

**CITY OF WACO**  
**SIGNIFICANT INDUSTRIAL USER**  
**WASTEWATER DISCHARGE PERMIT**  
**#COW-028**

Issued to

**CENTRAL TEXAS VETERANS HEALTH CARE SYSTEM**  
**WACO VA MEDICAL CENTER**  
**4800 MEMORIAL DRIVE**  
**WACO, TX 76711**

Effective Date: March 1, 2012  
Expiration Date: February 28, 2017  
Amendment Effective Date: July 24, 2013

**Duty to Comply:** The Permit Holder must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties.

**WACO METROPOLITAN AREA REGIONAL SEWERAGE SYSTEM**  
**Cities of: ♦ Bellmead ♦ Hewitt ♦ Lacy Lakeview ♦ Lorena ♦ Robinson ♦ Waco ♦ Woodway**

**SIGNIFICANT INDUSTRIAL USER**  
**WASTEWATER DISCHARGE PERMIT**

Amendment Effective Date: July 24, 2013

In accordance with the provisions contained in the City of Waco Code of Ordinances, Chapter 26, Article VI and the Waco Metropolitan Area Regional Sewerage System (WMARSS) Industrial Pretreatment Program,

Facility Address:

Central Texas Veterans Health Care System  
4800 Memorial Drive  
Waco, TX 76711

Attn: Aaron Smith

**Central Texas Veterans Health Care System** is hereby authorized to discharge industrial wastewater from the above-identified facility, and through the outfalls identified herein, into the City of Waco Sewer System in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the Permit Holder of its obligation to comply with any and all applicable pretreatment regulations, standards or requirements under Local, State and Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City of Waco Sewer Use Ordinance, the WMARSS Industrial Pretreatment Program and the National Pretreatment Standards.

This permit shall become effective on **March 1, 2012** and shall expire at midnight on **February 28, 2017**, if not otherwise amended or replaced prior to this date.

If the Permit Holder wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal of the permit through the City of Waco Pretreatment Coordinator **a minimum of 90 days prior to the expiration date**.

Discharges occurring after the expiration date and before a new permit can be issued will be subject to enforcement actions by the City, unless the renewal application has been submitted to the City **90 days before the expiration date of the permit**.

This permit shall supersede any and all prior agreements, if any, between the herein mentioned company and the City of Waco.

Issued this **1st** day of **March, 2012**.

Amendment Effective Date: July 24, 2013

By: Mistie S. Gonzales

City of Waco, Pretreatment Coordinator – WMARSS



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## **PART A-Classification and Identification of Regulated Outfall**

### **1. Classification**

**Central Texas Veterans Healthcare System** is designated by the City as a Significant Industrial User (SIU) under 40 CFR 403.3(v)(i)(ii) as well as Chapter 26, Article VI, Section 202 of the City of Waco, Code of Ordinances. The following criteria are the basis for this classification:

1. Wastewater is generated during the operation of a medical center/hospital, which has the potential to adversely affect the Publicly Owned Treatment Works (POTW).

### **2. Regulated Outfall**

The Permittee is authorized to discharge process wastewater to the City of Waco sewer system at the specified outfalls in Appendix A.

## **PART B- Discharge Limitations**

1. **Central Texas Veterans Health Care System** shall immediately comply with the effluent limitations of this Permit and of the City of Waco Code of Ordinances, Chapter 26 Article VI, and 40 CFR 403. The following effluent limitations have been calculated based on a six month wastewater flow average of **193,824 gallons per day (gpd)**. Notify the Pretreatment Coordinator should data indicate that production or flow has changed in significant quantity (plus or minus 20%) as to affect the validity of current equivalent concentration limits, as set forth in table I.
2. **Local Limits**. The City is authorized to establish Local Limits pursuant to 40 CFR 403.5(c). The following numerical limits are the product of limits developed by the City of Waco to protect against Pass Through and Interference. These limits apply at point where the wastewater is discharged to the POTW. The Permittee shall not discharge wastewater that contains pollutants in excess of the pollutant concentrations as specified in Table I.

**Table I- Local Limits to be sampled at Outfall specified in Appendix A**

<b>Parameter</b>	<b>Self Monitoring Frequency</b>	<b>Type of Sample</b>	<b>Approved Method</b>	<b>Reporting Limit mg/L (MAL)</b>	<b>Daily Max (mg/l)</b>
Arsenic	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.01	0.11
Cadmium	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.001	0.54
Chromium	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.01	4.61
Copper	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.01	2.93
Lead	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.005	2.44
Mercury	Semiannual	24 Hr Comp	245.1/245.2/3112B	0.0002	0.01
Molybdenum	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.005	Report
Phenol	Semiannual	4-Grabs	EPA 420.1	0.01	Report
Nickel	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.01	0.78
Selenium	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.01	0.01
Silver	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.002	0.41
Zinc	Semiannual	24 Hr Comp	EPA 200.7 & 200.8	0.005	4.06
Cyanide	Semiannual	4-Grabs	SM 4500-CN/335.4	*0.041	*0.041
Oil & Grease	<b>Semiannual</b>	4-Grabs	EPA 1664 A	See B.3	83.31
***BOD	<b>Semiannual</b>	24 Hr Comp	5210 B		Surcharge over 300
***TSS	<b>Semiannual</b>	24 Hr Comp	2540 D		Surcharge over 400
pH	<b>Semiannual</b>	4-Grabs	SM4500 H&B		5.5 - 10.5 s.u.

**Comments:**

Permit Issued March 1, 2012 through February 28, 2017

\*Amendment Effective Date: July 24, 2013\*

**Sampling Period**

1<sup>st</sup> Semi Annual Sampling Event-June 26, 2012 through August 31, 2012

2<sup>nd</sup> Semi Annual Sampling Event-Sept. 1, 2012 through February 28, 2012

**Reporting Period**

**Due Date**

Nov. 01 to Jan. 31

Feb. 15th

Feb. 01 to Apr. 30

May 15th

May 01 to Jul 31

Aug 15th

Aug 01 to Oct 31

Nov 15th

**The schedule will be the same continuing each year until permit amendment or renewal.**

\*Background levels.

\*\* Samples shall be composited by a contract laboratory.

\*\*\*\*Surcharge fees will be charged for the handling and treatment of domestic loadings (BOD and TSS) in excess of the permitted limits, providing the pollutant does not cause the City to exceed its contractual limit with the WMARSS or cause interference with the treatment process in which case it will become a violation.

**Samples must be collected at equal intervals during hours of operation.**

3. **Oil and Grease Limitations**. In accordance with the City of Waco Code of Ordinances Sec. 26 204(c), an oil and grease loading greater than the numerical limit listed in a sewer use permit is a violation of the WMARSS industrial pretreatment program only if any or all of the following conditions specified in subsection 26-203(c) (3) are present:
- a. Will solidify or become discernibly viscous at any temperature between 32 degrees Fahrenheit and 90 degrees Fahrenheit;
  - b. Deposit grease or oil in the sewer lines in such manner as to clog the sewers;
  - c. Overload the user/discharger's skimming and grease handling equipment;
  - d. Are not amenable to biological oxidation and will therefore pass to the receiving waters without being affected by normal sewage treatment processes;
  - e. Have deleterious effects on the treatment process due to the excessive quantities; or
  - f. Cause objectionable odors.
4. **Surcharge Limitations**. Surcharge fees will be charged for the handling and treatment of domestic pollutant loadings (BOD and TSS) in excess of the permitted limits in Table I of this permit, providing the pollutant does not cause the City to exceed its contractual limit with the WMARSS or causes interference with the treatment process in which case it will become a violation.

#### **PART C. General Prohibited Discharges**

1. **General Prohibitions**. No User shall introduce or cause to be introduced into the POTW any pollutants or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other National, State, or Local Pretreatment Standards or Requirements.
2. **Specific Prohibitions**. No User shall introduce or cause to be introduced into the POTW the following pollutants substances, or wastewater:
- a. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
  - b. Wastewater having a pH less than 5.5 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
  - c. Solid or Viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference.
  - d. Pollutants, including oxygen-demanding pollutants (BOD etc.) released in a discharge at a flow rate and or pollutant concentration which, either alone or by interaction with other

- pollutants, will cause interference with the treatment process or POTW;
- e. Wastewater that causes the temperatures of the total wastewater treatment plant influent to exceed 104 degrees Fahrenheit, or which will inhibit biological activity in the treatment plant resulting in interference;
  - f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
  - g. Pollutants which will result in the presence of toxic gases, vapors, or fumes, within the POTW in a quantity that may cause acute worker health and safety problems;
  - h. Any trucked or hauled pollutants, other than from vehicles hauling, trucking, or otherwise transporting domestic on behalf of the City for the purpose of introducing such waste into the sanitary sewer system or transporting to a POTW and other than from vehicles obtaining authorization from the (WMARSS) Waco Metropolitan Regional Sewerage System;
  - i. Noxious or malodorous liquids, gases, solids, which, either single or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
  - j. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
  - k. Storm water and swimming pool drainage, unless specifically authorized by the City;
  - l. Sludges, screenings, or other residues from the pretreatment of industrial wastes, unless specifically authorized by the City;
  - m. Special waste, including non-biodegradable materials, from health care related facilities except as otherwise allowed by state law;
  - n. Hazardous waste prohibited by regulatory agencies.
3. **Storage.** Pollutants, substances, or wastewater prohibited by Part C. shall not be processed or stored in such a manner that they could be discharged to the POTW.

#### **PART D. Monitoring Requirements**

- 1. **Monitoring.** In accordance with the City of Waco Code of Ordinances Chapter 26, Article VI and the WMARSS Industrial Pretreatment Program, the Permit Holder shall perform sampling and analyses of its regulated wastewaters for the pollutants listed in Table I.
- 2. **Analytical Requirements.** All pollutant analysis, including sampling techniques, handling and preservation of collected samples shall be performed in accordance with 40 CFR 136. All analytical methods shall be capable of detection of pollutants at, or below, the Minimum Analytical Levels (MAL) as specified in Table I of this permit. Table I also provides the preferred method of analysis. Other methods are approved under 40 CFR 136 and may be



used for compliance monitoring.

3. **Type of Sampling.** Samples collected to measure compliance shall be 24 Hr composite samples taken from the regulated outfall in Appendix A during normal hours of operation. All samples and aliquots must be properly preserved at the time of collection. pH must be measured within 15 minutes for each grab sample. Samples must be collected during hours of operation of the laundry and lab facilities. (7am- 5pm Monday-Friday)
4. **Equipment Calibration.** All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure its accuracy. Documentation will be made available for review.
5. **Report Requirements.** Analytical reports must be accompanied with the following information:
  - a. Chain of Custody must contain:
    - (i) The exact date(s), time(s), location, and other conditions at the time the sample was collected, including the name of the person(s) collecting the sample.
    - (ii) The sample collection method (grab or composite), preservation and handling techniques used.
    - (iii) Reference to each sample container and the pollutant analysis required.
    - (iv) Information pertaining to labeling, shipment and handling if sample custody is relinquished by the collector to others before arrival at the laboratory.
    - (v) Information pertaining to storage of samples, including name(s) and signature(s) of person(s) who placed samples into storage and/or retrieved samples from storage, as well as date(s) and time(s) such activities occurred.
    - (vi) Information pertaining to compositing of samples, including name(s) and signature(s) of person(s) who performed compositing procedures, volumes of individual aliquots and volume of the resulting composite sample, as well as date(s) and time(s) such activities occurred.
    - (vii) Legible name(s) and signature(s) of person(s) who have had custody of the sample, as well as date(s) and time(s) custody has been transferred from one person to another person for each transfer of custody.
  - b. Laboratory Report information including:
    - (i) A laboratory Chain of Custody indicating the date and time the sample was received by the laboratory, the person taking custody of the sample, the analysis requested and if the sample was properly handled and/or needed preservation upon receipt.
    - (ii) The date(s) and time(s) for which each analysis was performed (began) and the

name(s) of the analyst.

(iii) The laboratory detection limit for each pollutant.

(iv) Reference to each analytical technique/method used, and Quality Assurance/Quality Control documents, e.g., duplicate and spike samples.

## **PART E. Reporting Requirements**

1. **Self-Monitoring Compliance Reports (IUPCCR)**. This report shall be submitted to the City of Waco in a form approved by the City in accordance with following schedule:

<b>REPORTING PERIOD</b>	<b>REPORT DUE TO CITY OF WACO</b>
Nov. 01 to Jan. 31	Feb. 15th
Feb. 01 to Apr. 30	May 15th
May 01 to Jul. 31	Aug. 15th
Aug. 01 to Oct. 31	Nov. 15 <sup>th</sup>

2. **Report Requirements**. All reports must be signed and certified by an Authorized Representative. The reports shall indicate the nature and concentration of each pollutant listed in Table I. In addition, this report shall include a record of average production rates when required to determine compliance and measured or estimated average and maximum daily flows for the reporting period. Notify the Pretreatment Coordinator should data in this report or any other report indicate that production or flow has changed in significant quantity (plus or minus 20% ) as to affect the validity of current equivalent concentration limits, as set forth in Table I.

- a. All questions must be answered. **DO NOT LEAVE BLANKS**
- b. Each section on each page must be filled out.
- c. If a question is not applicable, indicate so on form. Explanation required.
- d. "See Attached" is not acceptable.
- e. If the Permit Holder monitors any pollutant more frequently than required by this permit, using approved analytical methods, the results of such data must be included in this report.
- f. Any incomplete and or inaccurate report may be returned to the Permit Holder for resubmission.
- g. **Written reports will be deemed to have been submitted on the date postmarked. For electronic copies, the date of receipt will be considered the date the report was submitted providing the original report is received.**
- h. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the Permit Holder must include this documentation in the self monitoring reports.

i. A copy of all required analytical results along with water bills to verify usage shall be included in the self monitoring reports submitted to the City of Waco by February 15<sup>th</sup>, May 15<sup>th</sup>, August 15<sup>th</sup>, and November 15<sup>th</sup>

j. **Send original reports with Authorized Representative signature.**

k. The City reserves the right to require additional information to determine the nature of the Industrial User's discharge.

3. **Waiver Request.** The City may authorize an Industrial User subject to a Categorical Pretreatment Standard to forego sampling of a pollutant if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge. This authorization is subject to the following conditions:

- a. The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable Categorical Standard and otherwise include no process wastewater.
- b. The monitoring waiver is valid only for the duration of the effective period of the permit, but in no case longer than 5 years. The Permit Holder must submit a new request for the waiver before the waiver can be granted for each subsequent permit.
- c. In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
- d. The request for a waiver must be signed by the Authorized Representative, and include the following certification statement in Part F.12 of the permit.
- e. Non-Detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest detection level for that pollutant was used in the analysis.
- f. Any grant of the monitoring waiver by the City will be included as a condition in the permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Permit Holder for three years after expiration of the waiver.
- g. The Authorized Representative must certify on each report that there has been no increase in the pollutant in its waste stream due to activities at the facility.
- h. In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in operations, the Permit Holder must immediately notify the City and comply with monitoring requirements.
- i. This provision does not supersede certification process and requirements established in the Categorical Pretreatment Standard.

4. **Compliance Schedule.** Should additional Pretreatment and/or Operation and Maintenance (O&M) be required to meet Categorical Pretreatment Standards, alternative pretreatment standards as calculated by a combined wastestream formula, or compliance with any local pretreatment standards; the shortest schedule by which the Permit Holder will provide such additional Pretreatment and/or O&M, will be submitted to the City of Waco Pretreatment Coordinator in the form of a written Compliance Schedule.
- a. The Compliance Schedule shall contain increments of progress in the form of dates (including a date for final compliance) for the commencement and completion of major events leading to the construction and operation of additional pretreatment equipment required to meet all effluent limitations (e.g., hiring an engineer, completion of preliminary plans and specification, final plans, executing contracts for major components, commencing construction, completing construction, start up training and final compliance, etc.). No increment shall exceed nine (9) months.
  - b. No later than 14 days following each date in the schedule and the final date for compliance, the Permit Holder shall submit a progress report to the City including, at a minimum, whether or not it complied with the increment of progress to be met on such date, and if not, the date on which it expects to comply with the increment of progress, the reason for delay and the steps being taken to return to the schedule established. In no event shall more than 9 months elapse between such progress reports to the City.
  - c. Compliance Schedules developed for the Permit Holder shall be considered an amendment to this permit and subject to enforcement actions.
5. **Signatory Requirements for Industrial User Reports.** The reports required by this permit must be signed by an Authorized Representative of **Central Texas Veterans Health Care System.** An Authorized Representative may be: (1) a principle executive officer of at least the level of vice president, if the Industrial User submitting the reports is a corporation; (2) a general partner or proprietor, if the Industrial User submitting the report is a partnership or sole proprietorship, respectively; or (3) a duly authorized representative of the individual designated in subparagraph (1) or (2) of this paragraph, if such representative is responsible for the overall operation of the facility from which the discharge originates.
- a. An Authorized Representative may assign signature authority; however, a form, signed by the Authorized Representative, designating anyone who has signature authority must be submitted to the Pretreatment Coordinator before that person's signature can be accepted on compliance documents and/or other correspondence.
  - b. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements must be submitted to the City.
6. **Notice of Accidental Discharge and Slug Loading.** In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the Permit Holder shall immediately telephone and notify the City

and WMARSS Treatment Plant at (254) 662-1501 (0700 to 1700 Monday through Friday) or after hours at (254) 750-1654. Including but not limited to:

- a. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
  - b. This notification must include the time, date, volume and location of the discharge, the type and concentration of the waste discharged and the corrective actions being taken. A written report explaining the circumstances relating to the events and corrective actions taken to correct the problem and actions taken to prevent its recurrence must be submitted to the City of Waco Pretreatment Coordinator within five (5) days, signed **only by an Authorized Representative**.
  - c. Permit Holders must retain, and make available for inspection and copying, all records of activities associated with accidental discharges and slug control evaluation and results.
7. **Accidental Discharge/Slug Discharge Control Plans.** The City shall evaluate whether each Industrial User needs an Accidental Discharge/Slug Discharge Control Plan or other action to control Slug Discharges. The City may require the User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. An Accidental Discharge/Slug Discharge Control Plan shall address, at a minimum, the following:
- a. Description of discharge practices, including non-routine batch discharges;
  - b. Description of stored chemicals and proximity to drains;
  - c. Procedures for immediately notifying the City and WMARSS of any Accidental or Slug Discharge;
  - d. Procedures to prevent adverse impact from any Accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.
8. **Bypass of Pretreatment System.** Bypass is prohibited and enforcement action may be taken against the User unless the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternative exist.
9. **Notification of Bypass.**
- a. Anticipated Bypass: If the Permittee knows in advance of the need for a bypass, it shall submit prior notification, at least ten (10) days before the date of the bypass, to the City.
  - b. Unanticipated Bypass: The Permittee shall immediately telephone and notify the City and WMARSS. A written report is required to be submitted to the City within 5 days. The report shall specify:

- (i) A description of the bypass and its cause, duration (including the time, volume, and location of the bypass, and the type and concentration of waste in the bypass);
  - (ii) Whether the bypass has been corrected; and
  - (iii) The steps being taken to reduce, eliminate, and prevent a reoccurrence of the bypass.
- 10. **Change in Manufacturing Process.** The Permit Holder must notify the Pretreatment Coordinator, in writing, of any changes to its manufacturing process, flow volume, production rates, or equipment which has a probability of substantially changing or affecting the characteristics or volume of its wastewater discharge to the sewerage system. Such notification shall be made in writing, not less than (90) days in advance of the scheduled change, the Permittee will provide a chemical analysis of the wastewater discharge immediately after the changes have occurred.
  - a. The permit holder must notify the Pretreatment Coordinator, in writing, of any changes to the name of the business at least 30 days in advance.
- 11. **Notification of Violation.** If sampling performed by the Permit Holder indicates a violation, the Permittee must notify the City of Waco within 24 hours of becoming aware of the violation. The Permit Holder shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City within 30 days after becoming aware of the violation
- 12. **Duty to Halt or Reduce Activity.** Upon reduction, or loss or failure of the pretreatment facility, the Permit Holder shall, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until operation of the pretreatment facility is restored or an alternative method of treatment is provided.

#### **PART F. Standard Conditions**

- 1. **Annual Publication.** In accordance with 40 CFR 403.8 (f) (2) (viii) , at least annually, all Industrial Users significantly violating applicable pretreatment standards during the Publicly Owned Treatment Work's (POTW) previous twelve (12) month reporting period must be published in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the WMARSS.
- 2. **Dilution.** No User shall ever increase the use of potable or process water or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.
- 3. **Hazardous Substances.** The Permit Holder shall comply with any applicable Federal, State and Local rules and/or regulations governing the storage, handling, transporting and disposal of any wastes determined to be or classified as a Hazardous Waste must be reported in accordance with 40 CFR 403.12 (p). Should any Hazardous or unusual substance be discharged to the sewer system for any reason, it shall be the duty and responsibility of the Permit Holder to provide notification to the City of Waco in accordance with protocol established in Part E.6. of this permit.

4. **Liability for Damages.** Pursuant to Section 26-290 of the City of Waco Code of Ordinances, any discharger violating the provisions of Chapter 26 Article VI shall become liable to the City for any expense, loss or damage incurred by the City as a result of such violation.
5. **Modifications or Revisions to Sewer Use Permit.** The terms and conditions of this Sewer Use Permit may be subject to modification by the City at any time as governing limitations and requirements are changed. The Sewer Use Permit can be modified as a result of EPA's promulgating a new Federal Pretreatment standard or a modification to a current Pretreatment Standard resulting from revisions in the WMARSS treatment facility's allowable pollutant loading limits. Any Sewer Use Permit modification which results in new conditions or limits in the permit shall include a reasonable time schedule for compliance by the holder of the permit.
6. **Permit Non-Transferable.** Permits can **ONLY** be transferred to a new owner or operator if the permit holder gives at least **30 days advance notice** to the Pretreatment Coordinator and the City approves the permit transfer. The notice to the City must include a written certification by the new owner or operator which:
  - a. Which states the new owner and /or operator has no immediate intent to change the facility's operations and processes;
  - b. Identifies the specific date on which the transfer is to occur; and
  - c. Acknowledges full responsibility for complying with the existing wastewater discharge permit.

Failure to provide adequate notice of a transfer renders the wastewater discharge permit void as of the date of the facility transfer.

7. **Penalties.** As authorized by Chapter 26 Sections 26-218 and 26-291 of the City of Waco Code of Ordinances, any person found to be violating any provision of Chapter 26 Article VI, any condition of a sewer use permit, or any order and/or directive of the City authorized by the article shall be deemed guilty of a misdemeanor and will be given a written notice of the violation and provided a reasonable time for correction. Each day of violation shall be deemed a separate offense, and upon conviction, the violator shall be subject to fines in an amount not more than Two Thousand dollars (\$2,000.00) for each violation.
8. **Cost of Recovery Fee.** As authorized by Chapter 26 Sections 26-294 of the City of Waco Code of Ordinances, any person found to be violating any provision of Chapter 26 Article VI, any condition of a sewer use permit or any order and/or directive of the City authorized by the article, may be assessed a fee to cover the costs to handle and treat wastes discharged, directly or indirectly, into the public sewer, sanitary sewer, storm sewer, or wastewater system. If the violation is associated with a sewer use account, the fee may be added on the sewer use account billing.
9. **Authority to Disconnect Service.** As authorized by Chapter 26 Section 26-218 of the City of Waco Code of Ordinances. The City may terminate water and wastewater service and disconnect any user from the system when the user:

- a. Discharges industrial waste or wastewater that is in violation;
  - b. Discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system;
  - c. Fails to pay monthly bills for sanitary sewer services when due;
  - d. Repeats a discharge of prohibited wastes to the public sewers;
  - e. Discharges industrial waste or wastewater that causes interference to the wastewater system, or causes WMARSS to violate condition of its TPDES permit; or
  - f. Discharges that present a threat to the health or welfare of persons or the environment.
10. **Show Cause Hearing.** As authorized by Chapter 26 Section 26-219 of the City of Waco Code of Ordinances. A User's request for a Show Cause Hearing shall be filed with the City secretary office within 10 days of receipt of a notice. The hearing shall commence within 30 days of the request for the hearing. The City shall serve the User with a written notice specifying the time and place of a hearing personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation. A Show Cause Hearing shall not be a bar against, or prerequisite for, taking any other action against the User.
11. **Provision Governing Fraud and False Statement.** Knowingly making any false statement on reports or other documents, required by this permit, rendering them invalid or misleading is a crime and may result in the imposition of criminal sanctions and/or civil penalties. 40 CFR 403.12 (n) requires that all applications, reports, initial monitoring waivers, and other documents submitted to the Control Authority must contain a certification statement as set forth in 40 CFR 403.6 (a) (2) (ii) and be signed by a Authorized Representative of the company in accordance with 40 CFR 403.12 (l) (1-4). The following statement containing the provisions of 18 U. S. C. Section 1001 relating to Fraud and False statement will be contained in all reporting documents provided by the Control Authority:

**EXAMPLE ONLY**

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

Name(s) *(Print or Type)* Title

Signature Date Phone



This statement shall be provided on all Reporting Forms where applicable and must be signed by an Authorized Representative.

12. **Certification of Pollutants Not Present.** Permit Holders that have an approved monitoring waiver must certify on each report with the following statement that there has been no increase in the pollutant in its waste stream due to activities of the User:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment standard for 40 CFR 403.12, I certify that, to the best of my knowledge and belief, there has been no increase in the level of (list pollutants) in the wastewaters due to the activities at the facility since filing of the Discharge Monitoring Report.”

13. **T.T.O. Monitoring Requirement.** A Toxic Organic Management Plan (TOMP) in conformance with 40 CFR 433.12 (b) must be submitted and reviewed by the City of Waco Pretreatment Team prior to making such a certification. If monitoring is necessary to measure compliance with the T.T.O. standard, then only those pollutants which are reasonably expected to be present need to be included in the analysis. Per 40 CFR 433.12 (a) and (b), the following certification statement may be made in lieu of monitoring for T.T.O. upon the City’s approval in writing:

"Based on my inquiry of the persons directly responsible for managing compliance with the Pretreatment Standards and requirements for Total Toxic Organics (T.T.O.), I certify, that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since the filing of the last Discharge Monitoring Report. I certify further that this facility is implementing the Toxic Organic Management Plan submitted to the City of Waco.”

14. **Record Retention.** All records of monitoring activities and results, including information associated with Best Management Practices, waste manifests, maintenance and calibration records, Accidental Discharge/Slug Discharge and TOMP control plans, and IUPCCR reports with water bills shall be retained for a minimum of three (3) years by the Permittee. These records shall be made available for inspection and copying by representatives of the City of Waco, Environmental Protection Agency, and Texas Commission on Environmental Quality. This retention period shall be extended during the course of any unresolved litigation or when requested by the City of Waco, Environmental Protection Agency or Texas Commission on Environmental Quality.

15. **Renewal.** Request for renewal of this Sewer Use Permit must be made in writing to the City of Waco Pretreatment Coordinator no later than ninety (90) days prior to the expiration date.

16. **Revocation of Permit.** As authorized by and in accordance with Chapter 26 Section 26-239 (c) of the City of Waco Code of Ordinances, this Permit may be revoked and services disconnected for violations of Chapter 26, Article VI including the following:

- a. Falsification of self-monitoring reports and certification statements;
- b. Tampering with monitoring equipment or records thereof;

- c. Refusing to allow timely access onto the premises or to records;
  - d. Failing to meet effluent limitation in a timely manner;
  - e. Failure to pay fines or penalties;
  - f. Failure to pay sewer charges and/or surcharges;
  - g. Failure to meet obligation of an Administrative Order or Compliance Schedule;
  - h. Failure to notify the City of significant changes to the wastewater prior to the changed discharge;
  - i. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
  - j. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
  - k. Violation of any pretreatment standard and requirement, or any terms of the wastewater discharge permit.
17. **Right of Entry.** As authorized by and in accordance with Chapter 26 , Section 26-220 (b) of the City of Waco Code of Ordinances, the City or its authorized representative and representatives of the TCEQ and/or the Environmental Protection Agency may enter all properties for the purposes of inspection, observation, measurement, sampling, testing and examination and/or copying of documents.
18. **Confidential Information.** Information and data obtained from reports, surveys, wastewater discharge permit applications, and monitoring programs from the City's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests that, and is able to demonstrate to the satisfaction of the City, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secret processes shall not be made available for inspection by the public, but shall be made immediately available upon request to governmental agencies for uses related to the NPDES and /or TPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be made available to the public without restriction.

## **PART G. Miscellaneous Provisions**

1. **Pretreatment Charges and Fees.** The City of Waco in accordance with the Sewer Use Ordinance and this permit will bill the industry (ies) for reimbursement of costs incurred as a result of implementation of this program, which may include, but is not limited to, the

following:

- a. Fees for wastewater discharge permit applications including the cost of processing.
  - b. Fees for compliance monitoring, inspections and surveillance procedures including the cost of collection and analyzing as well as reviewing monitoring reports submitted.
  - c. Surcharge fees for the handling and treatment of domestic pollutant loadings (BOD and TSS) in excess of the permitted limits in Table I of this permit, providing the pollutant does not cause the City to exceed its contractual limit with the WMARSS or causes interference with the treatment process in which case it will become a violation.
  - d. Fees for response and review of noncompliance and accidental discharges.
  - e. Fees for filing appeals.
  - f. Other fees as deemed necessary to maintain compliance with the Industrial Pretreatment Program as may be required. These fees relate solely to the matters of administration, implementation, operation and maintenance of this program and are separate from all other fees, surcharges, fines and penalties chargeable by the City of Waco.
2. **Severability.** If any provision of this Permit is invalidated by any court of competent jurisdiction, the remaining provision shall not be affected and shall continue in full force and effect.
  3. **Batch Discharges.** Company shall notify the City at least ten (10) working days in advance of its intention to release to the sewer any "Batch Discharge" utilizing a "Request for Batch Discharge" form provided by the City. Such discharge shall not be released without prior written approval of the City nor shall it be discharged prior to a representative sample of the proposed Batch Discharge being obtained and analyzed.
  4. **Indemnification.** Company shall indemnify, hold harmless and defend the City and/or WMARSS, their officials, officers, employees and agents (collectively, the "Indemnified Parties") from and against any and all obligations, claims, suits, damages and liability or alleged liability, including, but not limited to, liability by virtue of the obligations of the Company pursuant to this Permit or the acts or omissions of Company, or Company's agents, contractors, employees, licensees or invitees insofar as applicable to this Permit and including cost of suit, attorneys' fees and all other related costs and expenses of whatever kind or character arising directly or indirectly from any cause whatsoever in connection with or incidental to this Permit or such acts or omissions, whether or not said claims, demands, or causes of action are caused by the sole negligence of the Indemnified Parties, their employees, agents or servants, or whether it was caused by concurrent negligence of the Indemnified Parties and a party to this agreement, or whether it was caused by the Indemnified Parties and some other third party. The indemnity set forth herein shall specifically include, without limitation, all actions, damages, claims and liabilities for personal injury, death or property damage occurring on, arising out of or resulting from activities of the Company, its agents, contractors, employees, licenses, or invitees under this Permit.

5. **Act of God or other uncontrollable event.** Pursuant to Section 26-214 of the City of Waco Sanitary Sewer Use Regulations, if a person can establish that an event that would otherwise be a violation of a statute, rule, order, or permit issued by a federal, state, or local government was caused solely by an act of God, war, strike, riot, or other catastrophe, the event is not a violation of that statute, rule, order, or permit.
6. **Special Conditions [if applicable]**
  - a. The Permit Holder will be required to maintain and calibrate flow measuring devices according to manufacturer's recommendations and submit verification of these procedures with quarterly monitoring reports.
  - b. All wastewater samples must be representative of the Permittee's discharge. Wastewater monitoring and flow measurement facilities must be properly operated, kept clean, and maintained in good working order at all times. Failure to keep a monitoring facility in good working order shall not be grounds to claim that the sample results are unrepresentative of the discharge.

#### **PART H. Compliance Schedule**

##### **COMPLIANCE SCHEDULE**

No compliance schedule is necessary at this time.

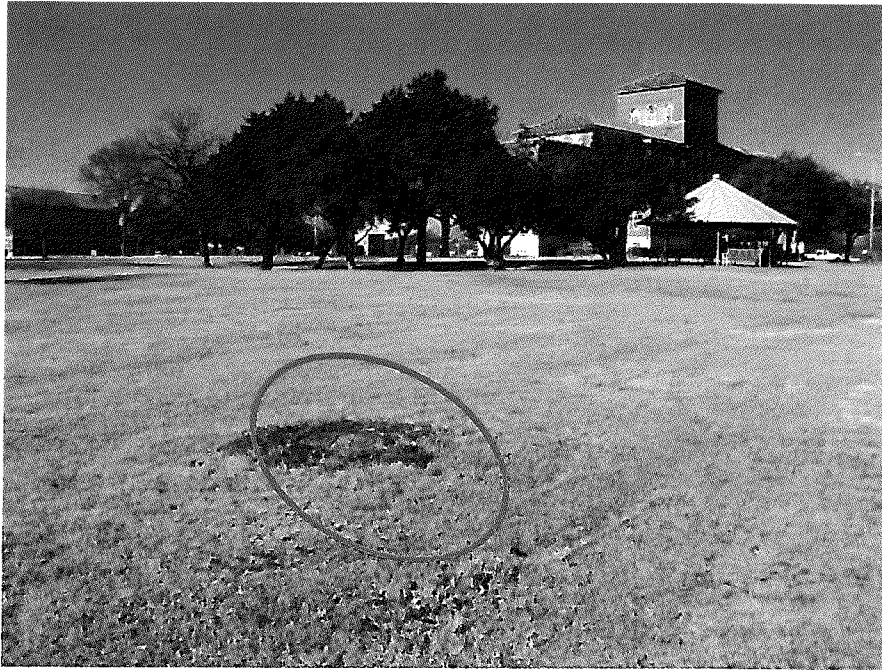
## Appendix A

### Central Texas Veterans Health Care System Physical Location of Sampling Points

**SAMPLE POINT ONE:** Manhole 4 near Entrance Gate No. 2 at Horseshoe and Beverly Drive is considered to be representative of the discharge from the sanitary sewer line that includes the laundry, boiler, and maintenance facilities.



**SAMPLE POINT TWO:** Manhole 22 located in the field between the parking lot adjacent to Main Entrance No. 1 on New Road and the Brannon Athletic Softball Field adjacent to East Doris Miller Circle is considered to be representative of the discharge from the sanitary sewer line that includes the hospital and lab.



**\*\***There are two other sewer lines from the VA Medical Center complex that connect to the WMARSS system that are separate from those described above. These two lines have been represented to be from solely domestic wastes (i.e., restrooms). No sampling will be required from these lines at this time unless, and/or until, the represented discharges change.

## Appendix B

### Abbreviations and Definitions

#### Abbreviations

BOD – Biochemical Oxygen Demand

BMP – Best Management Practice

BMR – Baseline Monitoring Report

CFR – Code of Federal Regulations

CIU – Categorical Industrial User

EPA – U.S. Environmental Protection Agency

FOG- Fats, oils, and grease

gpd – gallons per day

IU – Industrial User

l-Liters

mg/l – milligrams per liter

NPDES – National Pollutant Discharge Elimination System

O&M -- Operations and Maintenance

POTW – Publicly Owned Treatment Works

RCRA – Resource Conservation and Recovery Act

SIU – Significant Industrial User

SIC-Standard Industrial Classifications

SNC – Significant Noncompliance

SWDA- Solids Waste Disposal Act (42 USC

TPDES – Texas Pollutant Discharge Elimination System

TSS – Total Suspended Solids

U.S.C. – United States Code

WMARSS - Waco Metropolitan Area Regional Sewerage System, which is owned jointly by the Cities of Bellmead, Hewitt, Lacy-Lakeview, Lorena, Robinson, Waco, and Woodway, and which is operated by Waco under an interlocal agreement with such cities and includes the wastewater treatment facilities (POTW) and certain wastewater transmission lines.

#### Definitions

*Act or "the Act"* is the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq.

*Act of God* is an unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable, or irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care or foresight.

*Animal waste* means and includes:

- (1) Carcasses of animals exposed to pathogens:
- (2) Body parts of animals exposed to pathogens:
- (3) Whole bulk blood and blood products, serum, plasma, and other blood components from animals exposed to pathogens; or
- (4) Bedding of animals exposed to pathogens.

*Approval Authority* is the Director of the Texas Commission on Environmental Quality (TCEQ).

*Biochemical Oxygen Demand or BOD* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

*Best Management Practices or BMPs* means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1 A and B [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

*Blood and blood products* mean all waste bulk human blood, serum, plasma and other blood components.

*Building drain* means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, water and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning three feet outside the inner face of the building wall.

*Building sewer* means the extension from the building drain to the public sewer or other place of disposal (also called house lateral and house connection).

*Bypass* means the intentional diversion of waste streams from any portion of a user's treatment facility

*Categorical Pretreatment Standard or Categorical Standard* means any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. Section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

*Categorical Industrial User* means an Industrial User subject to a categorical Pretreatment Standard or Categorical Standard.

*Clog* means to impede, hinder, or obstruct flow.

*Compliance schedule* means a milestone document of corrective actions developed to assist an industry in regaining compliance through operation and maintenance and/or construction while providing the city and the regulatory agency with progressive reporting and shall be used as a progressive enforcement action for noncompliance.

*Composite sample* means the sample resulting from the combination of individual samples taken at selected intervals based on an increment of either flow or time.

*Control Authority* means (depending on the context) the city acting through its city manager or designated appointees for the purpose of implementation and enforcement of this division and for implementation of the WMARSS pretreatment program approved by the Texas Commission on Environmental Quality within the city, or the WMARSS cities as the holders of the TPDES permit for the POTW acting through its board.

*Cooling water* means the water discharged from any system of condensation, such as air conditioning, cooling, and refrigeration systems.

*Daily maximum or daily discharge (flow)* means the discharge of a pollutant measured during a 24-hour period



that reasonably represents the calendar day for purposes of sampling.

*Daily Maximum Limit* means the maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

*Day* means a calendar day of 24 hours measured from midnight to the next midnight.

*Dilution* means the addition of any material, either liquid or non-liquid, or any other method, to attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the national categorical standards or local limits set by this article.

*Direct discharge* means the discharge of treated or untreated wastewater directly to the waters of the state.

*Discharge* means to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release, dispose of, or to allow, permit, or suffer any of these acts or omissions.

*Environmental Protection Agency or EPA* is the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

*Existing source* means any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

*Fats, oils and greases (FOG)* means organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules, or N-Hexane extractable material not absorbed in Silica gel. These substances are detectable and measurable using analytical test procedures specified in the current edition of 40 CFR 136 or the Federal Register. All are sometimes referred to herein as "grease" or "greases."

*Garbage* means solid waste consisting of putrescible animal and vegetable waste materials resulting from the handling, preparation, cooking and consumption of food, including waste materials from markets, storage facilities, handling and sale of produce and other food products.

*Generator* means any person who owns or operates a grease trap or grease interceptor, or whose act or process produces fats, oils, and grease as waste.

*Grab Sample* means a single sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

*Grease, fats, and oils removal system* means interceptors, separators, traps, or grease recovery devices, which prevents free floating grease, fats, and oils from entering the wastewater system.

*Grease trap or grease interceptor* means a device designed to use differences in specific gravities to separate and retain light density liquids, waterborne fats, oils, and greases prior to the wastewater entering the sanitary sewer collection system. These devices also serve to collect settleable solids, generated by and from food preparation activities or other industrial activities, prior to the water exiting the trap and entering the sanitary sewer collection system. Grease traps and interceptors are also referred to herein as "grease traps/interceptors." These devices include oil and water separators and dissolved air flotation systems.

*Grease trap waste* means the material collected in and from a grease trap/interceptor in the sanitary sewer service line of a commercial, institutional, or industrial food service or processing establishment, including the

solids resulting from de-watering process.

*Hazardous metal* means and includes each of the following metals in its elemental state and any of its compounds expressed as that metal: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium, silver and zinc.

*Indirect discharge* means the introduction of pollutants from any nondomestic source into the wastewater system (including holding tank waste discharged into the system).

*Industrial user* means a source of indirect discharge.

*Industrial waste* means waste resulting from any process of industry, manufacturing, trade or business from the development of any natural resource, any mixture of the waste with water.

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

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

*Local Limit* means specific discharge limits developed and enforced by the city upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

*Medical Waste* means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

*Microbiological waste* means:

- (1) Cultures and stocks of infectious agents and associated biologicals;
- (2) Cultures of specimens from medical, pathological, pharmaceutical, research, clinical, commercial, and industrial laboratories;
- (3) Discarded live and attenuated vaccines;
- (4) Disposable culture dishes; or,
- (5) Disposable devices used to transfer, inoculate, and mix cultures

*Milligrams per liter (mg/l)* means the same as parts per million and is a weight-to-volume ratio. The milligram-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

*Monthly Average* means the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

*Monthly Average Limit* means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

*New Source* means:

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
  - (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
  - (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
  - (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
- (2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
  - (a) Begun, or caused to begin, as part of a continuous onsite construction program
    - (i) any placement, assembly, or installation of facilities or equipment; or
    - (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
  - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

*Non-contact Cooling Water* means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

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

*Pathogen* means an agent that causes disease, especially a living microorganism such as a bacterium or fungus.

*Pathological waste* means and includes, but is not limited to:

- (1) Human materials removed during surgery, labor and delivery, autopsy, or biopsy, including:
  - a. Body parts;
  - b. Tissues or fetuses;
  - c. Organs;
  - d. Bulk blood;
  - e. Body fluids; or
- (2) Products of spontaneous human abortions, including body parts, tissues, fetuses, organs, bulk blood, and body fluids, regardless of the period of gestation;

- (3) Laboratory specimens of blood and tissue after completion of laboratory examination; or
- (4) Anatomical remains.

*Permit* means an individual wastewater discharge permit or sewer use permit.

*Person* means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and Local governmental entities.

*pH* means a measure of the acidity or alkalinity of a solution, expressed in standard units.

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

*POTW treatment plant* means that portion of the POTW designed to provide treatment (including recycling and reclamation) of sewage and industrial wastewater.

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

*Pretreatment Requirements* means any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

*Pretreatment Standards or Standards* mean prohibited discharge standards, Categorical Pretreatment Standards, and Local Limits.

*Process wastewater* means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw materials, intermediate products, finished product, byproduct or waste product.

*Prohibited Discharge Standards or Prohibited Discharges* means absolute prohibitions against the discharge of certain substances that are set out in this article.

*Publicly owned treatment works (POTW)* means a treatment works, as defined by section 212 of the Act, which is owned by a state or municipality (as defined by Section 502(4) of the Act) or other political subdivision. This definition includes any devices and system used in the storage, treatment, recycling and reclamation of municipal sewerage or industrial wastes of a liquid nature including interceptors and major lift stations conveying wastewaters to the regional POTW treatment plant. The term POTW shall also mean the municipality and/or city as defined in Section 502(4) of the Act, which shall have jurisdiction over the indirect discharges to its wastewater system and shall also include any sewers that convey wastewaters to the regional POTW from industry entities outside of the city who are, by contract agreement with the city, users of the regional POTW. For the city, the POTW is owned by WMARSS and is operated by the city under an interlocal agreement with the cities owning WMARSS.

*Regional POTW* means the publicly owned treatment works owned by WMARSS.

*Residential user* shall mean a person discharging normal domestic wastewater from a single family dwelling,

duplex, or other dwelling unit that has complete independent living facilities and that is used solely for residential use and is not used in conjunction with a home occupation.

*Sanitary sewer* means a public sewer that conveys domestic wastewater or industrial wastes, or a combination of both, into which storm water, surface water, groundwater, and other unpolluted wastes are not intentionally passed.

*Sewage* means a combination of the water-carried wastes from residences, business buildings; institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

*Sewer* means a pipe or conduit for carrying sewage.

*Significant Industrial User (SIU)* means, except as provided in paragraphs (3) and (4) of this Section, a Significant Industrial User is:

- (1) An Industrial User subject to categorical Pretreatment Standards; or
- (2) An Industrial User that:
  - a. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
  - b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
  - c. Is designated as such by the city on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
- (3) The city may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
  - a. The Industrial User, prior to city's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
  - b. The Industrial User annually submits the certification statement required in Section 6.14 B [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and
  - c. The Industrial User never discharges any untreated concentrated wastewater.
- (4) Upon a finding that a User meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the City may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

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

*Standard industrial classification (SIC)* means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972 Edition, as amended.

*Storm sewer* means a public sewer which carries storm and surface waters and drainage and into which domestic wastewater or industrial wastes are not intentionally passed.

*Storm Water* means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

*Surcharge* means the charge in addition to the established charges for the collection and treatment of normal domestic sewage, which may be made on those permitted Significant Industrial Users, including persons outside of the city limits that the city contracts with, whose waste loadings exceed the normal domestic sewage loading of 200 mg/l BOD and/or 400 mg/l suspended solids.

*Total Suspended Solids or Suspended Solids* means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

*Transporter* means a person who is registered with and authorized by the TCEQ to transport sewage sludge, water treatment sludge, domestic septage, chemical toilet waste, grit trap waste, or grease trap waste in accordance with 30 Texas Administrative Code §312.142.

*Upset* means an exceptional incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the industrial user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

*User* means any person, including those located outside the corporate limits of the city, who by any means contributes, causes, or permits the contribution or discharge of wastewater into the wastewater system.

*Waste* means rejected, unutilized, or superfluous substances in liquid, gaseous or solid form resulting from domestic, agricultural or industrial activities.

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

*Wastewater service charge* means the charge on all users of the public sewer system whose wastes do not exceed in strength the concentration values established as representative of normal wastewater.

*Wastewater system* means and includes all facilities for collection, pumping, treating, and disposing of wastewater and industrial wastes. Unless the context indicates otherwise, this shall include both WMARSS facilities and city facilities

*Wastewater Treatment Plant or Treatment Plant* means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

*Waters or water of the state* means groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

*Working day* means a city workday and shall exclude Saturday, Sunday and city holidays

## Appendix C

### Significant Non-Compliance (SNC)

#### **PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE**

The city shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this Section) and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits.
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- C. Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the city determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the City's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order or starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with Categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s), which may include a violation of Best Management Practices,

which the city determines will adversely affect the operation or implementation of the local pretreatment program.

## EVALUATION PERIODS

At the end of each quarter, The Pretreatment Team will evaluate IU compliance status for effluent violations in regards to chronic violations and technical review criteria violations as defined in 40 CFR Part 403.8(f)(2)(viii)(A-B). Due to this method, SNC calculations for effluent violations could show a facility in SNC for two quarters for the same violation data.

### First Quarter Evaluation Period

Aug.	Sep.	Oct.	Nov.	Dec.	Jan.
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### Second Quarter Evaluation Period

Nov.	Dec.	Jan.	Feb.	Mar.	Apr.
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### Third Quarter Evaluation Period

Feb.	Mar.	Apr.	May.	Jun.	Jul.
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### Fourth Quarter Evaluation Period

May.	Jun.	Jul.	Aug.	Sep.	Oct.
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## Appendix D

### Self Monitoring Report (IUPCCR)



**INSTRUCTIONS FOR COMPLETING THE INDUSTRIAL USER  
PERIODIC CONTINUED COMPLIANCE REPORT  
(IUPCCR)**

**ALL QUESTIONS MUST BE ANSWERED. DO NOT LEAVE BLANKS. IF A QUESTION IS NOT APPLICABLE, INDICATE SO ON FORM AND EXPLAIN WHY IT IS NOT APPLICABLE.**

**Section I**

(a) through (e) – Provide the appropriate answer for each item.

(f) - Self-Monitoring Frequency is found in Part B of the Permit where it lists Local and/or Categorical Limits. If 2 or more frequencies apply, list each and for which discharge they apply.

(g) - Standard Industrial Classification Number/s.

(h) – Reporting period is the Quarter dates the IU is reporting for, for example, Quarter 1 would November 1, 2011 – January 31, 2012. These dates are found in Part B and Part E of Sewer Use Permit.

(i) - Use the current Permit Number.

**Section II**

(a) - State the unit of measurement used in the analytical results listed in the grid.

(b) – List each parameter in this grid even if the analytical report is attached. Write the date in the boxes across the top and list each parameter down the left side. If additional pages are needed, make copies of this page and put them behind this page in order.

**Section III**

(a) – Each section of this page must be filled out completely and accurately. If any items are measured with a flow meter, enter M; if estimated, enter E. If using M for flow, please include a document indicating flow meter calibration. If any item is estimated, the City must have a wastewater balance sheet, on file or included with this report, indicating how the usage and flow were calculated OR if any other calculation is used, this calculation must be provided to the City to support the information provided. Only use production data if specifically required to do so. Enter the number of Operating Days used to calculate consumption/flow, if applicable, otherwise the City will use the number of days in the water billing cycle as provided on the water bill/s.

**Section IV**

(a) through (g) – Applicable to ALL IUs. Complete this section even if IU is not required to sample for TTOs.

**Section V**

(a) – Enter the beginning and end dates of the reporting quarter/period.

(b) – Place a mark where applicable.

(b-1) - If the IU cannot certify that the facility is meeting the pretreatment standards, please explain



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the actions being taken or that will be taken in order to meet the standards, including developing a compliance schedule. **\*\*Please contact the Pretreatment Team.**

(c) – This document must be signed by an Authorized Representative or a person with signature authority. The report submitted to the City must be in pen and must have an original signature.



**INDUSTRIAL USER  
PERIODIC-CONTINUED COMPLIANCE REPORT  
(IUPCCR)**

**Section I:**

(a) Company Name: \_\_\_\_\_

(b) Mailing Address: \_\_\_\_\_

(City/Zip Code): \_\_\_\_\_

(c) Street Address: \_\_\_\_\_

(City/Zip Code): \_\_\_\_\_

(d) Contact Person: \_\_\_\_\_

(e) Phone: \_\_\_\_\_

(f) Self-Monitoring Frequency: \_\_\_\_\_

(g) S. I. C. Number(s): \_\_\_\_\_

(h) Reporting Period: \_\_\_\_\_

(i) Permit Number: \_\_\_\_\_



**Section II: Self-Monitoring Analytical Results --from lab reports--**

(a) Unit of measure: \_\_\_\_ mg/l \_\_\_\_ ug/l \_\_\_\_ other

(b) Analysis Summary \*\*Attach lab reports, Chain of Custody forms, QA/QC, etc.

**SAMPLING DATES**

<b>Pollutant:</b>												
<b>pH1</b>												
<b>pH2</b>												
<b>pH3</b>												
<b>pH4</b>												
<b>TTO (1)</b>												

(1) If a TOMP waiver is approved for the permitted IU, TTO results are excluded.



The City of Waco Water Utilities Department  
Environmental Services Division



**Section III:**

**WATER SOURCES**

Water Sources:	Percent %	E/M
City of Waco	____%	
Landlord	____%	
Well(s)	____%	
Reclaimed Groundwater	____%	
Reclaimed Surfacewater	____%	
TOTAL:	100 %	

E/M = Estimated or Metered

**AVERAGE DAILY WATER CONSUMPTION (How water is used)**

Water Used by:	Percent %	E/M	Total Average Gallons Per Day Consumed: _____ G.P.D.
Sanitary	____%		= _____ G.P.D.
Permitted Industry Processes	____%		= _____ G.P.D.
Consumed in Product	____%		= _____ G.P.D.
Evaporation: towers,boilers,etc	____%		= _____ G.P.D.
Other: irrigation, fire systems,etc.	____%		= _____ G.P.D.
TOTAL:	100%		

**WASTE WATER DISCHARGES (Which wastestreams are discharged to the sewer)**

Process Classification SIC# or OTHER	Average Flow (G.P.D.)	Maximum Flow (G.P.D.)	Peak Flow (GPM) Duration and Time of day	E/M	Percent of Total daily Discharge
SIC# _____ :					
SIC# _____ :					
SIC# _____ :					
SIC# _____ :					
OTHER FLOWS: (SANITARY,ETC)					
TOTALS:					
					100%

**Production Rates - (units, lbs, tons, etc.) \*\*Only complete if specifically required**

Process Classification	Average (units,lbs,tons,etc.)	Maximum (units,lbs,tons,etc.)
SIC#		
SIC#		
TOTALS:		

Number of Operating Days during this reporting period: \_\_\_\_\_

**\*\*ATTACH WATER BILLS\*\***



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**SECTION IV: Total Toxic Organics (T.T.O.)**

**(a) Are T.T.O. parameters included in your Sewer Use Permit?**

\_\_\_\_ Yes, go to (b)

\_\_\_\_ No, go to (d)

**(b) Were analyses for T.T.O. performed this reporting period?**

\_\_\_\_ Yes, go to (c)

\_\_\_\_ No, go to (c)

**(c) Does your Company have an approved Toxic Organic Management Plan (TOMP) on file with the City of Waco Pretreatment Team?**

\_\_\_\_ Yes, go to (f).

\_\_\_\_ No, go to (d)

**(d) Does your Company use any solvents or chemicals in your processes?**

\_\_\_\_ Yes, (attach copies of "Material Safety Data Sheets" for all solvents/chemicals used, or copy of current Tier II report.) If previously submitted and unchanged, go to (f).

\_\_\_\_ No, go to (e).

**(e) I certify that no Toxic Organics are used in our process operations or stored on these premises.**

**Name (Print or Type)**\_\_\_\_\_

**Title**\_\_\_\_\_

**Signature**\_\_\_\_\_ **Date**\_\_\_\_\_ **Phone**\_\_\_\_\_

**(f) Based on my inquiry of the persons directly responsible for managing compliance with the pretreatment standards and requirements for total toxic organics (T.T.O.), I certify, that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since the filing of the last discharge monitoring report. I certify further that, if applicable, this facility is implementing the solvent management plan submitted to the City of Waco.**

**Name (Print or Type)**\_\_\_\_\_

**Title**\_\_\_\_\_

**Signature**\_\_\_\_\_ **Date**\_\_\_\_\_ **Phone**\_\_\_\_\_



**Section V:**

(a) This report is being submitted for the reporting period beginning\_\_\_\_\_and ending  
(Month/Day/Year) (Month/Day/Year)

(b) I certify that Pretreatment standards for this facility (are\_\_\_) (are not\_\_\_) being met on a  
consistent basis.

(b-1) Additional operation and maintenance required to comply is as follows:

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Additional Pretreatment required to meet standards is as follows:

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

Name (Print or Type)\_\_\_\_\_

Title\_\_\_\_\_

Signature\_\_\_\_\_Date\_\_\_\_\_Phone\_\_\_\_\_





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

(d) Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR 403, I certify that, to the best of my knowledge and belief, there has been no increase in the pollutants \_\_\_\_\_ (list pollutants that are waived) in the wastewaters due to the activities at the facility since filing of the last periodic report under 403.12(e)(1).

Name (Print or Type) \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

## Appendix E

### Change in Process Notification Form

**WACO METROPOLITAN AREA REGIONAL SEWERAGE SYSTEM**  
**Cities of: ♦ Bellmead ♦ Hewitt ♦ Lacy Lakeview ♦ Lorena ♦ Robinson ♦ Waco ♦ Woodway**

**Change in Process Notification**

Facility Name:	Owner/Operator:
Physical Address:	Contact Person:
Mailing Address:	Phone:

The permittee is required to notify the Pretreatment Team 90 days in advance of any changes to its manufacturing process which have the probability of substantially changing or affecting the characteristics or volume of its wastewater discharge to the sewerage system. Provide a chemical analysis of the wastewater discharged immediately after the changes have occurred.

- 1) Provide a description of the change.

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- 2) Provide a description of the device.

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- 3) Identify the manufacturing facilities where the change will be implemented.

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- 4) Explain the reason for the change

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- 5) Facility Diagram: Attach a copy of your facility flow schematic diagram of all regulated processes, including points of discharge to the Waco Metropolitan Area Regional Sewerage System.

- 6) Production Rate: \_\_\_\_\_

- 7) SIC Code: \_\_\_\_\_

8) Wastewater Flow Measurement:

Regulated Process (Type)	Daily Average (gal/day)	Daily Maximum (gal/day)	Estimated (E) or Measured (M)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Non-Regulated Process (Type)	Daily Average (gal/day)	Daily Maximum (gal/day)	Estimated (E) or Measured (M)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

9) Measurement of Pollutants: Attach a chemical analysis of the wastewater discharged immediately after the changes have occurred. Include the following information:

- Sample Type (i.e., flow proportional, composite, grab)
- Frequency of Samples
- Time, date, and location of sampling event
- Method of analysis
- Quality Assurance/Quality Control (QAQC)
- Chain of Custody

10) Certification: Are pretreatment standards for your industry being met on a consistent basis by this facility? ☐ Yes ☐ No

11) If the answer to Number 10 is "no," will additional pretreatment and/or operations and maintenance be required for this facility to meet pretreatment standards? ☐ Yes ☐ No If "no," explain the reason for non-compliance.

\_\_\_\_\_

If "yes," attach a description of the required pretreatment and/or operations and maintenance to gain compliance, and include the schedule of dates for commencement and completion of events leading to the construction and operation of this additional pretreatment.

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

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Authorized Representative

\_\_\_\_\_  
Title of Authorized Representative