (I)(4).
- K. Permit Modifications. WES reserves the right to amend this permit in order to assure compliance with applicable laws and regulations. This permit may be modified with 30 days prior written notification, in whole or in part for causes including, but not limited to: (1) preventing violation (s) of WES' NPDES permit; (2) incorporating new or revised federal, state or local pretreatment standards or requirements; (3) upon receiving information indicating the permitted discharge poses a threat to WES' collection and treatment system, POTW personnel, receiving waters and sludge; (4) correcting typographical or other errors in the permit; and (5) any significant change in volume of a permitted discharge.
- L. Permit Revocation. An industrial wastewater permit may be revoked at any time for the following reasons:
 - Violation of any terms or conditions of this permit or WES' Rules and Regulations;
 - Failure to notify WES' of significant changes to the wastewater prior to the changed discharge;
 - Falsifying self-monitoring reports;
 - Tampering with monitoring equipment
 - Refusing to allow WES timely access to the facility premises and records;
 - Failure to meet effluent limitations;
 - Failure to pay fines;
 - Failure to pay user charges;
 - Failure to meet compliance schedules;
 - Failure to provide advance notice of the transfer of a permitted facility.
- M. Limitation on Permit Transfer. Wastewater discharge permits are issued to a specific user for a specific operation and are not assignable to another user or transferable to any other location without the prior written approval of WES and provision of a copy of the existing permit to the new owner or operator. Sale of a user shall obligate the purchaser to seek prior written approval of WES for continued discharge to the sewerage system.
- N. **Property Rights.** The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of Federal, State or local regulations.
- O. Slug Control Plan. Each Discharger shall provide protection from the accidental discharge of prohibited substances or other substances regulated by WES' Rules and Regulations. Where necessary, facilities to prevent accidental discharge of such substances shall be provided and maintained by the Discharger, at the Discharger's own cost and expense. If required by WES, the permittee shall develop a Slug Control Plan that, at a minimum, contains the elements described in 40 CFR 403.8 (f)(2)(vi)(A)-(D).
- P. Liability. WES, its officers, agents or employees shall not sustain any liability due to the issuance of this permit or the construction or maintenance of facilities resulting from this permit.
- Q. **Severability.** The provisions of this permit are severable, and if any provisions of this permit or the application of any provision of this permit to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected.
- R. **Bypass or Diversion.** The diversion or bypass (the intentional diversion of waste streams) from any portion of a permittee's treatment facility to maintain compliance with the terms and conditions of this permit is prohibited except "... if the bypass is unavoidable to prevent loss of life, personal injury or severe property damage and there are no feasible alternatives" (40 CFR 403.17).

The permittee shall immediately notify WES in writing of each such diversion or bypass, in accordance with the procedure specified in Section 6.5.5.D. of WES' Rules and Regulations.



Business Name Enter Name of Industrial User

Permit No. Enter Permit No here

- 13. Standard Conditions (continued):
- S. **Notification of Slug Discharge.** If the permittee is unable to comply with all conditions of this permit due to release of a slug discharge, a breakdown of equipment or facilities, an accident caused by human error or negligence, or any other causes such as an act of nature, the permittee shall follow the procedures outlined in the Special Conditions Section of this permit, Section 3, Part 11(H.-I.) to notify WES of the event.
- T. **Continuous Compliance.** Compliance with (S) above shall not relieve the permittee from responsibility to maintain continuous compliance with the conditions of this permit or the resulting liability for its failure to comply.
- U. **Upset.** An upset is an exceptional incident in which an industrial user unintentionally and temporarily is in a state of noncompliance with WES' Ordinance, due to factors beyond the reasonable control of the industrial user and excluding noncompliance to the extent caused by operational error, improperly designed or inadequate treatment facilities, lack of preventative maintenance or careless or improper operation.

Per WES Rules and Regulations, Section 6.5.5.C., any Industrial User that is in a temporary state of noncompliance due to an upset in operations shall inform WES as soon as practical but no later than twenty-four (24) hours after first awareness of commencement of the upset. Where such information is given orally, a written follow-up report shall be submitted to WES within five (5) days and must include:

- a. A description of the upset, the cause(s) thereof, and the upset's impact on the permittee's compliance status.
- b. The duration of noncompliance, including exact date and times, or, if not corrected, the anticipated time that noncompliance is expected to continue.
- c. All steps taken, or to be taken to reduce, eliminate and prevent recurrence of such upset or other conditions of the noncompliance.
- d. A demonstration through properly signed, contemporaneous operating logs, or other relevant evidence that the facility was being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures.

An upset will constitute an affirmative defense to an action brought for noncompliance with applicable pretreatment standards if the conditions stated in the Federal Regulations 40 CFR 403.16(c) and in WES' Rules and Regulations Section 6.5.5.E. are met.

- V. Hazardous Waste Notification. The industrial user shall notify WES, the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes; an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month; and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months.
- W. Toxics Reopening. If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Federal Clean Water Act (PL95-217, as amended) for toxic pollutants present in the permittee's discharge, and such standard or prohibition is more stringent than limits upon these pollutants in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition, and the permittee shall be so notified.
- X. **Duty to Reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must submit an application for a new permit at least ninety (90) days before the expiration date of this permit.
- Y. Representative Sampling. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure its accuracy. Monitoring points shall not be changed without notification to and the approval by WES.

	Replace all <i>instructions</i> with relevant text or						
Company Name :	[Industry]	[Industry]					
Nature of Business	[Enter Nature of Business]	before finalizing Fact					
Site Address:	[Enter Address] Mailing Address:			when final.			
Signatory Auth. :	[Enter Name]	Alternate Contact:	[Ent	ter Name]			
Telephone # :	XXX-XXX-XXXX	Telephone #:	XXX	X-XXX-XXXX			
Facsimile # :		Cellular #:					
E-Mail Address:	[Enter E-mail]	E-Mail Address:					
Permit # :	<i>02T-021-0</i>	SIC Code:	161	1, 1622, 1629			
Expiration Date :	7/11/24	Last Permit Rev.:	N/A				
Water Account # :	OC & WL Fire hydrants	Water Usage (GPD):	Est. 40,000				
Discharge (GPD*):	194,000 gal/batch*	# of employees:	Est.	40			
Hours of Prod.:	0430 hrs. to 2400 hrs. (M-F)	# of Shifts:	2				
Main Pump Station	Capps Road						
Other Environmental	Stormwater <u>N/A</u>	Exp. Date	_ Pe	rmit No			
Permits:	Air Discharge <u>N/A</u>	Exp. Date	_ Pe	rmit No			
	Hazardous <u>N/A</u>	Exp. Date	_ Per	rmit No			
	Other <u>N/A</u>	Exp. Date	_ Pe	rmit No			
Point of Compliance:	Sample Port on Final Dischar	rge from Baker Tank farn	n				
Emergency Contact	Jeremy Rohde	After Hours Phone		310-596-0079			
Safety Considerations:	Safety Glasses, Steel Toed Boots						

WATER ENVIRONMENT SERVICES - INDUSTRIAL PRETREATMENT INDUSTRY FACT SHEET

Resources used to prepare the Fact Sheet. *Check all that apply*

Previous Permit		Monitoring Data	
Permit Application	Х	SDS Information	Х
NRQ		Fire Marshall Report	
Compliance History		Site History	
Site Inspection	Х	Corporate Report	
		Similar Operations	Х

1. <u>IU CLASSIFICATION</u>

[Industry] is classified as an IU because they have the potential to adversely affect the POTW (excessive solids), and require pretreatment to meet local discharge regulations. It is necessary to permit this IU versus issue a batch-discharge authorization because the limited-duration project is expected to exceed 1 year of time and discharge large (>100,000 gallons) batches periodically.

2. <u>BUSINESS DESCRIPTION:</u>

[Industry] is a ... Describe what the business does or manufacture. Describe, in as much detail as you can, which treatment plant the wastewater will ultimately go to. Describe when the business began operations

3. <u>DESCRIPTION OF PROCESSES GENERATING WASTEWATER:</u>

Wastewater is generated ... Describe the processes generating wastewater including potential raw materials used, products produced, frequency of process use, etc.

4. <u>RAW WASTEWATER DESCRIPTION:</u>

Describe raw wastewater produced from the processes in #3 above. Include in the description specific pollutants (e.g., chromium, Oil and Grease, low or high pH, etc.). If necessary, describe where the raw wastewater is discharged by referring to the Point of Compliance number.

5. <u>PRETREATMENT</u> :

Describe the pretreatment existing on-site. This may include none or multiple operations. An example list of pretreatment operations: pH adjustment, flow equalization, activated carbon, chemical precipitation, chlorination, dissolved air flotation, grit removal, biological treatment, sedimentation, silver recovery, air stripping, cyanide destruction, evaporation, flocculation, ion exchange, ozonation, solvent separation, centrifugation, cyclone, filtration, oil/grease separator, reverse osmosis, septic tank, sand/oil separator, etc.

6. <u>ASPP STATUS</u>

State if an accidental spill prevention plan (aka slug control plan) is required, if it's been reviewed and approved by WES, and if one is not required, why it is not.

7. <u>PERMIT FEE</u>

Use the Permit Invoicing SOP to determine the industry's point total and which of the three tiers they fall within for the annual permit fee. Document the decision here.

PARAMETER	CRITERIA	POINT(S)
Flow	<10,000 gpd	1
X-Strength	No	1
SIU	No	1
Enforcement	≤3/year	1
Self-Monitoring	1/month	2
Dist. Monitoring	<1/month	1
	TOTAL	7

Under the proposed fee schedule, total points accumulated equals 7, thus placing [Industry] in Tier 1 of the fee schedule with an annual fee of \$1,500.

8. <u>ANALYSIS OF DISCHARGE DATA</u>

Describe known discharge data. If a new permit, leave blank. If a permit renewal, use data from last 5 years. Bolded pollutants are those identified as pollutants of concern in #9 below.

Pollutants #Violations/Samples		Compa (None availab		
		Avg. For Period (mg/L)	Maximum Value (mg/L)	Applicable Limits (mg/L)
Ammonia				
Arsenic	0/0			0.35
Cadmium	0/0			0.24
Chromium	0/0			2.77
Copper	0/0			3.38
Lead	0/0			1.36
Mercury	0/0			0.0035
Molybdenum	0/0			
Nickel	0/0			3.35
Selenium	0/0			
Silver	0/0			0.43
Zinc	0/0			2.61
Cyanide-T	0/0			1.20
Oil/Grease (P)	0/0			300
Oil/Grease (NP)	0/0			100
BOD	0/0			
TSS	0/0			
ТТО	0/0			
Closed Cup FP	0/0			
рН	0/0			5.5 – 11.5 S. U.
Flow	0/0			

9. EXPLANATION OF POLLUTANTS OF CONCERN & MONITORING FREQUENCY

[Industry] is an IU located in Rate Zone 1 (formerly TCSD) with its flow directed to TCSD and the Tri-City WRRF. Therefore, the TCSD Local Limits apply at the Point of Compliance.

The pollutants expected from the drill shaft operation are mainly solids, metals and pH; however, this is the first issuance of a permit and the discharge is by batch. Therefore, [Industry] is required to TSS, Arsenic, Cadmium, Chromium, Copper, Mercury, Lead, Nickel, Silver, Zinc, and pH. As the drilling fluid is treated by batch and the duration of the project is over a year, the sampling frequency will be per batch discharged. Per the permittee's application, this is expected to be roughly once a month.

10. <u>MONITORING FREQUENCY</u>

 List frequency for each parameter

 SELF MONITORING FREQUENCY

 Per Batch:
 TSS, As, Cd, Cr, Cu, Hg, Pb, Ni, Ag, Zn, pH, and Flow

 Monthly:
 Quarterly:

 Quarterly:
 Semi-Annually:

 Annually:
 Special Reports:

[Industry] is required to measure pH per batch because raw wastewater is treated and discharged as a batch. Flow will be metered per batch in the event of later billing by WES.

11. APPLICABLE LIMITS: (mg/L) (**Bolded Limits Apply**)

List all potentially applicable limits, then the actual limits for each point of compliance in the far right column. The actual limits are the most stringent between the local limit and the categorical/CWF/FWA limit.

· · · · · · · · · · ·						
Parameter	Local	Categorical	Categorical	CWF* or	CWF* or	Pollutant and
	Limit	Limit	Limit	FWA*	FWA*	Limits Listed in
						Permit Section A
		Daily	Monthly	Daily	Monthly	
Cyanide	1.20					1.20
Arsenic	0.35					0.35
Cadmium	0.24					0.24
Chromium	2.77					2.77
Copper	3.38					3.38
Lead	1.36					1.36
Mercury	0.0035					0.0035
Nickel	3.35					3.35
Silver	0.43					0.43
Zinc	2.61					2.61

Parameter	Local	Categorical	Categorical	CWF* or	CWF* or	Pollutant and
	Limit	Limit	Limit	FWA*	FWA*	Limits Listed in
						Permit Section A
Polar oil &	300					300
grease						
NP oil & grease	100					100
pH (S.U.)	5.5 -					5.5 - 11.5 S.U.
	11.5					
BOD						
TSS						

*Calculations for Combined Wastestream Formula (CWF) of Flow Weighted Average (FWA) calculations for categorical IUs are found on Attachment D

12. **REPORTING REQUIREMENTS** List any special reports required by the Industrial User and the rational for requiring the reports. This may include monthly Toxic Organic Management Plan certifications, for example.

Log of Fact Sheet Changes

Date	Description of Changes	Initials
6/10/22	Develop new fact sheet due to startup of Project.	CD

Change name below to only the most recent modification.

Prepared by: [Enter Name]

Date: *MM/DD/YYYY*

Title: [Enter Title]

ATTACHMENTS:

A. FACILITY LAYOUT

This should be a very broad, "birds-eye-view" of the facility's property. Include streets, connections to the public sewer, WES Asset IDs, storm lines, catch basins, drum storage, bone yards, outdoor processes, and detention pond.



B: PROCESS DIAGRAM

This diagram should show the processes described in #3 above. Include each process, how raw materials are used in the process, any waste (solid or liquid) is generated, and the direction of the production.



C. PRETREATMENT SYSTEM DIAGRAM:

This diagram should show the processes described in #4 and #5 above. Include where raw wastewater enters each pretreatment step, any residuals or sidestreams created, and where the final, finished, treated wastewater is discharged.



D: DIAGRAM OF DISCHARGE POINTS & POINT OF COMPLIANCE

This should be a "birds-eye-view" of the facility's wastewater-specific processes. Include the sources of wastewater discharge (e.g., sanitary, process, boiler blowdown, stormwater), their flow direction on the facilities property, where they connect to the public sanitary sewer, and most importantly, ALL POINTS OF COMPLIANCE which will be monitored by WES or the IU.



E: WATER USE TABLES

If data is available from the water provider of the facility and was evaluated for permit development, include that data here. If not, delete this section.

F: PRODUCTION DATA

If facility production data was used in permit development, include here. For example, if setting permit limits based on production. If not, delete this section.

G: DISCHARGE LIMITS CALCULATIONS

If discharge permit limits were calculated using, for example, the combined wastestream or flow-weighted average formulas, include those calculations here. If not, delete this section.

H. SAMPLING FACT SHEET

This attachment should detail everything WES staff need to know to collect compliance samples at the industry. Add specific access or composite sampler settings to the Notes section at the bottom. Use multiple tables if more than one Point of Compliance.

Name:	[Industry]			
Address:	1701 Clackamette Dr. #1042			
City:	Oregon City, OR 97045			

Contact: Jeremy Rohde Telephone: XXX-XXX-XXXX Hours: 0600 to 1800

Pollutant	Type of Sample	WES Sampling Frequency	IU Sampling Frequency
Flow	Meter		Monthly
TSS	Composite	Annual	Per Batch
рН	Grab	Annual	Per Batch
Arsenic	Composite	Annual	Per Batch
Cadmium	Composite	Annual	Per Batch
Chromium	Composite	Annual	Per Batch
Copper	Composite	Annual	Per Batch
Mercury	Composite	Annual	Per Batch
Lead	Composite	Annual	Per Batch
Nickel	Composite	Annual	Per Batch
Silver	Composite	Annual	Per Batch
Zinc	Composite	Annual	Per Batch
Oil and Grease	Grab	Annual	Per Batch

Notes:

- Pull grab samples from sample port of manifold system on discharge end of recirculating pump during active discharge to the sanitary sewer.
- Use the cable provided by the IU to set composite samples flow-proportionally. 4 pulses/sample. OR- 4 mA: 0 gpm, 20 mA: 750 gpm, 4000 gallons/sample.

I. SURFACE WATER ISSUES

If IU is covered under the DEQ 1200-Z Industrial General Permit, include information here:

Stormwater Permit Number: <u>N/A</u> Issuing Agency: _____ Expiration Date: _____

If the IU does not have an NPDES Storm Water Permit, then complete the following section:

Provide comments on the following Surface Water structures (see Attachment A) :

Catch Basins:					
Last cleaned on	by				
Parking Lot:					
Last cleaned on	_ by				
Detention Ponds:	Detention Ponds:				
Outside Storage:					
Vehicle Washing Practices:					
Substantial pollutant loading to MS4 ? Spill or Management Plan ?	Yes	No No			
Other Surface Water related comments:					

DEQ Guidance -- Oversight of NDCIUs August 25, 1998 Page 3

Divisions 100 through 120. Hazardous waste as defined at 40 CFR 261.3 and OAR Chapter 340, Division 101 must be disposed of in accordance with these regulations; and

• Notice that the POTW may inspect the facility as necessary to assess and assure compliance with the "no discharge" requirement and/or the status of the industry's potential to discharge.

If you have any questions regarding this guidance, please call me in Portland at (503) 229-6528.

Sincerely,

Chuck Hopkins

Chuck Hopkins Pretreatment Program Coordinator Water Quality Division

C: Regional Water Quality Manager, DEQ

PPD\WC14\WC14925.doc





Department of Environmental Quality 811 SW Sixth Avenue Portland, OR 97204-1390 (503) 229-5696 TDD (503) 229-6993

August 25, 1998

Curtis Barton, Clackamas County Utilities Clackamas Co. Srvc Dist/Tri-Cities Srvc Dist 15941 S Agnes Ave, Bldg B Oregon City, OR 97045

Re: Industrial Pretreatment Program DEQ Guidance for Oversight of NDCIUs

Dear Mr. Barton:

On March 18, 1998, the Department issued to pretreatment delegated publicly owned treatment works (POTWs) draft policy for providing oversight of non-discharging categorical industrial users. The Department requested comments on the draft policy. Many POTWs and participants of the Oregon Association of Clean Water Agencies (OACWA) Pretreatment Committee responded with comments, debate and suggestions. Based on their responses the Department modified and redrafted the proposal. The new draft proposal was in guidance format and was presented for review by stakeholders at the OACWA Pretreatment Committee meeting June 25, 1998. Comments received following the June 25, 1998, OACWA Pretreatment Committee meeting were reviewed and incorporated as appropriate into the final guidance provisions. The following final guidance has been reviewed and approved by Jan Renfroe, Policy and Program Development Section Manager, Department of Environmental Quality, and incorporated into the Department's Pretreatment Program Policy and Procedures Implementation Manual.

DEFINITION

Potential to discharge may be defined by the POTW to be consistent with its approved program. The definition should be no less stringent than nor less all encompassing than the following definition:

<u>Potential to discharge</u> means: hard plumbing connected to the POTW's sanitary sewer or combined sanitary and storm sewer system exists in the proximity of the industry's processing area and/or in areas where hazardous chemicals or hazardous wastes are stored. This includes plumbing with shut-off valves and plumbing that has been plugged with temporary or removable plugs. Plumbing that has been permanently disconnected or cemented shut would not constitute a potential to discharge. Examples that constitute potential to discharge include floor drains, cleanup sinks and industrial process discharge lines connected to the sewer. DEQ Guidance -- Oversight of NDCIUs August 25, 1998 Page 2

GUIDANCE

- 1. Non-discharging industries that have industrial processes that would otherwise be subject to national categorical pretreatment standards and requirements (non-discharging categorical industrial users or NDCIUs) including NDCIUs with zero-discharge categorical limits, that have a potential to discharge, must be issued no-discharge control mechanisms.
- Only NDCIUs subject to zero-discharge categorical standard limits that have a potential to discharge must be reported in Pretreatment Annual Reports as significant industrial users (SIUs). All other NDCIUs will not be considered SIUs for purposes of determining the pretreatment portion of NPDES permit annual compliance determination fees.
- 3. Industrial users that would otherwise be considered SIUs, as defined at 40 CFR 403.3(t), but do not have a potential to discharge, are not considered SIUs for purposes of implementing pretreatment program requirements.
- 4. NDCIUs should be reported as a separate group of industrial users in Form 6 in Annual Pretreatment Reports. Exceptions are NDCIUs subject to zero-discharge limits; these must be reported as SIUs.
- 5. The POTW must provide adequate oversight of NDCIUs to insure compliance with the conditions of the control mechanisms issued to such users.

This could include, for example, periodic inspection, such as annually, to verify that the zerodischarge status and/or the potential to discharge status of such industries has not changed.

Control Mechanisms issued to NDCIUs that have a potential to discharge may also include requirements for the industry to certify periodically, such as semiannually, that no discharge has occurred.

- 6. The POTW may use its existing industrial wastewater discharge permit format or develop an alternate control mechanism format for NDCIUs. Pretreatment program modification is not required to implement this guidance, unless specifically required by 40 CFR 403.18.
- 7. Control Mechanisms issued to NDCIUs that have the potential to discharge should contain at least the following conditions:
 - · Prohibition against discharge of industrial process wastewater;
 - Notice that discharge of prohibited wastes to the POTW would be in violation of the POTW's
 ordinance provisions;
 - Requirements to notify the POTW of discharges of industrial wastes to the POTW;
 - Requirements to notify the POTW of any changes in operations resulting in a potential to discharge or resulting in a change in status of potential to discharge;
 - Requirements to comply with Resource Conservation and Recovery Act (RCRA) reporting requirements set out at 40 CFR 403.12(p). The Department recommends that this provision include an explanation that these pretreatment reporting requirements are to ensure that industries are aware of the RCRA compliance requirements set out at 40 CFR Parts 260 through 272 and State of Oregon hazardous waste regulations regarding the proper disposal of hazardous waste in accordance with Oregon Administrative Rules (OAR) Chapter 340,

GREGORY L. GEIST | DIRECTOR

Water Quality Protection Surface Water Management Wastewater Collection & Treatment



June 10, 2025

Addressee Address Line 1 Address Line 2 City, State, Zip Addressee Email

Sending Method (i.e. Sent Via Email, USPS, Certified Mail)

Re: INDUSTRIAL PRETREATMENT PROGRAM CLACKAMAS WATER ENVIRONMENT SERVICES ("WES") NOTIFICATION OF APPLICABLE PRETREATMENT REGULATIONS

Dear Recipient,

Based on our discussion this past Tuesday, your business will require an Industrial Wastewater Discharge Permit prior to discharging process wastewater into the [District]/[City] sanitary sewer system. Please fill out the enclosed Industrial Wastewater Discharge Permit Application/Non-Residential Questionnaire and submit to WES by [MMMM DD, YYYY]. Included with this cover letter and permit application/NRQ is a Notification Packet informing you of the various Rules & Regulations that may apply to your business. This packet contains the following components:

Sincerely,

Sender Title, Clackamas Water Environment Services Address City, State, Zip Sender's Email

Enclosures: WES Rules & Regulations Section 6.4 describing prohibited discharges WES Rules & Regulations Section 6.5 describing other local pretreatment regulations including District Discharge Limits in Section 6.5.3.C.a. WES Industrial Wastewater Permit Fee Schedule A description of Hazardous Waste discharge reporting requirements

CC:

Serving Clackamas County, Gladstone, Happy Valley, Johnson City, Milwaukie, Oregon City, Rivergrove and West Linn

Permitted Industrial User Determination





Significant Industrial User Determination



Significant Industrial User

PERMIT DEVELOPMENT PROCEDURES

Introduction

Industrial wastewater discharge permits sanction the discharge of wastewater to a POTW upon the condition that permit terms are adhered to. An industrial user permit should describe, in detail, in a single document, all of the duties and obligations of the permittee including all applicable pretreatment standards and requirements. At a minimum, these should include the prohibited discharge standards and applicable categorical standards, local limits, monitoring and reporting requirements. Permits should not simply reference the applicable laws, but should contain actual numeric limitations (expressed in terms of concentration or mass of pollutants which may be discharged over a given time period), schedules for monitoring and reporting, and requirements regarding sampling location and type. These conditions should reflect the most stringent of applicable Federal, State and local pretreatment standards and requirements.

Section 3 of Clackamas Water Environment Services' ("WES") Industrial Pretreatment Program Procedures Manual discusses the steps taken to determine whether or not an industrial user ("IU") will need a discharge permit. When determined that a permit shall be issued to an IU, this section provides the guidelines necessary for permit development.

Throughout the permit drafting process, the permit writer should carefully and thoroughly document each step. There are several reasons for this. First, it will assist the permit writer in developing the permit in a thorough and logical fashion. Second, it will facilitate defending any challenges that the permit terms and conditions were developed in an arbitrary or capricious manner. Finally, careful documentation will make future permit reissuance easier, particularly if a new permit writer is responsible for permit reissuance.

The basis for decisions made during the permitting process are generally summarized in a document commonly referred to as the Industry Fact Sheet, or simply a Fact Sheet. The fact sheet briefly states significant factual, legal, methodological, and policy questions considered in preparing the permit. The fact sheet should be kept attached to a copy of the permit in the Control Authority's files and should only be updated during permit re-issuance or substantial permit modifications. A Fact sheet template is attached in the Procedures Manual Appendices. Additional resources on permit development can be found in "Industrial User Permitting Guidance Manual" (EPA, 2012).

I. Permit Development

The first step in permit development is to obtain and review industrial user data from the permit application and all other pertinent background information.

Once complete and accurate information is obtained and verified (through phone calls, water records checks, and on-site inspections), the next step is to draft the actual permit. At a minimum, the permit should consist of the following elements:

- Cover Page (Section 1);
- Wastewater Discharge Limitations, including Discharge Limits, Point(s) of Compliance with an unambiguous sampling location map, and Notes (Section 2);
- Special Conditions (Section 3);
- Sampling and Reporting Requirements (Section 4); and
• Standard Conditions (Section 5).

Cover Page

The cover page should contain the following:

Permit Number;

Name and Address of the Company;

Address of the Discharging Facility (if different from above);

Tax Lot Number and Location;

SIC Code of Industry;

EPA Categorical Standard (if applicable);

Criteria by which IU will be Charged;

Initial Charges and Fees;

Application Submittal Date;

Effective Date and Expiration Date of Permit;

Director's Signature and Date.

Permit Number

The permit number is assigned in ascending order if the permit is new. If it is a renewal, the same number is retained.

The first three numbers of the permit denote the original service districts in which the IU is located. This convention will be carried forward for permit consistency and tracking. The original service districts are coterminous with WES Service Areas as follows:

01K - Clackamas County Service District No. 1, now Service Area 2

02T - Tri-City Service District, now Service Area 1

The next three numbers unique, ascending numbers given to each permit in the order in which the permit is assigned. Numbers of terminated permits are not re-used.

The last item in the permit number is a letter which denotes the location of the IU:

M-Milwaukie O-Oregon City D-"District" (Unincorporated Clackamas County) G-Gladstone W-West Linn

Effective Dates of Permit

Depending on the type of facility, most permits are issued for a duration of five (5) years. Under certain circumstances, at WES' discretion, permit durations may be less than five (5) years. If it is a temporary situation, such as a groundwater remediation site or limited-term infrastructure project, the permit could be written for one or two years depending upon the anticipated amount of time complete the project. If the discharge is a one-time or batch-type discharge expected to be complete in less than 6 months, WES' Batch Discharge Authorization procedures should be followed to permit the activity.

II. Wastewater Discharge Limitations

To identify pollutants to be regulated, the permit writer must first determine what pollutants are present or suspected of being present in the wastewater. <u>As part of the permit application procedure, the IU will be required to sample their discharges for all pollutants for which the District has developed local limits and report the analytical results in its permit application.</u> By reviewing the application and relying on experiences with similar IU's, the permit writer can determine what pollutants may be present.

The permit should contain effluent limits based on:

- 1. National Prohibited Discharges
 - 1.1. corrosivity (pH)
 - 1.2. explosivity (closed cup flashpoint)
 - 1.3. temperature
 - 1.4. solids
 - 1.5. petroleum-based oil and grease
 - 1.6. toxic vapors
- 2. Categorical Pretreatment Standards

When using categorical pretreatment standards, follow the rules for applying those standards as given by EPA. They differ from rules for applying local limit standards. The rules are:

- 2.1. Determine the proper category and subcategory for the industrial processes operated by the permittee.
- 2.2. Identify all regulated, unregulated, and dilution wastestreams.
- 2.3. Identify appropriate sampling locations.
- 2.4. Categorical standards apply directly to the regulated wastestream or at the end of pretreatment of the regulated wastestream (or "end-of-process"). When the designated sampling location described in the permit contains a regulated wastestream and one or more other wastestreams (dilution, regulated, or unregulated), then the Combined Wastestream Formula (CWF) or the Flow Weighted Averaging Formula (FWA) must be used to calculate appropriate effluent limits based on the categorical pretreatment standards. Guidance on the use of the CWF and the FWA is found in "Guidance for the Use of Production-Based Pretreatment Standards and the Combined Wastestream Formula" (EPA, 1985).
- 2.5. Effluent limits based on both the daily maximum and the monthly average categorical pretreatment standards must be included in the permit.
- 2.6. Limitations on <u>all</u> pollutants regulated by the categorical pretreatment standards must be included in the permit and monitored, even though the industrial user may not discharge all of the regulated pollutants. Note, however, that some of the categorical regulations allow the use of indicator pollutants or allow exemptions from monitoring for certain pollutants.

- 2.7. The Control Authority has the option of converting production-based categorical pretreatment standards to equivalent mass or equivalent concentration limits.
- 3. Local Limits
 - 3.1. As found in Section 6.5.3.C.a. of WES' Rules & Regulations.
 - 3.2. Is applicable at "End-of-Pipe" which is the last point prior to the wastestream entering the District's system.

If the IU is non-categorical, local limits would then apply. The "Point-of-Compliance" would be located at the "End-of-Pipe".

If the IU is categorical, a comparison must be made between the federal categorical standard (or the limit based on the combined wastestream formula (or flow weighted average) and the local limit. The more stringent of the two limits is applicable. If the categorical limits apply, the point-of-compliance is located at the "end-of-process" which is the point just after the regulated process and before combining with other wastestreams.

Other Notes

Comments regarding sampling, compliance with other laws, and analytical procedures are included under the section "Notes" and is generally written in Section 10.C. of the Permit.

Sampling Location

A map of the facility is generally found in Section 10.D. and contains the following:

- Outline or Layout of the facility
- Location of Processes Generating Wastewater;
- Flow of Process Wastewater from Process to Sewer;
- Location of Pretreatment Units;
- Location of Point-of-Compliance(s) (sampling point).

III. Special Conditions

This section contains language pertaining to pretreatment equipment and maintenance, spill prevention and/or toxic management plans, and steps to take in the event of a spill.

Additional conditions such as Best Management Practices ("BMPs") in accordance with WES Rules and Regulations 6.5.3.C.d., if applicable, would be found in this section. These BMPs should be clear and measurable and are considered pretreatment standards subject to compliance and records retention like local limits.

Lastly, any necessary compliance schedules to bring an industry into compliance with categorical standards shall be detailed in this Section. Compliance schedules shall have specific actions and deadlines/timelines for dischargers to demonstrate compliance with pretreatment standards. Or, in the case of the discharger requiring capital investments to meet the standard, the schedule shall specify that. Specific limitations on compliance schedule timelines are described in 40 CFR 403.6.

IV. Sampling and Reporting Requirements

While Section 2 lists the pollutants, the applicable limits and the type of sample, Section 4 lists the pollutants, type of sample, required monitoring frequency and self-monitoring report due dates.

Be aware some categorical pretreatment standards allow alternatives to sampling specific regulated pollutants. The permit writer needs to review the specific monitoring requirements contained in the applicable categorical pretreatment regulations.

Type of Sample

In general, there are two types of samples: grab or composite. The permit writer should review the sampling objectives and the characteristics of the waste flow.

A grab sample is a discrete sample collected over a duration of not more than 15 minutes. Typically, a grab sample is used for parameters where a grab is specified by 40 CFR 403.12 (b) (5) (iii) and 40 CFR 136 (e.g. oil & grease, TTO, phenols, etc.) or for batch discharges in which the batch is a homogeneous mixture. There are two types of composite samples: time proportional and flow proportional.

Time proportional composite sampling is used under conditions of constant or slightly fluctuating effluent flows. Flow proportional composite sampling is used when an IU flow and/or pollutant concentration or loading exhibits irregular changes. For example, a wastewater from night shift that conducts equipment cleaning operations may have significantly different characteristics than day-time discharges. Flow variability is a good place to start in determining whether a discharge's nature would be better represented by a flow versus time-composite sample.

However, time-proportional composite sampling or grab sampling may be specified if it is shown that flow-proportional composite sampling is not feasible and the use of these other sampling techniques will provide a representative sample.

Sampling and Reporting Frequency

WES has discretion in establishing sampling frequency. While federal regulations require that SIUs are monitored for specified pollutants at least once per year, WES' state issued NPDES permit require that the District monitor it's SIUs at least twice per year.

Generally, WES establishes a sampling frequency of once per month or per batch on the initial discharge permit for all industries.

Based on the history of the data submitted by the IU and compliance with permit requirements, WES may increase or decrease the monitoring frequencies on a case-by-case basis and even on a pollutant-by-pollutant basis. Factors to be considered include compliance history and frequency of "Non-Detects" on analysis reports.

Reporting Requirements

Federal regulations require that self-monitoring reports ("SMR") be submitted semi-annually on June 15, and December 15, or more frequently if the District requires it. Except in a few cases, WES requires that SMRs be submitted by the final day of the month following the month the sample was collected. Other special reports required in the permit may have their own reporting frequency.

Other Sampling and Reporting Requirements

Section 4 lists other monitoring and reporting requirements including:

• Report on Final Compliance (90-day report)-

A report is due within 90 days following commencement of initial discharge or initial permit issuance which notifies WES whether or not compliance has been achieved and if not, what steps are being taken to achieve compliance.

- Total Toxic Organics ("TTO") Certification Report-Certain categorical industrial users (e.g., Metal Finishers) who wish to submit a TTO Certification Report in lieu of testing for TTO must also submit a Toxic Organic Management Plant ("TOMP").
- Discharge Certification Report-A statement, signed by the principle executive officer or his/her designee, that all information gathered is true and accurate.
- Contents of the SMR's-

Shall include Discharge Certification Report, flow and pH data (if required), calculations of daily flow averages and laboratory reports containing the following information: sample date, time, and location; who took the sample; type of sample; date of analysis; the person who performed the analysis; the analytical method used; analysis results; a copy of the sample Chain of Custody, and the Q/A and Q/C procedures used by the laboratory. If other requirements of this report are listed in Section 2's Notes, then those must also be included in the SMR.

• Where to Send Reports

SMR's should be sent to the Permit Manager at the WES' Industrial Pretreatment Office and should specify the Permit Manager's name and the address.

V. Standard Conditions

The Standard Conditions are a set of conditions specifying the IU's obligations under the permit as defined in the federal regulations. These conditions are universal across all Service Areas and contain basic requirements for complying with federal, state, and WES standards.

VI. Issuing the Permit

Once the permit has been assembled, the following steps take place:

- 1. Circulate the first draft of the permit, with the draft Fact Sheet, to the Industrial Pretreatment group, including the Environmental Services Manager, for internal review. Return in **fourteen calendar (14) days**.
- 2. Incorporate comments or edits by the end of the 14 day period.
- 3. Choose either of the two options to send a draft copy to the Industrial User for comment: 3.1. *Mailing method:*

Make a copy of the corrected permit and stamp "DRAFT" on each page of the permit. Compose a cover letter that states a draft permit is enclosed for review and must be returned to the District with any corrections within two weeks. Then make a copy of the draft permit and cover letter and mail the originals to the IU. Return in **fourteen (14) calendar days**.

3.2. E-mail Method:

Add a "Draft" watermark to the Word version of the draft permit. E-mail the IU contact a copy of the draft permit. Return in **fourteen (14) calendar days**.

- 4. Upon return of the draft permit, review comments and make any corrections necessary.
- 5. If a renewal, once the corrections have been made, no later than **two (2) business days** prior to the permit's expiration, submit the final copy to the Administrative Specialists group for review and signature by Director of WES, or their designee. If an initial permit, ensure the

Effective Date will be after signature by the WES Director, or their designee. If there are no corrections, receive the signed Permit, print a copy, and include a copy in the permittee's 3-ring binder. If any corrections have been noted by either the Analysis Services Manager or the Director, make the corrections and resubmit. Repeat this sequence until the Director's signature is obtained, then print and file a copy in the permittee's binder.

- 6. Choose either of the two methods to issue the permit to the permittee:
 - 6.1. For first time permittees, upon receipt of the signed permit, notify the IU that the permit is ready and make a hard copy of the permit. Also, create a new "Discharge Certification Report" aligned with the permit sampling and reporting requirements. If applicable, the same will need to be done with a "TTO Certification Statement". Schedule an appointment so that the permit may be issued and that a check for the permit fee can be tendered by the IU. (Set aside enough time in the appointment so that major points of the permit can be explained in detail.)
 - 6.2. *For permit renewals*, send a copy of the permit to the IU contact and offer to schedule an appointment to review the new permit and highlight significant changes, if any, from the previous permit. Also, create a new "Discharge Certification Report" aligned with the permit sampling and reporting requirements. If applicable, the same will need to be done with a "TTO Certification Statement".
- 7. Finally, if or when meeting with the IU to issue the permit, go over the major points of the permit, especially:
 - a) Section 2 lists the pollutant limits while Section 4 lists how often and when the pollutants will are required to be monitored and reported to WES;
 - b) It is the responsibility of the IU to review lab reports, compare with the limits and notify the District within 24 hours if there is a violation;
 - c) The approved method(s) the lab is required to use when conducting analysis;
 - d) What to do in case of a spill;
 - e) If required, go over the components of an Accidental Spill Response Plan and/or a toxic Organic Management Plan;
 - f) Make the IU aware of the information that is required when obtaining samples (as found under 40 CFR 403.12 (o)(1)(i-v)).
 - g) Point out the due dates of self-monitoring reports and that late reports could result in enforcement action.

PERMIT CHECKLIST

I. Cover Page

Section 1

- 1. Permit Number
- 2. Name and Address of the Facility
- 3. Mailing Address (if different from #2)
- 4. Tax lot Number and Map Location
 - 5. IU SIC codes
- 6. EPA Categorical Standard (if applicable)
- 7. Criteria by Which IU Will be Charged
- 8. Charges and Fee Amounts
- 9. Application Submittal Date
 - 10. Effective Dates of Permit

II. Effluent/Discharge Limits

Section 2

1.

5.

An unambiguous diagram of the Point of Compliance.

- A Facility Layout
- Units Generating wastewater
- Direction of wastewater flow and different types, if applicable
- Location of Point of Compliance
- 2. List of Parameters to be Monitored by the IU
- 3. List of Local Limits Applicable to selected Parameters
 - 4. List of Categorical Standards (if applicable)

If Categorical Standards apply, then asterisk's Denoting the more stringent applicable limits.

- 6. List of Type of Sample (grab or composite) Appropriate for Each Parameter
 - 7. General Discharge Prohibitions
 - 8. Statement Regarding Required Sampling and/or Monitoring Equipment
 - 9. Statement(s) Describing special Methods of Analysis, if applicable
 - 10. Statement requiring pH monitoring equipment calibration, if applicable.

III. Special Conditions

Section 3

2.

- 1. Statement of authority of district to require pretreatment
 - Statements regarding handling, operations, and maintenance of pollution control equipment and chemicals
 - Statement regarding sampling technique to be used depending on which flow
 - 3. circumstances exist

- 4. Statement regarding other environmental permits held by the IU
 - Statement to post a Notice informing employees of who to notify in the event of 5. a spill and the proper procedures to perform such notification
- 6. Procedures to be followed in the event of a Spill
- 7. Any additional Best Management Practices required by the IU, if applicable Statement regarding submittal of a TTO Certification Statement in lieu of TTO
 - 8. monitoring, if applicable

IV. Sampling and Reporting Requirements Section 4

- 1. List of Parameters to be monitored
 - 2. List of Sample Type (grab or composite) appropriate for each Parameter
- 3. List of Monitoring Frequency for each Parameter
- 4. List of dates the Period Compliance Report are to be submitted to WES
 - *Listing of required documents to be submitted as part of the Periodic* 5. *Compliance Report*
 - Statement of Requirement for "No-Discharge Certification Report" (if 6. applicable)
- 7. Statement of TTO Notification Requirement (if applicable)
 - Statement Regarding 40 CFR 403.12 (d), the requirement for a 90-day 8. Compliance Report
- 9. Statement regarding reporting of extra sampling
 - 10. The Certification Language required in the Periodic Compliance Report
 - Requirement of IU to notify WES in the case of any changes to their 11. wastewater discharge.
 - Statement of where to send the all Reports and provision for electronic 12. delivery

V. Standard Conditions

Section 5

1. Final 3 pages of conditions are complete

VI. IU Reporting Templates

- 1. Discharge Certification Report
- 2. TTO Certification Statement

WATER ENVIRONMENT SERVICES

INDUSTRIAL WASTEWATER DISCHARGE PERMIT MODIFICATION NO. X

This Permit Modification No. X ("Permit Modification") is issued to [*insert name of industrial customer*] ("Industrial User") on behalf of Water Environment Services ("District") and shall become a part of the Industrial Wastewater Discharge Permit No. [*insert permit number*] issued to Permittee on [*insert date*], 20XX ("Permit").

The District recently adopted a revised set of Rules and Regulations effective on July 1, 2023 ("Rules") applicable to the Permit. In order to align the Rules with the Permit, the District is exercising its authority pursuant to Section 5, Paragraph 13(K) of the Permit to modify the Permit to update references to the District's rules.

Accordingly, the Industrial User's Permit is hereby modified as follows:

- 1. Section 5, Paragraph 13(A) General is hereby amended as follows:
 - a. The words "Chapter 4, Section 3" in the first sentence are deleted and replaced with "Section 6.4".
- 2. Section 5, Paragraph 13(D) Confidential Information is hereby amended as follows:
 - a. The words "Chapter 4, Section 8.9" in the first sentence are deleted and replaced with "Section 6.5.9.B".
- 3. Section 5, Paragraph 13(I) Imposition of Civil Penalties is hereby amended as follows:
 - a. The words "Chapter 4, Section 8.10" in the first sentence are deleted and replaced with "Section 10".
- 4. Section 5, Paragraph 13(R) Bypass or Diversion is hereby amended as follows:
 - a. The words "Chapter 4, Section 8.10.6" in the last sentence are deleted and replaced with "Section 6.5.5.D".
- 5. Section 5, Paragraph 13(U) Upset is hereby amended as follows:
 - a. The words "Chapter 4, Section 2.1.137" in the first sentence are deleted and replaced with "Section 6.5.5.C".
 - b. The words "Chapter 4, Section 8.10.5" in the last sentence are deleted and replaced with "Section 6.5.5.E".



Gregory Geist Director

One-time Batch Discharge Request Application

15941 S. Agnes Ave., Bldg. B Oregon City, Oregon 97045

When non-domestic, batch discharges have the potential to a) violate the districts Rules and Regulations, b) require pretreatment to meet the District's local limits, or c) potentially adversely affect the Publicly Owned Treatment Works ("POTW"), Water Environment Services ("WES") will control the discharge and authorize the activity.

If the requester is seeking to discharge into a collection system (manhole, lateral, etc.) owned by the City of Milwaukie, Oregon City, Gladstone, or West Linn, the requester <u>shall</u> also be granted approval for the discharge from the public works departments of those cities. Proof of approval is required for authorization from WES.

1. Company Identification:

Business Name (including any DBA's) of company responsible for the accumulation of wastewater:

Business Mailing Street Address: City: State: Zip: Company Contact: Telephone: E-mail: Contractor* contact Address, if different from above: City: State: Zip: Contact Name: Title: Telephone: E-mail:

* A contractor would be a second party assigned for on-site operation and oversight of the batch discharge.

2. Discharge Information: (add additional pages if needed)

Estimated Date(s) of discharge:

Estimated Volume to be discharged:

Source and reason for accumulation of wastewater:

Reason for need to discharge to the sewer system:

Analytical results of pollutants reaso	onably expected to be in t	he wastewater	such as pH, closed cup
flashpoint, total metals, oil and grea	ise, pH, etc.: 🗌 No	one	
Pollutant(s):	Method Used:	Units:	Result:

3. Discharge Information (continued):

Proposed Methods and manhole/location of discharge to sanitary sewer system. Describe proposed method of discharge (e.g., flow rate, timing of day, etc.). Include map identifying locations of accumulated wastewater, proposed treatment systems, piping, and discharge location.

If applicable, proposed pretreatment (e.g., de-chlorination, precipitation/settling, ultrafiltration, etc.) to be conducted before final release to the sanitary sewer system. If none are included here, WES may require specific pretreatment to be installed and used to protect the POTW and/or its workers.

Following receipt of the written request, WES staff will follow up to obtain more detailed information regarding the batch discharge and to set up a site visit if warranted.

Based on the site visit, coordination with other department divisions and cities, and a review of the request and laboratory results, the Industrial Pretreatment Coordinator will a determination whether or not to allow the batch discharge. Additional pretreatment may be required as a condition of authorizing the discharge.

If you have questions or need assistance in completing this application, contact WES at 503-557-2834.

4. Certification:

I have personally examined and am familiar with the information contained in this application and believe that the submitted information is true, accurate, and complete.

I have not been nor am I currently under any enforcement action by WES or another governmental unit relating to the discharge of pollutants to waters of the State or any POTW.

Signature of Owner or Authorized Official Date

Name (Print)

Title (Print)

Water Quality Protection Surface Water Management Wastewater Collection & Treatment





[Date format: Full month, day, year]

[Authorized Official] [Auhorized Official Title] [Authorized Official Organization] **Organization's Mailing Address**

RE: Batch Discharge [what is being discharged?] to the sanitary sewer

Dear Mr./Ms. [Authorized Official's Last Name],

Water Environment Services ("WES") has reviewed the [date of receipt of application] request and analytical data from the [name of Authorized Official's Organization] and [optional: Name of contractor or firm responsible for on-site operations] to discharge [what is being discharged?] to WES' sanitary sewer from [general site name] site at [approximate street address of site]. Approval is hereby given of no more than [number] total gallons of water ("Discharge") performed in accordance with the terms of this letter. [Discharger's Org name] must receive approval from WES prior to discharging additional volume. It is our understanding based on the analytical results of [what is being discharged?] that the Discharge will include no pollutant concentrations in excess of WES' local limits for describe what analytical parameters were tested for].

[Discharger's Org name] agrees to comply with the follow terms related to the Discharge:

- Notify WES staff 72 hours prior to the planned Discharge via e-mail and phone to [WES] staff person responsible for oversight].
- Do not discharge any wastewaters to the public sanitary sewer except those specifically described herein.
- Discharge only through the authorized manhole, [manhole ID], to enter WES' sewer system at WES manhole Asset [manhole ID], located near [street name] and shown on the map in Attachment A.
- Limit the rate of discharge from the pumping operation to no more than [consult with WES Engineering or city staff for pipe capacity gallons per minute to prevent the risk of a hydraulic overload and possible sanitary sewer overflow.
- Allow WES staff to be present onsite at any time during the Discharge event to monitor and collect samples if needed,
- Suspend the Discharge immediately upon request of WES staff for any reason. •

Within thirty days following Discharge, [Discharger's Org name] agrees to submit a report to WES with the following information:

- Description of what was discharged
- The date(s) of discharge
- The volume of the discharge

Serving Clackamas County, Gladstone, Happy Valley, Johnson City, Milwaukie, Oregon City, Rivergrove and West Linn

In the event that a violation of this Batch Discharge Authorization Letter, or any applicable provision of WES' Rules and Regulations, occurs during this Discharge event, WES may seek any remedy available in law or equity, including, but not limited to, all of the remedies, enforcement rights, or penalties provided in WES' Rules and Regulations.

In addition, [Discharger's Org name] agrees to indemnify and defend WES and Clackamas County, and their officers, elected officials, agents and employees, from and against all claims, actions, liabilities, and expenses (including reasonable attorney fees) arising out of or based upon the Discharge or [Discharger's Org name] actions or omissions in performing under this Discharge Authorization Letter.

If [Discharger's Org name] agrees to the terms above, please have an authorized party sign this letter below and return it to WES.

If you have any questions please do not hesitate to call [WES staff person responsible for oversight]. at [phone #]. Or, email [WES staff person responsible for oversight]. at [e-mail].

Sincerely,

Greg Geist WES Director

[Discharger's Org name]:

Authorized Signatory Name

Date

CC: [name], WES Environmental Services Manager [*optional:* name 2], [title 2] [*optional:* name 3], [title 3] ATTACHMENT A

[Project name and Organization/Owner] Discharge is permitted into Manhole [Enter WES asset #]

[Add Map of WES' system clearly identifying asset and surrounding streets, buildings, etc.

Water Quality Protection Surface Water Management Wastewater Collection & Treatment



June 10, 2025

Addressee Address Line 1 Address Line 2 City, State, Zip Addressee Email

Sending Method (i.e. Sent Via Email, USPS, Certified Mail)

RE: 90 Day Report on Compliance

Dear Recipient,

On <u>[date]</u>, Wastewater Discharge Permit No. <u>[Permit No.]</u> was issued to Anybody's Metal Plating. In accordance with [Permit Section #] of the permit and in accordance with 40 CFR 403.12(d), a 90-Day Compliance Report is due 90 days following commencement of the introduction of wastewater into the District's system. The 90-Day Compliance Report must contain the following information:

- *Flow Measurement* Regulated flows reported as daily average and maximum daily, in gallons per day, from regulated process streams and other regulated streams.
- *Measurements of Pollutants* The pretreatment standards applicable to each regulated process identified and the results of sampling and analysis identifying the nature and concentration of each regulated pollutant be reported. In addition, the average and the daily maximum concentration of each regulated pollutant shall be reported.
- Certification A statement, reviewed by an authorized representative of Anybody's Metal Plating and certified to by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance and/or additional pretreatment is required to meet pretreatment standards and requirements.

This 90-Day Compliance Report is due <u>[date]</u>. If you have any questions, please do not hesitate to call our office at 503-557-2834.

Sincerely,

Chris Desiderati Source Control Coordinator, Clackamas Water Environment Services 15941 S. Agnes Ave Oregon City, OR 97045 Sender's e-mail address

Serving Clackamas County, Gladstone, Happy Valley, Johnson City, Milwaukie, Oregon City, Rivergrove and West Linn

90-DAY COMPLIANCE REPORT

<u>Analysis of Regulated Flows</u> – The permittee must identify limits for regulated pollutants and report the results of sampling and analysis. Flows must also be reported as monthly average and monthly average in gallons per day. (*Please attach flow logs and copies of all laboratory reports*). If regulated pollutants include pH, cyanide, total phenols, oil and grease, sulfide, and/or volatile organic compounds, grab samples shall be collected as prescribed in 40 CFR 403.12(g)(4). For all other regulated pollutants, 24-hour flow-proportional composite samples shall be collected, unless WES authorizes use of time-proportional composites in writing.

Date of Sample:

Parameter	FLOW				
Daily Max. Limit					
Reported Max.					
Monthly Avg. Limit					
Reported Avg.					

Date of Sample:

Parameter	FLOW				
Daily Max. Limit					
Reported Max.					
Monthly Avg. Limit					
Reported Avg.					

Date	of	Sample:	
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Parameter	FLOW				
Daily Max. Limit					
Reported Max.					
Monthly Avg. Limit					
Reported Avg.					

Is the facility meeting applicable categorical pretreatment standards on a consistent basis? Yes () No()

If no, do you require:

Additional operation and maintenance (O&M) to achieve compliance? Yes () No() New or additional pretreatment facilities to achieve compliance? Yes () No()

If additional O&M or new additional pretreatment will be required to meet categorical pretreatment standards on a consistent basis, attach a description of it and a schedule on separate sheets. Project increments of progress indicating dates for the commencement and completion of major events leading to compliance with the standard.

QUALIFIED PROFESSIONAL CERTIFICATION

I hereby certify under penalty of law that this information was obtained in accordance with the applicable procedures and requirements as specified in the General Pretreatment Regulations and amendments thereto and the District's Rules and Regulations. I am aware that there is significant penalties for submitting false information, including the possibility of fine and imprisonment.

Name (print)

Signature

Title

Date

AUTHORIZED REPRESENTATIVE STATEMENT

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information, the information is, to the beset of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name (print)

Signature



CLACKAMAS WATER ENVIRONMENT SERVICES DISCHARGE CERTIFICATION & SELF REPORT

For Source Control Use Only

When complete:

- 1. Delete all comments
- 2. Save copy in "FORMS" folder with permittee name. Print.
- 3. Delete this box.
- Completed By:

Completed by.

Industrial Users permitted to discharge wastewater regulated under Federal and local standards must submit a periodic Discharge Certification Report to comply with the conditions of their permit.

Parameter	Sam	ple Type	Volu	ume	Comments					
Flow (POC #1) (Total)	N	/leter		Gal.						
Flow (POC #1) (Total/work days)	Cal	culation		gpd						
Flow (POC #2) (Total)	Ν	/leter	Gal.							
Flow (POC #2) (Total/work days)	Cal	culation		gpd						
SAMPLE DATE		POIN	T OF COM	PLIANCE						
	Р	oint of Co	mpliance #	1 (Catego	orical)					
Parameter (units)	Freq.	Analys	is Sam	ple	Reported N		MDL	Α	pplicab	ole Limits
		Metho	d Typ	e Co	oncentrati	ion		Daily	/ Max	Monthly Average
pH (S.U.)	Cont.	CHAR	r Met	er	NOT AP	PLICAE	BLE	5.5 /	11.5	
Cadmium (mg/L)	1/qtr		Com	ıp.				0.	11	0.07
Chromium (mg/L)	1/qtr		Com	ıp.				2.	77	1.71
Copper (mg/L)	1/qtr	1/qtr		ıp.				3.	38	2.07
Lead (mg/L)	1/qtr		Com	ıp.				0.	69	0.43
Nickel (mg/L)	1/qtr		Com	ıp.				2.	45	2.38
Silver (mg/L)	1/qtr		Com	ıp.				0.	43	0.24
Zinc (mg/L)	1/qtr		Com	np.				2.	61	1.48
Cyanide (mg/L)	2/yr		Gra Corr	b- ıp.				1.	20	0.65
Total Toxic Organics (mg/L)	2/yr		Gra	ıb				2.	13	
SAMPLE DATE		POIN	Т ОГ СОМ	PLIANCE						
	Poi	int of Com	pliance # 2	2 (Non-Cat	egorical)					
Parameter (units) Fre	q. Ai	nalysis lethod	Sample Reported MDL Applic Type Concentration Lin		licable imit	Co	omments			
pH (S.U.) Co	nt. C	HART	Meter	NOT	APPLICA	BLE	5.5	/ 11.5		
Chromium (mg/L) 2	/yr		Comp.				2	2.77		
Zinc (mg/L) 2	/yr		Comp.				2	2.61		
Total Oil & Grease (mg/L) 2	/yr		Grab					100		
Non Polar O&G (mg/L) 2	/yr		Grab					100		
Polar O&G (mg/L) 2	/yr		Grab				:	300		

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name:	Title:	

Signature:



SERVICES



Water Quality Protection Surface Water Management Wastewater Collection & Treatment

When complete:

3. Delete this box

2. Print.

1. Delete all comments

INDUSTRIAL PRETREATMENT PROGRAM

INDUSTRIAL USER

COMPANY OFFICIAL SIGNATORY AUTHORIZATION

The undersigned person has been designated by ________ as the duly authorized representative with the assigned responsibility for environmental matters and compliance with the firm's Clackamas Water Environment Services Industrial Waste Water Discharge Permit (No. 02T-021-O) and the Water Environment Services Rules and Regulations for Sanitary Sewer and Surface Water Management.

This authorization is made pursuant to 40 CFR 403.12(I)(1-3).

DESIGNEE:	
	name
	position/title
	phone
	phone
RESPONSIBLE CORPORATE OFFICIAL:	
	print name here
	signature here
	position/title
	Date

40 CFR 403.12(I)(4)

If an authorization under paragraph (I)(3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirement of paragraph (I)(3) of this section must be submitted to the Control Authority prior to or together with any reports to be signed by an authorized representative.

<u>Mail To:</u>

Source Control 15941 S. Agnes Ave., Bldg. B Oregon City, OR 97045

Serving Clackamas County, Gladstone, Happy Valley, Johnson City, Milwaukie, Oregon City, Rivergrove and West Linn

Industrial User Inspection Report

Industrial Use	er Name:		Date Inspected: Type of Inspection:				
Type of I	Industry:						
Address of IU Facility Discharging Wastewater:			Date Report Completed:				
			Start Time:				
				End	Time:		
Permit Numb	er: Perr	nit Effective Da	Permit Expiration Date:				
Safety Equipr	nent Required (Check al	ll):					
Steel-Toed Sh	noes Safety Glasses	Hairnet	Beard Net	Coveralls	Ear Protection		
Other (list bel	ow):						
	IU Re	epresentatives	Present at Ir	nspection			
Name:		Title:		Phone:			
Name:		Title:	Phone:				
Industrial Us	er Signatory		Authorization on File?				
	Pretreatment Progr	am Represent	ative(s) Pres	ent During Ins	pection Phone		
	lvanie				Thome		
Date of Last I	nspection:	Inspector(s):					
Summary of L	ast Inspection:						
	Shift Times	Days of Or	peration	# of Em	nlovees		
Shift 1							
Shift 2							
Shift 3							
SIU?	SIU Reason:		Con	nments:			
Non-SIU?	Non-SIU Reason:		Con	nments:			
If CIU, Appl	licable Standards: 40 CFR	Part	Cate	egory:			
Date Facility	Began Discharge:						
Was the IU	monitored for all permit pa	rameters	Has the IU requirement	violated any pol nts in the past yea	lutant limits or reporting		
Is IU on Cor Reason for C	ous 6 months? npliance Schedule? Compliance Schedule:		If yes, exp	plain:			

Other Environmental Permits Held by Facility

Permit	Type Select or type in	Issuing Agency	Permit Number	Expiration Date
Stormwater				
Wastewater – Direct Discharge				
Air				
RCRA (Hazardous Waste)				
Underground Injection Control (UIC)				
Other				

Water Source and Use

Daily Average Water Use (gpd) Measured/Estimated/Billing and Source of Value

1. Municipal Water:

- 2. Well Water:
- 3. ReuseWater:
 - 4. Other:

Total Water Use:

Wastewater Flows

	Daily Average	Monthly Average	Measured or	Batch or
Wastewater Sources	Flow (GPD)	Flow (gal)	Estimated	Continuous
Permitted Discharge Point				
Non-Contact Cooling Water				
Domestic/Sanitary				
DI Backwash, RO Regen Wastewater				
Evaporation				
Irrigation				
Disposed off-site by Waste Hauler				
Into Product				
Total Wastewater				

Comments:

Comments:

Plant Layout/Schematic in File?Date Last Schematic Submitted:Have w/w flows been re-routed or significantly changed since last inspection?If so, provide updated schematic.Click in box below to upload photos:

Comments:

Recordkeeping and Reporting

Are records and reports maintained on-site as required by permit (permit, log books, monitoring results and SOPs)?

Are records and reports maintained on-site for at least three years?

Are wastes sent off-site for disposal?

If yes, please list the waste(s) and by whom it was sent off-site:

How much and how often?

Does the IU maintain records of all off-site waste disposal? If requested, please provide copies of manifests.

Historic Sampling Data

		Period Bet	Period Between		and		
Pollutant	Units	Average	Maximum	Minimum	Count	Comments	
Arsenic							
Cadmium							
Chromium							
Copper							
Lead							
Mercury							
Molybdenum							
Nickel							
Selenium							
Silver							
Zinc							
Cyanide							
BOD							
TSS							
TTO							
pH							
Oil & Grease (T)							
Oil & Grease (NP)							
Oil & Grease (P)							
Other							

Daily Flow Monthly Flow

Description of Wastewater Treatment Processes:

(Include a narrative that describes all treatment tanks/units, piping, monitoring, chemical wastes treated, chemicals used in treatment, etc.)

Pretreatment System

Check all that are present:

Of Gallons

Flow equalization
Air Stripping
Cyanide Destruction
Evaporation
Flocculation
Ion Exchange
Ozonation
Solvent Separation

Aerated equalization: Non-Aerated equalization: Centrifugation Cyclone Filtration Oil/Grease Interceptor Reverse Osmosis Septic Tank Sand-Oil Separator

Can the pretreatment system be bypassed? If so, describe how:

Is the pretreatment system fully operational? Comment:

Is backup power available? Comment:

Are solids generated from the pretreatment system? If yes, describe; include where solids are disposed:

Are there written O&M manuals/SOPs for the treatment system and monitoring equipment, including calibrations (e.g. pH meters and flow meters)? Comment:

Are written logs for operator measurements and calibrations available and being used? Comment:

Do alarm systems exist for out of range excursions (ie. pH)? Comment:

Who is responsible for alarm responses?

What are the response procedures?

Are current emergency notification procedures posted and contact info current? Comment:

Has the pretreatment system experienced an operational upset? If so, please describe:

Type of flow measurement device:

Flow Measured:

Can sampler be connected to a flow meter for flow proportional sampling? Describe sampler set-up (e.g. pacing, volume, and connector type):

Evaluation of Self-Monitoring Equipment

Location of Location Area Clean/Free Location Adequate Point of Point of Type of Accessible & (representative samples)? Production W/W from Potential Compliance Compliance Discharge Sources Maintained? Contaminants?

What pollutants are measured on-site (e.g. pH)?

What pollutants are contracted out for analysis?

Point of Compliance

		1		
Point of	Combined W/W or Flow	Who Collects	Laboratory	Minimum Required
Compliance	weighted average used?	Samples?	Used	Pollutants to Monitor

Comments:

		Flo	w Meter	рН
Type of recording:				
How often is the mo	onitoring equipment ca	librated?		
What buffers are us	ed for pH probe calibrated	ation?		
4	7	10	Other	
Did the inspector n (e.g. general clean)	otice any visual proble iness, mechanical dama	ms with the pH meter age, fouled membrane	and probe station? e, log book, etc.)	

How is the flow meter calibrated?

Are written records kept for the calibrations?

Manufacturing Facilities, Production, and Storage Areas

Are floor drains located in the manufacturing area, the chemical storage areas, or the hazardous waste accumulation areas?

Are process tanks, storage tanks, and piping labeled?

How are off-spec raw materials and products disposed of?

Are production, manufacturing, and treatment areas clean?

Does facility have air pollution control equipment?

Does air pollution control equipment generate a wastestream?

Are there oil and/or chemical storage tanks areas at the facility? If so: Bermed Non-Bermed Secondary Containment

Are Safety Data Sheets (SDS) kept on-site? Where:

Are wastes or other materials stored outside of the facility buildings? If yes, are the stored wastes or chemicals covered?

Is there secondary containment? Bermed Non-Bermed

Does the Facility meet Oregon 1200Z criteria? If so, what is the status?

Has the IU reported a hazardous waste discharge since last inspection?

Are hazardous waste drums or containers labeled?

Describe all significant changes reported by the industrial user since last inspection.

Any new wastestreams identified?

Document any changes disclosed not previously communicated to the POTW identified during the inspection.

Does production vary significantly thoughout the year? Please describe:

Have there been significant changes in wastewater flows, characteristics, or treatment in the past year? If yes, please describe:

Are there any significant changes in production that will affect wastewater discharge expected in the next 1 year?

Slug Control Plan Evaluation Based Upon Inspection [40 CFR 403.8(f)(2)(vi)]

Is the IU required to have a Slug Control Plan?

Date Submitted:

Copy of Plan kept at Facility?

Where can this plan be found or who is the contact to retrieve it?

Does the Slug Control Plan contain the following and is it consistent with what is observed on- site?

Plan Element	Contained & Consistent?	Comments:
Description of discharge practices, including non-routine batch discharges		
List & description of stored chemicals		
Procedures for immediately notifying Source Control of slug discharges and submitting written notification within 5 days		
Procedures to prevent spills and minimize adverse POTW impact including, worker training, procedures in waste and chemical handling areas, containment structures, inspections, and equipment for emergency response		
If so, date of last worker training:		
Is contact info current?		
If not, please provide new contact info:		
Based on this inspection, does the IU need Reasons for requiring or not requiring a S	d to have or continue to h lug Control Plan:	ave a Slug Control Plan?

Comments:

Toxic Organic Management Plan (TOMP) for Metal Finishers, Electroplaters, and other Facilities required to have as a Permit Requirement [40 CFR 433.12 (b)]

Is the IU required to submit a TOMP?	Date of Approval:
Has IU Submitted a TOMP?	Copy of TOMP Kept at Facility?
Are TTO SDSs Provided or in File?	
Date of Last TTO Monitoring:	By Whom:

Does the TOMP contain the	ne items listed below and is it	consistent with what is observe on-site?
Plan Element	Contain & Consistent?	Comments

Listing of toxic organic compounds used (e.g. solvents):

Method of disposal of toxic organic compounds by the IU:

Procedures for ensuring that toxic organics do not routinely leak or spill into the wastewater:

Comments:

.

SURFACE WATER ISSUES

Stormwater Permit Number: Issuing Agency: Expiration Date:

If the IU does not have an NPDES Storm Water Permit, then complete the following section:

Provide comments on the following Surface Water structures:

Catch Basins	Parking Lot	Detention Ponds
---------------------	-------------	------------------------

Present?

Location:

of

Last cleaned on:

Cleaned by:

Is outside storage present (refer to MFG Facilities, Production, & Storage Areas (pgs 3 & 8))? Does vehicle washing occur on-site?

If so, describe how often, who does it, where, and destination of wash water:

Substantial pollutant loading to MS4? Spill or Management Plan? Other Surface Water related comments:

	Inspection Action(s)	
	inspection Action(s)	
	Required	Date:
1.		
2.		
3.		
4.		
	Recommended	Date:
1.		
2.		
3.		
4.		

PICTURES TAKEN DURING INSPECTION

Click in box to upload photo Add title below photo box

SITE VIS	WATER ENVIRONMENT SERVICES	Water Quality Prote Surface Water Manage Wastewater Collection & Treat
Inspec Industry Po Industry N Industry A Contact Na	etor 1: ermit No ame: ddress: ame/Title/Phone:	Inspector 2: <u>Click or tap here to enter text.</u> Date of Previous Inspection:
Reason Fo	Date: Time In: Enter a r Inspection: Click or tap here to enter text	time. Time Out: Enter a time.
Comments	5:	

150 Beavercreek Road #430, Oregon City, OR 97045 | 503-742-4567 | clackamas.us/wes

- (xxi) Water-Resources Investigations Report 01–4132, Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Organic Plus Inorganic Mercury in Filtered and Unfiltered Natural Water With Cold Vapor-Atomic Fluorescence Spectrometry. 2001. Table IB, Note 71.
- (xxii) Water-Resources Investigation Report 01–4134, Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory—Determination of Pesticides in Water by Graphitized Carbon-Based Solid-Phase Extraction and High-Performance Liquid Chromatography/Mass Spectrometry. 2001. Table ID, Note 12.
- (xxiii) Water Temperature–Influential Factors, Field Measurement and Data Presentation, Techniques of Water-Resources Investigations of the U.S. Geological Survey, Book 1, Chapter D1. 1975. Table IB, Note 32.
- (39) Waters Corporation, 34 Maple Street, Milford MA 01757, Telephone: 508–482–2131, Fax: 508–482–3625.
 - (i) Method D6508, Test Method for Determination of Dissolved Inorganic Anions in Aqueous Matrices Using Capillary Ion Electrophoresis and Chromate Electrolyte. Revision 2, December 2000. Table IB, Note 54.
 - (ii) [Reserved]
- (c) Under certain circumstances, the Director may establish limitations on the discharge of a parameter for which there is no test procedure in this part or in 40 CFR parts 405 through 499. In these instances the test procedure shall be specified by the Director.
- (d) Under certain circumstances, the Administrator may approve additional alternate test procedures for nationwide use, upon recommendation by the Alternate Test Procedure Program Coordinator, Washington, DC.
- (e) Sample preservation procedures, container materials, and maximum allowable holding times for parameters are cited in Tables IA, IB, IC, ID, IE, IF, IG, and IH are prescribed in Table II. Information in the table takes precedence over information in specific methods or elsewhere. Any person may apply for a change from the prescribed preservation techniques, container materials, and maximum holding times applicable to samples taken from a specific discharge. Applications for such limited use changes may be made by letters to the Regional Alternative Test Procedure (ATP) Program Coordinator or the permitting authority in the Region in which the discharge will occur. Sufficient data should be provided to assure such changes in sample preservation, containers or holding times do not adversely affect the integrity of the sample. The Regional ATP Coordinator or permitting authority will review the application and then notify the applicant and the appropriate State agency of approval or rejection of the use of the alternate test procedure. A decision to approve or deny any request on deviations from the prescribed Table II requirements will be made within 90 days of receipt of the application by the Regional Administrator. An analyst may not modify any sample preservation and/or holding time requirements of an approved method unless the requirements of this section are met.

Table II–Required Containers, Preservation Techniques, and Holding Times

Parameter number/name	Container 1	Preservation ²³	Maximum holding time ⁴	
Table IA-Bacterial Tests				

40 CFR 136.3 (up to date as of 8/29/2023) Identification of test procedures.

Parameter number/name	Container 1	Preservation ^{2 3}	Maximum holding time ⁴
1–4. Coliform, total, fecal, and <i>E. coli</i>	PA, G	Cool, <10 °C, 0.008% Na ₂ S ₂ O ₃ ⁵	8 hours. ^{22 23}
5. Fecal streptococci	PA, G	Cool, <10 °C, 0.008% Na ₂ S ₂ O ₃ ⁵	8 hours. ²²
6. Enterococci	PA, G	Cool, <10 °C, 0.008% Na ₂ S ₂ O ₃ ⁵	8 hours. ²²
7. Salmonella	PA, G	Cool, <10 °C, 0.008% Na ₂ S ₂ O ₃ ⁵	8 hours. ²²
Table IA—Aqu	atic Toxicity	v Tests	
8–11. Toxicity, acute and chronic	P, FP, G	Cool, ≤6 °C ¹⁶	36 hours.
Table IB-I	norganic Te	sts	
1. Acidity	P, FP, G	Cool, ≤6 °C ¹⁸	14 days.
2. Alkalinity	P, FP, G	Cool, ≤6 °C ¹⁸	14 days.
4. Ammonia	P, FP, G	Cool, ≤6 °C ¹⁸ , H ₂ SO ₄ to pH <2	28 days.
9. Biochemical oxygen demand	P, FP, G	Cool, ≤6 °C ¹⁸	48 hours.
10. Boron	P, FP, or Quartz	HNO ₃ to pH <2	6 months.
11. Bromide	P, FP, G	None required	28 days.
14. Biochemical oxygen demand, carbonaceous	P, FP G	Cool, ≤6 °C ¹⁸	48 hours.
15. Chemical oxygen demand	P, FP, G	Cool, ≤6 °C ¹⁸ , H ₂ SO ₄ to pH <2	28 days.
16. Chloride	P, FP, G	None required	28 days.
17. Chlorine, total residual	P, G	None required	Analyze within 15 minutes.
21. Color	P, FP, G	Cool, ≤6 °C ¹⁸	48 hours.
23–24. Cyanide, total or available (or CATC) and free	P, FP, G	Cool, ≤6 °C ¹⁸ , NaOH to pH >10 ⁵⁶ , reducing agent if oxidizer present	14 days.
25. Fluoride	Р	None required	28 days.
27. Hardness	P, FP, G	HNO ₃ or H_2SO_4 to pH <2	6 months.
28. Hydrogen ion (pH)	P, FP, G	None required	Analyze within 15 minutes.
31, 43. Kjeldahl and organic N	P, FP, G	Cool, ≤6 °C ¹⁸ , H ₂ SO ₄ to pH <2	28 days.
Table I	B-Metals ⁷		
18. Chromium VI	P, FP, G	Cool, ≤6 °C ¹⁸ , pH = 9.3−9.7 ²⁰	28 days.
35. Mercury (CVAA)	P, FP, G	HNO ₃ to pH <2	28 days.
35. Mercury (CVAFS)	FP, G; and	5 mL/L 12N HCl or 5	90 days. ¹⁷

40 CFR 136.3(e) (enhanced display)
40 CFR 136.3 (up to date as of 8/29/2023) Identification of test procedures.

Parameter number/name	Container	Preservation ^{2 3}	Maximum holding time ⁴
	FP-lined cap ¹⁷	mL/L BrCl ¹⁷	
3, 5–8, 12, 13, 19, 20, 22, 26, 29, 30, 32–34, 36, 37, 45, 47, 51, 52, 58–60, 62, 63, 70–72, 74, 75. Metals, except boron, chromium VI, and mercury	P, FP, G	HNO ₃ to pH <2, or at least 24 hours prior to analysis ¹⁹	6 months.
38. Nitrate	P, FP, G	Cool, ≤6 °C ¹⁸	48 hours.
39. Nitrate-nitrite	P, FP, G	Cool, ≤6 °C ¹⁸ , H ₂ SO ₄ to pH <2	28 days.
40. Nitrite	P, FP, G	Cool, ≤6 °C ¹⁸	48 hours.
41. Oil and grease	G	Cool to ≤6 °C ¹⁸ , HCl or H ₂ SO ₄ to pH <2	28 days.
42. Organic Carbon	P, FP, G	Cool to $\leq 6 \degree C^{18}$, HCl, H ₂ SO ₄ , or H ₃ PO ₄ to pH <2	28 days.
44. Orthophosphate	P, FP, G	Cool, to ≤6 °C ^{18 24}	Filter within 15 minutes; Analyze within 48 hours.
46. Oxygen, Dissolved Probe	G, Bottle and top	None required	Analyze within 15 minutes.
47. Winkler	G, Bottle and top	Fix on site and store in dark	8 hours.
48. Phenols	G	Cool, ≤6 °C ¹⁸ , H ₂ SO ₄ to pH <2	28 days.
49. Phosphorus (elemental)	G	Cool, ≤6 °C ¹⁸	48 hours.
50. Phosphorus, total	P, FP, G	Cool, ≤6 °C ¹⁸ , H ₂ SO ₄ to pH <2	28 days.
53. Residue, total	P, FP, G	Cool, ≤6 °C ¹⁸	7 days.
54. Residue, Filterable (TDS)	P, FP, G	Cool, ≤6 °C ¹⁸	7 days.
55. Residue, Nonfilterable (TSS)	P, FP, G	Cool, ≤6 °C ¹⁸	7 days.
56. Residue, Settleable	P, FP, G	Cool, ≤6 °C ¹⁸	48 hours.
57. Residue, Volatile	P, FP, G	Cool, ≤6 °C ¹⁸	7 days.
61. Silica	P or Quartz	Cool, ≤6 °C ¹⁸	28 days.
64. Specific conductance	P, FP, G	Cool, ≤6 °C ¹⁸	28 days.
65. Sulfate	P, FP, G	Cool, ≤6 °C ¹⁸	28 days.
66. Sulfide	P, FP, G	Cool, ≤6 °C ¹⁸ , add zinc acetate plus sodium hydroxide to pH >9	7 days.
67. Sulfite	P, FP, G	None required	Analyze within 15 minutes.
68. Surfactants	P, FP, G	Cool, ≤6 °C ¹⁸	48 hours.
69. Temperature	P, FP, G	None required	Analyze within

40 CFR 136.3 (up to date as of 8/29/2023) Identification of test procedures.

Parameter number/name	Container 1	Preservation ^{2 3}	Maximum holding time ⁴		
			15 minutes.		
73. Turbidity	P, FP, G	Cool, ≤6 °C ¹⁸	48 hours.		
Table IC-0	Organic Tes	ts ⁸			
13, 18–20, 22, 24, 25, 27, 28, 34–37, 39–43, 45–47, 56, 76, 104, 105, 108–111, 113. Purgeable Halocarbons	G, FP- lined septum	Cool, ≤6 °C ¹⁸ , 0.008% Na ₂ S ₂ O ₃ ⁵ , HCl to pH 2 9	14 days. ⁹		
26. 2-Chloroethylvinyl ether	G, FP- lined septum	Cool, ≤6 °C ¹⁸ , 0.008% Na ₂ S ₂ O ₃ ⁵	14 days.		
6, 57, 106. Purgeable aromatic hydrocarbons	G, FP- lined septum	Cool, ≤6 °C ¹⁸ , 0.008% Na ₂ S ₂ O ₃ ⁵ , HCl to pH 2 9	14 days. ⁹		
3, 4. Acrolein and acrylonitrile	G, FP- lined septum	Cool, ≤6 °C ¹⁸ , 0.008% Na ₂ S ₂ O ₃ , pH to 4−5 ¹⁰	14 days. ¹⁰		
23, 30, 44, 49, 53, 77, 80, 81, 98, 100, 112. Phenols	G, FP- lined cap	Cool, ≤6 °C ¹⁸ , 0.008% Na ₂ S ₂ O ₃	7 days until extraction, 40 days after extraction.		
7, 38. Benzidines ^{11 12}	G, FP- lined cap	Cool, ≤6 °C ¹⁸ , 0.008% Na ₂ S ₂ O ₃ ⁵	7 days until extraction. ¹³		
14, 17, 48, 50–52. Phthalate esters ¹¹	G, FP- lined cap	Cool, ≤6 °C ¹⁸	7 days until extraction, 40 days after extraction.		
82-84. Nitrosamines ^{11 14}	G, FP- lined cap	Cool, $\leq 6 \degree C^{18}$, store in dark, 0.008% Na ₂ S ₂ O ₃ 5	7 days until extraction, 40 days after extraction.		
88–94. PCBs ¹¹	G, FP- lined cap	Cool, ≤6 °C ¹⁸	1 year until extraction, 1 year after extraction.		
54, 55, 75, 79. Nitroaromatics and isophorone ¹¹	G, FP- lined cap	Cool, ≤6 °C ¹⁸ , store in dark, 0.008% Na ₂ S ₂ O ₃ $_{5}$	7 days until extraction, 40 days after extraction.		
1, 2, 5, 8–12, 32, 33, 58, 59, 74, 78, 99, 101. Polynuclear aromatic hydrocarbons ¹¹	G, FP- lined cap	Cool, \leq 6 °C ¹⁸ , store in dark, 0.008% Na ₂ S ₂ O ₃ 5	7 days until extraction, 40 days after extraction.		
15, 16, 21, 31, 87. Haloethers ¹¹	G, FP- lined cap	Cool, ≤6 °C ¹⁸ , 0.008% Na ₂ S ₂ O ₃ ⁵	7 days until extraction, 40 days after extraction.		

Parameter number/name	Container	Preservation ^{2 3}	Maximum holding time ⁴
29, 35–37, 63–65, 73, 107. Chlorinated hydrocarbons ¹¹	G, FP- lined cap	Cool, ≤6 °C ¹⁸	7 days until extraction, 40 days after extraction.
60-62, 66-72, 85, 86, 95-97, 102, 103. CDDs/ CDFs ¹¹	G	See footnote 11	See footnote 11.
Aqueous Samples: Field and Lab Preservation	G	Cool, ≤6 °C ¹⁸ , 0.008% Na ₂ S ₂ O ₃ ⁵ , pH <9	1 year.
Solids and Mixed-Phase Samples: Field Preservation	G	Cool, ≤6 °C ¹⁸	7 days.
Tissue Samples: Field Preservation	G	Cool, ≤6 °C ¹⁸	24 hours.
Solids, Mixed-Phase, and Tissue Samples: Lab Preservation	G	Freeze, ≤−10 °C	1 year.
114–118. Alkylated phenols	G	Cool, <6 °C, H ₂ SO ₄ to pH <2	28 days until extraction, 40 days after extraction.
119. Adsorbable Organic Halides (AOX)	G	Cool, <6 °C, 0.008% Na ₂ S ₂ O ₃ , HNO ₃ to pH <2	Hold <i>at least</i> 3 days, but not more than 6 months.
120. Chlorinated Phenolics	G, FP- lined cap	Cool, <6 °C, 0.008% Na ₂ S ₂ O ₃ , H ₂ SO ₄ to pH <2	30 days until acetylation, 30 days after acetylation.
Table ID-F	Pesticides Te	ests	_
1–70. Pesticides ¹¹	G, FP- lined cap	Cool, ≤6 °C ¹⁸ , pH 5−9 ¹⁵	7 days until extraction, 40 days after extraction.
Table IE-Ra	diological T	ests	•
1–5. Alpha, beta, and radium	P, FP, G	HNO ₃ to pH <2	6 months.
Table IH—	Bacterial Te	sts	
1, 2. Coliform, total, fecal	PA, G	Cool, <10 °C, 0.008% Na ₂ S ₂ O ₃ ⁵	8 hours. ²²
3.E. coli	PA, G	Cool, <10 °C, 0.008% Na ₂ S ₂ O ₃ ⁵	8 hours. ²²
4. Fecal streptococci	PA, G	Cool, <10 °C, 0.008% Na ₂ S ₂ O ₃ ⁵	8 hours. ²²
5. Enterococci	PA, G	Cool, <10 °C, 0.008% Na ₂ S ₂ O ₃ ⁵	8 hours. ²²
Table IH—F	Protozoan Te	ests	
6. Cryptosporidium	LDPE;	1-10 °C	96 hours. ²¹

40 CFR 136.3(e) (enhanced display)

40 CFR 136.3 (up to date as of 8/29/2023) Identification of test procedures.

Parameter number/name	Container	Preservation ²³	Maximum holding time ⁴		
	field				
	filtration				
7. Giardia	LDPE;	1-10 °C	96 hours. ²¹		
	field				
	filtration				

¹ "P" is for polyethylene; "FP" is fluoropolymer (polytetrafluoroethylene [PTFE]; Teflon®), or other fluoropolymer, unless stated otherwise in this Table II; "G" is glass; "PA" is any plastic that is made of a sterilizable material (polypropylene or other autoclavable plastic); "LDPE" is low density polyethylene.

² Except where noted in this Table II and the method for the parameter, preserve each grab sample within 15 minutes of collection. For a composite sample collected with an automated sample (e.g., using a 24-hour composite sample; see 40 CFR 122.21(g)(7)(i) or 40 CFR part 403, appendix E), refrigerate the sample at ≤6 °C during collection unless specified otherwise in this Table II or in the method(s). For a composite sample to be split into separate aliquots for preservation and/or analysis, maintain the sample at ≤ 6 °C, unless specified otherwise in this Table II or in the method(s), until collection, splitting, and preservation is completed. Add the preservative to the sample container prior to sample collection when the preservative will not compromise the integrity of a grab sample, a composite sample, or aliquot split from a composite sample within 15 minutes of collection. If a composite measurement is required but a composite sample would compromise sample integrity, individual grab samples must be collected at prescribed time intervals (e.g., 4 samples over the course of a day, at 6-hour intervals). Grab samples must be analyzed separately and the concentrations averaged. Alternatively, grab samples may be collected in the field and composited in the laboratory if the compositing procedure produces results equivalent to results produced by arithmetic averaging of results of analysis of individual grab samples. For examples of laboratory compositing procedures, see EPA Method 1664 Rev. A (oil and grease) and the procedures at 40 CFR 141.24(f)(14)(iv) and (v) (volatile organics).

³ When any sample is to be shipped by common carrier or sent via the U.S. Postal Service, it must comply with the Department of Transportation Hazardous Materials Regulations (49 CFR part 172). The person offering such material for transportation is responsible for ensuring such compliance. For the preservation requirement of Table II, the Office of Hazardous Materials, Materials Transportation Bureau, Department of Transportation has determined that the Hazardous Materials Regulations do not apply to the following materials: Hydrochloric acid (HCl) in water solutions at concentrations of 0.04% by weight or less (pH about 1.96 or greater; Nitric acid (HNO₃) in water solutions at concentrations of 0.15% by weight or less (pH about 1.62 or greater); Sulfuric acid (H₂SO₄) in water solutions at concentrations of 0.35% by weight or less (pH about 1.15 or greater); and Sodium hydroxide (NaOH) in water solutions at concentrations of 0.080% by weight or less (pH about 12.30 or less).

⁴ Samples should be analyzed as soon as possible after collection. The times listed are the maximum times that samples may be held before the start of analysis and still be considered valid. Samples may be held for longer periods only if the permittee or monitoring laboratory have data on file to show that, for the specific types of samples under study, the analytes are stable for the

longer time, and has received a variance from the Regional ATP Coordinator under § 136.3(e). For a grab sample, the holding time begins at the time of collection. For a composite sample collected with an automated sampler (e.g., using a 24-hour composite sampler; see 40 CFR 122.21(g)(7)(i) or 40 CFR part 403, appendix E), the holding time begins at the time of the end of collection of the composite sample. For a set of grab samples composited in the field or laboratory, the holding time begins at the time of collection of the last grab sample in the set. Some samples may not be stable for the maximum time period given in the table. A permittee or monitoring laboratory is obligated to hold the sample for a shorter time if it knows that a shorter time is necessary to maintain sample stability. See § 136.3(e) for details. The date and time of collection of an individual grab sample is the date and time at which the sample is collected. For a set of grab samples to be composited, and that are all collected on the same calendar date, the date of collection is the date on which the samples are collected. For a set of grab samples to be composited, and that are collected across two calendar dates, the date of collection is the dates of the two days; e.g., November 14–15. For a composite sample collected automatically on a given date, the date of collection is the date on which the sample is collected. For a composite sample collected automatically, and that is collected across two calendar dates, the date of collection is the dates of the two days; e.g., November 14–15. For static-renewal toxicity tests, each grab or composite sample may also be used to prepare test solutions for renewal at 24 h, 48 h, and/or 72 h after first use, if stored at 0-6°C, with minimum head space.

⁵ ASTM D7365–09a specifies treatment options for samples containing oxidants (e.g., chlorine) for cyanide analyses. Also, Section 9060A of Standard Methods for the Examination of Water and Wastewater (23rd edition) addresses dechlorination procedures for microbiological analyses.

⁶ Sampling, preservation and mitigating interferences in water samples for analysis of cyanide are described in ASTM D7365–09a (15). There may be interferences that are not mitigated by the analytical test methods or D7365–09a (15). Any technique for removal or suppression of interference may be employed, provided the laboratory demonstrates that it more accurately measures cyanide through quality control measures described in the analytical test method. Any removal or suppression technique not described in D7365–09a (15) or the analytical test method must be documented along with supporting data.

⁷ For dissolved metals, filter grab samples within 15 minutes of collection and before adding preservatives. For a composite sample collected with an automated sampler (e.g., using a 24-hour composite sampler; see <u>40 CFR 122.21(g)(7)(i)</u> or <u>40 CFR part 403</u>, appendix E), filter the sample within 15 minutes after completion of collection and before adding preservatives. If it is known or suspected that dissolved sample integrity will be compromised during collection of a composite sample collected automatically over time (e.g., by interchange of a metal between dissolved and suspended forms), collect and filter grab samples to be composited (footnote 2) in place of a composite sample collected automatically.

⁸ Guidance applies to samples to be analyzed by GC, LC, or GC/MS for specific compounds.

⁹ If the sample is not adjusted to pH 2, then the sample must be analyzed within seven days of sampling.

¹⁰ The pH adjustment is not required if acrolein will not be measured. Samples for acrolein receiving no pH adjustment must be analyzed within 3 days of sampling.

¹¹ When the extractable analytes of concern fall within a single chemical category, the specified preservative and maximum holding times should be observed for optimum safeguard of sample integrity (*i.e.*, use all necessary preservatives and hold for the shortest time listed). When the analytes of concern fall within two or more chemical categories, the sample may be preserved by cooling to ≤ 6 °C, reducing residual chlorine with 0.008% sodium thiosulfate, storing in the dark, and adjusting the pH to 6–9; samples preserved in this manner may be held for seven days before extraction and for forty days after extraction. Exceptions to this optional preservation and holding time procedure are noted in footnote 5 (regarding the requirement for thiosulfate reduction), and footnotes 12, 13 (regarding the analysis of benzidine).

 12 If 1,2-diphenylhydrazine is likely to be present, adjust the pH of the sample to 4.0 ± 0.2 to prevent rearrangement to benzidine.

 13 Extracts may be stored up to 30 days at <0 °C.

 14 For the analysis of diphenylnitrosamine, add 0.008% $Na_2S_2O_3$ and adjust pH to 7–10 with NaOH within 24 hours of sampling.

 15 The pH adjustment may be performed upon receipt at the laboratory and may be omitted if the samples are extracted within 72 hours of collection. For the analysis of aldrin, add 0.008% $\rm Na_2S_2O_3.$

¹⁶ Place sufficient ice with the samples in the shipping container to ensure that ice is still present when the samples arrive at the laboratory. However, even if ice is present when the samples arrive, immediately measure the temperature of the samples and confirm that the preservation temperature maximum has not been exceeded. In the isolated cases where it can be documented that this holding temperature cannot be met, the permittee can be given the option of on-site testing or can request a variance. The request for a variance should include supportive data which show that the toxicity of the effluent samples is not reduced because of the increased holding temperature. Aqueous samples must not be frozen. Hand-delivered samples used on the day of collection do not need to be cooled to 0 to 6 °C prior to test initiation.

¹⁷ Samples collected for the determination of trace level mercury (<100 ng/L) using EPA Method 1631 must be collected in tightly-capped fluoropolymer or glass bottles and preserved with BrCl or HCl solution within 48 hours of sample collection. The time to preservation may be extended to 28 days if a sample is oxidized in the sample bottle. A sample collected for dissolved trace level mercury should be filtered in the laboratory within 24 hours of the time of collection. However, if circumstances preclude overnight shipment, the sample should be filtered in a designated clean area in the field in accordance with procedures given in Method 1669. If sample integrity will not be maintained by shipment to and filtration in the laboratory, the sample must be filtered in a designated clean area in the field within the time period necessary to maintain sample integrity. A sample that has been collected for determination of total or dissolved trace level mercury must be analyzed within 90 days of sample collection. ¹⁸ Aqueous samples must be preserved at ≤ 6 °C, and should not be frozen unless data demonstrating that sample freezing does not adversely impact sample integrity is maintained on file and accepted as valid by the regulatory authority. Also, for purposes of NPDES monitoring, the specification of " \leq °C" is used in place of the "4 °C" and "<4 °C" sample temperature requirements listed in some methods. It is not necessary to measure the sample temperature to three significant figures (1/100th of 1 degree); rather, three significant figures are specified so that rounding down to 6 °C may not be used to meet the ≤ 6 °C requirement. The preservation temperature does not apply to samples that are analyzed immediately (less than 15 minutes).

¹⁹ An aqueous sample may be collected and shipped without acid preservation. However, acid must be added at least 24 hours before analysis to dissolve any metals that adsorb to the container walls. If the sample must be analyzed within 24 hours of collection, add the acid immediately (see footnote 2). Soil and sediment samples do not need to be preserved with acid. The allowances in this footnote supersede the preservation and holding time requirements in the approved metals methods.

²⁰ To achieve the 28-day holding time, use the ammonium sulfate buffer solution specified in EPA Method 218.6. The allowance in this footnote supersedes preservation and holding time requirements in the approved hexavalent chromium methods, unless this supersession would compromise the measurement, in which case requirements in the method must be followed.

²¹ Holding time is calculated from time of sample collection to elution for samples shipped to the laboratory in bulk and calculated from the time of sample filtration to elution for samples filtered in the field.

²² Sample analysis should begin as soon as possible after receipt; sample incubation must be started no later than 8 hours from time of collection.

²³ For fecal coliform samples for sewage sludge (biosolids) only, the holding time is extended to 24 hours for the following sample types using either EPA Method 1680 (LTB–EC) or 1681 (A–1): Class A composted, Class B aerobically digested, and Class B anaerobically digested.

²⁴ The immediate filtration requirement in orthophosphate measurement is to assess the dissolved or bio-available form of orthophosphorus (*i.e.*, that which passes through a 0.45-micron filter), hence the requirement to filter the sample immediately upon collection (*i.e.*, within 15 minutes of collection).

[38 FR 28758, Oct. 16, 1973]

Editorial Note: For FEDERAL REGISTER citations affecting § 136.3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.govinfo.gov*.



Confined Space Entry Permit

Permit date:/ S Permit Space/Location and Descr	Start Date/ Time Starte	d:: a.m. p.m. Meter #
Equipment/Structure to be worke	ed on:	
Purpose of Entry: Maintenan	ice 🗆 Repairs 🗆 Replacement 🛛 Anticipa	ted time for the work: Hours
Work to be performed:		
Full Permit Required: 🗆 Yes 🗆	No Ventilation: 🗆 Mechanical 🗆 Natu	ral Hot Work Permit: 🗆 Yes 🗆 No
Rescue: N/A Not a full entry Special Hazard Entry: outline Vertical non-entry rescue is n	Non-Entry retrieval equipment in pla rescue procedures – (use of tripods & da ot possible because:	ace, harness on entrants vits create greater hazard of injury)
Rescue plan consists of:		
Rescue service <u>provided</u> by:		
Rescue service will be contacted	by:	
First aid /CPR trained crew mem	bers:	
Emergency contact information	on	
Emergency responder:	Phone	number: ()
Contact person:	Tir	me::a.m. p.m
Safety Harnesses and Lifeline Mechanical Retrieval/Hoisting	es for Entrants and Attendants: Y g Equipment Standing By: Y	′es □ No □ N/A ′es □ No □ N/A
Communication Procedures:	🗌 Radio 🗌 Hand signal/Visual 🔲 (Cell Phone 🗌 Voice Contact
Anticipated Hazards: Atmos	phere 🗌 Trip/Fall 🗌 Electrical 🗌 Engu	Ifment 🗌 Equipment 🗌 Configuration
Pre-Entry Equipment and PPE	Check – To Be Use During Entry:	
Tripod With Mechanical Winch	Respirator	Chemical Resistant Clothing
□ Rescue Tripod With Lifeline	Steel Toed Boots	□ Hearing Protection
□ Harness	Hard Hat	□ Other Equipment To Be Used:
Two-Way Radios	Safety Glasses / Goggles / Face Shield	
General/Local Exhaust Ventilation	□ Gloves	

Pre-Entry Requirements							
Required	Yes	No	N/A	Required	Yes	No	N/A
Lockout / tagout / de-energize				Mobile (Body) Air Sensor			
Pipe(s) broken or capped or blanked				Fall arrest harness/lifeline/tripod			
Purge or flush or drain				Non-sparking double insulated tools			
Ventilation (natural or mechanical)				Hardhat			
Isolation of pumps, lines, other hazards				Gloves			
Hot work permit				Safety Glasses			
Secure work area				Respirator			
Surrounding area surveyed – free of hazards				Safe lighting (explosion proof)			
Communication method(s) established				Fire Extinguisher			
Rescue Team Ready-procedure reviewed				Minimum of 2 employees involved			

Names of Trained/Authorized Individuals

Entry Supervisor :	
Entry Attendant:	
Authorized entrants: _	
Authorized entrants: _	
Authorized entrants:	

Gas monitor calibration tests and functional test (fresh air calibration) have been performed by:

				Time::	a.m. j
Space-Monitoring Results <u>Note</u> : <i>Continuous monitoring</i> only requires a beginning and ending readings		Test 1 Pre-Entry (unventilated)	Test 2 After isolation and ventilation	Test 3 4 hours from start	Test 4 8 hours from start
Monitor at least every four hours (Test in this order)	Permissible Entry Levels	Time: Initial:	Time: Initial:	Time: Initial:	Time: Initial:
Percent Oxygen O ₂	19.5% to 23.5%				
Combustible Gas	Less than 10% LEL				
H₂S in PPM	0-10 ppm Hydrogen Sulfide				
CO₂ in PPM	0-35 ppm Carbon Monoxide				
Other Toxic Gases	Greater than PEL				

Name of tester(s):

I have reviewed the work authorized by this permit and the information pertaining to each item. All safety procedures have been reviewed and are fully understood by all involved personnel.

Entry Supervisor Signature: _____

_____ Date:____/____

This permit has b	een terminated for	the followi	ng rea	sons:				
□ Work Completed	□ Work Canceled	Time:	:	am. pm.	Date:	/	/	
Supervisor's Signatu	re							
Return this completed permit to <u>Permit File</u> for one year review.								



CHAIN OF CUSTODY

WATER QUALITY LABORATORY ≈ WATER ENVIRONMENT SERVICES 15941 S. AGNES AVE BLDG B \approx OREGON CITY, OR 97045 PH (503)-557-2839 \approx FAX (503)-557-2840

Location: TC, KC, HO, BO, Other_____

Page __of __

Received on ice: YES / NO Random Temp at Receipt °C:__

IR Gun#: _____

For Lab use only

COMP DURATION SAMPLE (START) COLLECTION (END) SAMPLED # Of SAMPLE TEMP SAMPLE SOURCE/ SAMPLE ID ANALYSES (IF KNOWN) ∘C DATE/TIME DATE/TIME (HRS) ΒY BOTTLES LOCATION

Rev 6 04/23

Rev 6 04/23 S:\Environmental_Monitoring\LAB\SOPs\Reference Documents\COC reference\Manual COC rev6.docx								Key	
Relinquished By:		Received B	RECEIVED BY:		RELINQUISHED BY:		Y:	BS: Biosolids	
Initials	Date/Time	Initials	Date/Time	Initials	Date/Time	Initials	Date/Time	SW: Surface Water	
								SLD: Sludge	
								Example:	
								acronym_date_#sequence WW_23123_01	



Public Records Requests

1.0 Authority

This procedure is issued in compliance with Oregon Public Records Law Section 192 and Clackamas County Policy and Procedure for Public Records Requests, which establish guidelines for public record requests and release of public records.

2.0 Purpose

The purpose of this procedure is to provide guidance to Water Environment Services (WES) staff on how to respond to public records requests and to ensure requests comply with Section 192 of the Oregon Public Records Law and Clackamas County Policy and Procedure for Public Records Requests.

3.0 Revision History

Date	Rev. No.	Modification
3/23/2011	1.0	New document

4.0 Persons Affected/Scope

This procedure applies to all WES staff.

5.0 General Guidelines

The Document Management Analyst (DMA) is designated as WES' public records coordinator for all public records requests. All requests received shall be forwarded to the DMA who will coordinate the response with record holders and public records liaisons.

Requests must be made in writing and include requestor's name, address, telephone number or other contact information. A request by electronic mail or facsimile shall be deemed a written request.

6.0 **Procedures**

- 6.1 Unless the request is the result of a court order, only copies of records shall be provided.
- 6.2 Requestors have the option of inspecting, in the presence of WES staff, the records first to determine copying needs.
- 6.3 Requests must be granted or denied within five (5) working days. Routine requests should be satisfied immediately, if feasible. Routine requests include plot plans and any copies of an individual citizen's file. If these records contain exempt material such as social security numbers or other confidential information, they cannot be handled as "routine".
- 6.4 If the request is ambiguous, WES may seek clarification from the requestor.

7.0 Specific Responsibilities

- 7.1 WES Staff Responsible for immediately notifying manager/supervisor and DMA of receipt of public records request.
- 7.2 WES Management and Program Managers Ensures DMA is notified and on-site staff made available to assist with the response.
- 7.3 WES Records Liaisons
 - 7.3.1 Date stamps the request (if receipt not already noted).
 - 7.3.2 Notifies DMA (if not already notified)
 - 7.3.3 Under the direction of management and DMA, gathers appropriate records and makes copies as needed.
- 7.4 DMA
 - 7.4.1 Works with Records Liaisons and record holders to gather requested records.
 - 7.4.2 Responds to public records requests
- **8.0** Media Requests Records requested by the media will be processed with the coordination of the Community Relations Specialist. The request will still be forwarded to the DMA.
- **9.0** Costs for Public Records DMA will assist with the determination of costs as per Oregon's Public Records Law.
 - 9.1 Fees are payable in advance.
 - 9.2 For charges/estimates over \$25, WES must provide requestor with a written notification of estimated amount.

Additional References

<u>Oregon Public Records Law – ORS 192</u> <u>Clackamas County Policy and Procedure for Public Records Requests</u>

Procedure References

None

Clackamas County Policy and Procedure for Public Records Requests

I. Purpose and Application

In order to maintain a consistent County procedure to respond to citizen and media requests for public records, this procedure shall apply to all public record requests received in writing, by phone or in person. This procedure does not apply to requests for county records protected from disclosure by court order, municipal, state or federal law.

II. Policy and Procedures

A. Upon request, all county offices shall provide accurate and timely records and information as required by law. When multiple records are requested or a specific record is difficult to compile, calculate or retrieve from archived files, a written request may be required, specifically identifying or describing the requested record.

B. Written requests must bear the date received by the county office. A date stamp should be affixed to the request by the receiving office.

C. Copies of records shall be provided in lieu of original records. Original documents will not be released except and unless a specific court order directs a county office to provide an original document to the court.

D. All single-page, one sided copies (letter, legal or 11x17) may be charged at the rate of \$1.00 for the first page and 10 cents for each additional page. (A signal page of an owner or applicant's account/file may be provided at no cost.) This fee applies to all records except those for which a previous fee schedule has been established by law.

E. County staff time and materials used to comply with requests for records or to summarize or tailor records to meet a specific request, will be charged at the actual cost to the county for employee time and materials, or a minimum charge of \$20.00 per hour.

F. The County Administrator may waive or reduce fees for coping records if the administrator finds the waiver is in the public interest. ORS 192.440(4)

G. Records, which are exempt from disclosure under ORS 192.486, 192.501 or 192.502, shall not be disclosed.

H. All county offices shall comply with Chapter 192 of the Oregon Revised Statutes on Records, Reports and Meetings.

Adopted By the Board of County Commissioners May 28, 1998



CLACKAMAS COUNTY OREGON

PUBLIC RECORDS REQUEST

(For Office Use Only)

DATE RECEIVED

REQUEST #_

REQUESTOR INFORMATION							
Name:		Date of Re	equest:				
Mailing Address:							
City, State, Zip:	Daytime F	hone:					
Email Address:	Fax Number:						
Preferred Method of Contact (check one)	Μ	ail 🗌	Phone	Email 🗌		Fax 🗌]
Is this request related to a lawsuit in which Clackamas County is a party, or a tort claims notice filed with the County?					Ye	s 🗌	No 🗌
Copies may be furnished without charge or at a substantially reduced fee if the County Administrator or designee determines that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public. Does this request primarily benefit the general public? If Yes, please describe the public benefit in the below description of your request.						s 🗌	No 🗌

DESCRIPTION OF RECORDS REQUESTED

Please describe the materials you are requesting in as much detail as possible: type of document, date, author, title, etc. If you need more room, please attach additional sheets. Please indicate the date the information is desired. Indicate if you want to inspect the records or if you need certified copies of the records. If no indication is made, regular copies will be provided.

(Attach additional sheets as necessary.)

- The County will respond to your request within 5 working days, or as indicated on page 2 of this form.
- If the estimated costs involved in fulfilling your request exceed \$25, the County will advise you of the estimated costs and require your approval before beginning work.
- Pre-payment of the estimated costs may be required before taking further action on your request.
- Full payment of the total amount of costs incurred is required before the public records are inspected or copies are released.

I HAVE READ AND AGREE TO COMPLY WITH THE ABOVE CONDITIONS, and further agree to pay the cost of fulfilling this Public Records Request according to the conditions set forth above. These costs may include the cost of locating records, reviewing records to redact exempt material, supervising the inspection of records, copying records, certifying records and mailing records. I agree to pay a maximum of \$25 without further approval.

Signature of Requestor

Date



CLACKAMAS COUNTY OREGON

PUBLIC RECORDS REQUEST

(For Office Use Only)

DATE RECEIVED

REQUEST #_

Clackamas County acknowledges receipt of your Public Records Request and responds as follows:

Page 2 of this form is for office use only: County Department Records Custodians complete PART A: Check box(es) that apply to this request; date and print your name next to checked box(es) in the column on left. If estimate is over \$25, also complete PART B below.			
	PART /	A Enclosed are copies of all requested public records for which the County does not claim an \$ payable in full at the time the copies are provided. (For fees not ex \$25 Part B must be completed)	exemption from disclosure. ceeding \$25.00 – if fees exceed
	2.	The County will provide copies of all requested public records for which the County does no disclosure, as soon as practicable. \$ payable in full at the time the copies are provided. (For fees not ex \$25 Part B must be completed)	t claim an exemption from ceeding \$25.00 – if fees exceed
	□ 3.	Some or all of the public records requested are exempt from disclosure and will be redacted (applicable Stat	l or not provided. e or Federal Law must be listed)
	4.	The County requests additional information or clarification before County staff can search for appropriate response. Please contact	or the records and make anto provide more detail on the
	5.	The County is uncertain whether it possesses the public records, and will search for the records response as soon as practicable.	ords and make an appropriate
	6.	The County does not possess or is not the custodian of the requested public records.	
	□ 7.	(applicable State or Federal Law must be listed) pro acknowledging whether the record exists; or acknowledging whether the record exists would benefits or other sanctions.	hibits the County from d result in the loss of federal
	8.	The County is the custodian of at least some of the requested public records and an estimat disclosure of the public records will be provided by the County within a reasonable time.	te of the time and fees for
	9.	The request pertains to the records of an elected official; a response will be provided within	seven days. ORS 192.465(2).
Research/labor Charges \$ Reproduction Charges pages	PART E	 3 (When fees exceed \$25 PART B is to be completed by County Records Custodians then signed a The County is the custodian of at least some of the requested public records and the estima Please sign and return the following agreement to proceed. Estimated time the County requires before the public records may be inspected or copies p Estimated fees that the requestor must pay as a condition of proceeding with this request: AGREEMENT TO PAY COST OF PROCEEDING WITH YOUR PUBLIC RECORDS REQU exceed \$25.00: A deposit in the amount indicated will be required to proceed with your request. Full payme incurred is required before the public records are inspected or copies are released. I HAVE READ AND AGREE TO COMPLY WITH THE ABOVE CONDITIONS, and further a this Public Records Request according to the condition set forth above. These costs may ir records, reviewing records to redact exempt material, supervising the inspection of records, records and mailing records, including the cost of searching for records. 	and dated by the Requestor) ated fees exceed \$25.00. rovided: \$ JEST when estimated fees ent of the total amount of costs gree to pay the costs of fulfilling include the cost of locating copying records, certifying
\$		Signature of Requestor Date	
\$		Requestor Name (Please type or print clearly)	
Total Pmt Received		After signing, return to:	(County Contact)
Date of Pmt			



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

9 1991 SEP

MEMORANDUM

OFFICE OF WATER

SUBJECT: Application and Use of the Regulatory Definition of Significant Noncompliance for Industrial Users

FROM:	Michael B. Cook, Director Michael B. Cook, Director Michael B. Cook, Director Michael B. Compliance
	Office of wastewater Entorcement and Compliance

Water Management Division Directors, Regions I-X TO: Approved Pretreatment State Coordinators

Background:

On July 24, 1990, the Agency replaced the definition of "significant violation" with the definition of "significant noncompliance" (SNC) [see 40 CFR 403.8(f)(2)(vii) and 55 Fed. Reg. 30082]. This change eliminated the inconsistencies which arose in applying the significant violation criteria and established more parity in tracking violations committed by industrial users. The definition of SNC parallels the Pretreatment Compliance Monitoring and Enforcement Guidance (PCME) definition of SNC published in 1986.

This memorandum responds to several questions from States, publicly owned treatment works (POTWs), and industry regarding the application of the SNC definition. One frequently asked question is whether the time frame for determining SNC for technical review criteria effluent violations is a static six month period (i.e., a fixed six month calendar interval) or a rolling six month time frame (i.e., the current day minus six months). POTWs and industry have also inquired whether all data must be used to calculate SNC. The following discussion is provided to promote consistency in the application of this definition. Regions, States and POTWs should determine SNC in the manner prescribed below.

Pretreatment POTWs are required to notify the public of significant industrial users which meet the definition of SNC through publication in the newspaper. The POTW should also use the SNC criteria as the basis for reporting an industrial user's compliance status to the Approval Authority in its Pretreatment Performance Report. According to 40 CFR 403.12(i)(2), the POTW must report on the compliance status of its industrial user universe at the frequency specified by the State or EPA National Pollution Discharge Elimination System (NPDES) permit, but in no case less than once per year. Finally, the definition of SNC is used to determine whether a formal enforcement action against a user is warranted in accordance with the POTW's Enforcement Response Plan (ERP).

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Applying the Definition: Use of the Six Month Time Frame:

There are seven criteria set forth in §403.8(f)(2)(vii). Two of these criteria concern violations evaluated over 4 six month time frame. The Agency intends for Control Authorities to evaluate these criteria on a rolling basis. The EPA's long established practice in the NPDES program is to evaluate SNC for direct dischargers each quarter using data from the previous six months. Similarly, Control Authorities should determine SNC for their universe of industrial users on the same rolling quarters basis using fixed quarters established by the Control Authority to correspond to its "pretreatment year" (e.g., March 31, June 30, September 30 and December 31).

At the end of each quarter, POTWs and States are to evaluate their industrial user's compliance status using the two criteria of the SNC definition which are evaluated on a six tonth time frame (i.e., the "A" and "B" criteria under the regulatory definition). Under his system, each industrial user is evaluated for SNC four times during the year, and the total evaluation period covers 15 months (i.e., beginning with the last quarter of the previous pretreatment year through the end of the current year). When the POTW is required to publish, it must list in the newspaper all industrial users which have been identified as SNC during the previous year (i.e., the SNC criteria were met during any of the previous four quarters).

If a facility has been determined to be in SNC based <u>solely</u> on violations which occurred in the first quarter of the 15 month evaluation period (i.e., the last quarter of the previous pretreatment year) and the facility has demonstrated consistent compliance in the subsequent four quarters, then the POTW is not required to republish the Industrial User (IU) in the newspaper if the IU was published in the previous year for the same violations.

Use of Industrial User and POTW Data in Determining SNC:

Several POTWs have inquired whether all data, including Control Authority sampling and industrial user self-monitoring, must be used in determining SNC. This question arises from the concern that an industrial user may choose to conduct its sampling efforts at times in which it knows that it is in compliance (e.g., during early morning startup or during periods in which the industrial process is down). The concern is that use of these unrepresentative data will allow the industry to craft its compliance status such that it will never be in SNC.

The regulation defining SNC clearly requires that <u>all</u> measurements taken in the appropriate six month period must be used to determine a facility's SNC status. Therefore, any and all samples obtained through appropriate sampling techniques which have been analyzed in accordance with the procedures established in 40 CFR Part 136 must be used to determine whether the facility is in SNC.

The General Pretreatment Regulations further state that periodic compliance reports must be based on data obtained through appropriate sampling and analysis, and the data must be representative of conditions occurring during the reporting period [403.8(f)(1)(iv)

and 403.12(g)(3)]. The Control Authority must require that frequency and scope of industrial user self-monitoring necessary to assess and assure compliance by industrial users with applicable pretreatment standards and requirements.

The nature and scope of the sampling undertaken by an industrial user is under the control of the Control Authority through the issuance of an industrial user permit. These permits should specify the sampling locations and sample collection method necessary to ensure that representative samples are obtained for all regulated waste streams. By requiring industrial users to obtain representative samples, the Control Authority will ensure that industrial users do not evade noncompliance through selective sampling of their industrial processes.

Conclusion:

The Control Authority is required to screen all compliance data, whether generated through industrial user self-monitoring or by the Control Authority, to identify any violations of pretreatment requirements. Whenever there is a violation, the Control Authority must take appropriate enforcement action, as defined in its ERP. After this initial enforcement response, the Control Authority should closely track the industrial user's progress toward compliance by increasing the frequency of user self-monitoring, increasing the POTW's monitoring, or both.

When follow-up activity indicates that the violations persist or that satisfactory progress toward compliance is not being made, the Control Authority is required to escalate its enforcement response in accordance with the procedures established in its ERP. At a minimum EPA expects POTWs to address SNC with an enforceable order that requires a return to compliance by a specific deadline. When this enforceable order involves a compliance schedule, the industrial user remains in SNC during the period of the schedule (unless the facility returns to compliance prior to the end of the schedule). For example, if the duration of the schedule is two years, the facility should be published in both years. Of course, the POTW should explain in its publication that the violations have been addressed with a formal enforcement action (similar to a "resolved pending" listing on the Quarterly Noncompliance Report).

The definition of SNC provides a benchmark against which the compliance status of an industrial user and the enforcement activities of POTWs can be measured. The concept of significant noncompliance plays a pivotal role in the implementation and enforcement of the National Pretreatment Program. In order for the definition to succeed, it is critical that each Control Authority apply it on a consistent basis. If you have any further questions on this issue, please feel free to call me at (202) 260-5850. The staff person familiar with these issues is Lee Okster at (202) 260-8329.

cc: Cynthia Dougherty

Regional Water Compliance Branch Chiefs Regional Pretreatment Coordinators Lead Regional Pretreatment Attorneys



Memorandum

To: Office of Compliance and Enforcement, Water Quality NPDES and WPCF Permit Writers, and Regional Permit Managers

From: Water Quality Permitting and Program Development

Date: January 30, 2023

Subject: Compliance with Public Notification requirements for pretreatment program modification and Significant Noncompliance

Situation

This memo addresses future inconsistencies with compliance and enforcement issues related to public participation requirements for the industrial pretreatment program under the Oregon National Pollutants Discharge Elimination System and Water Pollution Control Facilities permits.

Background

The Oregon NPDES and WPCF permittees with approved pretreatment programs are required to public notice substantial pretreatment modifications locally, consistent with requirements of 40 CFR Part 403.18. In addition, the previous DEQ wastewater discharge permit Schedule E, Section 11 "Public Notice of Significant Noncompliance" states "The permittees must publish annual notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the permittee of industrial users which, at any time during the previous 12 months, were in significant noncompliance with applicable pretreatment requirements…"

It has been the general practice by POTWs to publish pretreatment program related notices in their local newspaper. Recently, DEQ has been notified that some communities are transitioning from newspaper to electronic media, making newspaper publishing no longer available for use. Considering this change, DEQ revised this specific Schedule E section of the permit "Public Notice of Significant Noncompliance" for future permits to include language to allow other media publishing by permittees.

Assessment

For consistency between permits already containing the previous requirement reflecting newspaper only publishing and permits containing the revised language allowing other media is used in lieu of newspaper publishing, DEQ will not base any exercise of noncompliance enforcement on this specific permit condition.

DEQ bases the decision to revise the permit on the following federal regulations:

40 CFR 403.8(f)(2)(viii)

Comply with the public participation requirements of <u>40 CFR part 25</u> in the enforcement of National Pretreatment Standards.

40 CFR part 25

Public participation in programs under the resource conservation and recovery act, the safe drinking water act, and the clean water act.

40 CFR 124.10(c)(2)(iv)

For NPDES major permits and NPDES general permits, in lieu of the requirement for publication of a notice in a daily or weekly newspaper, as described in paragraph (c)(2)(i) of this section, the Director may publish all notices of activities described in paragraph (a)(1) of this section to the permitting authority's public website. If the Director selects this option for a draft permit, as defined in § 122.2, in addition to meeting the requirements in paragraph (d) of this section, the Director must post the draft permit and fact sheet on the website for the duration of the public comment period.

Recommendation

DEQ recommends approved pretreatment programs that currently have a permit requirement to public notice Significant Noncompliance and program modifications in a newspaper to proceed with alternative media publishing if newspaper publishing is no longer available in their jurisdiction. When no local newspaper is available for a permittee to meet notice requirements, the situation constitutes force majeure, and the permittee is not in violation of the permit if it provides notice as required by the permit using alternative media.

If you have questions regarding this matter, contact DEQ's Pretreatment Coordinator, Etsegenet Belete at 503-229-5586 or <u>etsegenet.belete@deq.oregon.gov</u>.

Zachary J Loboy Zachary J Loboy (Jan 31, 2023 08:14 PST)

Zach Loboy Interim Water Quality Permitting and Program Development Manager

01/31/2023

Date

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