

## 4.5 Issuance of Permits to Significant Industrial Users

### 4.5.1 Purpose

The purpose of this section is to describe the procedures that the City follows when issuing permits to control each user's contribution to the POTW and to facilitate user compliance with applicable pretreatment standards and requirements.

### 4.5.2 Federal Requirement

To meet the federal requirement, the Control Authority must control through permit, order, or similar means, each IU's contribution to the POTW to ensure compliance with applicable pretreatment standards and requirements. In the case of IUs identified as significant under VMC 14.10.040(WW)—*Significant Industrial User or SIU* (Appendix A—*Pretreatment Ordinance*), this control shall be achieved through permits or equivalent individual control mechanisms issued to each such user (40 CFR 403.8(f)(1)—*Legal authority, (iii)*).

### 4.5.3 State Requirements

- ◆ The State Waste Discharge Permit Program requires that permits issued by the City specify conditions that are necessary to prevent and control waste discharges into the waters of the state (WAC 173-216-110). (See Appendix B—*State Regulations for Pretreatment*.)
- ◆ The pretreatment sections of the City's NPDES permits WA0024350 and WA0024368 require that permits satisfy the requirements of 40 CFR 403.8(f) and chapter 173-216 WAC—*State waste discharge program* and that fact sheets be developed to document the rationale for how permit conditions and limits were derived (See Appendix C—*City of Vancouver NPDES permits*.)

### 4.5.4 Procedure

The Industrial Wastewater Discharge Permit (permit) is the primary mechanism that the City uses to set controls on a user's contribution to the POTW.

The process of preparing fact sheets and permits is described in Section 4.5.4.2.

#### 4.5.4.1 Industrial Wastewater Discharge Permit Content

The permit includes conditions that are determined necessary to prevent pass-through or interference in the POTW and implement the objectives of the City's Pretreatment Ordinance, VMC 14.10 (See Appendix A—*Pretreatment Ordinance*.)

Permits issued to SIUs must contain the following federal and state conditions:

Federal Requirements (40 CFR 403.8(f)(1)(iii)(B)(1) through (6)):

- ◆ A statement that indicates permit duration, which in no case shall exceed five years
- ◆ A statement that the permit is non-transferable without, at a minimum, prior notification to the City and provision of a copy of the permit to the new owner or operator

- ◆ Effluent limits, including BMPs, based on applicable general pretreatment standards in 40 CFR Part 403—*General Pretreatment Regulations for Existing and New Sources of Pollution*, categorical pretreatment standards, local limits, and state and local law
- ◆ Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements include an identification of pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the discharge, in accordance with 40 CFR 403.12(e)—*Periodic reports on continued compliance*, (2), or a specific waived pollutant in a permit), sampling location, sampling frequency, and sample type, based on the applicable general pretreatment standards in 40 CFR Part 403, categorical pretreatment standards, local limits, and state and local law.
- ◆ Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond the applicable federal deadlines.
- ◆ Requirements to control slug discharges, if determined by the City to be necessary

State requirements, as applicable (WAC 173-216-110—Permit terms and conditions):

- ◆ Application of all known, available, and reasonable methods of prevention, control, and treatment (AKART)
- ◆ Pretreatment requirements
- ◆ Requirements pursuant to other laws, including the state’s Hazardous Waste Disposal Act; chapter Revised Code of Washington (RCW) 70.95—*Solid waste management—Recovery and recycling*; RCW chapter 70.105—*Hazardous waste management*; RCRA, Public Law 95.190, or any other applicable ordinances, state, or federal statute, to the extent that they pertain to the prevention or control of waste discharges into the waters of the state
- ◆ Any conditions necessary to meet applicable water quality standards for surface waters or to preserve and protect beneficial uses for ground waters
- ◆ Requirements necessary to avoid conflict with a plan approved pursuant to Federal Water Pollution Control Act section 208(b)
- ◆ Any conditions necessary to prevent and control pollutant discharges from plant site runoff, spillage or leaks, sludge or waste disposal, or raw materials storage
- ◆ Any appropriate monitoring, reporting, and record-keeping requirements as specified by Ecology, including applicable requirements under Federal Water Pollution Control Act sections 307 and 308
- ◆ Schedules of compliance, including those required in Federal Water Pollution Control Act sections 301 and 307, which shall set forth the shortest reasonable time period to achieve the specified requirements
- ◆ Prohibited discharge requirements as contained in VMC 14.10.050—*Prohibited discharge standards*

- ◆ A statement that all required laboratory analyses of samples must be performed by an accredited laboratory, certified for the analyses by the State of Washington per WAC 173-50—*Accreditation of environmental laboratories*
- ◆ Fixed permit terms not exceeding five years

**Permits will contain the following requirements and conditions, as appropriate:**

- ◆ A cover page that includes the following information:
  - Assigned permit number
  - User name and address
  - A statement authorizing the SIU to discharge industrial wastewater to the POTW in compliance with the Pretreatment Ordinance (VMC 14.10 - see Appendix A—*Pretreatment Ordinance*); applicable federal, state, or local laws or regulations; and the terms set forth in the permit
  - Issuance date
  - Permit effective date
  - Reapplication date
  - Expiration date
  - An authorization signature from the Director or designee
- ◆ Limits on the average and/or maximum rate of discharge and time of discharge and/or requirements for flow regulation and equalization
- ◆ Requirements to install pretreatment technology, and pollution controls or to construct appropriate containment devices to reduce, eliminate, or prevent the introduction of pollutants into the POTW, ground, or stormwater
- ◆ Requirements to pay charges or fees for discharge to the POTW including high strength charges
- ◆ Requirements to pay system development charges for increases in authorized flow
- ◆ Requirements to install discharge flow metering devices
- ◆ Submittal of engineering plans and reports whenever a new or increased discharge or change in the nature of the discharge is proposed
- ◆ Requirements for the development and implementation of waste minimization and other plans to reduce the amount of pollutants discharged to the POTW
- ◆ Requirements to install and maintain inspection and sampling facilities and equipment, including flow measurement devices

- ◆ Requirements for the submission of periodic self-monitoring or special notification reports
- ◆ Self-monitoring report certification signature requirements
- ◆ Representative sampling certification signature requirements
- ◆ Requirements to maintain facility operations and maintenance logs and records
- ◆ A statement that compliance with the permit does not relieve the user of responsibility for compliance with all applicable federal and state pretreatment standards, including those that become effective during the term of the permit
- ◆ Requirements for notification to the City when violations are detected
- ◆ Requirements for the response and notification of spills, slug load discharges, pretreatment system upsets, or any other unauthorized discharge to the POTW
- ◆ Requirement for prior notification of change in the character and volume of discharge
- ◆ Requirement for prior notification of discharge of hazardous and dangerous wastes
- ◆ Provision for the publication of significant non-compliance violations
- ◆ Requirement for the retention of records that are required by permits
- ◆ Provision for reports of confidential information
- ◆ Requirements to conform to 40 CFR Part 136—*Guidelines Establishing Test Procedures for the Analysis of Pollutants*, for all sampling and analytical methods used to meet monitoring requirements. For pollutants not contained in 40 CFR Part 136, requirements to use validated procedures or methods as directed in 40 CFR 403.12(b)(5)—*Measurement of pollutants*, (vi).
- ◆ Requirements to dispose of sludge and spent chemicals in accordance with CWA Section 405, RCRA subtitles C and D, applicable state dangerous waste regulations in chapter 173-303 WAC—*Dangerous waste regulations*, solid waste regulations in chapter 173-304 WAC—*Minimum functional standards for solid waste handling*, and any local solid and hazardous waste regulations
- ◆ Provision for the revocation of the permit
- ◆ Prohibitions against falsifying information or tampering with monitoring equipment
- ◆ Procedures for the modification or revision of permit
- ◆ Other conditions as deemed appropriate by the City to ensure compliance with VMC 14.10, and state and federal laws, rules and regulations

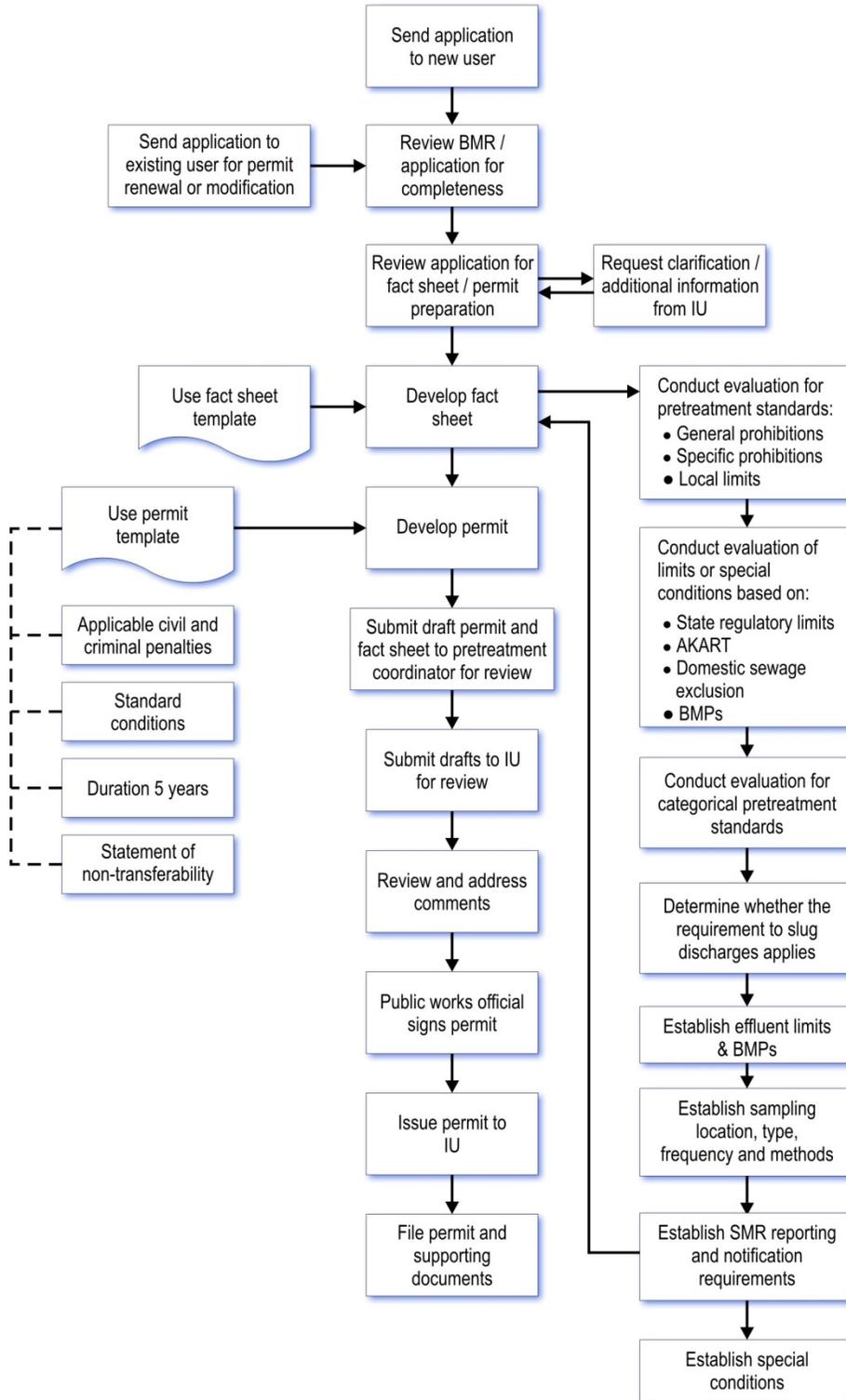
For each SIU, the City prepares a fact sheet that contains the basis for CIU or SIU designation and the rationale for how the permit conditions and limits were derived.

The fact sheet template is included in Appendix J—*Fact Sheet Template*.

The permit template is included in Appendix K—*Permit Template*.

**4.5.4.2 Industrial Wastewater Discharge Permit Process**

An overview of the permit process is shown in Figure 4-2 and described in Table 4-1.



*Figure 4-2. Procedure for Issuance of Permits to SIUs*

**Table 4-1. Procedure for Issuance of Permits to Significant Industrial Users**

<b>Send Application to SIUs</b>	The process of sending applications to new and existing SIUs is described in Section 4.3— <i>Identify Character and Volume of Pollutants (Permit Application)</i> .
<b>Review Baseline Monitoring Report/ Application for Completeness</b>	The process of reviewing permit applications for completeness is described in Section 4.3— <i>Identify Character and Volume of Pollutants (Permit Application)</i> .
<b>Review Application for Fact Sheet/Permit Preparation</b>	During the course of reviewing the permit application for developing the fact sheet and permit, the City may request clarifications or additional information from the SIU.
<b>Develop Fact Sheet</b>	<p>Based on information provided by the SIU in the permit application, the City develops a fact sheet that includes information relevant to identifying the character and volume of pollutants in the SIU’s wastewater and to establishing controls on the contribution to the POTW. The fact sheet is based on a template (<i>Appendix J—Fact Sheet Template</i>) and can be expanded to include any relevant information about the SIU’s site and discharge.</p> <p>Each fact sheet contains the following:</p> <ul style="list-style-type: none"> <li>• Description of production and ancillary processes</li> <li>• Process Chemicals and Waste Storage Areas</li> <li>• Wastewater-generating activities</li> <li>• Pretreatment systems</li> <li>• Regulatory history</li> <li>• Other environmental permits</li> <li>• An evaluation to determine applicable pretreatment standards and identify general prohibitions, specific prohibitions, and local limits</li> <li>• An evaluation of limits or special conditions based on state regulatory limits and AKART</li> <li>• An evaluation for categorical pretreatment standards</li> <li>• An evaluation for BMPs as limits or conditions</li> <li>• A statement that the requirement to control slug discharges applies to the SIU, including references to VMC 14.10</li> <li>• When applicable, an evaluation of facility operations or conditions that reinforces the need to control slug discharges</li> <li>• Effluent limits based on evaluations noted above</li> <li>• Sampling location, type, frequency, and methods</li> <li>• An evaluation and rationale of alternative sampling techniques if those other than flow-proportional composite sampling is authorized in the SIU’s permit</li> <li>• Self-monitoring reporting and notification requirements</li> <li>• Special conditions and requirements, which may include requirements</li> </ul>

**Table 4-1. Procedure for Issuance of Permits to Significant Industrial Users**

	<p>for the submission of engineering reports, plans and specifications, and O&amp;M manuals</p> <p>The fact sheet may include the following diagrams:</p> <ul style="list-style-type: none"> <li>• A site map and facility layout</li> <li>• A sewer line and sampling location map</li> <li>• A pretreatment process schematic</li> <li>• A production process schematic</li> </ul>
<p><b>Develop Permit</b></p>	<p>The City uses the permit template (Appendix K—<i>Permit Template</i>) to draft an Industrial Wastewater Discharge Permit (permit) that includes the following sections and topics:</p> <p><i>Cover Page:</i> The cover page of the permit includes the permit number; SIU name and address; industry category; issuance, effective, reapplication, and expiration dates; a statement that authorizes discharge of industrial wastewater to the POTW in compliance with applicable federal, state, and local laws and with conditions in the permit; and an authorization signature by the Director or designee.</p> <p>Part I. <i>Effluent Limits and Monitoring:</i> This section contains effluent limitations and describes the sampling, monitoring, and reporting requirements for regulated pollutants.</p> <p>Part II. <i>Special Conditions:</i> This section contains requirements for the SIU to develop, submit, and maintain plans, reports, logs, and records that are necessary to meet applicable provisions of federal, state, and local regulations. This section also includes compliance schedules; signature requirements for self-monitoring reports and representative sampling; requirements for additional sampling, monitoring, and inspection equipment installation; and other special conditions the City determines to be necessary.</p> <p>Part III. <i>Emergency Notifications:</i> This section contains requirements and instructions for the SIU to notify the City immediately in the event of an accidental spill, slug load discharge, pretreatment system upset, or other unauthorized discharge to the POTW and to take immediate steps to stop or minimize the discharge. This section includes a requirement for the SIU to submit follow-up reports.</p> <p>Part IV. <i>Self-Monitoring Non-Compliance Notification:</i> This section contains requirements and instructions for the SIU to notify the City when non-compliance is detected from required sampling or from other on-site continuous or real-time monitoring. The section includes a requirement for the SIU to submit follow-up reports.</p>

**Table 4-1. Procedure for Issuance of Permits to Significant Industrial Users**

	<p>Part V. <i>Required Reports and Notifications:</i> This section includes requirements for the SIU to submit self-monitoring reports and to notify the City in advance of facility changes, including new or changed wastewater or pollutants and manufacturing processes, or introduction of new or changed hazardous wastes to wastewater.</p> <p>This section also includes notification and reporting requirements for bypass events.</p>
<p><b>Develop Permit (continued)</b></p>	<p>Part VI. <i>Annual Publication of Significant Non-Compliance:</i> This standard section includes the definition for significant non-compliance and describes the required annual publication of all industries in significant non-compliance.</p> <p>Part VII. <i>Standard Conditions:</i> This standard section includes requirements for the SIU to comply with all applicable federal, state, and local regulations for the management of wastewater, pretreatment systems, wastes, sludges, chemicals, sampling and monitoring equipment, samples, reports, records, and any other equipment and activities potentially affecting discharge to the POTW.</p> <p>The section also establishes enforcement provisions, permit duration, and terms and conditions for maintaining and making changes to the permit.</p>
<p><b>Conduct Internal Review of Draft Permit and Fact Sheet</b></p>	<p>The draft permit and fact sheet are reviewed by the City’s Industrial Pretreatment Coordinator and staff. The Director or designee may also review these documents.</p> <p>Modifications are made to the draft permit and fact sheet based on comments from the internal review.</p>
<p><b>Send Draft Permit and Fact Sheet to SIU for Review</b></p>	<p>The City sends a draft of the permit and fact sheet to the SIU for preliminary review. The SIU is typically allowed two weeks to review the drafts. The SIU is required to submit comments in writing.</p> <p>The City considers all written comments from the SIU. The City modifies the draft permit and fact sheet as appropriate.</p>
<p><b>Publish 30-Day Public Notice</b></p>	<p>A 30-day public notice period is required prior to issuing a permit to a new SIU. The notice is also required for a renewed or modified permit when there is a proposed increase in pollutant loading to the POTW.</p> <p>The SIU is responsible for ensuring that public notices are published in accordance with WAC 173-216-090—<i>Public Notice</i>. However, the City may arrange for the publications at its discretion.</p> <p>Any person may request a public hearing. If the City determines there is significant public interest, the City will hold a public hearing at a time and place deemed appropriate. Notice of a public hearing shall be provided at least 30 days in advance, be circulated in a newspaper of general circulation in Clark County, and be mailed to any person upon request.</p>

**Table 4-1. Procedure for Issuance of Permits to Significant Industrial Users**

<b>Review Comments from 30-Day Public Notice Period</b>	The City considers all written comments from the public. The City addresses all comments in writing and modifies the permit and fact sheet as appropriate.
<b>Director or Designee Signs Permit</b>	City staff submits the final permit, the fact sheet, and a cover memo to the Director, City Engineer, or Assistant Engineer for an authorization signature.
<b>Issue Permit to SIU</b>	City staff delivers copies of the final permit, fact sheet, and related documents to the SIU, the Ecology pretreatment contact, and POTW operations personnel.
<b>File Permit and Supporting Documents</b>	<p>The permit with the original authorization signature and the fact sheet are stored in a controlled file storage area.</p> <p>City staff creates and maintains files that include the SIU's permit and fact sheet, application, required reports and plans, enforcement action reports, affidavit of public notice, and any communication and supporting documents related to the permit.</p> <p>The documents in the files are maintained for at least 5 years.</p>