

CITY OF SIOUX CITY, IOWA
SIOUX CITY, IOWA

Enforcement Response Plan

Industrial Users of the Sewer System

Prepared For

Owner:

City of Sioux City, Iowa
405 6th Street
Sioux City, Iowa 51106

Iowa State Operating Permit: IA-9778001

March 2023

Printed Date: 3/3/2023 11:53 AM

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1. Introduction

This manual provides guidance to the City of Sioux City, Iowa (Control Authority) personnel in the remedy of violations of the local pretreatment program established by the Title 13 of the Sioux City Municipal Code "Sewers" (Ordinance). Definitions for terms stated herein can be found in the ordinance. This Enforcement Response Plan (ERP) provides procedures to be followed by Control Authority staff to identify, document, and respond to pretreatment violations.

The ERP:

- Describes how the Publicly Owned Treatment Works (POTW) will investigate instances of noncompliance;
- Describes the types of escalating enforcement responses the POTW will take in response to all anticipated types of industrial user violations and the time periods within which responses will take place;
- Identifies the official(s) by title who are responsible for each type of response;
- Adequately reflects the POTWs primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed in 40 CFR 403.8(f)(1) and (f)(2).

1.1 Administration and Jurisdiction

All entities discharging nondomestic waste to the POTW are subject to the provisions of the ERP. The Control Authority consistently administers and implements all elements of the ERP. The ERP does not preclude the Control Authority from taking any, all, or any combination of actions against a noncompliant industrial user.

1.2 Abbreviations

The following abbreviations, when used in this Enforcement Response Plan (ERP), shall have the designated meanings:

AO- Administrative Order
ARU- Authorized Representative of User
BOD – Biochemical Oxygen Demand
BMP – Best Management Practice
CA- Control Authority
CFR – Code of Federal Regulations
CIU – Categorical Industrial User
DD-Dental Discharger
EPA- Environmental Protection Agency
IU – Industrial User
IRM- Informal Review Meeting

NOV- Notice of Violation
NPDES – National Pollutant Discharge Elimination System
POTW – Publicly Owned Treatment Works
PC – Pretreatment Coordinator
SIU – Significant Industrial User
SCH- Show Cause Hearing
SNC – Significant Noncompliance
TRC- Technical Review Criteria
TSS – Total Suspended Solids
Iowa DNR-Iowa Department of Natural Resources

1.3 Definitions

Refer to the Pretreatment Ordinance for definitions not included below.

Approval Authority means the Iowa Department of Natural Resources

Biochemical Oxygen Demand (5 Day) (BOD₅) means an indirect measure of the concentration of the biologically degradable material present in organic wastes. It reflects the amount of oxygen consumed in 5 days by biological processes breaking down organic waste.

Best Management Practices or BMPs. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 13.07.030, [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMPs also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.

Categorical Industrial User. An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.

Chemical Oxygen Demand or COD. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water, using the procedures in 40 CFR 136 and usually expressed as a concentration (e.g., mg/L).

Control Authority. The City of Sioux City, Iowa.

Dental Discharger. A facility where the practice of dentistry is performed, including, but not limited to, institutions, permanent or temporary offices, clinics, home offices, and facilities owned and operated by Federal, state or local governments, that discharges wastewater to a POTW. Dental dischargers for the purposes of this ERP are considered industrial users. They are not Categorical Industrial Users or Significant Industrial Users.

Industrial User. A source of indirect discharge pursuant to 40 CFR 403.3(j).

Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any grab sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the City NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Local Limit. Specific discharge limits developed and enforced by the City of Sioux City, Iowa upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

New Source.

1. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

- a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
- b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
- c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

2. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(a) or (b) above but otherwise alters, replaces, or adds to existing process or production equipment.

3. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

- a. Begun, or caused to begin, as part of a continuous onsite construction program:
 - i. any placement, assembly, or installation of facilities or equipment; or
 - ii. significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for

the placement, assembly, or installation of new source facilities or equipment; or

- b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.

pH. The logarithm of the reciprocal of hydrogen ion concentration in gram atoms per liter, used to express the acidity or alkalinity of a solution on a scale of 0 - 14, where less than 7 represents acidity, 7 neutrality, and more than 7 alkalinity.

Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, Toxicity, or odor).

Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard. 40 CFR 403.3(s).

Pretreatment Standards or Standards. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances as stated in the local ordinance.

Publicly Owned Treatment Works or POTW. A treatment works, as defined by Section 212 of the Act (33 U.S.C. section 1292), which is owned by the City of Sioux City and operated by the City of Sioux City, Iowa. This definition includes any devices or systems used in the, storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the municipality [as defined in CWA Section 502(4)] that has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

Significant Industrial User (SIU)

1. All IUs subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and

- a. Any other IU that: discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5

percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by the Control Authority on the basis that the IU has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Slug Load or Slug Discharge. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in the local ordinance. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

Total Suspended Solids or Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering. Results are expressed in mg/L.

Wastewater. Liquid and water carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

2. Personnel Responsibilities

2.1 Control Authority Personnel

The Control Authority clearly establishes staff responsibilities for taking enforcement actions. As it matches personnel with enforcement responsibilities, the Control Authority should remember the time necessary to take enforcement action decreases as the authority to initiate the action is delegated. For example, by allowing field personnel to initiate certain types of administrative actions (such as issuing NOV's), the Control Authority ensures that these actions are taken soon after the noncompliance is discovered. Further, written delegation of specific responsibilities of staff helps the Control Authority respond consistently and in a routine manner to the industrial users, the public and the Approval Authority (Iowa Department of Natural Resources). However, some decisions (whether to pursue civil litigation or to terminate the service) must involve the Control Authority management and should not be delegated. The following subsections provide recommendations on assigning pretreatment responsibilities to the Control Authority personnel:

2.1.1 Industrial Pretreatment Coordinator

The Industrial Pretreatment Coordinator (IPC) is thoroughly familiar with program requirements and responsible for ensuring implementation of the Control Authority's pretreatment program requirements. Industrial users perceive that the program requirements originate in this person and look to him/her for guidance and assistance. As the Utilities Director' designated representative, the IPC is authorized to initiate specific enforcement proceedings as needed to protect the POTW, the environment, and the health and welfare of the public.

Under the supervision and direction of the Utilities Director, the IPC is responsible for:

- informal notices (verbal and written)
- notices of violation
- informal meetings
- publishing the annual list of significant violators
- referrals to the Approval Authority

Additional personnel are available at the POTW to assist the Industrial Pretreatment Coordinator IPC as needed. Duties of these personnel include maintaining industrial user inventory, sampling, equipment inspection and maintenance, and laboratory analysis. Treatment plant personnel are also available to assist in emergency situations as conditions may require.

2.1.2 Utilities Director

The Utilities Director is responsible for compliance with the terms and conditions of the POTW's NPDES permit and for the overall operation and maintenance of the POTW, including employee safety, protection of the collection system and the treatment plant quality, and sludge use and disposal. He/She has the responsibility to monitor the IPC's actions and to initiate the following enforcement actions:

- show cause hearings
- administrative orders
- consent agreements
- referrals to the Control Authority Attorney for judicial enforcement
- referrals to the Approval Authority or EPA

The Utilities Director as the Duly Authorized Representative of the POTW is responsible for signing any documentation requiring the signature of such.

2.1.3 Control Authority Attorney

The Control Authority Attorney will provide legal consultation as requested by the Utilities Director on consent agreements and administrative orders and will take the lead on all referrals for civil litigation and POTW initiated criminal investigations.

3. Implementation

3.1 Industrial User Inventory

An essential step for identifying noncompliance is knowing who is discharging nondomestic waste to the POTW, where they are located, and the nature of the nondomestic waste being discharged. The IPC maintains a current inventory of all nondomestic sources of waste to the POTW and will provide this list annually to the Approval Authority, including an indication whether these industries are regulated by categorical standards, local limits or both.

The Industrial User Inventory will be updated based on on-going or specific industrial user surveys and will be reflected in the annual pretreatment report to the state.

3.2 Monitoring and Inspection Plan

The IPC may prepare a monitoring and inspection plan (typically corresponding to the permit cycle for the POTW). The Control Authority monitors the wastewater from each Significant Industrial User (SIU) at least once per year and typically includes monitoring of

influent, effluent, and biosolids of the POTW system. The Control Authority requires all wastewater sampling and analysis to be performed in accordance with 40 CFR 136.

The Control Authority may implement standard operating procedures for field inspections, sampling events, and investigations including a procedure for screening data received via Control Authority sampling efforts or those submitted by the Industrial Users. A specific protocol for the review of industry monitoring reports will also be implemented.

Information gathered during Control Authority industrial user monitoring and inspections is used to verify industrial user compliance status and to determine if enforcement response must be initiated or continued. The Control Authority is also relying on the Industrial User to self-identify instances of noncompliance and report to the Control Authority.

3.3 Compliance Screening

All reports from Industrial Users and reports generated by the Control Authority are carefully reviewed, on an as-received basis for timeliness, completeness and accuracy. The screening process includes an evaluation of compliance with report due dates, numerical standards, sample handling and analysis requirements, signatory/certification requirements, monitoring frequency etc.

Any discrepancy will be considered a violation. To the extent possible, the User will be required to correct and respond to such discrepancies upon discovery by the IPC.

All violations will be clearly documented (even if no action is taken). The IPC will document all violations for the Utilities Director and each will be addressed in accordance with the Enforcement Table (see below, "Section 9.1 Enforcement Table").

3.4 Removal Credits

The Control Authority may, subject to the conditions of 40 CFR §403.7, grant removal credits to an Industrial User to which a categorical Pretreatment Standard(s) applies. The removal credits will reflect removal by the Control Authority of pollutants specified in the categorical Pretreatment Standard(s). The City of Sioux City, Iowa may grant a removal credit equal to or, at its discretion, less than its consistent removal rate.

The following conditions MUST be met for the City of Sioux City, Iowa to grant an IU removal credit(s):

1. City of Sioux City, Iowa must apply for, and receive, authorization from the Missouri DNR to give a removal credit in accordance with the requirements and procedures stated in 40 CFR §403.7(e).

2. City of Sioux City, Iowa demonstrates and continues to achieve consistent removal of the pollutant in accordance with 40 CFR §403.7(b).
3. City of Sioux City, Iowa has a program which is considered an approved pretreatment program in accordance with and to the extent required by 40 CFR §403.
4. The granting of removal credits will not cause the City of Sioux City, Iowa to violate the local, State and Federal Sludge Requirements which apply to the sludge management method chosen by the POTW. Alternatively, City of Sioux City, Iowa can demonstrate to the Iowa Department of Natural Resources that even though it is not presently in compliance with applicable Sludge Requirements, it will be in compliance when the Industrial User(s) to whom the removal credit would apply is required to meet its categorical Pretreatment Standard(s) as modified by the removal credit. If granting removal credits forces City of Sioux City, Iowa to incur greater sludge management costs than would be incurred in the absence of granting removal credits, the additional sludge management costs will not be eligible for EPA grant assistance.

3.5 Dental Dischargers

City of Sioux City, Iowa will seek out all dental facilities that discharge to the POTW and develop a list of Dental Dischargers as a sub-category of the Industrial User Inventory by mailing a letter and dental rule explanation packet to Dental Dischargers. (40 CFR 441, see appendix).

The One-Time Compliance Report ("OCTR") will be sent to all dental facilities. Dental Dischargers will be expected to return the completed report to the City of Sioux City, Iowa by the date indicated. It will be reviewed and returned if incomplete. City of Sioux City, Iowa will retain the OCTR in accordance with Municipal Ordinance 13.07.410.

Dental Dischargers are not subject to the full list of Significant Noncompliance criteria listed in Section 5.1. Instead, only (3), (4), and (8) of that section apply. The attached enforcement response table will apply if such violations occur. Late reporting is not considered SNC for DDs.

4. Description of Enforcement Actions

4.1 Informal Actions

4.1.1 Informal Notice

Informal notice consists of personal contact, telephone calls, e-mails, letters of warning, or reminder letters to an appropriate official of an industrial user. The IPC may use such a call, e-mail or letter to notify industrial users of a minor violation and to seek an explanation, suggest the user exercise more care or notify the violator that subsequent violations of the same type may be dealt with more severely. All informal notices will be documented in writing by the IPC or Utilities Director and placed in the user's file.

4.1.2 Informal Review Meeting

An informal review meeting is used to gather information concerning noncompliance, discuss steps to alleviate noncompliance, and determine the commitment level of the industrial user. Informal review meetings provide a voluntary means to prevent future violations.

The user shall be notified informally by the IPC of the meeting and the violations to be discussed. Depending on the nature and severity of the violation, the meeting may be in person or over the phone.

The IPC will lead the meeting and a Control Authority employee shall summarize the conclusions of the meeting. The Industrial User (IU) is required to respond to each violation identified with an explanation, and as appropriate, a plan to correct the violation within a specified period.

Neither the Informal Notice nor Notice of Violation is a precondition for calling an informal review meeting. In addition, no informal procedure is a prerequisite for instituting formal enforcement procedures.

4.1.3 Notice of Violation (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.470)

A Notice of Violation (NOV) is a written notice to the noncompliant industrial user that a pretreatment violation has occurred. A NOV includes a statement detailing the legal authority under which the Control Authority issued the NOV, a description of the violation(s), and the date(s) the violation(s) occurred. The NOV requires a response from the industrial user that details the causes of the violation(s), and the corrective actions taken to correct the violation and prevent similar violations from occurring.

In general, NOV's are more stringent enforcement responses than informal notices (informal meetings, letters, phone calls or e-mails). NOV's provide IUs with an opportunity to correct noncompliance on their own initiative rather than through an administrative order. NOV's shall be sent via certified mail. Within or up to a maximum of 30 days as required by the Utilities Director of the receipt of such notice, an explanation of the

violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Utilities Director.

4.2 Formal Notice

4.2.1 Standards Meeting

In cases where, following a NOV, continued violations occur or where violations of themselves are either of significant magnitude or duration, an IU may be required to attend Standards Meeting. The request for a Standards Meeting should be issued by the Utilities Director at the recommendation of the Pretreatment Coordinator to the SIU after or with the NOV. Notice of such a meeting shall be sent by certified mail, return receipt requested, and another source such as email, regular mail, or a site visit. Attendance is mandatory by the IU and failure to comply with such a notice may result in an order for Show Cause or suite for fines or penalties or such other remedies as provided by the Code of Ordinances. The Standards Meeting will establish procedures, investigations and studies as the Pretreatment Coordinator deems necessary and desirable to determine the cause of violations and methods to correct them.

At the conclusion of the Standards Meeting, the IU may be issued a compliance directive specifying actions to be undertaken including studies to identify and solve the problem. Timetables may also be established to complete any such studies as are required and variances, may be issued as required. Failure to comply with terms of the compliance directive or to implement the results of studies to alleviate the cause for violations may result in an order for Show Cause or suite for fines or penalties or such other remedies as are provided by the Code of Ordinances.

4.2.2 Administrative Orders (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.480)

Administrative Orders (AOs) are enforcement documents that direct Industrial Users to undertake and/or to cease specified activities by specified deadlines. The Utilities Director has the authority to issue AOs. The terms of an AO may or may not be negotiated with Industrial Users. AOs may incorporate compliance schedules, administrative penalties, and/or termination of service. Cease and Desist and Show Cause Hearing orders issued by the Control Authority are considered AOs.

The specific circumstances of an individual Industrial User's non-compliance will dictate the type of AO that is appropriate. More than one AO may be issued to respond to a particular instance of non-compliance. AOs are judicially enforceable, and the minimum level of enforcement used to address Significant Noncompliance (see, Section 5.1 for definition).

4.2.3 Consent Order (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.490)

Consent Orders combine the force of an AO with the flexibility of a negotiated settlement. The Utilities Director has the authority to enter into consent orders. Such orders are an agreement between the Control Authority and the Industrial User and contain the following elements: (1) compliance schedules, (2) stipulated fines and/or

remedial actions, and (3) signatures of the duly authorized representatives of Control Authority and the Industrial User. Consent Orders shall have the same force and effect as AOs and shall be judicially enforceable.

The IPC under the direction of the Utilities Director will typically request an informal review meeting to meet with the industrial user prior to the issuance of a consent order/agreement for the purpose of the development of compliance schedule milestone(s) and action(s) to be included within the Consent Order and to insure consent on these items by all parties.

4.2.4 Compliance Order (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.500)

When the Utilities Director finds that an IU has violated, or continues to violate, any provision of the ordinance, local rules and regulations, a wastewater discharge permit, a discharge authorization, or order or directive issued hereunder, or any other pretreatment standard or requirement, the Utilities Director may issue a Compliance Order to the IU responsible for the discharge directing that the IU come into compliance within a specified time. The Utilities Director is authorized to do this unilaterally and the terms of the compliance order need not be discussed with the IU in advance.

If the IU fails to come into compliance within the time provided, sanitary sewer service may be discontinued or other taken per the Enforcement Table unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance Orders also may contain other items or requirements to address the noncompliance, including penalties, additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the POTW.

A Compliance Order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a Compliance Order relieve the IU of liability for any violation, including any continuing violation. Issuance of a Compliance Order shall not be a bar against, or a prerequisite for, taking any other action against the IU.

4.2.5 Cease and Desist Orders (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.510)

A Cease and Desist Order directs a noncompliant IU to cease illegal or unauthorized discharges immediately or to terminate its discharge altogether.

When the Utilities Director finds that an IU violates, or continues to violate, any provision of the ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the IU's past violations are likely to recur, the Utilities Director may issue an order to the IU directing it to cease and desist all prohibited discharges and directing the IU to:

- A. Immediately comply with all requirements; and

- B. Make such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including, but not limited to halting operations and/or terminating the discharge. Issuance of a Cease and Desist Order shall not be a bar against, or a prerequisite for, taking any other action against the IU.

4.3 Show Cause Hearing (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.520)

The Utilities Director may order an IU which has violated, or continues to violate, any provision of the ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Utilities Director and show cause why the proposed enforcement action should not be taken. The initiation of a Show Cause Hearing is dependent on the nature and severity of the violation. Section 9.1 "Enforcement Response Table" provides guidance.

Written notice of the date, time, and location of the hearing shall be served personally or via certified mail to the parties of the Administrative Order no less than 14 days prior to the date thereof. No other person, other than the Hearing Officer and parties to the Administrative Order (including counsel), shall be permitted to participate in the hearing unless expressly permitted by the City.

If a person fails to appear at a hearing, or fails to comply with an order of the City or hearing officer, the City or Hearing Officer may:

- (1) find that the allegations of the Administrative Order or the issues set out in the Administrative Order or requirement to show cause are true and deemed to be proved without further proof;
- (2) affirm the action of the Utilities Director;
- (3) exclude evidence not already before the City or Hearing Officer;
- (4) issue a Compliance Order; or
- (5) refer the matter to civil litigation or criminal prosecution.

Each party shall secure the attendance of any permitted witnesses and for the production of such evidence at the hearing as the party desires to tender. No discovery shall be allowed as a matter of course, provided that any party may file a written request with the City or Hearing Officer seeking the issuance of an order requiring the other party to admit to the truth of one or more matters.

A party shall have all evidence to be presented, both oral and written, available on the date of the hearing. The party shall be responsible for presenting credible evidence of such quality and scope as is sufficient to persuade the City or the hearing officer that the

party is entitled to the relief which is sought. If a person fails to present such evidence, then the City or hearing officer shall affirm the action of the Utilities Director.

In considering the admissibility of evidence, the City or Hearing Officer is not bound to follow the standards required of judicial bodies nor of administrative law judges under the Administrative Procedures Act. The City or Hearing Officer may admit such evidence that has probative value. Irrelevant, incompetent and immaterial or unduly repetitious evidence may be excluded.

All evidence to be considered in the hearing, including all records and documents or a true and accurate photocopy, shall be offered and made a part of the record of the hearing.

Requests for a continuance of a hearing may be granted by the City or Hearing Officer upon showing of good cause. A request for a continuance of a hearing shall be made in writing to the City or Hearing Officer. In determining whether good cause exists, due regard shall be given to the ability of the party requesting a continuance to proceed effectively without a continuance.

During a hearing, if it appears in the interest of justice that further testimony should be received, and sufficient time does not remain to conclude the testimony the City or Hearing Officer may continue the hearing to a future date for which oral notice on the record is sufficient. A continuance shall not be granted when to do so would prevent the hearing from being concluded and a decision issued within ninety calendar days after the date on which the Show Cause Hearing commences, unless both parties consent to the continuance.

A party need not be represented by an attorney. If a party has notified the other party of that party's representation by an attorney, all communications to that party shall be directed to that attorney.

Prior to issuing an order or decision, the hearing officer may ask any party to submit a proposed order or decision which may include proposed findings of fact and conclusions of law.

Upon conclusion of the hearing, the City or Hearing Officer shall declare the record of the hearing closed. No further documents, affidavits, nor testimony shall be considered, provided that the City or Hearing Officer may, at its sole discretion, permit any party to file additional written arguments. The City or hearing officer shall issue a written decision as soon as practicable after the close of the record, but no later than ninety (90) calendar days after the date on which the adjudicatory hearing commences, unless all parties consent to a reasonable extension of such time. The written decision of the City shall be a trial decision appealable to the District 3 Court.

4.4 Emergency Suspension (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.540)

The Utilities Director may immediately suspend an IU's discharge, after informal notice to the IU, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The Utilities Director may also immediately suspend an IU's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- Any IU notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of an IU's failure to immediately comply voluntarily with the Suspension Order, the Utilities Director may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Utilities Director may allow the IU to recommence its discharge when the IU has demonstrated to the satisfaction of the Utilities Director that the period of endangerment has passed, unless the termination proceedings in 13.07.550 of the city ordinance are initiated against the User.
- An IU that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Utilities Director prior to the date of any Show Cause Hearing under 13.07.520 or 13.07.550 of this ordinance.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

4.5 Termination of Discharge (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.550)

Termination of discharge is the revocation of an IU's privilege to discharge nondomestic wastewater into the sewer system. Termination of Discharge is used when the discharge from an IU presents imminent endangerment to the health or welfare of persons, or the environment, or threatens to interfere with the POTW's operations, or as an escalating enforcement action when a noncompliant IU fails to respond adequately to previous enforcement actions.

In addition to the provisions in 13.07.260 of the ordinance, any IU who violates the following conditions is subject to discharge termination:

- Violation of individual wastewater discharge permit conditions;
- Failure to accurately report the wastewater constituents and characteristics of its discharge;

- Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- Violation of the Pretreatment Standards in 13.07.030-13.07.080 of the ordinance.

Termination of service may be accomplished by physical severance of the IU connection to the POTW, requesting the IU to immediately terminate its discharge, revocation of the IUs discharge permit, or a court ruling.

Such IU will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under 13.07.520 of the ordinance why the proposed action should not be taken. Exercise of this option by the Utilities Director shall not be a bar to, or a prerequisite for, taking any other action against the User.

4.6 Administrative Fines (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.530)

An administrative fine is a punitive monetary charge assessed by the Control Authority rather than a court. The purpose of the fine is to recover the economic benefit of noncompliance and to deter future violations. When assessing an administrative fine, the following factors are considered:

- Magnitude of the violation;
- Duration of the violation;
- Effect of the violation on the POTW's receiving stream;
- Effect of the violation on POTW processes and equipment;
- Effect on the Authority's or its representatives' equipment;
- Compliance history of the IU ;
- Good faith of the IU industrial user; or
- Pollutants of importance to the POTW.

Fines will be issued by the Utilities Director and charged pursuant to the Control Authority's Fine Schedule (see, Section 7).

4.7 Judicial Enforcement Remedies

4.7.1 Civil Penalties (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.570)

Civil litigation is the formal process whereby the Control Authority files a lawsuit against the IU to secure court ordered action to correct violations and to secure penalties for the violations including recovery of costs to the POTW for the noncompliance. Civil Litigation also includes enforcement measures which require involvement or approval of the court, such as injunctive relief.

4.7.2 Criminal Penalties (Title 13 of the Sioux City Municipal Code "Sewers" 13.07.580)

Criminal prosecution is the formal process of charging individuals and/or organizations with violations of ordinance provisions that are punishable, upon conviction, by fines

and/or imprisonment. The Control Authority authorizes criminal prosecution for ordinance violations when they are willful or negligent and may be appropriate in cases of repeated violations or when less formal efforts to restore compliance have failed. Criminal prosecution may be brought prior to, concurrently with, or subsequent to civil litigation. The Utilities Director shall initiate criminal prosecution through legal counsel.

4.8 Referral to EPA or the Approval Authority

On a case-by-case basis, there are times when a POTW could benefit from additional support from the Approval Authority or the regional EPA office. The level of involvement can vary from situations such as handing the case over to EPA or the Approval Authority, relying on these agencies for additional support, to attend meetings, and provide review of enforcement actions.

4.9 Remedies Non-Exclusive

The remedies provided for herein are not exclusive. The Control Authority may take any, all, or any combination of these actions and actions outlined in the Ordinance (13.07.600-13.06.660 Supplemental Enforcement Action) against a noncompliant IU. Enforcement of pretreatment violations will generally be in accordance with this Enforcement Response Plan. However, the Utilities Director may take other action against any IU when the circumstances warrant. Further, the Utilities Director is empowered to take more than one enforcement action against any noncompliant IU.

5. Response to Pretreatment Requirement Violations

The identification of a violation of pretreatment requirements, regardless of the severity, will initiate the enforcement process. Discovery of a violation may occur because of any number of activities. The list below represents the most common sources of identifying violations:

- Review of surveillance sampling results;
- Review of IU self-monitoring results;
- Spill/accidental discharge reports from IU
- Site visits/inspections by Approval Authority personnel and/or representatives of Control Authority;
- Information provided by IU employees;
- Observations by field personnel;
- Information provided by the public or private citizens;
- Review of compliance schedule requirements;
- Review of compliance agreement or agreed judgment requirements; and
- Information provided by other agencies (EPA, County Public Health Department, etc.).

Once a violation is identified, it is the responsibility of the Control Authority to implement the appropriate enforcement response as outlined in the Enforcement Table. When determining an appropriate response, particularly one which includes the imposition of penalties, the procedures outlined in the Enforcement Table must be followed. In applying the Enforcement Table, the following criteria shall also be used in determining the appropriate response:

- Magnitude of the violation;
- Duration of the violation;
- Effect of the violation on the POTW's receiving stream;
- Effect of the violation on POTW processes and equipment;
- Effect on the Authority's or its representatives' equipment;
- Compliance history of the IU;
- Good faith of the IU; or
- Pollutants of importance to the POTW.

The Enforcement Table designates enforcement options for many possible types or patterns of noncompliance, identifies the personnel who should take these responses, identifies documents to be completed, and discusses the time frames for taking such actions. The Enforcement Table is not exhaustive of all possible types or patterns of noncompliance. If a violation arises that does not have an enforcement response specified in the Enforcement Table, the IPC and/or Utilities Director will apply an appropriate response based on the consideration of factors stated above and consistent with the penalties outlined for other similar types or patterns of noncompliance in the Enforcement Table.

The Control Authority will periodically reassess the effectiveness of the Enforcement Table in accomplishing the pretreatment program's goals.

5.1 Significant Noncompliance

The Enforcement Table incorporates when a determination of Significant Noncompliance (as defined in 40 CFR 403.8 (f)(2)(viii)) needs to be made.

Instances of Significant Noncompliance (SNC) are Industrial User violations which meet one or more of the following criteria:

1. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);
2. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all the measurements taken for the same pollutant parameter 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, oils and grease, and 1.2 for all other pollutants except pH);
3. Any other violation of a Pretreatment Standard or Requirement that the Utilities Director 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 to the environment, or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
5. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a local control mechanism (e.g., an IU permit, compliance agreement) or enforcement order for starting construction, completing construction, or attaining final compliance;
6. Failure to provide, within forty-five (45) days after the due date, required reports, such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules
7. Failure to accurately report noncompliance; or
8. Any other violation or group of violations, which may include a violation of Best Management Practices as required in a local control mechanism, which the Utilities Director determines will adversely affect the operation or implementation of the local Pretreatment program.

Note: A determination of Significant Noncompliance will be based on a six-month time period. The six-month time period will be based on data provided in January and July for the preceding six-months. Minimum Enforcement Response for Significant Noncompliance is an Administrative Order and Public Notification per 13.07.460 of the Title 13 of the Sioux City Municipal Code "Sewers". Public notification will minimally occur annually or more frequently at the Utilities Director's discretion.

** For Compliance reports: The User shall submit a progress report to the Utilities Director no later than fourteen (14) days following each milestone date in the schedule and the final date of compliance. The thirty (30) day deadline cited here starts on the fifteenth (15th) day and concludes after forty-five(45) calendar days. The report must be postmarked by the forty fifth (45th) day.*

6. Time Frames for Response by Control Authority and Follow Up

For an enforcement action to be effective, it must be timely. For an action to be timely, the violation must be detected and responded to promptly after its occurrence.

The Control Authority should follow the following guidelines for response and follow up with IUs. For the purposes of the ERP, days are calendar days.

Action	Time Frame
Review of compliance reports (General Guideline)	The Control Authority staff should review industrial user reports within 15 days of receipt. Violations observed by the Control Authority field personnel should receive even swifter attention.
Monitoring data collected by POTW.	The POTW will notify IU within 24 hours of becoming aware of a violation.
Initiation of any Enforcement Response (General Guideline)	No more than 30 days be allowed to elapse between the detection of the violation(s) and the initiation of any enforcement response. Violations with the potential to harm the POTW, people or the environment warrant and immediate enforcement response.
Informal Notice or Informal Review Meeting	Notice or the Meeting should be scheduled within 5 days of detection of the violation.
Notice of Violation	NOV should be sent to the noncompliant user within 30 business days of the violation's identification or after results of the re-sampling event occur. Should be hand delivered* or sent certified mail to the IU.
Administrative Orders (includes: Consent Order, Compliance Order, Termination of Service, and Cease and Desist)	Order shall be issued within 30 days between the identification of the violation(s) and issuing order(s). Should be hand delivered or sent certified mail to IU. SNC determinations for chronic and technical review criteria are made after the six-month monitoring period results have been received which may result in the administrative order being issued after the six-month period has ended.
Compliance Schedule Monitoring after a Violation	Follow-up compliance activities should begin no later than 30 to 45 days after the initial enforcement response is taken. Determination of completion of a compliance schedule milestone or verification of a submitted report should be made on or about the milestone date in the compliance schedule.
Escalation of Enforcement Response (violations persist or satisfactory progress is not being made)	Follow-up enforcement actions should be taken within 60 to 90 days of the initial enforcement action.

*Control Authorities should use policies and procedures for hand delivery of documents as stated in the CA's Municipal Code. If no local ordinance exists, the CA will provide one copy to the IU with the original signature of the person delivering

the document on behalf of the CA and signature of the person receiving it on behalf of IU along with the date and time of delivery. A second copy with the same original signature, date, and time will be retained by the CA.

7. Schedule

The Fine Schedule provides guidance on fine amounts and the time frames for issuing fines. **Any violation after a six-month period of compliance shall be considered a first offense unless otherwise determined by the Utilities Director. The Control Authority has the legal authority to escalate fines after the first offense based the factors outlined in Section 5 of this Guide.**

The maximum fine allowed for Pretreatment Code violations is \$1000 per violation per day. In general, the response to a first offense will be an informal telephone call/e-mail or meeting with no fine, unless specified below. Fines will then increase at the Control Authority's discretion based on the fine schedule and factors set out in Section 5 of this Plan.

If the violation meets the definition of Significant Noncompliance, the minimum fine shall correspond to the 2nd offense (\$500-\$750 per violation per day) and escalate thereafter unless fines are waived as part of the corrective action being required.

The following Fine Schedule is not exhaustive of all situations where an administrative fine is needed. The Utilities Director should make fine determinations not specified here, based on the factors mentioned in Section 5 of this Plan.

Fine Schedule

All amounts are per violation per day, unless otherwise specified. The initial and subsequent offenses refer to a six-month period and the six-month period following. If a facility is in compliance relative to a particular violation for a six-month period, then the fine schedule shall re-start unless otherwise determined by the Utilities Director depending on the severity of the violation.

\$0-\$500 – First Offense

\$500-\$750 – Second Offense (except as noted below):

- Failure to implement or document BMP- \$250 per violation/per day
- Failure to properly operate and maintain pretreatment system- \$250 per violation/per day
- Portable Sampler Rental Fee is \$150 per day if industrial user sampler is not properly operating for longer than five (5) days.

\$750-\$1000 – Third Offense and Reoccurring Offenses

Late Reports

- No Fine 0-5 calendar days after the report is due.
- \$25/day minimum at five (5) calendar days after the report is due. Increased fine amount and/or progression of fine should be specified in the Notice of Violation.
- Late report- \$500/day 45 days after the report is due also constitutes Significant Non-Compliance

8. Payment of Fines

The amount of the administrative fine plus the amount of the damages shall be determined and shall be added to the IU's next sewer service bill. The fine and the damages shall be paid in accordance with utility billing policies. Non-payment of the administrative fines and damages shall have the same remedies as non-payment of a utility bill.

Utilities Director in consultation with the City may consider applying fines paid towards the user's remedial action on a case-by-case basis. The City is under no legal obligation to consider applying fines to the user's remedial action(s) and the percentage of the fine is at the discretion of the Utilities Director.

9. Compliance and Enforcement

The Enforcement table includes a series of "Levels" of actions which are appropriately escalating in the level of the response and the personnel involved both from the Control Authority and from the Industrial User. Below are Definitions and Abbreviations used consistently throughout the document.

9.1 Definitions

HARM means the noncompliance caused interference, pass through, or endanger the health of City POTW personnel or general public, or the noncompliance caused the City POTW a violation of NPDES permit or impact biosolids disposal. Harm also includes increased cost of treatment or actual destruction of equipment. Response to the noncompliance should determine the seriousness of the harm and the cost to the City.

NON-SIGNIFICANT means the numerical result of the reported value is less than the permit limit times the technical review criteria multiplier*.

SIGNIFICANT means the numerical result of the reported value is more than the permit limit times the technical review criteria multiplier*.

*Refer to the Section 5.1, Significant Noncompliance for the technical review criteria reference or the quick reference on the following page.

ISOLATED means two or less violations for the 6-month (per pollutant) for the 6-month compliance period.

RECURRING means more than two violations for the 6-month compliance period or an on-going violation from the previous 6-month compliance period.

ONGOING means the noncompliant event is ongoing after notice of the event and after notice of the recurring event and requires further escalation to correct the noncompliance.

9.1.1 Abbreviations

AO	Administrative Order (CA option to issue either a Consent Order (negotiated) or a Compliance Order (directed))
ARU	Authorized Representative of User
BMP	Best Management Practice
CA	Control Authority (City of Sioux City)
FC	Facility Contact (under the direction of the ARU)
IC	Informal Communication
IU	Industrial User
IRM	Informal Review Meeting
NOV	Notice of Violation
NOW	Notice of Warning
PC	Pretreatment Coordinator (under the direction of the UD)
POTW	Publicly Owned Treatment Works (Collection system and/or the wastewater treatment plant)
SIU	Significant Industrial User
SCH	Show Cause Hearing
SNC	Significant Noncompliance
SM	Standards Meeting

UD	Utilities Director
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9.2 Significant Noncompliance Quick Reference

Refer to Section 5.1 for the full definition of Significant Noncompliance; a quick reference is provided here:

SNC Item Reference	Brief Description	Details
#1	Chronic Criteria	66% or more of sample results for an individual pollutant exceed the permit limit
#2	Technical Review Criteria	33% or more of the sample results equal or exceed the "TRC". The "TRC" is the permit limit times a multiplier. <ul style="list-style-type: none"> pH: TRC criteria does not apply (only evaluate instances of noncompliance for chronic criteria) For BOD, TSS, Ammonia and Oil & Grease: 1.4 multiplier For all other pollutants (metals, organics, etc): 1.2 multiplier
#3	Causes Interference or Pass-Through	Any other violation of a Pretreatment Standard or Requirement that causes Interference or Pass Through (including endangering the health of POTW personnel or the general public)
#4	Imminent Endangerment	Discharge caused imminent endangerment to human health, welfare, or to the environment. Requires CA to halt the discharge from the IU
#5	Missed Compliance Milestone Event by 90 Days	If a Compliance Milestone Event is missed by more than 90 days then the IU is considered in SNC. Reports on Compliance Milestones are not included in this definition of SNC
#6	Late Reports by more than 45 Days	Reports such as: baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, reports on compliance with compliance schedules
#7	Failure to Accurately Report Noncompliance	Failure to accurately report noncompliance
#8	Other Violations	Violation of a BMP or other permit requirement which impacts the CA's ability to properly implement the Pretreatment Program

Considerations when evaluating SNC:

- SNC is evaluated for six-month periods – this is relevant to items #1 and #2 above; for the other instances of noncompliance an SNC determination should be made at the time of the event.
- If there is a permit limit violation it should trigger a Significant Noncompliance Evaluation by the Control Authority and communication should be maintained with the Industrial User as additional monitoring is collected over the remaining six-month period.
- The six-month period is generally considered the first half of the year (January 1 – June 30) and the second half of the year (July 1 – December 31).

9.3 Action Levels

Nature of the Violation - General	1. Enforcement Action from POTW	Control Authority Action & Timeframe after detection/documentation of the violation	IU Action & Timeframe after detection/documentation of the violation
	2. Personnel Involved		

Level 1 Action: 1 st offense FC unaware; unintentional; NO HARM to POTW or environment; Not yet SNC	1. IC or NOW; IRM if needed	PC to schedule IRM within 5 days if needed and issue IC or NOW within 30 days. PC to evaluate for SNC	Notify PC of Violation Confirm and respond to the IC/IRM
	2. PC, FC		
Level 2 Action: ISOLATED, SIGNIFICANT, NO HARM; Not yet SNC	1. NOW or NOV with IRM	PC to schedule IRM with the FC within 5 days; PC prepare NOW/NOV within 30 days; PC to evaluate for SNC	Notify PC of violation Respond within time frame required by CA with Corrective Action Plan or other required information
	2. PC, FC		
Level 3 Action: RECURRING, previous noncompliance; NO HARM; Not yet SNC	1. NOV with IRM	PC to brief UD PC to schedule IRM within 5 days PC to issue the NOV within 30 days of IRM PC to evaluate for SNC	Notify PC of violation Participate in IRM as required Prepare Corrective Action Plan or other response
	2. PC, UD, FC		
Level 4 Action: SNC Criteria is met but NO HARM	1. AO and/or SM, SNC Notification, PN, Fine	PC to inform UD of violation UD to issue AO and/or schedule SM with consensus from City Attorney, City Admin within 28 days PC may issue Admin Fine under UD PC to prepare AO PC to prepare PN	Notify PC of the violation per Notification Category Participate in SM as required Assist in development and comply with order(s) within time specified therein Pay fines as applicable Modify permit in cooperation with POTW, if needed
	2. PC, UD, City Attorney, ARU		
Level 5 Action: SNC Criteria met and HARM	1. AO and SM; SCH if needed; SNC Notification, PN and Fine	PC to inform UD of violation PC to schedule SM within 5 days AO issued after SM by UD with consensus from City Attorney within 30 days UD may issue Admin Fine Under direction of UD: PC to prepare AO PC to prepare PN	Notify PC per Notification Category Participate in SM as required Immediately cease discharge, comply with order(s) within the time specified Comply with judicial enforcement remedies Pay administrative fines as required
	2. PC, UD, City Attorney, ARU		
Level 6 Action: Imminent endangerment, intentional noncompliance; SNC criteria met	1. Cease and desist, terminate discharge, SCH, Admin Fine, PN, SNC Notification; Judicial enforcement remedies	PC to notify IU and UD immediately UD to order immediate termination of discharge and schedule SCH UD may issue Admin Fine All in consultation with the City Attorney, City Admin PC to complete the PN PC to prepare SNC notification for UD issuance	Notify PC immediately upon becoming aware of the violation Immediately cease discharge, comply with order(s) within the time specified Attend SCH Comply with judicial enforcement remedies Pay Administrative Fines as required
	2. PC, UD, City Attorney, ARU		

9.4 Categories of Noncompliance

9.4.1 Permit Limit and Best Management Practice Violations

Violations in this Category	Numerical Permit Limit Violations, Failure to follow Best Management Practices (BMPs) SNC Criteria
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Event Description	Corresponding Action (Refer to table above)
Isolated, not significant violation	Level 1 Action
Isolated, significant violations, no HARM	Level 2 Action
Recurring (significant or nonsignificant violation), no HARM	Level 3 Action
Recurring, Technical or Chronic Review Criteria is met for compliance period, no HARM	Level 4 Action (SNC #1 and/or #2)
HARM	Level 5 Action (SNC #1 or #2, and/or #3)
Imminent endangerment to public or to the environment or has otherwise resulted in emergency action by CA to protect POTW, POTW personnel, or general public	Level 6 Action (SNC #1 or #2, and/or #4)

9.4.2 Reporting Violations

Violations in this Category	Late Reports, failure to notify (changes, hazardous waste discharge, slug events, bypass, etc.), certification issues, and failure to report all results
LATE REPORTS	Reports include: Permit applications/baseline monitoring reports, compliance schedule milestone reports, 90-day compliance reports, periodic compliance reports, repeat sampling reports, reports for Best Management Practices
Event Description	Corresponding Action (Refer to table above)
<5 days late	Level 1 Action
5 – 15 days late and IU was notified as part of Level 1 Action; if not notified then refer to Level 1 Action	Level 2 Action with fines for late reports
15 – 45 days late with IU notified with a Level 1 or Level 2 Action prior to Level 3 Action	Level 3 Action with fines for late reports
>45 days late	Level 4 Action (SNC #6)
Notifications	Potential Problems/Slug Events (Immediately), Changes in Discharges (30 days), Noncompliance (e.g., permit limit violations within 24 hours of becoming aware); also includes failure to report all results
Event Description	Corresponding Action (Refer to table above)
Failure to notify or report all results: unintentional, no HARM	Level 1 Action
Failure to notify or report all results: after notice/recurring, no HARM	Level 2 Action
Failure to notify or report all results: Ongoing and/or HARM	Level 5 Action (SNC #3)
Failure to Notify or report all results: Ongoing and/or Imminent Endangerment	Level 6 Action (SNC #4)
CERTIFICATIONS	Issues with Report Certifications
Event Descriptions	Corresponding Action (Refer to table above)
Certification omitted or report not properly certified (not certified or certified by a person which is not authorized or duly authorized): Initial notification by the CA, unintentional	Level 1 Action
Certification omitted or report not properly certified (not certified or certified by a person which is not authorized or duly authorized): Recurring	Level 2 Action
Certification omitted or report not properly certified (not certified or certified by a person which is not authorized or duly authorized): Intentional, not corrected	Level 4 (SNC #8)

9.4.3 Sampling Violations

Violations in this Category	Failure to monitor for all pollutants and parameters, improper monitoring location, improper sample type/collection method, analysis out of hold times, lab transport issues (broken bottles), other lab qualifications on sample results, chain of custody documentations, pH hold time issues, failure to follow BMPs, failure to maintain sampling equipment, failure to properly calibrate equipment or failure to properly document items in this Category
Event Description	Corresponding Action (refer to Table Above)
Unintentional, initial notice	Level 1 Action
Intentional, initial notice	Level 2 Action including development of a Sampling Plan and Schedule to correct deficiencies
Recurring notification to correct	Level 3 Action
Ongoing and/or HARM	Level 4 Action (SNC #3 or #8)
Ongoing and/or Imminent Endangerment	Level 4 Action (SNC #4 or #8)

9.4.4 Discharges Not Authorized

Violations in this Category	SIUs without a permit, collection system unauthorized discharges (to the collection system via a manhole, car wash facility, septic receiving station, food service establishment, etc), discharge causing damage to or otherwise inhibiting the collection system, pollutants/characteristics of a discharge for a permitted IU not previously communicated. Discharges of hazardous waste are not authorized in the City of Sioux City, Iowa
Event Description	Corresponding Action (refer to Table Above)
Unintentional, initial notice, no HARM	Level 1 Action
Intentional, initial notice, no HARM	Level 2 Action
Recurring notification to correct	Level 3 Action
Ongoing and/or HARM	Level 4 Action (SNC #3 or #8)
Ongoing and/or Imminent Endangerment	Level 4 Action (SNC #4 or #8)

9.4.5 Compliance Schedule Milestones

Violations in this Category	Delays in Compliance Milestone Events; this category does not apply to late reports associated with compliance milestones; refer to the Reporting Category for Compliance Milestone Reports
Event Description	Corresponding Action (refer to Table Above)
Missed milestone by less than 15 days, or will not affect final milestone	Level 1 Action
Missed milestone by 15 – 45 days, or will affect final milestone (good cause for delay)	Level 2 Action
Missed milestone by more than 45 days, or will affect final milestone (no good cause for delay)	Level 4 Action (SNC #5)
Missed milestone by more than 90 days	Level 4 Action (SNC #5)

Missed milestone by more than 90 days, inadequate efforts to correct/meet compliance milestone intentions	Level 5 Action (SNC #6 and/or #8)
Missed milestone, HARM or Imminent Endangerment	Level 6 Action (SNC #3, #4, and/or #8)

9.4.6 Violations Detected During Site Visits

Violations in this Category	Entry Denial, Falsification of Records
Event Description	Corresponding Action (refer to Table Above)
Initial notification, entry denied and/or falsification of records identified	Level 2 Action
Repeated Attempt for Site Entry	Level 4 Action (SNC #8)
Repeated Attempt for Site Entry	Level 6 Action or Search Warrant ¹ (SNC #8)

¹ Obtain Search Warrant in Cooperation with City Attorney

9.5 Compliance Guidelines

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.

Requirement/Event	Deadline	Notes
PERMIT APPLICATION SUBMISSION		
New Connection to POTW (13.07.160)	180 days prior to the date upon which any discharge will begin or recommence	Permits issued for a specific time period, not to exceed 5 years
Previously Unpermitted Connection to POTW (13.07.150)	Date requested by Utilities Director.	Permits issued for a specific time period, not to exceed 5 years
Permit Reissuance (13.07.270)	IU with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application	A minimum of 90 days prior to the expiration of the IU's permit
PERMIT APPEALS (13.07.230)		
Any person, including the User, may petition the Utilities Director to reconsider the terms of an individual wastewater discharge permit	Within 30 days of notice of issuance of the permit	
Action on the Appeal by the Utilities Director	Within 90 days of request for reconsideration.	If Utilities Director fails to act within 90 days, the appeal is assumed to be denied.
Judicial review of the final administrative individual wastewater discharge permit decision (file complaint with District 3 Court)	Within 30 days of notice from the Control Authority to the IU	
Permit Transfer (13.07.250)		
Permittee must give written notice to the Utilities Director. The notice must meet requirements out lined in 13.07.250.	10 working days prior to the transfer	
MONITORING REPORTS		
Existing Categorical IUs currently	(180) days after the effective	

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discharging to or scheduled to discharge to the POTW must submit to the Utilities Director a report which contains the information listed in 13.07.290.	date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later	
New Sources, and sources that become Categorical IUs after the promulgation of an applicable categorical Standard, shall submit to the Utilities Director a report which contains the information listed in 13.07.290.	At least ninety (90) days prior to commencement of their discharge	
Compliance schedule progress reports (13.07.300) <i>The User shall submit a progress report to the Utilities Director no later than fourteen (14) days following each date in the schedule and the final date of compliance. In no event shall more than nine (9) months elapse between such progress reports to the Utilities Director</i>	Within 14 days of the compliance milestone	
REPORTS ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE		
Compliance with Categorical Pretreatment (13.07.290) <i>Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW</i>	Within 90 days	
PERIODIC COMPLIANCE REPORTS		
Significant IUs	No less than twice per year, January and July, or on dates specified by the Utilities Director	
CERTIFICATION STATEMENT SIGNED BY AN AUTHORIZED REPRESENTATIVE REQUIRED (see, 13.07.420 13.07.420)		
Permit Application	With Application	
Permit Transfer Notice	With Written Notice of Transfer	
Baseline Monitoring Reports	With Report	
Reports on Compliance with the Categorical Pretreatment Standard Deadlines including resampling within 30 days to meet pretreatment standards.	With Report	
Periodic Compliance Reports	With Report	
Initial request to forego sampling of a pollutant	With Request	
Total Toxic Organics (TTO)	With Report	

Appendix (Forms and Checklists)

[Insert Industry Name]
[Permit Number]
[Insert Industry Address]
[Insert Date]

Notice of Violation

City of Sioux City, Iowa

Industrial Pretreatment Program

LEGAL AUTHORITY

The following findings are issued and notice provided pursuant to the authority vested in the City of Sioux City, Iowa Industrial Pretreatment Coordinator, under Title 13 of the Sioux City Municipal Code "Sewers". This order is based on findings of violation of the conditions of the wastewater discharge permit issued pursuant to 13.07.140-13.07.280-INDIVIDUAL WASTEWATER DISCHARGE PERMITS of the City's Sewers and Sewer Disposal Ordinance.

FINDINGS

1. The City of Sioux City, Iowa is charged with the construction, maintenance, and control of the sewer system and treatment works.
2. To protect the sewer system and treatment works, the City of Sioux City, Iowa administers a pretreatment program.
3. Under this pretreatment program, **[Name of the Industrial User]** was issued a discharge permit.
4. The discharge permit issued to **[Name of Industrial User]** contained numerical limits on the quality of pollutants, which **[Name of Industrial User]** could discharge and identified self-monitoring requirements.
5. On **[Date]** pollutant analysis revealed that the quantity of **[pollutant]** exceeded the permit limitation. **[NOTE: Several violations can be listed under this section. Each violation will be unique but must specify how the Industrial User is in violation of the permit]**

NOTICE AND REQUIRED ACTIONS

THEREFORE, BASED ON THE ABOVE FINDINGS, [NAME OF THE INDUSTRIAL USER] IS HEREBY NOTIFIED THAT:

It is in violation of its discharge permit and the Title 13 of the Sioux City Municipal Code "Sewers" of Sioux City, Iowa.

[penalty if applicable; refer to ERP table]

Within 10 days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the Industrial User to the Industrial Pretreatment Coordinator.

Signature

Industrial Pretreatment Coordinator
City of Sioux City, Iowa

Date

[Insert Industry Name]
[Permit Number]
[Insert Industry Address]
[Insert Date]

Consent Order

City of Sioux City, Iowa

Industrial Pretreatment Program

LEGAL AUTHORITY

WHEREAS, the City of Sioux City, Iowa pursuant to the powers, duties, and responsibilities vested in and imposed on the Utilities Director by the City of Sioux City's Title 13 of the Sioux City Municipal Code "Sewers" has conducted an ongoing investigation of **[Industrial User]** and has determined the following:

FINDINGS

The City of Sioux City owns and operates a wastewater treatment plant administered by the City of Sioux City, Iowa which is adversely impacted by discharges from the industrial users, including **[Industrial User]**, and has implemented a pretreatment program to control such discharges.

[Industrial User] has consistently violated the pollutant limits in its wastewater discharge permit as set forth in Exhibit 1 **[attach copy of the permit]**, as attached hereto.

COMPLIANCE SCHEDULE

Therefore, to ensure that **[Industrial User]** is brought into compliance with its permit limits at the earliest possible date, **IT IS HEREBY AGREED AND ORDERED, BETWEEN [INDUSTRIAL USER] AND THE Utilities Director OF THE City of Sioux City, Iowa, THAT [INDUSTRIAL USER] SHALL:**

1. By **[INSERT DATE]**, obtain the services of a licensed professional engineer specializing in wastewater treatment for the purpose of designing a pretreatment system which will bring **[Industrial User]** into compliance with its' wastewater discharge permit. **[Example- not required]**
2. By **[INSERT DATE]** submit plans and specifications for the proposed pretreatment system to the City of Sioux City, Iowa. **[Example-not required]**
3. By **[INSERT DATE]** install the pretreatment system in accordance with the plans and specifications submitted in #2 above. **[Example- not required]**
4. By **[INSERT DATE]** achieve compliance with the pollutant limits set forth in Exhibit 1.
5. **[Industrial User]** shall pay **[Insert Fine Amount]** per day for each and every day it fails to comply with the schedule set out above. The **[Insert Fine Amount]** per day penalty shall be paid to **[Insert who payment should be made to]** within **[Insert number of days]** of being demanded by the City of Sioux City, Iowa.
6. In the event **[Industrial User]** fails to comply with any of the deadlines set forth, **[Industrial User]** shall, within one (1) working day after the expiration of the deadline, notify the City of Sioux City, Iowa in writing. This notice shall describe the reasons for the **[Industrial User]**'s failure to comply, the additional amount of time needed to complete the remaining work, and the steps to be taken to avoid future delays. This notification in no way excuses **[Industrial User]** from its responsibility to meet any later milestones required by the Consent Order.
7. Compliance with the terms and conditions of this Consent Order shall not be construed to relieve **[Industrial User]** of its obligation to comply with its wastewater discharge term permit which remains in full force and effect. The City of Sioux City, Iowa reserves the right to seek any and all remedies available to it under 13.07.480, 13.07.570, 13.07.580 of the City's Title 13 of the Sioux City Municipal Code "Sewers" for any violation cited by this order.
8. Violation of this Consent Order shall constitute a further violation of Title 13 of the Sioux City Municipal Code "Sewers" and subjects **[Industrial User]** to all penalties described therein.
9. Nothing in this Consent Order shall be construed to limit any authority of the City of Sioux City, Iowa to issue any other orders or take any other action which it deems necessary to protect the wastewater treatment plant, the environment or the public health and safety.

SIGNATURES

Utilities Director, City of Sioux City, Iowa

Date

Duly Authorized Rep. Industrial User

Date

[Insert Industry Name]
[Permit Number]
[Insert Industry Address]
[Insert Date]

Compliance Order

City of Sioux City, Iowa

Industrial Pretreatment Program

LEGAL AUTHORITY

The following findings are issued and ordered pursuant to the authority vested in the Utilities Director of the City of Sioux City, Iowa, under Title 13 of the Sioux City Municipal Code "Sewers". This order is based on findings of violation of the conditions of the wastewater discharge permit issued pursuant to 13.07.140 to 13.07.280 of the City's Title 13 of the Sioux City Municipal Code "Sewers".

FINDINGS

1. **[Industrial User]** discharges nondomestic wastewater containing pollutants into the sanitary system of the City of Sioux City, Iowa (the "City").
2. **[Industrial User]** is a "Significant Industrial User" as defined by 13.03.010(97) of Title 13 of the Sioux City Municipal Code "Sewers".
3. **[Industrial User]** was issued a wastewater discharge permit on **[Insert Permit Issuance Date]** which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.
4. Pursuant to the ordinance and the above-referenced permit, data is routinely collected or submitted on the compliance status of **[Industrial User]**.
5. This data shows that **[Industrial User]** has violated its wastewater discharge permit in the following manner: **[The following is an example. This section will be different depending on the violation.]**
 - a. **[Industrial User]** has violated its permit limits for **[Insert Specific Category/Description of Discharge]** in each sample collected between **[Insert Month and Year]** and **[Insert Month and Year]** for a total of **[Insert Number]** separate violations of the permit.
 - b. **[Industrial User]** has failed to submit all periodic compliance reports due since **[Insert Date]**.
 - c. All of these violations satisfy the City's definition of Significant Noncompliance as defined in the City's Sewers and Sewer Disposal Ordinance.

ORDER

THEREFORE, BASED ON THE ABOVE FINDINGS, [INDUSTRIAL USER] IS HEREBY ORDERED TO: [The following is an example. This section will be different depending on the violation.]

1. Within **[Insert Number]** days, install pretreatment technology which will adequately treat **Industrial User's** wastewater to a level which will comply with its wastewater discharge permit.
2. Within **[Insert Number]** days, submit all periodic compliance reports due since **[Insert Date]**.
3. Within **[Insert Number]** pay to **[Insert the entity payment should be made to]** a fine of **[Insert Amount]** for the above-described violations in accordance with 13.07.530 of Title 13 of the Sioux City Municipal Code "Sewers".
4. Report on a monthly basis, the wastewater quality and the corresponding flow and production information as described in the wastewater discharge permit for a period of one year from the effective date of this order.
5. All reports and notices required by this order shall be sent, in writing, to the following address:
City of Sioux City, Iowa
ATTN: Utilities Director
P.O. Box 447
Sioux City, Iowa 51102
6. This order does not constitute a waiver of the wastewater discharge permit with remains in full force and effect. The City of Sioux City, Iowa reserves the right to seek any and all remedies available to it under 13.07.480, 13.07.570, 13.07.580 of the Title 13 of the Sioux City Municipal Code "Sewers" for any violation cited in this order.
7. Failure to comply with the requirements of this order shall constitute a further violation of Title 13 of the Sioux City Municipal Code "Sewers" and may subject **[Industrial User]** to civil or criminal penalties

SIGNATORY AUTHORIZATION

Utilities Director

Date of Authorization

[Insert Industry Name]
[Permit Number]
[Insert Industry Address]
[Insert Date]

Show Cause Order

City of Sioux City, Iowa

Industrial Pretreatment Program

LEGAL AUTHORITY

The following findings are issued and ordered pursuant to the authority vested in the Utilities Director of the City of Sioux City, Iowa, under Title 13 of the Sioux City Municipal Code "Sewers". This order is based on findings of violation of the conditions of the wastewater discharge permit issued pursuant to 13.07.140 to 13.07.280 of Title 13 of the Sioux City Municipal Code "Sewers".

FINDINGS

1. **[Industrial User]** discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the City of Sioux City, Iowa (City).
2. **[Industrial User]** is a "Significant Industrial User" as defined by 13.03.010(97) of Title 13 of the Sioux City Municipal Code "Sewers".
3. **[Industrial User]** was issued a wastewater discharge permit on **[Insert Date Permit Issued]** which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.
4. Pursuant to the ordinance and the above-referenced permit, data is routinely collected or submitted on the compliance status of **[Industrial User]**.
5. The data shows that **[Industrial User]** has violated its wastewater discharge permit in the following manner:
 - a. **[Industrial User]** has violated its permit limits for **[Insert Specific Category/Description of Discharge]** in each sample collected between **[Insert Month and Year]** and **[Insert Month and Year]** for a total of **[Insert Number]** separate violations of the permit.
 - b. **[Industrial User]** has failed to submit all periodic compliance reports due since **[Insert Date]**.
 - c. All of these violations satisfy the City's definition of Significant Noncompliance as defined in 13.07.460 of Title 13 of the Sioux City Municipal Code "Sewers".

ORDER

THEREFORE, BASED ON THE ABOVE FINDINGS, [INDUSTRIAL USER] IS HEREBY ORDERED TO:

1. Appear at a meeting with the Utilities Director of the City to be held on **[Insert Date]** and **[Insert Time]** **[Insert Location]**.
2. At this meeting, **[Industrial User]** must demonstrate why the City should not pursue a judicial enforcement action against **[Industrial User]** at this time.
3. This meeting will be closed to the public.
4. Representatives of **[Industrial User]** may be accompanied by legal counsel, if they so choose.
5. Failure to comply with this order shall also constitute a further violation of Title 13 of the Sioux City Municipal Code "Sewers" and may subject **[Industrial User]** to civil or criminal penalties or such other appropriate enforcement response as may be appropriate.
6. This order, entered this **[Insert Date]** day of **[Insert Date]** shall be effective upon receipt by **[Industrial User]**.

SIGNED:

Utilities Director

Date

[Insert Industry Name]
[Permit Number]
[Insert Industry Address]
[Insert Date]

Cease and Desist Order

City of Sioux City, Iowa

Industrial Pretreatment Program

LEGAL AUTHORITY

The following findings are issued and ordered pursuant to the authority vested in the Utilities Director of the City of Sioux City, Iowa, under Title 13 of the Sioux City Municipal Code "Sewers". This order is based on findings of violation of the conditions of the wastewater discharge permit issued pursuant to 13.07.140 to 13.07.280 of Title 13 of the Sioux City Municipal Code "Sewers".

FINDINGS

1. **[Industrial User]** discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the City of Sioux City.
2. **[Industrial User]** is a "Significant Industrial User" as defined by 13.03.010(97) of Title 13 of the Sioux City Municipal Code "Sewers".
3. **[Industrial User]** was issued a wastewater discharge permit on **[Insert Date]** which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.
4. Pursuant to the ordinance and the above-referenced permit, data is routinely collected or submitted on the compliance status of **[Industrial User]**.
5. This data shows that **[Industrial User]** has violated Title 13 of the Sioux City Municipal Code "Sewers" in the following manner:
 - a. **[Industrial User]** has continuously violated its permit limits for **[Insert Specific Category/Description of Discharge]** in each sample collected between **[Insert Month and Year]** and **[Insert Month and Year]**.
 - b. **[Industrial User]** has also failed to comply with an administrative compliance order requiring the installation of the pretreatment system and the achievement of compliance with its permit limits by **[Insert Date]**.
 - c. **[Industrial User]** has failed to appear as a show cause hearing pursuant to an order requiring said attendance.

ORDER

THEREFORE, BASED ON THE ABOVE FINDINGS, [INDUSTRIAL USER] IS HEREBY ORDERED TO:

1. Within 24 hours of receiving this order, cease all nondomestic discharges into the City's sanitary sewer. Such discharges shall not recommence until such time as **[Industrial User]** is able to demonstrate that it will comply with its current permit limits.
2. Failure to comply with this order may subject **[Industrial User]** to having its connection to the sanitary sewer sealed by the City and assessed the costs therefor.
3. Failure to comply with this order shall also constitute a further violation of Title 13 of the Sioux City Municipal Code "Sewers" and may subject **[Industrial User]** to civil or criminal penalties or such other enforcement response as may be appropriate.
4. This order entered this **[Insert Date]** of **[Insert Date]**, shall be effective upon receipt by **[Industrial User]**.

SIGNED

Utilities Director

Date

Authorization of Signatory Authority for Duly Authorized Employee of POTW

**City of Sioux City, Iowa
Industrial Pretreatment Program**

LEGAL AUTHORITY

Federal law (40 CFR 403.12(m)) and 13.07.420 of Title 13 of the Sioux City Municipal Code "Sewers" require that reports submitted to the Approval Authority by the POTW in accordance with 40 CFR 403.12(a) must be signed by 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 officer or ranking elected official and be submitted to the Approval Authority prior to or together with the report being submitted."

POTW OWNER INFORMATION

POTW Owner Name:	City of Sioux City, Iowa	Ranking Elected Official:	
State Operating Permit No.:	9778001	Title:	Mayor
City/State/Zip:	Sioux City/Iowa/51106		

DULY AUTHORIZED EMPLOYEE(S)

Duly Authorized Employee:	Title:
E-mail/Phone Number:	

Duly Authorized Employee:	Title:
E-mail/Phone Number:	

SIGNATORY AUTHORIZATION

By signing this authorization, the Duly Authorized Employee named above is hereby authorized in accordance 13.07.420 to submit POTW reports as well as all other administrative requirements associated with the Pretreatment Program to the Control Authority. This individual has responsibility for the Pretreatment Program through the City of Sioux City, Iowa.

Ranking Elected Official

Date

Self-Monitoring Report Checklist

City of Sioux City, Iowa Industrial Pretreatment Program

	Report Submitted by Required Due Date
	Hard Copy/Original Report with Signature On-File
	Certification Statement: All reports must have a signed certification statement by the Authorized Representative (refer to permit application).
	Were all pollutants monitored (and at the required frequency) which are required in the permit?
	Does the monitoring location match the required location on the permit?
	Are there any discharge limit violations? If so, do they meet the definition of chronic or technical review criteria? (evaluated on a 6-month basis).
	Are reporting limits adequate to show compliance with the permit limits?
	Are samples being collected per the permit requirements (e.g., Grab vs. Composite)?
	Is TIO monitoring performed as-required and/or TOMP plan on-file and TIO waiver certification statement provided as part of the report?
	Are flows reported- max day and average day flows?
	Are original chain of custody and laboratory results attached? <i>Not required but at confirm during an inspection. If semi-annual reporting, recommend requesting with each monitoring report.</i>
	Did the POTW provide written notification if IU is discharging hazardous wastes? 40 CFR 403.12(p)
	Were any non-compliance results reported within 24 hours of the industry becoming aware of the violation? If resampling occurred was it resubmitted within 30 days?

Certification Requirements
Certification of Permit Applications
User Reports
Initial Monitoring Waiver

The following certification statement is required to be signed and submitted by Users submitting permit applications; Users submitting baseline monitoring reports; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines; Users submitting periodic compliance reports, and Users submitting an initial request to forego sampling of a pollutant. The following certification statement must be signed by an Authorized Representative of the POTW:

CERTIFICATION STATEMENT #1

Initial Request for Monitoring Waiver – Certification Requirement

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

CERTIFICATION STATEMENT #2

Certification for each monitoring report for any monitoring waiver which is part of an Industrial User's permit:

Users that have an approved monitoring waiver must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User.

"Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report."

TTO Certification Policy

An industrial user regulated under the Electroplating (40 CFR 413), Metal Finishing (40 CFR 433) or Electrical and Electronic Components (40 CFR 469) Category may, in lieu of monitoring for Total Toxic Organics (TTO), request approval for use of a Toxic Organic/Solvent Management Plan (TOMP) and certify that concentrated toxic organics were not discharged during the reporting period.

In order to qualify for the TTO certification option in lieu of monitoring, the industrial user must meet the following conditions:

1. The industrial user's wastewater discharge must be regulated under 40 CFR part 413, 433 or 469. Waivers for categorical pollutants may be granted a waiver under §403.12(e)(2) (refer to separate requirements).
2. The facility must demonstrate that it is in compliance with the appropriate TTO standards. To do this the user must submit a baseline TTO analysis of all wastestreams, which may contain toxic organic chemicals. If your facility is currently monitoring for TTO, the most recently submitted TTO analysis report can be used for the baseline.
3. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR 136 and amendments thereto. Where 40 CFR 136 does not contain sampling or analytical techniques for the pollutant in question, or where part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using analytical methods or other applicable sampling and analytical procedures approved by the City of Sioux City, Iowa
4. The industrial user must develop and submit to the City of Sioux City, Iowa an effective TOMP (a TOMP Preparation Guide follows). In addition, the industrial user must submit for approval by the City of Sioux City, Iowa, a "Request for approval of certification in lieu of monitoring for TTO". The TOMP must be implemented before the industrial user will be approved for certification in lieu of monitoring. Continued implementation of the TOMP must be demonstrated during annual inspections. **Until the TOMP is approved and implemented, the industrial user must monitor for and report TTO according to the requirements contained in their "Industrial Pretreatment Permit".**
5. Once the request for certification has been approved, the appropriate certification statement must be signed by an Authorized Representative of the company, as defined in 40 CFR 403.12(l) and **included with each periodic compliance report submitted.**
6. If any production process is modified, or if conditions change that effect the use and or storage of toxic organics, the City of Sioux City, Iowa must be notified and the TOMP modified and re-submitted for approval.
7. At a minimum of every 5 years, the regulated waste stream must be sampled and analyzed for the required TTOs and the TOMP must be updated (typically corresponding to permit renewal cycles).
8. The City of Sioux City, Iowa reserves the right to revoke the certification eligibility and require the industrial user to sample and analyze for TTOs based on, but not limited to the following reasons:

- a. Compliance and/or self-monitoring samples indicate TTOs in non-compliance with the appropriate standards.
- b. Failure to report changes to industry processes involving toxic organics not covered by the original TOMP.
- c. Failure to implement the TOMP.
- d. Failure to submit a certification statement with each periodic compliance report.

Toxic Organic Management Plan (TOMP) Preparation Guide and Instructions

The TOMP does not supersede any local, state or federal regulations. Many of the TOMP requirements may already be required for other regulations, namely the Resource Conservation and Recovery Act (RCRA) and the "Emergency Planning and Community Right-to-Know Act", Title III of the Superfund Amendments and Reauthorization Act (SARA). The TOMP objective is to provide assurance that toxic organics are properly used and disposed of instead of being discharged to the sewers.

Step 1- Toxic Organics Inventory

- A. Identify and list all toxic organic chemicals used at your facility. Estimate the maximum daily amount and the average daily amount of toxic organics stored at your facility. Estimate the annual amount of toxic organics purchased. For a list of regulated total toxic organics, refer to the following:
 - a. Electroplating: 40 CFR 413.02 (i)
 - b. Metal Finishing: 40 CFR 433.11 (e)
 - c. Electrical and Electronic Components: 40 CFR 469.12 (a)
- B. Product/Trade names alone will not be accepted; consult material safety data sheets (MSDS) and/or technical bulletins for the organic constituents.
- C. The above information may be given in tabular form. For Example:

Organic Inventory/ Storage				
Product Name	TTO Constituent	Max. Daily Amt.	Ave. Daily Amt.	Annual Purchase Amt.

- D. Wastestreams must be sampled and analyzed using EPA approved methods, see 40 CFR 136. Sampling and analyses should be conducted for those individual compounds listed in the user's Industrial Pretreatment Permit or are reasonably expected to be present in the wastestream. City of Sioux City, Iowa shall be provided with a copy of the results reporting form from the laboratory analyzing the wastestream samples. The most recent TTO monitoring results may be used to fulfill this requirement.
- E. If no toxic organic compounds or compounds containing such toxic organics are identified as being used or stored at your facility and the wastestream sampling and analysis shows that your facility's wastestream does not contain any regulated TTO's, then you may proceed to step 7. If any toxic organic compounds or compounds containing such toxic organics are identified as being used or stored at your facility and/or any TTO's are found in the wastestream monitoring report, then you must complete steps 2 through 6.

Step 2- Identify and Approximate the Quantities of TTO in the Wastestream

- A. Describe the step(s) in the regulated process in which toxic organics are used.
- B. Describe the sources where toxic organics may be introduced into the wastestream in

addition to those described in Step 1-B. above (i.e. floor drains).

- C. Provide a flow schematic showing all of the sources where toxic organics may enter the wastestream.
- D. List the approximate quantities (i.e. gallons/day) of each toxic organic chemical used at each step in the regulated process.
- E. Evaluate any regulated TTO found in the effluent, but not on the TTO inventory list in Step #1 and determine if they are formed as reaction products or by-products, raw material impurities, equipment corrosion, or other sources.

Step 3- Methods of Disposal

- A. Describe the waste(s) being generated.
- B. Provide the amount of waste being disposed of, and the frequency of disposal.
- C. Provide the method(s) of disposal (i.e. surface impoundment, direct discharge, reclamation or contract disposal).
- D. Provide the name of the contractor(s) or the receiving stream.
- E. Estimate the maximum daily amount and the average daily amount of waste stored at your facility.
- F. The above information may be given in tabular form. For example:

Method of Disposal				
Waste Type	Waste Disposal Amt/freq.	Disposal Method	Contractor	Waste Storage Max. Daily/Ave. Daily
Waste paint	8 drums/2x a yr.	Incineration	XYZ Co.	8 drums/2 drum

- G. Provide your facility's RCRA generator number.
- H. Describe the storage of waste generated awaiting disposal. This should include, but is not limited to, location of storage (preferably indoors or a roofed area), the duration of storage, and the types of waste being stored (includes solvent soaked rags and absorbents/adsorbents). The storage area must be designed and maintained to not allow leakage. Incompatible wastes should not be stored together.
- I. Evaporation of waste is not an acceptable disposal method. All waste containers should be covered.
- J. Evaluate control options that could be implemented to minimize or eliminate the discharge of toxic organics or the source or potential source where toxic organics are introduced to the treatment system. These include but are not limited to, the following:
 - a. in-plant modifications: Evaluate new technologies and improved equipment to eliminate or minimize the use or discharge of toxic organics. New technologies may eliminate toxic organic use completely and vastly simplify TOMP preparation requirements. To reduce toxic organic loss from coating activities such as painting, consider improved transfer efficiency using electrostatic spraying or high-volume low pressure (HVLP) spraying. For cleaning, consider technologies such as aqueous cleaning systems and media blasting (dry ice, plastic, abrasives, etc.)
 - b. solvent/ chemical substitution: Evaluate replacing existing toxic organic materials with non-toxic organic materials. Non-toxic materials may not be covered under the regulated TTO parameter list and will vastly simplify TOMP preparation requirements. Substitutes for toxic organics are available for many cleaning, metal working and

coating applications.

- c. partial or complete recycle: Evaluate recycling opportunities for toxic organics. Environmentally sound recycling practices for toxic organics will help prevent material loss and reduce raw material costs. Cleaning solvents containing toxic organics can be recovered for reuse using solvent distillation. Metal-working fluids and wastewater from paint water curtains, which may contain toxic organics, can be recovered using recycling equipment such as filtration and centrifugation. Other recycling opportunities could include using waste exchanges to find buyers for unwanted toxic organics.
- d. operational changes: Evaluate practices to eliminate or minimize the use or loss of toxic organics that are discharged to the wastestream. Consider implementing sound inventory control practices to reduce loss of toxic organics due to poor storage practices. For example, using toxic organics prior to shelf-life expiration and storing toxic organics according to manufacturer's recommendations to prevent degradation or contamination. Consider implementing appropriate procedures and training staff to ensure that minimal amount of toxic organics are used to do a task. For example, consider precleaning methods of wiping or brushing prior to using solvents containing toxic organics. Evaluate process control options (monitoring for specific gravity, conductivity, pH, etc.) for minimizing toxic organic loss to the wastestream from poor management of metal working fluids.

Step 4- Practices to Ensure that Spills or Leaks do not Routinely Occur

- A. Describe the practices to be followed, including housekeeping procedures, during the use, collection and storage of organics to ensure that organics do not spill or leak. These practices should include, but are not limited to:
 - a. Properly labeling and handling toxic organic containers.
 - b. Storing a minimal amount of organics on site.
 - c. A centralized storage area (preferably indoors or a roofed area) designed and maintained not to allow leakage,
 - d. Sealing floor drains when they are in the area where toxic organics are used or stored.
 - e. Overflow control equipment
 - f. Containment system (sump or dike) capable of holding 10% of the total volume stored or the volume of the largest container, whichever is greatest. The containment system must be designed and maintained not to allow leakage.
- B. Describe the procedures that will provide routine and detailed visual inspections to insure the absence of leaking storage containers. City of Sioux City, Iowa recommends visual inspections at least once a week.
- C. Describe how all employees are trained in the proper use, collection and storage of all chemicals with which they work.
- D. Describe the procedures by which employees are informed of the health risks associated with exposure to the toxic organic chemicals with which they work.
- E. Provide a simple but complete floor plan showing the storage location of toxic organics prior to use and toxic organics waste waiting for disposal.

Step 5- Spill or Leak Notification and Containment Procedures

- A. Name of facility personnel responsible for implementing the TOMP
- B. Name and phone number of your facility's emergency response coordinator Notifications procedures:

- a. A list of agencies to be contacted with their telephone numbers must be posted where organics are used and stored. This list may include but is not limited to; your facility's emergency response coordinator, City of Sioux City, Iowa, Local Fire Department, Iowa Department of Natural Resources Emergency Response Center and National Emergency Response Center.
- b. If a spill or leak enters the wastewater, the City of Sioux City, Iowa should be promptly notified with the following information:
 - i. Your facility's name
 - ii. Your facility's location
 - iii. The chemical(s) and the cause of the spill/leak
 - iv. Quantity of the chemical(s)
 - v. Time and duration of the spill/leak
 - vi. Steps being taken and/or planned to eliminate and prevent any further spill/leaks.
- C. Describe the practices to be followed in the event of a spill or leak (i.e. containment, treatment, disposal, etc.)
- D. Describe the equipment/supplies on site to contain a rupture in the largest container.
- E. Describe how employees will be trained in the procedures to follow in the event of a spill or leak of a toxic organic.

Step 6- Certification Statement for Facilities using or Storing Total Toxic Organics

Please complete the "Request for Approval of Certification in lieu of monitoring for TTOs", initializing the certification statement for facilities using or storing Total Toxic Organics and signing the bottom certification statement. Include with the request a copy of the TOMP.

The following certification statement must be included on each periodic compliance report submitted by the user.

"Based on my inquiry of the person or persons directly responsible for managing compliance with the standards for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastestream has occurred since filing the last Periodic Report on continued compliance. I further certify that this facility is implementing the current Toxic Organic Management Plan which is on file with the City of Sioux City, Iowa."

Step 7- Certification Statement for Facilities Not using or Storing Total Toxic Organics

Please complete the "Request for Approval of Certification in lieu of monitoring for TTOs", initializing the certification statement for facilities NOT using or storing Total Toxic Organics and signing the bottom certification statement. Include with the request a copy of the Baseline Monitoring report to support that no TTO's are present in the wastestream.

The following certification statement must be included on each periodic compliance report submitted by the user.

"I certify that toxic organic compounds or compounds containing such toxic organics, as regulated by an applicable categorical pretreatment standard, are not used or stored at this facility. Therefore, there is no reason to expect any toxic organics to be present in the wastewaters. If any production process is modified, or if conditions change that effect the use and or storage of toxic organics, I will notify the City of Sioux City, Iowa."

Request for Approval of Certification in lieu of Monitoring for TTO

Local Facility Name:					
Parent Company Name (if different):					
Permit #:			40 CFR Category:		
Physical street address of facility:			Official mailing address, if different: Note if same.		
City:	State: IA	Zip:	City:	State:	Zip:
<p>This is a request for approval of certification in lieu of monitoring for TTO by the above named facility. The undersigned authorized representative, as defined in the local Sewer Use Ordinance or the Federal Regulations; 40 CFR 403.12 (I) understands that approval will allow the facility to certify with each periodic self-monitoring report that there are no TTOs being used or stored at this facility, or a TOMP is implemented for those TTOs used or stored at the above named facility rather than monitor for toxic organics.</p>					
Place your initials in the box next to the certification you are requesting approval for:					
<input type="checkbox"/> <u>Certification for Facilities Not using or Storing TTOs</u>		<input type="checkbox"/> <u>Certification for Facilities using or Storing TTOs</u>			
<p>"I certify that toxic organic compounds or compounds containing such toxic organics, as regulated by an applicable categorical pretreatment standard, are <u>not used or stored</u> at this facility. Therefore, there is no reason to expect any toxic organics to be present in the wastewaters. If any production process is modified, or if conditions change that effect the use and or storage of toxic organics, I will notify the City of Sioux City, Iowa.</p> <p>I further certify that this facility will continue to monitor for toxic organics until the City of Sioux City, Iowa has approved the request for certification in lieu of sampling."</p> <p>*must submit monitoring results to support that there are no TTO's in wastestream.</p>		<p>"I certify that this facility is implementing the attached Toxic Organic Management Plan. Based on my inquiry of the person or persons directly responsible for managing compliance with the standards for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastestream has occurred since the TOMP has been implemented. I further certify that this facility will continue to monitor for toxic organics until the City of Sioux City, Iowa Pretreatment Office has approved the attached TOMP."</p> <p>* must submit TOMP along with request</p>			
<p>"I further certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment for knowing violations."</p>					
Signature		Printed Name/Title		Date	

Sample Plant Closure Plan

Date

To.

From.

Re: Plant Closure Plan

Dear Authorized or Duly Authorized Rep. of User:

The City of City is aware that Industry Name will be ceasing operation at the Insert facility name.. In compliance with Industry Name's permit Permit number and Title of Municipal Pretreatment Ord. which require compliance with federal, state and local discharge standards and notice to the City if there is a changed condition, the City is requiring Industry provide a Plant Closure Plan within Number business days. The plan should include a timeline identifying target dates for each of the components of the shutdown process and describe:

- 1) Equipment shutdown and removal including location where equipment after removal if within the legal jurisdiction of the City of City
- 2) List of chemical supplies
 - a. If shipped- manifest of where shipped and when
 - b. If recycled- documentation of where and when
 - c. If disposed- documentation of how and when
- 3) Chemical wastes shipment
 - a. If shipped- manifest of where shipped and when
 - b. If recycled- documentation of where and when
 - c. If disposed- documentation of how and when

During the shutdown process, the City will conduct one or more on-site inspections and collect wastewater samples. At the end of the plant closure, the City will conduct a final inspection to confirm the proper removal of equipment, chemical supplies and chemical waste.

Thank you for your concern and cooperation with the Name of City's WWTP program in the past.

Sincerely,

Name

Title

CC: State DNR

Dental Discharger: Letter, Packet and Form

Insert Date

Insert Dental Discharger Name

Insert Address

Re: Dental One-Time Compliance Form for the City of Sioux City, Iowa

Dear Insert Dental Discharger Name:

On July 14, 2017 the Environmental Protection Agency's (EPA) final amalgam rule "Dental Office Point Source Category, 40 CFR Part 441" went into effect. This rule affects dental practices which place or remove amalgam fillings and discharge to a publicly owned treatment works (POTW). Insert name of POTW is a POTW and therefore is required by the EPA to implement this rule. To be compliant, all dental practices must submit a one-time compliance certification (enclosed), install and maintain amalgam separators, and maintain records.

The rule requires practices in existence prior to July 14, 2017 to be in compliance by July 14, 2020. All new practices as of July 14, 2017 must comply immediately.

The EPA expects that this rule will annually reduce the discharge of mercury to POTWs by 5.1 tons as well as 5.3 tons of other metals found in waste dental amalgam. By capturing these contaminants at the source and recycling them we reduce the chance that they will enter the environment.

Enclosed is a packet that will explain the rule in more detail. It is required that the dentist in charge of the practice or an authorized representative of the practice, complete and sign the one-time compliance certification. If you are located in an office building or shopping center, you may need to discuss the certification with the property owner or manager to gather all of the required information. You may find additional information and a copy of the rule at <https://www.epa.gov/eg/dental-effluent-guidelines>.

Please return the signed original certification as soon as possible to the address below. Facilities that do not return this form within 30 days will be contacted to ensure compliance with the new rule.

City of Sioux City, Iowa
Attn: Arah Montagne, Industrial Pretreatment Coordinator
405 6th Street
Sioux City, Iowa 51106

Questions regarding this survey should be directed to Arah Montagne. Thank you in advance for your cooperation.

Sincerely,

Arah Montagne
Industrial Pretreatment Coordinator
City of Sioux City, Iowa

Dental Offices

EPA DENTAL RULE

This packet was prepared by KimHEC Environmental Consultants for the City of Sioux City, Iowa to help dental offices understand the Dental Rule published by the Environmental Protection Agency (EPA) on June 14, 2017. The City of Sioux City, Iowa owns and operates a Wastewater Treatment Plant (WWTP) and is therefore the dental discharger's Control Authority.

The Dental Rule is in effect July 14, 2017. This packet provides a summary of the Rule. This packet is meant to provide guidance and be a short checklist for a dental dischargers. This packet also demonstrates the American Dental Association's (ADA) support of removal and recycling of dental amalgam that contains mercury from the wastewater discharged to Publicly Owned Treatment Works (POTWs). The final rule contains two best management practices (BMPs) recommended by the ADA.

For more information on the Dental Rule, please visit the following website:

<https://www.epa.gov/eg/dental-effluent-guidelines>

Tom Pingel
Utilities Director

SUMMARY OF DENTAL RULE

<p>What is the Dental Rule?¹</p>	<ul style="list-style-type: none"> • Requires dental offices that discharge wastewater that contains dental amalgam to Publicly Owned Treatment Works (POTWs) to install, inspect, and maintain a dental amalgam separator. • Requires the implementation of two best management practices (BMPs). • Published in Federal Register by EPA on June 14, 2017. • EPA estimates annual cost incurred by dental office: avg. of \$800 annually.
<p>Why are standards needed?¹</p>	<ul style="list-style-type: none"> • Mercury from waste amalgam can end up in the environment from the POTW through incineration, landfilling, or land application. • Mercury – potent neurotoxin that causes wide range of health issues.
<p>Who is affected by the Dental Rule?¹</p>	<p>Applies to:</p> <ul style="list-style-type: none"> • Dental offices • Dental schools • Dental clinics • Government operated dental facilities <p>Does NOT apply to:</p> <ul style="list-style-type: none"> • Mobile units • Practices consisting ONLY of these specialties: oral pathology, oral & maxillofacial radiology/surgery, orthodontics, periodontics, or prosthodontics.
<p>What kind of amalgam separator is required?²</p>	<ul style="list-style-type: none"> • An amalgam separator compliant with ISO 11143 (2008). • ISO Standard is incorporated into the current American National Standards Institute’s (ANSI)/American Dental Association’s (ADA) Standard 108 for Amalgam Separators. • Amalgam separator must achieve 95% removal efficiency. • To determine whether your amalgam separators is compliant with ISO 11143 ANSI/ADA Standard No. 108, check the model at this website: http://info.nsf.org/Certified/Wastewater/
<p>When will this rule affect dental offices?²</p>	<p>The Effective Date of this rule is July 14, 2017.</p> <p>NEW dental offices:</p> <ul style="list-style-type: none"> • MUST return One-Time Compliance Report within 90 days following the introduction of wastewater to the sanitary sewer. <p>TRANSFER OF OWNERSHIP:</p> <ul style="list-style-type: none"> • MUST return One-Time Compliance Report within 90 days after a transfer of ownership.
<p>What steps are needed to be taken to come into compliance?</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Install new amalgam separator in offices that do not currently have one. <input type="checkbox"/> Inspect existing models to make sure they are up to standard. <input type="checkbox"/> Establish internal documentation tracking procedures related to the inspection and maintenance of your amalgam separator. <input type="checkbox"/> Follow the ADA’s Best Management Practices for handling dental amalgam. <input type="checkbox"/> Complete the One-Time Compliance Report for Dental Discharges. MUST be returned to the Control Authority. Retain a copy of this report on site for the duration of your practice/ownership.

ONE-TIME COMPLIANCE CERTIFICATION MUST BE MAILED TO THE CITY WITHIN 30 DAYS FOLLOWING THE INTRODUCTION OF WASTEWATER INTO THE SANITARY SEWER OR 90 DAYS AFTER A TRANSFER OF OWNERSHIP.

American Dental Association

Amalgam Waste Best Management Practices³

These Best Management Practices for Amalgam Waste encourages the dental community to follow the BMP for proper waste handling and disposal. The BMP by the American Dental Association calls for the use of ISO 11143-compliant amalgam separator as a recommendation. The ADA's BMP on Amalgam Waste follows the procedures outlined in the EPA's final rule on amalgam separators.

Do:

- Use pre-capsulated alloys & stock capsule size variety
- Recycle used disposable amalgam capsules
- Salvage, store, & recycle non-contact amalgam
- Salvage contact amalgam pieces from restorations after removal & recycle contents
- Recycle teeth containing dental amalgam restorations & verify whether or not teeth need disinfection
- Manage amalgam waste through recycling as much as possible
- Use line cleaners that minimize dissolution of amalgam

Don't:

- Use bulk mercury
- Put used disposable amalgam capsules in biohazard containers
- Put non-contact amalgam waste in biohazard containers, infectious waste containers, or regular garbage
- Rinse devices containing amalgam over drains or sinks
- Dispose of extracted teeth that contain amalgam restorations in biohazard containers, infectious waste containers, sharps containers, or regular garbage
- Flush amalgam down the drain/toilet
- Use bleach or chlorine-containing cleaners to flush wastewater lines

Resources

1. U.S. Environmental Protection Agency. [Fact Sheet: Effluent Limitations Guidelines and Standards for Dental Offices.](#)
2. U.S. Environmental Protection Agency. [Effluent Limitations Guidelines and Standards for the Dental Category.](#)
3. American Dental Association. [Amalgam Separators and Waste Best Management.](#)