

I. Guess who's coming to dinner? The need for unannounced inspections.

Your phone is ringing, you're getting last minute notes together for a meeting and the front desk pages you. Guess who's here for the annual unannounced inspection? JEA's Industrial Pretreatment -- they couldn't have come at a worse time! Do you have an appointment? It sure would make it easier on everyone, us included.

JEA's Industrial Pretreatment Program complies with the Federal regulations, which require inspections of all significant Industrial Users (IUs) at least once per year. Inspections are performed unannounced to get the most accurate snapshot of normal activities. This monitoring technique allows us to verify compliance and assess industrial pretreatment-related activities on a normal operating day. Thus we obtain an accurate and representative view of normal activity at the permitted facility.

If advance notification was provided, would facilities be able to resist the temptation to alter normal activities? Would they resist the temptation to perform a pre-inspection walk through? Any preparations done specifically for the inspection are outside the normal activities we have a duty to observe. After all, how representative is an inspection of "normal activity" at a facility when normal production and/or maintenance have been altered? Do we think that IUs are looking for ways to get around being compliant? No, and unannounced inspections verify and document IUs normal pollution prevention activities.

The integrity gained by performing inspections in this manner benefits IUs and JEA Industrial Pretreatment by documenting good management practices. Does this keep IUs on their toes? Yes, this is a desired consequence of performing unannounced inspections.

Here are some simple suggestions for making inspections go smoothly:

- ? If you're busy, delegate the walkthrough segment to someone who is familiar with the facility.
- ? Keep laboratory reports, monthly reports and waste handling records in order by filing them as they are received.
- ? Regularly perform your own walkthrough audit and institute necessary changes.

*Karen Foreman
JEA Environmental Scientist*

Inside This Issue:

**I. Guess Who's Coming Dinner?
Why JEA Industrial Pretreatment
conducts unannounced
inspections.**

**II. The Significance of Significant
Noncompliance (SNC)**

III. The JEA Waste Hauler Program

**IV. Contributory or
Non-Contributory?**

V. Buckman WRF Update

VI. Administration

II. The Significance of Significant Non-Compliance

Do you need to worry about significant noncompliance (SNC)? Maybe. Any violation of pretreatment requirements is an instance of noncompliance for which an industrial user (IU) is subject to progressive enforcement. It is not unusual for a given IU to have occasional and minor violations. The enforcement response to these minor violations is normally limited to a written notice of violation (NOV) or notice to correct (NTC) requiring the IU to resample for numeric violations, and to respond in writing to JEA indicating what actions have been taken to correct the situation.

However, if a company has one or more serious violations or develops a pattern of minor violations, the industry may be considered SNC. IUs that are in SNC status trigger a number of mandatory responses from JEA's Industrial Pretreatment Department, including the following:

- ? Negative Publicity - JEA is required to publish in the *Florida Times-Union* on an annual basis a list of all IUs that at any time during the previous 12 months were in SNC status. This publication normally occurs in March or April.
- ? Compliance Schedule – JEA is required to develop a compliance schedule for IU's that are in SNC status for two or more quarters. The compliance schedule obligates the IU to engage a Licensed Florida Professional Engineer to undertake programs to identify the reasons for non-compliance, and then to design and construct pretreatment facilities or implement institutional controls to correct the non-compliance. Compliance Schedules are legal instruments with milestones and deadlines enforceable by stipulated penalties and other progressive enforcement measures.
- ? Reporting to FDEP and EPA – JEA is required to report annually to these entities which IUs are in SNC status.

These are stringent and mandatory requirements aimed at bringing serious and repeat violators back into compliance. JEA's Industrial Pretreatment group strives to operate in a proactive, preventive mode, whereby violations can be corrected well before they result in SNC status.

So how does one avoid SNC status? Lets take a look at what constitutes significance noncompliance. It is addressed in Rule 62-625.500(2)(b) of the Florida Administrative Code. There are 8 conditions that can lead to significant noncompliance. These conditions are all described in the definitions section of your *JEA Industrial Pretreatment Regulations*. We will discuss the 3 most common ways users become significant noncompliant.

1. Required reports that are more than 30 days late will result in significant noncompliance. Get those reports in on time!
2. Chronic Significant Noncompliance (CSNC) deals with the frequency of wastewater discharge limit violations. CSNC occurs when 66% or more measurements of the same parameter are in violation over a 6 month period.
3. Technical Review Criteria Significant Noncompliance (TRCSNC) deals with the severity of a wastewater discharge limit violations. TRCSNC is a little more complex. The parameter limit is multiplied by a Technical Review Criteria (TRC) factor. For oil & grease, the factor is 1.4. For all other pollutants the TRC is 1.2 (note: pH violations are not calculated for TRCSNC).

Example: Local limit for oil & grease is 100 mg/L. To determine its TRC just multiply the limit by its TRC factor (1.4 for oil & grease). $100 \text{ mg/L} \times 1.4 = 140 \text{ mg/L}$. Viola! No new math required.

TRC significant noncompliance results when 33% or more measurements of the same parameter are greater than its TRC in a 6 month period.

As you can see from the arithmetic above, an Industrial User that measures a particular parameter infrequently may be in danger of becoming CSNC or TRCSNC with just one violation. A good strategy for avoiding this pitfall is to correct the problem as soon as possible and repeat the effluent sampling a sufficient number of times to demonstrate you have returned to compliance, and to generate additional numbers to reduce your numerical average in the CSNC and/or TRCSNC calculations.

These calculations are performed by JEA IP on a quarterly basis for the previous six-month period using the IU's reported self-monitoring data, as well as JEA's sampling results for that IU. JEA Industrial Pretreatment encourages IU's to look at their self monitoring results and calculate their SNC status on a quarterly basis. This is a relatively simple process using the following guidance:

- ✍ Determine which parameters you have had numeric violations for – you only need to perform calculations for parameters for which you have exceeded effluent limits.
- ✍ Calculate the CSNC first as described above. CSNC occurs when 66% or more measurements of the same parameter are in violation over a 6 month period.
- ✍ If the CSNC value exceeds 33% for any parameter, you also need to calculate the TRCSNC value for that parameter. TRC significant noncompliance results when 33% or

more measurements of the same parameter are greater than its TRC in a six-month period.

The periods to be used for calculations are 6 month rolling averages ending each quarter of the year – e.g. January through June, April through September, July through December, and October through March. The new handy dandy spread sheets that users are getting with their converted permits for Self Monitoring Reports will also calculate CSNC and TRCSNC. If you are still a little fuzzy about SNC, your Industrial Pretreatment contact will be happy to help you with it. Obviously, nobody wants to be in Significant Noncompliance (including Industrial Pretreatment). Hopefully, by understanding what it is and how its determined, Significant Noncompliance can be avoided.

Dan Parnell
JEA Environmental Scientist

III. The Waste Hauler Program

In accordance with Chapter 62-625 of the Florida Administrative Code, JEA's Industrial Pretreatment Program has implemented a Waste Hauler Discharge Permit (WHDP) system. All waste haulers currently discharging or planning to discharge to JEA's Buckman Wastewater Facility are required to apply for and receive a JEA WHDP prior to discharging. By permit, waste haulers are only allowed to haul domestic septic tank waste and domestic waste from portable toilets or holding tanks to JEA's Buckman Wastewater Facility (WWF). Haulers are prohibited from hauling hazardous or industrial liquid waste to the JEA Buckman WWF, the only JEA facility that receives hauled waste.

The Buckman WWF receives residual biosolids (sludge) from JEA's other wastewater treatment plants. Under normal circumstances the Buckman WWF is only allowed to accept residuals from the JEA facilities listed in the Buckman WWF National Pollutant Discharge Elimination System (NPDES) permit. In some

instances JEA may also receive residuals from other domestic WWFs. As stated under the Section II, *Residuals Management Requirements*, facilities that have a domestic waste processing plant and generate residuals can request permission to transport the residuals from that facility to JEA's Buckman St. WWTF. Requests must be made approximately ninety (90) days prior to a facility needing to remove residuals. An agreement must be met between JEA and the residuals source. Prior to any shipment of residuals to JEA a copy of the agreement must be sent to the Florida Department of Environmental Protection (FDEP) for approval. The request from JEA must be made to FDEP no later than 30 days prior to the residuals being transported. If permission is granted, a permitted waste hauler must be designated to transport the residuals. This designation makes it possible for the hauler to be given limited permission from the Industrial Pretreatment department to haul the residuals for the requestor.

Waste hauler's that would like an application for a WHDP or further information concerning JEA's waste hauler program, can call 665-6283.

Tina Jacobs
JEA Environmental Technician

V. Buckman Update

Despite the best efforts of many at JEA, the Buckman WWF failed a whole effluent toxicity (WET) test in July. The failed test ended a string of eight months without a WET failure. Still, this single WET failure far surpasses the conditions the previous year when 13 failures were experienced by the end of the fiscal year. Ammonia toxicity has been ruled out as a sole culprit. We are still trying to find the causative agent(s) of the toxicity, which only became evident approximately 24 hours into the 48 hour test. Increased mortality of the Mysid shrimp led to the failure. The fish test species did not

experience any mortality during the 48 hour test. The Buckman WWF did, however, pass the WET test performed in August.

The Buckman WWF also continues to have some problems with the switch from chlorine to UV disinfection. The past three months have seen several fecal coli form violations. Some of the violations may be associated with periods of low UV transmittance. Buckman Operations and Industrial Pretreatment staff are aggressively looking for the root causes of these violations.

V. Administration

We hope this newsletter is of benefit to you. We encourage you to direct questions and inquiries to Paul Steinbrecher, JEA Director of Regulatory Conformance at 665-5653 or steipk@jea.com

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