

works (POTWs). This year, the pretreatment compliance inspection focused on King County's recently drafted proposed modifications to its pretreatment ordinance.

Review of Files

The Department of Ecology inspector reviewed three industrial user permittee files during this inspection. The files reviewed were those for Marine Vacuum Service, Inc., National Industrial Concepts, and Rexam Beverage Can Company. As a result of the file review, the Department of Ecology has determined that King County is effectively implementing the requirements for administering a delegated pretreatment program. The permit files examined were well organized, complete, and contained information that indicated that King County was taking timely and effective enforcement action. The Department of Ecology also determined, based on the file review, that King County is continuing to issue industrial user permits in a timely fashion, and determined that the permits contain all necessary elements. The permit files contained analytical report records for a minimum of two samples collected during calendar year 2008 for each industrial user. The industrial user files also contained records for at least one inspection (but usually more), for each of the industrial users for 2008. The inspection reports indicated that King County has evaluated (and continues to evaluate on an ongoing basis) the need for slug discharge control plans in accordance with the recent "Pretreatment Streamlining" amendments to 40 CFR Part 403. Each of the three permits contained a document which King County had evaluated, and determined to fulfill the requirements of slug discharge control plan.

Issues Related to Industrial Plating Spill

On March 25, 2008, catastrophic failure of a wooden tank located at Industrial Plating resulted in a spill of metal finishing wastewater containing high concentrations of cadmium, copper, and nickel to the sanitary sewer. An investigation by Department of Ecology's Hazardous Waste and Toxics Reduction (HWTR) Program after the spill indicated Industrial Plating had inadequate containment volume within the spill containment structure surrounding the tank. The State of Washington Dangerous Waste Regulations (WAC 173-303) specify that secondary containment surrounding such tanks must be capable of containing no less than 110% of the volume of the tanks within the containment area. The HWTR investigator also determined that storage of high pH wastewater within the tank was a probable contributor to the failure of the tank, as high pH environments compromise the structural integrity of wood.

My review of existing King County Permits indicated that the permits (including the permit issued by King County Industrial Waste to Industrial Plating) have an appropriate specification for secondary containment which explicitly includes a requirement for containment capacity of 110% of the volume of process chemicals within the enclosed area. King County is working to refine its inspection procedures to ensure identification of deficiencies in spill containment during inspections, and follow-up enforcement.

King County issued a Notice of Violation to Industrial Plating, and a Notice of Penalty is pending. The delay in imposition of the penalty has been a result of various appeals procedures of which Industrial Plating has availed itself of. The Department of Ecology's Hazardous Waste and Toxics Reduction (HWTR) Program issued a Notice of Penalty, under which a \$101,000 penalty was levied, on June 2, 2009.

King County noted that the Industrial Plating spill highlighted an issue regarding the division of authority between the Department of Ecology's HWTR Program and King County Industrial Waste. This issue is discussed in greater detail in the next section.

Issues Related to Jurisdictional Boundaries between Department of Ecology's Hazardous Waste and Toxics Reduction Program and King County Industrial Waste

WAC 173-303-071(3)(b) contains a provision under which "*Owners or operators of certain industrial wastewater treatment systems may qualify for a permit-by-rule pursuant to WAC 173-303-802(5).*" Due to the presence of dangerous wastes at some permitted industrial user's sites, King County Industrial Waste is necessarily involved in certain regulatory activities in which it administers regulations applicable to the storage or handling of substances which are not only industrial wastewater, but also defined as *dangerous waste* under WAC 173-303. This provision does not create an exclusion for the industrial discharger from complying with other Dangerous Waste Regulations of WAC 173-303. The Department of Ecology's HWTR inspectors retain full authority to

inspect and enforce all applicable WAC 173-303 regulations prior to the point where the wastewater is discharged to the sanitary sewer. Therefore the HWTR Program has wide authority with respect to inspection and regulation of the conditions of generation, storage, and treatment of dangerous wastes at all points within the industrial user's plant.

King County Industrial Waste staff met with the Department of Ecology Hazardous Wastes and Toxics Reduction program to discuss this issue. Doug Knutson, Department of Ecology's Water Quality Program industrial pretreatment coordinator, discussed the results of the meeting with Dave Misko (WDOE-HWTR) following the meeting. The following is a description of the Department of Ecology's interpretation of the regulations affecting the scope of authority of King County and the Department of Ecology's HWTR Program:

The authority given to Department of Ecology's HWTR Program has little limiting effect on the authority of King County to administer its ordinance and regulations on the generation, storage, or treatment of wastewaters on an industrial user's site, even if such wastewaters also happen to be dangerous waste. Therefore, King County Industrial Waste Program and Department of Ecology have co-authority with respect to certain wastewaters at the industrial user's site. In specific applications in which the two regulations are not the same, the most stringent of the two regulations is limiting. For example, if King County required 100% containment around vessels containing dangerous waste, and if HWTR required 110% containment, the effective regulation would be the 110% containment requirement, and it would be enforced by HWTR. Occasionally the most stringent of two regulatory requirements may be difficult to ascertain. For example, if King County required an industrial user to use polypropylene bungs, and the HWTR program had a requirement to use natural rubber bungs, the King County Industrial Waste Program and HWTR would be expected, and are willing, to work together on a case-by-case basis to determine the best approach.

King County's regulations are not required to be the same as the Dangerous Waste Regulations, and King County is not expected to have an exhaustive knowledge of the extensive provisions of WAC 173-303. However, in order to avoid confusion on the part of the regulated community, it can be considered to be advantageous, and the Water Quality Program recommends, that King County Industrial Waste Program, adopt requirements and guidelines which are at least not inconsistent with HWTR requirements. King County has already done this in many areas, (e.g. using the same 110% spill containment requirement employed in WAC 173-303). King County already places a number of requirements in its permits which either mirror, or are at least consistent with WAC 173-303 regulations. The Department of Ecology's HWTR Program has, in recent cases, found these provisions to be very helpful in the prosecution of some of their enforcement actions, and King County is encouraged to continue the practice.

Despite the co-authority relationship, there are many areas in which one or the other of the two authorities will have greater authority and interest. For example the HWTR program would be more concerned with time limits on the duration of storage of dangerous waste than King County. On the other hand, King County would be more concerned with designating discharge sample points to be in compliance with provisions of 40 CFR Part 403 and the related categorical limitations. In cases in which one of the two authorities identifies compliance issues which they consider primarily of interest to the other agency, they are encouraged to contact the other agency regarding their observations. As a result of the June 2009 meeting between the King County Industrial Waste Program and the Department of Ecology HWTR Program, the two programs agreed to increase communication with respect to these compliance issues. The two programs also agreed to conduct a number of joint inspections of sites subject to the hazardous waste exclusion.

In practice, any attempt to delineate specific areas of jurisdiction would be frustrated because many methods of treatment, particularly batch methods, constitute *de facto* storage, and many methods of storage have potential impacts on the POTW due to potential inadvertent releases (*i.e.* spills) from storage areas. In light of this observation, the Water Quality Program envisions a large scope of authority for King County, and a large overlapping scope of authority for the Department of Ecology's Hazardous Waste and Toxics Reduction Program, although both programs are limited to enforcing their respective codes/regulations. Therefore, for practical matters, the two programs (King County Industrial Waste and Department of Ecology Hazardous Waste and

Toxics Reduction Program) largely act in a co-jurisdictional capacity over the process flow chart from generation through treatment and discharge to the sanitary sewer.

Issues Related to the Discharge of Construction Wastewater by Sound Transit

The Department of Ecology became aware approximately one year ago that King County had experienced difficulty enforcing its pretreatment requirements related to solids in construction wastewater, in discharges from Sound Transit. As a result of these difficulties, the possibility of assigning Sound Transit's contractors co-permittee status was broached. The Department of Ecology (Doug Knutson) inspector noted during this inspection, that it is normal procedure by regulatory agencies to determine the responsible party or principal regarding an action to be regulated, and to assign ultimate responsibility for compliance to that principal, as a single permittee. Nevertheless, the Department of Ecology has itself, issued permits on a co-permittee basis, under certain circumstances. Although the Department of Ecology does not, as a general practice, endorse the procedure, it also does not find a compelling legal reason to determine that the practice is lacking in a legal basis or precedent, particularly in cases in which there is a compelling reason to do so. RCW 90.48 requires that persons who discharge to Waters of the State of Washington (in this context including discharges to POTWs) to have a permit. Normally, the State of Washington considers the principal to be the business generating the waste and treating the waste to be the party requiring a permit. In cases in which the two parties are different, the party generating the waste would normally be considered to be the ultimately responsible party. Nevertheless, the language of 40 CFR Part 122.21(b)(3) appears to give specific authority, if not a preference, that the permittee (literally the "applicant" in the regulation) be the *operator*, in cases in which the two parties are different. It is arguable whether 40 CFR Part 122.21 should be construed as being applicable only to NPDES permits, and not to state waste discharge permits or their equivalent permits issued by delegated pretreatment programs. Nevertheless, the provision may be taken as an indication of the acceptability under the Clean Water Act as interpreted by USEPA, of the concept of issuing one class of permits (NPDES permits) to operators of treatment works, as opposed to the owners. Based on these considerations King County has considerable latitude regarding the issuance of permits to owners, operators, or both parties.

The Department of Ecology had considered, in consultation with USEPA, writing a letter to King County informing the County of the Department of Ecology's willingness to undertake a separate enforcement action against Sound Transit, if violations persisted, and if King County was unable to take appropriate enforcement action. However, this measure appears to be unnecessary at this time, as King County has reported greatly improved compliance by Sound Transit.

Issues Related to BOD Loading from SeaTac Airport

During the course of this inspection neither King County nor the Department of Ecology raised the issue of high BOD loadings from Seatac Airport. However, the Department of Ecology inspector became aware of the magnitude and significance of these loadings after the inspection. The Department of Ecology permit writer, of for King County's South Plant (aka Renton Plant) informed the Department of Ecology industrial pretreatment inspector that de-icing-laden discharges from Seatac Airport during the winter of 2008-2009 were likely to be responsible for effluent concentrations at King County's South Plant which were on the cusp of producing a violation of the monthly average BOD₅ effluent limitation of 30 mg/L. The Department of Ecology interprets King County's existing ordinance and its proposed ordinance as giving King County sufficient authority to regulate the BOD discharges from Seatac Airport, by virtue of the fact that both ordinances contain provisions under which discharges causing pass through and interference are prohibited. The permit issued by King County to the Port of Seattle appeared to have no explicit limitation for BOD₅ loading, despite the fact that it is becoming apparent that BOD is the main pollutant of concern from this source. Although the main source of BOD from the airport appears to be de-icing solutions, additional BOD comes from toilet holding tank discharges from aircraft. It appears that King County and the airport have used a system of daily consultation (as opposed to permit limitations) during critical de-icing periods to control BOD loadings. Since BOD loading from Seatac Airport has become a critical issue with respect to NPDES compliance by the South Plant, King County will probably need to reconsider whether the present informal structure is a sufficient way to regulate this critical discharge. The Department of Ecology contacted King County in late July 2009 to encourage King County to evaluate the effectiveness of, or lack of BOD limitations in the existing Seatac Airport permit. King County agreed to re-evaluate these limits.

Molybdenum Sources Identified - Voluntary Control Program Initiated

In 2008 King County worked on identifying molybdenum sources to the sanitary sewer, in an effort to develop control strategies to lower molybdenum concentrations in sludge. The use of molybdate-based corrosion inhibitors in cooling towers was identified as a significant source of molybdenum. King County is in the process of requesting that industries implement a voluntary BMP program to reduce the molybdenum loading to the King County POTW.

Sludge Mercury Assays Stabilize

King County initiated a dental waste program in 2001. The concentration of mercury in King County sludge declined by approximately 50% between 2000 and 2008. Based on the last several years of data it appears that mercury sludge assays have stabilized in the vicinity of 1.4 mg/kg dry weight. The reduction in mercury sludge assays over nearly a decade appears to indicate that the dental waste program has been successful.

Final Local Limits for the Carnation Treatment Plant

King County began operation of the Carnation Treatment Plant in May 2008. The Department of Ecology (in a letter of December 2, 2008) approved the use of King County's existing local limits for the Carnation plant, as interim local limits, after King County demonstrated their reasonableness and adequacy, based on a number of assumptions which had to be made due to the lack of the operating data for the new plant.

There are two discharge regimes from the Carnation plant. Direct discharge to the Snoqualmie River is the backup discharge mode. The direct discharge to the Snoqualmie River is authorized under an NPDES permit issued April 15, 2008. In the case of an NPDES permit, the Department of Ecology performs a reasonable potential analysis which involves a determination of whether there is a reasonable potential for a wastewater treatment plant to discharge wastewaters which contain concentrations of priority pollutant metals which are likely to exceed water quality standards, taking into consideration any dilution zone which has been granted to the permittee. However, the Carnation Treatment Plant is a new wastewater plant and no historical data was available on which to base a reasonable potential analysis. Therefore, the existing NPDES permit for the Carnation Plant does not contain numeric limitations for metals. For purposes of calculating the local limit for a POTW, delegated pretreatment programs are required to establish local limits to prevent exceedence of the water quality standards, and can include the mixing zone granted in the NPDES permit in this calculation. The dilution factor calculated for use in analysis of limitations for the Carnation plant was 10.3, based on acute criteria, and 150, based on chronic criteria. King County will be able to perform the local limits calculation for final effluent limits based on direct discharge, once enough analytical data on plant removal rates, headworks loadings, and receiving water become available.

The wetlands discharge from the Carnation Plant, which is intended to be the main mode of discharge, is not authorized under an NPDES permit, but rather a Reclaimed Water permit, which is a type of state waste discharge permit. King County noted in its annual report March 2009, that they are uncertain how to approach the water quality-limited calculations for the discharge to the wetlands. The limitations in the Reclaimed Water permit are primarily based on state Class A Reclaimed Water criteria. There are no metals standards in the Class A reclaimed water criteria, and there are no numeric metal standards in the Reclaimed Water permit. However, water may intermittently (during the wet season) overflow to the Snoqualmie River from the wetland, and there is expected to be a degree of hydraulic continuity between the wetland and the Snoqualmie River. A mixing zone is not authorized in any such discharges from the wetland to the Snoqualmie River. However, it is the Department's understanding that approximately 80% to 90% of the water from the wetland is estimated to be due to stormwater and natural groundwater, with significant seasonal variation. It should also be taken into account that any wastewater which reaches the Snoqualmie River will have been subjected to not only to treatment in the conventional POTW plant, but also to additional processes (roughly analogous to those of a facultative lagoon) which are likely to provide significant metals removal. Water which reaches the Snoqualmie River by means of groundwater hydraulic continuity will be subject to additional metals removal from natural process associated with flow through the soil. The quantification of these effects for utilization in a water quality-based maximum allowable headworks analysis for local limits calculation would be complex, and the validity of the results uncertain. Part of the rationale covering the discharge to wetlands under a reclaimed water permit, as opposed to an NPDES permit, is based on the classification of the water being discharged as a reclaimed water,

as opposed to a wastewater. It is unclear the extent to which the Clean Water Act considered such wastewaters to be subject to the pretreatment provisions of the Clean Water Act. The Reclaimed Water permit issued to Carnation contains a pretreatment provision, only to the extent of requiring compliance with the delegated pretreatment section contained in the NPDES permit for the Carnation Plant. Given these considerations, the Department of Ecology will be satisfied if King County uses the Class A Reclaimed Water criteria, in addition to Water Quality based criteria in which the rational basis of analysis includes a consideration of stormwater/groundwater dilution and typical removal rates for facultative ponds. The Department of Ecology does not expect King County to use a thorough modeling methodology for the above analysis, but King County should at least perform an a straightforward analysis using the above-mentioned storm and groundwater dilution factors, and wetland removal rates based on facultative lagoon performance, prior to discharge to the Snoqualmie River. The Department of Ecology does not intend to give King County detailed instructions on how to perform the analysis, but expects that King County can determine and apply rational methods to this end.

Review of Proposed Changes to King County Code Title 28.82 and 28.84

The Department of Ecology has reviewed the changes which King County has proposed to make to the King County Code, to make it consistent with the recently-promulgated Streamlining amendments to 40 CFR Part 403. King County has also proposed a number of changes to its code which are intended to clarify certain provisions of the existing code, but which are not related to the Streamlining amendments to 40 CFR Part 403. The Department of Ecology has examined the proposed changes for purposes of considering whether they are *substantial* with respect to the Public Notice requirements of 40 CFR Part 403. The changes which have been made as a result of changes in 40 CFR Part 403 are considered to be *non-substantial*, as they meet the provision of 40 CFR Part 403.18(b)(1), under which changes to a pretreatment ordinance which reflect changes to 40 CFR Part 403, are considered to be *non-substantial*. The other non-Streamlining-related changes, which are largely minor in nature, are considered to be *non-substantial*, largely under the criterion that they do not result in a reduction in stringency in the King County pretreatment program.

The Department of Ecology considers the proposed revisions in the King County Code to be approvable, and King County is authorized to take the proposed ordinance before the King County Council for adoption. The first proviso to this approval is that King County should check the signatory authority provision and change its proposed definition of *manager* to ensure that it is at least as limiting as the language contained in 40 CFR Part 40 CFR Part 403(1)(i)(ii). The second proviso to this approval is that, in order to make King County's permits at least as stringent as state waste discharge permits, King County should place a provision in its code authorizing King County to require technology-based limitations in its permits. The basis for this proviso to the approval is discussed further in the section below in which technology-based limitations are discussed.

A listing of changes which King County has proposed to be made to its Code is found in the table below:

Changes in King County Code Title 28.82 and Title 28.84	
Citation in King County Code	Description of Proposed Change
28.82.820(a)(b)(c)	Violation of BMP provisions can be SNC, violation of instantaneous limits can be SNC,
28.82.050(d)	The definition of authorized representative changed to allow certain authorized representatives to be signatory authorities. The Department of Ecology noted in its review that King County had truncated the "manager" language and recommends that King County make sure this change is intended.
28.82.060 (definition), 28.82.060F.1 28.82.060 N.d 38.82.820 (definition of SNC) 28.820 J.12	BMP is defined. A BMP is established as a possible type of local limit. When a BMP is a categorical limit, the industrial user must submit periodic documentation to demonstrate compliance. Violation of the BMP requirement is a possible type of SNC.

28.84.060 L.6&7	Allows exemption of categorical users from requirements to sample for "pollutants not present". Establishes criteria for demonstrating the pollutants to be "pollutants not present". Testing is still required for such pollutants once each five years.
28.82.300, 28.84.060 F.3, 28.84.060 J.1	No changes are needed as ordinance already authorizes the issuance of general permits.
28.82.570 28.82.810 28.84.060 L.6&7	These provisions define Non-significant Categorical Industrial User (NSCIU), and establish requirements to demonstrate status as an NSCIU. The reduced sampling frequencies and inspection frequencies set forth in 40CFR Part 403.8(f)(2) are enumerated.
28.84.060 N.2	Changes definition of newspaper in which SNC notice must be made to a newspaper providing a "meaningful notice", as opposed to daily newspaper with the largest circulation.
28.82.810	The definition of Significant Non-Compliance (SNC) is changed to remove non-SIUs with chronic violations or which meet technical review criteria. SNC criteria for late reports changed to apply to SIU's, and is extended to 45 days (from the existing 30 days).
28.82.230 28.82.82.250 28.82.350 28.82.260	This non-streamlining provision authorizes King County to regulate septage which is hauled from businesses to the "POTW treatment plant". This change entailed inclusion of a definition for "POTW treatment plant" to distinguish it from POTW, since this change applies to wastewaters which are hauled to the POTW.
28.82.490	This non-streamlining change removes the definition of "county", and defines the terms "County" and "King County".
28.84.060 J.5.i.	This non-Streamlining-related change, changes procedures from sending drafts of discharge permits to the Department of Ecology to the practice of sending final permits to the Department of Ecology. The change codifies the current procedure.
28.84.060 J.7	Holders of discharge authorizations (permits with reduced provisions issued to non-SIU/ non-CIU permittees) must apply 90-days in advance, as opposed to the existing requirement of 180 days. This is a non-Streamlining-related amendment.
28.84.060 K.13	This non-Streamlining change clarifies that a written agreement between owners is required to transfer a permit, and authorizes King County to ensure that proper signatures are on reports.
28.84.060 N.d.	This non-Streamlining-related change makes definitions of violations consistent with definitions of violations contained in the penalty section.
28.84.060 M.4.c.	This non-Streamlining-related change authorizes the Director to define domestic waste strength so that a change in the ordinance will not be required if typical domestic strength changes due to installation of water conserving devices in homes.
28.84.060 N.3.	This provision formerly contained a "grandfather" clause (exemption) regarding compliance by industrial users which had been subject to pre-1999 local limits. As permit durations are no greater than five years, this clause is no longer applicable to any permit-holders.
Public Rule 1- 13.6.1.6.2.	This non-Streamlining change does not need to be changed in the ordinance. However, the Public Rule (essentially a regulation), authorizes the use of results from samples composited in conformance with 40 CFR Part 136 procedures, in addition to by use of the arithmetic mean of non-composited samples, for determining compliance with the Fats, Oils and Greases standards.
28.84.100A	This non-Streamlining amendment requires that permittees requesting relief must state the grounds for their request

Issues Related to Technology-Based-Permit Requirements

State regulations (WAC 173-216-110(a)) require that state waste discharge permits issued by the state must require that industrial user permittees' discharges be consistent with AKART (All Known Available and Reasonable Methods of Prevention, Control, and Treatment). Under WAC 173-208-090(1), delegated pretreatment permit programs must be administered under rules at least as stringent as those administered by the State of Washington. King County does not explicitly place technology-based limitations in its wastewater permits. Despite this, it appears that the great majority of permits issued by King County contain permit limitations that are consistent with federal categorical pretreatment regulations, such as those for electroplating, metal finishing, coil coating, and centralized waste treatment categories. The federal categorical regulations

WA Department of Ecology


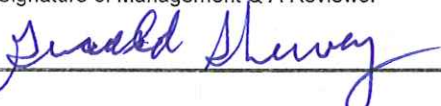
inspected by Doug Knutson

contain limits which were developed using a technology basis (i.e. based on economic feasibility). Normally the Department of Ecology considers these technology-based limitations to be consistent with state of Washington requirements, which specify that discharges to POTWs be consistent with state AKART (All Known Available, and Reasonable Methods of Prevention, Control, and Treatment) requirements. The Department of Ecology normally does not apply the AKART requirements to the discharges from industrial users to the POTW of BOD₅, and TSS, based on the reasoning that the POTW is specifically designed to treat these pollutants, and can be expected to treat them under normal circumstances, at lower costs, due to the economies of scale operative at POTW plants.

King County is not required to specifically adopt the term "AKART" or to use the same technology-based standards as the State of Washington (The State of Washington provides little explicit guidance on what constitutes AKART, and normally considers the application of non-categorical technology bases, limits, and requirements, to be undertaken on a site-specific basis.). However, King County should include a provision in its ordinance authorizing King County to apply technology-based provisions in its permits, as necessary. King County has already, on a *de facto* basis, adopted technology-based standards in the requirement to employ approved amalgam separators in dental offices. The requirement to include an authorization to enforce technology-based limitations is a proviso of the letter sent to King County dated July 24, 2009, in which the Department of Ecology approved King County's proposed amendments to its code, to be forwarded to the King County Council for adoption. Once King County has adopted the revised Code, King County should forward the adopted Code to the Department of Ecology for final approval.

Issues Related to Howard Hanson Dam

The Department of Ecology and King County's Industrial Waste Program recently discussed issues related to possible unusually high flows being released from the Howard Hanson Reservoir as a result of the compromised integrity of the dam. The King County Industrial Waste Program has reviewed the existing King County Code and is of the opinion that the Code gives the Director ample authority to curtail flows from industries if flooding results in unusually high flows in the conveyance system and POTW influent.

Name(s) and Signatures of Inspector(s) Doug Knutson 	Agency/Office/Telephone WA Dept. of Ecology/NWRO/(425)649- 3190 160th SE, Bellevue, WA 98008-5452	Date October 26, 2009
Signature of Management Q A Reviewer 	Agency/Office/Phone and Fax Numbers WA Dept. of Ecology/NWRO/(425)649-7000 fax (425)649-7098	Date 11-2-09

ANNOUNCED Inspection

Appendix E

Compliance Inspection Report Form

INSTRUCTIONS

Section A: National Data System Coding (i.e., PCS)

Column 1: Transaction Code. Use N, C, or D for New Change or Delete. All inspections will be new unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number. (Use the Remarks columns to record State permit number, if necessary.)

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 94/06/30 = June 30, 1994).

Column 18: Inspection Type. Use one of the codes listed below to describe the type of inspection:

A Performance Audit	L Enforcement Case Support	2 IU Sampling Inspection
B Compliance Biomonitoring	M Multimedia	3 IU Non-Sampling Inspection
C Compliance Evaluation (non-sampling)	P Pretreatment Compliance Inspection	4 IU Toxics Inspection
D Diagnostic	R Reconnaissance	5 IU Sampling Inspection with Pretreatment
E Corps of Engineers Inspection	S Compliance Sampling	6 IU Non-Sampling Inspection with pretreatment
F Pretreatment Follow-up	U IU Inspection with Pretreatment Audit	7 IU Toxics with Pretreatment
G Pretreatment Audit	X Toxics Inspection	
I Industrial User (IU) Inspection	Z Sludge	

Column 19: Inspector Code. Use one of the codes listed below to describe the *lead agency* in the inspection.

C - Contractor or Other Inspectors (Specify in Remarks Columns)	N - NEIC Inspectors
E - Corps of Engineers	R - EPA Regional Inspector
J - Joint EPA/State Inspectors - EPA Lead	S - State Inspector
	T - Joint State/EPA Inspectors - State Lead

Column 20: Facility Type. Use one of the codes below to describe the facility.

- 1 - Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952.
- 2 - Industrial. Other than municipal, agricultural, and Federal facilities.
- 3 - Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
- 4 - Federal. Facilities identified as Federal by the EPA Regional Office

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as follow-up on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, and other updates to the record).

Section C: Areas Evaluated During Inspection

Check only those areas evaluated by marking the appropriate box. Use Section D and additional sheets as necessary. Support the findings, as necessary, in a brief narrative report. Use the headings given on the report form (e.g., Permit, Records/Reports) when discussing the areas evaluated during the inspection. The heading marked "Multimedia" may indicate medias such as CAA, RCRA, and TSCA. The heading marked "Other" may indicate activities such as SPCC, BMPs, and concerns that are not covered elsewhere.

Section D: Summary of Findings/Comments

Briefly summarize the inspection findings. This summary should abstract the pertinent inspection findings, not replace the narrative report. Reference a list of attachments, such as completed checklists taken from the NPDES Compliance Inspection Manuals and pretreatment guidance documents, including effluent data when sampling has been done. Use extra sheets as necessary.

POTW PRETREATMENT COMPLIANCE INSPECTION CHECKLIST

PCI CHECKLIST CONTENTS

Cover Page

☒ Section I

☒ Section II

☒ Section III

☐ Attachment A

☐ Attachment B

☐ Attachment C

Attachment D

IU File Evaluation
Supplemental Data Review/Interview
Evaluation and Summary

Pretreatment Program Status
Update
Pretreatment Program Profile
Worksheets
☐ WENDB Data Entry
Worksheet
☐ RNC Worksheet
☐ IU Site Visit Report Form (Optional)
☐ File Review Worksheets (Optional)

Supporting Documentation

PUBLIC NOTICES

CA name and address:

King County Industrial Waste Pretreatment Program
130 Nickerson Street
Suite 200
Seattle, WA 98109-1658

Date(s) of PCI

June 23, 2009

Period covered by PCI

January 1, 2008 through
December 31, 2008

PIRT / DSS incorporated in NPDES permit?

Yes

No

INSPECTOR (S)

Name	Title/Affiliation	Telephone Number
Doug Knutson	Pretreatment Engineer Washington State Department of Ecology	(425) 649-7025

CA REPRESENTATIVE (S)

Name	Title/Affiliation	Telephone Number
Despina Strong	Program Supervisor-Industrial Waste Program	(206) 263-3010
Doug Hildenbrand	Industrial Waste Program Officer	(206) 263-3032
Patricia Magnuson	Industrial Waste Compliance Investigator	
Peggy Rice	Industrial Waste Compliance Investigator	

*Identified program contact

ACRONYM LIST

Acronym	Term
BMR	Baseline Monitoring Report
CA	Control Authority
CFR	Code of Federal Regulations
CIU	Categorical industrial user
CSO	Combined sewer overflow
CWA	Clean Water Act
CWF	Combined wastestream formula
DSS	Domestic Sewage Study
EP	Extraction Procedure
EPA	U.S. Environmental Protection Agency
ERP	Enforcement response plan
FTE	Full-time equivalent
FWA	Flow-weighted average
gpd	Gallons per day
IU	Industrial user
IWS	Industrial waste survey
MGD	Million gallons per day
MSW	Municipal solid waste
NA	Not applicable
N/D	Not determined
NPDES	National Pollutant Discharge Elimination System
O&G	Oil and grease
PIRT	Pretreatment Implementation Review Task Force
POTW	Publicly owned treatment works
RCRA	Resource Conservation and Recovery Act
RNC	Reportable noncompliance
SIU	Significant industrial user
SNC	Significant noncompliance
TCLP	Toxicity Characteristic Leachate Procedure
TRC	Technical review criteria
TTO	Total toxic organics
WENDB	Water Enforcement National Data Base

SECTION I: IU FILE EVALUATION

INSTRUCTIONS: Select a representative number of SIU files to review. Provide relevant details on each file reviewed. Comment on problems identified. Where possible, all CIUs (and SIUs) added since the last PCI or audit should be evaluated. Make copies of this section to review additional files as necessary.

NARRATIVE COMMENTS			
FILE <u>7676</u> Industry name and address <u>Marvac (Marine Vacuum Service, Inc.)</u> <u>1516 South Graham Street</u> <u>Seattle, WA 98124</u>		Total flow (gpd) <u>112,000</u>	Process flow (gpd) <u>110,000</u>
		Type of industry (products manufactured) <u>Receive oily wastewater by truck & treat it.</u>	
Industry visited during PCI Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Applicable Federal category <u>40 CFR 439.46 DS</u> <u>BEC Wastes (e) subpart</u> <u>(Oil treatment & Recovery & Organic Chemicals)</u> <u>(Centralized Waste Treatment)</u>	Compliance status <input type="checkbox"/> SNC (period: _____) <input checked="" type="checkbox"/> In compliance <input type="checkbox"/> Noncompliance/corrected <input type="checkbox"/> Noncompliance/continuing	
Comments <u>Bilgewater, tank cleaning water, contaminated stormwater, contaminated groundwater, catch basin cleaning water, hydroblast water, boiler blowdown, are types of wastewater discharged by Marvac. Sometimes they request increase in flow limitation during SeaFair, etc.</u>			

SECTION I: IU FILE EVALUATION (Continued)

NARRATIVE COMMENTS			
FILE <u>7824</u> Industry name and address National Industrial Concepts 23518 63rd Avenue, SE Woodinville, WA 98072		Total flow (gpd) 21,500	Process flow (gpd) 21,000
		Type of industry (products manufactured) Phosphating, aluminum anodizing, painting.	
Industry visited during PCI Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Applicable Federal category 40CFR 433 PSNS	Compliance status <input type="checkbox"/> SNC (period: _____) In compliance <input type="checkbox"/> Noncompliance/corrected except for recent <input type="checkbox"/> Noncompliance/continuing	
Comments Phosphating, aluminum anodizing. Permit for first time April 16 th , 2008 For violation, due to pump breakdown & pH.			

NARRATIVE COMMENTS			
FILE <u>7085</u> Industry name and address Rexam Beverage Can Company 1220 N 2nd Avenue Kent, WA 98022		Total flow (gpd) 127,000	Process flow (gpd) 125,000
		Type of industry (products manufactured) Coil Coating	
Industry visited during PCI Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Applicable Federal category 40CFR 465	Compliance status <input type="checkbox"/> SNC (period: _____) In compliance <input type="checkbox"/> Noncompliance/corrected except for <input type="checkbox"/> Noncompliance/continuing	
Comments one TTO violation The TTO list for coil coating is more limited than the TTO list for coil coating. March 2008 monthly average TTO violation occurred. Rexam disputed the assertion of the TTO violation. TTO violation was due to bis 2 ethyl- hexyl phthalate.			

SECTION I: IU FILE EVALUATION (Continued)

NARRATIVE COMMENTS

FILE _____ Industry name and address	Total flow (gpd)	Process flow (gpd)
	Type of industry (products manufactured)	
Industry visited during PCI Yes <input type="checkbox"/> No <input type="checkbox"/>	Applicable Federal category	Compliance status <input type="checkbox"/> SNC (period: _____) <input type="checkbox"/> Noncompliance/corrected <input type="checkbox"/> Noncompliance/continuing

Comments

NARRATIVE COMMENTS

FILE _____ Industry name and address	Total flow (gpd)	Process flow (gpd)
	Type of industry (products manufactured)	
Industry visited during PCI Yes <input type="checkbox"/> No <input type="checkbox"/>	Applicable Federal category	Compliance status <input type="checkbox"/> SNC (period: _____) <input type="checkbox"/> Noncompliance/corrected <input type="checkbox"/> Noncompliance/continuing

Comments

SECTION I: IU EVALUATION (Continued)

Industry Name					INSTRUCTIONS: Evaluate the contents of SIU files. If no problem exists for a particular question, mark the square with a check (✓). Use (Not Applicable) where necessary. Use ND (Not Determined) where there is insufficient information to evaluate/determine implementation status. Where a problem is indicated, mark with a numerical value and provide a corresponding explanation in the comment area below. Comment on each problem identified. For example, if the file is missing a notification of classification, place a (1) in the square and a matching statement as to the nature of the problem that exists in the space below. The next problem would be marked as (2) and so on. Clearly indicate the file that each comment pertains to; also indicate where a comment applies to all the files.
File	File	File	File	File	
7676	7824	7085			
7676	7824	7085			
IU FILE REVIEW					Reg. Cite
A. CA NOTIFICATION OF IU					
1. Notification of classification or change in classification					403.8(f)(2)(iii)
2. Notification of applicable standards/requirements/RCRA					403.8(f)(2)(iii)
Comments ① DPSES ② 433 PS NS ③ 40 CFR Part 465					

SECTION I: IU EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
7676	7824	7085			B. ISSUANCE OF IU CONTROL MECHANISM	
OK ①	OK ②	OK ③			1. Issuance or reissuance of control mechanism	403.8(f)(1)(iii)
OK ④	OK ⑤	OK ⑥			2. Control mechanism contents	403.8(f)(1)(iii)
OK ⑦	OK ⑧	OK ⑨			a. Statement of duration (≤ 5 years)	
OK ⑩	OK ⑪	OK ⑫			b. Statement of nontransferability	
OK ⑬	OK ⑭	OK ⑮			c. Applicable effluent limits (local limits, categorical standards)	
OK ⑯	OK ⑰	OK ⑱			d. Self monitoring requirements	
OK ⑲	OK ⑳	OK ㉑			• Identification of pollutants to be monitored	
OK ㉒	OK ㉓	OK ㉔			• Sampling frequency	
OK ㉕	OK ㉖	OK ㉗			• Sampling locations/discharge points	
OK ㉘	OK ㉙	OK ㉚			• Sample types (grab or composite)	
OK ㉛	OK ㉜	OK ㉝			• Reporting requirements	
OK ㉞	OK ㉟	OK ㊱			• Record-keeping requirements	
OK ㊲	OK ㊳	OK ㊴			e. Statement of applicable civil and criminal penalties	
OK ㊵	OK ㊶	OK ㊷			f. Compliance schedules	
OK ㊸	OK ㊹	OK ㊺			g. Notice of slug loading	
OK ㊻	OK ㊼	OK ㊽			h. Notification of spills, bypasses, upsets, etc.	
OK ㊾	OK ㊿	OK ①			i. Notification of significant change in discharge	
OK ②	OK ③	OK ④			j. 24-hour notification of violation/resample requirement	
OK ⑤	OK ⑥	OK ⑦			k. Slug discharge control plan requirement	
Comments						
① Issued May 26, 2006						
② 05/26/2006 - 05/26/2011						
③ 40CFR 437.46 - oil treatment recovery & organic chemical wastes						
④ required to sample for 8 metals plus a number of organic compounds						
⑤ each batch for some, twice per month for others						
⑥ slug plan submitted October 27 th , 2009						
⑦ April 15, 2008 - April 15, 2013						
⑧ In & Pb not sampled by Permittee because not expected to be in effluent. King County samples this two times per year.						
⑨ two times per month						
⑩ slug plan required						
⑪ October 1, 2007 - December 24, 2012.						
⑫ Most parameters monthly.						
⑬ Slug Discharge Control Plan required. Plan received October 5 th , 2006.						

SECTION I: IU EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
7676	7824	7085			C. CA APPLICATION OF IU PRETREATMENT STANDARDS	
OK	OK ^①	OK ^②			1. IU categorization	403.8(f)(1)(ii)
					2. Calculation and application of categorical standards	403.8(f)(1)(ii)
					a. Classification by category/subcategory	
					b. Classification as new/existing source	
					c. Application of limits for all regulated pollutants	
					3. Application of local limits	403.5(c)&(d)& 403.8(f)(1)(ii)
					4. Calculation and application of production based-standards	403.6(c)
					5. Calculation and application of CWF or FWA	403.6(d)&(e)
					6. Application of most stringent limit	403.8(f)(1)(ii)
OK	OK	OK				
N/A	N/A	N/A				
N/A	N/A	N/A				
OK	OK	OK				
Comments						
① PSES						
② 40 CFR 433 PSNL						
③ 40 CFR Part 465						

SECTION I: IU EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
7676	7824	7085				
D. CA COMPLIANCE MONITORING						
Sampling						
OK ①	OK ②	OK ③			1. Sampling (once a year)	403.8(f)(2)(v)
OK ④	OK ⑤	OK ⑥			2. Sampling at frequency specified in approved program	
OK ⑦	OK ⑧	OK ⑨			3. Documentation of sampling activities	403.8(f)(2)(vi)
OK ⑩	OK ⑪	OK ⑫			4. Analysis for all regulated parameters	
OK ⑬	OK ⑭	OK ⑮			5. Appropriate analytical methods (40 CFR Part 136)	403.8(f)(2)(vi)
Inspection						
OK ⑯	OK ⑰	OK ⑱			6. Inspection (once a year)	403.8(f)(2)(v)
OK ⑲	OK ⑳	OK ㉑			7. Inspection at frequency specified in approved program	
OK ㉒	OK ㉓	OK ㉔			8. Documentation of inspection activities	403.8(f)(2)(vi)
OK ㉕	OK ㉖	OK ㉗			9. Evaluation of need for slug discharge control plan	403.8(f)(2)(v)
Comments						
① 03/16/2008, 08/06/2008 ② also analyzed for many additional organic compounds not limited in permit. ③ 03/20/2008, 01/21/2009 ④ evaluated as adequate slug plan on last page of report ⑤ March 26 th , 2008, December 3 rd , 2008, June 18 th , 2008 ⑥ April 7 th , 2008, October 7 th , 2008 ⑦ March 5 th , 2008 and August 12 th , 2008 ⑧ October 2 nd , 2008						

SECTION I: IU EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
7676	7824	7085			E. CA ENFORCEMENT ACTIVITIES	
OK	OK	OK			1. Identification of violations	403.8(f)(2)(vi)
OK	OK	OK			a. Discharge violations	
OK	OK	OK			b. Monitoring/reporting violations	
OK	OK	OK			c. Compliance schedule violations	
N/A	N/A	N/A			2. Calculation of SNC	403.8(f)(2)(vi)
OK	OK	OK			3. Adherence to approved ERP	403.8(f)(5)
OK	OK	OK			4. Escalation of enforcement	403.8(f)(5)
OK	N/A	N/A			5. Publication for SNC	403.8(f)(2)(vi)
Comments ① In 2007, there were screening level violations, but these violations are no longer occurring. Permit writer/inspector thinks they were trying to conserve carbon. ② Not in SNC ③ pH violation in 2008, FOG violation in 2009 reporting standards ④ No compliance schedule violation. ⑤ No SNC ⑥ No enforcement taken for these minor violations. ⑦ ITTO violation NO SNC ⑧ ITTO violation ⑨ No SNC						

SECTION I: IU EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
7696	7824	7085			F. IU COMPLIANCE STATUS	
OK ^①	OK ^②	OK			Self-Monitoring and Reporting	
OK	OK	OK			1. Sampling at frequency specified in control mechanism/regulation	403.12(e)&(h)
OK	OK	OK			2. Analysis of all required pollutants	403.12(g)(1)&(h)
OK	OK	OK			3. Submission of BMR/90-day report	403.12(b) &(d)
OK	OK	OK			4. Periodic self monitoring reports	403.12(e)&(h)
OK	OK	OK			5. Reporting all required pollutants	403.12(g)(1)&(h)
OK	OK	OK			6. Signatory/certification of reports	403.12(l)
N/A	N/A	N/A ^③			7. Submission of compliance schedule reports by required dates	403.12(c)
OK	OK	OK			8. Notification within 24-hours of becoming aware of violations	403.12(g)(2)
OK	OK	OK			• Discharge violation	
OK	OK	N/A ^④			• Slug load	
OK	OK	N/A			• Accidental spill	
OK	OK	OK			9. Resampling/reporting within 30 days of knowledge of violation	403.12(g)(2)
N/A	N/A	N/A			10. Notification of hazardous waste discharge	403.12(j)&(p)
OK	OK	OK			11. Submission/implementation of slug discharge control plan	403.8(f)(2)(v)
OK	OK	OK			12. Notification of significant changes	403.12(j)
INSTRUCTIONS: Indicate the IU's noncompliance status by placing an "X" in the appropriate box.						
OK ^⑤	OK ^⑥	OK ^⑦			Discharge	
N/A ^⑧	N/A ^⑨	N/A ^⑩			13. Noncompliance with discharge limits (but not SNC)	403.8(f)(2)(vii)
N/A ^⑪	N/A ^⑫	N/A ^⑬			14. SNC	
N/A ^⑭	N/A ^⑮	N/A ^⑯			a. Chronic violations	403.5(a)(1)
N/A ^⑰	N/A ^⑱	N/A ^⑲			b. TRC	403.12(f)
N/A ^⑳	N/A ^㉑	N/A ^㉒			c. Pass through or interference	
N/A ^㉓	N/A ^㉔	N/A ^㉕			• Spill or slug load	
N/A ^㉖	N/A ^㉗	N/A ^㉘			d. Other discharge violations (specify)	
OK ^㉙	OK ^㉚	N/A ^㉛			Reporting	
OK ^㉜	N/A ^㉝	N/A ^㉞			15. Noncompliance with reporting requirements (but not SNC)	403.8(f)(2)(vii)
					16. SNC with reporting requirements	403.8(f)(2)(vii)
Comments						
<p>① During one month in 2008, they did not report cobalt & tin. King County reminded them, they had sampled as required, and they resubmitted with the cobalt & tin results.</p> <p>② No current compliance schedules.</p> <p>③ Slug discharge control plan submitted October 27th, 2009.</p> <p>④ No non-compliance.</p> <p>⑤ No SNC</p> <p>⑥ No reporting violations.</p> <p>⑦ 2 times per month</p> <p>⑧ No notification of hazardous waste discharge.</p> <p>⑨ Slug plan received July 21, 2008</p> <p>⑩ The FOG violation was in 2009.</p> <p>⑪ There was a pH reporting violation in 2008</p> <p>⑫ No compliance schedule.</p> <p>⑬ No slug load</p> <p>⑭ No accidental spill</p> <p>⑮ slug plan submitted October 5th, 2006</p> <p>⑯ violation of TPO limit in March 2009</p> <p>⑰ No reporting violations.</p>						

SECTION I: IU EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
<u>7676</u>	<u>7824</u>	<u>7085</u>	—	—	G. OTHER	
Comments						

SECTION I COMPLETED BY:	DATE:
TITLE:	TELEPHONE:

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW

INSTRUCTIONS: Complete this section during the onsite visit based on CA activities since the last PCI or audit. Attach documentation where appropriate. Specific data may be required in some cases.

A. CA PRETREATMENT PROGRAM MODIFICATION [403.18]

1. Did the CA make substantial changes to the pretreatment program that were not approved by the Approval Authority (e. g., definitions, limits)?

Yes

No

X

If yes, describe.

2. Is the CA in the process of modifying any approved pretreatment program component (including legal authority, local limits, DSS requirements, etc.) ?

Yes

No

X

If yes, describe.

The Control Authority has submitted a draft ordinance (King County Code) to bring the ordinance to consistency with the recently-promulgated Streamlining amendments to 40 CFR Part 403.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

B. IU CHARACTERIZATION [403.8(f)(2)(i)&(ii)]

1. How and when does the CA update its IWS to identify new IUs or changes in wastewater discharges at existing IUs? [403.8(f)(2)(i)]

- checking wantads (including classified advertisements for employment)
- routine checking of telephone books when issued.
- review of Business Journal, Harris InfoSource database.
- targetting of specific industrial sectors to survey in detail
- source tracing (e.g. keyhole program, source tracking when high headworks concentrations identified)
- Duwamish source control project
- Coordination with other King County agencies.

2. How many IUs are currently identified by the CA in each of the following groups?

a.	<div>133</div>	SIUs (as defined by the CA) [WENDB - SIUS]
	<div>70</div>	CIUs (including zero-discharging CIUs)[WENDB - CIUS]
	<div>6</div>	Zero-discharging CIUs
	<div>63</div>	Noncategorical SIUs (including zero-discharging noncat. SIUs)
	<div>1</div>	Zero-discharger noncategorical SIUs
b.	<div>319</div>	Other regulated noncategorical IUs (specify)
c.	<div>452</div>	TOTAL

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

C. CONTROL MECHANISM EVALUATION [403.8(f)(1)(iii)]

1. a. How many SIUs (as defined by the CA) are required to be covered by an individual control mechanism ? 133

b. How many SIUs are not covered by an existing, unexpired permit or other individual control mechanism ? [WENDB - NOCM] [RNC - II]

0	0
---	---

If any, explain.

2. How many control mechanisms were not issued within 180 days of the expiration date of the previous control mechanism ? [RNC - II]

0

If any, explain.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

D. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS

1. a. How many SIUs were not evaluated for the need to develop slug discharge control plans in the last 2 years ? [403.8(f)(2)(vi)]

0

b. List the SIUs below or attach additional sheets as needed.

2. Did the CA apply all applicable categorical standards and local limits to IUs whose wastes are hauled to the POTW ?

N/A

Yes

No

X

Discharge of hauled industrial waste to the POTW is prohibited.

If yes, identify the industries.

If no, explain.

3. Did any IUs notify the CA of a hazardous waste discharge? [403.12(j)&(p)]

Yes

No

X

If yes, identify and explain.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS

1. Identify the following.

Program Aspect	Required Frequency	Actual Frequency	Explain Difference
a. Inspection			
• CIUs	1	1+	
• Other SIUs	1	1+	
b. Sampling (by CA)			
• CIUs	2	2	
• Other SIUs	2	2	
c. Self - Monitoring			
• CIUs	2		2 for most, more frequently for rest
• Other SIUs	2		2 for most more frequently for rest
d. Reporting			
• CIUs	2		2 for most, more frequently for rest
• Other SIUs	2		2 for most, more frequently for rest

2. In the past 12 months, how many, and what percentage of, SIUs were the following? [403.8(f)(2)(vi)] [WENDB - NOIN] [RNC - II]

a. Not sampled or not inspected at least once [WENDB - NOIN]

b. Not sampled at least once

c. Not inspected at least once

0	0	%
0	0	%
0	0	%

If any, explain.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

F. ENFORCEMENT

1. Which of the following enforcement actions did the CA use?

- a. Notice or letter of violation
- b. Administrative orders
- c. Administrative fines
- d. Show cause hearings
- e. Compliance schedules
- f. Permit revocation
- g. Civil suits
- h. Criminal suits
- i. Termination of services
- j. Other (specify)

N/A	Yes	No
	X	
	X	
	X	
		X
	X	
		X
		X
		X
		X
		X

Explain if appropriate

2. Did the CA comply with its approved ERP? [403.8(f)(5)] [RNC - II]

N/A	Yes	No
	X	

3. Indicate the number and percent of SIUs that were identified as being in SNC* with the following requirements from the CA's last pretreatment program report. If the CA's report does not provide this information, obtain the information for the most recent four full quarters during the inspection.

SNC Evaluation Period January 1, 2008 - December 31, 2008

<u>5</u>	<u>3</u>	%	Applicable pretreatment standards and reporting requirements
<u>1</u>	<u>0.7</u>	%	Self - monitoring requirements (TTM)
<u>0</u>	<u>0</u>	%	Pretreatment compliance schedules

SNC defined by:	
POTW	X
EPA	X

3a. Indicate the number of SIUs that have been in 100% compliance with all pretreatment requirements?

Evaluation Period: January 1, 2008 - December 31, 2008

Number of SIUs: 57

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

F. ENFORCEMENT (Continued)

4. Did the CA publish all SIUs in SNC in the largest local daily newspaper in accordance with NPDES permit requirements ? [403.8(f)(2)(vii)]

Yes	No
<input checked="" type="checkbox"/>	

5. How many SIUs are in SNC with self-monitoring requirements and were not inspected and/or sampled (in the four most recent full quarters)? [WENDB - SINN]

6. a. Did the CA experience any of the following caused by industrial discharges?

- Interference
- Pass through
- Fire or explosions (flashpoint, etc.)
- Corrosive structural damage
- Flow obstruction
- Excessive flow rates
- Excessive pollutant concentrations
- Heat problems
- Interference due to O&G
- Toxic fumes
- Illicit dumping of hauled wastes
- Worker health and safety
- Other (specify)

Yes	No	Unk	Explain
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		
	<input checked="" type="checkbox"/>		

- b. If yes, did the CA take enforcement action against the IUs causing or contributing to pass through or interference? [RNC - I]

Yes	No
	<input checked="" type="checkbox"/>

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

F. ENFORCEMENT (Continued)

7. a. How many SIUs are on compliance schedules? 14
(Listing & Number are for all SIUs under compliance schedules at any time during 2008)
 b. List these SIUs by name and compliance schedule end dates (attach additional sheets as needed).

SIU	End Date
City of Redmond, T.M. Technologies, Kings Community Forest	
Puget Sound Recycling, Safeway Beverage Plant	
Asko Processing, Industrial Plating, KCCIP Brightwater, Conveyance	

8. Were any CIUs allowed more than 3 years from the effective date of a categorical standard to achieve compliance? [403.6(b)]
 If yes, identify and explain.

Yes	No
	X

9. Did any SIUs return to compliance by any of the following? [RNC -I]
- a. Within 90 days
 - b. Within the time specified in the ERP
 - c. Through a compliance schedule component (including legal authority, local limits, DSS requirements, etc.) ?

Yes	No
X	
X	
X	

G. ADDITIONAL EVALUATIONS

SECTION II COMPLETED BY: *Doug Knutson*
 TITLE:

DATE: *October 26th, 2009*
 TELEPHONE:

POTW REPRESENTATIVE
 PROVIDING RESPONSES:

DATE:
 TELEPHONE:

SECTION III: EVALUATION AND SUMMARY

INSTRUCTIONS: Identify program components that the CA is recommended (Rec.) or required (Req.) to implement in order to effectively implement the pretreatment program and/or to meet its regulatory requirements. Specify the corrective action the CA needs to take.

Description	Regulatory Citation	Checklist Question(s)	Action	
			Rec.	Req.
A. CA PRETREATMENT PROGRAM MODIFICATION				
1. Notify of program modification <i>No further requirements.</i>	403.18	II.A		
B. IU CHARACTERIZATION				
1. Identify and locate all SIUs <i>No further requirements.</i>	403.8(f)(2)(i)	II.B		
2. Identify the character and volume of pollutants contributed to POTW by IUs <i>No further requirements.</i>	403.8(f)(2)(ii)	II.B.1; II.E.1		
C. CONTROL MECHANISM EVALUATION				
1. Issue individual control mechanisms to all SIUs <i>No further requirements.</i>	403.8(f)(1)(iii)	I.B.1; II.C.1 & 2		

SECTION III: EVALUATION AND SUMMARY (Continued)

Description	Regulatory Citation	Checklist Question(s)	Action	
			Rec.	Req.
C. CONTROL MECHANISM EVALUATION (Continued)				
2. Ensure control mechanisms contents include:	403.8(f)(1)(iii)	I.B.2.a-j		
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>a. A statement of duration</p> <p>b. A statement of nontransferability</p> <p>c. Effluent limits</p> <p>d. Self - monitoring requirements</p> <p>e. A statement of penalties</p> </div> <div style="width: 48%;"> <p>f. Compliance schedules</p> <p>g. Notice of slug loading</p> <p>h. Notification of spills, bypasses, upsets, etc.</p> <p>i. Notification of significant change in discharge</p> <p>j. 24-hour notification of violation/resample requirement</p> </div> </div> <p style="color: blue; font-style: italic;">No further requirements.</p>				
D. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS				
1. Apply all applicable pretreatment standards	403.8(f)(1)(iii)	I.B.2.a-j		
<p style="color: blue; font-style: italic;">No further requirements.</p>				
2. Evaluate the need for SIUs to develop slug discharge control plans	403.8(f)(1)(ii); 403.5	I.C.1 - 6; II.D.2		
<p style="color: blue; font-style: italic;">No further requirements.</p>				
E. COMPLIANCE MONITORING				
1. Inspect and sample each SIU in accordance with approved program	Approved program	I.D.2 & 7; II.E.1		
<p style="color: blue; font-style: italic;">No further requirements.</p>				

SECTION III: EVALUATION AND SUMMARY (Continued)

Description	Regulatory Citation	Checklist Question(s)	Action	
			Rec.	Req.
E. COMPLIANCE MONITORING (Continued)				
2. Inspect and sample each SIU once a year <i>No further requirements.</i>	403.8(f)(2)(v)	I.D.1 & 6; II.E.1 & 2		
3. Use proper sampling analysis (40 CFR Part 136) and inspection procedures <i>No further requirements.</i>	403.8(f)(2)(vi)	I.D.3, 5 & 8		
4. Require, receive, and analyze reports from SIUs <i>No further requirements.</i>	403.8(f)(2)(iv)	I.B.2.d; I.F.1-12; II.E.1		
5. Monitor to demonstrate continued compliance and resampling after violation(s) <i>No further requirements.</i>	403.8(f)(2)(vi)	I.F.3, 4 & 9		
6. Ensure CIUs report on all regulated pollutants at least once every 6 months <i>No further requirements.</i>	403.12(g)(1)&(2)	I.F.2 & 5		

SECTION III: EVALUATION AND SUMMARY (Continued)

Description	Regulatory Citation	Checklist Question(s)	Action	
			Rec.	Req.
E. COMPLIANCE MONITORING (Continued)				
7. Ensure noncategorical SIUs self-monitor and report all regulated pollutants at least once every 6 months <i>No further requirements.</i>	403.12(h)	I.F.2 & 5		
8. Require self-monitoring reports from CIUs to be signed and certified and reports from SIUs to be signed <i>No further requirements.</i>	403.12(l); 403.6(a)(2)(ii)	I.F.6		
9. Receive notification of hazardous waste discharges <i>No further requirements.</i>	403.12(j)&(p)	I.F.10; II.D.3		
F. ENFORCEMENT				
1. Implement approved ERP <i>No further requirements.</i>	403.8(f)(5)	I.E.3; II.F.2		
2. Annually publish a list of IUs in SNC <i>No further requirements.</i>	403.8(f)(2)(vii)	I.E.5; II.F.4		

SECTION III: EVALUATION AND SUMMARY (Continued)

Description	Regulatory Citation	Checklist Question(s)	Action	
			Rec.	Req.
F. ENFORCEMENT (Continued)				
3. Develop IU compliance schedules <i>No further requirements.</i>	403.8(f)(1)(iv)(A)	I.B.2.f; II.F.1, 7 & 9		
4. Ensure IU compliance within 3 years of standards effective date (or less than 3 years where required by standard) <i>No further requirements.</i>	403.6(b)	II.F.8		
5. Ensure new sources report on compliance with appropriate standards within first 90 days of discharge <i>No further requirements.</i>	403.12(d)	I.F.3		
G. ADDITIONAL EVALUATIONS				

SECTION III COMPLETED BY: <i>Doug Knickson</i>	DATE: <i>October 26th, 2009</i>
TITLE:	TELEPHONE:

Companies that violated wastewater pretreatment standards in King County

King County's Industrial Waste Program is responsible for making sure that water used by industries returns to our waterways clean and safe. This protects our water resources, our public health, workers at treatment plants, and the biosolids produced there.

The vast majority of King County's businesses do an excellent job of meeting these clean water goals by treating their industrial wastewater before they discharge it to the sewer. Whenever possible, we work to provide technical assistance and help industries reach compliance before enforcement actions become necessary. If companies violate clean water standards, however, we do take enforcement actions.

The following companies are users of the sewer system that violated treatment requirements between July and December 2008 (or have not had their violations previously published). They were found in significant non-compliance during the reporting period; received fines; had violations that were unique or warranted special attention; or met a combination of those actions.

Drainage Systems Consultant, Seattle

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Failure to file a required report more than five days past the final notice deadline.	Drainage Systems Consultant had a violation that warranted a fine and was in significant non-compliance for the failure to file a required report within 30 days of the due date.	As of this publication Drainage Systems has failed to file the required report - an application for a waste discharge permit.

Penalty: A \$500 fine for not filing the required report within five days past the due date.

Duke's Root Control, Inc., Seattle

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Failure to file a required report more than 30 days past the due date.	Duke's Root Control, Inc. was in significant non-compliance for the failure to file a required report within 30 days of the due date.	A self-monitoring report was received more than 30 days past the due date.

Penalty: A notice of significant non-compliance.

Oberto Sausage Company, Kent

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Failure to file a required report more than 30 days past the due date, and filing a report past the final notice deadline.	Oberto Sausage Company had a violation that warranted a fine and was in significant non-compliance for the failure to file a required report within 30 days of the due date.	Oberto Sausage Company filed the report; no further action was taken other than the penalty noted.

Penalty: A \$500 fine and a notice of significant non-compliance.

Puget Sound Recycling, Auburn

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Discharge violation - non-polar fats, oils, and grease.	Puget Sound Recycling exceeded the technical review criteria, that is, during a six-month period at least 33 percent of the measured concentrations of fats, oils, and grease were in excess of the standard by a factor of 1.4 times the limit.	Puget Sound Recycling has performed additional maintenance on pretreatment equipment including the removal of solid material from the main storage tank and dissolved air flotation system.

Penalty: A \$2,060 post-violation monitoring charge and a compliance order requiring an increased self-monitoring frequency for a six-month period.

City of Redmond Vector Decant Facility

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Reporting violations: failure to collect quarterly water quality compliance samples (18 counts) and submitting quarterly self-monitoring reports containing false and inaccurate water quality compliance results (18 counts).	The City of Redmond's Vector Decant Facility's violations are being published because 1) the nature of the violations placed the City in significant non-compliance 2) the violations warranted a monetary penalty.	The City of Redmond self-reported the violations to King County. In addition, the city implemented corrective actions to prevent recurrence. These actions included reassigning staff responsibilities for performing monitoring and reporting duties, the development and implementation of procedures for reviewing and approving monitoring and reporting tasks and documentation associated with the decant facility.

Penalty: A \$30,150 penalty and a compliance order requiring an increased frequency for self-monitoring and more frequent submittal of self-monitoring reports lasting until June 2010, and a requirement to submit supporting documentation and all self-monitoring reports.

Safeway Beverage Plant, Bellevue

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Two violations: 1) Filing a required report three days past the final notice deadline; 2) failure to complete the installation of required modifications to the industrial wastewater conveyance, treatment, or attaining final compliance.	The Safeway Beverage Plant had a violation warranting a fine and was in significant non-compliance for the failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, or attaining final compliance.	The Safeway Beverages Plant 1) submitted the late report; and 2) has committed to complete the required modifications to the industrial wastewater conveyance, treatment, and monitoring system in accordance with the timelines defined in a final notice and compliance order issued by King County.

Penalty: A \$300 fine for filing the required report three days past the due date; a post-violation charge of \$1,240, and a compliance schedule.

Sound Transit - Beacon Hill Station & Tunnel Construction Project, Seattle

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Three King County Code violations: 1) failure to properly operate and maintain wastewater pretreatment systems; 2) failure to collect representative compliance samples; 3) discharging material capable of obstructing the sewer; in addition, three discharge violations: two counts of discharging wastewater with an acidic pH (less than 5.0 standard units), and a violation of the permitted settleable solids discharge limit.	Sound Transit's Beacon Hill Station & Tunnel construction project had multiple violations warranting a fine.	In response to these violations, Sound Transit hired an environmental consulting firm to oversee the daily operation and maintenance of all wastewater pretreatment systems to ensure environmental compliance, developed new internal chain of command for environmental oversight and worked with the site's contractor to develop and/or revise standard operating procedures for the operation and maintenance of wastewater pretreatment systems.

Penalty: A \$44,750 fine, \$10,080 post-violation monitoring charge, payment of \$4,460.83 to compensate King County's Facility Inspection Section for expenses incurred as a result of the violations, and the requirement to perform a supplemental environmental project in lieu of the amount assessed for economic benefit of noncompliance in the amount of \$59,871.50.

TTM Technologies, Inc., Redmond

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Discharge violation-copper; permit violations-failure to monitor for a required parameter at the required frequency; failure to maintain records of analyses taken for permit compliance; failure to perform all required analyses in accordance with established procedures; submission of falsified self-monitoring reports; reporting violations: failure to notify King County within 24-hours when self-monitoring data showed violations of discharge limits, and failure to submit a written report within 14 days of becoming aware of a self-monitoring violation.	TTM Technologies, Inc. had multiple violations warranting a fine and was in significant non-compliance for failure to accurately report non-compliance, and missed the due date for a required report by more than 30 days of the due date.	TTM Technologies, Inc. self-reported the violations to King County; took immediate corrective actions to come back into compliance, and cooperated with King County's investigation.

Penalty: A penalty of \$87,712, a post-violation charge of \$5,610, and a compliance order. The compliance order was issued solely to provide the option for TTM to perform a supplemental environmental project in lieu of payment of portion of the penalty. TTM opted to pay the full penalty.

Other Enforcement Actions:

The King County Industrial Waste Program also acted on eleven other violations at six companies for the following pollutants and/or parameters: code violation-exceeding the maximum authorized discharge volume (4); code violation-making unauthorized modifications to a pretreatment system (1); cadmium-concentration (1); copper-concentration (1); late report (1); nickel-concentration (1); pH-acidic (1); silver-concentration (1).

We all need to work together to prevent pollution. If you have information for the Industrial Waste Program, or questions about our program, please call 206-263-3000 or TTY: 711. You may also visit our program's internet pages at: <http://kingcounty.gov/industrialwaste>



King County
Department of Natural Resources and Parks
Wastewater Treatment Division
Industrial Waste Program

Companies Violate Wastewater Pretreatment Standards

King County's Industrial Waste Program is responsible for making sure that water used by industries returns to our waterways clean and safe. This protects our water resources, our public health, workers at treatment plants, and the biosolids produced there.

The vast majority of King County's businesses do an excellent job of meeting these clean water goals by treating their industrial wastewater before they discharge it to the sewer. Whenever possible, we work to provide technical assistance and help industries reach compliance before enforcement actions become necessary. If companies violate clean water standards, however, we do take enforcement actions.

The following companies are users of the sewer system that violated treatment requirements between January and June 2008 (or have not had their violations previously published). They were found in significant non-compliance during the reporting period; received fines; had violations that were unique or warranted special attention; or met a combination of those actions.

Northwest Gourmet Food Products Inc.-Seattle

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Reporting violation.	Northwest Gourmet Food Products Inc. had a violation warranting a fine.	Northwest Gourmet Food Products Inc. was late in filing an application for an industrial wastewater discharge permit.

Penalty: A \$500 fine for filing its application more than five days past the deadline mandated by the final notice.

Other Enforcement Actions:

The King County Industrial Waste Program also acted on eighteen other violations at nine companies for the following pollutants and/or parameters: code violation-failure to obtain approval prior to discharge (5); code violation-failure to conduct required monitoring (2); copper-concentration (2) copper-poundage (1); late reports (7); nickel-concentration (1).

We all need to work together to prevent pollution. If you have information for the Industrial Waste Program or questions about our programs, please call 206-263-3032 or TTY: 711. You may also visit our program's Internet pages at <http://dnr.metrokc.gov/wlr/indwaste/.htm>.



King County

Department of Natural Resources and Parks
Wastewater Treatment Division

Industrial Waste Program