



DIVISION OF SURFACE WATER PRETREATMENT PROGRAM INDUSTRIAL USER VIOLATION REPORTS

Publicly owned treatment works (POTWs) with approved pretreatment programs are required by their NPDES permits to submit quarterly reports to Ohio EPA listing industrial users that have been in violation of pretreatment requirements of their sewer use ordinance and describing actions that have been taken to resolve these violations. The report should describe compliance and enforcement activities which occurred during the previous three months. Significant noncompliance (SNC) should be calculated using sampling information obtained during the prior six months. In the case of an industry with continuing related violations, the report should include all enforcement actions taken to resolve the violation(s) since the violations were first noted. An industrial user is to remain on the report until the violation has been resolved.

Reports should be mailed to Ohio EPA prior to the due date specified in their NPDES permits at the following address:

Ohio EPA
Division of Surface Water
Pretreatment Unit
PO Box 1049
Columbus, OH 43216-1049

FORMAT

The industrial user violation report should be submitted on Forms QR-1 through QR-3. These forms may be altered or adapted to fit any word processing capabilities of the POTW provided all information is included. The report shall be submitted on standard size 8.5 by 11 inch paper. Reports not containing the required information will be considered incomplete and, if not corrected, may result in enforcement action against the POTW.

Where an approved pretreatment program includes more than one wastewater treatment plant, the information should be provided separately for each plant. The industrial user violation report is to be prepared as follows:

Industrial User Violation Report Certification Form QR-1:

This form provides basic information about the POTW submitting the report, including the person to contact regarding information submitted in the report. The designated person should be the primary contact for the pretreatment program for communications between

Ohio EPA and the approved pretreatment program. The official signing the certification on this form must be a principal executive officer, ranking elected official or other duly authorized employee. The duly authorized employee must be an individual or position having responsibility for the overall operation of the facility or the Pretreatment Program. This authorization must be made in writing by the principal executive office or ranking elected official, and submitted to the Ohio EPA prior to or together with the report being submitted.

Industrial Users in SNC During Current Quarter Form QR-2:

Facility name and address: List the names and addresses of all industrial users in violation during the most recent quarter.

Description of Violation(s): Provide a brief summary of the violation, including parameter(s) violated, the monitoring result, the date the violation occurred, the limit or whether the violation was a reporting or compliance schedule violation.

SNC (Y/N): Indicate yes (Y) or no (N) whether the facility is in significant noncompliance (SNC). Example SNC calculations are provided at the end of these instructions. Significant noncompliance is defined in 40 CFR 403.8(f) and 3745-3-03(h), paraphrased below:

- (1) Sixty-six per cent or more of all the measurements taken for the same pollutant parameter at any permitted monitoring point during a six-month period exceed a numeric pretreatment standard or requirement, including instantaneous limits;
- (2) Thirty-three per cent or more of all of the measurements taken for the same pollutant parameter at any permitted monitoring point during a six-month period equal or exceed the product of the numeric pretreatment standard or requirement including instantaneous limits, multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- (3) Any other violation of a pretreatment standard or requirement as defined by paragraph (N) of rule 3745-3-01 of the Administrative Code that the control authority 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);
- (4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or the environment or has resulted in the POTW's exercise of emergency authority to halt or prevent such a discharge;
- (5) Failure to meet, within ninety days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order;
- (6) Failure to provide, within forty-five days after the due date, reports required by the control authority;

(7) Failure to accurately report noncompliance; or

(8) Any other violation or group of violations, including a violation of BMPs that the control authority determines adversely affects the operation or implementation of the local pretreatment program.

Only above paragraphs 3, 4 and 8 apply to non-significant industrial users. All above paragraphs apply to significant industrial users. Evaluation of Significant Noncompliance must include all relevant sampling results and other requirements for the entire six month period covered by the report.

Chronology of Enforcement Events: Provide a description of the actions taken to correct the violation. An “event” is any conversation, meeting, written correspondence, hearing, order or court proceeding involving the facility in violation.

Comments: This section should be used to include any additional information of importance that was not included under the other headings. If more space is needed, please include a reference to another page with additional comments.

Significant Industrial Users in SNC, Without New Violations This Quarter

Form QR-3:

Use this form to provide a list of all significant industrial users in significant noncompliance during the most recent quarter, which did not appear on FORM QR-2 because no new violations occurred during the quarter. The determination of SNC is necessary regardless of whether there were new violations or whether monitoring was performed during the most recent quarter. Refer to the definition of SNC in the instructions for Form QR-2. For each SIU listed, provide a description of violations, chronology of enforcement events, and comments as described in the instructions for Form QR-2.

Example SNC Determinations

(To be done at the end of each program quarter for the previous six-month period)

<p><u>Lead Limit is:</u></p> <p>Daily Maximum - 0.6 mg/l 4-day Average - 0.4 mg/l</p> <p>Step #1: Establish the Technical Review Criteria levels.</p> <p>TRC for Daily Maximum: 0.6 mg/l x 1.2 = 0.72 mg/l TRC for 4-day Average: 0.4 mg/l x 1.2 = 0.48 mg/l</p>

EXAMPLE #1

Sample Dates	1/6	1/18	2/12	3/19	4/9	5/1	5/12	6/6
Results	0.3	0.1	0.5	0.2	0.7	0.2	0.1	0.2
	4-day average = 0.275				4-day average = 0.3			

1 out of 8 measurements (12.5%) exceed the daily maximum limit which is **not SNC**.
 0 out of 8 measurements (0%) exceed the daily maximum TRC which is **not SNC**.
 0 out of 2 measurements (0%) exceed the 4-day average limit which is **not SNC**.
 0 out of 2 measurements (0%) exceed the 4-day average TRC which is **not SNC**.

Conclusion: Facility is not in SNC

EXAMPLE #2

Sample Dates	1/7	1/11	2/10	3/17	4/8	5/2	5/16	6/8
Results	0.7	0.7	0.1	0.8	0.8	0.7	0.1	0.6
	4-day average = 0.575				4-day average = 0.55			

5 of 8 measurements (62.5%) exceed the daily maximum limit. 62.5% < 66% - **Not SNC**.
 2 of 8 measurements (25%) exceed the daily maximum TRC. 25% < 33% - **Not SNC**.
 2 of 2 measurements (100%) exceed the 4-day average limit. 100% > 66% - **Chronic SNC**.
 2 of 2 measurements (100%) exceed the 4-day average TRC. 100% > 33% - **SNC for TRC**.

Conclusion: Facility is in SNC for chronic exceedences of the daily maximum limit, 4-day average limit, and for meeting the TRC for the 4-day average limit.

EXAMPLE #3

Lead Limit is:

Daily Maximum - 0.6 mg/l
 30-day Average - 0.4 mg/l

Step #1: Establish the Technical Review Criteria levels.

TRC for Daily Maximum: $0.6 \text{ mg/l} \times 1.2 = 0.72 \text{ mg/l}$
 TRC for 30-day Average: $0.4 \text{ mg/l} \times 1.2 = 0.48 \text{ mg/l}$

Sample Dates	1/7	1/11	2/10	3/17	4/8	5/1	5/12	5/26	6/8
Results	0.7	0.7	0.1	0.8	0.8	0.5	0.7	0.1	0.7
30-day avg =	0.7		0.1	0.8	0.8		0.43		0.7

6 of 9 measurements (66.7%) exceed the daily maximum limit. $66.7\% > 66\%$ - **Chronic SNC.**

2 of 8 measurements (25%) exceed the daily maximum TRC. $25\% < 33\%$ - **Not SNC.**

5 of 6 measurements (83.3%) exceed the 30-day average limit. $83.3\% > 66\%$ - **Chronic SNC.**

4 of 6 measurements (66.7%) exceed the 30-day average TRC. $66.7\% > 33\%$ - **SNC for TRC.**

Conclusion: Facility is in SNC for chronic exceedences of the daily maximum limit, 30-day average limit, and for meeting the TRC for the 30-day average limit.

EXAMPLE #4

Sample Dates	1/7	1/11	2/10	4/1	4/8	4/11	4/12	4/26	6/8
Results	0.7	0.7	0.1	0.8	0.5	0.5	0.7	0.1	0.7
30-day avg =	0.7		0.1		0.52			0.7	

5 of 9 measurements (55.6%) exceed the daily maximum limit. $55.6\% < 66\%$ - **Not SNC.**

1 of 8 measurements (12.5%) exceed the daily maximum TRC. $12.5\% < 33\%$ - **Not SNC.**

3 of 4 measurements (75%) exceed the 30-day average limit. $75\% > 66\%$ - **Chronic SNC.**

3 of 4 measurements (75%) exceed the 30-day average TRC. $75\% > 33\%$ - **SNC for TRC.**

Conclusion: Facility is in SNC for chronic exceedences of the 30-day average limit and for meeting the TRC for the 30-day average limit.

EXAMPLE FORM ENTRY

FACILITY NAME AND ADDRESS	DESCRIPTION OF VIOLATION(S)	SNC Y or N	CHRONOLOGY OF ENFORCEMENT EVENTS	COMMENTS
<p><i>Shiny-Brite Plating Co. 24 Heavy Metal Way Chrome City, OH 54321</i></p>	<p><i>6.32 mg/l Chromium on May 3, 2012 (limit =2.77). Failure to notify within 24 hours of becoming aware of violation.</i></p>	<p align="center"><i>N</i></p>	<p><i>NOV sent July 15, 2012</i></p>	<p><i>NOV requires IU to provide explanation and corrective actions. NOV includes a \$300 penalty as called for by the City's ERP (\$100 for failure to report and \$200 for the limit violation)</i></p>