

Lessons Learned & Common Findings from Pretreatment Compliance Audits

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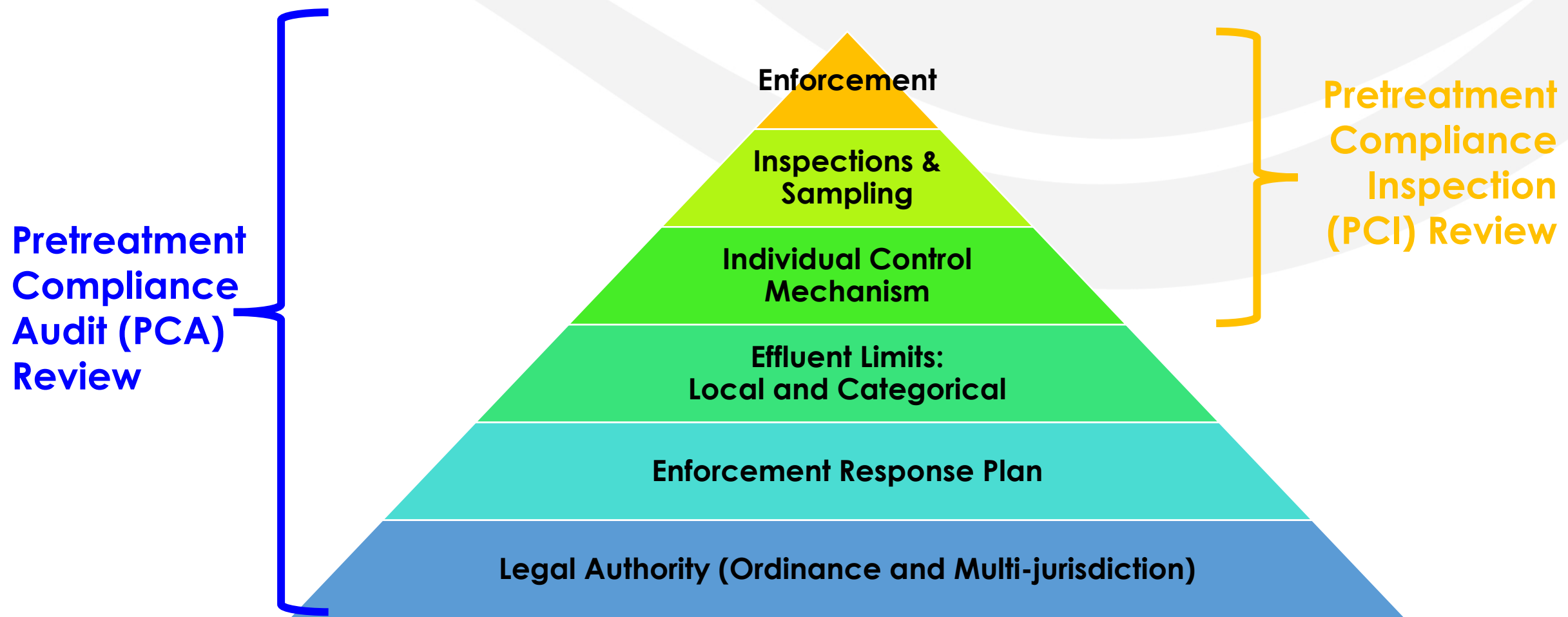


Pretreatment and CECs, June 2025

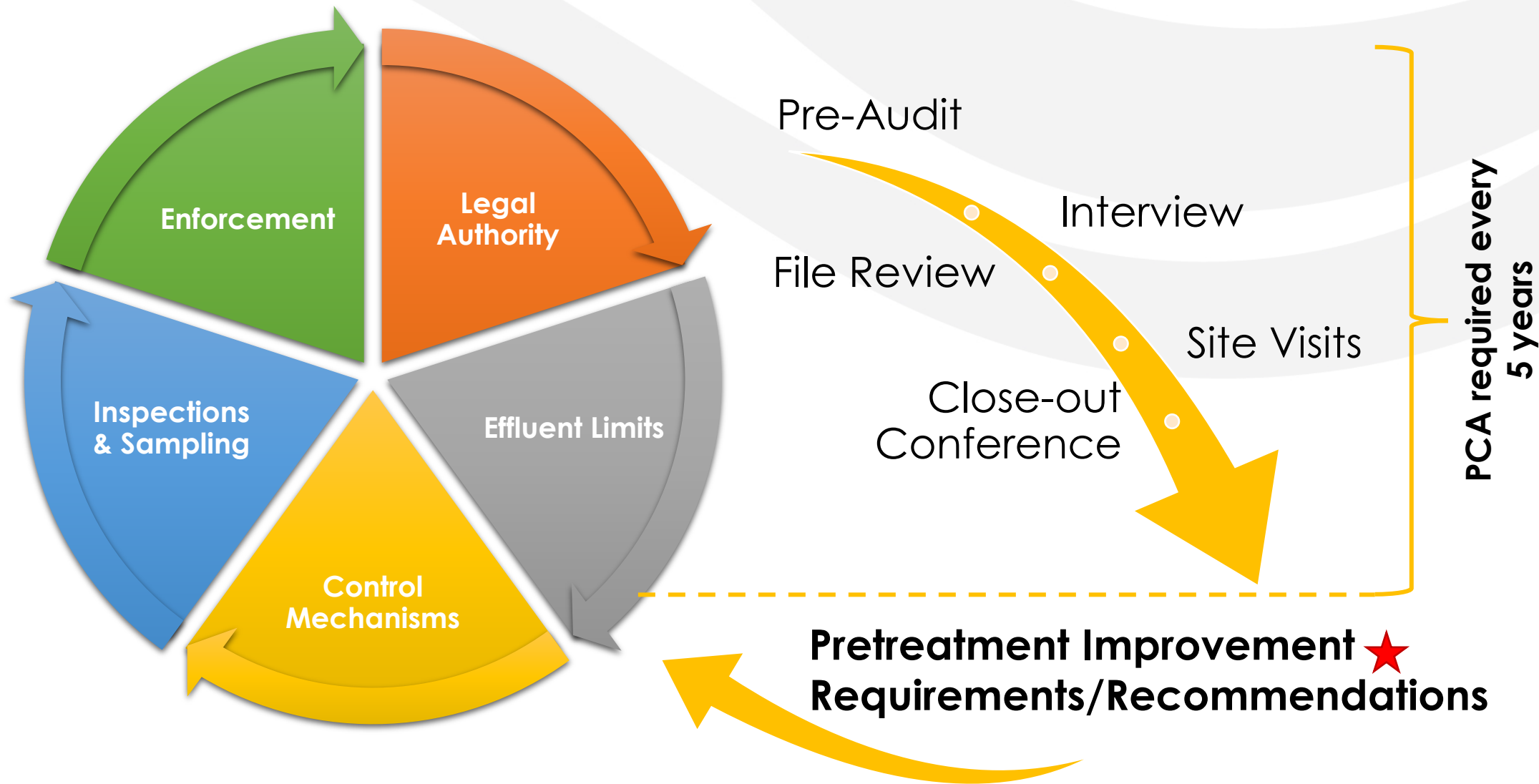
Presentation Takeaways

- Takeaway 1: Tips for participating in an audit
- Takeaway 2: Lessons learned and tips for improving local programs in advance of a future Pretreatment Compliance Audit (PCA)
- Takeaway 3: Tips for following up on your audit and on your audit report

Pretreatment Program – Key Components



Pretreatment Compliance Audit (PCA)



Takeaway 1: Tips for participating in an audit

- Pre-interview and files to be completed
- Interview
- Site visits
- Close-out conference
- Final PCA report issued
- PCA report requirement - response for addressing Requirements and Recommendations

Typical Audit Process Timeline

Audit Process Consists of 5 Parts		Duration
Pre-Audit	Coordination, Gather pretreatment program documents, document review, provide legal Authority and Audit checklists	3-4 weeks before audit
Interview	Go over Audit review checklist questions, collect any other documents needed for info gaps.	4+ hours
File Review	Gather IU files and conduct review	4+ hours
Site Visit	Select representative amount of IUs to conduct a site visit. Auditor is evaluating how the CA's inspectors conduct their site inspections.	1+ days (depending on size of program)
Closing Conference	Discuss preliminary findings from audit and how the CA will address them	1+ hour

Pre-Interview

Initial communication and scheduling with the CA

- Review and fill out prior to the Audit Interview
 - **Control Authority Review Checklist**
(CA provides knowledge of facility & its pretreatment program)
 - **Legal Authority Review Checklist**
(CA reviews and fills out legal authority requirements)
 - **Pretreatment Audit Coordination File Request**
(important for the file review and site visit)

Interview

CONTROL AUTHORITY PRETREATMENT AUDIT CHECKLIST

AUDIT CHECKLIST CONTENTS

Cover Page and Acronym/Abbreviation List	
Section I	Data Review
Section II	IU File Evaluation
Section III	Observations and Concerns
Attachment A	Pretreatment Program Status Update
Attachment B	Pretreatment Program Profile
Attachment C	Legal Authority Review Checklist
Attachment D	Worksheets
	<input type="checkbox"/> Site Visit Data Sheet <input type="checkbox"/> WENDB Data Entry Worksheet <input type="checkbox"/> PCA Required ICIS Data Elements Worksheet <input type="checkbox"/> RNC Worksheet
Attachment D	Supporting Documentation

Control Authority (CA) name and address			Date(s) of audit	

Treatment Plant Name	NPDES Permit Number	Effective Date	Expiration Date	Permit Reviewed?

AUDITOR(S)			
Name	Title/Affiliation	Telephone Number	Email Address

CA REPRESENTATIVE(S)			
Name	Title/Affiliation	Telephone Number	Email Address

*Identified program contact

February 2010 PCA-1

CA Pretreatment Program Modification

Industrial User Characterization

Control Mechanism Evaluation

Legal Authority

Application of Pretreatment Standards and Requirements

Compliance Monitoring & Enforcement

Source: [EPA, 2010. Final PCA Checklist and Instructions](#)

Site Visits

Select several sites to visit and do a walk through of the facility. Evaluate CA inspector practices and procedures.

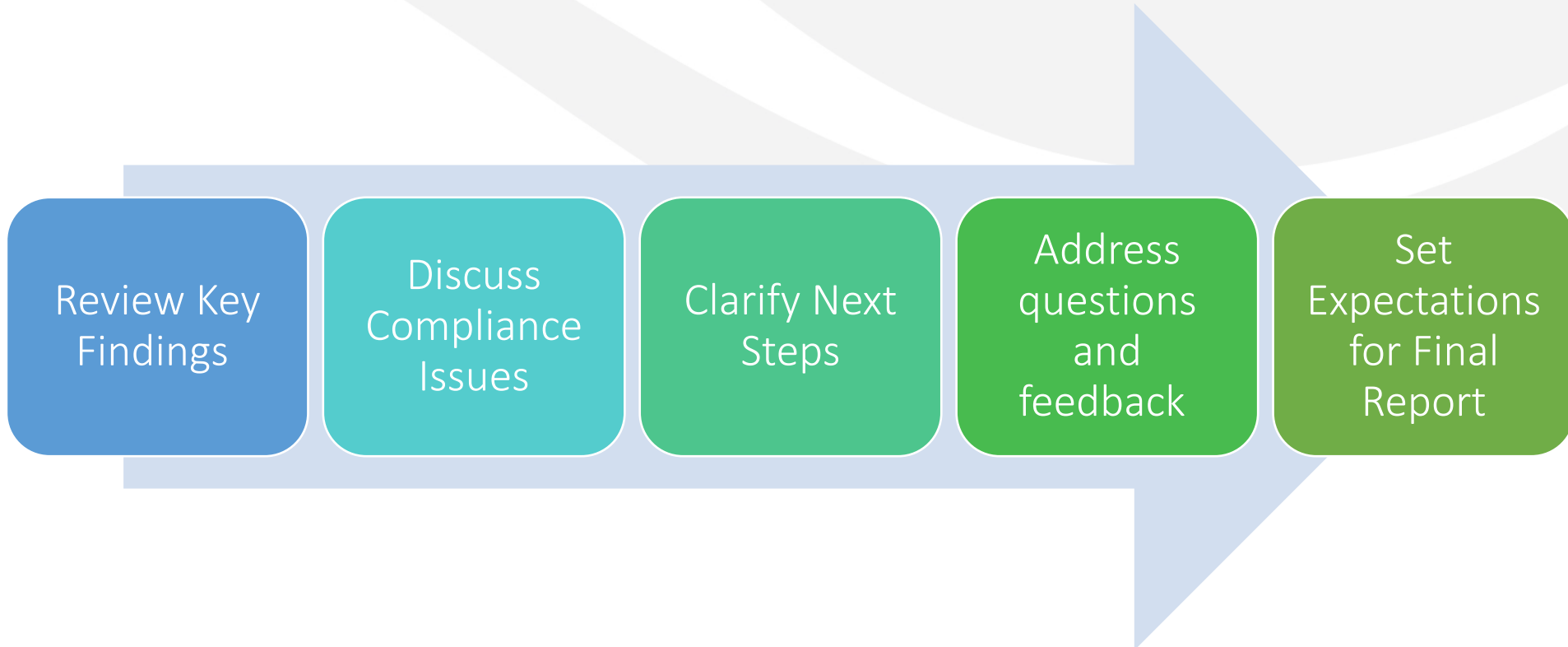
Objective

- Evaluate CA conducting compliance inspections.
- Evaluate permit issuance and IU compliance.
- Evaluate IUs in their understanding of their pretreatment role and responsibilities.

Message to IUs (Audits)

- Train staff, maintain records, **ensure audit readiness.**
- Adhere to sampling requirements, proper waste segregation and safety standards.
- Keep required logs, calibration solutions, and Hauled Waste manifests up to date.

Close-Out Conference



Takeaway 2: Tips for preparing for a Pretreatment Compliance Audit (PCA)

- Review Key Documents for Gaps
 - Sewer Use Ordinance
 - Multijurisdictional Agreements (MJAs)
 - Enforcement Response Plans (ERPs)
 - Local Limits
 - Control Mechanisms
- Develop Fact Sheets

CHECKLIST – PRETREATMENT PROGRAM LEGAL AUTHORITY REVIEWS

NAME OF POTW: _____
 DATE OF REVIEW: _____
 DOCUMENT REVIEWED: _____

Note: Several changes to the National Pretreatment Regulations made as a result of the Streamlining Rule are more stringent than the previous Federal requirements and therefore are considered required modifications for the POTW. Therefore, to the extent that existing POTW legal authorities are inconsistent with these required changes, they must be revised. Where local authorities are already consistent with these required provisions, further changes are not necessary.

NONE = No revision necessary REQ = Require Revision REC = Recommend Revision

	Part 403 Citation	Model SUO Section	REVISIONS			POTW Ordinance Section	Comments / Notes
			NONE	REQ	REC		
A. Definitions [403.3 & 403.8(f)(2)]							
1. Act, Clean Water Act	403.3(b)	§ 1.4 A					
2. Authorized or Duly Authorized Representative of the User	403.12(l)	§ 1.4 C					
3. Best Management Practices or BMPs	403.3(e)	§ 1.4 E					
4. Categorical Pretreatment Standard or Categorical Standard		§ 1.4 F					
5. Indirect Discharge or Discharge	403.3(i)	§ 1.4 M					
6. Industrial User (or equivalent)	403.3(j)	§ 1.4 LL					
7. Interference	403.3(k)	§ 1.4 O					
8. National Pretreatment Standard, Pretreatment Standard or Standard	403.3(l)	§ 1.4 BB					
9. New Source	403.3(m)	§ 1.4 T					
10. Pass Through	403.3(p)	§ 1.4 V					
11. Pretreatment Requirement	403.3(t)	§ 1.4 AA					
12. Publicly Owned Treatment Works or POTW	403.3(q)	§ 1.4 DD					
13. Significant Industrial User <i>[NOTE: §1.4 GG(3) is an optional streamlining provision for Non-Significant Categorical Industrial User classification.]</i>	403.3(v)	§ 1.4 GG					
14. Significant Noncompliance	403.8(f)(2)(viii)	§ 9 (A-H)					
15. Slug Load or Slug Discharge	403.8(f)(2)(vi)	§ 1.4 HH					
16. Other definitions based on terms used in the POTW Ordinance							
17. Middle Tier CIUs	403(f)(2)(v)(C), 403.12(e)(3), 403.12 (j)						

SUO Checklist

Email the Pretreatment Program for a copy at:

dwq-capretreatment@waterboards.ca.gov

MJA Resources

TABLE 2. ELEMENTS OF MULTIJURISDICTIONAL AGREEMENTS

An effective multijurisdictional agreement should address the following elements:

Sewer Use Ordinance - The contributing jurisdiction should agree to adopt a pretreatment sewer use ordinance that is no less stringent than the Control Authority's ordinance.

Local Limits - The contributing jurisdiction should agree to adopt local limits to all discharges into its collection system which will be served by another jurisdiction. Alternatively, each user the contributing jurisdiction should apply these limits to all discharges and apply to the receiving jurisdiction or the receiving jurisdiction should indicate the local limits to be applied within the receiving jurisdiction.

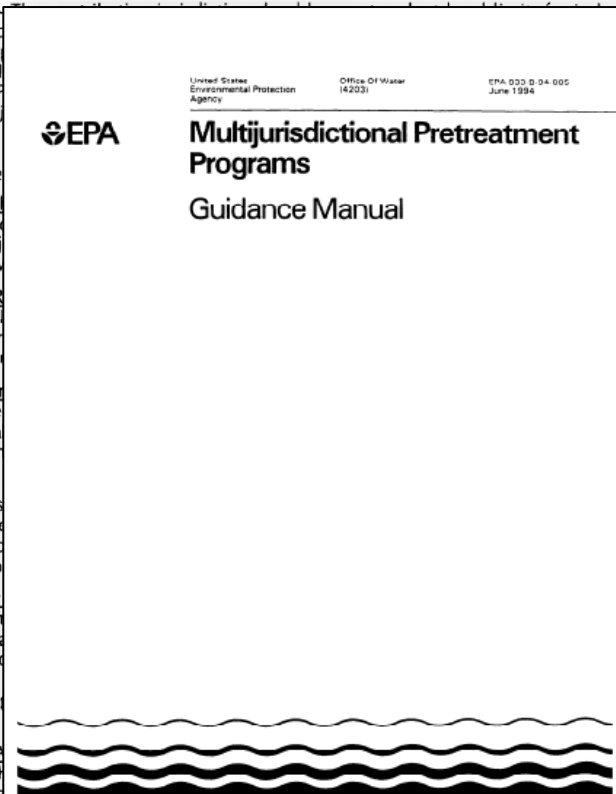
Control Mechanism - The Control Authority should indicate which party will be responsible for enforcing the pretreatment program and key activities.

Transfer of Responsibility - The Control Authority should indicate the primary responsibility for enforcing the pretreatment program and key activities.

Right of Enforcement - The Control Authority should indicate the primary responsibility for enforcing the pretreatment program and key activities.

Remedies for Noncompliance - The Control Authority should indicate the primary responsibility for enforcing the pretreatment program and key activities.

Residential Agreement - The Control Authority should indicate the primary responsibility for enforcing the pretreatment program and key activities.

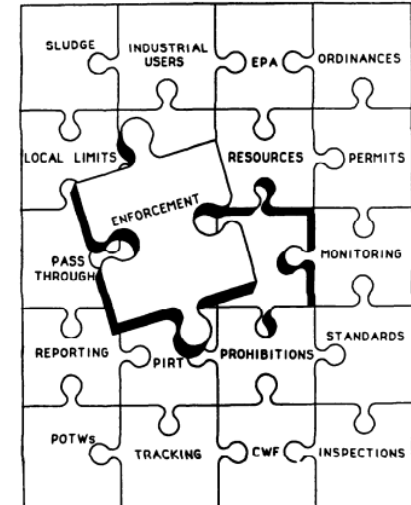


Enforcement Response Plan Resources

United States Environmental Protection Agency
Office of Water Enforcement and Permits
Washington, DC 20460
September 1989

Water

Guidance for Developing Control Authority Enforcement Response Plans



Printed on Recycled Paper

Source: [EPA, 1989. Guidance for Developing Control Authority Enforcement Response Plans](#)

Source: [EPA, 1989. Guidance for Developing Control Authority Enforcement Response Plans](#)

Local Limits



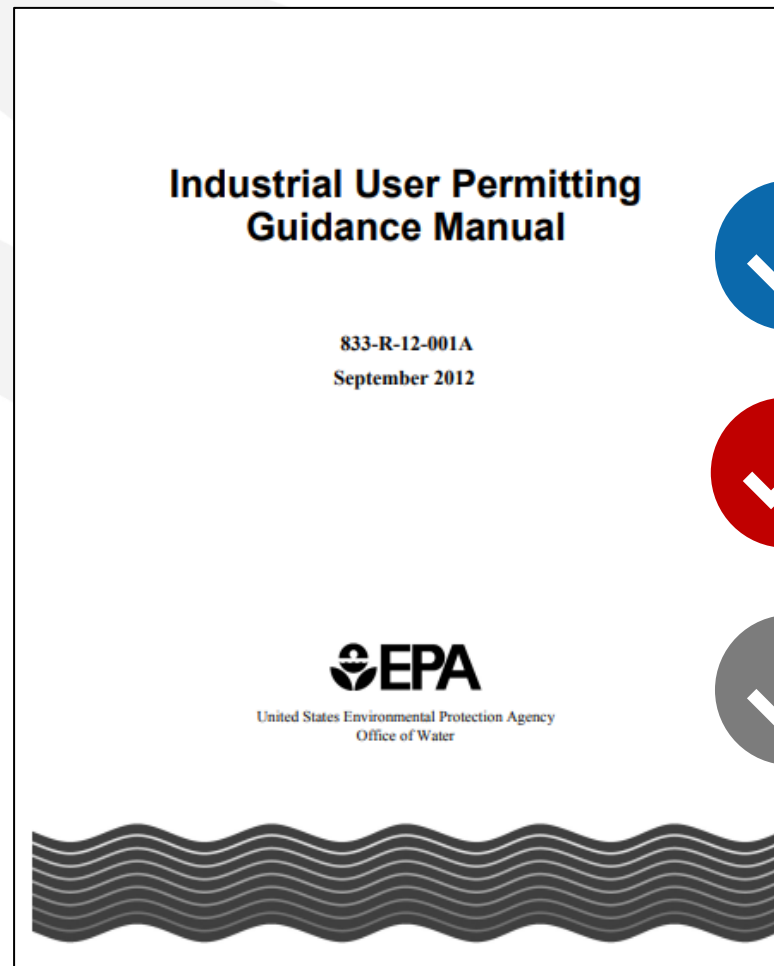
CHAPTER 7- LOCAL LIMITS REVIEWS AND DETAILED RE-EVALUATIONS

According to 40 CFR 122.44(j)(2)(ii), POTWs must "provide a written technical evaluation of the need to revise local limits under 40 CFR 403.5(c)(1), following permit issuance or reissuance." EPA recommends that a periodic evaluation of local limits be tied to the permit cycle and that more detailed evaluations be conducted on an "as needed" basis. Chapter 7 provides guidance on two means to meet this requirement – local limits reviews and detailed re-evaluations – depending on the conditions at the POTW. Reviews compare current headworks loadings with the maximum allowable headworks loading (MAHL) and examine any recent violations. When plant conditions have changed, EPA suggests a detailed re-evaluation be conducted that includes an in-depth look at all the data, criteria, and assumptions on which local limits are based to determine whether any changes affecting the local limits have occurred.



Source: [EPA, 2004. Local Limits Development Guidance](#)

Control Mechanisms



Permit Application Template



Fact Sheet Template



Sample Permit & Fact Sheet

Source: [EPA, 2012. Industrial User Permitting Guidance Manual.](#)

Development of Fact Sheets



**Highly
Recommended**

Permit Considerations

Permit Limits and Rationale

Industrial User Overview

Compliance & Enforcement
History

Takeaway 3: Tips for following up on your Audit and your Audit Report

- Review PCA Report
 - Requirements are items that need to be addressed and are in violation with federal Pretreatment regulations
 - Recommendations are items that will benefit your local pretreatment program
- Complete Response to CA
 - How the items identified as requirements will be address and timeline
 - How will items identified as recommendations will be address and potential timeline
- Maintain good record keeping practices

Review Final PCA Report

Final PCA issued, shared with EPA, and CA.

Pretreatment Compliance Audit

Summary Report

Discharger: Sacramento Regional County Sanitation District
 NPDES Permit No. CA0077682
 Waste Discharge Requirements R5-2021-0019
 Sacramento and Yolo Counties

Location: 10060 Goethe Road, Sacramento, CA 95827

Contact: Linda Stevens, Environmental Program Manager
 Sandy Delp, Local Programs, Inventory, and Local Limits
 Sharon Merker, Federal SIU Program
 Nicole Sears, CROMMER

Audit Date: July 29, 2022 (REMOTE INTERVIEW)
 August 2-3, 2022 (SITE INSPECTIONS)

Audited By: Olivia Magana, California State Water Resources Control Board
 Arnold Wong, California State Water Resources Control Board, and
 Michael Fischer, Central Valley Regional Water Quality Control Board

- Post PCA
 - Review requirements vs recommendations
 - Follow-up Response Required

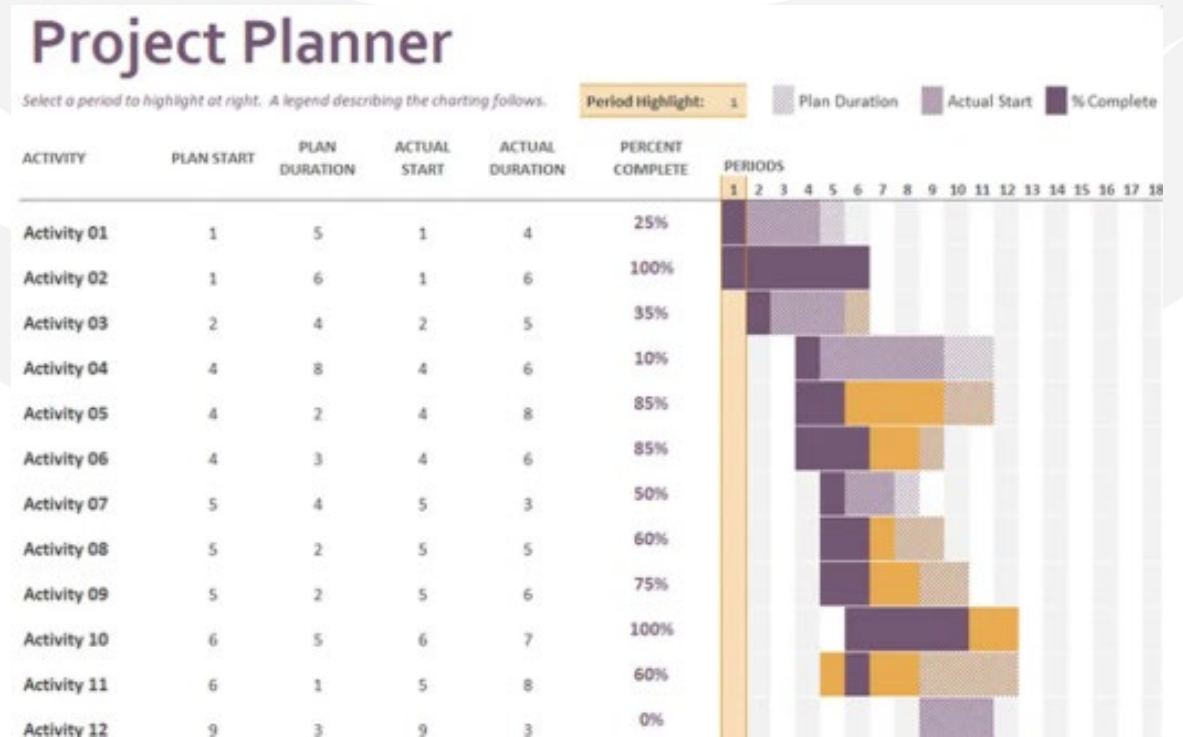
IV. Findings Summary Table

Part V Section Reference – Finding	Requirement(s)	Recommendation(s)

Control Authority (CA) Response Required

• Plans & Timeline

- CA required to respond to the required and recommended actions and submit AA
- Resubmit documents to show requirements have been addressed
- Can be helpful in assisting with Potable Reuse Program evaluation**



Pretreatment Requests

- Reach out to your Approval Authority first
- Approval Authority will determine if they need support from State Water Board
- Continue to check on status so it doesn't fall through cracks
- If issue/question needs additional clarification Pretreatment Staff will reach out to USEPA.

California Pretreatment Program

Approval Authority

Regional Water Boards

Technical Support

State Water Board

California Pretreatment Contacts

Role	Area	Point of Contact	Email
Approval Authority	Region 1	Matthew T. Herman Sabrina S. Cegielski	Matthew.Herman@waterboards.ca.gov Sabrina.Cegielski@Waterboards.ca.gov
Approval Authority	Region 2	James Parrish Michael Chee	James.Parrish@waterboards.ca.gov Michael.Chee@waterboards.ca.gov
Approval Authority	Region 3	Arwen Wyatt-Mair Sarah Crable	Arwen.Wyattmair@waterboards.ca.gov Sarah.Crable@waterboards.ca.gov
Approval Authority	Region 4	Adam Taing	Adam.Taing@waterboards.ca.gov
Approval Authority	Region 5	Sarah Curry	Sarah.Curry@waterboards.ca.gov
Approval Authority	Region 6	Jose VallededeLeon	Jose.Valledeleon@waterboards.ca.gov
Approval Authority	Region 7	Logan Raub	Logan.Raub@waterboards.ca.gov
Approval Authority	Region 8	Julio Lara	Julio.Lara@waterboards.ca.gov
Approval Authority	Region 9	Joann Lim Fisayo Osibodu	Joann.Lim@waterboards.ca.gov Fisayo.Osibodu@waterboards.ca.gov
Technical Support	State Board	Arnold Wong	Arnold.Wong@waterboards.ca.gov
Technical Support	State Board	Olivia Magaña	Olivia.Magana@waterboards.ca.gov

Thank You

Common Sewer Use Ordinance (SUO) Findings

- SUO does not provide the legal authority to assess civil/criminal penalties less than \$1,000 per violation per day.
- SUO missing all items being required to be in a permit (statement of applicable civil and criminal penalties, slug discharges requirements, etc.) (403.8(f)(1)(B1-6)).
- SUO does not provide the legal authority for the Control Authority to take independent samples.
- SUO does not include all hazardous waste notification requirements.
- SUO does not include a specific prohibition for trucked/hailed waste.
- SUO references recordkeeping requirements, however no reference is made to records for best management practices (part of streamlining rules).
- SUO missing language regarding how to differentiate confidential business information from business information.
- SUO must incorporate pretreatment streamlining rules, optional ones not required.

Common Multijurisdictional Agreement (MJA) Findings

- General language not specific to pretreatment roles and responsibilities (see [EPA's Multijurisdictional Agreements \[MJA\] guidance document](#))
- Clear roles and responsibilities amongst contributing agencies (contributing agency SUO must be as stringent as the Control Authority's SUO)

Enforcement Response Plans

Common findings:

- Enforcement Response Plan does not meet minimum elements required for pretreatment requirements, see 40 CFR 403.8(f)(5)
- Must have escalating enforcement
- Must include time frames

Local Limits

Common findings:

- Technical Evaluation required 5-yrs and/or when major changes due to significant upgrades or other
- Local limits were not technically based, changes to LLs that are less stringent must be substantially modified through Approval Authority
- Discrepancies found in Local Limit reports
- Provide supporting calculations, worksheet, and justification

Control Mechanisms

Common findings:

- Permit applications were outdated and incomplete;
- Applicable effluent limits categorical, local limits, and BMPs missing from permits.
- Permits were not reissued in a timely manner, extended over 5-yrs; permits cannot be more than 5-years.
- Extension permit letters missing for permits issued less than 5-years;
- Permits reviewed contained obligations to the Control Authority (CA).
- Statement duration; (cannot have a clause that allows the continuation of permits after 5 yrs. even under emergency situations)
- CA does not include description of the sampling locations in permit.
- Permits do not include record-keeping requirements.
- Permits have incomplete language for the notification of significant change in discharge.
- Permits do not specify whether composite samples are based on flow or time.

Site Visits

Select several sites to visit and do a walk through of the facility.

Message to IUs (Audits)

- Understand role and responsibility
- Cross-train more than 1 person in company to assist with pretreatment requirements
- Maintain records (easy access to permit, monitoring data, and compliance issues)
- Understand sampling requirements
- Facility should be easily accessible without **safety issues** that would prevent Audit
- Segregation of acids and bases; secondary containment for all liquid containers
- Maintain required logs and non-expired calibration solutions.
- Hauled Waste manifest

Substantial vs. Non-Substantial Modifications

Substantial:

§ 403.18 Modification of POTW pretreatment programs

- Modifications that relax POTW legal authority
- Modifications that relax local limits
- Changes to the POTW's Control mechanisms, as described in § 403.8(f)(1)(iii);
- A decrease in the frequency of self-monitoring or reporting required of industrial users
- A decrease in the frequency of industrial user inspections or sampling by the POTW
- Changes to the POTW's confidentiality procedures
- Other modifications designated by the AA

Non-Substantial:

§ 403.18 Modification of POTW pretreatment programs

- Changes outside Substantial

Approval Procedures:

§ 403.18 Modification of POTW pretreatment programs

Substantial

- Need to submit to the AA a statement of the basis for the desired program modification
- AA needs to approve or disapprove, cannot implement unless AA approves; the modification shall become effective upon approval by the AA.
- AA need not publish a notice of decision; the request will be approved if no comments are received by a date specified in the notice;
- Notices required may be performed by the CA

Non-Substantial

- Need to notify AA of any non-substantial modifications at least 45-days prior
- Within 45 days after submission, AA shall notify CA of its decision to approve or disapprove
- If the AA does not notify the CA within 45 days of its decision, or treat the modification as substantial, the POTW may implement the modification.

Development of Fact Sheets

Reasons/Benefits for incorporating fact sheets:

- Sets forth significant factual, legal, procedural, and policy questions considered in preparing the permit
- Summarizes findings of review of the application, inspections, and other materials necessary to describe the rationale for the conditions imposed in the control mechanism
- Brief description of the industrial user
- Type and quantity of the discharge
- Basis for the permit limits
- Detailed discussion of any special conditions in the permit and the rationale for pollutant selection and limits development
- Calculations showing the actual numbers used to derive each limit
- Understand the reoccurring compliance issues and resolutions
- Expedite review of the permits during PCAs/PCIs, time saver for CA and AA

Q & A