

SIGNIFICANT USER WASTEWATER DISCHARGE PERMIT



City of Las Cruces

Utilities Department – Regulatory Environmental Services Section

Permit Number **00000**

In accordance with all terms and conditions of the Las Cruces, New Mexico, Liquid Waste Disposal Ordinance Number 2488, and also with any applicable provisions of Federal and State laws and regulations;

Permission is hereby granted to
Classified by SIC Number
for the contribution of

EXAMPLE Industries

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High BOD and Heavy Metals

into the sewer lines,
City of Las Cruces, at

12345 E. Main Street.

This permit shall not be reassigned, transferred or sold to a new owner, new user or for different premises.

This permit is granted in accordance with the renewal application filed on May 7, 2012 in the Office of the Pollution Prevention Section, Utilities Department, and in conformity with plans, specifications and other data submitted in support of the above application, all of which are filed with and considered as part of this permit, together with Self-Monitoring Requirements (Attachment I), Compliance Schedule (Attachment II), Limitation on Wastewater Strength (Attachment III), Standard Conditions and Prohibitions (Attachment IV), Record Keeping, Reporting and Notification (Attachment V) and the following named conditions.

Effective 12:00 a.m., July 1, 2012
Expires 11:59 p.m., June 30, 2016

Adrienne Widmer, P.E.
Regulatory Environmental Services & Technical Support Administrator

Self-Monitoring Requirements

*All analyses must be performed on time-proportional or flow-proportional composite samples, except where grab samples are required by 40 CFR Part 136 (indicated by *). Sampling, preservation, testing, and analyses must follow EPA-approved methods as specified in 40 CFR Part 136.*

Characteristics or Elements to be Quantified:

<u>Group A:</u>	Biochemical Oxygen Demand (BOD)	mg/L	
	Total Suspended Solids (TSS)	mg/L	
	pH *	std units	
	Temperature *	°C	
	Flow	gpd	
<u>Group B:</u>	Total Metals, <u>mg/L</u> :		
	Arsenic (As)	Chromium (Cr)	
	Cadmium (Cd)	Lead (Pb)	
	Copper (Cu)	Molybdenum (Mo)	
	Mercury (Hg)	Silver (Ag)	
	Nickel (Ni)	Zinc (Zn)	
	Selenium (Se)		
	Total Cyanide*, <u>mg/L</u> (CN)		

Sampling Location: *The permitted sampling location is at the 12345 E. Main Street building. The effluent side of the Parshall Flume flow metering station (permitted sampling point) to the City sewer.*

Sampling/Method: *Sample by automatic sampler with sampling intervals of 15 minutes or less. Composite samples by total volume, equal volume, or in proportion to flow. The automatic sampler line must be placed in the outlet side of the Parshall Flume prior to final discharge to the City sewer.*

Sampling Frequency: Group A: *Sample once per month. Take at least four grab samples* at equal time intervals for pH and temperature to represent the entire workday. The monthly sampling event results are due by the 20th day of the month following.*

Group B: *Sample annually during the month of July. Take at least four grab samples* at equal time intervals for pH, temperature & Total Cyanide to represent the entire workday. The annual sampling results are due by the 20th day of the month following this sampling event.*

Group A&B: *In the event of pretreatment unit failure, downtime of more than 24 hours, Group A & B must be sampled. Downtime flow estimate via City water meter and direct flow measurement must be reported with the results of this sampling event by the 20th day of the month following the sampling event.*

Sampling Duration: *Sample during the entire workday, on days that are representative of industries that are most likely to be significant contributors to the problem of metals concentrations exceeding the approved local limits. The entire workday includes maintenance and custodial activities.*

During Pretreatment unit failure downtime, Sampling Method: *If unable to schedule sampling via automatic sampler during pretreatment unit failure downtime, grab samples may be collected at half-hour intervals or less. Grab sample composite may be representative of equal volume and or time composite in proportion to flow. Containers for collection and final composite of samples must be glass. Take at least four grab samples* at equal time intervals for pH and temperature to represent the entire workday.*

(Self-Monitoring Requirements continued)

Pretreatment Unit: *Records of the pretreatment unit daily operations must be kept.* The records must include pH calibrations and pH readings, amount of chemicals used to operate the pretreatment unit, start and stop times of unit operations and run time meter readings for each day of operation. Invoices of all Chemicals required to operate the pretreatment unit must be available upon request.

Flow Measurement: *Flow must be monitored on a continuous basis, as it is discharged to the City sewer.* The flow data must be submitted by the 20th day of each month following the required parameter sampling for Groups A & B above. The flow survey data must compare the potable water consumption (via City water meter) to the direct flow meter data recorded during the sampling period.

Flow Meter Calibration: *The flow data logger must be calibrated annually during the month of July.* The calibration must be done according to manufacture's specifications. The calibration data is due on the 20th day of the month following the sampling of Group B.

Compliance Schedule

Schedule of activities to insure that the Significant User will be able to comply with these standards (applies only to users operating under an Administrative Order (AO), or other directive to meet applicable pretreatment standards):

1. Retain engineer
2. Complete preliminary plans and specifications for pretreatment facilities
3. Complete final plans and specifications
4. Execute contract for major components
5. Commence construction of pretreatment facilities
6. Complete construction
7. Pretreatment process tested and fully operational
8. Compliance verified

A progress report must be submitted to the Pollution Prevention Manager no later than 14 days following each date in the schedule.

Local Limits as Approved by the U.S. EPA on July 1, 2009:

<u>Total Metal, (mg/L)</u>	<u>May Not Exceed for Any One Day</u>
Arsenic (As)	0.069
Cadmium (Cd)	0.026
Chromium (Cr)	31.3
Copper (Cu)	1.67
Lead (Pb)	0.46
Mercury (Hg)	0.028
Molybdenum (Mo)	0.063
Nickel (Ni)	0.704
Silver (Ag)	0.858
Selenium (Se)	0.168
Zinc (Zn)	3.53
Total Cyanide, mg/L (CN)	0.29
Maximum pH -----	12.5 <u>std units</u>
Minimum pH -----	5.0 <u>std units</u>
Maximum Temperature -----	60.0 <u>°C</u>

Standard Conditions and Prohibitions

Industrial Users are subject to all conditions specified in the Las Cruces Liquid Waste Disposal Ordinance Number 2488, including, but not limited to, provisions regarding general discharge prohibitions, reporting of slug loads, non-transferability of the permit, revocation of the permit and the City's right of entry. All Industrial Users must promptly notify the Pollution Prevention Manager in advance of any substantial change in the volume or character of pollutants discharged to the City sewer. Bypass of pretreatment equipment as defined in 40 CFR 403.17 is prohibited for any reason without prior authorization by the Pollution Prevention Manager.

40 CFR 403.17, Bypass

(a) Definitions. (1) **"Bypass"** Means the intentional diversion of wastestreams from any portion of an Industrial User's treatment facility. (2) **"Severe property damage"** means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources, which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass not violating applicable Pretreatment Standards or Requirements. An Industrial User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to provision of paragraphs (c) and (d) of this section.

(c) Notice. (1) If an Industrial User knows in advance of the need for a bypass. It shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass. (2) An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within five days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause: The duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent the reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(d) Prohibition of bypass. (1) Bypass is prohibited, and the Control Authority may take enforcement action against an Industrial User for a bypass, unless; (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; (ii) There were no physical alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during the normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent the bypass which occurred during normal periods of equipment downtime or preventative maintenance; and (iii) The Industrial User submitted notices as required under paragraph (c) of this section.

(2) The Control Authority may approve an anticipated bypass, after considering its adverse effects, if the Control Authority determines that it will meet the three conditions listed in paragraph (d) (1) of this section.

The City of Las Cruces reserves the right to reissue and/or revise your permit at any time deemed necessary.

Record Keeping, Reporting and Notification

The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation. Copies of all reports required by this permit, and records of all data used to complete the application for this permit, must be kept on file for a period of at least five (5) years from the date of the sample, measurement, report or application.

1. Records of Sampling and Analyses

These records must include the following information:

- a. The date, exact place, time, and methods of sampling or measurement
- b. Sample preservation procedures, including type of container, preservative, and holding time
- c. Who performed the sampling or measurement
- d. Date(s) the analyses were performed
- e. Who performed the analyses, their address/contact information
- f. Analytical methods used, EPA approved method number
- g. Results of analyses, quantification limit

2. Additional Reporting Requirements

a. Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with the Las Cruces Liquid Waste Disposal Ordinance Number 2488 must inform the Regulatory Environmental Services & Technical Support Administrator at 528-3548, or the Pollution Prevention Manager at 528-3596, within 24 hours of becoming aware of the upset. After hours or on weekends call Utilities Dispatch at 526-0500.

b. If results of self-monitoring indicate that a violation has occurred, the permittee must notify the Pollution Prevention Manager within 24 hours of becoming aware of the violation. Sampling and analyses must be repeated and the results reported in writing within 30 days after becoming aware of the violation.

c. The permittee must notify the Pollution Prevention Manager at least 90 days prior to any facility expansion, production increase or process modification, which results in a new discharge, or a substantial change in the amount or nature of the existing discharge.

d. (1) The Industrial User shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the Industrial User discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve months. All notifications must take place within 180 days of the effective date of this rule. Industrial users who commence discharging after the effective date of this rule shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under 40 CFR 403.12 (j). The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12 (b), (d), and (e).

(Reporting Requirements continued)

(2) Dischargers are exempt from the requirements of paragraph (P)(1) of this section during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the Industrial User discharges more than such quantities of any hazardous waste do not require additional notification.

(3) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the Industrial User must notify the POTW, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

(4) In the case of any notification made under paragraph (p) of this section, the Industrial User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

e. Reports required by this permit must be submitted to Pollution Prevention Office at 2851W. Amador, Las Cruces, New Mexico 88005 (mailing address: P.O. Box 20000, Las Cruces, New Mexico 88004). Self-monitoring reports are due by the 20th day of the month following the required sampling frequency period. Other reports are due as stated in the permit, or as set forth by the Pollution Prevention Manager.

The postmark, courier delivery bill date, or date hand-delivered to the Pollution Prevention Office will determine the date received.

f. Reports must include the records of sampling and analysis described above in 1a. - 1g., and the following certification statement signed by an authorized representative:

AI 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 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 violation.

g. Copies of reports that have missing data or sections, incorrect data, or other errors will be returned to the Significant User for correction. If a corrected report is returned after the due date, it will be considered late.

3. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under the Las Cruces Liquid Waste Ordinance Number 2488 or State and Federal laws or regulations.

4. Annual Publication

The Pollution Prevention Manager will publish in February an annual list, in the largest daily newspaper within the City's service area, of all industrial users that were in significant noncompliance (SNC) during the previous calendar year.

5. Penalties for Violations of Permit Conditions

The Las Cruces Liquid Waste Disposal Ordinance Number 2488 Section 11 provides that any person who violates a permit condition may be subject to civil liability, including injunctive relief. Section 11.3 further provides that any person who violates permit conditions may be subject to criminal penalties of to \$500 per day for each violation. The permittee may also be subject to sanctions under State or Federal law.

**CITY OF LAS CRUCES
INDUSTRIAL PRETREATMENT PROGRAM
WATER RESOURCES DEPARTMENT**

FACT SHEET

Steps in Technically Based Local Limit Development
(Required by 40 CFR 403.8(f)(4))

The City of Las Cruces Industrial Pretreatment Program was required to develop technically based local limits. The following steps outline the procedure which must be periodically repeated to monitor changes which may occur:

1. Measure pollutants present in local wastewater;

One pollutant scan for 126 priority pollutants.

Six (one per month for six months or one per day for six days) pollutant scans for 10 specified pollutants plus any identified in the original scan at concentrations greater than 0.1 mg/L.

Analyze industrial wastewater for pollutants and flow.

2. Calculate allowable headwork loadings for pollutants. Choose the most stringent criteria:

Sludge quality limits

Water quality limits

Treatment process inhibition limits

3. Allocate allowable pollutant loadings to industrial users. The uniform concentration method of allocation was used here.