

Department of Ecology
Water Quality Program

Date: August 7, 2019

To: David Bowen, Section Manager, Water Quality Program, CRO *DBB*

Through: James Leier, Technical Unit Supervisor, Water Quality Program, CRO *J.L.*

From: Donna L. Smith, Senior Water Quality Compliance Specialist *DS*

Subject: Pretreatment Approval Recommendation

The purpose of this memo is to recommend approval of the City of Kennewick Pretreatment Program through the issuance of Administrative Order of approval (DE #16609) to the City and a requirement to implement and enforce the pretreatment program will be added, by minor modification, to City of Kennewick NPDES permit No. WA0044784.

The National Pretreatment Program was designed to be developed, implemented, and enforced primarily by the municipal entities that own or operate wastewater treatment facilities. The General Pretreatment Regulations, set out at 40 Code of Federal Regulations (CFR) Part 403, establish uniform federal requirements that apply to wastewater treatment facilities that meet the definition of "Publicly Owned Treatment Works" (POTW) and to the industrial users that discharge to them. Any POTW with a total design flow of greater than 5 Million Gallons per Day and receiving waste from dischargers subject to federal pretreatment standards and requirements must establish a pretreatment program. The City of Kennewick POTW meets the 5 MGD design flow and receives waste from regulated industrial facilities.

Each pretreatment program is evaluated for completeness according to the criteria set out in the General Pretreatment Regulations. An approved program must contain six general elements. They are:

1. Legal Authority to implement and enforce program requirements through a sewer use ordinance or similar authority.
2. Local Discharge Limits developed using site-specific data in order to protect the collection system, treatment plant, POTW employees, sludge reuse and disposal practices and the receiving water.
3. Industrial User Inventory to provide current information on the sources, nature, and volume of industrial discharges.
4. Control Mechanism such as permits to ensure that industrial users comply with pretreatment standards and requirements.
5. Compliance Monitoring procedures including inspections, sampling of industrial users, and data management.
6. Enforcement Response Plan to facilitate swift and effective enforcement against industrial users violating the sewer use ordinance and/or control mechanism conditions.

The City has been diligently proceeding with developing its program, as described below.

- On November 17, 2017, Ecology issued Administrative Order No. 15446 requiring development of the program and the submittal of the Request for Pretreatment Delegation by December 4, 2018.
- City of Kennewick submitted its Request for Pretreatment Delegation on December 6, 2018. Over several months, Ecology reviewed the submittal for completeness as described above and provided feedback to the City. The City made necessary changes to its submittal and a final was received on May 30, 2019. I have reviewed the final submittal and found that it adequately includes the six general elements.
- The City's NPDES permit required that the program be implemented by May 1, 2019. The city requested that its permit be modified to delay implementation to September 19, 2019 due to staffing issues at the city. Ecology modified the permit as such on April 2, 2019.
- Public Notice of the proposed delegation was published on June 28, 2019 and July 5, 2019. The 30-day comment period ended on August 5, 2019. No comments were received.

Based upon the above information, I recommend that Ecology approve City of Kennewick's Pretreatment Delegation, that we issue an Administrative Order DE#16609 approving the program, and that the City's NPDES permit be modified to reflect this approval.