

7049.0830 PROCEDURES.

The POTW authority shall develop and implement procedures to ensure compliance with the requirements of the approved POTW pretreatment program. At a minimum, these procedures shall enable the POTW authority to:

A. identify and locate all possible industrial users that might be subject to the POTW pretreatment program;

B. identify the character and volume of pollutants contributed to the POTW by the industrial users identified under item A;

C. notify industrial users identified under item A of applicable required pretreatment standards and any applicable requirements under this chapter and chapter 7045. The notification shall be made within 30 days of the designation of an industrial user as a significant industrial user;

D. receive and analyze self-monitoring reports and other notices submitted by industrial users according to the self-monitoring requirements in parts 7049.0200, 7049.0210, and 7049.0500 to 7049.0570;

E. randomly sample and analyze the effluent from industrial users and conduct surveillance activities to identify, independent of information supplied by industrial users, occasional and continuing noncompliance with required pretreatment standards;

F. inspect and sample the effluent from each significant industrial user at least once a year, except:

(1) when the POTW has authorized the industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard under part 7049.0570, subpart 3, the POTW shall sample for the waived pollutant at least once during the term of the categorical industrial user's control mechanism. In the event that the POTW subsequently determines that a waived pollutant is present or is expected to be present in the industrial user's wastewater based on changes that occur in the industrial user's operations, the POTW shall immediately begin at least annual effluent monitoring of the industrial user's discharge and monitor for the previously waived pollutant that is found to be present;

(2) when the POTW has determined that an industrial user meets the criteria for classification as a nonsignificant categorical industrial user, the POTW shall evaluate, at least once per year, whether an industrial user continues to meet the criteria in part 7049.0120, subpart 24, item D; and

(3) in the case of industrial users subject to reduced reporting requirements under part 7049.0570, subpart 2, the POTW shall randomly sample and analyze the effluent from industrial users and conduct inspections at least once every two years. If the industrial

user no longer meets the conditions for reduced reporting in part 7049.0570, subpart 2, the POTW shall immediately begin sampling and inspecting the industrial user at least once a year;

G. evaluate whether each significant industrial user needs a plan or other action to control slug discharges. Significant industrial users shall be evaluated within one year of being designated a significant industrial user. Significant industrial users shall notify the POTW immediately of any changes at its facility affecting potential for a slug discharge. If the POTW authority decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

(1) a description of discharge practices, including nonroutine batch discharges;

(2) a description of stored chemicals;

(3) procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate part 7049.0140, and procedures for follow-up written notification within five days; and

(4) if necessary, procedures or measures to prevent adverse impact from accidental spills, including but not limited to inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, constructing containment structures or equipment, measures and equipment for containing toxic organic pollutants including solvents, and measures and equipment for emergency response;

H. investigate instances of noncompliance with required pretreatment standards and requirements, as indicated in the reports and notices required under parts 7049.0200, 7049.0210, and 7049.0500 to 7049.0570, or indicated by analysis, inspection, and surveillance activities described in item E. Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions; and

I. comply with the public participation requirements of Code of Federal Regulations, title 40, part 25, in the enforcement of required pretreatment standards. Public participation procedures shall include provision for at least annual public notification, in one or more newspapers of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, of significant industrial users that, at any time during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements and any industrial users that were in significant noncompliance because of violations of the criteria in part 7049.0120, subpart 25, item C, D, or H.

Statutory Authority: *MS s 115.03*

History: *33 SR 696*

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