

**CONTROL AUTHORITY PRETREATMENT AUDIT
CHECKLIST AND INSTRUCTIONS**

Office of Wastewater Enforcement and Compliance

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ACRONYM LIST

Acronym	Term
AO	Administrative Order
BMP	Best Management Practices
BMR	Baseline Monitoring Report
CA	Control Authority
CERCLA	Comprehensive Environmental Remediation, Compensation, and Liability Act
CFR	Code of Federal Regulations
CIU	Categorical Industrial User
CSO	Combined Sewer Overflow
CWA	Clean Water Act
CWF	Combined Wastestream Formula
DMR	Discharge Monitoring Report
DSS	Domestic Sewage Study
EP	Extraction Procedure
EPA	U.S. Environmental Protection Agency
ERP	Enforcement Response Plan
FDF	Fundamentally Different Factors
FTE	Full-Time Equivalent
FWA	Flow-Weighted Average
gpd	gallons per day
IU	Industrial User
IWS	Industrial Waste Survey
MGD	Million Gallons Per Day
MSW	Municipal Solid Waste
N/A	Not Applicable
ND	Not Determined
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
O&G	Oil and Grease
PCI	Pretreatment Compliance Inspection
PCS	Permit Compliance System
PIRT	Pretreatment Implementation Review Task Force
POTW	Publicly Owned Treatment Works
QA/QC	Quality Assurance/Quality Control
RCRA	Resource Conservation and Recovery Act
RNC	Reportable Noncompliance
SIU	Significant Industrial User
SNC	Significant Noncompliance
SUO	Sewer Use Ordinance
TCLP	Toxicity Characteristic Leachate Procedure
TOMP	Toxic Organic Management Plan
TRC	Technical Review Criteria
TRE	Technical Review Evaluation
TRIS	Toxics Release Inventory System
TSDF	Treatment, Storage, and Disposal Facility
TTO	Total Toxic Organics
UST	Underground Storage Tank
WENDB	Water Enforcement National Data Base

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PART I:
INTRODUCTION

INTRODUCTION

OVERVIEW

The pretreatment program represents a unique partnership in the regulatory community, a partnership between Federal, State, and local regulatory agencies. The Approval Authority [the U.S. Environmental Protection Agency (EPA) or the authorized State] is responsible for ensuring that local program implementation is consistent with all applicable Federal requirements and is effective in achieving the National Pretreatment Program's goals. To carry out this responsibility, the Approval Authority determines local program compliance and effectiveness, and takes corrective actions [e.g., changes to the National Pollutant Discharge Elimination System (NPDES) permit, enforcement] where needed to bring these about. The Approval Authority currently uses three oversight mechanisms to make these determinations: (1) the program audit; (2) the Pretreatment Compliance Inspection (PCI); and (3) the Control Authority's (CA's) annual pretreatment program performance report.

The audit, which for most programs takes place once every 5 years, is the most comprehensive of the three mechanisms and provides the opportunity to evaluate all aspects of the CA's program. It also provides the opportunity to help the CA build its local program implementation capability. Since the audit was developed in 1986, its purpose was to assess the program's compliance with the regulatory requirements as they were expressed in the NPDES permit. The audit also identified areas of the CA's program that needed to be modified to bring the program into compliance with the regulations.

In recent years, both the pretreatment program itself and the tracking of program implementation compliance have undergone major changes. Revisions to the General Pretreatment Regulations [40 Code of Federal Regulations (CFR) Part 403] in response to the Pretreatment Implementation Review Task Force (PIRT) recommendations in January 1989 and the Domestic Sewage Study (DSS) findings in July 1990 resulted in numerous additions to local program requirements. This has necessitated a revision of the audit checklist. The attached audit checklist replaces the checklist developed in 1986. This checklist covers all the evaluated components of the previous checklist, but goes beyond and looks at the program's impact in terms of environmental effectiveness and pollution prevention.

The audit serves several important functions such as identifying needed changes to the NPDES permit and initiating enforcement action against CA noncompliance. Using this checklist, the auditor can also examine the effectiveness of the program by evaluating environmental indicators and investigating the CA's use of pollution prevention techniques to enhance the impact of the program. The new checklist is

also geared toward identifying program areas where recommendations may be made to increase the effectiveness of the CA's program.

PURPOSE

The principal reason for conducting an audit is to assess the CA's program as a whole by reviewing all components and determining the program's overall effectiveness and compliance. This is done by examining the discrete portions of the whole program [e.g., legal authority, Industrial User (IU) control mechanisms, compliance monitoring, and enforcement], and making an assessment based upon how the discrete portions interact to form the whole. The specific objectives to be accomplished by conducting an audit are: determining the CA's compliance status with requirements of its NPDES permit, approved program, and Federal regulations; evaluating the adequacy and effectiveness of the program in achieving compliance and environmental goals of the program; determining whether any modifications have been made to the program; and verifying important elements of the CA's program performance reports.

EXPERIENCE NECESSARY TO CONDUCT AN AUDIT

Because the new audit checklist looks at the entire program in extensive detail and examines areas that were previously looked at only on a case-by-case basis, this checklist assumes a high level of pretreatment program expertise on the part of the auditor. He/she must be very familiar with the goals of the pretreatment program, the General Pretreatment Regulations (40 CFR Part 403), categorical standards, and EPA/State policy and guidance. He/she should also have participated in audits conducted by a senior lead auditor.

The auditor must be familiar enough with all aspects of a local pretreatment program to conduct an audit that will collect the data necessary to make a meaningful evaluation of the CA's compliance status and the effectiveness of the program in achieving its goals. At a minimum, he/she should be able to:

- Identify the category to which an industry belongs and to develop appropriate permit limits based on the process wastewater discharged. To do this, the auditor must be knowledgeable about the National categorical pretreatment standards.
- Evaluate the adequacy of the control mechanisms issued by the CA to their Significant Industrial Users (SIUs). The auditor must be able to determine whether the control mechanism meets the minimum regulatory requirements and whether it is effective in controlling the discharge of the SIU.
- Evaluate the CA's legal authority for its compliance with regulatory requirements and the ability of the CA to enforce its program throughout its service area. The auditor must have an understanding of the authorities provided to the CA by its Sewer Use Ordinance (SUO), including available remedies and procedures for taking action for IU noncompliance. He/she must also be

familiar with issues related to implementing and enforcing a local program across jurisdictional boundaries and approaches to resolving such issues.

- Understand compliance monitoring requirements. The auditor's knowledge must include appropriate sampling techniques, EPA approved methods, and proper Quality Assurance/Quality Control (QA/QC) and chain-of-custody procedures so that data may be admissible as evidence in enforcement proceedings.
- Conduct a comprehensive pretreatment inspection at IU facilities and be familiar with hazardous waste requirements and spill prevention and control.
- Evaluate the CA's enforcement responses. To do so, the auditor must be knowledgeable of the various types of possible enforcement actions which are available to the Publicly Owned Treatment Works (POTW) as well as EPA/State policies and guidance on enforcement.
- Assist the CA to determine what pollution prevention techniques may enhance the local program. This requires the auditor to be knowledgeable about current efforts and policies regarding pollution prevention.
- Evaluate the environmental effectiveness of the program by examining data collected over the years by the CA concerning pollutant loadings, discharges, and other indicators.

PROCEDURES FOR CONDUCTING AN AUDIT

The audit requires extensive preparation, detailed data collection when onsite, and timely follow-up. In brief, the major steps for conducting an audit are:

- Office preparation prior to going onsite
 - Review NPDES permit file, enforcement file, and pretreatment program file
 - Review such documents as a manufacturers' guide, Resource Conservation and Recovery Act (RCRA) permit list for the municipalities involved, Toxic Release Inventory System (TRIS) data, etc., to be familiar with all industries that may contribute to the POTW
 - Notify the CA of the upcoming visit (if appropriate)
- Onsite visit
 - Entry (present credentials)
 - Review SIU files
 - Inspect selected SIUs
 - Interview program staff
 - Review POTW records and files
 - Conduct closing conference

- Follow-up
 - Prepare and distribute report
 - Enter Water Enforcement National Data Base (WENDB) data elements
 - Determine Reportable Noncompliance (RNC)/Significant Noncompliance (SNC) and enter data
 - Modify NPDES permit (if appropriate)
 - Refer for enforcement (if appropriate).

Preparation

The amount of data to be collected and evaluated during an audit is considerable and time is limited. Thus, preparation for the audit is crucial to the well-focused collection of meaningful data. The pretreatment program profile data sheets and status update sheets attached to the checklist will help the auditor compile very general program information before he/she goes onsite. The auditor should spend time obtaining information about the industrial contribution to the POTW by reviewing the CA's Industrial Waste Survey (IWS) as well as the manufacturers' guides for the municipalities covered by the local program. The auditor should also review TRIS and RCRA permitting data. After becoming familiar with the industrial picture, the auditor may want to review development documents to familiarize himself/herself with the primary industries discharging to the POTW. The auditor should also become familiar with issues affecting the POTW such as being listed on 304(l) or being involved in a Technical Review Evaluation (TRE).

File Review

Once onsite, the auditor should go through standard NPDES inspection entry procedures then explain to CA personnel what the audit will entail. Once the initial entry procedures are complete, the auditor should select IU files and conduct the file review. Files may be chosen in many ways; however, use of the scheme shown in Figure 1 is strongly recommended as best providing a reasonable representation of SIUs regulated under local program. The auditor should bear in mind that the above recommendations are for review of SIU files. This does not imply that non-SIU files ought not also be reviewed. The auditor will need to exercise his/her best professional judgment to determine the number of both SIU and non-SIU files to review. He/she should allocate 2 to 3 hours per file for a detailed review.

Figure 1. Recommended Number of SIU Files to Review

Total No. of SIUs	Minimum No. of Files to Review
≤ 10	5
11-20	5
21-30	8
31-50	10
51-100	15
101-200	20
201-300	25
301-1,000	30
1,000-1,500	50

The auditor should select files that demonstrate a representative cross section of the CA's IUs. He/she should evaluate both categorical and significant noncategorical IUs and give particular attention to files of SIUs newly added to the program and those with compliance issues (e.g., in SNC, having received escalated enforcement action). Special attention should also be given to CIUs without pretreatment, but reported to be in compliance with categorical standards. The auditor should also choose files based on: CIUs with complicated processes [i.e., production based, Combined Wastestream Formula (CWF) - Flow Weighted Averaging (FWA) issues, etc.]. Finally, he/she should review some files that were not reviewed during previous audits or inspections.

IU Site Visits

After the file review, the auditor should conduct as many IU site visits as possible. IU site visits are often essential to verify information found in the files. They are also helpful in making the IUs aware of the importance EPA places on the local programs. Again, the number and types of IUs to be visited should be representative of the program's industrial make-up and based on the time needed for each visit. The auditor should compile the results of the file review and site visits prior to conducting the interview portion of the audit.

Interview

During the interview portion, the auditor should talk with as many CA personnel as necessary to obtain an accurate picture of how the local program is implemented. Although the pretreatment coordinator may be familiar with proper monitoring procedures, he/she may not be completely familiar with how the program's monitoring is actually being conducted, particularly in large programs. Information on what is happening in the field should be obtained from field personnel. Also, in multijurisdictional situations, it may be necessary to speak with representatives of the contributing jurisdictions to learn how the program is actually being implemented in those service areas. The auditor should take detailed notes to document each interview. Also, whenever possible, he/she should collect supporting documentation to corroborate answers given by the interviewees. For instance, if a CA staff person states that a total of 26 inspections were conducted in the last calendar year, the auditor should request a copy of the CA's log or its equivalent to verify this information.

Closing Conference

After the file review, IU site visits, interviews, and other evaluations are complete, the auditor should compile all the data obtained to prepare for the closing conference. At the closing conference, the auditor should verbally present his/her findings to that point to the CA. He/she should make it clear that these findings are preliminary and subject to change once the data collected have been more thoroughly reviewed.

Follow-up

Audit follow-up will center on preparing the report and identifying the action necessary to ensure that appropriate changes to the POTW's program occur. Follow up action may include revisions to the NPDES permit, formal enforcement action, or other action. The auditor should analyze his/her data as quickly as possible and draft the report so that it can be transmitted to the CA in a timely manner. The auditor should also enter the WENDB and RNC data in the data base. In addition, he/she should complete the appropriate NPDES Compliance Inspection Report Forms and update the Status Update and Program Profiles. The auditor should handle NPDES permit modifications and enforcement activities in accordance with EPA Regional/State policy.

As mentioned earlier, the audit requires balancing many different data gathering techniques. By balancing these techniques properly, the auditor will obtain the best result and a comprehensive look at the CA's program. The file review and IU site visits are areas that pose the greatest resource burden to the Approval Authority. EPA recommends looking at as many files and visiting as many IUs as possible with balance in mind. For example, reviewing 25 files and visiting 2 IUs does not provide the balance that

would be achieved by reviewing 15 files and visiting 10 IUs at a medium sized POTW with 100 SIUs. Although this latter effort requires a greater resource commitment, it provides much more meaningful data.

CHECKLIST STRUCTURE

The audit checklist is divided into the following three sections. Regulatory citations are provided for all required program items. Items on the checklist that do not have a corresponding regulatory citation are not required, but are recommended because they would enhance the effectiveness of the program. Comment space is also provided for each item to enable adequate documentation of the findings.

Section I: File Review - evaluates the CA's performance by reviewing the IU records which the CA maintains. Unlike information obtained in interviews, a review of the CA's files provides proof that the CA is either implementing or not implementing its program. If relevant information is not found in the files, the auditor should note this problem as one of the audit findings. The File Review is suggested to be conducted first because it enables the auditor to identify issues that can be discussed during the interview, and either resolved during the closing conference or established as a finding for the report. The file review also provides a basis on which to select IUs for site visits.

Section II: Interview - is intended to evaluate the portions of program implementation that could not be evaluated adequately by looking at the IU files. This section also complements the information gained during the file review and IU site visits. For example, the file review looks at the quality of permits issued while the interview investigates the adequacy of the issuance process.

Section III: Findings - enables the auditor to organize all issues that will need to be addressed in the subsequent report. This section is organized to correspond to the subsections in Sections I and II. The areas of concern to consider are listed with corresponding regulatory and checklist question citations. This was done to assist the auditor in compiling all findings for each one.

There are five attachments to the checklist: the Pretreatment Program Status Update and Pretreatment Program Profile to be completed before the audit and updated subsequent to the audit; the IU Site Visit Data Sheet to be used at the auditor's option when conducting IU site visits during the audit; and the WENDB Data Entry Worksheet and the RNC Worksheet to be completed as part of the audit follow-up to provide input into the data base. When completed with thoroughness, the body of the checklist and its attachments will provide the auditor with the documentation needed to draft the audit report, initiate any corrective and enforcement actions needed, and enter WENDB and RNC data into the data base.

RESOURCES FOR CONDUCTING AUDITS

The resources necessary to conduct audits will vary greatly from program to program. Some variables contributing to different resource needs include: size of the POTW; number and size of SIUs; and number of jurisdictions involved. These variables will impact preparation time, time onsite, report preparation, and follow-up. The average resources needed to conduct an audit of a small local program would be 1-2 people onsite for 2 days with 2-4 hours needed for preparation and 8-16 hours needed to write the report. For a medium-size program, the Approval Authority should allow 2 people onsite for 2-3 days, 4-8 hours for preparation, and 16-24 hours to write the report. Finally, a large program is likely to require 3-5 people onsite for 3-5 days, 16-24 hours of preparation, and 24-40 hours to write the report. The Approval Authority should be aware that these are broad estimates and are provided only as a general basis for decisions regarding scheduling and staffing.

COMPUTER FILE INFORMATION

For the user's convenience, this "Control Authority Pretreatment Audit Checklist and Instructions" package includes a 5 1/4" High Density diskette containing the audit checklist form in seven files corresponding to the cover page, Sections I, II, and III, and Attachments A, B, and C. To use the checklist computer file, you must have WordPerfect Version 5.1 (with manual) and a LaserJet series III printer (with manual). Use on another printer may cause format problems. The following instructions will facilitate the use of the Pretreatment Audit Checklist computer file.

Entering Data in the Computer File

The Checklist was designed using the WordPerfect 5.1 TABLES function which uses "cells" and "columns" to create multi-structure tables. The questions on the enclosed hard copy of the checklist correspond to the cells containing text in the computer file (i.e., the "question cells"). These cells are locked to facilitate moving through the checklist; the cursor will skip over them. (*Note: to delete these cells, see Unlocking Cells, below.*) The blank spaces on the hard copy correspond to the empty cells (i.e., the "answer cells") in the file. These cells are not locked and are formatted so that the information typed into them will print in boldface italic type.

To ensure that the information in the IU Identification section prints properly, the cursor must be placed between the "[BOLD][ITALIC][italic][bold]" codes before typing in the text. Working with the "REVEAL CODES" (F11 or ALT F3) displayed will ensure a consistent product. Also, each unlocked cell contains a specific number of HARD RETURNS (HRts) that ensure the table will remain intact on one page. When entering text, the user is advised to cursor to each line. Where text automatically wraps, the same number of HRts should be deleted as the SOFT RETURNS (SRts) that were entered by the

wraps. The user is cautioned that entering more SRts than there are HRts available, may cause an inappropriate page break. If this occurs, it is recommended that a new table be created using the TABLE function (ALT F7) to move what is needed to the next page.

Once the text has been entered, you can use the "SAVE AS" function (F10) to give the files new names, thus keeping the original blank checklist file intact. In addition, entering data in the computer file necessitates use of several complex functions. These are described below.

Unlocking Cells

It is recognized that standardized forms such as the "Pretreatment Audit Checklist" cannot meet everyone's needs on every occasion. From time to time, it may be desirable to enter data into a locked cell. The cursor must be within the table frame and you must access the TABLE function using "ALT F7" to make any changes to a cell. Once in the TABLE function, the cursor can be moved to the locked cell and you can use the editing menu to make necessary changes. To unlock the cell, choose the following selections from the menu: 2 Format; 1 Cell; 5 Lock; 2 Off. After exiting the TABLE function, text may be entered in the cell. If you want the text to be consistent with that entered in the formatted cells, use "CTRL F8" and "F6" to italicize and bold text. The user is cautioned that entering text into unlocked cells may cause format and pagination changes that will need to be corrected by deleting space elsewhere or creating additional cells using the TABLE function.

Creating Check Marks

The diskette also includes two macros: "ALT C" to create a check mark (✓) as used in the "Yes"/"No" questions and in the file review; and "ALT X" to create check marks in boxes (☐) as used on the cover page and in the IU Identification section. When using "ALT X" you must delete the code for the empty box, place the cursor where the box code was, and type ALT X.

Entering Vertical Names

The first page of Section I: IU File Evaluation uses vertical boxes to contain the file name. To enter the IUs' names in these boxes, cursor to the first box and use the TEXT BOX (ALT F9) function choosing the following selections from the menu: 3 Text Box; 2 Edit; type Table Box number; Enter; 9 Edit; type name; ALT F9 (Graphics); 2 90°; F7 (Exit). The name will not appear in the box on the screen. To verify that the name was correctly entered, use View Document function (Shift F7, 6). Follow the same procedure for each box. You are allowed 24 character spaces (one line) for the IU's name. Do not try to make the box larger; instead, abbreviate the name to make it fit.

PART II:

CONTROL AUTHORITY PRETREATMENT AUDIT CHECKLIST

CONTROL AUTHORITY PRETREATMENT AUDIT CHECKLIST

AUDIT CHECKLIST CONTENTS

Cover Page and Acronym List

Section I IU File Evaluation
 Section II Data Review/Interview/IU Site Visit(s)
 Section III Findings

- ☐ Attachment A Pretreatment Program Status Update
☐ Attachment B Pretreatment Program Profile
 Attachment C Worksheets
 ☐ IU Site Visit Data Sheet
 ☐ WENDB Data Entry Worksheet
 ☐ RNC Worksheet
 Attachment D Supporting Documentation

Control Authority (CA) name and address		Date(s) of audit
AUDITOR(S)		
Name	Title/Affiliation	Telephone Number
CA REPRESENTATIVE(S)		
Name	Title/Affiliation	Telephone Number
	*	

ACRONYM LIST

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TRIS	Toxics Release Inventory System
TSDF	Treatment, Storage, and Disposal Facility
TTO	Total Toxic Organics
UST	Underground Storage Tank
WENDB	Water Enforcement National Data Base

GENERAL INSTRUCTIONS

1. As noted in the Introduction, the auditor should review a representative number of SIU files. Section I of this checklist provides space to document five IU files. This should not be construed to mean that five is an adequate representation of files to review. The auditor should make as many copies of Section I as needed to document a representative number of files according to the discussion in the Introduction.
2. The auditor should ensure that he/she follows up on any and all violations noted in the previous inspection and annual report during the course of the audit.
3. Throughout the course of the evaluation, the auditor should look for areas in which the CA should improve the effectiveness and quality of its program.
4. Audit findings should clearly distinguish between violations, deficiencies, and effectiveness issues.

SECTION I: IU FILE EVALUATION

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

IU IDENTIFICATION

FILE _____ Industry name and address	Type of industry	
<input type="checkbox"/> CIU 40 CFR _____, _____, _____ Category(ies) _____	Average total flow (gpd)	Average process flow (gpd)
<input type="checkbox"/> Other SIU <input type="checkbox"/> Non SIU	Industry visited during audit Yes <input type="checkbox"/> No <input type="checkbox"/>	
Comments		

FILE _____ Industry name and address	Type of industry	
<input type="checkbox"/> CIU 40 CFR _____, _____, _____ Category(ies) _____	Average total flow (gpd)	Average process flow (gpd)
<input type="checkbox"/> Other SIU <input type="checkbox"/> Non SIU	Industry visited during audit Yes <input type="checkbox"/> No <input type="checkbox"/>	
Comments		

SECTION I: IU FILE EVALUATION (Continued)

IU IDENTIFICATION (Continued)			
FILE _____ Industry name and address		Type of industry	
<input type="checkbox"/> CIU 40 CFR _____, _____, _____ Category(ies) _____		Average total flow (gpd)	Average process flow (gpd)
<input type="checkbox"/> Other SIU <input type="checkbox"/> Non SIU		Industry visited during audit Yes <input type="checkbox"/> No <input type="checkbox"/>	
Comments			
FILE _____ Industry name and address		Type of industry	
<input type="checkbox"/> CIU 40 CFR _____, _____, _____ Category(ies) _____		Average total flow (gpd)	Average process flow (gpd)
<input type="checkbox"/> Other SIU <input type="checkbox"/> Non SIU		Industry visited during audit Yes <input type="checkbox"/> No <input type="checkbox"/>	
Comments			

SECTION I: IU FILE EVALUATION (Continued)

IU IDENTIFICATION (Continued)			
FILE _____ Industry name and address		Type of industry	
<input type="checkbox"/> CIU 40 CFR _____, _____, _____ Category(ies) _____		Average total flow (gpd)	Average process flow (gpd)
<input type="checkbox"/> Other SIU <input type="checkbox"/> Non SIU		Industry visited during audit Yes <input type="checkbox"/> No <input type="checkbox"/>	
Comments			
General Comments			

SECTION I: IU FILE EVALUATION (Continued)

Industry Name					<p>INSTRUCTIONS: Evaluate the contents of selected IU files; emphasis should be placed on SIU files. Use N/A (Not Applicable) where necessary. Use ND (Not Determined) where there is insufficient information to evaluate/determine implementation status. Comments should be provided in the comment area at the bottom of the page for all violations, deficiencies, and/or other problems as well as for any areas of concern or interest noted. Enter comment number in box and in the comment area at the bottom of the page, followed by the comment. Comments should delineate the extent of the violation, deficiency, and or problem. Attach relevant copies of IU file information for documentation. Where no comment is needed, enter ✓ (check) to indicate area was reviewed. The evaluation should emphasize any areas where improvements in quality and effectiveness can be made.</p>																																										
File	File	File	File	File																																											
					<p align="center">IU FILE REVIEW</p> <p>A. ISSUANCE OF IU CONTROL MECHANISM</p> <table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1. Control mechanism application form</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td>2. Fact sheet</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td>3. Issuance or reissuance of control mechanism</td> <td>403.8(f)(1)(iii)</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td>4. Control mechanism contents</td> <td>403.8(f)(1)(iii)</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td>a. Statement of duration (\leq 5 years)</td> <td>403.8(f)(1)(iii)(A)</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td>b. Statement of nontransferability w/o prior notification/approval</td> <td>403.8(f)(1)(iii)(B)</td> </tr> </table>						1. Control mechanism application form							2. Fact sheet							3. Issuance or reissuance of control mechanism	403.8(f)(1)(iii)						4. Control mechanism contents	403.8(f)(1)(iii)						a. Statement of duration (\leq 5 years)	403.8(f)(1)(iii)(A)						b. Statement of nontransferability w/o prior notification/approval	403.8(f)(1)(iii)(B)
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<p>Comments</p>																																															

SECTION I: IU FILE EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
					A. ISSUANCE OF IU CONTROL MECHANISM (Continued)	
					c. Applicable effluent limits	403.8(f)(1)(iii)(C)
					• Application of applicable categorical standards	403.8(f)(1)(ii)
				- Classification by category/subcategory		
				- Classification as new/existing source		
				- Application of limits for all categorical pollutants		
				- Application of TTO or TOMP alternative		
				- Calculation and application of production-based standards	403.6(c)	
				- Calculation and application of CWF or FWA	403.6(d)&(e)	
				- Application of variance to categorical standards	403.7	
				• Application of applicable local limits		
				• Application of most stringent limit	403.8(f)(1)(ii)	
Comments						

SECTION I: IU FILE EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
					A. ISSUANCE OF IU CONTROL MECHANISM (Continued)	
					d. IU self-monitoring requirements	403.8(f)(1)(iii)(D)
					• Sampling (pollutants, frequency, locations, types)	
					• Reporting requirements (e.g., periodic, resampling)	
					• Notification requirements (e.g., slug, spill, changed discharge, 24-hour notice of violation)	
					• Record keeping requirements	403.12(o)
					e. Statement of applicable civil and criminal penalties	403.8(f)(1)(iii)(E)
					f. Compliance schedules/progress reports (if applicable)	403.8(f)(1)(iii)(D)
					g. Slug discharge control plan requirement (if applicable)	403.8(f)(2)(v)
Comments						

SECTION I: IU FILE EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
					B. CA COMPLIANCE MONITORING	
					1. Inspection	
					a. Inspection (at least once a year)	403.8(f)(2)(v)
					b. Inspection at frequency specified in approved program	403.8(c)
					c. Documentation of inspection activities	403.8(f)(2)(vi)
					d. Evaluation of need for slug discharge control plan (reevaluation of existing plan)	403.8(f)(2)(v)
					2. Sampling	
					a. Sampling (at least once a year)	403.8(f)(2)(v)
					b. Sampling at frequency specified in approved program	403.8(c)
					c. Documentation of sampling activities (chain-of-custody; QA/QC)	403.8(f)(2)(vi)
					d. Analysis for all regulated parameters	403.12(g)(1)
					e. Appropriate analytical methods (40 CFR Part 136)	403.8(f)(2)(vi)
Comments						

SECTION I: IU FILE EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
					C. CA ENFORCEMENT ACTIVITIES	
					1. Identification of violations	403.8(f)(2)(vi)
					a. Discharge violations	
					• IU self-monitoring	
					• CA compliance monitoring	
					b. Monitoring/reporting violations	
					• IU self-monitoring	
					- Reporting (e.g., frequency, content)	
					- Sampling (e.g., frequency, pollutants)	
					- Record keeping	
					• Notification (e.g., slug, spill, changed discharge, 24-hour notice of violation)	
					• Slug control plan	
					• Compliance schedule/reports	
					c. Compliance schedule violations	
					• Start-up/final compliance	
					• Interim dates	
Comments						

SECTION I: IU FILE EVALUATION (Continued)

File	File	File	File	File	IU FILE REVIEW	Reg. Cite
					C. CA ENFORCEMENT ACTIVITIES (Continued)	
					2. Calculation of SNC	403.8(f)(2)(vii)
					a. Chronic	
					b. TRC	
					c. Pass through/interference	
					d. Spill/slug load	
					e. Reporting	
					f. Compliance schedule	
					g. Other violations (specify)	
					3. Response to violation	
					4. Adherence to approved ERP	403.8(f)(5)
					5. Return to compliance	
					a. Within 90 days	
					b. Within time specified	
					c. Through compliance schedule	
					6. Escalation of enforcement	403.8(f)(5)
					7. Publication for SNC	403.8(f)(2)(vii)
					D. OTHER	
Comments						

SECTION I COMPLETED BY:	DATE:
TITLE:	TELEPHONE:

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT

INSTRUCTIONS: Complete this section based on CA activities to implement its pretreatment program. Answers to these questions may be obtained from a combination of sources including discussions with CA personnel, review of general and specific IU files, IU site visits, review of POTW treatment plants, among others. Attach documentation where appropriate. Specific data may be required in some cases.

- Write ND (Not Determined) beside the questions or items that were not evaluated during the audit; indicate the reason(s) why these were not addressed (e.g., lack of time, appropriate CA personnel were not available to answer)
- Use N/A (Not Applicable) where appropriate.

A. CA PRETREATMENT PROGRAM MODIFICATION [403.18]

1. a. Has the CA made any substantial changes to the pretreatment program that were not reported to the Approval Authority (e.g., legal authority, less stringent local limits, multijurisdictional situation)?

Yes

No

If yes, discuss.

- b. Is the CA in the process of making any substantial modifications to any pretreatment program component (including legal authority, less stringent local limits, DSS requirements, multijurisdictional situation, etc.)?

Yes

No

If yes, describe.

SECTION II: DATA REVIEW/INTERVIEW/TU SITE VISIT (Continued)

B. LEGAL AUTHORITY (403.8(f)(1))

1. Are there any contributing jurisdictions discharging wastewater to the POTW?

If yes, explain how the legal authority addresses the contributing jurisdictions.

Yes

No

2. a. Has the CA updated its legal authority (e.g., SUO) to reflect changes in the General Pretreatment Regulations?

b. Did all contributing jurisdictions update their SUOs in a consistent manner?

Explain.

Yes

No

3. Does the CA experience difficulty in implementing its legal authority [i.e., SUO, interjurisdictional agreement (e.g., permit challenged, entry refused, penalty appealed)]?

If yes, explain.

Yes

No

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

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

1. How does the CA define SIU? (Is it the same in contributing jurisdictions?)

2. How are SIUs identified and categorized (including those in contributing jurisdictions)?

Discuss any problems.

3. a. How and when does the CA update its IWS to identify new IUs (including those in contributing jurisdictions)?

b. How and when does the CA identify changes in wastewater discharges at existing IUs (including contributing jurisdictions)?

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

a.		SIUs (as defined by the CA) [WENDB-SIUS]
		CIUs [WENDB-CIUS]
		Noncategorical SIUs
b.		Other regulated noncategorical IUs (specify)
c.		TOTAL

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

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

1. a. How many and what percent of the total SIUs are not covered by an existing, unexpired permit, or other individual control mechanism? [WENDB-NOCM] [RNC-II] %

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

If any, explain.

2. a. Do any UST, CERCLA, RCRA corrective action sites and/or other contaminated ground water sites discharge wastewater to the CA?

b. How are control mechanisms (specifically limits) developed for these facilities?

Discuss:

3. a. Does the CA accept any waste by truck, rail, or dedicated pipe?

b. Is any of the waste hazardous as defined by RCRA?

If a. or b. above is yes, explain.

Yes	No

c. Describe the CA's program to control hauled wastes including a designated discharge point (e.g., number of points, control/security, procedures). [403.5(b)(8)]

SECTION II: DATA REVIEW/INTERVIEW/TU SITE VISIT (Continued)

E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS

1. What limits (categorical, local, other) does the CA apply to wastes that are hauled to the POTW (directly to the treatment plant or within the collection system, including contributing jurisdictions)? [403.1(b)(1)]

2. How does the CA keep abreast of current regulations to ensure proper implementation of standards? [403.8(f)(2)(iii)]

3. Local limits evaluation: [403.8(f)(4); 122.21(j)]

a. For what pollutants have local limits been set

b. How were these pollutants decided upon

c. What was the most prevalent/most stringent criteria for the limits

d. Which allocation method(s) were used?

e. Has the CA identified any pollutants of concern beyond those in its local limits?

If yes, how has this been addressed?

Yes	No

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS (Continued)

4. What problems, if any, were encountered during local limits development and/or implementation?

F. COMPLIANCE MONITORING

1. a. How does the CA determine adequate IU monitoring (sampling, inspecting, and reporting) frequencies?
[403.8(f)(2)(ii)&(v)]

- b. Is the frequency established above more, less, or the same as required?

Explain any difference.

2. In the past 12 months, how many, and what percentage of, SIUs were: [403.8(f)(2)(v)][RNC-II]
(Define the 12 month period _____ to _____.)

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

	%
--	---

- b. Not sampled at least once

	%
--	---

- c. Not inspected at least once (all parameters)?

	%
--	---

If any, explain. Indicate how percentage was determined (e.g. actual, estimated).

3. Indicate the number and percent of SIUs that were identified as being in SNC* with the following requirements from the CA's last pretreatment program performance report. [WENDB] [RNC-II]

SNC Evaluation Period

--

	%	Applicable pretreatment standards and reporting requirements
	%	Self-monitoring requirements
	%	Pretreatment compliance schedules

*SNC defined by:

POTW	
EPA	

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

F. COMPLIANCE MONITORING (Continued)

4. What does the CA's basic inspection include? (Process areas, pretreatment facilities, chemical and hazardous waste storage areas, chemical spill prevention areas, hazardous waste handling procedures, sampling procedures, laboratory procedures, and monitoring records.) [403.8(f)(2)(v)&(vi)]

5. Who performs CA's compliance monitoring analysis?

- Metals
- Cyanide
- Organics
- Other (specify)

Performed by: CA/Contract Laboratory Name

6. What QA/QC techniques does the CA use for sampling and analysis (e.g., splits, blanks, spikes), including verification of contract laboratory procedures and appropriate analytical methods? [403.8(f)(2)(vi)]

7. Discuss any problems encountered in identification of sample location, collection, and analysis.

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

If yes, summarize.

Yes	No

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

F. COMPLIANCE MONITORING (Continued)

9. a. How and when does the CA evaluate/reevaluate SIUs for the need for a slug control plan? [403.8(f)(2)(v)]

b. How many SIUs were not evaluated for the need to develop slug discharge control plans in the last 2 years?

--

G. ENFORCEMENT

1. What is the CA's definition of SNC? [403.8(f)(2)(vii)]

2. ERP implementation: [403.8(f)(5)]

a. Status

b. Problems with implementation

c. Is the ERP effective and does it lead to compliance in a timely manner? Provide examples if any are available.

3. a. Does the CA use compliance schedules? [403.8(f)(1)(iv)(A)]

b. If yes, are they appropriate? Provide examples.

Yes	No

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

G. ENFORCEMENT (Continued)

4. Did the CA publish all SIUs in SNC in the largest daily newspaper in the previous year?

[403.8(f)(2)(vii)]

If yes, attach a copy.

If no, explain.

Yes

No

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

6. a. Has the CA experienced any problems since the last inspection (interference, pass through, collection system problems, illicit dumping of hauled wastes, or worker health and safety problems) caused by industrial discharges?

Unk

Yes

No

b. If yes, describe and explain the CA's enforcement action against the IUs causing or contributing to problems.
[RNC-I]

H. DATA MANAGEMENT/PUBLIC PARTICIPATION

1. How is confidential information handled by the CA? [403.14]

2. How are requests by the public to review files handled?

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

H. DATA MANAGEMENT/PUBLIC PARTICIPATION (Continued)

3. Describe whether the CA's data management system is effective in supporting pretreatment implementation and enforcement activities.

4. How does the CA ensure public participation during revisions to the SUO and/or local limits? [403.5(c)(3)]

5. Explain any public or community issues impacting the CA's pretreatment program.

6. How long are records maintained? [403.12(o)]

I. RESOURCES [403.8(f)(3)]

1. Estimate the number of personnel (in FTEs) available for implementing the program. [Consider: legal assistance, permitting, IU inspections, sample collection, sample analysis, data analysis, review and response, enforcement, and administration (including record keeping and data management)].

FTEs

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

I. RESOURCES [403.8(f)(3)] (Continued)

2. Does the CA have adequate access to monitoring equipment? (Consider: sampling, flow measurement, safety, transportation, and analytical equipment.)

Yes

No

If no, explain.

3. a. Estimate the annual operating budget for the CA's program.

\$

- b. Is funding expected to: stay the same, increase, decrease (note time frame; e.g., following year, next 3 years, etc.)?
Discuss any changes in funding.

4. Discuss any problems in program implementation which appear to be related to inadequate resources.

5. a. How does the CA ensure personnel are qualified and up-to-date with current program requirements?

Yes

No

- b. Does the CA have adequate reference material to implement its program?

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION

1. a. How many times were the following monitored by the CA during the past year?

- Metals
- Priority pollutants
- Biomonitoring
- TCLP
- EP toxicity
- Other (specify)

Influent	Effluent	Sludge	Ambient (Receiving Water)

b. Is this frequency less than, equal to, or more than that required by the NPDES permit?

Explain any differences.

Less	Equal	More

2. a. Has the CA evaluated historical and current data to determine the effectiveness of pretreatment controls on:

- Improvements in POTW operations
- Loadings to and from the POTW
- NPDES permit compliance
- Sludge quality?

b. Has the CA documented these findings?

c. If they have been documented, what form does the documentation take?

Explain. (Attach a copy of the documentation, if appropriate.)

Yes	No

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION (Continued)

3. If the CA has historical data compiled concerning influent, effluent, and sludge sampling for the POTW, what trends have been seen? (Increases in pollutant loadings over the years? Decreases? No change?)

Discuss on pollutant-by-pollutant basis.

4. Has the CA investigated the sources contributing to current pollutant loadings to the POTW (i.e., the relative contributions of toxics from industrial, commercial, and domestic sources)?

Yes

No

If yes, what was found?

5. a. Has the CA attempted to implement any kind of public education program?
b. Are there any plans to initiate such a program to educate users about pollution prevention?

Yes

No

Explain.

6. What efforts have been taken to incorporate pollution prevention into the CA's pretreatment program (e.g., waste minimization at IUs, household hazardous waste programs)?

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT (Continued)

J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION (Continued)

7. Does the CA have any documentation concerning successful pollution prevention programs being implemented by IUs (e.g., case studies, sampling data demonstrating pollutant reductions)?

Yes

No

Explain.

K. ADDITIONAL EVALUATIONS/INFORMATION

SECTION II COMPLETED BY:

TITLE:

DATE:

TELEPHONE:

SECTION III: FINDINGS

INSTRUCTIONS: Based on information and data evaluated, summarize the findings of the audit for each program element shown below. Identify all problems or deficiencies based on the evaluation of program components. Clearly distinguish between deficiencies, violations, and effectiveness issues. This is to ensure that the final report will clearly identify required actions versus recommended actions and program modifications.

Description	Regulatory Citation	Checklist Question(s)
A. CA PRETREATMENT PROGRAM MODIFICATION		
<ul style="list-style-type: none"> Status of program modifications 	403.18	II.A.1
B. LEGAL AUTHORITY		
<ul style="list-style-type: none"> Minimum legal authority requirements 	403.8(f)(1)	II.B.2&3
<ul style="list-style-type: none"> Adequate multijurisdictional agreements 	403.8(f)(1)	II.B.1&3

SECTION III: FINDINGS (Continued)

Description	Regulatory Citation	Checklist Question(s)
C. IU CHARACTERIZATION		
<ul style="list-style-type: none"> • Application of "significant industrial user" definition 	403.3(i)(1)	II.C.1; Attach B.E.2
<ul style="list-style-type: none"> • Identify and categorize IUs 	403.8(f)(2)(i)&(ii)	I.A.4.c; II.C.2&3
D. CONTROL MECHANISM		
<ul style="list-style-type: none"> • Issuance of individual control mechanisms to all SIUs 	403.8(f)(1)(iii)	II.D.1
<ul style="list-style-type: none"> • Adequate control mechanisms 	403.8(f)(1)(iii)	I.A.4
<ul style="list-style-type: none"> • Adequate control of trucked, railed, and dedicated pipe wastes 	403.5(b)(8)	II.D.2&3, E.1

SECTION III: FINDINGS (Continued)

Description	Regulatory Citation	Checklist Question(s)
E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS		
• Appropriately categorize, notify, and apply all applicable pretreatment standards	403.8(f)(1)(ii)&(iii); 403.5	I.A
• Basis and adequacy of local limits	403.8(f)(4); 122.21(j)	II.E.3&4
F. COMPLIANCE MONITORING		
• Adequate sampling and inspection frequency	Approved program 403.8(f)(2)(ii)&(v)	I.B.1.a&b, 2.a&b; II.F.1&2
• Adequate inspections	403.8(f)(2)(v)&(vi)	I.B.2.c; II.F.3
• Adequate sampling protocols and analysis	403.8(f)(2)(vi)	I.B.1.c,d&e; II.F.4,5&6
• Adequate IU self-monitoring	403.8(f)(2)(iv)	I.A.4.d, C.1.b; II.F.6, G.5
• Notification of changed and hazardous waste discharges	403.12(j)&(p)	I.C.1.b; II.F.7

SECTION III: FINDINGS (Continued)

Description	Regulatory Citation	Checklist Question(s)
F. COMPLIANCE MONITORING (Continued)		
<ul style="list-style-type: none"> Evaluate the need for SIUs to develop slug discharge control plans 	403.8(f)(2)(v)	I.B.2.d; II.F.8
<ul style="list-style-type: none"> Monitor to demonstrate continued compliance and resampling after violation(s) 	403.12(g)(1)&(2); 403.8(f)(2)(vi)	I.A.4.d, C.1.b
G. ENFORCEMENT		
<ul style="list-style-type: none"> Appropriate application of "significant noncompliance" definition 	403.8(f)(2)(vii)	I.C.2; II.G.1; Attach B.1.1
<ul style="list-style-type: none"> Develop and implement an ERP 	403.8(f)(5)	I.C.3; II.G.2
<ul style="list-style-type: none"> Annually publish a list of IUs in SNC 	403.8(f)(2)(vii)	I.C.6; II.G.4
<ul style="list-style-type: none"> Effective enforcement 	403.8(f)(1)(iv)(A)	I.C.1.c, 4&5; II.G.2.c&d, 5&6

SECTION III: FINDINGS (Continued)

Description	Regulatory Citation	Checklist Question(s)
H. DATA MANAGEMENT/PUBLIC PARTICIPATION		
<ul style="list-style-type: none">Effective data management/public participation	403.5(c)(3); 403.12(o); 403.14	II.H
I. RESOURCES		
<ul style="list-style-type: none">Adequate resources	403.8(f)(3)	II.I

SECTION III: FINDINGS (Continued)

Description	Regulatory Citation	Checklist Question(s)
J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION		
<ul style="list-style-type: none"> • Understanding of pollutants from all sources 		II.J.1&3
<ul style="list-style-type: none"> • Documentation of environmental improvements/effectiveness 		II.J.2
<ul style="list-style-type: none"> • Integration of pollution prevention 		II.J.6
K. ADDITIONAL EVALUATIONS/INFORMATION		

SECTION III COMPLETED BY: <div style="text-align: center;">TITLE:</div>	DATE: TELEPHONE:
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ATTACHMENT A
PRETREATMENT PROGRAM STATUS UPDATE

PRETREATMENT PROGRAM STATUS UPDATE

INSTRUCTIONS: This attachment is intended to serve as an update of program status. It should be updated prior to each audit based on information obtained from the most recent PCI and/or audit and the last pretreatment program performance report.

A. CA INFORMATION

1. CA name		
2. a. Pretreatment contact	b. Mailing address	
c. Title	d. Telephone number	
3. Date of last CA report to Approval Authority		
4. Is the CA currently operating under any pretreatment-related consent decree, Administrative Order, compliance schedule, or other enforcement action?	Yes	No
5. Effluent and sludge quality		
a. List the NPDES effluent and sludge limits violated and the suspected cause(s).		
Parameters Violated	Cause(s)	
b. Has the treatment plant sludge violated limits based on the following tests?	Yes	No
• EP toxicity		
• TCLP		

B. PRETREATMENT PROGRAM STATUS

1. Indicate components that were identified as deficient.			
	Last PCI Date:	Last Audit Date:	Program Report Date:
a. Program modification			
b. Legal authority			
c. Local limits			
d. IU characterization			
e. Control mechanism			
f. Application of pretreatment standards			
g. Compliance monitoring			
h. Enforcement program			
i. Data management			
j. Program resources			
k. Other (specify)			

PRETREATMENT PROGRAM STATUS UPDATE (Continued)

B. PRETREATMENT PROGRAM STATUS (Continued)

	Data Source	Yes	No
2. Is the CA presently in RNC for any of these violations?			
a. Failure to enforce against pass through and/or interference [RNC-I][SNC]			
b. Failure to submit required reports within 30 days [RNC-I][SNC]			
c. Failure to meet compliance schedule milestones within 90 days [RNC-I][SNC]			
d. Failure to issue/reissue control mechanisms to 90 percent of SIUs within 6 months [RNC-II]			
e. Failure to inspect or sample 80 percent of SIUs within the last 12 months [RNC-II]			
f. Failure to enforce standards and reporting requirements [RNC-II]			
g. Other (specify) [RNC-II]			

3. List SIUs in SNC identified in the last pretreatment program performance report, PCI, or audit (whichever is most recent).

Name of SIU in SNC	Reason for SNC	Source (PCI, Annual Report)

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

SNC evaluation period

	%	Applicable pretreatment standards and reporting requirements	*SNC defined by:
	%	Self-monitoring requirements	
	%	Pretreatment compliance schedules	

5. Describe any problems the CA has experienced in implementing or enforcing its pretreatment program.

ATTACHMENT A COMPLETED BY:	DATE:
TITLE:	TELEPHONE:

ATTACHMENT B
PRETREATMENT PROGRAM PROFILE

PRETREATMENT PROGRAM PROFILE

INSTRUCTIONS: This attachment is intended to serve as a summary of program information. This background information should be obtained from the original, approved pretreatment program submission and modifications and the NPDES permit. The profile should be updated, as appropriate, in response to approved modifications and revised NPDES permit requirements.

A. CA INFORMATION

1. CA name
2. Original pretreatment program submission approval date
3. Required frequency of reporting to Approval Authority
4. Specify the following CA information.

Treatment Plant Name	NPDES Permit Number	Effective Date	Expiration Date

5. Does the CA hold a sludge permit or has the NPDES permit been modified to include sludge use and disposal requirements?

Yes	No

If yes, provide the following information.

POTW Name	Issuing Authority	Issuance Date	Expiration Date	Regulated Pollutants

B. PRETREATMENT PROGRAM MODIFICATIONS

1. When was the CA's NPDES permit first modified to require pretreatment implementation? [WENDB-PTIM]
2. Identify any substantial modifications the CA made in its pretreatment program since the approved pretreatment program submission. [403.18]

Date Approved	Name of Modification	Date Incorporated in NPDES Permit

PRETREATMENT PROGRAM PROFILE (Continued)

C. TREATMENT PLANT INFORMATION									
INSTRUCTIONS: Complete this section for each treatment plant operated under an NPDES permit issued to the CA.									
1. Treatment plant name					2. Location address				
3. a. NPDES permit number			b. Expiration date		4. Treatment plant wastewater flows				
					Design <input style="width: 50px;" type="text"/> MGD		Actual <input style="width: 50px;" type="text"/> MGD		
5. Sewer System		a. Separate %		b. Combined %		c. Number of CSOs			
6. a. Industrial contribution (MGD)		b. Number of SIUs discharging to plant			c. Percent industrial flow to plant				
7. Level of treatment			Type of Process(es)						
a. Primary									
b. Secondary									
c. Tertiary									
8. Indicate required monitoring frequencies for pollutants identified in NPDES permit.									
			Influent (Times/Year)	Effluent (Times/Year)	Sludge (Times/Year)	Receiving Stream (Times/Year)			
a. Metals									
b. Organics									
c. Toxicity testing									
d. EP toxicity									
e. TCLP									
9. Effluent Discharge									
a. Receiving water name			b. Receiving water classification				c. Receiving water use		
d. If effluent is discharged to any location other than the receiving water, indicate where.									
10. 301(h) waiver (ocean discharge)									
		Yes		No					
a. Applied for						c. Date of application		<input style="width: 100px;" type="text"/>	
b. Granted						d. Date approved or denied		<input style="width: 100px;" type="text"/>	

PRETREATMENT PROGRAM PROFILE (Continued)

C. TREATMENT PLANT INFORMATION (Continued)

	N/A	Yes	No
11. Did the CA submit results of whole effluent biological toxicity testing as part of its NPDES permit application(s)? [122.21(f)(1) and (2)]			
a. If yes, did the CA use EPA-approved methods? [122.21(f)(3)]			
b. Has there been a pattern of toxicity demonstrated?			

12. Indicate methods of sludge disposal.

<p style="text-align: center;">Quantity of sludge</p> <p>a. Land application <input style="width: 50px;" type="text"/> dry tons/year</p> <p>b. Incineration <input style="width: 50px;" type="text"/> dry tons/year</p> <p>c. Monofill <input style="width: 50px;" type="text"/> dry tons/year</p> <p>d. MSW landfill <input style="width: 50px;" type="text"/> dry tons/year</p>	<p style="text-align: center;">Quantity of sludge</p> <p>e. Public distribution <input style="width: 50px;" type="text"/> dry tons/year</p> <p>f. Lagoon storage <input style="width: 50px;" type="text"/> dry tons/year</p> <p>g. Other (specify) <input style="width: 50px;" type="text"/> dry tons/year</p>
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D. LEGAL AUTHORITY

1. a. Indicate where the authority to implement and enforce pretreatment standards and requirements is contained (cite legal authority).

b. Date enacted/adopted

c. Date of most recent revisions

2. Does the CA's legal authority enable it to do the following? [403.8(f)(1)(i-vii)]

- | | Yes | No |
|--|-----|----|
| a. Deny or condition pollutant dischargers [403.8(f)(1)(i)] | | |
| b. Require compliance with standards [403.8(f)(1)(ii)] | | |
| c. Control discharges through permit or similar means [403.8(f)(1)(iii)] | | |
| d. Require compliance schedules and IU reports [403.8(f)(1)(iv)] | | |
| e. Carry out inspection and monitoring activities [403.8(f)(1)(v)] | | |
| f. Obtain remedies for noncompliance [403.8(f)(1)(vi)] | | |
| g. Comply with confidentiality requirements [403.8(f)(1)(vii)] | | |

3. a. How many contributing jurisdictions are there?

List the names of all contributing jurisdictions and the number of SIUs in those jurisdictions.

Jurisdiction Name	Number of CIUs	Number of Other SIUs

PRETREATMENT PROGRAM PROFILE (Continued)

D. LEGAL AUTHORITY (Continued)

3. b. Has the CA negotiated all legal agreements necessary to ensure that pretreatment standards will be enforced in contributing jurisdictions?

Yes

No

If yes, describe the legal agreements (e.g., intergovernmental contract, agreement, IU contracts, etc.).

4. If relying on contributing jurisdictions, indicate which activities those jurisdictions perform.

a. IWS update

b. Permit issuance

c. Inspection and sampling

d. Enforcement

e. Notification of IUs

f. Receipt and review of IU reports

g. Analysis of samples

h. Other (specify)

E. IU CHARACTERIZATION

1. a. Does the CA have procedures to update its IWS to identify new IUs or changes in wastewater discharges at existing IUs? [403.8(i)(2)(i)]

Yes

No

- b. Indicate which methods are to be used to update the IWS.

- Review of newspaper/phone book
- Review of water billing records
- Review of plumbing/building permits

- Onsite inspections
- Permit application requirements
- Citizens involvement
- Other (specify)

- c. How often is the IWS to be updated?

2. Is the CA's definition of "significant industrial user" consistent within the language in the Federal regulations? [403.3(i)(1)]

Yes

No

If no, provide the CA's definition of "significant industrial user."

PRETREATMENT PROGRAM PROFILE (Continued)

F. CONTROL MECHANISM			
1. a. Identify the CA's approved control mechanism (e.g., permit, etc.).			
b. What is the maximum term of the control mechanism?			
2. Does the approved control mechanism include the following? [403.8(f)(1)(iii)]	Yes	No	
a. Statement of duration			
b. Statement of nontransferability			
c. Effluent limits			
d. Self-monitoring requirements			
• Identification of pollutants to be monitored			
• Sampling location			
• Sample type			
• Sampling frequency			
• Reporting requirements			
• Notification requirements			
• Record keeping requirements			
e. Statement of applicable civil and criminal penalties			
f. Applicable compliance schedule			
3. Does the CA have a control mechanism for regulating IU whose wastes are trucked to the treatment plant?	N/A	Yes	No
4. Does the program identify designated discharge point(s) for trucked or hauled wastes? [403.5(b)(8)]			
If yes, described the discharge point(s) (including security procedures).			
G. APPLICATION OF STANDARDS			
1. Does the CA have procedures to notify all IUs of applicable pretreatment standards and any applicable requirements under the CWA and RCRA? [403.8(f)(2)(iii)]		Yes	No
2. If there is more than one treatment plant, were local limits established specifically for each plant?	N/A	Yes	No

PRETREATMENT PROGRAM PROFILE (Continued)

G. APPLICATION OF STANDARDS (Continued)

3. Has the CA technically evaluated the need for local limits for all pollutants listed below?
[WENDB-EVLL] [403.5(e)(1); 403.8(f)(4)]

Partial Technical Evaluation (not all 10 pollutants evaluated)?

	Headworks Analysis Completed?		Technically Evaluated?		Local Limits Adopted?		Local Limit (Numeric)
	Yes	No	Yes	No	Yes	No	
a. Arsenic (As)							
b. Cadmium (Cd)							
c. Chromium (Cr)							
d. Copper (Cu)							
e. Cyanide (CN)							
f. Lead (Pb)							
g. Mercury (Hg)							
h. Nickel (Ni)							
i. Silver (Ag)							
j. Zinc (Zn)							
k. (Other (specify))							

H. COMPLIANCE MONITORING

1. Indicate compliance monitoring and inspection frequency requirements.

Program Aspect	Approved Program Requirement	NPDES Permit Requirement	State Requirement	Minimum Federal Requirement
a. Inspections				
• CIUs				1/year
• Other SIUs				1/year
b. Sampling by POTW				
• CIUs				1/year
• Other SIUs				1/year
c. Self-monitoring				
• CIUs				2/year
• Other SIUs				2/year
d. Reporting by IU				
• CIUs				2/year
• Other SIUs				2/year

PRETREATMENT PROGRAM PROFILE (Continued)

I. ENFORCEMENT

1. Does the CA's program define "significant noncompliance"?

If yes, is the CA's definition of "significant noncompliance" consistent with EPA's?
[403.8(f)(2)(vii)]

Yes

No

If no, provide the CA's definition of "significant noncompliance."

2. Does the CA have an approved, written ERP? [403.8(f)(5)]

Yes

No

3. Indicate the compliance/enforcement options that are available to the POTW in the event of IU noncompliance.
[403.8(f)(1)(vi)]

a. Notice or letter of violation

b. Compliance schedule

c. Injunctive relief

d. Imprisonment

e. Termination of service

f. Administrative Order

g. Revocation of permit

h. Fines (maximum amount)

• Civil \$_____/day/violation

• Criminal \$_____/day/violation

• Administrative \$_____/day/violation

J. DATA MANAGEMENT/PUBLIC PARTICIPATION

1. Does the approved program describe how the POTW will manage its files and data?

Yes

No

Are files/records

computerized?

hard copy?

both?

2. Are program records available to the public?

Yes

No

3. Does the POTW have provisions to address claims of confidentiality? [403.8(f)(2)(vii)]

PRETREATMENT PROGRAM PROFILE (Continued)

K. RESOURCES

1. What are the resource allocations for the following pretreatment program components:

- a. Legal assistance
- b. Permitting
- c. Inspections
- d. Sample collection
- e. Sample analysis
- f. Data analysis, review, and response
- g. Enforcement
- h. Administration?

TOTAL

FTEs

2. Identify the sources of funding for the pretreatment program. [403.8(f)(3)]

- a. POTW general operating fund
- b. IU permit fees
- c. Industry surcharges

- d. Monitoring charges
- e. Other (specify)

L. ADDITIONAL INFORMATION

ATTACHMENT B COMPLETED BY:

TITLE:

DATE:

TELEPHONE:

ATTACHMENT C

WORKSHEETS

- **IU SITE VISIT DATA SHEET**
- **WENDB DATA ENTRY WORKSHEET**
- **RNC WORKSHEET**

IU SITE VISIT DATA SHEET

I. IU SITE VISIT REPORT FORM

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.

Name and address of industry

Date of visit

Time of visit

Name(s) of inspector(s)

Provide name(s) and title(s) of industry representative(s).

Name

Title

Classification assigned by CA:

Provide the following documentation:

1. Describe the products manufactured or the services provided by the IU.
2. Verify CA's classification or discuss any errors.
3. Describe any significant changes in processes or flow.
4. Identify the raw materials and processes used. (Include discussion of where wastewater is produced and discharged and attach a step-by-step diagram if possible.)
5. Describe the sample location and any differences in CA and IU locations.
6. Describe the treatment system which is in place.
7. Identify the chemicals that are maintained onsite and how they are stored. (Attach list of chemicals, if available.) Discuss the adequacy of spill prevention.
8. Discuss whether hazardous wastes are stored or discharged and any related problems.

Notes:

IU SITE VISIT DATA SHEET (Continued)

IU Name	Date
Notes:	

IU SITE VISIT REPORT FORM COMPLETED BY: TITLE:	DATE: TELEPHONE:
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WENDB DATA ENTRY WORKSHEET

II. WENDB DATA ENTRY WORKSHEET

INSTRUCTIONS: Enter the data provided by the specific checklist questions that are referenced.

CA name

NPDES number

Date of audit

	PCS Code	Checklist Reference	Data
• Number of SIUs*	SIUS	II.C.4.a	
• Number of CIUs	CIUS	II.C.4.a	
- Number of SIUs without control mechanism	NOCM	II.D.1.a	
- Number of SIUs not inspected or sampled	NOIN	II.F.2.a	
- Number of SIUs in SNC** with standards or reporting	PSNC	Attach A.B.4	
- Number of SIUs in SNC with self-monitoring	MSNC	Attach A.B.4	
- Number of SIUs in SNC with self-monitoring and not inspected or sampled	SNIN	II.G.5	

*The number of SIUs entered into PCS is based on the CA's definition of "significant industrial user."

**As defined in 40 CFR 403.8(f)(2)(vii).

WENDB DATA ENTRY WORKSHEET
COMPLETED BY:

TITLE:

DATE:

TELEPHONE:

RNC WORKSHEET

III. RNC WORKSHEET

INSTRUCTIONS: Place a check in the appropriate box on the left if the CA is found to be in RNC or SNC.

CA name

NPDES number

Date of audit

		Level	Checklist Reference
<input type="checkbox"/>	Failure to enforce against pass through and/or interference	I	II.G.6
<input type="checkbox"/>	Failure to submit required POTW reports within 30 days	I	Attach A.B.2.b
<input type="checkbox"/>	Failure to meet compliance schedule milestone date within 90 days	I	Attach A.B.2.c
<input type="checkbox"/>	Failure to issue/reissue control mechanisms to 90% of SIUs within 6 months	II	II.D.1.b
<input type="checkbox"/>	Failure to inspect or sample 80% of SIUs within the last 12 months	II	II.F.2.a
<input type="checkbox"/>	Failure to enforce pretreatment standards and reporting requirements (more than 15% of SIUs in SNC)	II	I.C.1; II.G.2.
<input type="checkbox"/>	Other (specify)	II	

SNC

- ☐ CA in SNC for violation of any Level I criterion
- ☐ CA in SNC for violation of two or more Level II criterion

For more information on RNC, please refer to EPA's 1990 Guidance for Reporting and Evaluating POTW Noncompliance with Pretreatment Implementation Requirements.

RNC WORKSHEET COMPLETED BY:	DATE:
TITLE:	TELEPHONE:

PART III:
AUDIT CHECKLIST INSTRUCTIONS

SECTION I: IU FILE EVALUATION

Each of the major program components in Section I of the Checklist is listed below along with an explanation (generally an explanation of the regulatory requirement). Guidance is provided on how the auditor can evaluate the CA's (or IU's) compliance with the program requirement and on what constitutes a deficiency. Much of the information needed to do necessary evaluations will probably be in the CA's files on the individual IUs. The auditor should begin by finding out how the CA organizes their files. Some CAs have individual files for each IU and all information pertaining to that IU is in the file. Other CAs may have files segregated by subject so that all permits are in one file while all monitoring data are in another file and all correspondence in another and so on. Once the auditor has determined the file organization, he or she can move on to doing the evaluation.

Section I requires the auditor to review certain components of the CA's IU files. After reviewing each component, the auditor must determine if what he or she found was adequate or appropriate. Once this determination has been made, the auditor should decide if the information learned is worthy of comment or explanation. If comment or explanation is necessary, the auditor should put a number in the square corresponding to the component being evaluated, and the same number in the comment area followed by the explanation of what was found. It is recommended that numbering begin anew on each page.

To facilitate completion of this section, elements of each program area are listed for consideration. The regulatory citations are provided where there are specific requirements for that element. The auditor should be aware that not all questions on the checklist reflect regulatory requirements. Some of the questions are included to allow the auditor to better evaluate program effectiveness. This fact should be taken into consideration when developing required versus recommended actions to be taken by the CA.

IU Identification

PURPOSE: This section is designed to provide a brief profile of the IU. This information should summarize industrial categorization, discharge characterization, and comment on compliance history and other issues of note. The auditor should briefly look through the file and fill out the information requested. Some information will be filled out at the start of the file review (e.g., name, address, etc.). Some information (e.g., category, flow, compliance status, etc.) will be obtained as the review proceeds. The auditor should enter additional information about the industry obtained from the interview with CA staff or site visit to the IU.

IU File Review

The auditor should review each point covered in the file review to determine if there is anything worth noting to question the CA about during the interview. For instance, something the CA is doing that is out of the ordinary either positive or negative.

A. Issuance of IU Control Mechanism

Note: This section takes a comprehensive look at the CA's control mechanism. The auditor should evaluate the adequacy and effectiveness of the control mechanism used. Comments should reflect an evaluation of the control mechanism for both presence and the adequacy of all control mechanism components. For each area examined in this section of the file review, the auditor should determine whether the CA met the regulatory requirement and also if the CA is effective in controlling its IUs. If the auditor determines there is a problem or deficiency (e.g., control mechanisms are not issued/reissued in a timely manner, do not contain all the elements required by the regulation, contain incorrect limits, etc.), he/she should comment on it in the area provided and explain it in the report to be attached.

A.1. Control mechanism application form

PURPOSE: The CA should require certain baseline data from the IU in order to write an appropriate control mechanism. Although there are several ways these data may be obtained, it is strongly recommended that the CA utilize an application form (there is no regulatory requirement). For CIUs, the Baseline Monitoring Report (BMR) may serve as an application and may then be updated for permit reissuance purposes. For each point covered or issue addressed in the file review, the auditor should also review each point to determine if there is anything worth noting to question the CA about during the interview. For instance, something the CA is doing that is out of the ordinary either positive or negative.

FACTORS TO CONSIDER:

- If the application is being used as a BMR, it must contain all the 40 CFR 403.12(b) required elements.
- To be useful, the application should at least include IU identification, address, phone, responsible officer, a clear description of processes, the flow from each, as well as a description of any pretreatment system in place or proposed.
- Where applications are incomplete, there should be evidence that the CA followed up by requiring the applicant to submit missing data or, at least, that the CA obtained the missing data on its own.
- Where there is evidence that the data contained in the application are inaccurate, there should be evidence that the CA took an enforcement action.

A.2. Fact sheet

PURPOSE: Individual control mechanisms issued to SIUs must contain specific conditions applicable to the IU. A fact sheet is recommended to provide data concerning decisions made in developing the control mechanism (there is no regulatory requirement).

FACTORS TO CONSIDER:

- The fact sheet should explain the basis of every IU-specific standard or requirement contained in the control mechanism, including:
 - The basis for determining that the IU is subject to a particular category and subcategory, if applicable.
 - The basis for the permit limits applied (i.e., local limits versus categorical standards, production-based limits, CWF/FWA, and mass versus concentration-based limits).
 - The rationale behind the pollutants specified for self-monitoring.
 - Documentation for the need for any slug control plan, Best Management Practices (BMPs), and compliance schedule requirements. It should include the circumstances identified which necessitated these requirements.

A.3. Issuance or reissuance of control mechanism

PURPOSE: The CA is required to control IU discharges to the POTW. Under 40 CFR 403.8(f)(1)(iii), all SIU discharges are required to be controlled under individual control mechanisms (i.e., permit, order, or similar means).

FACTORS TO CONSIDER:

- If the auditor cannot locate a control mechanism or if the control mechanism is not current or valid, a deficiency should be noted. If the control mechanism has to be signed by the CA and it is not signed, it may not be valid.
- The auditor should check an expired control mechanism to see if it has been or will be reissued within 180 days from the expiration of the last control mechanism.

A.4. Control mechanism contents

PURPOSE: Individual control mechanisms issued to SIUs must contain the minimum conditions listed in 40 CFR 403.8(f)(1)(iii). The required elements to consider are elaborated upon below in A.4.a-g.

FACTORS TO CONSIDER:

- Each condition contained in the control mechanism must also be evaluated for appropriateness and accuracy. For instance, if production-based categorical standards are applied, the auditor must determine whether the IU was correctly categorized and whether

the discharge limit contained in the control mechanism was correctly calculated. An explanation of each control mechanism condition is presented below.

A.4.a. Statement of duration (\leq 5 years)

PURPOSE: The auditor should review the control mechanism to determine that the duration is not for more than 5 years.

A.4.b. Statement of nontransferability w/o prior notification/approval

PURPOSE: The control mechanism is not allowed to be transferred without, at a minimum, prior notification to the CA and provision of a copy of the existing control mechanism to the new owner or operator.

A.4.c. Applicable effluent limits

PURPOSE: The control mechanism must contain effluent limits based on applicable general pretreatment standards in 40 CFR 403.5, categorical pretreatment standards, local limits, and State and local law. The auditor should determine that the limits in the control mechanism are correct.

FACTORS TO CONSIDER:

- Application of applicable categorical standards includes the following:
 - Classification by category/subcategory
 - Classification as new/existing source
 - Application of limits for all categorical pollutants
 - Application of Total Toxic Organics (TTO) or Toxic Organic Management Plan (TOMP) alternative
 - Calculation and application of production-based standards
 - Calculation and application of CWF or FWA
 - Application of variance to categorical standards, including Fundamentally Different Factors (FDF) variances and net/gross adjustments.
- Application of applicable local limits
- Application of most stringent limit.

A.4.d. IU self-monitoring requirements

PURPOSE: All SIUs are required to submit a report at least semiannually. For all CIUs, the semiannual report must include results of monitoring for all pollutants regulated under the applicable categorical standard and any additional applicable local limits. These requirements can be modified if the CA assumes responsibility for the sampling. The auditor should review the self-monitoring requirements contained in the control mechanism to determine whether they will be effective in identifying noncompliance considering the type and size of the facility, variability in sampling results, the IU's compliance history, etc. *(Note: the CIU is required to report on all regulated pollutants at least semiannually whether or not the requirement is included in the control mechanism.)*

FACTORS TO CONSIDER:

- Sampling:
 - Pollutants - All pollutants regulated under an applicable categorical standard must be sampled and analyzed at least semiannually.
 - Frequency - Although all SIUs are required to self-monitor for all regulated pollutants at least semiannually, these two monitoring events may not be sufficient to provide the CA with a true picture of ongoing compliance, but it is the minimum frequency.
 - Location(s) - Should be clearly identified.
 - Types of samples (e.g., 24-hour composite, grab) - To be taken for each parameter. The auditor should be aware that all pretreatment compliance monitoring must be done in accordance with the procedures specified under 40 CFR Part 136. Further, 24-hour composite samples (or their equivalent) must be used to determine compliance with categorical pretreatment standards except for the following parameters which require the use of grab samples: pH, heat, oil and grease, volatile organics, and phenols.
- Reporting requirements (e.g., periodic, resampling).
- Notification requirements (e.g., slug, spill, changed discharge, 24-hour notice of violation).
- Record keeping requirements - All SIUs are required to retain effluent self-monitoring data and other related documentation for a period of at least 3 years, throughout the course of any ongoing litigation related to the IU, and for the period of time specified by the CA.

A.4.e. Statement of applicable civil and criminal penalties

PURPOSE: All SIU control mechanisms are required to specify the penalties applicable for violation of control mechanism conditions. These penalties must include civil and/or criminal penalties in an amount up to at least \$1,000 per day per violation.

FACTORS TO CONSIDER:

- The CA may also apply administrative penalties for control mechanism violations and is encouraged to do so. However, administrative penalties do not satisfy this regulatory requirement.

- If penalties are not stated, the control mechanism should cite the specific ordinance provision which establishes the penalties.

A.4.f. Compliance schedules/progress reports (if applicable)

PURPOSE: The CA must require compliance schedules where a CIU is not in compliance with a newly promulgated categorical standard. This schedule must have a final compliance date which is no later than the compliance deadline specified by the standard. The schedule must also include milestone dates and a requirement for progress reports to be submitted for each milestone [see requirement under 40 CFR 403.12(b)(7) and (c)].

FACTORS TO CONSIDER:

- Compliance schedules for compliance with a categorical standard deadline which has already passed should not be contained in the control mechanism, but in an enforcement order.
- Compliance schedules are also strongly recommended for use where any IU is out of compliance with any pretreatment standard or requirement. These schedules are also best placed in an enforcement order.
- Compliance schedules used for attaining compliance with a revised local limit by the limit's effective date should be treated similarly to those prepared for compliance with a categorical compliance date.

A.4.g. Slug discharge control plan requirement (if applicable)

PURPOSE: Where IU slug discharge control plans are required to prevent slug loadings to the POTW, they must contain the elements specified under 40 CFR 403.8(f)(2)(v): (1) A description of discharge practices, including nonroutine batch discharges; (2) a description of stored chemicals; (3) procedures for immediately notifying the POTW of slug discharges, including any discharge which would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up written notification within 5 days; and (4) if necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment necessary for emergency response.

FACTORS TO CONSIDER:

- SIU control mechanisms must contain the requirement to immediately notify the CA of any slug discharge. However, it is recommended that the CA incorporate the entire slug discharge control plan into the control mechanism, making compliance with the plan a condition of discharge.
- Any plan which is less inclusive or less stringent than that required under 40 CFR 403.8(f)(2)(v) should be recorded as a deficiency.

B. CA Compliance Monitoring

Note: The CA is required to do sampling and inspecting of IUs to verify compliance independent of information supplied by the IU. If the CA has not undertaken any surveillance activity or no documentation exists, if documentation is insufficient, or if the CA has not sampled for all regulated parameters, the auditor should note these problems.

B.1. Inspection

B.1.a. Inspection (at least once a year)

B.1.b. Inspection at frequency specified in approved program

B.1.c. Documentation of inspection activities

B.1.d. Evaluation of need for slug discharge control plan (reevaluation of existing plan)

PURPOSE: The CA is required to inspect all IUs to determine compliance with pretreatment standards and requirements independent of data submitted by the IU.

FACTORS TO CONSIDER:

- Inspection at least once a year or as specified in the approved program.
- Although the CA is required to inspect the IU once a year, or more frequently if required by the approved program, the auditor should assess the adequacy of this frequency based on the IU's compliance history, IU-specific requirements, process changes, etc.
- Documentation of inspection activities should be clear and cover every aspect of the inspection. Some CAs may use activity logs to demonstrate an inspection took place, however, the log alone will not fulfill the requirement for sufficient care to produce evidence admissible in enforcement cases [40 CFR 403.8(f)(2)(vi)].
- Evaluation of need for slug discharge control plan (reevaluation of existing plan) - The CA is required to evaluate each IU's need for a slug discharge control plan at least once every 2 years. *Note: This may also be called an accidental spill prevention plan. However, to fulfill the regulatory requirement, the plan must also address any potential nonaccidental slug discharges.*

B.2. Sampling

B.2.a. Sampling (at least once a year)

B.2.b. Sampling at frequency specified in approved program

B.2.c. Documentation of sampling activities (chain-of-custody; QA/QC)

B.2.d. Analysis for all regulated parameters

B.2.e. Appropriate analytical methods (40 CFR Part 136)

PURPOSE: The CA is required to sample each SIU discharge point to verify compliance independent of self-monitoring data supplied by the IU. The auditor should determine that the CA has sampled the IU by reviewing sampling records, lab reports, chain-of-custody forms, etc. The auditor should examine all CA compliance sampling data in the IU's file.

FACTORS TO CONSIDER:

- Sampling frequency - At least once a year or at the frequency specified in the approved program.
- Documentation of sampling activities should include QA/QC analytical results and chain-of-custody [sample date and time; location; flow, where applicable; sampling method/type; sampler's name; sample preservation techniques; sample characteristics; dates of analyses; name of analyst; analytical technique/method (40 CFR Part 136); and analytical results].
- Sampling results should include analyses for all regulated parameters.
- Appropriate analytical methods (40 CFR Part 136) - The SIU is required to use the methods defined under 40 CFR Part 136 when collecting and analyzing all samples obtained to determine compliance with pretreatment standards. Since the CA's compliance monitoring serves to verify compliance with the same standards and to check the validity of self-monitoring data, the CA's monitoring should also be conducted in accordance with 40 CFR Part 136. While specific test procedures included in Standard Methods for the Examination of Water and Wastewater are approved under 40 CFR Part 136 for many parameters, not all the test procedures in "Standard Methods" are approved.

C. CA Enforcement Activities

Note: This section serves several purposes. In this section, the auditor will determine the compliance status of the selected IUs and the corresponding response of the CA. If the IU is in noncompliance and the CA fails to identify the noncompliance, the auditor should note this on the checklist and explain the situation in the comment section. The auditor should also determine if the IU is in SNC, whether the enforcement taken by the CA was effective and followed the approved Enforcement Response Plan (ERP). If the auditor finds any problems, he/she should note these and explain the situation in the report.

C.1. Identification of violations

C.1.a. Discharge violations

C.1.b. Monitoring/reporting violations

C.1.c. Compliance schedule violations

PURPOSE: The CA is required to identify and investigate all instances of noncompliance with pretreatment standards and requirements. The auditor should verify the CA has identified all violations.

FACTORS TO CONSIDER:

- The CA must identify any and all IU noncompliance. It is recommended that the CA use a tracking system to:
 - Obtain and compare sampling data with applicable limits and identify and investigate any violations. The investigation should include requiring the IU to explain the violation.
 - Receive IU reports and determine their timeliness, completeness, and accuracy.
 - Determine appropriate progress with compliance schedules.
- The CA must obtain enough IU discharge data to determine compliance on an ongoing basis. If the IU has a history of noncompliance and/or variability in discharge constituents and characteristics, the CA will need more frequent sampling data to determine the pattern and causes of noncompliance.
- If the IU has a history of noncompliance, has not submitted any required self-monitoring reports, or discharges pollutants for which the POTW has NPDES violations, these facts should be noted.
- The auditor should attempt to determine whether the monitoring frequency and the reports for the particular IU is sufficient to provide a true picture of compliance.
- IU self-monitoring - As discussed above, all SIUs are required to report at least twice a year, and more frequently if required by the CA.
- Where CA compliance monitoring data show instances of noncompliance, the auditor should find Notices of Violation (NOVs) provided to the IU for each instance as well as other appropriate follow-up.
- Violations of monitoring and reporting requirements must be addressed by the CA's enforcement program. IU reporting includes all notices required to be submitted by the IU [i.e., notice of a slug discharge (including accidental spills), prior notice of a changed discharge, and 24-hour notice of violation identified in self-monitoring data].
- The CA should respond to any failure by the IU to comply with compliance schedule requirements.

C.2. Calculation of SNC

C.2.a. Chronic

C.2.b. TRC

C.2.c. Pass through/interference

C.2.d. Spill/slug load

C.2.e. Reporting

C.2.f. Compliance schedule

C.2.g. Other violations (specify)

PURPOSE: The CA is required to calculate SNC in order to determine which industries to publish at least annually in the largest local daily newspaper. The CA must also report a summary of IU compliance status in its pretreatment program performance reports to the State or EPA. The auditor should evaluate the file to determine if the CA correctly calculated SNC. This can be done by reviewing violations and performing SNC calculations. *(Note: if the auditor is unfamiliar with the definition of SNC, he/she should refer to the definition in the General Pretreatment Regulations and EPA policy.)*

FACTORS TO CONSIDER:

- CAs should be evaluating SNC based on the procedures set forth in the regulations and EPA's September 9, 1991, memorandum on the Application and Use of the Regulatory Definition of Significant Noncompliance for Industrial Users.
- Evidence of SNC evaluation should be found and evaluated. This information may be in the CA's enforcement file, the pretreatment program performance report submitted to EPA or the State, as well as in the CA and IU sampling reports or included in the data management system. The auditor should look for any SNC violations as described below and determine whether the CA has correctly determined SNC.

C.3. Response to violation

PURPOSE: The CA is expected to respond to every violation in an appropriate manner and consistent with its approved ERP.

FACTORS TO CONSIDER:

- If the CA has an approved ERP, did it respond to each violation as specified in the ERP?
- Effective enforcement requires a timely response by the CA to all violations. The auditor should investigate the cause of any instances where response did not occur in a timely manner.

C.4. Adherence to approved ERP

PURPOSE: Where the CA has an approved ERP, it is required to implement that plan in all its enforcement proceedings.

FACTORS TO CONSIDER:

- Implementation of the approved ERP involves timely and appropriate enforcement and escalation of enforcement actions where violations persist. The CA should have noted and responded to any instance of noncompliance with local limits and/or categorical pretreatment standards. At a minimum, for minor violations the CA should have notified the IU of the violation through a phone call, meeting, or NOV. Instances of noncompliance with any pretreatment requirement should also have resulted in a response by the CA.

- Where the CA's actions conformed to the ERP but were not effective (i.e., they did not result in a final resolution within a reasonable length of time), the auditor should document the situation and consider whether the ERP requires modification.

C.5. Return to compliance

C.5.a. Within 90 days

C.5.b. Within time specified

C.5.c. Through compliance schedule

PURPOSE: There are a number of criteria by which to determine effective enforcement. A return to compliance within 90 days of the initial violation is the primary goal, but even effective enforcement may take longer.

FACTORS TO CONSIDER:

- One criteria for successful enforcement is returning the IU to compliance within 90 days.
- The IU should be returned to compliance within the time specified by the CA. If the IU must come into compliance with a categorical pretreatment standard deadline or a deadline for compliance with a modified local limit, the CA should take appropriate actions (usually issuance of a compliance schedule) to ensure that the IU will meet that deadline.
- Violation of a compliance schedule deadline may indicate lack of effective enforcement. If the deadline has built-in milestone dates, the CA has the opportunity to take actions whenever the IU falls behind in its progress toward compliance. Effective action should result in achievement of compliance by the schedule's deadline.

C.6. Escalation of enforcement

PURPOSE: The CA is expected to escalate enforcement for persistent violations.

FACTORS TO CONSIDER:

- The CA is expected to bring noncompliant users back into compliance by timely and appropriate enforcement. This requires escalation of enforcement activity for persistent violations per the CA's ERP. The auditor should look for patterns of increasingly severe enforcement actions [e.g., NOV's followed by Administrative Orders (AOs)] where the past enforcement actions have not resulted in the IU achieving consistent compliance. The auditor should evaluate dates of the enforcement actions and IU responses (provide examples).
- Where self-monitoring data show instances of noncompliance, the auditor should look for and note follow-up by the CA to any violations and determine the appropriateness of actions taken.

C.7. Publication for SNC

PURPOSE: The CA is required to annually publish, in the area's largest daily newspaper, a list of IUs found to be in SNC. The auditor should verify that IUs in SNC, if any, were properly published.

FACTORS TO CONSIDER:

- The IU file or a central enforcement file should contain a copy or clipping of the latest notice placed in the local newspaper. The CA may keep this public notice in a separate file.
- If an IU has been in SNC at any time during the year to which the publication pertains, then the IU must be included in the published list. Even those IUs that returned to compliance and are in compliance at the time of publication must be included in the published list. IUs that are on compliance schedules (but have had or continue to have SNC violations of standards or requirements) must also be published.
- The auditor should randomly check IUs in SNC against the published list and determine whether the CA published and reported on all these IUs.
- Publication may take the form of a legal notice; however, it may be more effective in the form of an article or advertisement.

D. Other

PURPOSE: The auditor should use this section to document any initiatives, unusual situations, or other issues of note or concern identified in the file review and not covered under the sections above.

SECTION II: DATA REVIEW/INTERVIEW/IU SITE VISIT

Each of the questions in Section II of the Checklist is listed below along with an explanation of the purpose or intent of the question. Brief guidance is provided on how the auditor can evaluate the CA's efforts. More detailed guidance on the technical aspects of each question may be found in the appendices. This section is primarily designed to be interactive between the auditor and the CA personnel. However, the information collected should not be solely from the answers provided by the CA personnel. Where possible, all answers provided by the CA should be supported by other data (monitoring reports, correspondence, etc.). The auditor should use this section to compliment the data gathered through the file review and to further evaluate the effectiveness of the CA's implementation of the pretreatment program.

To facilitate completion of this section, elements of each program area are listed for consideration. The regulatory citations are provided where there are specific requirements for that element. The auditor should be aware that not all questions on the checklist reflect regulatory requirements. Some of the questions are included to allow the auditor to better evaluate program effectiveness. This fact should be taken into consideration when developing required versus recommended actions to be taken by the CA.

A. CA Pretreatment Program Modification [403.18]

Note: The auditor should attempt to determine if any modifications have taken place without approval by the Approval Authority. He/she should also determine if any modifications are planned in the near future or are currently being worked on.

- A.1.a. Has the CA made any substantial changes to the pretreatment program that were not reported to the Approval Authority (e.g., legal authority, less stringent local limits, multijurisdictional situation)? If yes, discuss.
- A.1.b. Is the CA in the process of making any substantial modifications to any pretreatment program component (including legal authority, less stringent local limits, DSS requirements, multijurisdictional situation, etc.)? If yes, describe:

PURPOSE: The CA is required to notify the Approval Authority of any substantial modifications it intends to make in its pretreatment program. Substantial modifications should not be made without approval by the Approval Authority.

FACTORS TO CONSIDER:

- When investigating this area, the auditor should keep in mind that program modifications are likely to be made in any of the following areas:

- Contributing jurisdictions added
- Legal authority - SUO and interjurisdictional agreements
- Local limits - reevaluation and modification, addition or deletion of parameters
- Definition of SIU and/or changes in criteria for IUs to be included in the pretreatment program
- Control mechanisms (including IU contracts) - type (order vs. permit, etc.), content, format, or standard conditions
- Inspection and sampling (including self-monitoring) frequencies and/or priorities
- Resources committed to the program - equipment, personnel, funding.

B. Legal Authority [403.8(f)(1)]

Note: This section is designed to investigate whether the CA has adequate legal authority to implement their program. The auditor should review the CA's legal authority/ordinance to make sure it is current with the new regulations, and to determine that the CA has adequate authority to cover any extrajurisdictional situation that may exist. The auditor should note any problems and explain them in the spaces provided on the checklist.

B.1. Are there any contributing jurisdictions discharging wastewater to the POTW? If yes, explain how the legal authority addresses the contributing jurisdictions.

PURPOSE: The CA is responsible for the implementation and enforcement of its pretreatment program for all IUs (i.e., existing and future IUs) throughout its service area, regardless of jurisdictional boundaries. The CA should have a mechanism(s) to ensure implementation and enforcement in its contributing jurisdictions.

FACTORS TO CONSIDER:

- The CA may be relying on its SUO to regulate IUs in contributing municipalities, but may not have adequate authority to do so under State law.
- The CA may be relying on existing interjurisdictional agreements that were entered into for the purpose of guaranteeing treatment capacity and providing for payment thereof. Such agreements seldom address the needs of pretreatment program implementation. At a minimum, the agreement should require the contributing municipality to adopt and maintain a SUO which is at least as stringent and inclusive (including local limits) as the CA's SUO. Ideally, the agreement (or a supplement to the agreement) should provide for every program implementation activity.
- The CA may have no means of obtaining an adequate agreement with a contributing municipality (i.e., the CA may be required to continue providing service to the municipality) and may not have entered into a contract with extrajurisdictional IUs.

- The CA may not have entered into an agreement (or may have an inadequate agreement) with contributing municipalities which do not currently have IUs located within their boundaries. Even if zoning in such cases allows only for commercial and/or residential premises, the CA should have an agreement which requires notification to and approval by the CA should any IU request to connect to the system since zoning laws are subject to change.

B.2.a. Has the CA updated its legal authority (e.g., SUO) to reflect changes in the General Pretreatment Regulations?

B.2.b. Did all contributing jurisdictions update their SUOs in a consistent manner? Explain.

PURPOSE: The CA is required to amend its legal authority, as necessary, to be consistent with all revisions of the General Pretreatment Regulations. The amendment would be a substantial program modification and must be approved by the Approval Authority. The auditor should verify the status of the CA's legal authority.

FACTORS TO CONSIDER:

- CA may have modified its SUO without submitting proposed changes to the Approval Authority or may have enacted modifications without approval. If so, this should be noted along with the date modifications were enacted and citations of the modified provisions.
- CA may have submitted proposed changes, but has not yet received approval. The date of the submission should be noted.
- The SUO may have been modified to be consistent with PIRT, but not yet modified to be consistent with DSS.
- Additional modifications (not required by PIRT or DSS) may have been made or proposed. If so, cite and explain those modifications and the reasons for them.

B.3. Does the CA experience difficulty in implementing its legal authority [e.g., SUO, interjurisdictional agreement (e.g., permit challenged, entry refused, penalty appealed?)] If yes, explain.

PURPOSE: The CA should be able to ensure the successful implementation of its SUO provisions throughout its service area.

FACTORS TO CONSIDER:

- CA's SUO authorities may have been challenged as being inconsistent with State statutes or as being unconstitutional. State statutes may not provide adequate authority for the CA to take effective enforcement action. SUO may contain language that is open to interpretation.
- In general, the CA's SUO applies only to IUs within its jurisdictional boundaries. However, a few State's provide authority to public utilities to regulate all users throughout their service area. In such cases, the SUO may apply to all users of the POTW.

- CA may not have an agreement with all contributing municipalities or it may have an inadequate existing agreement which cannot be modified without the mutual consent of both parties.
- Interjurisdictional agreements may not be specific enough to ensure that the contributing municipality takes adequate enforcement when required.
- Interjurisdictional agreements may not provide the CA with authority to take direct action against a violating IU where the contributing jurisdiction has failed to do so. Where this is the case, it may be that State law does not allow for such authority. Further, this authority generally does not exist in interstate situations unless special legislation has been enacted.

C. IU Characterization [403.8(f)(2)(i)&(ii)]

Note: This section is to be used to evaluate how the CA identifies and characterizes their IUs. The auditor should determine whether the CA has any problems identifying IUs, differentiating between SIUs and non-SIUs, and further, differentiating between CIUs and significant non-CIUs. Any problems should be recorded.

C.1. How does the CA define SIU? (Is it the same in contributing jurisdictions?)

PURPOSE: In accordance with 40 CFR 403.8(f)(1)(iii), the CA is required to issue individual control mechanisms to all its SIUs as defined under 40 CFR 403.3(t). The CA must apply equivalent or more encompassing criteria to determine which IUs must obtain individual control mechanisms. The auditor should determine what definition the CA is applying to their SIUs and whether or not the definition is equivalent or more stringent than the Federal definition.

FACTORS TO CONSIDER:

- EPA adopted its definition of SIU on July 24, 1990. Many CA's are still applying an earlier definition found in EPA's model SUO. The CA's definition of SIU may contain the 50,000 gallons per day (gpd) flow criteria of the earlier EPA definition rather than the more inclusive 25,000 gpd flow criteria of the current definition.
- Frequently, the CA's definition of SIU includes any IU which has in its discharge toxic pollutants as defined under Section 307 of the Clean Water Act (CWA). This provision is not a substitute for specifying all IUs subject to National categorical pretreatment standards since not all categorical standards regulate toxic pollutants.
- The CA's definition of SIU may include any IU whose discharge constitutes 5 percent or more of the POTW's flow. However, this is not necessarily as inclusive as the regulatory criteria of any IU whose process wastewater constitutes 5 percent or more of the POTW's hydraulic or organic capacity.
- EPA's definition includes any IU which the CA determines has a reasonable potential to adversely affect the POTW or cause a violation of applicable standards or requirements. If the CA's definition contains a criteria which includes any IU which the Director has found to have an impact on the POTW, this criteria is not as inclusive as the Federal definition.

C.2. How are SIUs identified and categorized (including those in contributing jurisdictions)? Discuss any problems.

PURPOSE: Proper identification and categorization of SIUs is essential to the application of appropriate pretreatment standards and requirements. The CA should have procedures for determining which IUs are significant, which of those are subject to categorical standards, and the appropriate category/subcategory to apply to each CIU.

FACTORS TO CONSIDER:

- The CA may be including IUs in its program based on determinations made prior to the adoption of a Federal definition for SIU. They should have reevaluated their IWS to determine if there are any existing SIUs who were not previously included in the program.
- The CA should have procedures to determine which SIUs are subject to categorical pretreatment standards and the applicable category(ies) for those which are. These procedures should include permit application/BMR review, onsite inspection, and comparison to categorical pretreatment standard regulations, guidance documents, and/or development documents.

C.3.a. How and when does the CA update its IWS to identify new IUs (including those in contributing jurisdictions)?

PURPOSE: The CA needs to be able to identify new IUs that move into the CA's service area. The CA is also required to update its IWS at least annually [40 CFR 403.12(i)]. Generally, a system for continuous update is the most effective.

FACTORS TO CONSIDER:

- The CA should be relying on numerous sources to identify new users. Reliance on one municipal department (e.g., building permits) to identify these users is likely to result in the CA overlooking some new IUs such as those located in existing facilities. At a minimum, it is recommended that the CA verify its IWS by comparing it to another source such as water billing records at least annually.
- CAs also frequently experience difficulty in identifying new users locating in contributing municipalities. If the CA relies on that municipality to notify it of new IUs, the CA should have procedures to verify this information at least annually.

C.3.b. How and when does the CA identify changes in wastewater discharges at existing IUs (including contributing jurisdictions)?

PURPOSE: Identification of changed discharges from existing IUs is part of the CA's IWS update and is required to be done at least annually. Again, continuous update procedures are the most effective.

FACTORS TO CONSIDER:

- Existing IUs are required to notify the CA of any changes in their facilities or processes which might result in the discharge of new or substantially increased pollutants. The CA

should ensure that all IUs (including those in contributing jurisdictions) are aware of this requirement.

- The CA should have procedures to review existing IUs not currently included in the program. The CA should verify current conditions at those facilities having the greatest potential for changes which may result in a change of status. Water billing records provide data for IUs that suddenly change volume of water used which is a strong indicator of a change in processes being operated.
- The CA may only update its IWS for IUs in its program when their control mechanisms are due for reissuance. If this is the case, update for existing IUs may not be occurring annually and/or may be reliant upon permit application data rather than onsite inspection data.
- If contributing municipalities are conducting their own inspections, the CA should have oversight procedures to ensure that those inspections are adequate to identify any facility changes which might result in the discharge of new or increased pollutants.

C.4. How many IUs are currently identified by the CA in each of the following groups?

C.4.a. SIUs (as defined by the CA); CIUs; Noncategorical SIUs

PURPOSE: The CA is required to issue control mechanisms to all SIUs in its service area. It is also required to identify those SIUs which are subject to categorical pretreatment standards and their applicable category/subcategory.

FACTORS TO CONSIDER:

- The CA generally should have the numbers of CIUs and noncategorical SIUs readily available. However, in the case of a very large program, the CA may need to obtain data from its computer system to provide these numbers. Enough time should be allowed to ensure that the auditor obtains these data during the course of the audit.
- If the CA issues control mechanisms to non-SIUs, it should still be able to identify which IUs are SIUs to ensure that all applicable pretreatment standards and requirements are being applied.

C.4.b. Other regulated noncategorical IUs (specify)

PURPOSE: The CA is not required to regulate non-SIUs; however, many choose to regulate some or all of these IUs.

FACTORS TO CONSIDER:

- Often, the CA regulates non-SIUs strictly for revenue purposes. If this is the case, the auditor should determine what pollutants are monitored and/or what other requirements are applied to these users.

- Some CAs regulate specific categories of non-SIUs such as photo finishers, dry cleaners, and transportation centers. In such cases, the auditor should ask why the CA decided to regulate those particular IUs and how.

C.4.c. Total

PURPOSE: Although the CA is only required to issue individual control mechanisms to its SIUs, many also issue control mechanisms to non-SIUs. Non-SIU control mechanisms are not required to contain the elements specified under 40 CFR 403.8(f)(1)(iii), however, it is recommended that they do.

FACTORS TO CONSIDER:

- The CA may issue control mechanisms to specific categories of industries/commercial facilities because of problems experienced from such facilities (e.g., shipping depots - oil and grease). Although these control mechanisms are not required to be as comprehensive as those for SIUs, they should contain standards and/or requirements that make sense (e.g., clean traps bi-weekly).

D. Control Mechanism Evaluation [403.8(f)(1)(iii)]

Note: This section is designed to help the auditor evaluate the CA's issuance and reissuance of control mechanisms. The auditor should determine whether the control mechanisms used are issued/reissued in a timely manner, whether the CA is controlling all sources and whether the control mechanisms are adequate and effective. Any problems should be recorded.

D.1.a. How many and what percent of the total SIUs are not covered by an existing, unexpired permit or other individual control mechanism?

PURPOSE: Under 40 CFR 403.8(f)(1)(iii), the CA is required to issue individual control mechanisms to all SIUs.

FACTORS TO CONSIDER:

- The auditor should consider how many SIUs the CA reported in question C.4 and whether the number of control mechanisms reported here matches. If it does not, the auditor should determine why the discrepancy exists.
- If the CA reports any expired and not reissued or reissued late control mechanisms, the auditor should determine the reason.

D.1.b. How many control mechanisms were not issued within 180 days of the expiration date of the previous control mechanism? If any, explain.

PURPOSE: A CA is considered to be in RNC if it fails to issue, reissue, or ratify control mechanisms for at least 90 percent of its SIUs within 180 days of the expiration date of the previous control mechanism. If the CA failed to issue or reissue all control mechanisms in the appropriate time frames, the auditor should record and explain.

FACTORS TO CONSIDER:

- The CA should have procedures which ensure timely reissuance of all control mechanisms. Control mechanisms should be issued/reissued on time; if any are not, the auditor should record this and determine the reason they were not issued/reissued on time.
- The CA may grant an administrative extension of the current control mechanism. However, only those extensions provided for due cause (e.g., awaiting the approval of revised local limits) are adequate to exempt the CA from being considered in RNC. A lack of adequate CA staff and resources or simply a failure to issue/reissue permits in a timely manner are not acceptable instances for granting an extension.

D.2.a. Do any UST, CERCLA, RCRA corrective action sites and/or other contaminated ground water sites discharge wastewater to the CA?

D.2.b. How are control mechanisms (specifically limits) developed for these facilities? Discuss.

PURPOSE: Any Underground Storage Tank (UST), Comprehensive Environmental Remediation, Compensation, and Liability Act (CERCLA), or RCRA corrective action site which requests to discharge to the CA, even though the discharge may be of short duration, should be considered an SIU. As such, each facility must be issued a control mechanism containing all required elements.

FACTORS TO CONSIDER:

- The CA's local limits should cover the pollutants of concern to be discharged by these facilities. The CA should have prepared an IU-specific permit to address such pollutants. Unfortunately, in the case of CERCLA and RCRA facilities, there may not be much literature data available regarding secondary treatment inhibition from the applicable pollutants. The CA will have to rely upon whatever data is available and best professional judgment. Where there is doubt that these sources will ensure protection of the POTW, the CA should consider requiring/conducting a bench-scale study to obtain better data.
- The CA should be aware that receipt of hazardous wastes through a dedicated pipe or via truck into the headworks of the POTW will cause the CA to be considered a Treatment Storage and Disposal Facility (TSDF) under the RCRA permit-by-rule. The CA is then subject to applicable liabilities.

D.3.a. Does the CA accept any waste by truck, rail, or dedicated pipe?

D.3.b. Is any of the waste hazardous as defined by RCRA? If a. or b. above is yes, explain.

D.3.c. Describe the CA's program to control hauled wastes including a designated discharge point (e.g., number of points, control/security procedures). [403.5(b)(8)]

PURPOSE: According to 40 CFR 403.1(b)(1), the General Pretreatment Regulations apply to pollutants from all nondomestic sources subject to pretreatment standards (including prohibited discharge standards, local limits, and categorical pretreatment standards) which are indirectly discharged into or transported by truck or rail or otherwise introduced into a POTW or may contaminate sewage sludge.

Under 40 CFR 403.5(b)(8), the CA is required to prohibit the discharge of trucked or hauled pollutants except at a point which the CA designates. The auditor should determine what kind of program the CA has in place for handling hauled waste and whether any of the hauled waste qualifies as hazardous waste under RCRA. The auditor should determine if there is some kind of permitting system in place, and if so, how it is implemented.

FACTORS TO CONSIDER:

- The CA should be aware that any hazardous wastes received by the POTW from these sources are not covered by the domestic sewage exclusion provision of RCRA. Therefore, a POTW receiving such waste may be considered a TSDF and subject to "permit by rule."
- Where the CA states that it accepts only sanitary or sanitary and grease trap wastes, it should be able to demonstrate that it prohibits the discharge by the sources of any other wastes. Unless it has established (in its SUO or elsewhere in its code) that it is illegal for these sources to discharge industrial waste, the CA probably will not be able to enforce against such discharges. Even where the CA has prohibited the discharge of industrial wastes by these sources, it should have sufficient oversight procedures (e.g., manifest verification, manned discharge points, random sampling) to ensure compliance.

E. Application of Pretreatment Standards and Requirements

Note: This section is set up to compliment the file review's investigation of the CA's application of pretreatment standards. The auditor should collect information on the CA's use and understanding of pretreatment standards. He/she should try to determine whether the CA understands all issues relevant to the application of these standards. The auditor should also determine how the CA developed local limits. Any problems encountered by the CA in applying pretreatment standards or developing local limits should be recorded.

- E.1. What limits (categorical, local, other) does the CA apply to wastes that are hauled to the POTW (directly to the treatment plant or within the collection system, including contributing jurisdictions)? [403.1(b)(1)]**

PURPOSE: According to 40 CFR 403.1(b)(1), the General Pretreatment Regulations apply to pollutants from all nondomestic sources subject to pretreatment standards (including prohibited discharge standards, local limits, and categorical pretreatment standards) which are indirectly discharged into or transported by truck or rail or otherwise introduced into a POTW. The auditor should determine that the appropriate limits are being applied to hauled waste.

FACTORS TO CONSIDER:

- Any nondomestic wastes from these sources must, at minimum, be subject to the CA's prohibited discharge standards and local limits.
- If the discharge contains, or is likely to contain, pollutants which may interfere with or pass through the POTW, but are not currently regulated by the CA (e.g., discharges from ground water cleanup sites), it is recommended the CA determine the allowable concentrations/loadings from such pollutants and apply them in a control mechanism issued for that discharge.

E.2. How does the CA keep abreast of current regulations to ensure proper implementation of standards? [403.8(f)(2)(iii)]

PURPOSE: It is the CA's responsibility to keep up-to-date with all applicable regulations.

FACTORS TO CONSIDER:

- It is recommended the CA have procedures to review the Federal Register or some other publications or source that provides routine updates of the Federal Register.
- CAs frequently rely on information provided by EPA or the approved State to keep up-to-date with pretreatment and applicable RCRA revisions. This may not be adequate since such updates usually occur quarterly or less frequently.

E.3. Local limits evaluation: [403.8(f)(4); 122.21(j)]

Note: The auditor should determine what methods were used to establish the CA's local limits, how these limits are being allocated, and whether there is any indication that the limits should be reevaluated (e.g., more pollutants covered).

E.3.a. For what pollutants have local limits been set

PURPOSE: The CA is required to evaluate the need for new or revised local limits. This must be a technical evaluation to determine the maximum allowable POTW headworks loading for each pollutant which will ensure protection of: the treatment plant unit processes from inhibition or upset; the receiving stream from violation of any water quality standards; compliance with any effluent or sludge use and disposal requirements in the NPDES permit; and worker health and safety.

FACTORS TO CONSIDER:

- Frequently, the local limits contained in the approved program submission were developed by a consultant and the CA may not know the methods used for their development. The CA may be able to call the consultant in or to obtain the appropriate documentation. Time should be allowed, where possible.
- A technical evaluation may have been conducted, but may have been reliant mainly upon literature values due to a lack of real data. In this case, the validity of the limits may be questionable.

E.3.b. How were these pollutants decided upon

PURPOSE: The CA should evaluate the need for local limits for any pollutant reasonably expected to occur in the POTW.

FACTORS TO CONSIDER:

- EPA generally recommends that limits be evaluated for 10 parameters that frequently occur in POTWs receiving industrial discharges. These parameters include: arsenic, cadmium, chromium, copper, cyanide, lead, mercury, nickel, silver, and zinc.
- The CA should also evaluate other pollutants reasonably expected to occur in the POTW. The CA may identify these pollutants in several ways, including running a priority pollutant scan on the POTW influent and identifying pollutants common to the types of industries located in its service area. The CA should be able to explain the rationale for selecting the pollutants for which local limits exist.
- The CA should consider volatile pollutants likely to be found in the collection system which may not be detectable in the POTW but are necessary to protect worker health and safety.

E.3.c. What was the most prevalent/most stringent criteria for the limits

PURPOSE: According to 40 CFR 122.21(j), the CA must reevaluate its local limits and submit the results with each application for a NPDES permit. Under 40 CFR 403.5(c)(1), the CA developing a pretreatment program must develop and enforce local limits to prevent interference and pass through. The CA must also continue to develop these limits as necessary.

FACTORS TO CONSIDER:

- The CA should develop local limits as part of its pretreatment program submission, when applying for a new NPDES permit, and when any substantial change in loadings occur at the plant (for instance when new IUs hook onto the system).
- The CA should develop local limits for any pollutant which is known to have caused interference or pass through or worker health and safety problems, or that has a reasonable potential to cause these problems.

E.3.d. Which allocation method(s) were used

PURPOSE: Federal regulations require local limits to be developed on a technical basis to prevent interference and pass through. The regulations do not specify the manner in which the CA must allocate those loadings.

FACTORS TO CONSIDER:

- The regulations require that the CA have the legal authority to establish local limits. They do not require local limits to be contained in the SUO. If the CA chooses to allocate its maximum allowable headworks loadings to all IUs on a uniform concentration basis, it is recommended that these end-of-pipe discharge limits be specified in the SUO.
- The CA may choose to allocate these loadings for specific pollutants among those IUs with the potential for those pollutants in their discharge. In this case, the limits are best placed in the IU control mechanisms.

- IU-specific limits are not required to be uniform for all IUs to which they apply. However, the CA should have a defensible rationale for its allocations. Where IU-specific limits are applied, the SUO should specify the maximum allowable headworks loadings and prohibit the discharge of those pollutants at a rate which, alone or in conjunction with other discharges, causes an exceedence of those loadings.

E.3.e. Has the CA identified any pollutants of concern beyond those in its local limits? If yes, how has this been addressed.

PURPOSE: The CA is required to continue to develop local limits, as necessary.

FACTORS TO CONSIDER:

- If the CA has experienced a pass through or interference event caused by a pollutant not included in its list of local limits, the auditor should determine what follow-up has been done to regulate that pollutant in the future.
- Where a new SIU, particularly a ground water cleanup site has come on line and has the potential to discharge pollutants that could impact the POTW but for which it does not have a local limit, the auditor should determine the CA's approaches to recycling that pollutant.
- Pollutants which are not likely to be discharged by more than one or two IUs may be more appropriately regulated on an IU-specific basis. The CA should still have a technical rationale for these limits.

E.4. What problems, if any, were encountered during local limits development and/or implementation?

PURPOSE: Frequently, the CA encounters difficulties in evaluating its local limits.

FACTORS TO CONSIDER:

- The State may not have developed water quality standards for the receiving stream. Data may not be available for a particular unit process used at the POTW. There may not be a point at which the CA can monitor to get a good profile of domestic contributions.

F. Compliance Monitoring

Note: This section evaluates the CA's compliance monitoring of its IUs. The monitoring should be conducted at a frequency that will produce data that is indicative of the IU's discharge, and with care (proper sampling, analysis, and record keeping) to produce data that are supportive of enforcement actions. The auditor should record any problems that are found.

F.1.a. How does the CA determine adequate IU monitoring (sampling, inspecting, and reporting) frequency? [403.8(f)(2)(ii)&(v)]

PURPOSE: Under 40 CFR 403.8(f)(2)(v), the CA is required to inspect and sample all SIUs at least once a year. According to 40 CFR 403.12(e), CIUs are required to submit reports twice per year and 40 CFR 403.12(h) requires the same reporting from noncategorical SIUs. Further, the CA's approved program or NPDES permit may specify required sampling, inspection, self-monitoring or reporting requirements. The auditor should determine that the CA knows how to establish proper monitoring frequencies and that they are aware of their minimum requirements.

FACTORS TO CONSIDER:

- At minimum, the CA's monitoring frequencies should be consistent with the regulatory requirements.
- The CA should also consider each IU's potential for impacting the POTW and determine monitoring frequencies accordingly.

F.1.b. Is the frequency established above more, less, or the same as required? Explain any difference.

PURPOSE: The CA should have a rationale for its monitoring frequency. The auditor should investigate any discrepancies between required and actual monitoring frequencies.

FACTORS TO CONSIDER:

- Where monitoring frequencies are not consistent with required frequencies, the CA's rationale for its monitoring frequencies should demonstrate that the monitoring is adequate to determine ongoing compliance by all regulated IUs.

F.2. In the past 12 months, how many, and what percentage of, SIUs were: [403.8(f)(2)(v)] (Define the 12 month period).

F.2.a. Not sampled or not inspected at least once

F.2.b. Not sampled at least once

F.2.c. Not inspected at least once?

If any, explain. Indicate how percentage was determined (e.g., actual, estimated).

PURPOSE: Under 40 CFR 403.8(f)(2)(v), the CA is required to inspect and sample all SIUs at least once a year. According to 40 CFR 403.12(e), CIUs are required to submit reports twice per year and 40 CFR 403.12(h) requires the same reporting from noncategorical SIUs.

FACTORS TO CONSIDER:

- If the CA fails to inspect or sample at least 80 percent of its SIUs at least once during the past 12 months, the CA is considered to be in RNC.

Note: The auditor should be aware that CA's often establish their monitoring schedules around their reporting to the Approval Authority. Therefore, they may not have completed all the required monitoring in the last 12 months, but they will complete it before they are required to submit their annual performance report to the Approval Authority.

- F.3. Indicate the number and percent of SIUs that were identified as being in SNC (as defined by the POTW or EPA) with the following requirements from the CA's last pretreatment program performance report.**

PURPOSE: The auditor must determine the number and percent of SIUs in SNC for noncompliance with applicable pretreatment standards and reporting requirements, self-monitoring requirements, and pretreatment compliance schedules for input into WENDB and to determine RNC.

- F.4. What does the CA's basic inspection include? (Process areas, pretreatment facilities, chemical and hazardous waste storage areas, chemical spill-prevention areas, hazardous waste handling procedures, sampling procedures, laboratory procedures, and monitoring records.) [403.8(f)(2)(v)&(vi)]**

PURPOSE: The CA is required to inspect its IUs to determine compliance with all applicable standards and requirements. The auditor should determine that the CA is aware of all areas that need to be investigated during an inspection.

FACTORS TO CONSIDER:

- The regulations do not specify required components of an IU inspection. However, to adequately determine compliance with all applicable standards and requirements, the CA should inspect all areas indicated above.
- If the CA inspects facilities more frequently than once a year, only one inspection may need to be comprehensive. Other inspections may be limited to areas of specific concern.

- F.5. Who performs CA's compliance monitoring analysis?**

PURPOSE: The CA is required to conduct its compliance monitoring and analysis in a manner that will provide admissible evidence in enforcement proceedings. The auditor should verify that the analysis are performed properly by reviewing reports and through discussions with the CA.

FACTORS TO CONSIDER:

- If the CA performs all of its own analyses or if it is performed by a contract lab, the CA should have documented that adequate procedures, equipment, and qualified personnel were used to analyze for all pollutants required to be monitored under its program.

F.6. What QA/QC techniques does the CA use for sampling and analysis (e.g., splits, blanks, spikes), including verification of contract laboratory procedures and appropriate analytical methods? [403.8(f)(2)(vi)]

PURPOSE: The CA is required to conduct its compliance monitoring and analysis in a manner that will provide admissible evidence in enforcement proceedings. The auditor should review the QA/QC and chain-of-custody procedures used by the CA to determine if they are adequate.

FACTORS TO CONSIDER:

- The analytical results for spikes, splits, and blanks should be included with the analytical data. The CA's in-house lab should have written QA/QC protocols. QA/QC protocols should be provided by the contract lab.

F.7. Discuss any problems encountered in identification of sample location, collection, and analysis.

PURPOSE: The CA must sample its IUs to determine compliance independent of data submitted by the IU. The auditor should investigate any problems the CA has determining the compliance status of its IUs.

FACTORS TO CONSIDER:

- Frequently, the CA requires CIUs to self-monitor after pretreatment, but conducts its own monitoring at end-of-pipe to avoid having to enter the facility. All sampling should be conducted at the same sampling point.
- Both the IU and the CA should be employing 40 CFR Part 136 procedures.
- Appropriate types of samples should be taken (i.e., composite vs. grab).

F.8. Did any IUs notify the CA of hazardous waste discharge? [403.12(j)&(p)] If yes, summarize.

PURPOSE: The CA is required to notify all its IUs of the requirement to notify the CA, EPA, and the State of any hazardous waste in their discharges which are subject to the requirement, as specified under 40 CFR 403.12(p). The auditor should verify that the CA notified its IUs of this requirement and determine whether any IUs contacted the CA.

FACTORS TO CONSIDER:

- Many CA's have notified their permitted IUs of this requirement, but are unaware that it applies to all IUs. Unless the CA permits all IUs, it is likely that many non-SIUs have not been notified. The IUs are still required to contact the POTW, State, and EPA even if the CA did not contact the IUs.

F.9.a. How and when does the CA evaluate/reevaluate the need for a slug control plan?
[403.8(f)(2)(v)]

PURPOSE: The CA is required to evaluate all IUs at least once every 2 years to determine the need to develop or revise a slug discharge control plan. The auditor should determine if the CA evaluated its SIUs for the need to develop a slug control plan.

FACTORS TO CONSIDER:

- Many CAs require through their SUO that all IUs submit an accidental spill prevention plan. Although this may be adequate for non-SIUs, it is not adequate for any SIU with the potential to discharge an intentional slug load (e.g., nonroutine batch discharge).
- The requirement for a slug control plan for discharges other than accidental spills may be contained in the IU permits.
- Where the CA has conducted initial inspections for slug control plans, the auditor should determine if the CA has done a follow-up inspection within 2 years to determine the need for any revisions, as required.

F.9.b. How many SIUs were not evaluated for the need to develop slug discharge control plans in the last 2 years?

PURPOSE: The CA is required to evaluate each SIU for the need to develop or revise a slug discharge control plan at least once every 2 years. The auditor should combine this information with the information collected in the previous question.

G. Enforcement

Note: This section is designed to evaluate the CA's enforcement program. The auditor should evaluate the adequacy and effectiveness of the CA's enforcement actions by examining its definition of SNC, implementation of the SNC definition, implementation of its approved ERP, problems with the POTW, and use of compliance schedules. Any problems found by the auditor should be recorded.

G.1. What is the CA's definition of SNC? [403.8(f)(2)(vii)]

PURPOSE: EPA has defined the term "significant noncompliance" in 40 CFR 403.8(f)(2)(vii) and requires the CA to publish all SIUs in SNC at least once per year. The auditor should determine what the CA's definition for SNC is and whether it matches the Federal definition and subsequent guidance.

FACTORS TO CONSIDER:

- EPA's current definition of SNC replaces the earlier definition of "significant violation" which formerly provided the criteria for publication.

- If the CA's NPDES permit requires adoption of DSS regulatory revision requirements, the CA must apply EPA's definition of SNC or more stringent criteria when determining which IUs must be published.

G.2. ERP implementation: [403.8(f)(5)]

G.2.a. Status

G.2.b. Problems with implementation

G.2.c. Is the ERP effective and does it lead to compliance in a timely manner? Provide examples if any are available.

PURPOSE: The CA is required to develop an ERP. Once approved by the Approval Authority, the ERP constitutes a modification of the approved program. As such, the CA is obligated to conduct its enforcement activities in a manner consistent with the procedures established in the ERP. The auditor should determine whether or not the CA is following their approved ERP.

Note: If the CA does not yet have an approved ERP, the auditor should use this section to evaluate and discuss the enforcement actions the CA is taking.

FACTORS TO CONSIDER:

- If the ERP has not yet been approved, the CA has no obligation to conduct its enforcement activities in accordance with the ERP procedures.
- In some cases, the ERP may not work or may be in conflict with the CA's legal authority. This does not exempt the CA from implementing its ERP. However, where such problems are identified, the CA should be required to submit a request for modification of its ERP to correct the problem.
- Even when the CA successfully implements its ERP as approved, it may run into problems. For instance, although circular enforcement may not be apparent in the ERP, certain scenarios may result in such a situation. In any such instances, the ERP should be modified.
- The ERP should result in a return to compliance by the IU within 90 days or within the time specified in a compliance schedule or order.

G.3.a. Does the CA use compliance schedules? [403.8(f)(1)(iv)(A)]

G.3.b. If yes, are they appropriate? Provide examples.

PURPOSE: The CA should establish compliance schedules for SIUs in accordance with its approved ERP. The auditor should determine if the CA uses compliance schedules; if the CA does, the auditor should determine if they are effective.

FACTORS TO CONSIDER:

- Compliance schedules should identify specific actions the SIUs are to take and establish specific dates by which these actions are to be completed.
- Where a CIU is on a compliance schedule for achieving compliance with a categorical deadline that has already passed or will pass prior to the schedule's final compliance deadline, the compliance schedule/enforcement order should clearly state the CIU is subject to enforcement for failure to comply with a Federal deadline even though the user is in compliance with the terms of the schedule.

G.4. Did the CA publish all SIUs in SNC in the largest daily newspaper in the previous year? [403.8(f)(2)(vii)] If yes, attach a copy. If no, explain.

PURPOSE: The CA is required to publish (on an annual basis) all SIUs that had been in SNC during the reporting year. The auditor should verify that the CA did publish those IUs that were in SNC during the reporting year.

FACTORS TO CONSIDER:

- Where the CA's NPDES permit requires adoption of DSS regulatory revision requirements, publication of IUs in SNC must be based on EPA's definition of SNC or on more stringent criteria. Publication is required to appear in the largest daily newspaper in the municipality.

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

PURPOSE: Failure by the CA to inspect and/or sample any SIU which is in SNC with self-monitoring requirements must be reported in WENDB. The auditor should determine the number of SIUs in SNC with self-monitoring that were not inspected and/or sampled and record it for WENDB. Indicate if this is an actual or estimated number.

FACTORS TO CONSIDER:

- SIUs which are not complying with self-monitoring requirements have the potential to have serious discharge violations. Therefore, failure by the CA to inspect or sample these IUs may result in allowing serious violations to continue without enforcement.

G.6.a. Has the CA experienced any problems since the last inspection (interference, pass through, collection system problems, illicit dumping of hauled wastes, or worker health and safety problems) caused by industrial discharges?

G.6.b. If yes, describe the CA's enforcement action against the IUs causing or contributing to problems.

PURPOSE: The CA must investigate and take enforcement actions against IUs causing or contributing to pass through or interference. The auditor should be aware of any effluent violations at the POTW based on Discharge Monitoring Report (DMR) data that may be due to

discharges from IUs. The auditor should investigate the CA's response to any problems caused by IU discharges.

FACTORS TO CONSIDER:

- Any indications of pass through or interference should result in immediate response by the CA to determine the source(s) of the violation and take appropriate enforcement actions. Where the source(s) of the violation could not be determined, the CA should have detailed documentation of the event and the reasons why the source could not be determined.

H. Data Management/Public Participation

Note: This section is designed to evaluate the adequacy and effectiveness of the CA's data management and public participation procedures. The auditor should examine the CA's procedures for dealing with confidential information, public inquiry, public notice, and confidentiality issues impacting the program. Any problems identified should be recorded.

H.1. How is confidential information handled by the CA? [403.14]

PURPOSE: Where the CA allows for confidentiality for information determined to be proprietary, it should have procedures to guarantee that confidentiality while ensuring that IU effluent data remain available to the public and that all IU data obtained through the course of program implementation remain available to EPA and/or the approved State. The auditor should determine if the CA has procedures to handle confidential information; if the CA does, the auditor should evaluate whether they are adequate.

FACTORS TO CONSIDER:

- It is recommended that confidential information be maintained in a locked file to which only one or a few people have access. All personnel with access to confidential information should be fully conversant with the CA's confidentiality procedures.

H.2. How are requests by the public to review files handled?

PURPOSE: All IU effluent data must be made available to the public. The auditor should determine the level of interest in the program and whether the CA has a mechanism in place to handle public inquiry.

FACTORS TO CONSIDER:

- Effluent data should be maintained separately or procedures should be established to ensure that the public has ready access to these data.

H.3. Describe whether the CA's data management system is effective in supporting pretreatment implementation and enforcement activities.

PURPOSE: A well organized data management system is essential to maintaining the IWS, issuance of control mechanisms, efficient compliance tracking, and timely and effective enforcement. The auditor should evaluate the CA's data management system.

FACTORS TO CONSIDER:

- An effective data management system can range from a well organized filing system to a sophisticated computer data system.
- All data on each IU should be readily accessible in the IU's file.
- The data should be organized in a reasonable manner. That is, all control mechanism components should be kept together as should all CA sampling data, etc. Organizing files by subject matter and then chronologically within the subject is recommended.
- All inspections, meetings, and telephone calls should be clearly and comprehensively documented so as to provide evidence in enforcement actions.
- All chain-of-custody and QA/QC data should be complete.

H.4. How does the CA ensure public participation during revisions to the SUO and/or local limits? [403.5(c)(3)]

PURPOSE: The auditor should determine what mechanism the CA has for ensuring adequate public comment during revisions to the program.

FACTORS TO CONSIDER:

- The CA should have procedures for public notice which include the opportunity for public comment. Frequently, these procedures are specified in the municipality's code or State code.

H.5. Explain any public or community issues impacting the CA's pretreatment program.

PURPOSE: Frequently, public/community issues affect the implementation of the CA's pretreatment program. Such issues which impede effective implementation and enforcement of the local program should be discussed.

FACTORS TO CONSIDER:

- Enforcement may be difficult where a violating IU is one of the community's major sources of revenues and employment.
- CA's practicing public outreach often find it facilitates program implementation.

H.6 How long are records maintained? [403.12(o)]

PURPOSE: SIUs are required to maintain and retain data obtained in response to program requirements for a period of at least 3 years and/or throughout the course of any ongoing litigation related to the IU. The auditor should determine that SIUs maintain files for the appropriate length of time.

FACTORS TO CONSIDER:

- The CA should review SIU records during the course of its annual comprehensive inspection. Any problems with IU record maintenance should be noted in the inspection report and should result in an enforcement response.

I. Resources [403.8(f)(3)]

Note: This section is designed to determine whether the CA has dedicated enough resources (i.e., personnel, equipment, and funding) to implement each program activity effectively. The auditor should bear in mind that while resources for present activities may be adequate, if the CA's activities themselves are not adequate (e.g., not regulating all SIUs), the resources may be inadequate to cover the additional work necessary to correctly implement the program. The auditor should identify any existing resource problems as well as any anticipated problems.

I.1. Estimate the number of personnel (in FTEs) available for implementing the program. [Consider: legal assistance, permitting, IU inspections, sample collection, sample analysis, data analysis, review and response, enforcement, and administration (including record keeping and data management)].

PURPOSE: The CA is obligated to have at least the number of Full-Time Equivalents (FTEs) specified in the approved program available for program implementation activities. It should have increased personnel if required to adequately implement the program. The auditor should determine the number of FTEs devoted to the program and whether a lack of resources contributes to ineffective implementation.

FACTORS TO CONSIDER:

- Frequently, the CA uses the same personnel for collection system maintenance, POTW sampling, and pretreatment sampling. With this, and with all program areas, the FTEs should reflect the number actually, and consistently, available to the program.
- If the CA uses a contract lab for sampling and/or analysis, the FTEs should reflect the approximate number the contract budget would cover.

I.2. Does the CA have adequate access to monitoring equipment? (Consider: sampling, flow measurement, safety, transportation, and analytical equipment.) If no, explain.

PURPOSE: The CA is obligated to have at least the equipment specified in the approved program available for program implementation activities. It should have additional equipment if required to adequately implement the program. The auditor should inquire about whether or not the CA has certain basic equipment necessary to run their program,

FACTORS TO CONSIDER:

- Although not specifically required, the CA should have adequate safety equipment, including equipment for safely entering a man hole, where necessary.
- If the CA uses a contract lab, the contract budget should provide for an adequate number of analyses, including additional analyses for demand sampling, that the CA is expected to require.

I.3.a. Estimate the annual operating budget for the CA's program.

I.3.b. Is funding expected to: stay the same, increase, decrease (note time frame; e.g., following year, next 3 years, etc.)? Discuss any changes in funding.

PURPOSE: The CA is obligated to have at least the funding specified in the approved program available for program implementation activities. It should have increased funding if required to adequately implement the program. The auditor should inquire about the annual operating budget necessary to run the program.

FACTORS TO CONSIDER:

- Frequently, funding for the pretreatment program comes from the municipality's/Department of Public Works' general fund. A review of the CA's program funding over the past several years may be necessary to determine funding adequacy. The auditor should also inquire into any anticipated funding problems. In addition, if the audit has found that the scope of any program activity is inadequate, then funding will most likely need to be increased to bring the program into compliance.

I.4. Discuss any problems in program implementation which appear to be related to inadequate resources.

PURPOSE: The CA is obligated to have at least the funding specified in the approved program available for program implementation activities. It should have increased funding if required to adequately implement the program. The auditor should investigate whether the funding devoted to the program seems adequate, and if there are any problems related to funding, the auditor should note it in the report.

FACTORS TO CONSIDER:

See question I.1-3. above.

I.5.a. How does the CA ensure personnel are qualified and up-to-date with current program requirements?

PURPOSE: In order to adequately implement the pretreatment program, all program staff need to be qualified for the positions they hold and trained to perform their jobs in a manner consistent with pretreatment program requirements. The auditor should determine whether staff seem adequately trained and note any problems in the report.

FACTORS TO CONSIDER:

- Although the CA's pretreatment coordinator may be qualified and up-to-date with program requirements, it is not uncommon to find that field and lab personnel are not.

I.5.b. Does the CA have adequate reference material to implementing its program?

PURPOSE: In order to determine correct categorization of SIUs, the CA should have ready access to the General Pretreatment Regulations, categorical pretreatment standard regulations, and EPA's categorical pretreatment standards guidance documents. The auditor should determine whether the CA seems to have adequate access to resource material or whether resource material has an impact on the implementation of the program. The auditor should review the CA's reference material to determine whether any additional materials may be needed. The auditor should plan to provide any missing materials.

FACTORS TO CONSIDER:

- The Region/State may know that particular documents have been provided to the CA. However, some mailings never quite make it to the pretreatment staff but end up in the Public Works Department, etc. Also, when staff members leave for another position, these documents frequently leave with them.
- It is not uncommon that documents were received and shelved, but that the pretreatment staff (including inspectors) may not have reviewed them. All pretreatment personnel should be familiar with guidance material.

J. Environmental Effectiveness/Pollution Prevention

Note: This section is designed to assist the auditor in determining whether the CA's program has evaluated and documented any environmental benefits to date. Although there are no regulatory requirements directly related to achieving environmental benefits, it is EPA's stated goal for all environmental regulatory programs. The auditor should make every effort to determine if sufficient data are being collected, analyzed, and summarized to demonstrate trends (whether positive or negative) in the years since the CA's pretreatment program implementation, particularly in the years since the last audit. All findings should be documented as thoroughly as possible.

**J.1.a. How many times were the following monitored by the CA during the past year?
Metals, priority pollutants, biomonitoring, TCLP, EP toxicity, other.**

**J.1.b. Is this frequency less than, equal to, or more than that required by the NPDES permit?
Explain any differences.**

PURPOSE: The primary goal of the pretreatment program is to improve environmental quality. Environmental monitoring is essential to determine the program's effectiveness and the accomplishment of this goal. The auditor should determine whether the CA has a monitoring program in place that will assist the CA in tracking any progress or lack of progress the program is making in enhancing environmental effectiveness.

FACTORS TO CONSIDER:

- It is recommended that the CA perform monitoring of its treatment plant(s) in order to track the environmental effectiveness of the program's implementation. The frequency should be such that enough data are collected to recognize trends of increasing or decreasing loadings in the influent, effluent, and sludge.

J.2.a. Has the CA evaluated historical and current data to determine the effectiveness of the pretreatment controls on: improvements in POTW operations, loadings to and from the POTW, NPDES permit compliance, and sludge quality?

J.2.b. Has the CA documented these findings?

J.2.c. If they have been documented, what form does the documentation take? Explain. (Attach a copy of the documentation, if appropriate.)

PURPOSE: A successful pretreatment program is expected to result in improved POTW operations and NPDES compliance as well as in reduced pollutant loadings. The auditor should review any data the CA has available on environmental effectiveness and record any findings. If the CA has no data, the auditor should recommend the CA start collecting data.

FACTORS TO CONSIDER:

- Environmental monitoring should demonstrate a trend of decreasing concentrations of pollutants coming to the POTW and ending up in the receiving stream and sludge.
- The cost of operating and maintaining the POTW (minus cost of living increases) should decrease due to fewer system upsets and inhibitions.
- As sludge quality improves, less expensive disposal operations may become available.
- NPDES permit compliance should improve.

J.3. If the CA has historical data compiled concerning influent, effluent, and sludge sampling for the POTW, what trends have been seen? (Increases in pollutant loadings over the years? Decreases? No change?) Discuss on pollutant-by-pollutant basis.

PURPOSE: It is generally anticipated that a successfully implemented local pretreatment program will result in a decrease of pollutant loadings to the POTW and a resulting decrease in loadings to the receiving waters. Where this has not happened, the auditor should attempt to determine the causative factors. These factors should be well documented.

FACTORS TO CONSIDER:

- If all IUs were in compliance with applicable pretreatment standards prior to the CA obtaining POTW monitoring data, it is likely that no change will be seen.
- If the CA's service area has recently experienced industrial growth or a change in the character of its industries, the data may show an increase in pollutant loadings even though effective program implementation is taking place.

- J.4. Has the CA investigated the sources contributing to current pollutant loadings to the POTW (i.e., the relative contributions of toxics from industrial, commercial, and domestic sources)? If yes, what was found?**

PURPOSE: In order to effectively control toxics discharged to the POTW, the CA needs to determine the types and amount of toxics received from the above sources. The auditor should determine what the CA is doing to evaluate and keep track of pollutant loadings to the treatment plant, specifically what kind of monitoring program the CA has in place for tracking contributions to the collection system. If no system exists, the auditor should recommend the CA start one.

FACTORS TO CONSIDER:

- Along with sampling plant influent, effluent, and sludge, it is recommended that the CA monitor points within the collection system to better characterize the contributions of toxics. This will help to determine program effectiveness and to assist in developing more appropriate local limits.

- J.5.a. Has the CA attempted to implement any kind of public education program?**

- J.5.b. Are there any plans to initiate such a program to educate users about pollution prevention? Explain.**

PURPOSE: Practicing pollution prevention by changing the types of products used can be a painless way for the public to make a contribution to the environment. Industries often realize significant cost savings when they adopt pollution prevention measures. Adoption of pollution prevention practices on all fronts will almost certainly result on a reduced need for enforcement as well as a decreased loading of pollutants at the POTW. However, pollution prevention has not been a raging overnight success due to the lack of public awareness of the possibilities in this area. The CA is in an ideal position to foster pollution prevention and improve its image with both its IUs and the general public. Where the CA has no pollution prevention awareness program in place, the auditor should recommend one be adopted.

FACTORS TO CONSIDER:

- CAs often see pollution prevention awareness as yet another task they are being asked to take on in an already too full work load. Frequently, they are unaware of the benefits to be reaped for both the POTW and their pretreatment program, including an eventual reduction in their work load.
- Making their IUs aware of pollution prevention need not really impact the CA's work load. They might consider bringing State pollution prevention literature out with them on IU inspections. Specific questions can then be handled by State personnel.

J.6 What efforts have been taken to incorporate pollution prevention into the CA's pretreatment program (e.g., waste minimization at IUs, household hazardous waste programs)?

PURPOSE: Pollution prevention is of great importance in implementing a comprehensive pretreatment program. In order to further the CA's attainment of program goals, pollution prevention initiatives and ideas should be discussed with CA personnel.

FACTORS TO CONSIDER:

- It is hoped that, at minimum, the CA will be talking to its IUs about pollution prevention and the benefits of pollution prevention/waste minimization to the IU.
- The auditor should be aware that the States have grants to conduct pollution prevention studies at industrial facilities. He/she should inquire as to the CA's awareness of this program. Generally, the State's are encouraging CA's to recommend likely candidates for a study. The study is free of charge to the industry and carries no obligation.

J.7. Does the CA have any documentation concerning successful pollution prevention programs being implemented by IUs (e.g., case studies, sampling data demonstrating pollutant reductions)? Explain.

PURPOSE: The more documentation we can provide to other CAs regarding successful IU pollution prevention programs, the more willing they will be to bring the pollution prevention message to their own IUs. The auditor should obtain all available documentation. He/she should also consider contacting the IU to ask whether the IU would be willing to be named in case studies and/or to respond to questions from interested parties.

FACTORS TO CONSIDER:

- Sometimes IUs have made recent modifications to incorporate pollution prevention measures of which the CA is unaware. In the course of the IU site visit, the auditor should ask the IU whether this has been done or is being considered.

K. Additional Evaluations/Information

FACTORS TO CONSIDER:

- The auditor should record any activities being taken by the CA, EPA, the State, environmental organizations, or the public at large that have, or may have in the future, any bearing on the CA's pretreatment program. Included in these considerations should be any new initiatives (e.g., regulatory, hospital waste, river, bay, geographic targeted, result oriented initiatives).

SECTION III: FINDINGS

The intent of Section III is to provide a brief summary of the concerns and deficiencies identified (findings) throughout the audit in each program area. It also provides the opportunity to identify inconsistencies in information collected. For instance, information obtained through the interview process is sometimes in disagreement with information obtained during the file review. For this reason, it is strongly recommended that the auditor(s) complete Section III prior to the audit's closing conference in order to raise, and hopefully resolve, such issues at that time.

To facilitate completion of this section, elements of each program area are listed for consideration. Citations to all pertinent checklist questions are provided for each element. The regulatory citations are also provided where there are specific requirements for that element. The auditor should be aware that not all questions on the checklist reflect regulatory requirements. Some of the questions are included to allow the auditor to better evaluate program effectiveness. This fact should be taken into consideration when developing the subsequent report which specifies the required versus recommended actions to be taken by the CA.

When documenting findings, the auditor should take care to clearly distinguish between findings of deficiencies, violations, and program effectiveness issues. He/she should also specify whether follow-up actions are required or recommended or whether program modification is needed. Thoroughness in completing Section III of the checklist will facilitate preparation of a clear and accurate final report.

Section III should provide the framework for the report to which the checklist may be attached. Since the checklist constitutes the auditor's field documentation of findings, it should contain only the audit's factual findings.