

---

# OREGON DEQ INDUSTRIAL PRETREATMENT PROGRAM CHECKLISTS

## Revisions

October 14, 1999

## Prepared By:



Oregon Department of Environmental Quality  
Water Quality Division  
811 SW 6<sup>th</sup> Avenue  
Portland, Oregon 97204  
(503) 229-5279

---

## TABLE OF CONTENTS

IMPLEMENTATION PROCEDURES EVALUATION CHECKLIST .....	1
PERMIT EVALUATION CHECKLIST .....	7
ENFORCEMENT RESPONSE PLAN EVALUATION CHECKLIST .....	9

**Note:** The requirements for adequate program policies and procedures have been established by U.S. EPA in 40 CFR Part 403.8(f). Oregon DEQ has incorporated these requirements in Chapter 5 of its “Policies and Procedures Manual” (DEQ 1993), and has provided its interpretation of the local program elements necessary to comply with these requirements. These checklists are based on the program elements described in the DEQ manual.

Oregon DEQ Industrial Pretreatment Program  
**IMPLEMENTATION PROCEDURES EVALUATION CHECKLIST**

<b>Name of POTW:</b>	<b>Date of Review:</b>
----------------------	------------------------

Requirement	YES	NO	N/A	Section Reference
<b>I. Identification and Location of All Possible IUs of the POTW [40 CFR Part 403.8(f)(2)(i)]</b>				
<input type="checkbox"/> Adequate <input type="checkbox"/> Revision Required <input type="checkbox"/> Revision Recommended				
A. Does the implementation procedures document describe how the original, or most recent, complete IU survey was conducted?				
If YES:				
1. Does it adequately describe the information sources used to conduct the IU survey?				
2. Was the survey sufficiently comprehensive to identify <u>all</u> potential nondomestic users, including users located outside of the POTW's jurisdiction, and mobile sources?				
B. Does the document describe the IU classification process to be used by the POTW?				
If YES:				
1. Is the POTW's definition of "significant industrial user" consistent with 40 CFR Part 403.3(t)?				
2. Does the document describe procedures for identification and categorization of IUs subject to EPA's categorical pretreatment standards?				
3. Does it describe procedures for categorizing "nondischarging" categorical users?				
C. Does the document describe the POTW's procedures for updating the IU survey?				
If YES:				
1. Does it indicate that the survey will be updated on at least an annual basis?				
2. If applicable, does it describe how potential users will be located in service areas outside the POTW's jurisdiction?				
3. Does it describe the information sources (e.g., business license, billing records, etc.) to be used in updating the survey described?				
If YES, are these sources adequate?				
4. Does it describe procedures for identifying users located on leased property and/or mobile sources?				

# IMPLEMENTATION PROCEDURES EVALUATION CHECKLIST

continued

Requirement	YES	NO	N/A	Section Reference
D. Does the document indicate the manner in which the information regarding the update will be provided to DEQ (e.g., highlighted in POTW annual report?)				
<b>II. Evaluation of the Character and Volume of Pollutants Contributed by IUs [40 CFR Part 403.8(f)(2)(ii)]</b> <input type="checkbox"/> Adequate <input type="checkbox"/> Revision Required <input type="checkbox"/> Revision Recommended				
A. Does the document indicate that completed questionnaires or survey forms will be required from all "industrial users" (SIUs and non-SIUs)?				
If <b>YES</b> , is the questionnaire or survey form adequate to gather basic discharge information and to determine if additional investigation is warranted?				
If <b>NO</b> , does the document describe other methods for obtaining basic discharge information from <u>all</u> possible "industrial users"?				
B. Does the document indicate that completed "permit application forms," or similar documents, will be required from all potential SIUs?				
If <b>YES</b> , is the permit application form (or similar document) adequate to fully characterize the character and volume of pollutants discharged by an SIU?				
If <b>NO</b> , does the document describe other methods for obtaining detailed discharge information from all possible SIUs?				
C. Does the document indicate that inspections or site visits will be conducted to verify information obtained on the questionnaires and/or permit applications?				
<b>III. Notification of All IUs of the Regulations that Must be Met [40 CFR Part 403.8(f)(2)(iii)]</b> <input type="checkbox"/> Adequate <input type="checkbox"/> Revision Required <input type="checkbox"/> Revision Recommended				
A. Does the document indicate that <u>all SIUs</u> will be issued control mechanisms (permits) that contain <u>all applicable requirements</u> specific to each user?				
B. Does the document indicate how non-SIUs will be notified of applicable requirements? [ <b>Note: DEQ strongly suggests the use of "notification packages" for this purpose.</b> ]				

# IMPLEMENTATION PROCEDURES EVALUATION CHECKLIST

continued

Requirement	YES	NO	N/A	Section Reference
<b>IV. Drafting and Issuance of IU Permits (including permit contents)</b> [40 CFR Part 403.8(f)(1)(iii)] <input type="checkbox"/> Adequate <input type="checkbox"/> Revision Required <input type="checkbox"/> Revision Recommended				
A. Does the document provide a copy of the permit application (or similar document) that will be used by the POTW?  If <b>YES</b> , does the application contain all of the elements of a “baseline monitoring report”? [40 CFR Part 403.12(b)]				
B. Does the document provide a copy of the permit form that will be used by the POTW?  If <b>YES</b> , complete the <i>DEQ Permit Evaluation Checklist</i> and attach the checklist to this form.				
C. Does the document adequately describe procedures for the following components of the POTW’s proposed permit program?				
1. Permit application?				
2. Drafting of permit?				
3. Issuance of permit?				
4. Permit appeal process?				
5. Permit modification?				
6. Permit reapplication?				
7. Permit reissuance?				
D. Does the document clearly identify the staff position responsible for each element of the permit issuance and renewal process, including permit signatories?				
E. Does the document indicate that the POTW will use “fact sheets” (or similar documents) to document permit decisions (e.g., IU categorization, monitoring locations, monitoring frequencies)?				
<b>V. Receipt and Evaluation of IU Reports and Notifications</b> [40 CFR Part 403.8(f)(2)(iv)] <input type="checkbox"/> Adequate <input type="checkbox"/> Revision Required <input type="checkbox"/> Revision Recommended				
A. Does the document describe specific procedures to track, receive, and review all IU reports and notifications in a timely manner, including:				
1. Baseline monitoring reports?				
2. 90-day (“final”) compliance reports?				
3. Periodic compliance reports?				
4. Compliance schedule reports?				

# IMPLEMENTATION PROCEDURES EVALUATION CHECKLIST

continued

Requirement	YES	NO	N/A	Section Reference
5. 24-hour notification of noncompliance?				
6. 30-day re-sampling reports (violations)?				
7. Notice of accidental spills or slugs?				
8. Notice of changed production rates?				
9. Notice of "authorized signatory" change?				
10. Notice of ownership change?				
11. Notice of bypass or upset?				
B. Does the document clearly identify the staff position(s) responsible for tracking, receipt, and review of each of the required IU reports and notifications?				
C. Does the document indicate the POTW will require IUs to use standardized reporting or notification forms (i.e., forms developed by the POTW)?				
If <b>YES</b> , do the forms adequately address all 40 CFR Part 403.12 reporting requirements, including signatory and certification requirements?				
D. Does the document clearly describe procedures for identifying reporting and notification of violations, and how such violations will be addressed by the POTW's enforcement program or does it cross-reference the Enforcement Response Plan (ERP)?				
<b>VI. Sampling and Inspection of IUs to Ensure Compliance</b> [40 CFR Part 403.8(f)(2)(v)]				
<input type="checkbox"/> Adequate <input type="checkbox"/> Revision Required <input type="checkbox"/> Revision Recommended				
A. Does the document provide a comprehensive description of the POTW's IU sampling practices including standard procedures for sample collection, preservation, handling, and storage?				
B. Does the document clearly state that all sampling and analyses performed by the POTW, or its designated representatives (e.g., contract labs), will conform to the requirements of 40 CFR Part 136?				
C. If the POTW will utilize a contract laboratory for any sampling or analyses, does the document clearly define respective roles of the POTW and contractor?				
D. Does the document provide a clear description of the POTW's inspection practices, including procedures for preparation, entry, conduct, documentation, and follow-up of IU inspections?				
If <b>YES</b> , does it differentiate between initial, periodic, and demand inspections?				

# IMPLEMENTATION PROCEDURES EVALUATION CHECKLIST

continued

Requirement	YES	NO	N/A	Section Reference
<p>E. Does the document contain <u>complete and comprehensive</u> forms and documentation for the following items?</p> <p>1. Sample collection forms?</p> <p>2. Chain-of-custody forms?</p> <p>3. Analytical report forms?</p> <p>4. Inspection forms?</p>				
<p>F. Does the document clearly establish the frequency with which the POTW will perform <u>inspections</u> and <u>sampling</u> for all SIUs?</p> <p>If <b>YES</b>, does the frequency satisfy DEQ requirements for a minimum of one documented annual inspection and two sampling visits for <u>all</u> regulated pollutants at each SIU?</p>				
<p>G. Does the document clearly identify the staff positions responsible for all phases of the POTW's sampling and inspection program, including the specific responsibilities of contract labs?</p>				
<p>H. Does the document identify the sampling, analytical, and inspection equipment, including the equipment to be used by contract labs, for use in its sampling and inspection program?</p>				
<p><b>VII. Investigation of IU Noncompliance, Including Evidence Gathering Procedures</b> [40 CFR Part 403.8(f)(2)(vi)]</p> <p><input type="checkbox"/> Adequate      <input type="checkbox"/> Revision Required      <input type="checkbox"/> Revision Recommended</p>				
<p>A. Does the document clearly describe the POTW's procedures for review of all data (POTW and IU generated) to identify all possible instances of IU noncompliance?</p>				
<p>B. Do the procedures described in the document for all information gathering elements of the pretreatment program (POTW and IU) ensure that such information will be sufficient to produce evidence that would be admissible in judicial proceedings?</p>				
<p><b>VIII. Development and Implementation of an Enforcement Response Plan (ERP)</b> [40 CFR Part 403.8(f)(5)]</p> <p><input type="checkbox"/> Adequate      <input type="checkbox"/> Revision Required      <input type="checkbox"/> Revision Recommended</p>				
<p>A. Does the document include a copy of the POTW's Enforcement Response Plan?</p> <p>If <b>YES</b>, complete the <i>DEQ ERP Evaluation Checklist</i> and attach the checklist to this form.</p> <p>If <b>YES</b>, is the ERP adequate?</p>				

# IMPLEMENTATION PROCEDURES EVALUATION CHECKLIST

continued

Requirement	YES	NO	N/A	Section Reference
<p><b>IX. Public Participation in Program Development and Implementation, Including the Publication of Users in SNC</b> [40 CFR Part 403.8(f)(2)(viii)]</p> <p> <input type="checkbox"/> Adequate      <input type="checkbox"/> Revision Required      <input type="checkbox"/> Revision Recommended                 </p>				
<p>A. Does the document clearly describe the POTW's procedures for storage and access to all pretreatment program data <u>including</u> procedures for providing public access to all "effluent data" pursuant to 40 CFR Part 2?</p> <p>If <b>YES</b>, does it indicate that all the data will be held for a minimum of 3 years, or longer for unresolved litigation or if requested by the Approval Authority?</p>				
<p>B. Does the document describe the POTW's procedures for receipt, review, and storage of "confidential business information" submitted by IUs?</p>				
<p>C. Does the document describe the POTW's procedures for review of reporting and compliance data to identify IUs in "significant noncompliance"?</p>				
<p>D. Does the document clearly describe the POTW's procedures for publishing the names of all IUs in SNC in the appropriate newspaper at least once a year?</p>				
<p>E. Does the document describe the procedures for involving all interested parties and the general public in the development and modification of its approved pretreatment program?</p>				
<p><b>X. Statement of Resources and Staffing Commitments</b> [40 CFR Part 403.8(f)(3)]</p> <p> <input type="checkbox"/> Adequate      <input type="checkbox"/> Revision Required      <input type="checkbox"/> Revision Recommended                 </p>				
<p>A. Does the document clearly describe the staffing, resources, and funding mechanisms that will be used to implement the POTW's program including:</p>				
<p>1. Specific staff positions (and FTEs) responsible for major program implementation elements?</p>				
<p>2. Sample collection, handling, and storage equipment?</p>				
<p>3. Analytical equipment?</p>				
<p>4. Vehicles?</p>				
<p>5. Safety equipment?</p>				
<p>6. Annual pretreatment budget?</p>				
<p>7. Revenue source(s) to support program implementation?</p>				
<p>B. If the POTW has proposed using contractor support for <u>any</u> program element (e.g., sample collection, analysis, limits development), does the document clearly delineate the responsibilities of each party?</p>				



Oregon DEQ Industrial Pretreatment Program  
**PERMIT EVALUATION CHECKLIST**

<b>Name of POTW:</b>	<b>Date of Review:</b>
----------------------	------------------------

<b>PERMIT CHECKLIST (All 403 cites refer to 40 CFR)</b>	<b>No Revision</b>	<b>Revision Recommended</b>	<b>Revision Required</b>	<b>Section of Permit</b>
<b>Required Conditions</b> [403.8(f)(1)(iii)]				
A. Statement of Duration (not more than 5 years)				
B. Statement of Non-transferability				
C. Effluent Limits				
1. General Prohibitions [403.5(a)]				
2. Specific Prohibitions [403.5(b)]				
3. Categorical Standards [40 CFR Part 405-471]				
4. Local Limits [403.5(d)]				
D. Monitoring and Reporting Requirements				
1. Self-monitoring Requirements				
a. Pollutants Identified (@ minimum all regulated pollutants)				
b. Sampling Frequency (@ minimum twice/year)				
2. Sampling Requirements				
a. Sampling Location				
b. Sampling Type (Grab/Composite)				
c. 40 CFR Part 136 Ref				
3. Reporting Requirements [403.12 and 403.6(c)(7)]				
a. BMR (N/A in most cases) [403.12(b)]				
b. Compliance Schedule Progress Report (only if a compliance schedule is in effect; N/A in most cases) [403.12(c)]				
c. 90-Day Compliance Report (N/A in most cases) [403.12(d)]				
d. Periodic Compliance Report [403.12(e) and (h)]				
e. Notice of Potential Problems Including Slug Loads [403.12(f)]				
f. Notice of Violation/Re-Sampling [403.12(g)]				

# PERMIT EVALUATION CHECKLIST

continued

<b>PERMIT CHECKLIST (All 403 cites refer to 40 CFR)</b>	<b>No Revision</b>	<b>Revision Recommended</b>	<b>Revision Required</b>	<b>Section of Permit</b>
g. Reporting of Additional Monitoring [403.12(g)(5)]				
h. Notice of Changed Discharge [403.12(j)]				
i. Notice of Sig. Production Change [403.6(c)(7)]				
j. Special Monitoring/Reporting for CIU [40 CFR Parts 405-471]				
k. Signatory and Certification [403.6(a)(2)(ii) and 403.12(l)]				
4. Notification and Record Keeping Requirements [40 CFR Part 403.12(o)]				
a. Maintain Monitoring Records and Monitoring Records Information				
(i) Sampling Information				
(1) Sample Date				
(2) Exact Sampling Place				
(3) Sampling Method				
(4) Sampling Time				
(5) Name of Sampler				
(ii) Date of Sample Analysis				
(iii) Name of Analyzer				
(iv) Analytical Methods				
(v) Results of Analysis				
b. Record Keeping (3 years or longer)				
E. Applicable Civil/Criminal Penalties				
<b>Standards Conditions</b>				
1. Duty to Comply				
2. Permit Modification				
3. Duty to Reapply				
4. Dilution				
5. Representative Sampling				
6. Analytical Methods to Demonstrate Compliance				
7. Inspection and Entry				

Oregon DEQ Industrial Pretreatment Program  
**ENFORCEMENT RESPONSE PLAN EVALUATION CHECKLIST**

<b>Name of POTW:</b>	<b>Date of Review:</b>
----------------------	------------------------

Requirement	YES	NO	N/A	Section Reference
A. Does the Enforcement Response Plan (ERP) describe how the POTW will investigate instances of noncompliance?				
1. Does it indicate that inspections and sampling will be used as a means to identify IU noncompliance?				
2. Does it indicate that inspections and sampling will be used as a means to follow-up on IU noncompliance?				
3. Does it identify personnel responsible for conducting inspections and sampling?				
4. Does it identify personnel responsible for entering inspection and sampling results into the IU's file?				
5. Does it specify time frames for entering inspection and sampling data?				
6. Does it describe procedures for tracking and reviewing (including evaluating report completeness and accuracy) all IU reports and notifications?				
7. Does it specify personnel responsible for reviewing reports and notifications?				
8. Does it specify personnel responsible for recommending enforcement action?				
9. Does it describe procedures for tracking responses to enforcement actions?				
10. Does it include appropriate procedures for determining violations and calculating SNC based on continuous pH monitoring?				
11. Does it clearly indicate the enforcement response that will be taken in response to SNC, including causing interference, pass through, filing late reports, etc.?				
12. Does it indicate that the POTW will respond to instances of SNC with an enforceable order within 30 days of identification?				
B. Does the ERP describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of violations?				
1. Does it identify all possible types of noncompliance, including:				
a. Discharge without a permit (no harm)				
b. Discharge without a permit (harm)				
c. Failure to renew permit				

## ENFORCEMENT RESPONSE PLAN EVALUATION CHECKLIST

continued

Requirement	YES	NO	N/A	Section Reference
d. Isolated violations of discharge limit (no harm)				
e. Isolated violations of discharge limit (harm)				
f. Recurring violation of discharge limit (no harm)				
g. Recurring violation of discharge limit (harm)				
h. Reported slug load (no harm)				
i. Reported slug load (harm)				
j. Late report				
k. Report is incomplete				
l. Failure to monitor all regulated pollutants				
m. Report is improperly signed or certified				
n. Failure to submit a report or notice				
o. Falsification of data				
p. Use of improper sampling procedures				
q. Failure to install monitoring equipment				
r. Missed compliance schedule milestones (no effect on final compliance date)				
s. Missed compliance schedule milestones (effect on final compliance date)				
t. Use of dilution instead of treatment				
u. Failure to properly operate and maintain pretreatment equipment				
v. Denial of entry to POTW personnel				
w. Failure to maintain records				
x. Failure to report additional monitoring				
2. Does the ERP reflect the full range of enforcement responses that are allowed under State law and the POTW's sewer use ordinance?				
3. Does the POTW's sewer use ordinance provide adequate legal authority for all enforcement actions the POTW proposes to initiate?				
4. When identifying appropriate enforcement actions, does the ERP allow for consideration of the following factors?				
a. Magnitude of the violation				
b. Duration of the violation				
c. Effect on receiving water				
d. Effect on POTW				
e. IU's compliance history				
f. IU's good faith				

## ENFORCEMENT RESPONSE PLAN EVALUATION CHECKLIST

continued

Requirement	YES	NO	N/A	Section Reference
5. Does the ERP adequately describe procedures for escalating enforcement responses?				
6. Does the ERP include associated time frames for all activities including data review, initial and escalated enforcement actions, and follow-up actions?				
7. Does the ERP indicate that data will be reviewed no later than 5 working days after its receipt?				
8. Does the ERP indicate that initial enforcement actions will be taken no more than 30 days after detection of a violation?				
9. Do the proposed time frames in the ERP for initial enforcement actions make sense? For example, will NOV's be issued more promptly than more stringent enforcement action?				
10. Does the ERP allow for strong enforcement action to be taken immediately in the event of a major violation?				
11. Does the ERP indicate that initial follow-up compliance activities (e.g., inspections, sampling) will occur no later than 30 to 45 days after taking initial enforcement action?				
12. If the violation persists, does the ERP specify that escalating enforcement actions will be taken 60 to 90 days after the initial enforcement action?				
C. Does the ERP identify by title the persons responsible for each enforcement response?				
1. Are the positions described in the ERP consistent with those described in the POTW's program implementation procedures and sewer use ordinance?				
2. Do the positions identified in the ERP allow enforcement actions to be initiated in a timely and effective manner?				
D. Is the POTW's responsibility to enforce all pretreatment standards and requirements reflected in the ERP?				
1. Do the enforcement procedures in the ERP allow for final resolution of noncompliance? For example, is there a procedure to ensure that the same enforcement action will not be taken again and again without final resolution?				
2. Are the procedures identified in the ERP consistent with those contained in the program implementation procedures and sewer use ordinance?				
E. In general, are the relevant elements of the ERP referenced and incorporated into other sections of the implementation manual?				