15A NCAC 02H .0908 REPORTING/RECORD KEEPING REQUIREMENTS FOR POTWS/INDUSTRIAL USERS

(a) Except where specified differently with any part of this Section, the regulations regarding the reporting requirements for control authorities and industrial users promulgated by the EPA and codified as 40 CFR 403.8(g) and 403.12 are hereby incorporated by reference, including any subsequent amendments and editions. A copy of the reference material can be found at http://www.ecfr.gov/cgi-bin/text-idx?SID=002b8fe78be0d299d7289c36ef66652d&mc=true&tpl=/ecfrbrowse/Title40/40CIsubchapN.tpl, free of charge.

(b) Control authorities with active approved pretreatment programs shall submit once per year a pretreatment report describing its pretreatment activities over the previous 12 months. Two copies of each pretreatment report shall be submitted to the Division by March 1 of each year for activities conducted for two six-month periods, January 1 through June 30 and July 1 through December 31 of the previous year. This annual report shall contain the following information in accordance with forms provided by the Division:

(1) a written summary of actions taken by the control authority to ensure compliance with pretreatment requirements;

(2) a pretreatment program summary on forms or in a format provided by the Division;

(3) a list of industrial users in significant noncompliance with pretreatment requirements, the nature of the violations, and actions taken or proposed to correct the violations on forms or in a format provided by the Division;

(4) an allocation table as described in Rule .0916(c)(4) of this Section; and

(5) other information the Division Director determines is needed to determine compliance with the implementation of the pretreatment program, including significant industrial user compliance schedules, public notice of industrial users in significant noncompliance, a summary of significant industrial user effluent monitoring data as described in Paragraphs (a) and (e) of this Rule, a summary of information related to significant non-compliance determination for industrial users that are not considered significant industrial users, and Long or Short Term Monitoring Plan data on forms or in a format provided by the Division.

(c) In lieu of submitting annual reports as described in Paragraph (b) of this Rule, the Division Director may allow modified pretreatment programs developed under Rule .0904(b) of this Section to submit only a partial annual report, or to meet with Division personnel as required to discuss enforcement of pretreatment requirements and other pretreatment implementation issues.

(d) Inactive pretreatment programs are not required to submit the report described in Paragraphs (b) and (c) of this Rule. Inactive approved pretreatment programs shall notify the Division when a significant industrial user proposes to discharge to the POTW and shall comply with Rule .0907 of this Section.

(e) Samples shall be collected and analyzed by the control authority independent of the industrial users for each significant industrial user as follows:

(1) A minimum of once each year for all permit-limited parameters including flow, except as follows:

(A) Independent monitoring of the industrial user by the control authority is not required for pollutants that are limited by a categorical standard for which specific certification or other alternative procedures apply where the industrial user submits the required documentation for that certification or procedure, even if the industrial user chooses to monitor in addition to using certification or other alternative procedures;

(B) The minimum frequencies in this Subparagraph shall be reduced by half, as set forth in 403.8(f)(2)(v)(C), for all permit-limited parameters for a significant industrial user determined by the control authority, subject to approval under Rule .0907 of this Section, to fit the criteria of a middle tier categorical industrial user under 40 CFR 403.12(e)(3); and

(C) For categorical parameters with monitoring waived under 40 CFR 403.12(e)(2), a minimum of once during the term of the applicable significant industrial user pretreatment permit as set forth in 40 CFR 403.8(f)(2)(v)(A); and

(2) If the control authority elects to sample and analyze in lieu of the industrial user, the control authority shall collect and analyze for the required parameters and, if applicable, in accordance with categorical standards.

(f) Records Retention:

(1) Control authorities and industrial users shall retain for three years records of monitoring activities and results, along with supporting information including annual pretreatment reports, general records, water quality records, and records of industrial user impact on the POTW;

(2) Other documents required by any rule of this Section (including supporting information) for other pretreatment program elements, such as pretreatment permits (IUPs), HWAs, SUOs, ERPs, etc., shall be retained for three years after the document has expired, been updated, or replaced;

(3) A summary of all significant industrial user effluent monitoring data reported to the control authority by the industrial user or obtained by the control authority shall be maintained on forms or in a format provided by the Division for review by the Division; and

(4) Laboratory records shall be maintained as set forth in Rule .0805 of this Subchapter.

(g) In the case where the receiving POTW treatment plant is not owned by the same local governmental organization as the control authority, all information required to be reported to the industrial user's control authority by this Section shall also be submitted to the POTW treatment plant governmental organization.

(h) In the case where the control authority accepts electronic reporting, the reporting shall comply with 40 CFR Part 3, and the control authority shall maintain documentation of approval as required under 40 CFR Part 3.

History Note: *Authority G.S. 143-215.1(a); 143-215.1(b); 143-215.2; 143-215.3(a)(2); 143-215.3(a)(14); 143-215.6(a)(1);*
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